



CITY OF
HAYWARD
HEART OF THE BAY

CITY COUNCIL AGENDA
OCTOBER 28, 2014

MAYOR BARBARA HALLIDAY
MAYOR PRO TEMPORE GREG JONES
COUNCIL MEMBER FRANCISCO ZERMEÑO
COUNCIL MEMBER MARVIN PEIXOTO
COUNCIL MEMBER AL MENDALL
COUNCIL MEMBER SARA LAMNIN
COUNCIL MEMBER ELISA MÁRQUEZ

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CITY COUNCIL MEETING FOR OCTOBER 28, 2014
777 B STREET, HAYWARD, CA 94541
WWW.HAYWARD-CA.GOV

CLOSED SESSION
Closed Session Room 2B – 5:00 PM

1. **PUBLIC COMMENTS**
 2. Conference with Labor Negotiators
Pursuant to Government Code 54957.6
 - Lead Negotiators: City Manager David; City Attorney Lawson; Assistant City Manager McAdoo; Finance Director Vesely; Director of Maintenance Services McGrath; Director of Public Works-Engineering and Transportation Fakhrai; Acting Human Resources Director Collins; Deputy City Attorney Vashi; Senior Human Resources Analyst Monnastes; Community and Media Relations Officer Holland; Jack Hughes, Liebert, Cassidy and WhitmoreUnder Negotiation: All Groups
 3. Conference with Legal Counsel
Pursuant to Government Code 54956.9
 - Anticipated Litigation (Two Cases)
 4. Adjourn to City Council meeting
-

CITY COUNCIL MEETING
Council Chambers – 7:00 PM

CALL TO ORDER Pledge of Allegiance Council Member Zermeño

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PUBLIC COMMENTS

The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Work Session or Information Items. The Council welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.

ACTION ITEMS: *(The Council will permit comment as each item is called for the Consent Calendar, Public Hearings, and Legislative Business. In the case of the Consent Calendar, a specific item will need to be pulled by a Council Member in order for the Council to discuss the item or to permit public comment on the item. Please notify the City Clerk any time before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.)*

CONSENT

1. Approval of Minutes of the Special City Council Meeting on October 14, 2014
[Draft Minutes](#)
2. Authorization for the City Manager to Execute a Professional Services Agreement for the Route 238 Corridor Improvement Project – Phase 2 and Phase 3 Design Services
[Staff Report](#)
[Attachment I](#)
3. Approval of Resolutions to Authorize the Figtree Property Assessed Clean Energy (PACE) Program to Serve Commercial Property Owners in Hayward
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[Attachment I Resolution](#)

October 28, 2014



5. Water Pollution Control Facility Cogeneration System: Authorization for the City Manager to Amend Professional Services Agreement for Additional Engineering Services During Construction and Amend Construction Contract for Additional Administrative Change Order Authority, and Appropriation of Funds

[Staff Report](#)

[Attachment I Resolution](#)

The following order of business applies to items considered as part of Public Hearings and Legislative Business:

- *Disclosures*
 - *Staff Presentation*
 - *City Council Questions*
 - *Public Input*
 - *Council Discussion and Action*
-

PUBLIC HEARING

6. Adoption of a Resolution for a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Introduction of an Ordinance for a Zone Change (Application No. PL-2014-0083) from Medium Density Residential to Planned Development and Vesting Tentative Tract Map 8172 (Application No. PL-2014-0084) associated with the subdivision and construction of 25 single-family detached homes, 10 attached homes and common areas on a 2.94-acre site bounded by Eden Avenue, Saklan Road and Montevina Way. Doug Rich of Valley Oak Partners (Applicant) and Sandra Gudiel, Fernando Ramirez and Tatsumi Hirakawa (Owners)(Report from Development Services Director Rizk)

[Staff Report](#)

[Attachment I Resolution](#)

[Attachment II Ordinance](#)

[Attachment III Area and Zoning Map](#)

[Attachment IV 2006 KB Home Conceptual Site Plan](#)

[Attachment V Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program](#)

[Attachment VI October 2, 2014 Draft Planning Commission Meeting Minutes](#)

[Attachment VII Project Plans](#)

7. Designation of Additional Preferential Residential Permit Parking Areas (Report from Public Works – Engineering & Transportation Director Fakhrai)

[Staff Report](#)

[Attachment I](#)

[Attachment II](#)



Information items are presented as general information for Council and the public, and are not presented for discussion. Should Council wish to discuss or take action on any of the “information” items, they will direct the City Manager to bring them back at the next Council agenda as an Action Item.

INFORMATION ITEMS

8. Regulating Short-term, Peer-to-Peer Rental Housing(Report from City Manager's Department)
[Staff Report](#)

CITY MANAGER’S COMMENTS

An oral report from the City Manager on upcoming activities, events, or other items of general interest to Council and the Public.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Oral reports from Council Members on their activities, referrals to staff, and suggestions for future agenda items.

ADJOURNMENT

NEXT REGULAR MEETING – 7:00 PM, TUESDAY, November 4, 2014

PUBLIC COMMENT RULES: *The Mayor may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens or organization. Speakers will be asked for their name before speaking and are expected to honor the allotted time. Speaker Cards are available from the City Clerk at the meeting.*

PLEASE TAKE NOTICE *that if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.* ***PLEASE TAKE FURTHER NOTICE*** *that the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.*

******Materials related to an item on the agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk’s Office, City Hall, 777 B Street, 4th Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City’s website. Written comments submitted to the Council in connection with agenda items will be posted on the City’s website. All Council Meetings are broadcast simultaneously on the website and on Cable Channel 15, KHRT. ******



Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or TDD (510) 247-3340.

Please visit us on:



October 28, 2014





**MINUTES OF THE SPECIAL CITY COUNCIL
MEETING OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, October 14, 2014, 7:00 p.m.**

The Special City Council meeting was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Márquez.

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Mendall, Jones, Peixoto, Márquez
MAYOR Halliday
Absent: COUNCIL MEMBER Lamnin

CLOSED SESSION ANNOUNCEMENT

Mayor Halliday reported that the Council met in closed session regarding five items: (1) Conference with legal counsel pursuant to Government Code 54956.9 regarding Hackney v. City of Hayward, U.S. District Court, N.D. CA, No. C-14-1714; Russell City Energy Company, LLC v. City of Hayward, U.S. District Court, N.D. CA, No. C-14-3102; and Sipple v. City of Alameda, et al., Los Angeles County Superior Court, No. BC462270; (2) Conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation; (3) Conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; (4) Conference with real property negotiators pursuant to Government Code 54956.8 regarding South Hayward BART land use purchase and acquisition; and (5) Conference with property negotiators pursuant to Government Code 54957.6 regarding 22632 Main Street (APN 428-0066-024-00); 22654 Main Street (APN 428-0066-039-00); 22696 Main Street (APN 428-0066-038-02); 1026 C Street (APN 428-0066-037-00); 1026 C Street (APN 428-0066-038-01). Mayor Halliday announced that there was no reportable action.

Mayor Halliday noted that the public could comment on Information Items during the Public Comments section.

PUBLIC COMMENTS

Mr. Jim Drake, Hayward resident, spoke about crime in Hayward and the need for more Police officers.

Mr. Kim Huggett, President of the Hayward Chamber of Commerce, spoke about two successful community events: the Mariachi Festival on October 3, 2014 and the 29th Annual Hayward Business Expo on October 8, 2014. Mr. Huggett announced the Hayward Non-Profit Alliance was an affiliate of the Chamber for nonprofit member organizations.

S. J. Samiul aka Citizen Sam, Hayward resident, spoke about a new development by Standard Pacific Homes; announced a Community in Compassion Conference on October 19, 2014; urged everyone to vote yes on Measure BB; reported potholes on Southland Mall Drive; and congratulated Assistant City Manager McAdoo for earning an international accreditation.

WORK SESSION

1. Update on Status of Exclusive Negotiations with Waste Management of Alameda County for New Garbage and Recycling Services

Staff report submitted by Utilities and Environmental Services Director Ameri, dated October 14, 2014, was filed.

Utilities and Environmental Services Director Ameri provided a synopsis of the report. Mr. Ameri announced the City was in receipt of preliminary comments from the Rental Housing Owners Association regarding existing services and potential new services. Mr. Ameri noted that City staff and representatives from Waste Management of Alameda County (WMAC) were in attendance at the meeting.

Discussion ensued among City staff and Council members related to commercial garbage rates within the County; the City's diversion rate of waste from landfill; Measure D augmentation; Bill-Belly trash receptacles; Consumer Price Index (CPI) increases; revenue vs. return on investment and illegal dumping assistance. The Council was in general agreement with the negotiation activities with WMAC and the proposed new enhanced services. Council members offered the following recommendations for City staff: have Big-Belly trash recycling containers on Tennyson Road and Hesperian Boulevard; consider implementing the Street Impact Fee in year two; consider adjusting CPI increases to a more reasonable level; add information on commercial garbage rates and compare to other jurisdictions in the County; forecast cost at the end of the contract and in comparison with surrounding cities; continue to ensure that WMAC employees are adequately compensated; and consult the Keep Hayward Clean and Green Task Force about places in the city where trash and recycling containers were needed.

CONSENT

Consent Item No. 7 was pulled for discussion.

2. Approval of Minutes of the City Council Meeting on September 16, 2014

It was moved by Council Member Zermeño, seconded by Council Member Jones, and carried unanimously with Council Member Lamnin absent, to approve the minutes of the City Council Meeting on September 16, 2014.

3. Approval of Minutes of the Special Joint City Council/Redevelopment Successor Agency Meeting on September 23, 2014

It was moved by Council/RSA Member Zermeño, seconded by Council/RSA Member Jones, and carried unanimously with Council/RSA Member Lamnin absent, to approve the minutes of the Special Joint City Council/Redevelopment Successor Agency Meeting on September 23, 2014.

4. Adoption of Ordinance Amending Sections 4-7.09, 4-7.11 and 4-7.13 of Article 7 of Chapter 4 of the Hayward Municipal Code Relating to Alarms



**MINUTES OF THE SPECIAL CITY COUNCIL
MEETING OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, October 14, 2014, 7:00 p.m.**

Staff report submitted by City Clerk Lens, dated October 14, 2014, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Jones, and carried unanimously with Council Member Lamnin absent, to adopt the following:

Ordinance 14-20, “Ordinance of the City of Hayward, California Amending Sections 4-7.09, 4-7.11 and 4-7.13 of Article 7 of Chapter 4 of the Hayward Municipal Code Relating to Alarms”

5. Approval of a Letter Agreement with BART to Reimburse the City for all Expenses Related to the Extension and Relocation of Water and Sewer Facilities at the BART Hayward Maintenance Complex (HMC) Project

Staff report submitted by Senior Utilities Engineer Louie, dated October 14, 2014, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Jones, and carried unanimously with Council Member Lamnin absent, to adopt the following:

Resolution 14-166, “Resolution Authorizing the City Manager to Negotiate and Execute a Letter Agreement with San Francisco Bay Area Rapid Transit District (BART) and the Waterline Easement Purchase and Sales Agreements for the Installation of a Water Main Loop to Supply BART Hayward Maintenance Complex, City Project No. 07180”

6. Recycled Water Project: Authorization for City Manager to Submit an Application for State Water Resources Control Board Revolving Fund Loan

Staff report submitted by Administrative Analyst II Ferreyra, dated October 14, 2014, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Jones, and carried unanimously with Council Member Lamnin absent, to adopt the following:

Resolution 14-167, “Resolution Authorizing the City Manager to Sign and File a State Water Resources Control Board State Revolving Fund Loan Financial Assistance Application for Capital Improvement Project #07507 – Recycled Water Treatment and Distribution Facilities”

7. Consideration of Resolution in Support of Measure L: Hayward Unified School District Prop 39 School Bond Measure

Staff report submitted by Management Fellow Stefanski, dated October 14, 2014, was filed.

Assistant City Manager McAdoo provided a synopsis of the report.

Mr. Jim Drake, Hayward resident, expressed support for Measure L, but was concerned it would economically impact residents on fixed incomes.

Council Member Zermeño mentioned Hayward was in dire need of passage of Measure L and offered a motion per staff recommendation. Council Member Mendall seconded the motion.

Council Member Márquez expressed support for Measure L noting there would be community oversight.

Council Member Jones expressed support for Measure L and encouraged Mr. Drake to look into the possibility of exemptions for senior citizens.

Mayor Halliday expressed support for Measure L.

It was moved by Council Member Zermeño, seconded by Council Member Mendall, and carried unanimously with Council Member Lamnin absent, to adopt the following:

Resolution 14-168, “Resolution in Support of Measure L: The Hayward Unified School District Prop 39 School Bond Measure”

8. Consideration of Resolution in Opposition to Proposition 47: The Safe Neighborhoods and Schools Act

The report was continued to October 21, 2014.

PUBLIC HEARING

9. Adoption of a Resolution of Intention to Approve an Amendment to the City of Hayward Contract with the California Public Employees Retirement System (“CalPERS”)

Staff report submitted by Acting Senior Human Resources Analyst Guimond, dated October 14, 2014, was filed.

Acting Human Resources Director Collins provided a synopsis of the report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:22 p.m.



**MINUTES OF THE SPECIAL CITY COUNCIL
MEETING OF THE CITY OF HAYWARD
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Tuesday, October 14, 2014, 7:00 p.m.**

It was moved by Council Member Peixoto, seconded by Council Members Jones and Mendall, and carried unanimously with Council Member Lamnin absent, to adopt the following:

Resolution 14-169, “Resolution Authorizing Intention to Approve an Amendment to Contract between the Board of Administration, California Public Employees Retirement System and the City of Hayward”

INFORMATION ITEMS

10. Public Works Contracts – Administrative Change Order

No comments on the item.

CITY MANAGER’S COMMENTS

Assistant City Manager McAdoo made four announcements: the Great California ShakeOut on October 16, 2014 at City Hall hosted by the Hayward Fire Department; an online survey for a Hayward Brand Study available on the City’s website; a neighborhood meeting on October 16, 2014 at City Hall to address BART parking changes; and shared positive results with water conservation in response to the drought.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Zermeño encouraged everyone to patronize Hayward restaurants.

Council Member Márquez acknowledged the participation of Council Member Zermeño, the Hayward Chamber of Commerce, and sponsors for a successful Mariachi Festival on October 3, 2014. Ms. Márquez noted that a helpline called ACCESS was a resource in Alameda County for individuals suffering with emotional issues.

Mayor Halliday thanked Council members for their participation at the 37th Annual Volunteer Recognition and Awards Dinner on October 7, 2014.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 8:37 p.m. in memory of Mr. Bill McCammon, Mr. Kenneth Richard Romick and Mr. Juan Gonzalez. Mr. Bill McCammon was the Executive Director of the East Bay Regional Communications System Authority, which helped to connect public agencies in Alameda and Contra Costa counties, and was the first Fire Chief of the Alameda County Fire Department. Mr. Kenneth Richard Romick was a native Californian, was a World War II veteran, raised a family in

Hayward, was active within his community, and is survived by his daughter Julie McKillop. Mr. Juan Gonzalez was an elderly man who was killed in a fire at a Hayward home. Mayor Halliday asked City staff to work with the families of Mr. Romick and Mr. Gonzalez and find suitable places to plant trees in their memories.

APPROVED:

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward

DATE: October 28, 2014

TO: Mayor and City Council

FROM: Director of Public Works – Engineering & Transportation

SUBJECT: Authorization for the City Manager to Execute a Professional Services Agreement for the Route 238 Corridor Improvement Project – Phase 2 and Phase 3 Design Services

RECOMMENDATION

That Council adopts the attached resolution (Attachment I) authorizing the City Manager to execute a professional services agreement with BKF Engineers, for the preparation of Phase 2 Final Design Plans of the Route 238 Corridor Improvement Project and Preliminary Design (35% design) for Phase 3, in an amount not to exceed \$1,400,000.

BACKGROUND

On November 27, 2007, Council approved Phase 1 of the Route 238 Corridor Improvement Project and certified the Final Environmental Impact Report (FEIR) for the project. Subsequently, Caltrans relinquished portions of State Routes 92, 185 and 238 to the City within the Phase 1 project limits. During the relinquishment discussions, the City and Caltrans agreed that Caltrans would relinquish, and the City would accept, most of the remainder of these state highways within the City boundaries after the Phase 1 project was completed and after sufficient Local Area Transportation Improvement Program (LATIP) funding might be available to improve these additional highway segments. Construction of the Phase 1 project is now complete.

Rule 20A Program – In 1968, the California Public Utilities Commission (CPUC) and utility companies established a program to “underground” utilities across the State. Under Rule 20A, Pacific Gas and Electric Company (PG&E) allocates funds, on a calendar year basis, to convert existing overhead electrical facilities to underground electrical facilities within the communities it serves. PG&E considers Rule 20A allocations as a tool to allow cities and counties to evaluate and prioritize undergrounding projects within their respective jurisdictions. These allocations accumulate until they are expended for undergrounding projects. PG&E uses its own funds to design and construct Rule 20A projects, and once the projects are completed, the cost is recovered through incremental utility rate increases.

By other CPUC rules and federal law, AT&T and Comcast are required to budget their own funds for the conversion of their facilities within the districts legislated for Rule 20A funding.

The City of Hayward often uses the Rule 20A program allocations to leverage the work that can be done with City capital improvement projects to maximize the benefits deriving from these projects. Each underground district requires a commitment of capital funds to install new streetlights, poles, conduit, and conductor, as PG&E’s wood poles supporting the overhead utility lines also support City street lights.

For the past several years, the City’s Rule 20A program has focused on the Mission Boulevard corridor. The City established seven districts, Underground District Nos. 24 – 30, to underground overhead wiring on Mission Boulevard and Watkins Street. On December 7, 2010, in anticipation of Phases 2 and 3 of the Mission Boulevard Corridor project, Council approved Underground District No. 29, Mission Boulevard from A Street to the north City limit, and Underground District No. 30, Mission Boulevard from Arrowhead Way to the south City limit. Work on District Nos. 24 – 27 completed the undergrounding along Mission Boulevard from Arrowhead Way to Sycamore Avenue. This work expended the City’s CPUC Rule 20A allocations through 2019, according to the latest PG&E accounting.

DISCUSSION

In general, the scope of work for Phases 2 and 3 of the Route 238 improvement project includes construction of new curb, gutter, sidewalk, median islands, pavement, streetlights, traffic signal system upgrade including Adaptive Traffic Management System, fiber optic cable, overhead utility undergrounding, landscaping, irrigation, sanitary sewers, water, and storm drain improvements.

Phases 2 and 3 of the project will improve Mission Boulevard from Industrial Parkway to the south City limit, and from A Street to the north City limit (Rose Street), respectively.

On September 6, 2013, three consultants responded to the Request for Proposals (RFP) for this project. City staff reviewed the proposals from BKF Engineers, Kimley-Horn and Associates, and Mark Thomas and Company for their understanding of the proposed work and the education, training, experience, past-performance, capabilities, personnel and workload of the firm’s staff. Staff recommends BKF Engineers for this project, based on their qualifications and experience. Their work will lead to the preparation of 100% plans for Phase 2 and 35% plans for Phase 3, including engineer’s estimates that can be used to advertise Phase 2 of the project and to identify funding sources for the remaining Phase 3 design and construction.

FISCAL & ECONOMIC IMPACT

BKF Engineers submitted a proposal for this phase of the project that is consistent with the budget allocation approved by the CTC. The not-to-exceed amount of \$1,400,000 includes \$1,167,000 for basic services and \$233,000 for additional services. Since all of this phase of the work will be funded by CTC approved LATIP funds, there will be no impact to the City’s General Fund.

Consultant Design Services	\$1,400,000
Design Administration – City Staff	600,000
Total	\$2,000,000

The Adopted FY 2015 Capital Improvement Program (CIP) includes \$2 million in the Route 238 Corridor Improvement Fund for this project.

LATIP Funds

Proceeds from the sale of State Route 238 Bypass properties totaling \$30 million were approved by the California Transportation Commission (CTC) as the top priority for LATIP funding. The CTC allocated \$8.1 million of this amount for the Route 238 Phase 1 expenses. All of the Route 238 Phase 2 funding is expected to come from the remaining LATIP balance of \$21.9 million and additional Rule 20A allocations for Underground District No. 30.

The CTC approved a \$2 million allocation from the LATIP fund balance for the Phases 2 and 3 design during their August 20, 2014 meeting. The remaining LATIP balance will be approved for construction of the Phase 2 project after design completion.

Rule 20A Funds

Unfortunately, the formula for calculating the City's annual Rule 20A allocation was revised in 2011, resulting in a reduction from approximately \$844,000 to \$440,000 annually. The change in the Rule 20A allocation, and the significant undergrounding work in Phase 1 have resulted in a negative Rule 20A balance that exceeds the City's allocation for the next five years. This is critical since PG&E will only work on an underground district if there is available funding for the entire project within this five year allocation window. The City has critically questioned PG&E's annual allocation calculation and lack of appropriate credits on recently completed Underground Districts for expenses related to the relocation of wood poles.

Staff is also exploring the potential of buying or borrowing Rule 20A allocations from other local agencies that do not have pending or planned underground projects. For instance, the City of Stockton has an available Rule 20A balance of \$11 million, with programmed projects requiring only \$6 million of that amount. Staff is working on a loan agreement that would reallocate the remaining \$5 million balance for Mission Boulevard undergrounding. The City would repay Stockton by transferring \$5 million, plus 2.5% interest in Rule 20A allocations, from future allocations as they become available.

A portion of the Mission Boulevard Phase 3 funding was also expected to come from the Rule 20A allocation for Underground District No. 29. Staff will continue to investigate opportunities to fund this undergrounding work, as well as remaining design work and the overall roadway construction project.

PUBLIC CONTACT

A very extensive public outreach and information program was conducted for Phase 1 of the Route 238 Project during development of the preliminary engineering and environmental study, final design, and during construction. Staff anticipates that similar outreach will continue during this next design phase with community input meetings, and a dedicated website to share information about the design and project schedule.

SCHEDULE

The following preliminary schedule has been established for this project:

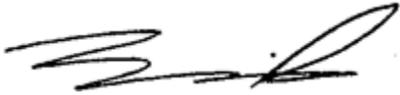
Begin Design	December 2014
Begin Construction	Early 2016
Complete Construction	Late 2017

This schedule is highly dependent upon utility companies providing the necessary support for the undergrounding design effort, in a timely fashion.

Prepared by: Yaw Owusu, Assistant City Engineer

Recommended by: Morad Fakhrai, Director of Public Works – Engineering & Transportation

Approved by:



Fran David, City Manager

Attachments:

Attachment I: Resolution

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-_____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BKF ENGINEERS FOR PROFESSIONAL SERVICES FOR THE ROUTE 238 CORRIDOR IMPROVEMENT PROJECT – PHASE 2 AND PHASE 3 DESIGN SERVICES

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute an agreement with BKF Engineers for Professional Services for the Route 238 Corridor Improvement Project – Phase 2 and Phase 3 Design Services, in an amount not to exceed \$1,400,000, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

DATE: October 28, 2014

TO: City Council

FROM: Director of Utilities & Environmental Services

SUBJECT: Approval of Resolutions to Authorize the Figtree Property Assessed Clean Energy (PACE) Program to Serve Commercial Property Owners in Hayward

RECOMMENDATION

That the City Council approves the attached two resolutions, which authorize the City Manager to execute agreements to join the California Enterprise Development Authority and the Figtree Property Assessed Clean Energy (PACE) program for commercial properties.

BACKGROUND

The California Streets and Highways Code authorizes cities and counties to form assessment districts to finance certain public improvements. Money is borrowed to pay for the improvements and the debt is paid off by the district's property owners through annual installments on their property tax bill. PACE programs use these types of districts to finance energy and water efficiency improvements. California AB 811 (July 21, 2008) amended the Streets and Highways Code to include the installation of renewable energy sources and energy efficiency upgrades as allowable public improvements. California AB 474 (January 1, 2010) expanded AB 811 to also make water efficiency improvements eligible for PACE financing.

The intent of the PACE legislation is to provide an additional means of financing to make energy and water efficiency improvements and renewable energy systems more affordable and accessible to property owners. PACE financing differs from other financing mechanisms because it allows property owners to finance 100% of the cost of eligible improvements, it does not involve the property owners' personal credit because it is based on the assessed value of the property, and it spreads the cost over a longer period of time, usually up to twenty years. Hayward's General Plan, adopted earlier this year, calls for the development of financing programs for energy efficiency retrofits and for installation of renewable energy systems for single-family residential, multi-family, and commercial properties (Programs NR-9, NR-10, NR-12, and NR-13).

When a governmental entity authorizes a PACE district, it must create a report that includes the boundaries of the district, eligible efficiency improvements, a method for prioritizing applications, and a plan for raising capital. PACE programs may use capital available from any source, including the sale of bonds. Participation in a PACE program is voluntary and only those property owners

who wish to participate pay an assessment. If a property owner participating in a PACE program sells the property, then the repayment obligation legally transfers with the property to the next owner.

Some local jurisdictions in California have created their own PACE districts and programs, and others have chosen to join a joint powers authority (JPA) that has established a PACE program. On January 5, 2010¹, the Hayward City Council voted to join the CaliforniaFIRST PACE Program, which is sponsored by the California Statewide Communities Development Authority JPA. CaliforniaFIRST launched its non-residential program in September 2012 with fourteen counties and more than 120 cities participating in California. To date, there have been eighty applications for non-residential projects totaling over \$43 million throughout California. Of these, sixteen are in Alameda County (totaling approximately \$13 million) and two (totaling approximately \$600,000) are in Hayward.

Residential PACE – Until recently, most PACE programs had put their residential activities on hold in response to opposition from the Federal Housing Finance Agency (FHFA). PACE assessments are designed to be senior to a mortgage, meaning that upon a foreclosure or forced sale, the assessment would be paid off prior to the mortgage. Because of this, the FHFA argued that PACE was too risky for lenders to support and, in July 2010, instructed Fannie Mae and Freddie Mac to stop underwriting mortgages for customers with PACE assessments. Since 2010, the State of California has made various attempts to influence the FHFA’s position, including a failed lawsuit and the creation of a \$10 million loan-loss reserve to pay back lenders in case a homeowner defaulted. On May 1, 2014, the FHFA wrote a letter to California officials stating that the reserve fund did not sufficiently address the risks to lenders and that the Agency would not change its policy on PACE.

Despite the FHFA’s firm stance, it has not taken enforcement action against participating jurisdictions or property owners. Furthermore, some residential programs have continued to operate over the past three years and have not experienced the increase in mortgage default rates that the Federal Agency feared. These factors have encouraged residential PACE programs in California and elsewhere to restart activities. CaliforniaFIRST re-launched its residential program² in August 2014. Because the City Council previously authorized CaliforniaFIRST to operate in Hayward, this program is now available to Hayward homeowners.

DISCUSSION

Benefits and Risks of Opening the Market of PACE Financing – There are now thirty-one states that have passed legislation supporting PACE financing, thirteen of which have active programs. Of these thirteen, only seven have more than one PACE program operating in the state. California is leading the way, with approximately ten active programs. As the number of programs grows, this has sparked a discussion about the merits of authorizing multiple PACE programs to operate in a single jurisdiction. Some advocacy groups, including PACENow, support an “open market” for

¹ <http://www.hayward-ca.gov/CITY-GOVERNMENT/CITY-COUNCIL-MEETINGS/rp/2010/rp010510-07.pdf>

² <https://californiafirst.org/>

PACE providers, claiming that competition helps build a stronger PACE industry landscape and provides property owners more choices.

A handful of cities have recently adopted this approach. For example San Jose, which had previously approved CaliforniaFIRST, approved the Figtree PACE and HERO Financing programs in December 2013. HERO (Home Energy Renovation Opportunity) was launched in 2011 by the Western Riverside Council of Governments, and has since expanded to be available for commercial and residential properties throughout California. Figtree PACE is described below. The presence of multiple PACE programs operating in the same market is a relatively new occurrence and there is little data available to support claims of benefits.

JPA-sponsored PACE programs like CaliforniaFIRST and Figtree generally offer little risk to local jurisdictions. The JPAs offering these programs assume the legal liability, providing legal protection to the City. Any bonds issued to finance projects are issued by the JPA, so the City has no obligation to the bonds.

However, as with most financing mechanisms, PACE programs can present risks to consumers. With enough information, savvy property owners should be able to assess if PACE financing is a wise long-term investment for their particular circumstance. However, as seen in the 2008 mortgage crisis, property owners don't always have the knowledge needed to make well-informed financing decisions. The PACE model differs from other types of government assessment districts, such as lighting or fire districts, because it is optional for each individual property owner. This raises a potential concern that some PACE providers will use aggressive marketing tactics to convince property owners to use their product when it may not be in the owner's best long-term interest.

If administered appropriately, PACE programs can save property owners money in the long-run through efficiency upgrades. However, if administered inappropriately, property owners could end up owing more than they save. This is especially a concern in the residential market. As a group, commercial property owners are considered to be generally more savvy than residential owners about financing decisions because it is part of their job.

PACE financing presents further complications for homeowners with Fannie Mae and Freddie Mac mortgages. It's not illegal for these homeowners to participate in the program, but they may be required to pay off the loan first if they want to sell their home or refinance their mortgage. The Sonoma County Energy Independence Program, which has been providing PACE financing for residential properties since 2009, has found that many homeowners are able to carry their PACE lien through a refinance, but only some have been able to do so when they sell their home. It is important that these homeowners understand these implications before entering into a PACE assessment.

Figtree PACE Financing – Currently, CaliforniaFIRST is the only PACE program that the City of Hayward has authorized. At its January 29 meeting³, the Sustainability Committee considered the Figtree PACE Program and recommended that the City Council approve the City's participation in

³ See Item #4: <http://www.hayward-ca.gov/CITY-GOVERNMENT/COUNCIL-STANDING-COMMITTEES/COUNCIL-SUSTAINABILITY-COMMITTEE/2014/CSC-CCSC012914full.pdf>

the Program, which would make it the second PACE Program authorized to operate in Hayward. While preparing to present the program to Council, staff reviewed Figtree's Program Report, which Council would need to adopt to join the Program. This review raised some concerns, which staff presented to the Committee at its September 11 meeting⁴. At that meeting, the Committee reaffirmed its recommendation that the City Council join the Figtree Program, but recommended that Figtree's authority be limited to commercial properties only.

Founded in 2011, the Figtree PACE program is sponsored by the California Enterprise Development Authority (CEDA), a joint powers authority. Since the City is not an associate member of CEDA, Council would need to approve a resolution to become an associate member. There is no cost or liability associated with becoming a member of CEDA. Figtree is currently available in forty-nine cities and unincorporated areas in California, including Dublin and unincorporated Alameda County. Some other cities in Alameda County have considered participating in Figtree PACE, but have not done so because they have not had interested property owners. Currently, Figtree's focus is on non-residential properties, though it also offers financing to residential properties that either do not have a mortgage lien or have a non-FHFA mortgage. To date, Figtree has provided \$1.5 million in PACE financing to California businesses. Figtree is planning to launch a full residential program in early 2015.

The primary concern related to the Figtree Program is their use of accelerated foreclosure, which gives property owners less time to remedy a default. Accelerated foreclosure is authorized by state law and allows the program to recover delinquent assessments in a faster timeframe than the regular foreclosure process. Regular foreclosures usually take a few years, whereas accelerated foreclosures can take less than a year. Property owners participating in the Figtree program would receive a notice of default after their second missed payment, and the foreclosure sale can occur approximately eight months after the notice.

In contrast to Figtree, CaliforniaFIRST uses judicial foreclosure as their means of recovering delinquent assessments. Judicial foreclosure generally provides more protection for the property owner because it requires the lender to file a lawsuit and involves a judge.

For reasons mentioned above, accelerated foreclosure will become a greater concern when Figtree expands its services to include residential properties. If Council approves the full Figtree Program at this time, then Figtree could begin serving the residential sector in the future without further Council action. For this reason, the Sustainability Committee recommended that restrictive language be added to the adopting resolutions to limit Figtree's authority to commercial properties only. The attached resolutions include this restrictive language.

To join the Figtree program, Council would need to adopt one resolution to join CEDA (Attachment I) and another resolution to opt into the Alameda County Figtree PACE assessment district (Attachment II). When Alameda County approved participation in Figtree in 2012, the Board of Supervisors established an assessment district for all of Alameda County. These actions will not expose the City to financial or other liability.

⁴ See Item #4: <http://www.hayward-ca.gov/CITY-GOVERNMENT/COUNCIL-STANDING-COMMITTEES/COUNCIL-SUSTAINABILITY-COMMITTEE/2014/CSC-CCSC091114full.pdf>

The second resolution includes Council's approval of the Program Report that has been approved by the CEDA Board of Directors. The Program Report is a 107-page document describing the program, eligible projects, requirements for contractors, boundary maps for all participating jurisdictions, and program application forms. The full Program Report is available in the City Clerk's office. Staff reviewed the Program Report and recommends that Council approve the document for commercial properties.

ECONOMIC IMPACT

The existence of these two PACE programs in Hayward continues to signal to the outside world that Hayward is innovative and on the forefront of addressing environmental issues. Expanding PACE accessibility to commercial properties also assists our business community in meeting environmental goals within an affordable financing structure; and makes Hayward more attractive to new businesses.

Both CaliforniaFIRST and Figtree have similar potential benefits to property owners, including an alternative method for owners to finance energy and water efficiency retrofits and renewable energy systems and to realize the energy cost savings related to them. If Hayward experiences high participation from property owners, local green jobs may be created to complete these energy and water improvements.

Figtree is currently attracting investment. In March 2014, it partnered with a New York-based financial institution for up to \$60 million in capital. Upon Council adoption of the attached resolutions, commercial property owners in Hayward will have access to Figtree financing. However, it is unclear if there is a demand from Hayward property owners for additional financing. So far, there have only been two commercial PACE projects in Hayward, both of which CaliforniaFIRST was able to finance. In March, CaliforniaFIRST raised \$20 million in venture capital and in May, it secured a \$300 million credit facility.

As mentioned above, there are also potential economic risks to property owners when they take on PACE financing. In the worst case, cost savings may not materialize as predicted, and the owners could end up owing more than they can afford. This could result in increased defaults in Hayward. However, at this time, staff is recommending Council authorization for commercial properties only.

FISCAL IMPACT

Participation in the Figtree PACE program will not impact the General Fund or any City funds. PACE programs use private sector capital to provide property owners with funding. The City will not incur any cost or involvement and there is no administrative responsibility, marketing obligations, or financial exposure to the City. CEDA, Figtree, and the City will execute an Indemnification Agreement releasing the City of all financial and legal liability related to Figtree's administration of the Figtree PACE program. The City Attorney's office reviewed the draft agreement and recommends that Council authorize its execution. Additionally, the Joint Powers Agreement that established CEDA provides that the liabilities and obligations of the JPA remain with the JPA and are not incurred by the individual members.

PUBLIC CONTACT

Staff is aware of one Hayward property owner interested in participating in the Figtree program. A letter from the owner (Attachment III) and an email from the contractor (Attachment IV) were received supporting Council's adoption of the program. The letter and email were provided to the Sustainability Committee on September 11, 2014.

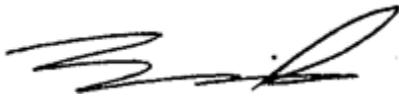
NEXT STEPS

Upon Council's adoption of the attached resolutions, staff will execute the agreements and work with Figtree and CEDA to ensure that the Figtree program is available to Hayward commercial property owners. If Council decides to make Figtree available to single-family residential property owners, staff would provide revised resolutions at a later meeting.

Prepared by: Mary Thomas, Administrative Analyst I

Recommended by: Alex Ameri, Director of Utilities & Environmental Services

Approved by:



Fran David, City Manager

Attachments:

Attachment I	Resolution Approving Associate Membership in CEDA
Attachment I-a	Associate Membership Agreement in CEDA
Attachment II	Resolution to Opt into PACE
Attachment III	Letter from International Manufacturing
Attachment IV	Email from Wipomo

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-

Introduced by Council Member _____

RESOLUTION APPROVING ASSOCIATE MEMBERSHIP BY THE CITY OF HAYWARD IN THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY AND AUTHORIZING AND DIRECTING THE EXECUTION OF AN ASSOCIATE MEMBERSHIP AGREEMENT RELATING TO ASSOCIATE MEMBERSHIP OF THE CITY IN THE AUTHORITY

WHEREAS, the City of Hayward, California (the “City”), a municipal corporation, duly organized and existing under the Constitution and the laws of the State of California; and

WHEREAS, the City, upon authorization of the City Council, may pursuant to Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California, commencing with Section 6500 (the "JPA Law") enter into a joint exercise of powers agreement with one or more other public agencies pursuant to which such contracting parties may jointly exercise any power common to them; and

WHEREAS, the City and other public agencies wish to jointly participate in economic development financing programs for the benefit of businesses and nonprofit entities within their jurisdictions offered by membership in the California Enterprise Development Authority (the "Authority") pursuant to an associate membership agreement and Joint Exercise of Powers Agreement Relating to the California Enterprise Development Authority (the “Agreement”); and

WHEREAS, under the JPA Law and the Agreement, the Authority is a public entity separate and apart from the parties to the Agreement and the debts, liabilities and obligations of the Authority will not be the debts, liabilities or obligations of the City or the other members of the Authority; and

WHEREAS, the form of Associate Membership Agreement (the “Associate Membership Agreement”) between the City and the Authority is attached; and

WHEREAS, the City is willing to become an Associate Member of the Authority subject to the provisions of the Associate Membership Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward, hereby finds, determines and declares as follows:

Section 1. The City Council hereby specifically finds and declares that the actions authorized hereby constitute public affairs of the City. The City Council further finds that the statements, findings and determinations of the City set forth in the preambles above are true and correct.

Section 2. The Associate Membership Agreement presented to this meeting and on file with the City Clerk is hereby approved. The Mayor of the City, the City Manager, the City Clerk and other officials of the City are each hereby authorized and directed, for and on behalf of the City, to execute and deliver the Associate Membership Agreement in substantially said form, with such changes therein as such officer may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. The officers and officials of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to consummate, carry out, give effect to and comply with the terms and intent of this resolution and the Associate Membership Agreement. All such actions heretofore taken by such officers and officials are hereby confirmed, ratified and approved.

Section 4. This resolution shall take effect immediately upon its passage.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

ASSOCIATE MEMBERSHIP AGREEMENT

by and between the

CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY

and the

CITY OF HAYWARD, CALIFORNIA

THIS ASSOCIATE MEMBERSHIP AGREEMENT (this “Associate Membership Agreement”), dated as of _____ by and between CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY (the “Authority”) and the CITY OF HAYWARD, CALIFORNIA, a municipal corporation, duly organized and existing under the laws of the State of California (the “City”);

WITNESSETH:

WHEREAS, the Cities of Selma, Lancaster and Eureka (individually, a “Member” and collectively, the “Members”), have entered into a Joint Powers Agreement, dated as of June 1, 2006 (the “Agreement”), establishing the Authority and prescribing its purposes and powers; and

WHEREAS, the Agreement designates the Executive Committee of the Board of Directors and the President of the California Association for Local Economic Development as the initial Board of Directors of the Authority; and

WHEREAS, the Authority has been formed for the purpose, among others, to assist for profit and nonprofit corporations and other entities to obtain financing for projects and purposes serving the public interest; and

WHEREAS, the Agreement permits any other local agency in the State of California to join the Authority as an associate member (an “Associate Member”); and

WHEREAS, the City desires to become an Associate Member of the Authority;

WHEREAS, City Council of the City has adopted a resolution approving the Associate Membership Agreement and the execution and delivery thereof;

WHEREAS, the Board of Directors of the Authority has determined that the City should become an Associate Member of the Authority;

NOW, THEREFORE, in consideration of the above premises and of the mutual promises herein contained, the Authority and the City do hereby agree as follows:

Section 1. Associate Member Status. The City is hereby made an Associate Member of the Authority for all purposes of the Agreement and the Bylaws of the Authority, the provisions of which are hereby incorporated herein by reference. From and after the date of execution and delivery of this Associate Membership Agreement by the City and the Authority, the City shall be and remain an Associate Member of the Authority.

Section 2. Restrictions and Rights of Associate Members. The City shall not have the right, as an Associate Member of the Authority, to vote on any action taken by the Board of Directors or by the Voting Members of the Authority. In addition, no officer, employee or representative of the City shall have any right to become an officer or director of the Authority by virtue of the City being an Associate Member of the Authority.

Section 3. Effect of Prior Authority Actions. The City hereby agrees to be subject to and bound by all actions previously taken by the Members and the Board of Directors of the Authority to the same extent as the Members of the Authority are subject to and bound by such actions.

Section 4. No Obligations of Associate Members. The debts, liabilities and obligations of the Authority shall not be the debts, liabilities and obligations of the City.

Section 5. Execution of the Agreement. Execution of this Associate Membership Agreement and the Agreement shall satisfy the requirements of the Agreement and Article XII of the Bylaws of the Authority for participation by the City in all programs and other undertakings of the Authority.

IN WITNESS WHEREOF, the parties hereto have caused this Associate Membership Agreement to be executed and attested by their proper officers thereunto duly authorized, on the day and year first set forth above.

**CALIFORNIA ENTERPRISE
DEVELOPMENT AUTHORITY**

By: _____
Gurbax Sahota, Chair
Board of Directors

Attest:

Michelle Stephens, Asst. Secretary

CITY OF HAYWARD, CALIFORNIA

By: _____
Barbara Halliday, Mayor
City Council

Attest:

Miriam Lens
City Clerk

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-

Introduced by Council Member _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD, STATE OF CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE INCORPORATED AREA OF THE CITY IN THE ALAMEDA COUNTY PROPERTY ASSESSED CLEAN ENERGY PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY AND WATER EFFICIENCY IMPROVEMENTS, APPROVING THE REPORT SETTING FORTH THE PARAMETERS OF THE REFERENCED PROGRAM AND CERTAIN MATTERS IN CONNECTION THEREWITH

RECITALS:

WHEREAS, the California Enterprise Development Authority ("CEDA") is a joint exercise of powers authority, comprised of cities and counties in the State of California, including the City Hayward (the "City"); and

WHEREAS, CEDA has adopted the Figtree Property Assessed Clean Energy (PACE) and Job Creation Program (the "Program" or "Figtree PACE"), to allow the financing of certain renewable energy, energy efficiency and water efficiency improvements (the "Improvements") through the levy of contractual assessments pursuant to Chapter 29 of Division 7 of the Streets & Highways Code ("Chapter 29"), and the issuance of improvement bonds or other evidences of indebtedness (the "Bonds") under the Improvement Bond Act of 1915 (Streets and Highways Code Sections 8500 et seq.) (the "1915 Act") upon the security of the unpaid contractual assessments; and

WHEREAS, Chapter 29 provides that assessments may be levied under its provisions only with the free and willing consent of the owner of each lot or parcel on which an assessment is levied at the time the assessment is levied; and

WHEREAS, the Board of Supervisors (the "Board of Supervisors") of the County of Alameda, a political subdivision of the State of California (the "County"), has adopted Figtree PACE pursuant to the Act; and

WHEREAS, the parameters of Figtree PACE are set forth in the Program Report and such Report has been prepared pursuant to Section 5898.22 of the Act and approved by the CEDA Board of Directors; and

WHEREAS, with the assistance of the City’s staff, the City Council of the City of Hayward (the “City Council”) has reviewed the Program Report;

WHEREAS, the Act authorizes CEDA to enter into contractual assessments with non-residential property owners located within incorporated cities in the County of Alameda upon the approval of the legislative body of the related city to participate in Figtree PACE; and

WHEREAS, the City of Hayward (the “City”) desires to participate with the County in Figtree PACE, and provide for participation in Figtree PACE by non-residential property owners located within City limits; and

WHEREAS, pursuant to Chapter 29, the City authorizes CEDA to levy assessments, pursue remedies in the event of delinquencies, and issue bonds or other forms of indebtedness to finance the Improvements in connection with Figtree PACE; and

WHEREAS, to protect the City in connection with operation of the Figtree PACE, Figtree Energy Financing, the program administrator, has agreed to defend and indemnify the City; and

WHEREAS, the Figtree PACE program shall only be available to commercial, industrial, and agricultural property within the Proposed Boundaries including multifamily property with five units or more; and

WHEREAS, the City will not be responsible for the levy of assessments, any required remedial action in the case of delinquencies, the issuance, sale or administration of the bonds or other indebtedness issued in connection with Figtree PACE.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hayward as follows:

Section 1. Good Standing. The City is either a municipal corporation or other public body and a member of CEDA in good standing.

Section 2. Public Benefits. On the date hereof, the City Council hereby finds and determines that the Program and issuance of Bonds by CEDA in connection with Figtree PACE will provide significant public benefits, including without limitation, savings in effective interest rates, bond preparation, bond underwriting and bond issuance costs and reductions in effective user charges levied by water and electricity providers within the boundaries of the City.

Section 3. Resolution of Intention. The City Council ratifies the resolution adopted by the CEDA Board of Directors on April 26, 2012 declaring the Board’s intention to order the implementation of a contractual assessment program. In making this ratification, it is the City’s intention to only authorize contractual assessments pursuant to the Act on commercial, industrial,

and agricultural property within the Proposed Boundaries including multifamily property with five units or more.

Section 4. Boundaries. The City Council hereby approves the inclusion in Figtree PACE all of the properties in the incorporated area within the City, as same may be amended through annexation from time to time, the acquisition, construction and installation within City limits of the energy and water efficiency measures set forth in the Report upon the request and agreement of the affected property owner, and the assumption of jurisdiction thereof by CEDA for the aforesaid purposes. The adoption of this Resolution by this City Council constitutes the approval by the City to participate in Figtree PACE. This City Council further authorizes CEDA to set the terms of, and implement, Figtree PACE and take each and every action necessary or desirable for financing the Improvements, including the levying, collecting and enforcement of the contractual assessments to finance the Improvements and the issuance of bonds, notes or other forms of indebtedness secured by such contractual assessments as authorized by Chapter 29.

Section 5. Appointment of CEDA. The City hereby appoints CEDA as its representative to (i) record the assessment against the Participating Parcels, (ii) administer the District in accordance with the Improvement Act of 1915 (Chapter 29 Part 1 of Division 10 of the California Streets and Highways Code (commencing with Section 8500 et seq.) (the "Law"), (iii) prepare program guidelines for the operations of the Program and (iv) proceed with any claims, proceedings or legal actions as shall be necessary to collect past due assessments on the properties within the District in accordance with the Law and Section 6509.6 of the California Government Code. The City is not and will not be deemed to be an agent of Figtree or CEDA as a result of this Resolution.

Section 6. Program Report. The City Council hereby acknowledges that pursuant to the requirements of Chapter 29, CEDA has prepared and will update from time to time the "Program Report" for Figtree PACE (the "Program Report") and associated documents, and CEDA will undertake assessment proceedings and the financing of Improvements as set forth in the Program Report.

Section 7. Foreclosure. The City Council hereby acknowledges that the Law permits foreclosure in the event that there is a default in the payment of assessments due on a property. The City Council hereby designates CEDA as its representative to proceed with collection and foreclosure of the liens on the defaulting properties within the District, including accelerated foreclosure pursuant to the Program Report.

Section 8. Indemnification. The City Council acknowledges that Figtree has provided the City with an indemnification agreement, as shown in Exhibit B, for negligence or malfeasance of any type as a result of the acts or omissions of Figtree, its officers, employees, subcontractors and agents. The City Council hereby authorizes the appropriate officials and staff of the City to execute and deliver the Indemnification Agreement to Figtree.

Section 9. City Contact Designation. The appropriate officials and staff of the City are hereby authorized and directed to make applications for Figtree PACE available to all non-

residential property owners who wish to finance Improvements. The following staff persons, together with any other staff designated by the City Manager from time to time, are hereby designated as the contact persons for CEDA in connection with Figtree PACE: Erik Pearson, Environmental Services Manager; phone: 510-583-4770; email: erik.pearson@hayward-ca.gov .The City Clerk is directed to provide a certified copy of this Resolution to Figtree Energy Financing.

Section 10. CEQA. The City Council hereby finds that adoption of this Resolution is not a "project" under the California Environmental Quality Act ("CEQA"), because the Resolution does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4)).

Section 11. Effective Date. This Resolution shall take effect immediately upon its adoption. The City Clerk is hereby authorized and directed to transmit a certified copy of this resolution to Figtree Energy Financing.

Section 12. Costs. Services related to the formation and administration of the assessment district will be provided by CEDA at no cost to the City.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

INTERNATIONAL MANUFACTURING
CNC PRECISION MACHINE SHOP ISO-COMPLIANT

January 24, 2014

Hayward City Council/Hayward Sustainability Committee
& Public Works-Utilities & Environmental Services
City Hall
777 B Street
Hayward, CA 94541

Attention: Erik J Pearson, AICP/ Hayward City Council

I am the present owner of International Manufacturing, a small CNC precision machine shop in Hayward, CA. This business was built at this location over thirty years ago for Mr. Johnson Chiang and was purchased by me in 2005.

I understand that the City of Hayward will soon decide the future of the Property Assessed Clean Energy (PACE) financing. I urge the Council Sustainability Committee to recommend that the City Council adopt the Figtree PACE program.

Each year brings large increases in the cost of doing business; sometimes as much as 20%. With stiff competition, especially overseas, our company is exploring methods of reducing costs. This energy efficient retrofit proposed by Wipomo with proposed financing through PACE-Figtree is ideal.

This financing allows IMI to save or fix energy cost in the future, enjoy state and federal tax rebates, ensure greater profitability, and ultimately enjoy a tremendous increase in the value of the property. These results benefit everyone: IMI, the City of Hayward and Alameda County.

I urge you to allow this “cutting-edge” financing proposal to happen.

Sincerely,



Clement C. Johnson, III President

Erik Pearson

From: Charlie Johnson <charlie@wipomo.com>
Sent: Wednesday, January 22, 2014 9:13 AM
To: Erik Pearson
Cc: Joe Flores; cchapin@figtreefinancing.com
Subject: Figtree PACE Program | City of Hayward

Mr. Erik Pearson,

My name is Charlie Johnson, founder of Wipomo. As you are aware, Wipomo has been working closely with Figtree PACE (Property Assessed Clean Energy) Financing to bring Figtree PACE to the City of Hayward. The reason for this email today is to provide additional support to the Council Sustainability Committee as they review the Figtree PACE Program on the 29th of January.

I am urging the committee to recommend City Council adopt the Figtree PACE Program. I have a project in the City of Hayward that would immediately benefit by using Figtree PACE to finance the project. Without this funding, the energy efficiency retrofit will not be possible and the property owner will not realize the energy savings.

The County of Alameda has already adopted the Figtree PACE Program as well as numerous other cities throughout the state, including the City of San Jose, San Diego, Fresno and many others. A complete list of Participating Cities can be found at the bottom of the page on the following link:

<http://www.figtreefinancing.com/government-member-agencies/>

The Figtree PACE Program can create jobs and has already funded projects in other cities. For the news release on Figtree's latest bond issue for solar and roofing projects in Fresno, Bakersfield, and Chico, click here:

<http://info.figtreefinancing.com/e/28222/es-third-bond-just-3-months-af/wvhqm/503773218>

<http://nreionline.com/nreiwire/press-release-commercial-pace-provider-figtree-financing-issues-third-bond-just-3-months-af>

The Figtree PACE Program will allow property owners in the City of Hayward access to capital for financing energy efficiency, renewable energy, and water conservation improvements on commercial and industrial properties and pay for those costs through their annual property tax bill as a line item.

There's no financial impact to the city's General Fund, no legal liability and no upfront costs to owners who choose to make these improvements.

Upgrades to windows and doors, lighting, refrigeration, bathrooms, solar photovoltaic and water, and HVAC are some of the projects eligible for financing

During a time when many contractors are struggling to find ways to increase cash flow, the City of Hayward has an opportunity to offer this important economic development tool at no cost to the City. In addition to helping the business community, retrofitting the commercial and industrial building stock has the potential of directly assisting the local construction industry - one of the industries hardest hit by the economic downturn.

Please contact Joe Flores, Figtree's Vice President of Municipal Finance directly at (858) 771-0895 or via email: jflores@figtreefinancing.com for additional details.

You can reach me at: 760-809-3391 or via email at charlie@wipomo.com.

Thank you,
-Charlie

--
Charlie Q. Johnson
Founder - CEO, Wipomo
760-809-3391
charlie@wipomo.com

~~~~~  
Wipomo's "Energy Ecosystem" puts you "On the Road to Energy Independence".

**DATE:** October 28, 2014

**TO:** Mayor and City Council

**FROM:** Development Services Director

**SUBJECT:** Adoption of a Resolution Approving an Amendment for up to \$31,000 to a Professional Services Agreement for Associate Planner Services in the Planning Division

### **RECOMMENDATION**

That the Council adopts the attached resolution, authorizing the City Manager to further amend a contract for professional services with West Coast Code Consultants (WC3), and to increase the contract amount by up to \$31,000 to perform the duties of an Associate Planner position in the Planning Division of the Development Services Department for a term not to exceed January 31, 2015. The total contract amount will not exceed \$141,000.

### **BACKGROUND**

The City Council previously approved two extensions to an original contract for Associate Planner consultant services to augment Associate Planner duties earlier this calendar year and to provide planning services while the City recruited for a new Senior Planner. This request is for a final contract extension through the end of January of 2015, as the City completes the recruitment and training process for a new Senior Planner.

### **DISCUSSION**

The Development Services Department currently employs three Associate Planners in the Planning Division. One of the three Associate Planners was absent for ten weeks on approved leave, from February 10 through April 18, 2014. Due to the demand for planning services related to the employee's absence, the Development Services Department originated an agreement with West Coast Code Consultants (WC3) on January 31, 2014, to provide professional planning services not to exceed \$25,000. In order to allow for the completion and reassignment of projects already in progress, Council adopted Resolution #14-050 to amend the agreement with WC3 by extending the professional planning services of Donna Kenney through the end of the fiscal year, and increase the contract by an additional \$36,000. Shortly thereafter, the Planning Manager resigned, and Sara Buizer was assigned as the Interim Planning Manager. Sara Buizer was subsequently appointed the Planning Manager position effective July 28, 2014, creating a vacancy for a Senior Planner. On June 24, 2014, Council adopted Resolution #14-092 to further amend the agreement with WC3 by

extending the agreement term through October 31, 2014, in order to allow for a thorough recruitment for and training of a new Senior Planner. Recruitment for a Senior Planner is currently in progress and is anticipated to be completed by year's end. Through WC3, Ms. Kenney will continue to perform Associate Planner duties and tasks, including substantial progress on the Sign Ordinance Update, Permit Center counter duties and providing technical support to Senior Planner Damon Golubics and Planning Manager Sara Buizer in the Planning Division. This amendment would allow a total contract amount of up to \$141,000.

**FISCAL IMPACT**

All costs for this professional services agreement will be offset by salary savings via the approved vacant Senior Planner position within the Development Services Department Planning Division FY 2015 approved budget.

**PUBLIC CONTACT**

No public contact has occurred associated with this action.

**NEXT STEPS**

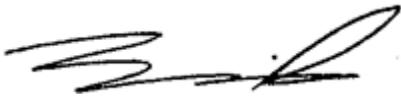
Upon Council approval of this resolution, staff will execute a contract amendment.

*Prepared by:* Jade Kim, Administrative Analyst

*Reviewed by:* Sara Buizer, AICP, Planning Manager

*Recommended by:* David Rizk, AICP, Development Services Director

Approved by:



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Fran David, City Manager

Attachments:

Attachment I      Draft Resolution

HAYWARD CITY COUNCIL  
RESOLUTION NO. 14-

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE  
AN AMENDMENT TO AN AGREEMENT WITH WEST COAST  
CODE CONSULTANTS (WC3) FOR UP TO \$31,000 FOR ASSOCIATE  
PLANNER SERVICES

WHEREAS, a contract for \$25,000 was executed with WC3 in early February of 2014 to provide Associate Planner services; and

WHEREAS, In order to allow time for the completion and turnover of projects already in progress, Council adopted Resolution #14-050 to amend the agreement with WC3 by extending the professional planning services of Donna Kenney through the end of the fiscal year, and increase the contract by an additional \$36,000; and

WHEREAS, the Planning Manager resigned on April 8, 2014, and a Senior Planner in the Planning Division was promoted to Planning Manager resulting in a vacancy for the position of Senior Planner; and

WHEREAS, Council adopted Resolution #14-092 to amend the agreement with WC3 by extending the professional planning services of Donna Kenney through the end of October 31, 2014, and increase the contract by an additional \$49,000; and

WHEREAS, recruitment for the position of Senior Planner is currently in progress; and

WHEREAS, the level of activity and demand for Planning services necessitates additional Associate Planner services support in order to allow for a thorough recruitment and transition process; and

WHEREAS, the additional cost for such services can be accommodated with salary savings within the approved Planning Division budget.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward to authorize for Fiscal Year 2015 an additional \$31,000 for Associate Planner services above the existing \$110,000 amount authorized in an agreement with WC3, not to exceed \$141,000, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2014.

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

**DATE:** October 28, 2014  
**TO:** Mayor and City Council  
**FROM:** Director of Utilities & Environmental Services  
**SUBJECT:** Water Pollution Control Facility Cogeneration System: Authorization for the City Manager to Amend Professional Services Agreement for Additional Engineering Services During Construction and Amend Construction Contract for Additional Administrative Change Order Authority, and Appropriation of Funds

## **RECOMMENDATION**

That Council adopts the attached resolution:

1. Amending the Professional Services Agreement with Carollo Engineers for additional engineering services related to the Cogeneration Project by increasing the contract amount by \$100,000, to a total of \$600,000; and
2. Amending the Construction Contract with Monterey Mechanical for the construction of the Cogeneration Project by increasing the Administrative Change Order amount by \$400,000, to a total of \$800,000.

## **SUMMARY**

The Water Pollution Control Facility (WPCF) cogeneration system, which utilizes bio-gas to provide power to the WPCF, has been in operation since 1982 and has reached the end of its useful life. After an extensive planning process that included technical review of available technologies and economic analyses, the City selected the internal combustion system technology, completed the design process, called for bids for construction, and awarded the project to Monterey Mechanical on June 25, 2013. Staff is requesting an amendment to this contract to increase the administrative change order amount by \$400,000, to a total of \$800,000.

At the June 25, 2013 meeting, the Council also authorized an amendment to the Professional Services agreement with Carollo Engineers to provide engineering services during construction. Staff is requesting an additional amendment to this Professional Services agreement to assist the City during startup and testing of the engine, to assist in procuring services of an independent third party monitoring firm (a condition of the Self Generation Incentive Program (SGIP) grant), as well as additional services for record drawings. A \$100,000 increase is requested, bringing the total contract amount to \$600,000.

## **BACKGROUND**

Co-generated power, named for simultaneous generation of electric power and heat, is a process whereby biogas, generated at the digesters and captured as part of the treatment process at the Water Pollution Control Facility (WPCF), is utilized as fuel. Like most wastewater treatment plants in the Bay Area, the WPCF has utilized biogas for many years to fuel internal combustion engines to provide electric energy and reduce the need to purchase energy from PG&E.

The existing WPCF cogeneration system has been in operation since 1982 and has reached the end of its useful life. The current project will replace the existing combined heat and power internal-combustion powered cogenerators by a generator capable of producing 1,137 kW (kilowatts) of power with a provision to add a second unit in the future. The existing cogeneration engine generators will be decommissioned as part of the new cogeneration system project, and they will not operate concurrently with the new cogeneration system.

At the October 23, 2012 City Council meeting, Council authorized the City Manager to negotiate and execute a contract with Carollo Engineers for design of a new cogeneration power system. At its May 21, 2013 meeting, the Council approved the plans and specifications for the cogeneration system and called for bids to be received on June 18, 2013. Finally, on June 25, 2013, the Council awarded the construction contract to Monterey Mechanical and amended the Professional Services agreement with Carollo Engineers to provide engineering services during construction.

When the project was originally awarded, it was anticipated to take 395 days to complete (estimating the final completion in August 2014). The original contract duration was based on completing the project by the original SGIP grant deadline of July 5, 2014 and was aggressive for a project of this size and complexity. The project has encountered some difficulties along the way that have resulted in delays including unanticipated changes to PG&E's infrastructure outside the plant, contract changes that have delayed progress, as well as late deliveries from several large equipment vendors including the gas conditioning and gas compressor system manufacturers. The City requested and obtained an extension to the SGIP grant deadline to January 1, 2015. The current projected substantial completion date is November 7, 2014 with final completion anticipated in early 2015.

## **DISCUSSION**

Project costs for construction and engineering services have exceeded previously approved amounts for reasons described herein. The Professional Services Agreements for engineering services and construction services must be amended before the project can be fully completed and the contract closed out.

**CAROLLO ENGINEERS** - Carollo's original engineering services during construction agreement was set at not to exceed \$500,000. Because the Cogeneration Project is partially funded under PG&E's Self Generation Incentive Program (SGIP), measurement and evaluation activities of the new cogeneration system will need to be performed as a condition of receiving payments under the SGIP. The City requested a proposal from Carollo to assist the City in procuring the independent third-party consultant to provide the required third party monitoring service. A proposal in the amount of \$35,000 was provided for this additional service. In addition, it is expected additional services during startup and testing may be required, as well as

additional services for record drawings. There have been a number of changes on the project, and the originally budgeted amount for developing record drawings is not sufficient to capture all the changes on the project. Therefore, an amendment for as needed engineering services not to exceed \$600,000 is required (an additional \$100,000 over what was authorized in the original Professional Services Agreement).

**MONTEREY MECHANICAL** - The initial contract for construction was awarded on June 25, 2013 in the amount of \$9,211,000, which included an allowance of \$400,000 for administrative change orders. To date, a total of sixty-six potential change orders have been identified, of which thirty-four have been negotiated and settled in the amount of \$414,000. Another \$156,000 has been quoted and remains either in review or in negotiation. It is anticipated that after all potential change orders are quoted and negotiated, approximately \$700,000 in administrative change order budget will be needed.

Change orders have been authorized for several reasons including safety issues required by plant staff and Western Energy Systems that were not within the original project scope. In addition, unforeseen conditions caused by abandoned underground structures such as piping and electrical duct banks resulted in several changes to underground utilities that resulted in additional cost to the contract. Change orders also resulted from requirements by several of the major equipment suppliers to add control and safety features that also resulted in additional costs to the contract.

The total anticipated change order budget of \$700,000 amounts to a change order percentage of 7.9 %, which is within the industry norm for change orders as a percentage of construction cost for a project of this complexity. To provide a buffer against unknowns since the project is anticipated to last an additional three months, an additional \$100,000 is included in the total amount requested. It is anticipated that additional unknowns could occur such as additional relay testing as might be required by PG&E during startup activities. The additional funding is required to cover such contingencies.

**ECONOMIC IMPACT**

Sufficient sewer capital improvement funds have already been budgeted to cover the installation cost of the new cogeneration system and thus construction of the system would not result in an additional sewer rate increase. Staff is anticipating the need to allocate some monies for operations and maintenance when the system is placed in operation beginning in FY 2015. With input from the City’s project consultant and knowledgeable PG&E officials, staff has concluded that the project is economically viable and likely to pay for itself over the useful life of the system.

**FISCAL IMPACT**

Based on the foregoing, the proposed contract changes will have a total cost of \$500,000:

|                     |                   |
|---------------------|-------------------|
| Carollo Engineers   | \$ 100,000        |
| Monterey Mechanical | 400,000           |
| <b>Total:</b>       | <b>\$ 500,000</b> |

The estimated project costs to design and construct a cogeneration system for ICE technology are as follows:

|                                                    | Budgeted at Award   | Present Estimate    |
|----------------------------------------------------|---------------------|---------------------|
| Prior Project Costs (Pre-Design Services)          | \$ 250,000          | \$ 250,000          |
| Design                                             | 880,000             | 880,000             |
| Engineering Services During Construction           | 500,000             | 600,000             |
| City's Deposit on Cogenerator Pre-Purchase         | 377,108             | 377,108             |
| Construction Contract                              | 9,198,000           | 9,598,000           |
| Maintenance Bond (Additive Alternative)            | 13,000              | 13,000              |
| City Administration and<br>Construction Management | 300,000             | 300,000             |
| <b>Total:</b>                                      | <b>\$11,518,108</b> | <b>\$12,018,108</b> |

The adopted FY2014 Capital Improvement Program (CIP) included a total of \$12.5 million in the Sewer Capital Improvement Fund for design and construction of the cogeneration system. The total revised estimate is within the project budget.

## SCHEDULE

The estimated schedule for completing the project is summarized as follows:

|                                                  |                  |
|--------------------------------------------------|------------------|
| Substantial Completion to meet SGIP Requirements | January 1, 2015  |
| Construction Completion                          | January 31, 2015 |

*Prepared by:* Suzan England, Senior Utilities Engineer

*Recommended by:* Alex Ameri, Director of Utilities & Environmental Services

Approved by:




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Fran David, City Manager

Attachments:

Attachment I: Resolution

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENTS TO THE PROFESSIONAL SERVICES AGREEMENT WITH CAROLLO ENGINEERS TO INCREASE FUNDS BY \$100,000 FOR ADDITIONAL ENGINEERING SERVICES, AND AMENDMENTS TO THE CONTSTRUCTION CONTRACT WITH MONTEREY MECHANICAL FOR AN ADDITIONAL \$400,000 FOR ADMINISTRATIVE CHANGE ORDERS FOR THE WPCF COGENERATION UPGRADE PROJECT

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute, on behalf of the City of Hayward, an amendment to the professional services agreement with Carollo Engineers for additional engineering services related to the WPCF Cogeneration Upgrade Project not to exceed \$100,000, for a total contract amount not to exceed \$600,000, in a form approved by the City Attorney;

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute, on behalf of the City of Hayward, an amendment to the construction contract with Monterey Mechanical, increasing the administrative change order amount by \$400,000 to atotal of \$800,000 ,for the WPCF Cogeneration Upgrade Project, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

**DATE:** October 28, 2014

**TO:** Mayor and City Council

**FROM:** Development Services Director

**SUBJECT:** Adoption of a Resolution for a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Introduction of an Ordinance for a Zone Change (Application No. PL-2014-0083) from Medium Density Residential to Planned Development and Vesting Tentative Tract Map 8172 (Application No. PL-2014-0084) associated with the subdivision and construction of 25 single-family detached homes, 10 attached homes and common areas on a 2.94-acre site bounded by Eden Avenue, Saklan Road and Montevina Way. Doug Rich of Valley Oak Partners (Applicant) and Sandra Gudiel, Fernando Ramirez and Tatsumi Hirakawa (Owners)

## **RECOMMENDATION**

That the City Council adopts the attached resolution (Attachment I) adopting the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) (Attachment V); and introduces the attached ordinance (Attachment II) approving a Zone Change and Vesting Tentative Tract Map application to build twenty-five detached single-family homes and ten attached homes.

## **SUMMARY**

This infill project is supported by staff because the proposed density, sixteen dwelling units per net acre, is consistent with the General Plan designation of Medium Density Residential (8.7-17.4 dwelling units/net acre) and with the density and architectural style of the surrounding KB Home development. In addition, as described in this report, the project includes amenities to support making the required Planned Development (PD) rezone findings, including installation of solar PV systems on each unit, provided a solar feasibility analysis indicates each unit can accommodate such a system. Such requirement exceeds the green building standards of Hayward and the State.

Also, the project is well-designed with high-quality architecture comprised of six different floor plans, each with three different architectural styles. The unit mix includes both two- and three-story attached and detached homes. A centrally located common open space with a tot lot is proposed and private patios and yards are provided for each home. Attractive landscaping is planned throughout the site, including along Montevina Way, Saklan Road and Eden Avenue. A private road running

east-west between Saklan Road and Eden Avenue with three common private driveways off it running north-south will serve the homes. The project, as conditioned, will meet minimum parking and open space requirements. The Planning Commission unanimously recommended approval of the project, subject to the findings and conditions attached to the resolution.

## **BACKGROUND**

The project site is an infill site located within the KB Home development, which was approved in 2006 and is now fully constructed. The proponents of the KB Home development were not able to acquire and integrate this project's properties into that project. Although the developer of the project is different, the proposed project has been designed to be a continuation of the surrounding KB Home development. The proposed homes continue the architectural design and site plan of the existing homes in the adjacent KB Development. The property is bordered by the existing KB Home development to the north and south, Greenwood Park to the east, and light manufacturing uses to the west along Saklan Road.

This area and site was previously located in unincorporated Alameda County and was part of the Mt. Eden Phase I Annexation that was annexed into Hayward in March 2007. The area southeast of the project site to the south of West Street, Mt. Eden Phase II, followed in 2010. In March 2006, the City Council adopted a Mitigated Negative Declaration, Mitigation Monitoring and Reporting Plan, and approved a Zone Change application to Planned Development District for KB Home to construct 149 attached and detached single-family homes on a 12.5-acre site surrounding the project site. The approved density for that project, which is now constructed and fully occupied, is 16.2 units per net acre, with lot sizes ranging from 1,715 square feet to 4,154 square feet. At the time of the approval, staff required that the proposed Project site be shown conceptually on the approved plans as "potential future site plan to complete housing development" to ensure that the site would not be precluded from compatible development in the future (see attachment IV). However, discrepancies in the language in the recorded CC&R's and recorded access easements versus what was required per project approval for the KB development have created obstacles in development of this site as it was intended, resulting in revisions to the 2006 conceptual plan layout, including a reduction in units, independent private street access and utilities connections, and reduction in heights of homes adjacent to existing homes from three to two stories.

Subsequent new infrastructure improvements in both annexation areas and approval and construction of the KB Home residential development surrounding the site and the Standard Pacific residential development currently under construction to the north of the project site, has transformed the character of this area of Hayward, which used to contain larger one-acre single-family lots. This project will continue to build upon renewal of this part of the city following the high quality development standards established by KB Home and Standard Pacific.

October 2, 2014 Planning Commission Hearing: The Planning Commission heard the matter at its regular meeting on October 2, 2014 and recommended approval of the project on a 6:0:1 vote (one absence) (see draft meeting minutes, Attachment VI). The Commission's recommendation for approval is subject to the following additional conditions:

- *The applicant shall work with the City's Landscape Architect to incorporate native tree species into the landscape plan (new condition 10s).*
- *Awnings shall be incorporated over the front entryways on some units where architecturally appropriate (new condition 10t).*

These measures are included as revisions to the recommended conditions of approval for the project in the attached resolution.

## **DISCUSSION**

*Project Description* - The project requires a Zone Change from Medium Density Residential to Planned Development, because the project does not meet certain development standards of the existing zoning district (e.g., minimum lot size, setbacks), as identified later in this report. Also, a Vesting Tentative Tract Map is proposed to subdivide the property in order to construct twenty-five detached and ten attached single-family homes and one additional lot for group open space (see plans, Attachment VI).

The project proposes two project entries with access points on Eden Avenue and Saklan Road. A new private street will be created for the new homes and will run between Eden and Saklan with three private common driveways providing access to rear-loaded two-car garages. The private street has a 33.7-foot right-of-way at the intersection of Saklan Road and 33.5 feet at the intersection with Eden Avenue, with a 30-foot curb-to-curb width for two travel lanes with parking on the south side of the street. The private street will be constructed to the same standards as a public street. The north side of the private street shall be designated as a fire lane and no parking will be allowed along that side of the street. Fire lane signage shall be installed to the satisfaction of the Fire Chief and City Engineer. The proposed private street right-of-way is adequate for circulation and meets the Fire Department accessibility requirements.

*Site Plan* – As shown in Attachment VI, the proposed detached and attached single-family homes will be constructed on lots ranging from approximately 1,418 square feet to 4,381 square feet in size, with seventeen lots being less than the 2,500 square feet typically required and the remaining 18 lots being 2,500 square feet or greater. The attached units are located on the smaller lots, with an average lot size of 1,452 square feet, and the detached units located on the larger lots, with an average lot size of 2,514 square feet. Twenty-three of the homes will front onto landscaped pedestrian paseos and the garages will be rear-loaded off shared private driveways/courts. Six detached homes will front on the new private road and will have front loaded garages. One detached home will front onto Eden Avenue with a side-loaded garage on the private road. The five remaining attached and detached homes will front onto Saklan Road and will have rear-loaded garages off private courts.

*Building Elevations and Floor Plans* – As shown on sheets A2.1, A3.1, A4.1, A5.1, A6.1 and A7.1 of the plan set (Attachment VI), the project proposes six different floor plans ranging from 1,733 square feet to 2,101 square feet. As shown in Table 1 below, the units offer three to four bedrooms with a den and /or an optional loft or additional bedroom option. Ten of the units offer an option for a bedroom and full bathroom on the ground level, on the same level as the kitchen and

main living area, which would accommodate multi-generational households or aging in place. The proposed units will include 18 two-story units and seventeen three-story units all of which will have an architectural style consistent with the existing homes in the neighborhood. The exterior design of the attached and detached single-family homes include an “Italian”, “Tuscan” and “Spanish” style architecture.

The architecture includes a mix of pitched and gable concrete tile roofs, stucco exterior finishes, use of stonework, ornamental railings, shutters accenting some windows, a mix of contrasting building colors, and articulation of wall planes through the use of recessed wall planes, covered front porches and cantilevered second floors. The architectural details, such as window shutters, window trim detail and ornamental railings, are continued on all elevations, providing consistent “four-sided architecture” on all units. The proposed exterior elevations continue the architectural style of the surrounding KB Home development in order to blend in seamlessly with the neighborhood. The proposed exterior color selection consists of warm earth tones, which will blend in nicely with the surrounding landscape and will be compatible with the neighboring residential development and the City’s Design guidelines.

The preliminary landscape plan provides a smooth transition between the Project and the existing KB Home development through the use of the same variety of trees, shrubs and ground cover that are water conserving and are native to California. The stormwater detention area is centrally located in the area adjacent to the on-site group open space and will be planted with a variety of groundcovers. Bio-retention areas collect water during rainstorm events where water is filtered back into the ground water ecosystem. Final landscape plan details will be reviewed and approved during the Precise Plan phase of the project.

**Table 1: Unit Summary**

| Unit Type (Number Proposed)                      | Number of Stories | Number of Bedrooms/Bathrooms | Living Area (sq. ft.) | Other                                                                      |
|--------------------------------------------------|-------------------|------------------------------|-----------------------|----------------------------------------------------------------------------|
| <b>Attached and Detached Single Family Homes</b> |                   |                              |                       |                                                                            |
| Plan 2 (7)                                       | 3                 | 3/3                          | 1,761                 | ground floor den                                                           |
| Plan 3 (5)                                       | 2                 | 4/2.5                        | 2,043                 | Optional 2 <sup>nd</sup> floor loft/ bedroom 4                             |
| Plan 4 (7)                                       | 2                 | 4/2.5                        | 2,101                 | Optional 2 <sup>nd</sup> floor loft/bedroom 4 & ground floor den/bedroom 5 |
| Plan 5 (10) attached                             | 3                 | 3/3.5                        | 1,761                 | ground floor den                                                           |
| Plan 6 (3)                                       | 2                 | 3/3.0                        | 1,733                 | optional ground floor den/bedroom 4                                        |
| Plan 7 (3)                                       | 2                 | 3/2.5                        | 1,988                 | optional 2 <sup>nd</sup> floor loft/ bedroom 4                             |

Green Building Components – The City’s Green Building Ordinance for Private Development is no longer in effect, having been superseded with the new State Green Building and Energy Codes. This also applies to the Water Efficiency Ordinance, which has been entirely superseded by current California codes, with the exception of the *Bay Friendly* standards. All projects need to comply with the 2013 series of California Codes. In addition, this project is recommended by the Planning Commission and staff to include the installation of solar panel arrays on all units or as determined to be achievable through a solar feasibility study, to be submitted for review and approved by the Planning Director prior to the approval of the Precise Plan. The provision of solar PV systems is over and above what is required by current building and energy codes.

Parking - As shown in the table below, the City’s parking regulations require a minimum of two on-site covered parking spaces per unit, provided street parking is provided on either side of the street. If a lot abuts a street that has no parking on either side of the street, then two additional open parking spaces are required per unit. The plan provides seventy covered parking spaces (two per unit in garages) and thirty-eight uncovered/open spaces (twenty-seven parallel parking spaces along the new private street and eleven on Montevina Way, which is an existing private road in the adjacent KB Home development). The applicant is in the process of obtaining an easement from the HOA for the existing KB Home development to add the eleven spaces on Montevina Way. Additionally, five of the units front on existing public roads (four units on Saklan Road and one unit on Eden Avenue) that provide additional on-street parking. Including the spaces on Montevina Way, the proposed parking ratio of parking spaces to units is 3.10, and 2.77 not including them, which is consistent with the 3.00 and 2.40 ratios currently present in the KB Home and Standard Pacific single-family developments, respectively. A community meeting several months ago did not reveal any concerns for parking by the existing residents. The proposed uncovered parking spaces are all located on private streets within or adjacent to the development and do not include parking provided on public street frontages (within the public right-of-way). Such parking would be along public streets and available to the general public and not specifically for this development’s residents. Based on the single-family residential parking standards applied to the surrounding KB Home and Standard Pacific developments, the project exceeds the number of required uncovered spaces by ten spaces.

**Table 2: Parking Summary**

| Home Type                                         | Number of Lots: | Minimum Number of On-Site Parking Spaces Required (total)                                                | Meets minimum requirements? |
|---------------------------------------------------|-----------------|----------------------------------------------------------------------------------------------------------|-----------------------------|
| Single family homes <i>with</i> street parking    | 21              | 2 covered per dwelling unit (42)                                                                         | Yes                         |
| Single family homes <i>without</i> street parking | 14              | 2 covered per dwelling unit plus 2 uncovered spaces not blocking access to required covered parking (28) | Yes                         |

Open Space – Developments within the Medium Density Residential District (RM) are required to provide 350 square feet of usable open space per unit. This open space requirement can be accomplished through a combination of private and group open space, provided that a minimum

of 100 square feet per unit is allocated toward group open space. Retention basins, landscaped bulb-outs, required landscaping or substandard sized landscaping are not allowed to be counted toward open space, such as the western portion of the centrally located on-site group open space.

In addition to this 3,688 square foot central group open space, the development site is located across Eden Avenue from a public park, Greenwood Park, for which permits for a one-acre expansion and remodeling will soon be issued. The proposed centrally located group open space will include a children’s play structure, seating areas, and shade trees, which will create a gathering space to encourage social interactions and supplement the activities provided in Greenwood Park across the street to the east (Plan Sheet L-3). Additionally, each single-family home includes a front porch and a minimum of 100 square feet of private open space, with an overall average of 426 square feet per unit. However, the ground-level private open spaces for several of the units do not meet the minimum dimensional requirement of ten feet by ten feet and, therefore, cannot be counted toward meeting the private open space requirement, resulting in a deficit of required open space. In order to meet the minimum open space requirement, the Planning Commission and staff are recommending that at the time of submittal of the Precise Plan, the applicant shall meet or exceed the minimum open space requirements (COA #11).

Table 2 below shows a summary of the required and proposed open space.

**Table 2: Open Space Summary**

| <b>Open Space Type</b>          | <b>Minimum Amount Required</b>                                                          | <b>Amount of Conforming Open Space Provided</b> | <b>Meets Requirement?</b>                                                      |
|---------------------------------|-----------------------------------------------------------------------------------------|-------------------------------------------------|--------------------------------------------------------------------------------|
| Private Open Space <sup>1</sup> | Total minus group open space (350-100 sq. ft.) per unit<br><b>Total: 8,750 sq. ft.</b>  | 6,909 sq. ft.                                   | No                                                                             |
| Group Open Space <sup>2</sup>   | 100 sq. ft. of usable open space per dwelling unit<br><b>Total: 3,500 sq. ft.</b>       | Central Group Open Space<br>3,688 sq. ft.       | Yes                                                                            |
| Total Open Space                | 350 sq. ft. of usable open space for each dwelling unit<br><b>Total: 12,250 sq. ft.</b> | <b>10,597 sq. ft.</b>                           | No (Staff is recommending a minimum of 1,653 sf of additional OS be provided.) |

Note: 7,094 sq. ft. of open area is provided (enclosed yards w/minimum dimension < 10 ft), but does not meet minimum size requirements to be considered as open space.

**Public Parkland Obligations** – Because the project entails less than 50 units, the City can only require payment of park in-lieu fees (versus dedication of parkland) to meet parkland obligations. Based on thirty-five units, a total of \$412,775 in in-lieu fees is required. This fee is paid prior to certificate of occupancy of the respective units.

<sup>1</sup> Private open space may not include required front or street side yards, exceed a 3 percent slope, be less than 100 square feet in area, or have a dimension less than 10 feet.

<sup>2</sup> Group open space must be centrally located to all residents, cannot have a greater than 5 percent slope and not be less than 400 square feet in area.

Community Facilities District- As a standard condition of approval and related to adopted City Council policy, the City requires developers to pay the cost of providing public safety services to the proposed project through the formation of a Community Facilities District (CFD), should the project generate the need for additional public safety services. This will require the project developer to post an initial deposit of \$20,000 with the City prior to, or concurrently with, the submittal of the final subdivision map and improvement plans, to offset the City's cost of analyzing the project's need for additional public safety services. If the analysis determines that the project creates a need for additional public safety services warranting the formation of a Community Facilities District, the project developer is required to pay all costs of formation of the district, which costs may be paid from the developer's deposit to the extent that funds remain after payment of the City's costs of analysis as described above.

Inclusionary Housing Requirements – Compliance with the City's affordable housing provisions will be required for the project. Pursuant to the City's Interim Relief Ordinance that applies to projects entitled prior to December 31, 2014, 10 percent of all detached single family residences in a project and 7.5% of all attached units must be set aside and sold at affordable prices to moderate-income households (households earning 120% of Area Median Income or less). The Relief Ordinance also allows developers the option to pay an \$80,000 per affordable unit in-lieu fee prior to obtaining a certificate of occupancy.

All thirty-five residential units in the project are subject to the Relief Ordinance. Therefore, the applicant has the option of providing four units (10% times 25 = 2.5 plus 7.5% times 10= .75) as affordable units or pay a total of \$320,000 (four times \$80,000) in order to comply with the Relief Ordinance. In this particular case, the applicant has indicated he will pay the in-lieu fee as allowed for in the Relief Ordinance. Prior to the approval of the final map, the applicant will be required to submit an Inclusionary Housing Agreement (IHA) to the City for review and approval.

Mount Eden Benefit District Payment – The Mount Eden Benefit District was established to fund the sewer, water, and storm drain infrastructure improvements installed in the Mount Eden Annexation area, which includes the project site. Dutra Enterprises, Inc., provided a loan of \$2,251,800 to the City in 2007 to pay for such improvements. New development in the Benefit District area will be assessed Benefit District fees to pay back this loan amount, plus interest. The interest rate varies each fiscal year and is calculated by the City's Finance Director, equal to the average annual rate earned by the City on its deposits the preceding fiscal year. Therefore, per the Engineer's Report for the Benefit District, per information presented to the City Council when the Benefit District was formed, and per Chapter 8, Article 16 of the Hayward Municipal Code, each additional unit above the existing three units on the site will be assessed a Benefit District Fee of \$12,140 per unit, plus an additional \$300 administration cost per additional unit.

Zone Change/Preliminary Development Plan – Under the current zoning designation, the project would not be feasible without modifications to some of the development standards. The purpose of the Planned Development District is to encourage development through efficient and attractive space utilization that might not otherwise be achieved through strict application of the existing zoning development standards.

The development proposes smaller lots than the minimum size of 2,500 square feet required under existing zoning standards. Eight of the proposed lot sizes are 1,418 square feet and the largest lot is 4,381 square feet with an average lot size of 2,211 square feet. However, as stated previously, the overall proposed density is consistent with the existing Medium Density Residential General Plan designation.

There are other development standards not met related to the smaller lots, such as minimum lot width and lot coverage, front and rear setbacks, and driveway length. To offset such deviations, the applicant is proposing project amenities in order for the findings to be made for project approval (see discussion below under Planned Development District Finding No. 4).

*Findings for the Zone Change/Preliminary Development Plan* - In order for a Planned Development District to be approved, the City Council must make the following findings. The Planning Commission and staff recommend that the Council make the required findings, which are stated below and in the attached resolution.

**(1) The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies.**

The project is consistent with the existing General Plan designation and policies related to density and providing a variety of housing types, specifically:

LU-3.6 Residential Design Strategies: The City shall encourage residential developments to incorporate design features that encourage walking within neighborhoods by:

- Creating a highly connected block and street network.
- Designing new streets with wide sidewalks, planting strips, street trees, and pedestrian-scaled lighting.
- Orienting homes, townhomes, and apartment and condominium buildings toward streets or public spaces.
- Locating garages for homes and townhomes along rear alleys (if available) or behind or to the side of the front facade of the home.
- Enhancing the front facade of homes, townhomes, and apartment and condominium buildings with porches, stoops, balconies, and/or front patios.
- Ensuring that windows are provided on facades that front streets or public spaces.

LU-3.7 Infill Development in Neighborhoods: The City shall protect the pattern and character of existing neighborhoods by requiring new infill developments to have complimentary building forms and site features.

Goal 3: Provide suitable sites for housing development that can accommodate a range of housing by type, size, location, price, and tenure.

Policy 3.1 Implement land use policies that allow for a range of residential densities and housing types, prices, ownership, and size, including low-density single family uses, moderate-density townhomes, and higher-density apartments, condominiums, and units in mixed-use developments.

Policy 3.3: Encourage development of residential uses in strategic proximity to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.

Policy 3.5: Allow flexibility within the City's standards and regulations to encourage a variety of housing types.

The Project is located on an in-fill site within an existing residential development constructed by KB Home. The proposed development utilizes the same architecture as the surrounding community, with the exception of plans 6 and 7 that were added along the access road. Utilizing the same architecture for this in-fill development ensures the entire area maintains a harmonious, cohesive appearance. In addition, the site design is consistent with the surrounding area with homes fronting onto private streets or along common walkways or paseos that run between rows of homes. While utilizing the same architecture, the exteriors have been enhanced further with the addition of architectural features such as wainscot, shutters, trim band, window sill enhancements, shutters, and windows at garages to help break up any flat expanses in specific areas.

**(2) Streets and utilities, existing or proposed, are adequate to serve the development.**

The proposed project is an in-fill development site surrounded by existing streets and there are utilities available to the site with adequate capacity to serve the proposed development. Much of the existing infrastructure was constructed as part of the Mount Eden Annexation and funded by the Benefit District. In addition, the project is required to underground any overhead utilities in front of their project site and fronting any public street.

**(3) The development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development or neighborhoods.**

The project applicant has proposed a development that integrates density, livability and renewable energy sources (solar energy systems). The project provides a well-balanced neighborhood of small lot, attached and detached single-family homes that include usable private outdoor yards along with a group open space. The site design maintains the continuity of the surrounding development by using similar architecture, building finishes, landscaping and pedestrian connectivity to provide a seamless transition. Useable open space and pedestrian connectivity is provided, allowing for better circulation and access to surrounding amenities such as Greenwood Park and public transit. Lastly, the home designs

offer a wide and flexible range of livability and lifestyles by offering a bedroom suite on the first floor of ten of the units to allow for aging in place and multi-generational lifestyles.

Furthermore, as demonstrated by the Mitigated Negative Declaration, Initial Study and Mitigation Monitoring and Reporting Plan, which identified potential impacts associated with the development of the proposed project and provided mitigation measures to eliminate or reduce those impacts, the Project will have no significant impacts or adverse impacts on surrounding development.

**(4) Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards, which, in the judgment of the Planning staff provides for a high quality and attractive development.**

The project is consistent with the density in the Medium Density Residential General Plan designation. The applicant is seeking a Planned Development zoning designation to provide flexibility in the site layout of the units, and to offset certain development standards, such as reduced lot sizes and widths, setbacks, and lot coverage. To offset these deviations from development standards, the following project amenities are proposed to support the Planned Development zoning and shall be required and shown/indicated on the Precise Plan:

- Photovoltaic solar systems shall be installed on all units or as determined to be achievable through a solar feasibility study, to be submitted for review and approved by the Planning Director prior to the approval of the Precise Plan.
- Provide ten additional on-street parking spaces on Montevina Way through an access easement obtained from the adjacent Homeowners Association.
- Include enhanced landscaping and paving including upsizing 9 street trees to 36 inch box and providing additional trees above and beyond required plantings and mitigation plantings.
- Provide enhanced architecture and site design including four-sided architecture on all units and rear loaded garages which allow for a pedestrian oriented community which connects to the public open space, surrounding community and Greenwood Park.

Vesting Tentative Tract Map 8172 - A vesting tentative tract map is being processed with this proposal to create individual parcels of land onto which each residential unit will be constructed. If the vesting tentative map is approved, a final map will be processed and recorded, an improvement plan submitted and a subdivision agreement entered into with the developer. The developer is proposing a vesting tentative map so that the developer gains, for a period of three years after the date of approval or conditional approval, the right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect on the date the vesting tentative map application was deemed complete, which was August 19, 2014.

A Homeowners' Association (HOA) will be required to be formed and will own and maintain the common areas and private street system. Also, as has been done in the past for ownership residential projects, staff is recommending that the Covenants, Conditions and Restrictions (CCRs)

associated with the HOA require that at least 75% of the units be owner-occupied, to be enforced by the Homeowners Association. Parallel on-street parking spaces measuring eight feet by twenty-three feet will be provided on one side of the street, leaving twenty-two feet for two travel lanes and a 4.5-foot sidewalk on the north side of the street. The proposed private street right-of-way is adequate for circulation and meets the Fire Department accessibility requirements. The private courts/driveways shall be designated as fire lanes and no parking will be allowed except in the designated parking areas. Fire lane signage shall be installed to the satisfaction of the Fire Chief and City Engineer.

The existing utilities in the project vicinity, including sanitary sewer, water and storm drain systems, have sufficient capacity to adequately serve the proposed development. On-site sewer and water utilities will be installed within the new public utility easements within the project site and connected to existing utilities in Eden Avenue and Saklan Road. On-site storm drainage will be connected to an existing system within Saklan Road. Sanitary sewer and water mains will be publicly owned and maintained by the City. However, the proposed on-site storm drain system and clean water treatment facilities will be privately owned and maintained by the HOA. Any overhead utility lines as well as any new utility lines will be required to be placed underground as part of the site improvements.

The formation of a HOA and the creation of CC&R's will be required so that the HOA will be responsible for maintaining all private streets, private street lights, private utilities, and other privately owned common areas and facilities on the site, including, but not limited to, clean water treatment facilities, landscaping, preservation and replacement of trees, as well as decorative paving. For any necessary repairs performed by the City in locations under the on-site decorative paved areas, the City shall not be responsible for the replacement cost of the decorative paving. The replacement cost shall be borne by the HOA established to maintain the common areas within the association boundary. The common area landscaping includes all areas except the private yards. The CC&R's will also contain a standard condition that if the HOA fails to maintain the common areas, private streets, lights and utilities, the City of Hayward will have the right to enter the subdivision and perform the necessary work to maintain these areas and lien the properties for their proportionate share of the costs.

Findings for the Vesting Tentative Tract Map - In order for a Vesting Tentative Tract Map to be approved, the Planning Commission must recommend approval of the project to City Council, which must make certain findings. The Planning Commission's and staff's responses to the finding are below and in the attached resolution:

- (1) The approval of Vesting Tentative Map Tract 8172, as conditioned, will have no significant impact on the environment, cumulative or otherwise. A Mitigated Negative Declaration was prepared per the guidelines of the California Environmental Quality Act (CEQA) for the development of this site.
- (2) The vesting tentative tract map, as conditioned, substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, and the General Plan

- (3) The preliminary geotechnical investigation performed by Cornerstone Earth Group (dated March 21, 2014) demonstrates that the proposed residential development is feasible and the proposed subdivision would occur on a site suitable for the proposed development with the recommendation that a design level geotechnical investigation be conducted prior to construction to review the geotechnical aspects of the project. The site provides sufficient lane widths and ingress/egress points, pedestrian facilities and infrastructure locations, such as water and sewer lines, storm drains and stormwater treatment areas, to support the number of units being proposed.
- (4) The design of this infill project and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (5) The design of the subdivision and the proposed improvements are not likely to cause serious health problems.
- (6) Upon completion of the proposed improvements, the streets and utilities would be adequate to serve the project.
- (7) None of the findings set forth in Section 66474 of the Subdivision Map Act for denial of a tentative map have been made.

## **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study, Mitigated Negative Declaration and a Mitigation Monitoring and Report Program for the project (Attachment V), which indicates there will be no significant environmental impacts resulting from the project, provided mitigation measures are incorporated into the project.

Mitigation measures include adherence to the Bay Area Air Quality Management District's *Basic Construction Mitigation Measures*, implementation of tree preservation measures outlined in the applicant's arborist report, and preparation of a design level geotechnical report prior to issuance of a building permit for the project.

A traffic study prepared by Hexagon Transportation Consultants for the proposed project concluded that there would be no significant traffic impacts as a result of the proposed development, and City Transportation staff concurs.

The draft Initial Study/Mitigated Negative Declaration was made available for public review from August 22 through September 11, 2014. No comments were received during that period or since related to that draft document.

## **ECONOMIC IMPACT**

The project would contribute to the neighborhood by allowing for development of 35 ownership homes at a density and massing similar to recent projects constructed in the vicinity, specifically similar to the KB Home and Standard Pacific developments nearby. Such development would contribute to the character and revitalization of the Mt. Eden area.

Residential development of higher densities (e.g., small lot single family homes) will generate higher overall land value than older traditional large lot detached single-family developments typical of this neighborhood. Over \$412,000 in new in-lieu park fee funds from the project will provide funding for public park land acquisition and/or park maintenance for parks in the area.

## **FISCAL IMPACT**

Staff has conducted a rough fiscal impact analysis of the project, which estimates that the project will generate \$77,794 of new revenue annually; however, the project is projected to cost the City \$83,518, for a net annual cost of \$5,724 (\$164 per unit), which is essentially a neutral fiscal impact. Also, this preliminary analysis does not include any revenue from a community facilities district should the project generate the need for additional public safety services.

## **PUBLIC CONTACT**

An initial notice of the project was sent on August 12, 2014 to surrounding property owners and residents regarding a preliminary meeting to provide the public an opportunity to review and comment on the project. This meeting was held on September 4, 2014, with no residents attending. The applicant also held a community meeting on September 17, 2014 at the La Quinta Hotel in Hayward to review the project with property owners in the neighborhood and answer any questions. All property owners within a 300-foot radius of the of the project site were notified of the community meeting. Seven property owners from the neighboring KB Home development were in attendance. Overall, they were supportive of the proposed project and were pleased to see that there was a decrease in units from what was originally envisioned by KB Home.

Two hundred and forty-four notices of the Planning Commission October 2 public hearing and availability of a Draft Mitigated Negative Declaration were sent to all property owners within a 300-foot radius of the Project and published in *The Daily Review* newspaper on September 20, 2014. No comments during that comment period or comments addressing the specifics of the project were received prior to that hearing.

Two hundred and forty-four (244) notices of this public hearing and availability of a Draft Mitigated Negative Declaration were sent to all property owners and residents within a 300-foot radius of the project site on October 17, 2014 and published in *The Daily Review* newspaper on October 18, 2014. No comments were received at the time this staff report was completed.

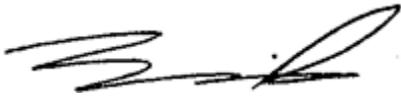
**NEXT STEPS**

Should the Council approve the project, the applicant will work with staff toward complying with the conditions of approval to allow submittal and approval of a Precise Development Plan, approval of a Final Map, and ultimately allow for construction of the project.

*Prepared by:* Linda Ajello, AICP, Associate Planner

*Recommended by:* David Rizk, AICP, Development Services Director

Approved by:



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Fran David, City Manager

Attachments:

- Attachment I Draft Resolution
- Attachment II Draft Ordinance
- Attachment III Area and Zoning Map
- Attachment IV 2006 KB Home Conceptual Site Plan
- Attachment V Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
- Attachment VI October 2, 2014 Draft Planning Commission Meeting Minutes
- Attachment VII Project Plans

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-

Introduced by Councilmember \_\_\_\_\_

RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVING VESTING TENTATIVE TRACT MAP APPLICATION PL-2014-0084 AND ZONE CHANGE APPLICATION PL-2014-0083 PERTAINING TO THE DEVELOPMENT OF TWENTY-FIVE ATTACHED AND TEN DETACHED SINGLE-FAMILY HOMES AT 223830 AND 23836 SAKLAN ROAD AND 24137 EDEN AVENUE IN THE MT. EDEN AREA

WHEREAS, on February 6, 2014, Doug Rich, Valley Oak Partners (Applicant) submitted Zone Change Application No. PL-2014-0083 and Vesting Tentative Tract Map Application No. PL-2014-00084 for the property located at 23830 and 23836 Saklan Road and 24137 Eden Avenue in the Mt. Eden Area, which applications requested a zoning reclassification from Medium Density Residential to Planned Development District and a property subdivision to facilitate construction of twenty-five (25) detached and ten (10) attached) single-family homes (the “Project”); and

WHEREAS, a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program has been prepared to assess and mitigate the potential environmental impacts of the Project; and

WHEREAS, the Planning Commission considered the Project at a public hearing held on October 2, 2014, and recommended that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; approve Zone Change Application No. PL-2014-0083, reclassifying the property from Medium Density Residential to Planned Development District; and approve Vesting Tentative Tract Map Application No. PL-2014-0084; and

WHEREAS, notice of the hearing was published in the manner required by law and the hearing was duly held by the City Council on October 28, 2014.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds and determines as follows:

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

1. Pursuant to CEQA Guidelines Section 15220, an Initial Study (“IS”) was prepared for this project with the finding that a Mitigated Negative Declaration (“MND”) was appropriate because all potentially significant impacts could be reduced to a level of insignificance.
2. That the proposed MND was prepared by the City of Hayward as the Lead Agency and was circulated with a twenty (20) day public review period, beginning on August 22, 2014 and ending on September 11, 2014.
3. That the proposed MND was independently reviewed, considered and analyzed by the City Council and reflects the independent judgment of the City Council; that such independent judgment is based on substantial evidence in the record (even though there may be differences between or among the different sources of information and opinions offered in the documents, testimony, public comments and such responses that make up the proposed MND and the administrative record as a whole); that the City Council adopts the proposed MND and its findings and conclusions as its source of environmental information; and that the proposed MND is legally adequate and was completed in compliance with CEQA.
4. That the proposed MND identified all potential significant adverse impacts and feasible mitigation measures that would reduce these impacts to less-than-significant levels, and that all of the applicable mitigation measures identified in the MND and Mitigation Monitoring and Reporting Program will be adopted and implemented. Based on the MND and the whole record before the City Council, there is no substantial evidence that the project will have a significant effect on the environment.
5. That the project complies with CEQA, and that the proposed MND was presented to the City Council, which reviewed and considered the information contained therein prior approving the project. The custodian of the record of proceedings upon which this decision is based in the Development Services Department of the City of Hayward located at 777 B Street, Hayward, CA 94544.
6. The monitoring and reporting of CEQA mitigation measures in connection with the project will be conducted in accordance with the attached Mitigation Monitoring and Reporting Program, which is adopted as conditions of approval for the project. Adoption of this program will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in Section 21081.6 of CEQA. All proposed mitigation measures are capable of being fully implemented by the efforts of the project sponsor, City of Hayward or other identified public agencies of responsibility

## ZONE CHANGE

7. **The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies.**

The project is consistent with the existing General Plan designation and policies related to density and providing a variety of housing types, specifically:

LU-3.6 Residential Design Strategies: The City shall encourage residential developments to incorporate design features that encourage walking within neighborhoods by:

- Creating a highly connected block and street network.
- Designing new streets with wide sidewalks, planting strips, street trees, and pedestrian-scaled lighting.
- Orienting homes, townhomes, and apartment and condominium buildings toward streets or public spaces.
- Locating garages for homes and townhomes along rear alleys (if available) or behind or to the side of the front facade of the home.
- Enhancing the front facade of homes, townhomes, and apartment and condominium buildings with porches, stoops, balconies, and/or front patios.
- Ensuring that windows are provided on facades that front streets or public spaces.

LU-3.7 Infill Development in Neighborhoods: The City shall protect the pattern and character of existing neighborhoods by requiring new infill developments to have complimentary building forms and site features.

Goal 3: Provide suitable sites for housing development that can accommodate a range of housing by type, size, location, price, and tenure.

Policy 3.1 Implement land use policies that allow for a range of residential densities and housing types, prices, ownership, and size, including low-density single family uses, moderate-density townhomes, and higher-density apartments, condominiums, and units in mixed-use developments.

Policy 3.3: Encourage development of residential uses in strategic proximity to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.

Policy 3.5: Allow flexibility within the City's standards and regulations to encourage a variety of housing types.

The Project is located on an in-fill site within an existing residential development constructed by KB Home. The proposed development utilizes the same architecture as the surrounding community, with the exception of plan 6 and 7 that were added along the access road. Utilizing the same architecture for this in-fill development ensures the entire area maintains a harmonious, cohesive appearance. In addition, the site design is consistent with the surrounding area with homes fronting onto private streets or along common walkways or paseos that run between rows of homes. While utilizing the same architecture, the exteriors have been enhanced further with the addition of architectural

features such as wainscot, shutters, trim band, window sill enhancements, shutters, and windows at garages to help break up any flat expanses in specific areas.

8. **Streets and utilities, existing or proposed, are adequate to serve the development.**

The proposed project is an in-fill development site surrounded by existing streets and there are utilities available to the site with adequate capacity to serve the proposed development. Much of the existing infrastructure was constructed as part of the Mount Eden Annexation and funded by the Benefit District. In addition, the project is required to underground any overhead utilities in front of their project site and fronting any public street.

9. **The development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development.**

The project applicant has proposed a development that integrates density, livability and renewable energy sources (solar energy systems). The project provides a well-balanced neighborhood of small lot, attached and detached single-family homes that include usable private outdoor yards along with a group open space. The site design maintains the continuity of the surrounding development by using similar architecture, building finishes, landscaping and pedestrian connectivity to provide a seamless transition. Useable open space and pedestrian connectivity is provided, allowing for better circulation and access to surrounding amenities such as Greenwood Park and public transit. Lastly, the home designs offer a wide and flexible range of livability and lifestyles by offering a bedroom suite on the first floor of then of the units to allow for aging in place and multi-generational lifestyles.

Furthermore, as demonstrated by the Mitigated Negative Declaration, Initial Study and Mitigation Monitoring and Reporting Plan, which identified potential impacts associated with the development of the proposed project and provided mitigation measures to eliminate or reduce those impacts, the Project will have no significant impacts or adverse impacts on surrounding development.

10. **Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards.**

The project is consistent with the Medium Density Residential General Plan designation density. The applicant is seeking a Planned Development zoning designation to provide flexibility in the site layout of the units, and to offset certain development standards, such as reduced lot sizes and widths, setbacks, and lot coverage. To offset these deviations from development standards, the following shall be required and shown/indicated on the Precise Plan:

- Photovoltaic solar systems shall be installed on all units or as determined to be achievable through a solar feasibility study, to be submitted for review and approval by the Planning Director prior to the approval of the Precise Plan.
- Provide 10 additional on-street parking spaces on Montevina Way through an access easement obtained from the adjacent Home Owners Association.
- Include enhanced landscaping and paving including upsizing 9 street trees to 36 inch box and providing additional trees above and beyond required plantings and mitigation plantings.
- Provide enhanced architecture and site design including four-sided architecture on all units and rear loaded garages which allow for a pedestrian oriented community which connects to the public open space and surrounding community and Greenwood Park.

### VESTING TENTATIVE TRACT MAP

11. The approval of Vesting Tentative Map Tract 8172, as conditioned, will have no significant impact on the environment, cumulative or otherwise. A Mitigated Negative Declaration was prepared per the guidelines of the California Environmental Quality Act (CEQA) for the development of this site.
12. The vesting tentative tract map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, and the General Plan.
13. The preliminary geotechnical investigation performed by Cornerstone Earth Group (dated March 21, 2014) demonstrates that the proposed residential development is feasible and the proposed subdivision would occur on a site suitable for the proposed development with the recommendation that a design level geotechnical investigation be conducted prior to construction to review the geotechnical aspects of the project. The site provides sufficient lane widths and ingress/egress points, pedestrian facilities and infrastructure locations, such as water and sewer lines, storm drains and stormwater treatment areas, to support the number of units being proposed.
14. The design of the subdivision and the proposed improvements are not likely to cause serious health problems.
15. The design of the subdivision and the proposed improvements are not likely to cause serious health problems.
16. Upon completion of the proposed improvements, the streets and utilities would be adequate to serve the project.
17. None of the findings set forth in Section 66474 of the Subdivision Map Act for denial of a tentative map have been made.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, based on the foregoing findings, hereby adopts the Mitigated Negative Declaration and

Mitigation Monitoring and Reporting Program and approves Zone Change Application No. PL-2014-0083 and Vesting Tentative Tract Map Application PL-2014-0084, subject to the adoption of the companion ordinance rezoning the property located at 23830 and 23836 Saklan Road and 24137 Eden Avenue from Medium Density Residential to Planned Development District, subject to the attached conditions of approval (Exhibit "A").

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

## **Exhibit A**

### **CONDITIONS OF APPROVAL**

**Eden Pointe – Valley Oak Partners (Applicant), Sandra Gudiel, Fernando Ramirez and  
Tatsumi Hirakawa (Owners)**

**Zone Change Application No. PL-2014-0083, and  
Tentative Tract Map Application No. PL-2014-0084**

**Zone Change from Medium Density Residential to Planned Development (PD)**

**Vesting Tentative Tract Map 8172 associated with the subdivision and construction of 25  
single-family detached homes, 10 attached homes and common areas on a 2.94-acre site  
bounded by Eden Avenue, Saklan Road and Montevina Way.**

#### **General**

1. In accordance with Zoning Ordinance §10-1.2500 (Planned Development District), this approval is for the Preliminary Development Plan, subject to all conditions listed below, included herein as:  
  
**Exhibit A** –Planned Development and Vesting Tentative Tract Map 8172 submitted by Valley Oak Partners, dated August 21, 2014, Sheets C.1, C.2, C.4, C.5, C.6, C.7, C.8, C.9, C.10, C.11, C.12, C.13, C.14, C.15, C.16 and OSE.
2. The project approval shall coincide with the approval period for the Vesting Tentative Tract Map. If a building permit is issued for construction of improvements authorized by the Zone Change approval, said approval shall be void two years after issuance of the building permits, or three years after approval of Precise Plan application, whichever is later, unless the construction authorized by the building permits has been substantially completed or substantial sums have been expended in reliance upon the Precise Plan approval.
3. This approval is tied to Vesting Tentative Tract Map 8086 and all conditions of approval of that map shall also apply to this approval.
4. This approval is subject to the Mitigation Monitoring and Reporting Program included in the City's Project files as Exhibit B.
5. The subdivider shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.

#### **PRECISE PLAN SUBMITTAL**

6. In accordance with Zoning Ordinance §10-1.2550 and prior to submitting a building permit application, a Precise Development Plan shall be submitted for review and approval.

## Exhibit A

7. The Precise Development Plan shall be in substantial conformance with the approved Preliminary Development Plan and incorporate conditions herein, and shall be submitted in conjunction with the subdivision improvement plans and Final Map.
8. The project approval includes the following project amenities to support the finding required to be made that “any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards”. These four (4) amenities include:
  - Photovoltaic solar systems shall be installed on all units or as determined to be achievable through a solar feasibility study, to be submitted for review and approved by the Planning Director prior to the approval of the Precise Plan.
  - Provide 10 additional on-street parking spaces on Montevina Way through an access easement obtained from the adjacent Home Owners Association.
  - Include enhanced landscaping and paving including upsizing 9 street trees to 36 inch box and providing additional trees above and beyond required plantings and mitigation plantings.
  - Provide enhanced architecture and site design including four-sided architecture on all units and rear loaded garages which allow for a pedestrian oriented community which connects to the public open space and surrounding community and Greenwood Park.
9. The applicant shall submit revised project plans for review and approval by the Planning Director that clearly shows the details of each project amenity. Such project amenity details shall be included in the Precise Plan submittal for final approval.
10. The Precise Development Plan shall include the following information and/or details:
  - a. A copy of these conditions of approval shall be included on a full-sized sheet(s).
  - b. A copy of the recorded easement or agreement with the HOA for the existing KB Home development to allow the addition of the 11 on-street parking spaces on Montevina Way (private street).
  - c. Proposed location for construction staging, designated areas for construction employee parking (on- and off-site), construction office, sales office (if any), hours of construction, provisions for vanpooling construction workers or having them use transit to access the site, provisions for noise and dust control, and common area landscaping.
  - d. Details of address numbers shall be provided. Address number shall be decorative. Building addresses shall be minimum 4-inch self-illuminated or 6-inch on contrasting background. Address numbers shall be installed so as to be visible from the street.
  - e. Proposed locations, heights, materials and colors of all walls and fences.
  - f. A minimum of one exterior hose bib shall be provided for each residential unit.
  - g. Proposed pavement materials for all drive aisles, parking areas, and pedestrian paths. All surfaces should be enhanced by the use of decorative pavement materials such as colored, stamped concrete (bomanite or equal), brick, concrete interlocking pavers or other approved materials.
  - h. Proposed mailbox design and locations, subject to Post Office approval.
  - i. A final lighting plan prepared by a qualified illumination engineer shall be included to

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show exterior lighting design. Exterior lighting shall be erected and maintained so that adequate lighting is provided along the private street. The Planning Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the building(s). Exterior lighting shall be shielded and deflected away from neighboring properties and from windows of houses within the project.

- j. All air conditioners and utility connections for air conditioners shall be located behind solid board fences or walls and shall not exceed the height of the fence or wall, unless otherwise approved. Infrastructure for air conditioning systems is required to be installed as a standard feature.
  - k. Proposed color and materials board for all buildings, fences and walls. No changes to colors shall be made after construction unless approved by the Planning Director.
  - l. All above-ground utility meters, mechanical equipment and water meters shall be enclosed within the buildings or shall be screened with shrubs and/or an architectural screen.
  - m. No mechanical equipment, other than solar panels, shall be placed on the roof unless it is completely screened from view by the proposed roof structure. All roof vents shall be shown on roof plans and elevations. Vent piping shall not extend higher than required by building code. Roof apparatus, such as vents, shall be painted to match the roof color.
  - n. Large expanses of blank wall shall not be allowed. Articulate or otherwise treat such expanses to avoid bulkiness.
  - o. All decorative window treatments shall be extended to all elevations.
  - p. All rear and side entries visible from the street shall be protected by roofs with rooflines to match the pitch of the roof.
  - q. An area within each garage for individual garbage and recycling receptacles shall be provided and shall be clear of the required area for two cars. As an alternative, an area within the fenced side yard may be used for the garbage and recycling containers but shall be shown.
  - r. All parking stall dimensions shall conform to the City's Off-street Parking Ordinance. All two car garages shall have minimum interior dimensions of 20-foot width by 19-foot depth. The dimensions shall be shown on plans. No doors, stairs, landings, laundry facilities, trash/recycle containers or HVAC shall project within the required interior parking areas.
  - s. The applicant shall work with the City's Landscape Architect to incorporate native tree species into the landscape plan.
  - t. Awnings shall be incorporated over front entry ways on some units where architecturally appropriate.
11. At the time of submittal of the Precise Plan, the applicant shall meet or exceed the minimum open space requirements.
12. Any proposal for alterations to the proposed site plan and/or design which does not require a variance to any zoning ordinance standard must be approved by the Development Services Director or his/her designee, prior to implementation.
13. Details of all project amenities shall be submitted for review and approval by the Planning Director during the Precise Plan phase of the project.

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14. All final exterior building finishes, paint colors and other architectural details shall be reviewed and approved by the Planning Division in accordance with the City of Hayward's Design Guidelines prior to issuance of a building permit for the project.
15. The project shall comply with the 2013 California Energy Code Section 110.10 for Solar Ready Homes, involving coordination between the project architect and energy consultant regarding the design and orientation of roof surfaces.

### *Planning Division*

16. **Mitigation Measure 1<sup>1</sup>**: The Project shall adhere to the following Bay Area Air Quality Management District (BAAQMD) "Basic Construction Mitigation Measures".
  - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
  - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
  - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
  - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
  - Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
17. **Mitigation Measure 2**: The applicant shall follow all recommendations in the tree evaluation report including protection of all trees adjacent to the project site to be preserved during all phases of the development:

### **Before Demolition, Grading and Construction**

- Tree protective fencing shall be established to restrict access within tree protection zones (TPZs), and should consist of six-foot high chain link mounted on two-inch

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<sup>1</sup> BAAQMD's recommendation to require, "All vehicle speeds on unpaved roads shall be limited to 15 mph" has not been included with Air-1 since the Project would not result in unpaved roads or surfaces where vehicles could exceed 15 mph.

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diameter steel posts that are driven into the ground 24 inches deep. An alternate fencing type includes five- to six-foot tall chain link panels mounted on metal stands or concrete blocks, and the panels secured together. Where appropriate, perimeter fencing can double as tree fencing.

- The staging area and routes of access shall be established beyond TPZs.
- A four- to five-inch layer of coarse wood chips ( $\frac{1}{4}$ - to  $\frac{3}{4}$ -inch in size) shall be manually spread on exposed ground beneath tree canopies (but not piled against a tree's trunk); the chips should remain throughout construction.
- Supplemental water for retained trees shall begin prior to demolition and continue throughout construction. It should be supplied every three weeks by either soaker hoses or filling a basin formed by a 12-inch high berm around a TPZ or farther. The rate should be roughly five gallons per inch of trunk diameter.
- Immediately south and five feet from #32's trunk, the section of roadway apron shall be manually dug to the required subgrade depth for exposing all roots two inches and greater in diameter; great care must be taken during the process to avoid damaging the roots until they can be observed by me to ascertain the extent of impacts to #32. Following this, the roots can be manually pruned at a 90-degree angle to the direction of root growth at the cut line and by using sharp cutting tools (e.g. loppers or handsaw).

### **During Demolitions, Grading and Construction**

- During demolition, great care shall be taken during removal of existing features to avoid excavating the ground and large roots within a TPZ. Removal of existing base material within the TPZ of #31 shall be carefully performed to avoid excavating roots during the process (or those roots reviewed with me beforehand).
- The future sidewalk (including base material, edging and forms) within the TPZ of #31 shall retain roots two inches and greater in diameter, or should they require removal, reviewed with Arborist beforehand.
- Any required digging and trenching within a TPZ shall be reviewed onsite with Arborist beforehand, and manually performed to allow retention of sizeable roots, one-inch and greater in diameter for trees #23 thru 25, and two inches and greater in diameter for #31. Roots less than those diameters can be cleanly severed at a 90-degree angle to the direction of root growth at the cut line, and by using sharp cutting tools.
- Spoils created during approved digging shall not be piled or spread within a TPZ; if necessary, they can be temporarily piled on plywood or a tarp.
- Tree trunks shall not be used as winch supports for moving or lifting heavy loads.
- Digging holes for any posts or bollards within a TPZ shall be manually performed using a post-hole digger or shovel, and in the event a root or two inches and greater in diameter is encountered during the process, the hole should be shifted over by 12 inches and the process repeated.

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- Tree pruning is anticipated for the western edge of #31's canopy to achieve clearance for constructing the home on lot 35. The work shall be performed by a California state-licensed tree service company (D-49 classification) that has an ISA (International Society of Arboriculture) certified arborist in a supervisory role, carries General Liability and Worker's Compensation insurance, and abides by in accordance with ANSI A300-2001 (Pruning) and ANSI Z133.1-2006 (Safety Operations) standards.
  - Great care shall be taken by equipment operators to position their equipment to avoid the trunks and branches of trees, including exhaust that can scorch foliage.
  - Dust accumulating on trunks and canopies during dry weather periods may require being periodically washed away (e.g. every three to four months).
  - The disposal of harmful products (such as cement, paint, chemicals, oil and gasoline) is prohibited beneath canopies or anywhere on site that allows drainage beneath or near TPZs. Herbicides shall not be used with a TPZ; where used on site, they shall be labeled for safe use near trees.
18. **Mitigation Measure 3:** Prior to issuance of a Building Permit for the project, the applicant shall conduct a design level geotechnical evaluation and submit that for review and approval and any recommendations shall be incorporated into the final design of the project.
19. **Mitigation Measure 4:** A full design-level geotechnical evaluation shall be conducted and measures as recommended by the project geotechnical consultant shall be implemented. Such measures will reduce the significance of impacts related to expansive soils to a level of insignificance.

### **PRIOR TO SUBMITTAL OF SUBDIVISION IMPROVEMENT PLANS AND FINAL MAP**

20. In conjunction with the Precise Plan, the applicant/developer shall submit subdivision improvement plans including Landscape and irrigation plans and a final map application for the entire project. Said improvement plans and final map shall meet all City standards and submittal requirements except as expressly approved for this Planned Development. The following information shall be submitted with, or in conjunction with, improvement plans and final map. The City reserves the right to include more detailed conditions of approval regarding required infrastructure based on these more detailed plans.
21. 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.
22. Unless indicated otherwise, the design for development shall comply with the following:
- a) All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Articles 1 and 3, and Standard Specifications and Details.
  - b) All construction shall meet the California Building Codes (CBC) and all applicable City of Hayward Building Codes and amendments.

## **Exhibit A**

- c) Design and construction of all pertinent life safety and fire protection systems shall meet the California Fire Code and all applicable City of Hayward Fire Codes and amendments.
23. A Registered Civil Engineer shall prepare all Civil Engineering improvement plans; a Licensed Architect shall prepare all architectural plans; and a Licensed Landscape Architect shall prepare all landscape unless otherwise indicated herein.

### **Subdivision Improvement Plans**

24. Subdivision Improvement Plans shall be approved in concurrence with the Precise Development Plan. Submit the following proposed improvement plans with supporting documents, reports and studies:
- a) A detailed drainage plan, to be approved by the Alameda County Flood Control and Water Conservation District (ACFC&WCD) and the City Engineer, designing all on-site drainage facilities to accommodate the runoff associated with a ten (10) year storm and incorporating onsite storm water detention measures sufficient to reduce the peak runoff to a level that will not cause capacity of downstream channels to be exceeded. Existing offsite drainage patterns, i.e., tributary areas, drainage amount and velocity shall not be altered by the development. The detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be approved by the City Engineer and by the ACFC&WCD prior to issuance of any construction or grading permit.
  - b) A detailed Stormwater Treatment Plan and supporting documents, following City ordinances and conforming to Regional Water Quality Control Board's Staff recommendations for new development and redevelopment controls for storm water programs.

### ***Storm Water Quality Requirements***

25. The following materials related to the Storm water quality treatment facility requirements shall be submitted with improvement plans and/or grading permit application:
- a) A Stormwater Treatment Measures Maintenance Agreement shall be submitted to Public Works - Engineering and Transportation Department staff for review and approval. Once approved, the Maintenance Agreement shall be recorded with the Alameda County Recorder's Office to ensure that the maintenance is bound to the property in perpetuity.
  - b) Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the City for review and approval by the City Engineer. All reports such as Soil Report, SWPPP, and SWMP are to be submitted in bound form. The Soil Report and SWMP shall be wet-stamped and signed by the engineer. The certification page of the SWPPP shall be signed by a Qualified SWPPP Developer (QSD) person who prepared the report. Documents that are clipped or stapled will not be accepted.
  - c) Before commencing any grading or construction activities at the project site, the developer shall obtain a National Pollutant Discharge Elimination System (NPDES)

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permit and provide evidence of filing of a Notice of Intent (NOI) with the State Water Resources Control Board.

- d) The project plans shall include the storm drain design in compliance with post-construction stormwater requirements to provide treatment of the stormwater according to the National Pollutant Discharge Elimination System (NPDES) permit's numeric criteria. The design shall comply with the C.3 established thresholds and shall incorporate measures to minimize pollutants to the maximum extent practicable (MEP).
- e) The project plans shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site in order to limit the entry of pollutants into storm water runoff to the maximum extent practicable.
- f) The proposed BMPs shall be designed to comply with the hydraulic sizing criteria listed in Provision C.3 of the Alameda County Clean Water Program (ACCWP) NPDES permit.
- g) The design of the flow through planter shall use a Bioretention Soil Mix (BSM) per Attachment L of the C.3 Stormwater Technical Guidance dated May 14, 2013, with a minimum infiltration rate of 5 inches per hour. Submit plan and calculations to show that all disturbed areas are treated.
- h) All inlet rims in the Bioretention Treatment Area (BTA) shall be 6" minimum above the flow line of the BTA. The design of the longitudinal flow line shall be level. If not feasible, check dams will be required.
- i) The flow through treatment planter shall be completely encircled with a decorative fence to protect it from being used as part of the adjacent tot play area.
- j) The following documents shall be completed and submitted with the improvement and/or grading plans:
  - a) Hydromodification Management Worksheet;
  - b) Infiltration/Rainwater Harvesting and Use Feasibility Screening Worksheet;
  - c) Development and Building Application Information Impervious Surface Form;
  - d) Project Applicant Checklist of Stormwater Requirements for Development Projects;
  - e) C.3 and C.6 Data Collection Form; and,
  - f) Numeric Sizing Criteria used for stormwater treatment (Calculations).

26. The developer shall be 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.

### *Private Streets and Courts (Common Driveways)*

27. The proposed private street improvements shall be designed, generally reflective of the alignment and right-of-way width of 33.7 feet at the intersection with Saklan Road and 33.5 feet at the intersection with Eden Avenue as shown on the vesting tentative map, and as approved by the City. The private street cross-section shall have the following dimensions: a thirty-five-foot wide right-of-way with a thirty-foot curb-to-curb width accommodating two

## **Exhibit A**

travel lanes and designated parking on one side (south side) and a 4.5-foot wide sidewalk on one side (north side).

28. The private street pavement sections shall be designed to public street standards. The private street shall be designed with a TI of six and minimum AC thickness of four inches.
29. The private street approaches shall conform to City Standards SD-110A with modified curb return radius of 10 feet, SD-108A, Alternate "A" and be enhanced with at least ten feet of raised decorative paving (e.g., interlocking pavers or stamped colored concrete, or bands of decorative paving, etc.). The Planning Director shall approve the material, color and design, and the City Engineer shall approve the pavement section for the decorative paving. Decorative pavements shall be capable of supporting a 75,000 lb. GVW load per Fire Department's requirement.
30. The on-site streetlights and pedestrian lighting shall be LED lights and have a decorative design approved by the Planning Director. The locations of the lights shall be shown on the improvement plans and shall be approved by the City Engineer. Submit photometric plans with the improvement plans. Such fixtures shall have shields to minimize "spill-over" lighting on adjacent properties that are not part of the tract.
31. Proposed private courts (common driveways) improvements shall be designed, generally reflective of the alignment and width shown on the submitted vesting tentative tract map, and as approved by the City Engineer. Unless otherwise specified herein, all private courts shall incorporate a cross-section of a 25-foot-wide right-of-way with a 24-foot curb-to-curb width, accommodating two travel lanes.
32. Entrances to Private Courts shall conform to the City Standard SD-108A with detectable warning surface on both sides.
33. No parking shall be allowed within the private courts. Curbs shall be painted red along BOTH sides of the private courts.
34. The private courts shall not extend more than 5 feet beyond the garage door entries of the end units served by such courts, unless needed for designated parking spaces.
35. The private court pavement sections shall be designed to public street standards. The private court shall be designed with a TI of five and minimum AC thickness of four inches.

### ***Public Streets (Saklan Road and Eden Avenue)***

36. Any damaged and/or broken curb, gutter and sidewalks along the property frontages shall be removed and replaced as determined by the City Inspector.

### ***Parking and Driveways***

37. The applicant/developer shall provide sufficient parking spaces for the development to meet the requirements of the City of Hayward Municipal Code or as per the approved Preliminary

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Development Plan. Parking stall dimensions and driveways shall meet City requirements as approved by the Planning Director and City Engineer.

### *Storm Drainage*

38. The project streets, driveways, and parking areas shall be designed to facilitate street sweeping, including the layout of the tree and handicap ramp bulb outs. The HOA shall be responsible for street sweeping on a regular basis.
39. The project 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.
40. Storm water inlets shall be installed at the curb face per the City of Hayward Standard Details. The design and location shall be approved by the City Engineer.
41. All storm drain inlets must be labeled "No Dumping - Drains to Bay," using City-approved methods. Refer to City Standard SD-401A.
42. Improvements for storm drain system shall incorporate the following:
  - a) The locations and design of storm drains shall meet the City's standard design and be approved by the City Engineer and if necessary, the Alameda County Flood Control and Water Conservation District (ACFC&WCD). Any alternative design shall be approved by the City Engineer prior to installation.
  - b) Storm drain pipes in streets and courts shall be a minimum of twelve inches in diameter with a minimum cover of three feet over the pipe.
  - c) The latest edition of the Alameda County Flood Control and Water Conservation District's Hydrology and Hydraulics Criteria Summary 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 submitted, which shall meet the approval of the Alameda County Flood Control and Water Conservation District (ACFC&WCD) and the City. Development of this site shall not augment runoff to the ACFC&WCD's downstream flood control facilities. The hydrology calculations shall substantiate that there will be no net increases in the quantity of runoff from the site versus the flow rate derived from the original design of downstream facilities.
  - d) The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the project hydrology design shall clearly indicate all areas tributary to the project area. The developer is required to mitigate unavoidable augmented runoffs with offsite and/or on-site improvements.
  - e) No surface runoff is allowed to flow over the sidewalks and/or driveways. Area drains shall be installed behind the sidewalks to collect all runoff from the project site.
  - f) All storm drain inlets must be labeled "No Dumping - Drains to Bay," using City-approved methods.

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- g) Post-development flows should not exceed the existing flows. If the proposed development warrants a higher runoff coefficient or will generate greater flow, mitigation measures shall be implemented.

### *Sanitary Sewer System*

- 43. The sewer mains shall be a public system owned and maintained by the City.
- 44. Sanitary sewer service is available subject to standard conditions and fees in effect at the time of application. The development's sanitary sewer mains and manholes shall be public, owned and maintained by the City. If the sewer mains are located in a private roadway, either the entire roadway shall be a public utility easement or a minimum 10' wide easement shall be granted to the City.
- 45. All sewer mains and appurtenances shall be constructed in accordance to the City's "Specifications for the Construction of Sewer Mains and Appurtenances (12" Diameter or Less)," latest revision at the time of permit approval (available on the City's website at <http://user.govoutreach.com/hayward/faq.php?cid=11188>). Sewer cleanouts shall be installed on each sewer lateral at the connection with the building drain, at any change in alignment, and at uniform intervals not to exceed 100 feet. Manholes shall be installed in the sewer main at any change in direction or grade, at intervals not to exceed 400 feet, and at the upstream end of the pipeline
- 46. The existing sewer laterals to Lot 1 and Lot 3 on Saklan Road and Lot 40 on Eden Avenue shall be abandoned.
- 47. Each single family dwelling unit shall have an individual sanitary sewer lateral. The sewer laterals shall have cleanouts and be constructed per City Standard Detail SD-312.

### *Water System*

- 48. Water service is available from the City of Hayward and is subject to standard conditions and fees in effect at the time of application.
- 49. The development's water mains shall be public, owned and maintained by the City. The water mains shall be designed as a loop system and located five feet from the place of curb. Where a public water main is located in a private roadway, a minimum 10' wide easement shall be granted to the City.
- 50. City records indicate that there are three existing water services within the development: 23830 Saklan Rd., 3/4" meter x 3/4" Domestic service (SN 38517, Account 357650000); 23836 Saklan Rd., 5/8" meter x 3/4" Domestic service (SN 38633, Account 357656000); and 24243 Eden Ave., 1" service line, no meter (SN 38533). If these water services cannot be reused for the proposed development, they shall be abandoned by City Water Distribution Personnel at the applicant's/-developer's expense.

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51. Two existing 8" water main stubs with blowoffs on the east side of Saklan Road to Lots 1 and 4 shall be abandoned by City Water Distribution Personnel at the applicant's/developer's expense.
52. All connections to existing water mains shall be installed by City Water Distribution Personnel at the applicant/developer's expense. The developer may only construct new services in conjunction with the construction of new water mains.
53. Residential combined domestic and fire services are allowed, per City Standard SD-216. The minimum size for a residential fire service connection is 1".
54. All domestic and irrigation water meters shall be installed behind the curb and shall be radio-read type.
55. Irrigation water meters shall have Reduced Backflow Prevention Assemblies, per City of Hayward Standard Detail 202. Backflow Prevention Assemblies shall be at least the size of the water meter or the water line on the property side of the meter, whichever is bigger.
56. Water meter boxes in driveway aisle areas shall have steel H2O rated lids.
57. Water mains and service, including the meters, must be located at least 10 feet horizontally from and one-foot vertically above any pipeline conveying storm drainage, per the current California Waterworks Standards, Title 22, Chapter 16, Section 64572. The minimum horizontal separation distances can be reduced by using higher grad (i.e. pressure) piping materials.

### *Solid Waste*

58. Applicants must comply with City standards to obtain building permits, as follows:
  - a. Residential Collection of Garbage and Recyclables: Residents are required to place their garbage, recycling, and organics carts at the curb for weekly collection service by contracted service providers:
    - i. The standard type of garbage, recycling, and organics containers are (1) 32-gallon cart for Garbage, (1) 64-gallon cart for Recycling, and (1) 64-gallon cart for Organics.
    - ii. The total space required for the standard service is approximately 3 feet by 9 feet. Sufficient space should be allocated in the garage to allow residents to keep the containers inside. Alternatively, the containers may be kept in a side yard behind a fence. Trash and recycle containers shall be stored out of public view on non-pickup days.
    - iii. Residents shall not place carts at the curb any earlier than 6:00 a.m. the day before scheduled collection, and are required to retrieve them no later than midnight the days the carts are emptied. (Hayward Municipal Code Section 5-1.15).

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- b. Requirements for Recycling Construction & Demolition Debris: City regulations require that applicants for all construction, demolition, and/or renovation projects, in excess of \$75,000 (or combination of projects at the same address with a cumulative value in excess of \$75,000) must recycle all asphalt and concrete and all other materials generated from the project. Applicants must complete the *Construction & Demolition Debris Recycling Statement*, a *Construction and Demolition Debris Recycling Summary Report*, and weigh tags for all materials disposed during the entire term of the project, and obtain signature approval from the City's Solid Waste Manager prior to any off haul of construction and demolition debris from the project site.

### *Other Utilities*

59. All service to dwellings shall be an "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, AT&T (phone) Company and Comcast cable company regulations. Transformers and switch gear cabinets shall be placed underground unless otherwise approved by the Planning Director and the City Engineer. Underground utility plans must be submitted for City approval prior to installation.
60. All proposed surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed streets shall be located outside of the sidewalk within the proposed Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Fire Chief.
61. The developer shall provide and install the appropriate facilities, conduit, junction boxes, etc., to allow for installation of a fiber optic network within the subdivision.
62. All utilities shall be designed in accordance with the requirements of the City of Hayward and applicable public agency standards.

### *Landscape and Irrigation Plans*

63. Park Dedication In-Lieu Fees are required for all new dwelling units. Fees shall be those in effect at the time of issuance of the building permit.
64. Prior to the approval of improvement plans or issuance of the first building permit, detailed landscape and irrigation plans shall be reviewed and approved by the City and shall be a part of approved improvement plans and the building permit submittal. The plans shall be prepared by a licensed landscape architect on an accurately surveyed base plan and shall comply with the City's *Bay-Friendly Water Efficient Landscape Ordinance*, *Hayward Environmentally Friendly Landscape Guidelines and Checklist for the landscape professional*, and *Municipal Codes*. Dripline of the existing trees to be saved shall be shown on the plan.
65. Mylar of the approved landscape and irrigation improvement plans shall be submitted to the Engineering Department. The size of Mylar shall be 22" x 34" without an exception. A 4" wide x 4" high blank signing block shall be provided in the low right side on each sheet of Mylar. The signing block shall contain two signature lines and dates for City of Hayward,

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Landscape Architect/Planner and City Engineer. Upon completion of installation, As-built/Record Mylar shall be submitted to the Engineering Department by the developer.

66. Prior to the issuance of a grading or building permit, a tree preservation bond, surety or deposit, equal in value to the trees to be preserved, shall be provided by the developer. If any trees that are designated as saved are removed or damaged during construction shall be replaced with trees of equal size and equal value. The bond, surety or deposit shall be returned when the tract is accepted if the trees are found to be in a healthy, thriving and undamaged condition. The developer shall provide an arborist's report evaluating the conditions of the trees.
67. A tree removal permit is required prior to the removal of any existing trees.
68. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80% of the dwelling units, whichever first occurs.

### ***Fire Protection***

69. All public streets, private streets and private courts shall be designed and engineered to withstand 75,000 lbs. gross vehicle weight of fire apparatus. Such standard is also applicable to pavers or decorative concrete. Design of the public streets and private streets and courts shall meet City of Hayward Fire Department Standards.
70. Private streets and private court "A", "B" and "C", shall be dedicated fire lanes. Parking of vehicles shall only be allowed in designated parking stalls. Where there is no on-street parking, fire lane signage shall be installed in locations required by the Hayward Fire Department.
71. Intersections of Private Street and Saklan Road and Eden Avenue shall have a minimum curb-to-curb width of 26 feet and 10 foot curb returns.
72. The minimum width of fire lane is 20 feet. The access road shall be designed with a minimum width of 24 feet and a minimum unobstructed width of 26 feet within 40 feet (20 feet in both directions) of the immediate vicinity of the fire hydrant as approved by the Fire Marshal.
73. Fire lane of 20 to 26 feet wide shall be posted on both sides as a fire lane; 26 feet to 32 feet shall be posted on one side of the road as a fire lane. "No Parking" sign shall meet the City of Hayward Fire Department fire lane requirements.
74. No street parking shall be allowed except in designated/marked parking stalls.
75. When fire hydrants are located so as to be subjected to vehicle impacts as determined by the Hayward Fire Department, crash posts shall be installed around the fire hydrant(s). Spacing and locations of fire hydrants shall be subject to review and approval by the Hayward Fire Department.
76. The minimum fire flow of 1500gpm shall be provided on site.

## **Exhibit A**

77. All new fire hydrants shall be Modified Steamer Hydrant (Clow Valve Co. Model LB 614 with one 2-1/2" outlet and one 4-1/2" outlet). The capacity of each individual hydrant shall be 1,500 GPM. Blue reflective fire hydrant blue dot markers shall be installed on the roadways indicating the location of the fire hydrants.
78. Addressing of the buildings shall be in compliance with the Hayward Fire Department requirements. All buildings shall have a minimum 4 inch self-illuminated address installed on the front of the building so as to be visible from the street. A decorative address monument sign shall be installed at each court entrance, indicating the building addresses for the units served by such court. Minimum size numbers shall be 6 inches in height on a contrasting background.
79. Address and premise identification numbers shall be placed on all buildings in such a position as to be plainly visible and legible from the road or street fronting the property. Dimensions of address numbers or letters on the front of buildings shall be approved by the Fire Department.
80. The height of the building eaves shall not exceed 30 feet.
81. Submit for proper building permits for the construction of the building to the Building Department. All building construction shall meet the requirements of the 2013 California Building Code.
82. Buildings shall be required to install fire sprinkler systems in accordance with NFPA 13D.
83. Per the requirement of Hayward Public Works Department, a static pressure of 80 PSI should be used when water data indicates a higher pressure. The residual pressure should be adjusted accordingly.
84. Underground fire service line serving NFPA 13D sprinkler system shall be installed in accordance with the Hayward Public Work Department SD-216. Water meters shall be minimum one-inch in diameter.
85. An interior audible alarm device shall be installed within the dwelling in a location so as to be heard throughout the home. The device shall activate upon any fire sprinkler system waterflow activity.
86. All bedrooms and hallway areas shall be equipped with smoke detectors, hard-wired with battery backup. Installation shall conform to the California Building Code (CBC).
87. CO detectors should be placed near the sleeping area on a wall about 5 feet above the floor. The detector may be placed on the ceiling. Each floor needs a separate detector.
88. An approved type spark arrestor shall be installed on any chimney cap.

### ***Hazardous Materials***

## Exhibit A

89. Prior to issuance of Building or Grading Permits, a final clearance shall be obtained from either the California Regional Water Quality Control Board, Alameda County Environmental Health Department or the Department of Toxic Substance Control and submitted to the Hayward Fire Department. The clearance certificate will ensure that the property meets investigation and cleanup standards for residential development. Allowance may be granted for some grading activities, if necessary, to ensure environmental clearances.
90. A health-based and water quality clearance shall be obtained from either the State Department of Toxic Substances Control, the Alameda County Health Department or the California Regional Water Quality Control Board – San Francisco Bay Region. If it is determined that remediation of soil and/or groundwater is necessary, oversight of one of these two agencies would be required.
91. Prior to grading, structures and their contents shall be removed or demolished under permit in an environmentally sensitive manner. Proper evaluation, analysis and disposal of materials shall be done by appropriate professional(s) to ensure that hazards posed to development construction workers, neighbors, the environment, future residents and other persons are mitigated. All hazardous materials and hazardous waste must be properly managed and disposed of in accordance with state, federal and local regulations.
92. Any wells, septic tank systems and other subsurface structures - including hydraulic lifts for elevators - shall be removed properly in order not to pose a threat to the development, construction workers, future residents or the environment. Notification shall be made to the Hayward Fire Department at least 24 hours prior to removal. Removal of these structures shall be documented and done under permit, as required by law.
93. The Hayward Fire Department's Hazardous Materials Office shall be notified immediately at (510) 583-4910 if hazardous materials are discovered during demolition or during grading. These shall include, but shall not be limited to, actual/suspected hazardous materials, underground tanks, vessels that contain or may have contained hazardous materials.
94. During construction, hazardous materials used and hazardous waste generated shall be properly managed and disposed.
95. If hazardous materials storage and/or use are to be a part of the facility's permanent operations then a Chemical Inventory Packet shall be prepared and submittal with building plans to the City of Hayward Fire Department at the time of application for construction permits.

### *Final Tract Map*

96. Prior to recordation, a proposed Final Tract Map shall be submitted for review by the City. The Final Tract Map shall be presented to the City Council for review and action. The City Council meeting will be scheduled approximately sixty (60) days after the Improvement Plans with supporting documents and Final Map are deemed technically correct, and Subdivision Agreement and Bonds are approved by the City. The executed Final Map shall be returned to the City Public Works Department if Final Map has not been filed in the County Recorder's Office within ninety (90) days from the date of the City Council's approval.

## **Exhibit A**

97. Prior to the recordation of the Final Tract Map, all documents that need to be recorded with the final map shall be approved by the City Engineer and any unpaid invoices or other outstanding charges accrued to the City for the processing of the subdivision application shall be paid.
98. The final map shall reflect all easements needed to accommodate the project development. The private street and driveways shall be dedicated as a Public Utility Easement (PUE), Public Assess Easement (PAE), Water Line Easement (WLE), Sanitary Sewer Easement (SSE), and Emergency Vehicle Access Easement (EVAE).
99. Prior to the approval of the Final Map, an Inclusionary Housing Agreement (IHA) shall be submitted and approved by the Planning Director related to providing affordable housing units. The Inclusionary Housing Agreement shall conform to the requirements of the City's Inclusionary Housing Ordinance, including possibly the option of paying required in-lieu fees pursuant to the ordinance. Pursuant to the City's Interim Relief Ordinance (the Relief Ordinance – Ordinance No. 13-01), effective at the time of approval of this project, 10% of detached and 7.5% of attached residential units in a project must be set aside and sold at affordable prices to moderate-income households (households earning 120% of Area Median Income or less). The Relief Ordinance also allows developers to pay an \$80,000 per affordable unit in-lieu fee by right prior to obtaining a certificate of occupancy for those units. The Inclusionary Housing Agreement (IHA) between the City and the project owner will memorialize the obligations relevant to the compliance with inclusionary housing provisions by the project owner. Pursuant to the City's Inclusionary Housing Ordinance, approval and implementation of an IHA shall be a condition of any tentative map or building permit for any residential development project.
100. Prior to the approval of the Final Map, the developer shall pay the costs of providing public safety services to the project should the project generate the need for additional public safety services. The developer may pay either the net present value of such costs prior to issuance of building permits, or the developer may elect to annex into a special tax district formed by the City and pay such costs in the form of an annual special tax. The developer shall post an initial deposit of \$20,000 with the City prior to submittal of improvement plans to offset the City's cost of analyzing the cost of public safety services to the property and district formation.

### **PRIOR TO ISSUANCE OF BUILDING OR GRADING PERMITS AND CONSTRUCTION WITH COMBUSTIBLE MATERIALS**

101. Pursuant to the Municipal Code §10-3.332, the developer shall execute a subdivision agreement and post bonds with the City that shall secure the construction of the public improvements. Insurance shall be provided per the terms of the subdivision agreement.
102. The proposed subdivision is located in the Benefit District 411-06, formed on January 16, 2007; therefore, it is subject to the following fees and credit:

## Exhibit A

- a. The developer/subdividers shall have a credit for three existing units within the development as shown in the Exhibit C of the Engineer's Report for the Benefit District 411-06.
  - b. The developer/subdivider shall be obligated to pay a Benefit District Fee in an amount consistent with the associated Mt. Eden Benefit District Engineer's Report and Chapter 8, Article 16 of the Hayward Municipal Code, to be \$12,140 per unit, for each unit after the third building permit has been issued.
  - c. For each additional unit for which a Benefit District Fee is due, the developer/subdivider shall also pay the City an additional \$300 per each additional unit to cover the cost of collecting and administering the Benefit District Fees.
103. Prior to issuance of building permits, a final map that reflects and is in substantial compliance with the approved vesting tentative tract map, shall be approved by the City Engineer and is in the process for filing with the office of the Alameda County Clerk Recorder.
104. Submit the following documents for review and approval, or for City project records/files:
- a. Copy of the Notice of Intent filed with State Water Resources Control Board;
  - b. Engineer's estimate of costs, including landscape improvements;
  - c. Signed Final Map;
  - d. Signed Subdivision Agreement; and
  - e. Subdivision bonds.
105. Plans for building permit applications shall incorporate the following:
- a) A copy of these conditions of approval shall be included on a full-sized sheet(s) in the plan set.
  - b) A lighting plan prepared by a qualified illumination engineer shall be included to show exterior lighting design. All exterior lighting shall be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way. Such lighting shall also be designed such that it is decorative and in keeping with the design of the development. Exterior lighting shall be erected and maintained so that adequate lighting is provided in all common areas. The Planning Director or his/her designee shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the buildings. Exterior lighting shall be shielded and deflected away from neighboring properties and from windows of proposed buildings.
  - c) Plans shall show that all utilities will be installed underground.
106. Required water system improvements shall be completed and operational prior to the start of combustible construction.
107. The developer/subdivider shall be responsible to adhere to all aspects of the approved Storm Water Pollution Prevention Plan (SWPPP) per the aforementioned condition of approval.
108. A representative of the project 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 all grading operations and provide any recommended

## Exhibit A

corrective measures to the contractor and the City Engineer.

109. 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 COMPLETION OF SITE IMPROVEMENTS AND ISSUANCE OF CERTIFICATES OF OCCUPANCY**

#### ***During Construction***

110. The developer shall ensure that unpaved construction areas are sprinkled with water as necessary to reduce dust generation. Construction equipment shall be maintained and operated in such a way as to minimize exhaust emissions. If construction activity is postponed, graded or vacant land shall immediately be revegetated.
111. 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 site construction activities shall be limited to the hours 7:00 AM to 7:00 PM Monday through Saturday and 10:00 AM to 6:00 PM Sunday and Holidays. Grading hours are subject to the City Engineer's approval. Building construction hours are subject to Building Official's approval;
  - b. Grading and construction equipment shall be properly muffled;
  - c. Unnecessary idling of grading and construction equipment is prohibited;
  - d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units;
  - e. Applicant/developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. Letters shall be mailed to surrounding property owners and residents within 300 feet of the project boundary with this information and a copy provided to the Planning Division.
  - f. The developer shall post the property with signs that shall indicate the names and phone number of individuals who may be contacted, including those of staff at the Bay Area Air Quality Management District, when occupants of adjacent residences find that construction is creating excessive dust or odors, or is otherwise objectionable. Letters shall also be mailed to surrounding property owners and residents with this information prior to commencement of construction and a copy provided to the Planning Division.
  - g. Daily clean-up of trash and debris shall occur on Eden Avenue, Saklan Road, and other neighborhood streets utilized by construction equipment or vehicles making deliveries.
  - h. 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;

## Exhibit A

- i. 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;
  - j. 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;
  - k. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site;
  - l. 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;
  - m. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
  - n. Sweep public streets daily if visible soil material is carried onto adjacent public streets;
  - o. Apply (non-toxic) soil stabilizers or hydroseed to inactive construction areas (previously graded areas inactive for 10-days or more);
  - p. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
  - q. 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;
  - r. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place.
  - s. 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;
  - t. 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;
  - u. 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;
  - v. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge washwater into street gutters or drains; and
  - w. The 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.
112. 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.

## Exhibit A

113. In the event that human remains', archaeological resources, prehistoric or historic artifacts are discovered during construction or excavation, the following procedures shall be followed: Construction and/or excavation activities shall cease immediately and the Planning Division shall be notified. A qualified archaeologist shall be retained to determine whether any such materials are significant prior to resuming groundbreaking construction activities. Standardized procedure for evaluation accidental finds and discovery of human remains shall be followed as prescribed in Sections 15064.f and 151236.4 of the California Environmental Quality Act.
114. The applicant shall comply with standards identified in General Plan Appendix N – Noise Guidelines for the Review of New Development. Measures to ensure compliance with such standards shall be developed by a state licensed acoustical engineer and incorporated into building permit plans, to be confirmed by the Planning and Building Divisions. Also, confirmation by a state licensed acoustical engineer that such standards are met shall be submitted after construction and prior to issuance of certificates of occupancy.
115. Prior to final inspections, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
116. Prior to the issuance of Certificate of Occupancy, all landscape and irrigation shall be completed and installed in accordance with the approved plan and accepted by the project landscape architect prior to submitting a Certificate of Completion. The final acceptance form must be submitted prior to requesting an inspection with the City Landscape Architect. An Irrigation Schedule shall be submitted prior to the final inspection and acceptance of landscape improvements.
117. Landscape and tree improvements shall be installed according to the approved plans prior to the occupancy of each building. All common area landscaping, irrigation, and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of eighty percent of the dwelling units, whichever first occurs, and a Certificate of Completion, as-built Mylar and an Irrigation Schedule shall be submitted prior to the Final Approval of the landscaping for the Tract to the Public Works – Engineering and Transportation Department by the developer.

### *Homeowners Association*

118. Prior to the sale of any parcel, or prior to the acceptance of site improvements, whichever occurs first, Conditions, Covenants and Restrictions (CC&R's) creating a homeowners association (HOA) for the property shall be reviewed and approved by the Planning Director and City Attorney and recorded. The CC&R's shall describe how the stormwater BMPs associated with privately owned improvements and landscaping shall be maintained by the association. The CC&Rs shall include the following provisions:
  - a. Each owner shall automatically become a member of the association(s) and shall be subject to a proportionate share of maintenance expenses.
  - b. A reserve fund shall be maintained to cover the costs of improvements and landscaping to be maintained by the Association(s).

## Exhibit A

- c. The HOA shall be managed and maintained by a professional property management company.
- d. The HOA shall own and maintain the private access road, driveways “A”. “B” and “C” and on-site storm drain systems.
- e. The HOA shall own and maintain the on-site storm drain system.
- f. The HOA shall maintain the common area irrigation system and maintain the common area landscaping in a healthy, weed-free condition at all times. The HOA representative(s) shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% die-back) shall be replaced within fifteen days of notification to the homeowner. Plants in the common areas shall be replaced within two weeks of the inspection. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to the Hayward Municipal Code.
- g. A provision that if the HOA fails to maintain the tot lot, common outdoor patio area, and all other landscaping and irrigation in all other common areas for which it is responsible so that owners, their families, tenants, or adjacent owners will be impacted in the enjoyment, use or property value of the project, the City shall have the right to enter upon the project and to commence and complete such work as is necessary to maintain the common areas and private streets, after reasonable notice, and lien the properties for their proportionate share of the costs, in accordance with Section 10-3.385 of the Hayward Subdivision Ordinance.
- h. A provision 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.
- i. A tree removal permit is required prior to the removal of any protected tree, in accordance with the City’s Tree Preservation Ordinance.
- j. The garage of each unit shall be maintained for off-street parking of two vehicles and shall not be converted to living or storage areas. An automatic garage door opening mechanism shall be provided for all garage doors.
- k. The residents shall not use common parking spaces for storage of recreational vehicles, camper shells, boats or trailers. These parking spaces shall be monitored by the homeowners association. The homeowners association shall remove vehicles parked contrary to this provision. The CC&R’s shall include authority for the HOA to tow illegally-parked vehicles.
- l. Individual homeowners shall maintain in good repair the exterior elevations of their dwelling. The CC&Rs shall include provisions as to a reasonable time period that a unit shall be repainted, the limitations of work (modifications) allowed on the exterior of the building, and the right of the home owners association to have necessary work done and to place a lien upon the property if maintenance and repair of the unit is not executed within a specified time frame. The premises shall be kept clean and free of debris at all times. Color change selections shall be compatible with the existing

## Exhibit A

setting.

- m. The HOA shall maintain all fencing, parking surfaces, common landscaping, lighting, drainage facilities, project signs, exterior building elevations, etc. The CC&Rs shall include provisions as to a reasonable time period that the building shall be repainted, the limitations of work (modifications) allowed on the exterior of the buildings, and its power to review changes proposed on a building exterior and its color scheme, and the right of the home owners association to have necessary work done and to place a lien upon the property if maintenance and repair of the unit is not executed within a specified time frame. The premises shall be kept clean.
- n. Any future major modification to the approved site plan shall require review and approval by the Planning Commission.
- o. On-site streetlights and pedestrian lighting shall be owned and maintained by the HOA and shall have a decorative design approved by the Planning Director and the City Engineer.
- p. Street sweeping of the private street and private parking stalls shall be conducted at least once a month.
- q. The association shall ensure that no less than 75 percent of the units shall be owner-occupied. The CC&Rs shall further provide that the leasing of units as a regular practice for business, speculative investment or other similar purpose is not permitted. However, to address special situations and avoid unusual hardship or special circumstances, such as a loss of job, job transfer, military transfer, change of school or illness or injury that, according to a doctor, prevents the owner from being employed, the CC&Rs may authorize the governing body to grant its consent, which consent shall not be unreasonably withheld, to a unit owner who wishes to lease or otherwise assign occupancy rights to a specified lessee for a specified period.

### *Prior to the Issuance of Certificate of Occupancy or Final Report*

- 119. All buildings shall be designed using the California Building Codes in effective at the time of submitting building permit applications.
- 120. All common area landscaping, irrigation and other required improvements shall be installed according to the approved plans.
- 121. 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.
- 122. Park Dedication In-Lieu Fees are required for all new dwelling units. Fees shall be those in effect at the time of the Vesting Tentative Tract Map is approved. All Park dedication in-lieu fees shall be paid prior to issuance of a Certificate of Occupancy for a residential unit.

## Exhibit A

123. Landscaping shall be maintained in a healthy, weed-free condition at all times and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which can contribute to runoff pollution. The owner'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 ten days of the inspection. Three inches deep mulch should be maintained in all planting areas. Mulch should be organic recycled chipped wood in the shades of Dark Brown Color. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to the Municipal Code. Irrigation system shall be tested periodically to maintain uniform distribution of irrigation water; irrigation controller shall be programmed seasonally; irrigation system should be shut-off during winter season; and the whole irrigation system should be flushed and cleaned when the system gets turn on in the spring.
124. The developer/subdivider shall be obligated for the following additional fees. The amount of the fee shall be in accordance with the fee schedule in effect at the time Vesting Tentative Tract Map was accepted as complete, unless otherwise indicated herein:
  - a. Supplemental Building Construction and Improvement Tax,
  - b. School Impact Fee
125. Final Hayward Fire Department inspection is required to verify that requirements for fire protection facilities have been met and actual construction of all fire protection equipment have been completed in accordance with the approved plan. Contact the Fire Marshal's Office at (510) 583-4910 at least 24 hours before the desired final inspection appointment.
126. The improvements associated with the Pacific Gas and Electric Company, AT&T (phone) company and local cable company shall be installed to the satisfaction of the respective companies.
127. The Stormwater Treatment Measures Maintenance Agreement for the project, prepared by Public Works Engineering and Transportation Division staff, shall be signed and recorded in concurrence with the Final Map at the Alameda County Recorder's Office to ensure that the maintenance is bound to the property in perpetuity.
128. The applicant/subdivider shall submit an AutoCAD file format (release 2010 or later) in a CD of approved final map and 'as-built' improvement plans showing lot and utility layouts that can be used to update the City's Base Maps.
129. The applicant/subdivider shall submit an "as built" plans indicating the following:
  - a. Approved landscape and irrigation improvements;
  - b. All underground facilities, sanitary sewer mains and laterals, water services (including meter locations), Pacific Gas and Electric, AT&T (phone) facilities, local cable company, etc.;
  - c. All the site improvements, except landscaping species, buildings and appurtenant

## **Exhibit A**

- structures; and
- d. Final Geotechnical Report.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1 OF THE HAYWARD MUNICIPAL CODE BY REZONING CERTAIN PROPERTY IN CONNECTION WITH ZONE CHANGE APPLICATION NO. PL-2014-0083 RELATING TO A RESIDENTIAL DEVELOPMENT AT 23830 AND 23836 SAKLAN ROAD AND 24137 EDEN AVENUE

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1.     Rezoning.

Article 1 of Chapter 10 of the Hayward Municipal Code is hereby amended to rezone the property located at 23830 and 23836 Saklan Road and 24137 Eden Avenue (APN: 441-0100-001-02, 441-0100-002-02 and 441-0100-003-02) from Medium Density Residential (RM) to Planned Development (PD) District.

Section 2.     Severance.

Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid or beyond authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided the remainder of the ordinance, absent the excised portion, can be reasonable interpreted to give effect to intentions of the City Council.

Section 3.     Effective Date.

This ordinance shall become effective immediately upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held on the 28<sup>th</sup> day of October, 2014, by Council Member \_\_\_\_\_.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the \_\_\_\_\_ day of October, 2014, by the following votes of members of said City Council.

AYES:           COUNCIL MEMBERS:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

APPROVED: \_\_\_\_\_  
Mayor of the City of Hayward

DATE: \_\_\_\_\_

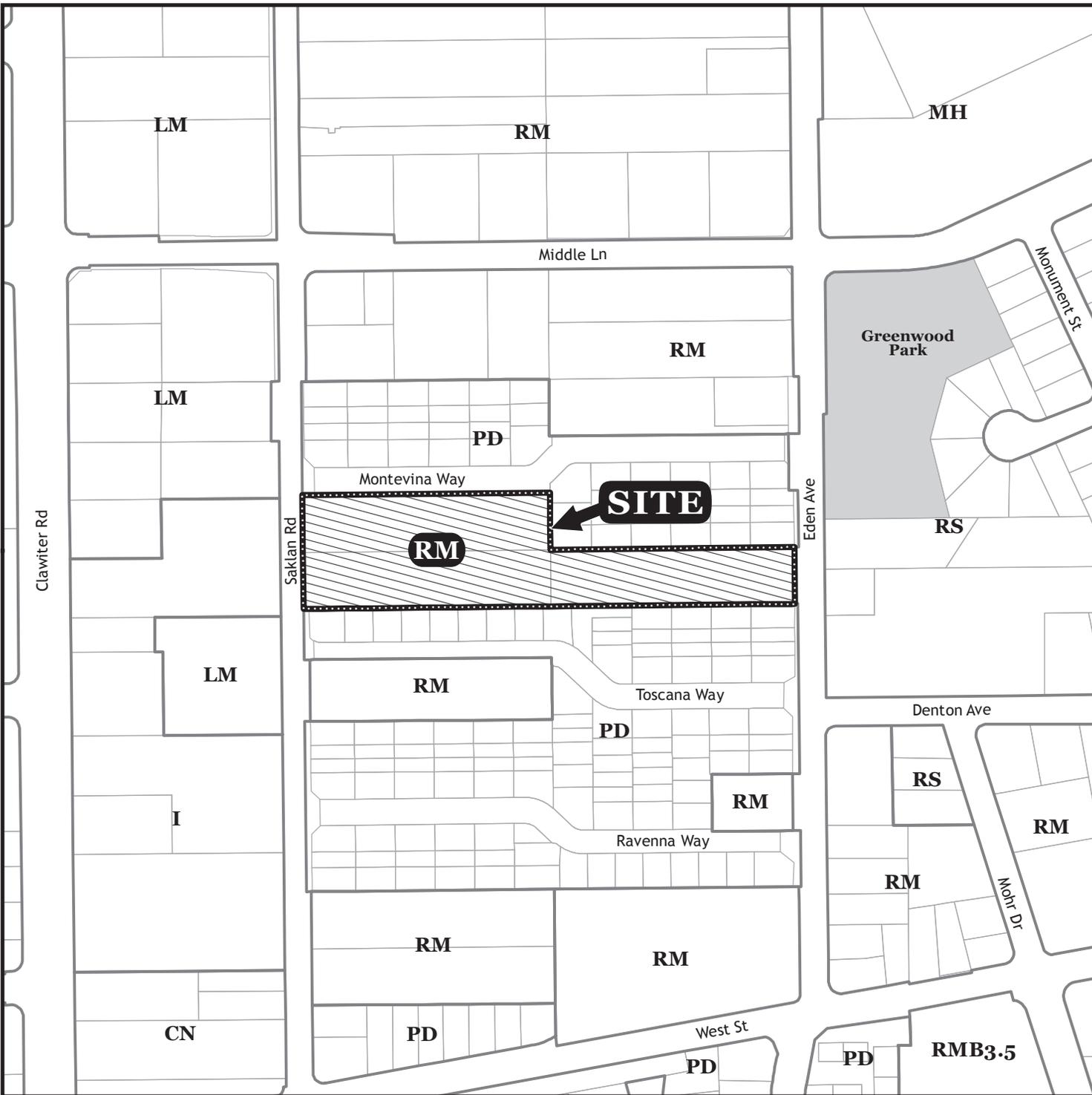
ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward



# Area & Zoning Map



**PL-2014-0083**

**Address:**  
23830 & 23836 Saklan Road; 24137 Eden Avenue

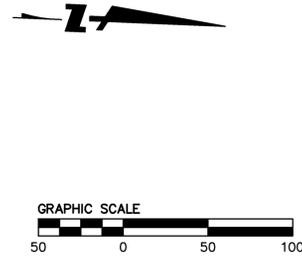
**Applicant:**  
Douglas Rich

**Owner:**  
Fernando Ramirez

**Zoning Classifications**

- RESIDENTIAL**
- MH Mobile Home Park
- RM Medium Density Residential, min lot size 2500 sqft
- RMB3.5 Medium Density Residential, min lot size 3500 sqft
- RS Single Family Residential, min lot size 5000 sqft
- COMMERCIAL**
- CN Neighborhood Commercial
- INDUSTRIAL**
- I Industrial
- LM Light Manufacturing
- OTHER**
- PD Planned Development





SHEET INDEX - SOUTH DIVISION OF PROPOSED SITE

|    |                                   |
|----|-----------------------------------|
| 4  | EXISTING SITE AND DEMOLITION PLAN |
| 6  | PROPOSED SITE PLAN                |
| 8  | GRADING LAYOUT                    |
| 10 | UTILITY LAYOUT                    |

SHEET INDEX - SOUTH DIVISION OF PROPOSED SITE

|   |                                   |
|---|-----------------------------------|
| 3 | EXISTING SITE AND DEMOLITION PLAN |
| 5 | PROPOSED SITE PLAN                |
| 7 | GRADING LAYOUT                    |
| 9 | UTILITY LAYOUT                    |

**POTENTIAL FUTURE SITE PLAN TO COMPLETE HOUSING DEVELOPMENT**

Attachment IV

| <p><b>BKF</b><br/>ENGINEERS / SURVEYORS / PLANNERS</p>                                                                         |                                                                                                                                                                                                                                          | CALIFORNIA<br>ALAMEDA COUNTY<br>HAYWARD |             |  |  |  |  |  |  |  |
|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-------------|--|--|--|--|--|--|--|
| <p><b>MOUNT EDEN (DUTRA PROPERTIES)<br/>                 TENTATIVE MAP<br/>                 COMPLETED FUTURE SITE PLAN</b></p> |                                                                                                                                                                                                                                          |                                         |             |  |  |  |  |  |  |  |
| Date: 02/06/06<br>Scale: 1"=50'<br>Design: LMW<br>Drawn: RSE<br>Approved: CH<br>Job No: 20040060                               | Revisions<br><table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>No.</th> <th>Description</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table> | No.                                     | Description |  |  |  |  |  |  |  |
| No.                                                                                                                            | Description                                                                                                                                                                                                                              |                                         |             |  |  |  |  |  |  |  |
|                                                                                                                                |                                                                                                                                                                                                                                          |                                         |             |  |  |  |  |  |  |  |
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|                                                                                                                                |                                                                                                                                                                                                                                          |                                         |             |  |  |  |  |  |  |  |
| Sheet Number: <span style="font-size: 24pt; font-weight: bold;">02</span>                                                      |                                                                                                                                                                                                                                          |                                         |             |  |  |  |  |  |  |  |
| 255 SHORELINE DRIVE, SUITE 200<br>REDWOOD CITY, CA 94065<br>650/482-6300<br>650/482-6399 (FAX)                                 |                                                                                                                                                                                                                                          |                                         |             |  |  |  |  |  |  |  |



CITY OF  
**HAYWARD**  
HEART OF THE BAY

August 20, 2014

Alameda County Clerk  
1106 Madison Street, 1<sup>st</sup> Floor  
Oakland, CA 94607

**Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for Zone Change Application No. PL-2014-0083 – from Medium Density Residential to Planned Development and Vesting Tentative Tract Map 8172 (Application No. PL-2014-0084) associated with the subdivision and construction of 25 single-family detached homes, 10 attached homes and common areas on a 2.94-acre site located at 23830 & 23836 Saklan Road and 24137 Eden Avenue. Doug Rich of Valley Oak Partners (Applicant/Owner)**

Dear Mr. O'Connell,

Please post this letter with the attached Mitigated Negative Declaration and Initial Study for a period of 20 days to conform to CEQA Guideline Section 15072. The specific posted comment period is from Friday, August 22, 2014 to Thursday, September 11, 2014.

The Planning Commission of the City of Hayward has scheduled a public hearing on Thursday, October 2, 2014, at 7:00 p.m., Council Chambers, 2<sup>nd</sup> Floor, City Hall, 777 B Street, Hayward, to obtain citizen input on the proposed project and the Mitigated Negative Declaration and Initial Study. A copy of the staff report can be viewed on the City's website at [www.hayward-ca.gov](http://www.hayward-ca.gov) after September 26, 2014.

Following the Planning Commission public hearing this matter will then be heard by the City Council. Notice of the City Council hearing will be sent out at a later date. The Planning Commission can either recommend approval to the City Council or deny the application. If denied, the denial action is appealable. The appeal period is 10 days from the date of the decision. If recommended for approval or appealed, a public hearing will be scheduled before the City Council for final decision. Notice of the City Council hearing will be sent out at a later date.

If the Mitigated Negative Declaration is approved, a copy will be sent to the General Business Division of your office for recordation. If you have any questions, please contact me at (510) 583-4210 or e-mail me at [linda.ajello@hayward-ca.gov](mailto:linda.ajello@hayward-ca.gov).

Department of Development Services  
Planning Division

777 B Street, Hayward, CA 94541-5007  
Tel: 510/583-4200 Fax: 510/583-3649

Sincerely,

A handwritten signature in cursive script that reads "Linda Ajello". The signature is written in black ink and is positioned to the right of the typed name.

Linda Ajello, AICP  
Associate Planner



## CITY OF HAYWARD MITIGATED 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:***

Project title: Eden Pointe; Zone Change Application PL-2014-0083 and Vesting Tentative Tract Map Application No. PL-2014-0084 (8172).

Description of project: The project proposes a subdivision of approximately 2.94 acres in order to develop 25 detached single-family homes and 10 duet homes that would be provided access from a new private street and existing public and private streets. All existing structures will be demolished as part of this request. The existing on-site structures include three (3) residential structures (living units).

Project review involves consideration of a vesting tentative map and rezoning.

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

The proposed project, with the mitigation measures identified in the attached initial study checklist, will not have a significant effect on the environment.

### ***III. FINDINGS SUPPORTING DECLARATION:***

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project, with the recommended mitigation measures, could not result in significant effects on the environment.
2. The project will not adversely affect any scenic resources. A lighting plan will be required to ensure that light and glare do not affect area views. Also, compliance with the City's Design Guidelines will ensure visual impacts are minimized. Landscape plans will also be required to ensure that structures are appropriately screened.
3. The project will not have an adverse effect on agricultural land since the subject site is not used for such purposes, does not contain prime, unique or Statewide important farmland.
4. The project will not result in significant impacts related to changes in air quality. When the property is developed the City will require the developer to submit a construction Best Management Practice (BMP) program prior to the issuance of any grading or building permit.
5. The project, proposed on properties surrounded by other residential development and within an urbanized area, will not result in significant impacts to biological resources. Any trees removed are required to be replaced as per the City's Tree Preservation ordinance.

6. The project will not result in significant impacts to known cultural resources including historical resources, archaeological resources, paleontological resources, unique topography or disturb human remains.
7. The project will not result in significant impacts to geology and soils. The project is located west of the Hayward fault, which poses potential risk to any development in the city of Hayward. Recommendations of the project geotechnical engineer will be required to be incorporated into project design and implemented throughout construction, to address such items as seismic shaking. Construction will also be required to comply with the California 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.
9. The project will be required to meet all water quality standards as part of the normal development review and construction process, to be addressed in a Stormwater Pollution Prevention Plan and Erosion Control Plan that utilize best management practices. Drainage improvements will be required to accommodate stormwater runoff, so as not to negatively impact the existing downstream drainage system of the Alameda County Flood Control and Water Conservation District.
10. The project is consistent with the overall density supported by the Hayward General Plan. In addition, the project will be required to be consistent with the City of Hayward's Design Guidelines.
11. The project will not result in any long-term noise impacts. Construction noise will be mitigated through restriction on construction hours, mufflers, etc., to be approved as part of the future building permits for the homes.
12. The project will not result in significant impacts related to population and housing in that the amount of development proposed is within the range of development analyzed in the Hayward General Plan.
13. The project will not result in a significant impact to public services in that development is at least as intensive as that proposed was analyzed in the Hayward General Plan EIR and found to have less-than-significant impacts.
14. The project will not result in significant impacts to traffic since it would not generate sufficient traffic to cause nearby intersections to operate at an unacceptable level of service.

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



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Linda Ajello, AICP, Associate Planner

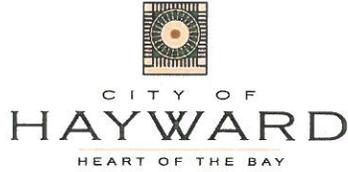
Dated: August 18, 2014

***V. COPY OF ENVIRONMENTAL CHECKLIST 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) 583-4200

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**DEPARTMENT OF DEVELOPMENT SERVICES  
Planning Division**

**INITIAL STUDY CHECKLIST**

**Project Title:** Eden Pointe Residential Development

**Lead agency name/address:** City of Hayward / 777 B Street, Hayward

**Contact person:** Linda Ajello, AICP, Associate Planner

**Project location:** 23830 and 23836 Saklan Road and 24137 Eden Avenue, in the Mt. Eden area of Hayward; Assessor's Parcel Numbers: 441-0100-001-02, 441-0100-002-02 and 441-0100-003-02.

**Project sponsors:**

**Name and Address:** Douglas Rich - Valley Oak Partners, 734 The Alameda, San Jose, CA 95126

**Existing General Plan Designation:** Medium Density Residential

**Existing Zoning:** RM (Medium Density Residential)

**Project description:** The project proposes a subdivision of approximately 2.94 acres in order to develop 25 detached single-family homes and 10 duet homes that would be provided access from a new private street and existing public and private streets. All existing structures will be demolished as part of this request.

Approval of the project would require a change to the zoning designation for the site, from *Medium Density Residential (RM)* to *Planned Development (PD)*.

**Surrounding land uses and setting:** The project site is comprised of three parcels, which primarily contain residential development. The project site is surrounded by similar small lot developed residential sites to the north and south, a public park to the east and industrial uses to the west. The general area is in the western portion of the City.

**Other public agencies whose approval is required:** None

## Regional Setting

The City of Hayward is known as the “Heart of the Bay” thanks to its central and convenient location in Alameda County along the east side of the San Francisco Bay, twenty-five (25) miles southeast of San Francisco, fourteen (14) miles south of Oakland, twenty-six (26) miles north of San Jose, and ten (10) miles west of the valley communities of San Ramon, Dublin and Pleasanton. **Figure 1 (Regional Location)** depicts the Project’s location relative to the broader San Francisco Bay region.

The City of Hayward lies at the southeastern shore of the San Francisco Bay, at the western toe of the Diablo Mountain Range. Topography in the eastern portion of Hayward generally consists of moderately steep foothills descending from the Diablo Range, leveling into a valley before reaching the San Francisco Bay.

The Nimitz Freeway (US 880) passes through the City of Hayward on its path between the City of San Jose and Bay Bridge (in Oakland). The San Mateo Bridge (State Route 92) spans the San Francisco Bay between the cities of Hayward and Foster City.

The City of Hayward borders on a large number of municipalities and communities. The cities bordering on Hayward are San Leandro, Union City, Fremont and Pleasanton. The census designated places bordering on Hayward (within the County of Alameda) are Castro Valley, San Lorenzo, Cherryland, Sunol and Fairview.

## City Setting

The modern City of Hayward had its origins in the 1850s during the Gold Rush. An approximate twenty-eight (28) block area in the vicinity of Hayward’s Historic City Hall was provided the first parcels of land for settlers. Over the intervening years, Hayward urbanized by transforming agricultural lands to various forms of residential, commercial, and industrial development connected by a series of local streets and regional highways. Today, the City of Hayward is highly urbanized with the shoreline and hillsides being natural open space.

Presently, the western and southern portions of Hayward primarily consist of industrial land uses (e.g., warehouses, distribution facilities, manufacturing). To the east and north of this industrial corridor, in which the Project is located, lie numerous tracts of residential development often centered upon public school sites. Commercial development tends to be located along major arterial streets (e.g., Hesperian Boulevard, Tennyson Road, Mission Boulevard) passing by or through the residential tracts. **Figure 2 (City Setting)** depicts the Project’s location relative to the broader San Francisco Bay region.

## Local Setting

The Project location is within the Mt. Eden neighborhood, in an area previously known as the “Saklan Road Island” prior to annexation into the City in 2007 as part of the Mt. Eden Phase I Annexation (**see Figure 3 – Local Setting**). The suburban location consists largely of residential land uses constructed after World War II, including detached single family homes constructed in the late 70’s and early 80’s and attached and detached single-family development constructed in 2010, and industrial development to the west.

The Project site is surrounded by urbanized properties consisting of residential and industrial land uses. Most properties nearby the Project site include single-family and multi-family homes one (2) to three (3) stories in height, a public park, and industrial uses with adjacent surface parking lots.

### Existing Project Site Setting

The Project site consists of a three developed, rectangular-shaped properties, totaling 128,066 square feet (2.94 acres) in area (see **Figure 4 – Proposed Site Plan**). The Project site is relatively flat with a slight uphill slope to the east. Forty one (41) trees of varying size and species are dispersed across the Project site, including eighteen (18) street trees located within the public right-of-way. There is a curb and planting strip along the west side of the property along Montevina Way and there is a concrete sidewalk and two curb-cuts abutting Saklan Road and one abutting Eden Avenue, each of which serve the existing single-family homes on the site. Properties abutting the Project site include single-family residential land uses, a public park and industrial uses.

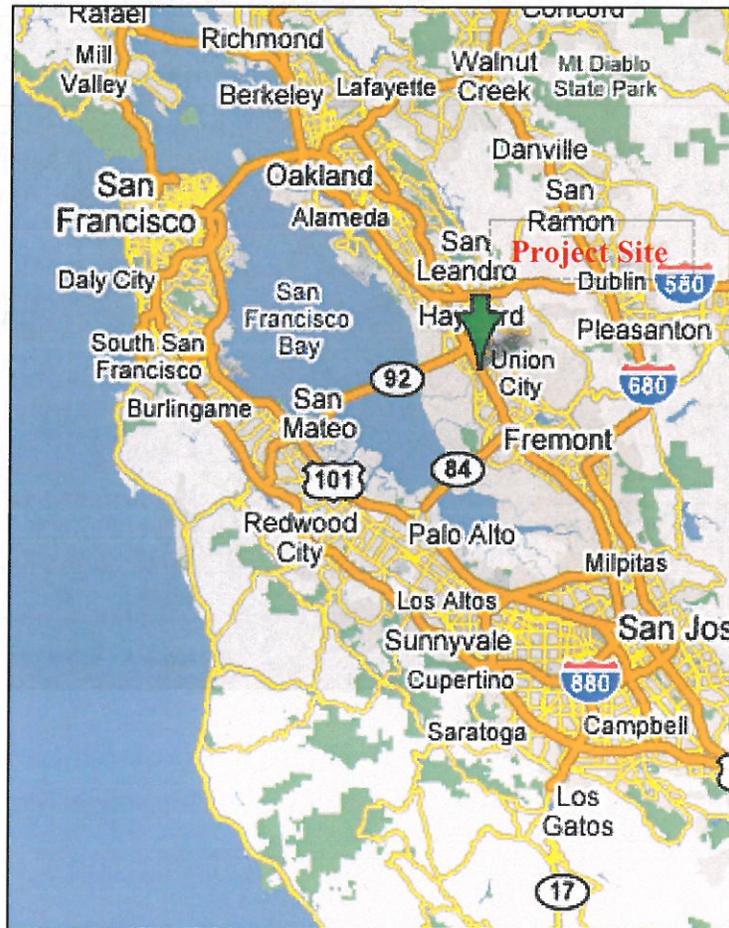


Figure 1: Regional Location

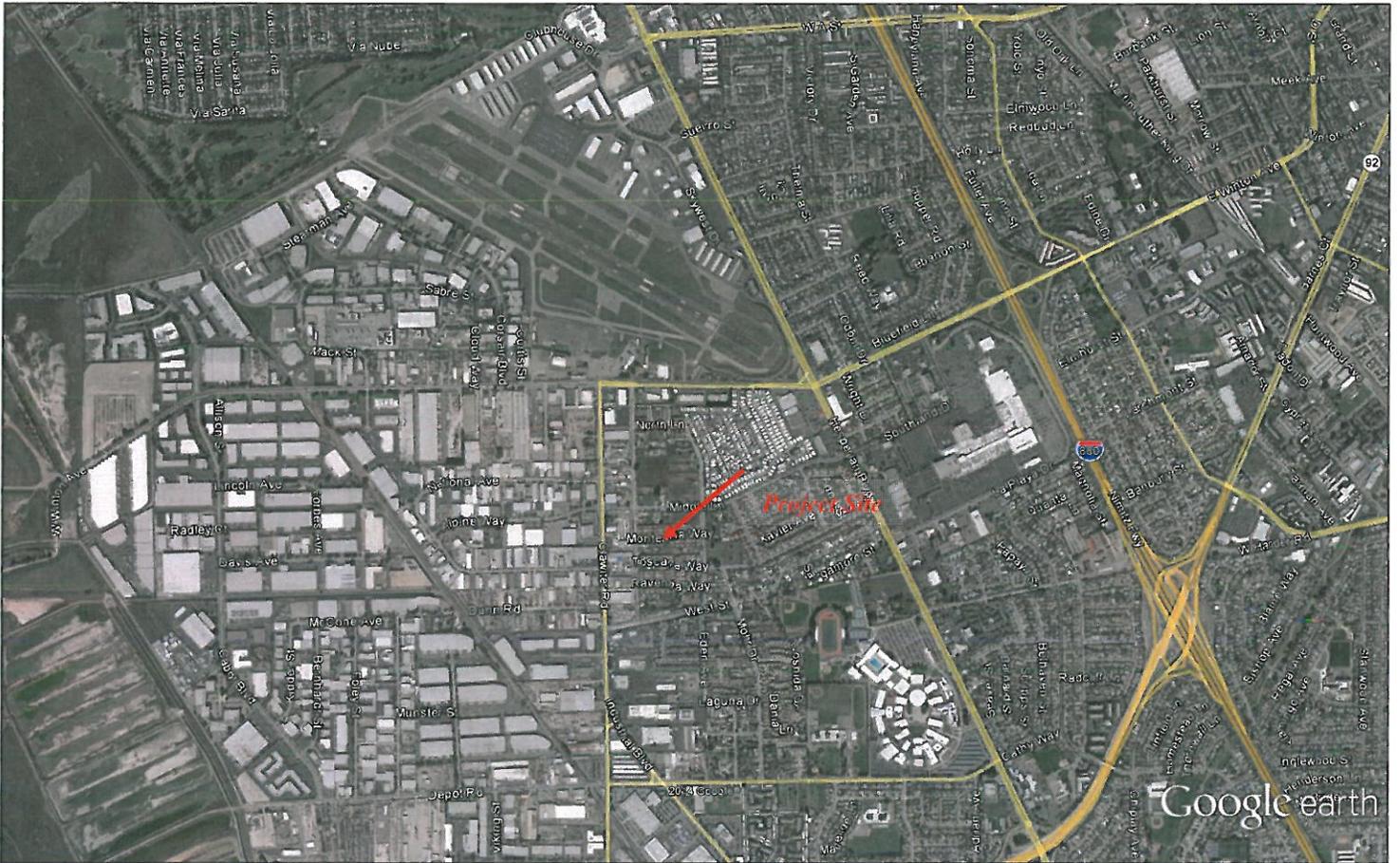


Figure 2: City Setting

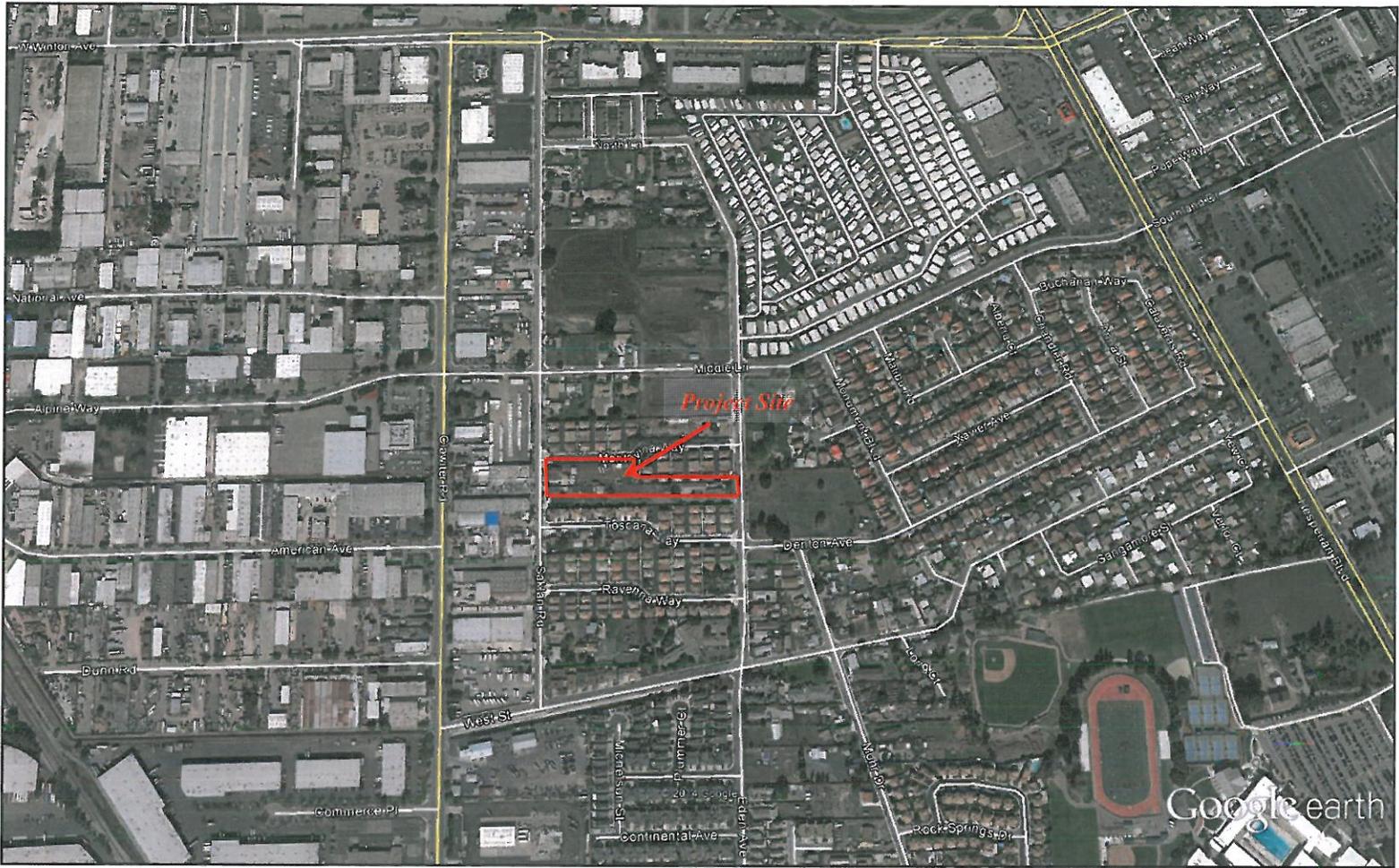


Figure 3: Local Setting

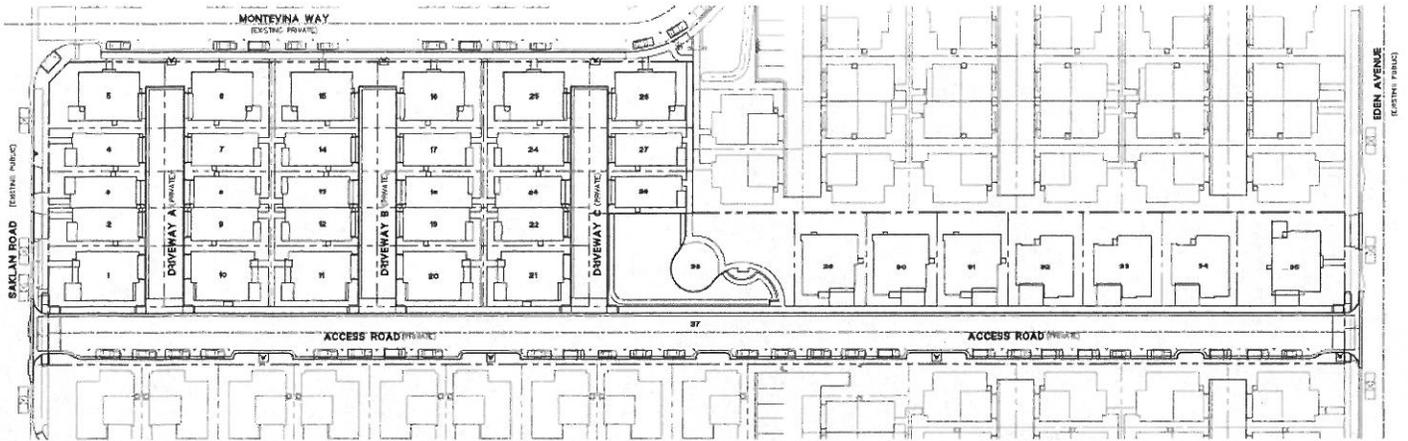


Figure 4: Proposed Site Plan

**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 and Forestry Resources       | <input checked="" type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources                       | <input checked="" type="checkbox"/> Geology /Soils                     |
| <input type="checkbox"/> Greenhouse Gas Emissions        | <input checked="" 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 checked="" 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.

  
 Linda Ajello, AICP, Associate Planner

08.18.2014  
 Date

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

**ENVIRONMENTAL ISSUES:**

|                                                                                                                                                                                                                                                                                                                                                                                                                                   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|-------------------------------------|
| <b>I. AESTHETICS</b> -- Would the project:                                                                                                                                                                                                                                                                                                                                                                                        |                                |                                                    |                                     |                                     |
| a) Have a substantial adverse effect on a scenic vista? <b>Comment</b> <i>There are no designated scenic vistas in the vicinity of the project; thus, no impact.</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? <b>Comment</b> <i>The project is not located within a state scenic highway; thus, no impact.</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? <b>Comment</b> <i>The existing site is developed with single family homes on large lots. The proposed detached single family and duct homes will be consistent with the existing residential development surrounding the site to the north, south and east and improve the visual character of the site; thus, no impact.</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? <b>Comment</b> <i>The new residential units will add some additional light to this area, but the amount is considered less than significant given the surrounding developed area; no mitigation is required.</i>                                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**II. AGRICULTURE AND FOREST 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air

|                                                                                                                                                                                                                                                                                                                                                                                                           | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| Resources Board. -- 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? <b>Comment</b> <i>The project does not involve any Prime Farmland, Unique Farmland or Farmland of Statewide Importance; thus, no impact.</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? <b>Comment</b> <i>The project site is not zoned for agricultural uses nor under a Williamson Act contract; thus, no impact.</i>                                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? <b>Comment</b> <i>The project does not involve the rezoning of forest land or timberland; thus, no impact.</i> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? <b>Comment</b> <i>The project does not involve the loss of forest land or involve conversion of forest land; thus, no impact.</i>                                                                                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use, or conversion of forest land to non-forest use? <b>Comment</b> <i>The project does not involve changes to the environment that could result in conversion of Farmland or forest land; thus no impact.</i>                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**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? <b>Comment</b> <i>The project is a residential in-fill project located on a site that is bordered to the east and west by a similar residential planned development and the proposed density is consistent with the General Plan. From Saklan Road, the site is located 0.28 miles from a public transit bus line along Clawiter Road and 0.46 miles from Eden Avenue from a public transit route along Hesperian</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

|                                      |                                                             |                                    |              |
|--------------------------------------|-------------------------------------------------------------|------------------------------------|--------------|
| Potentially<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|-------------------------------------------------------------|------------------------------------|--------------|

*Boulevard and will not conflict with the goals of the air quality plan; thus no impact.*

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? **Comment** *The Bay Area Air Quality Management District (BAAQMD) has established screening criteria as part of their CEQA guidance to assist in determining if a proposed project could result in potentially significant air quality impacts. Based on the District’s criteria, the proposed project of 35 new homes screens below what would require additional evaluation; thus the proposed project and impacts caused by construction activities will not violate any air quality standard and the impact is less than significant. However, implementation of the following measures for the Project is recommended to reduce fugitive dust and exhaust emissions:*

**Mitigation Measure 1<sup>1</sup>:** *The Project shall adhere to the following Bay Area Air Quality Management District (BAAQMD) “Basic Construction Mitigation Measures”.*

- |                                                                                                                                                                                                                                                                                                                              |                          |                                     |                          |                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| i) <i>All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</i>                                                                                                                                                                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii) <i>All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</i>                                                                                                                                                                                                                       |                          |                                     |                          |                          |
| iii) <i>All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</i>                                                                                                                         |                          |                                     |                          |                          |
| iv) <i>All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</i>                                                                                                                 |                          |                                     |                          |                          |
| v) <i>Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction</i> |                          |                                     |                          |                          |

<sup>1</sup> BAAQMD’s recommendation to require, “All vehicle speeds on unpaved roads shall be limited to 15 mph” has not been included with Air-1 since the Project would not result in unpaved roads or surfaces where vehicles could exceed 15 mph.

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|--|--------------------------------|----------------------------------------------------|------------------------------|-----------|

workers at all access points.

vi) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

vii) Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? **Comment** The proposed project meets the screening criteria in Table 3-1 of the Air District's CEQA Guidelines; thus, it can be determined that the project would result in a less-than-significant cumulative impact to air quality from criteria air pollutants and precursor emissions.

|                          |                          |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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d) Expose sensitive receptors to substantial pollutant concentrations? **Comment** The project is an in-fill development located in an already developed area that will not involve exposing sensitive receptors to substantial pollutant concentrations; thus the impact is less than significant.

|                          |                          |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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e) Create objectionable odors affecting a substantial number of people? **Comment** The project is an in-fill residential development that will not create any objectionable odors; thus no impact.

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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**IV. BIOLOGICAL RESOURCES** -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? **Comment** The General Plan EIR notes that the City's urban area (which encompasses the project area), is composed of common upland habitat which does not provide suitable habitat

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| <p>conditions for special-status animal species. The General Plan EIR also notes that special-status plant species are found along the bay front and within the Hayward hills area, neither of which includes the project area. Since the project area is fully developed and disturbed, no significant impact related to special-status species is anticipated as a result of the project.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                |                                                    |                              |                                     |
| <p>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? <b>Comment</b> The project area is fully developed and does not contain any riparian habitat or known sensitive natural communities; thus, no impact.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <p>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? <b>Comment</b> The project site, located in an urban setting, contains no wetlands; thus, no impact.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <p>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? <b>Comment</b> The project site is fully developed with urban uses that preclude movement of fish and wildlife species. No impacts related to wildlife movement or corridors are anticipated as a result of the project.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <p>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? <b>Comment</b> The project site contains mature trees that will be impacted and the applicant proposes removal of 36 trees and preservation of 5 offsite trees, including 2 London Plane trees and 3 Southern Live Oaks. Of the trees to be removed, 2 were rated in poor condition, 29 in fair condition, and 5 were rated in good condition. Preservation and/or protection of trees within public and private right-of-ways along Eden Avenue, Saklan Road and Montevina Way are suggested as part of the project. Arbor Resources prepared an arborist report and tree appraisal dated January 17, 2014 which identified 20 protected trees per the City's Tree Preservation Ordinance, 15 of which are proposed to be removed. Arbor Resources prepared a Tree Protection Plan, dated July 22, 2014, identifying methods for tree preservation to mitigate for the</p> | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>     | <input type="checkbox"/>            |

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*potential impacts. The following recommendations will reduce impacts to a level of insignificance.*

**Mitigation Measure 2:** *The applicant shall follow all recommendations in the tree evaluation report including protection of all trees adjacent to the project site to be preserved during all phases of the development:*

***Before Demolition, Grading and Construction***

- i) *Tree protective fencing shall be established to restrict access within tree protection zones (TPZs), and should consist of six-foot high chain link mounted on two-inch diameter steel posts that are driven into the ground 24 inches deep. An alternate fencing type includes five- to six-foot tall chain link panels mounted on metal stands or concrete blocks, and the panels secured together. Where appropriate, perimeter fencing can double as tree fencing.*
- ii) *The staging area and routes of access shall be established beyond TPZs.*
- iii) *A four- to five-inch layer of coarse wood chips (¼- to ¾-inch in size) shall be manually spread on exposed ground beneath tree canopies (but not piled against a tree's trunk); the chips should remain throughout construction.*
- iv) *Supplemental water for retained trees shall begin prior to demolition and continue throughout construction. It should be supplied every three weeks by either soaker hoses or filling a basin formed by a 12-inch high berm around a TPZ or farther. The rate should be roughly five gallons per inch of trunk diameter.*
- v) *Immediately south and five feet from #32's trunk, the section of roadway apron shall be manually dug to the required subgrade depth for exposing all roots two inches and greater in diameter; great care must be taken during the process to avoid damaging the roots until they can be observed by me to ascertain the extent of impacts to #32. Following this, the roots can be manually pruned at a 90-degree angle to the direction of root growth at the cut line and by using sharp cutting tools (e.g. loppers or handsaw).*

***During Demolitions, Grading and Construction***

- vi) *During demolition, great care shall be taken during removal of existing features to avoid*

|       | Potentially Significant Impact                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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|       | <i>excavating the ground and large roots within a TPZ. Removal of existing base material within the TPZs of #31 and 32 shall be carefully performed to avoid excavating roots during the process (or those roots reviewed with me beforehand).</i>                                                                                                                                                                                                                                                                                  |                                                    |                              |           |
| vii)  | <i>The future sidewalk (including base material, edging and forms) within the TPZs of #31 and 32 shall retain roots two inches and greater in diameter, or should they require removal, reviewed with Arborist beforehand.</i>                                                                                                                                                                                                                                                                                                      |                                                    |                              |           |
| viii) | <i>Any required digging and trenching within a TPZ shall be reviewed onsite with Arborist beforehand, and manually performed to allow retention of sizeable roots, one-inch and greater in diameter for trees #23 thru 25, and two inches and greater in diameter for #31 and 32. Roots less than those diameters can be cleanly severed at a 90-degree angle to the direction of root growth at the cut line, and by using sharp cutting tools.</i>                                                                                |                                                    |                              |           |
| ix)   | <i>Spoils created during approved digging shall not be piled or spread within a TPZ; if necessary, they can be temporarily piled on plywood or a tarp.</i>                                                                                                                                                                                                                                                                                                                                                                          |                                                    |                              |           |
| x)    | <i>Tree trunks shall not be used as winch supports for moving or lifting heavy loads.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                    |                              |           |
| xi)   | <i>Digging holes for any posts or bollards within a TPZ shall be manually performed using a post-hole digger or shovel, and in the event a root or two inches and greater in diameter is encountered during the process, the hole should be shifted over by 12 inches and the process repeated.</i>                                                                                                                                                                                                                                 |                                                    |                              |           |
| xii)  | <i>Tree pruning is anticipated for the western edges of #31's and 32's canopies to achieve clearance for constructing the home on lot 35. The work shall be performed by a California state-licensed tree service company (D-49 classification) that has an ISA (International Society of Arboriculture) certified arborist in a supervisory role, carries General Liability and Worker's Compensation insurance, and abides by in accordance with ANSI A300-2001 (Pruning) and ANSI Z133.1-2006 (Safety Operations) standards.</i> |                                                    |                              |           |
| xiii) | <i>Great care shall be taken by equipment operators to position their equipment to avoid the trunks and branches of trees, including exhaust that can scorch foliage.</i>                                                                                                                                                                                                                                                                                                                                                           |                                                    |                              |           |

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| xiv) <i>Dust accumulating on trunks and canopies during dry weather periods may require being periodically washed away (e.g. every three to four months).</i>                                                                                                                                              |                                |                                                    |                              |           |
| xv) <i>The disposal of harmful products (such as cement, paint, chemicals, oil and gasoline) is prohibited beneath canopies or anywhere on site that allows drainage beneath or near TPZs. Herbicides shall not be used with a TPZ; where used on site, they shall be labeled for safe use near trees.</i> |                                |                                                    |                              |           |

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?

**Comment** *The project site is not located in an area covered by an adopted Habitat Conservation Plan or Natural Community Conservation Plan; thus, no impact.*

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**V. CULTURAL RESOURCES --** Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5? **Comment:** *There are no historical resources associated with the improvements on the site or the affected parcels. Moreover, the project site is currently developed with structures. Due to the prior disturbance, there is a very low likelihood of impacting archeological or paleontological resources or disturbing human remains. In addition, the surrounding properties, which are fully developed, have no historical significance. Should any disturbance occur below previously developed areas, a remote possibility exists that historical or cultural resources might be discovered. If that should occur, standard measures should be taken to stop all work adjacent to the find and contact the City of Hayward Development Services Department for ways to preserve and record the uncovered materials. If standard procedures are followed in the event cultural/historical resources are uncovered at the project site, the proposed impact is less than significant.*

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b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? **Comment** *No known archaeological resources exist on the currently developed site. Due to prior disturbance, there is a very low likelihood of impacting archeological*

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resources. Should any disturbance occur below develop areas, a remote possibility exists that historical or cultural resources might be discovered. If that should occur, standard measures should be taken to stop all work adjacent to the find and contact the City of Hayward Development Services Department for ways to preserve and record the uncovered materials. If standard procedures are followed in the event cultural/historical resources are uncovered at the project site, the proposed impact is less than significant.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? **Comment** No known paleontological resources exist on the site, which has already been fully developed. Due to extensive prior disturbance, there is a very low likelihood of impacting paleontological resources. There are no unique geological features on or near the site; thus, no impact.

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d) Disturb any human remains, including those interred outside of formal cemeteries? **Comment** There are no known human remains nor cemeteries nearby the project site; however, standard procedures for grading operations would be followed during development, which require that if any such remains or resources are discovered, grading operations are halted and the resources/remains are evaluated by a qualified professional and, if necessary, mitigation plans are formulated and implemented. These standard measures would be conditions of approval should the project be approved.

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**VI. GEOLOGY AND SOILS --** Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. **Comment:** Based upon a Preliminary Geotechnical Investigation Report prepared by Cornerstone Earth Group dated March 21, 2014, the project site is not within the State-designated Alquist-Priolo Earthquake Fault Zone. Impacts related to fault rupture are not anticipated, thus no impact.

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| <p>ii) Strong seismic ground shaking? <b>Comment:</b> <i>An earthquake of moderate to high magnitude could cause considerable ground shaking at the site; however, all structures will be designed using sound engineering judgment and adhere to the latest California Building Code (CBC) requirements, thus the impact is considered less than significant.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <p>iii) Seismic-related ground failure, including liquefaction? <b>Comment:</b> <i>The site is located within a State-designated Liquefaction Hazard Zone (Preliminary Geotechnical Investigation Report prepared by Cornerstone Earth Group dated March 21, 2014) and could potentially be susceptible to liquefaction. A design level geotechnical evaluation shall be conducted and submitted for review and approval prior to issuance of building permits and if liquefaction is determined to be probable, measures as recommended by the project geotechnical consultant shall be implemented. Such measures, such as special foundation construction as recommended by Cornerstone Earth Group in their Preliminary Geotechnical Investigation Report prepared for the site dated March 21, 2014, will reduce the significance of liquefaction-related impacts to a level of insignificance.</i></p> <p><b>Mitigation Measure 3:</b> <i>Prior to issuance of a Building Permit for the project, the applicant shall conduct a design level geotechnical evaluation and submit that for review and approval and any recommendations shall be incorporated into the final design of the project.</i></p> | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/>            |
| <p>iv) Landslides? <b>Comment:</b> <i>Due to the relatively flat site topography, landslides are not likely; thus no impact.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <p>b) Result in substantial soil erosion or the loss of topsoil? <b>Comment:</b> <i>Although the project would result in an increase in impervious surface, the project site is relatively flat and erosion control measures that are typically required for such projects, including but not limited to graveling construction entrances and protecting drain inlets will address such impacts. Therefore, the potential for substantial erosion or loss of topsoil is considered less than significant.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <p>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <b>Comment:</b> <i>The site is relatively flat and such impacts are not anticipated, thus no impact.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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| <p>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? <b>Comment:</b> <i>According to the Preliminary Geotechnical Investigation Report prepared by Cornerstone Earth Group dated March 21, 2014, highly expansive clay soils were observed on the surface of the project site. The preliminary assessment recommends specific criteria be followed for all earthwork, subgrade preparation, foundation construction, compaction in structural areas and drainage and concludes with a recommendation that they be retained to: 1) perform a design-level geotechnical investigation be performed once detailed site development plans are finalized; 2) to review the geological aspects of the project structural, civil, and landscape plans and specifications, allowing sufficient time to provide the design team with any comments prior to issuing the plans for construction; and 3) be present to provide geotechnical observation and testing during earthwork and foundation construction. Provided the recommendations in the design level geotechnical investigation report are followed, the impacts of the expansive soils will be mitigated to a less than significant level.</i></p> | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>     | <input type="checkbox"/> |

**Mitigation Measure 4:** *A full design-level geotechnical evaluation shall be conducted and measures as recommended by the project geotechnical consultant shall be implemented. Such measures will reduce the significance of impacts related to expansive soils to a level of insignificance.*

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| <p>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? <b>Comment</b> <i>The project will be connected to an existing sewer system with sufficient capacity and does not involve septic tanks or other alternative wastewater; thus, no impact.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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**VII. GREENHOUSE GAS EMISSIONS --**  
 Would the project:

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| <p>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? <b>Comment</b> <i>The Bay Area Air Quality Management District (BAAQMD) has established screening criteria as part of their CEQA guidance to assist in determining if a proposed project could result in operational-related impacts to Greenhouse Gases. The project involves the construction of 35 new attached and detached single family homes. Single-family home projects with less than 56 dwelling units have been identified by the BAAQMD Air Quality Guidelines as having emissions</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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*less than 1,100 metric tons of CO<sub>2</sub>e per year which is below the threshold recommended by the Air District for evaluation of greenhouse gas emissions for new land use projects; thus no impact.*

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? **Comment:** *As discussed in VII(a) above, the project will not exceed the threshold for operational greenhouse gases; thus no impact.*

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|  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**VIII. 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? **Comment:** *The project is an in-fill residential project that does not involve the transport or use of hazardous materials; thus, no impact.*

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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? **Comment:** *A Phase I and limited Phase II assessments were conducted on the three parcels by Tetra Tech. The presence of pesticide residues in the top soil attributed to the former of plant nurseries on the parcels from the mid-late 1960's through the early 1970's was found on the project site. In August and October of 2013, the contaminated soil was excavated, stockpiled and then disposed off-site. Based on the final confirmation soil sampling performed on June 4, 2014, a site closure report has been completed and the site is currently pending a "No Further Action" determination by Alameda County Environmental Health Department. It is the opinion of Tetra Tech that the adverse environmental conditions have been remediated and that further environmental assessment is not warranted; thus no impact and no further mitigation required.*

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c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? **Comment:** *The project will not emit hazardous materials, substances, or waste; thus no impact.*

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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

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| public or the environment? <b>Comment:</b> See VIII(b) above. The project site is not listed on as hazardous materials site; thus, no impact.                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                                                    |                                     |                                     |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? <b>Comment:</b> Although the site is located within two miles of the Hayward Executive Airport, development is proposed that is consistent with the Hayward General Plan, consisting of two-story residential units. Therefore, safety hazard related impacts are considered to be less than significant. | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input 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? <b>Comment:</b> The site is not located within the vicinity of a private air strip and therefore, no such impacts would occur as a result of the project.                                                                                                                                                                                                                                                      | <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? <b>Comment:</b> The project would not interfere with an adopted emergency response plan or emergency evacuation plan. In fact, the project would result in extension of the City's public water system to the area, thereby improving fire-fighting capabilities in the area.                                                                                                                                                                    | <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? <b>Comment:</b> The project site is located within a suburban setting, away from areas with wildland fire potential. Therefore, no such impacts related to wildland fires are anticipated.                                                                                                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**IX. HYDROLOGY AND WATER QUALITY**

-- Would the project:

|                                                                                                                                                                                                            |                          |                          |                          |                                     |
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| a) Violate any water quality standards or waste discharge requirements? <b>Comment:</b> The project will comply with all water quality and wastewater discharge requirements of the city; thus, no impact. | <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         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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| 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)?<br><b>Comment</b> <i>The project will be connected to the existing water supply and will not involve the use of water wells and will not deplete groundwater supplies or interfere with groundwater recharge; thus, no impact.</i>                                                                                                                       |                                |                                                    |                                     |                                     |
| 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? <b>Comment</b> <i>The project site is an infill site. All drainage from the site is required to be treated before it enters the storm drain system and managed such that post-development run-off rates do not exceed pre-development run-off rates; thus, no impact.</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? <b>Comment</b> <i>The project site is an infill site. All drainage from the site is required to be treated before it enters the storm drain system and managed such that post-development run-off rates do not exceed pre-development run-off rates; thus, no impact.</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? <b>Comment</b> <i>The project site is an infill site. All drainage from the site is required to be treated before it enters the storm drain system and there is sufficient capacity to handle any drainage from the property; thus, the impact is considered less than significant.</i>                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Otherwise substantially degrade water quality? <b>Comment</b> <i>The project site is an infill. All drainage from the site is required to be treated before it enters the storm drain system; thus, no impact.</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? <b>Comment</b> <i>According to FEMA Flood Insurance Rate Maps, this site is not within a 100-year flood hazard area; thus no impact.</i>                                                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? <b>Comment</b> <i>According to FEMA Flood Insurance Rate Maps, this site is not within a 100-year flood hazard are; thus no impact.</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? <b>Comment</b> <i>According to FEMA Flood Insurance Rate Maps, this site is not within a 100-year flood hazard area; thus no impact.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? <b>Comment</b> <i>The project site is not located within a 100-year flood hazard area, is located approximately 2 miles inland from the San Francisco Bay shoreline, and is approximately 34 to 38 feet above mean sea level; thus, no impact.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <b>X. LAND USE AND PLANNING --</b> Would the project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                |                                                    |                              |                                     |
| a) Physically divide an established community? <b>Comment:</b> <i>The development is proposed in a developed suburban setting and would not divide an established community; thus, no impact.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| 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? <b>Comment</b> <i>The project involves construction of 35 new attached and detached single-family homes and is consistent with the designated General Plan density. The project does include a request to modify the zoning designation; however, the Planned Development designation is to allow for flexibility in the development standards, not to accommodate additional density not anticipated by the General Plan, thus no impact.</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? <b>Comment</b> <i>The project site is not covered by any habitat conservation plan or natural community conservation plan; thus, no impact.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <b>XI. MINERAL RESOURCES --</b> Would the project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                |                                                    |                              |                                     |
| a) Result in the loss of availability of a known                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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mineral resource that would be of value to the region and the residents of the state? **Comment**  
*There are no known mineral resources on the project site; thus no impact.*

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? **Comment**  
*There are no known mineral resources on the project site; thus no impact.*

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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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**XII. 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? **Comment:**

*A noise monitoring survey was conducted between March 11, 2014 and March 14, 2014 by the project's acoustical consultant, Illingworth & Rodkin, Inc. The survey indicates short-term measurement readings taken near the midpoint of the northern boundary of the site, 60 feet south of the center of Montevina Way of 43 to 64 dBA. Aircraft overflights and traffic noise along Saklan Road generated were the predominant sources for these measurements. Calculated day-night average noise levels including both traffic and aircraft noise along Eden Avenue was 64 to 65 dBA  $L_{dn}$  and along Saklan Road was 63 to 64 dBA  $L_{dn}$ .*

*The report indicates interior noise levels at the facades of the homes along Eden Avenue and Saklan Road would be less than 45 dBA  $L_{dn}$  and would comply with the City's standard of 45 dBA  $L_{dn}$  with windows kept closed, with typical California construction techniques. This would include "an appropriate forced-air mechanical ventilation system, satisfactory to the local building official to provide a habitable interior environment". The remaining units on site would also meet the 45 dBA  $L_{dn}$  with the windows open. However, because the noise environment includes single event noise from aircraft overflights, the consultant recommends that mechanical ventilation be installed throughout the project to allow residents to keep their windows closed to minimize exterior noise. The City's Hazards Element of the General Plan, Table HAZ-1, indicates normally acceptable outdoor noise levels for single family residential units is 60 dBA  $L_{dn}$ .*

*The project is a residential development and will not involve an increase in the ambient noise levels above standards established in the General Plan; thus, no impact.*

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| <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? <b>Comment:</b> <i>No significant vibration impacts are anticipated for the project site; thus, no impact.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? <b>Comment</b> <i>The project is a residential development and will not involve an increase in the ambient noise levels in the area; thus, no impact.</i>                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? <b>Comment</b> <i>Existing residential development will experience a slight increase in ambient noise levels during the construction of the proposed project. Construction is limited to the allowable hours per the City's Noise Ordinance; thus the impact is considered less-than-significant and no mitigation is required.</i>                                                                                                                                                                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? <b>Comment:</b> <i>Pursuant to the Hayward Executive Airport Land Use Compatibility Plan, the development site lies within Safety Compatibility Zone No. 6. Construction of new single family homes within this plan zone is permitted. New home residents may experience some increased level of noises associated with airport operations, however, this impact would be a less than significant impact and no mitigation is required.</i> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input 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? <b>Comment</b> <i>The project is not located within the vicinity of a private air strip; thus, no impact</i>                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### XIII. 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)? <b>Comment</b> <i>The project involves the construction of 35 new residential units, however, the</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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residential development is consistent with the density established by the City's General Plan; thus, no impact.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? **Comment:** The project involves the demolition of 3 homes and several outbuildings on approximately 1 acre lots in order to construct an additional 35 attached and detached single family units; however, because of the large lot sizes, the majority of the project site is vacant and the impact is considered less than significant.

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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? **Comment:** The project involves the demolition of 3 homes and outbuildings in order to construct 35 attached and detached single family units; therefore the impact is considered less than significant.

|                          |                          |                                     |                          |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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**XIV. 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:

Fire protection? **Comment:** No such facilities are required and therefore, no such impacts are expected to occur.

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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Police protection? **Comment:** No such facilities are required and therefore, no such impacts are expected to occur.

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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Schools? **Comment:** The project site is within the Eden Gardens Elementary School, Ochoa Middle School and Mt. Eden High School attendance areas of the Hayward Unified School District. The developer will be required to pay school impact mitigation fees, which, per State law, is considered full mitigation, thus the impact is considered less than significant.

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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Parks? **Comment:** The project proponent would be required to pay park dedication in-lieu fees. Such measures would reduce such impacts to levels of insignificance.

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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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| Other public facilities? <b>Comment</b> Approval of the project may impact long-term maintenance of roads, streetlights and other public facilities; however, the project does not exceed density envisioned by the General Plan thus the impact is considered less than significant. | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**XV. RECREATION --**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? **Comment** Each new single family home will have private open space and access to common open space within the development. The development is also located near Greenwood Park and future residents will be able to utilize this facility. In addition, the developer will be required to pay applicable park in-lieu fees; thus the impact is considered less-than-significant.

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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? **Comment** Each new single family home will have private open space and access to common open space within the development. The development is also located near Greenwood Park and future residents will be able to utilize this facility. In addition, the developer will be required to pay applicable park in-lieu fees; thus the impact is considered less-than-significant.

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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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**XVI. TRANSPORTATION/TRAFFIC --**

Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? **Comment:** Hexagon Transportation Consultants, Inc. prepared a Traffic Operations Report for the proposed project and the project will not conflict with any applicable plans, ordinance, nor policies related to the circulation system; thus no impact.

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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                 | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
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| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways <b>Comment:</b> <i>No level of service will be impacted by the construction of the additional residential units on an existing in-fill site; thus, no impact.</i> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? <b>Comment</b> <i>The project involves no change to air traffic patterns; thus, no impact.</i>                                                                                                                                                                  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? <b>Comment</b> <i>The project has been designed to meet all City requirements, including site distance and will not increase any hazards; thus no impact.</i>                                                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? <b>Comment</b> <i>The project is on an in-fill site completely accessible and will not result in inadequate emergency access; thus, no impact.</i>                                                                                                                                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? <b>Comment</b> <i>The project does not involve any conflicts or changes to policies, plans or programs related to public transit, bicycle or pedestrian facilities; thus, no impact.</i>                                                 | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**XVII. UTILITIES AND SERVICE SYSTEMS**

-- Would the project:

|                                                                                                                                                                                                                                                                                                                 |                          |                          |                          |                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? <b>Comment</b> <i>The project will not exceed wastewater treatment requirements; thus no impact.</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? <b>Comment</b> <i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

|                                                                                                                                                                                                                                                                                                                                               | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
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| 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? <b>Comment</b><br><i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</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? <b>Comment</b><br><i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</i>                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? <b>Comment</b><br><i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</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? <b>Comment</b><br><i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</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? <b>Comment</b><br><i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</i>                                                                                                                                         | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                          |                                     |                          |                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? <b>Comment:</b><br><i>As discussed under the Biological Resources section, the project would entail removal of a substantial number of protected trees, as defined by the City of Hayward's Tree Preservation Ordinance. Mitigation measures have been identified to reduce such impacts to levels of insignificance.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| b) Does the project have impacts that are                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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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)? **Comment:** *The proposed 35-lot development is consistent with the density of development identified in the City's General Plan; therefore, no such impacts are anticipated.*

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

**Comment:** *As discussed under the Biological Resources section, the project would entail removal of some protected trees, as defined by the City of Hayward's Tree Preservation Ordinance. Mitigation measures, including installation of tree protection measures for preserved trees and replacement of all removed trees, have been identified to reduce such impacts to levels of insignificance. As discussed in the Geology/Soils section, the site soil may be susceptible to liquefaction. Mitigation measures include having the applicant conduct a design level geotechnical evaluation for review and approval incorporating any recommendations for building safety into the final home design reducing the identified impacts to a less than significant level. Additionally, as discussed under the Air Quality section, while the proposed project and impacts caused by construction activities will not violate any air quality standards, implementation of BAAQMD's "Basic Construction Mitigation Measures" are required to reduce fugitive dust and exhaust emissions.*

# Eden Pointe

## Mitigation Monitoring and Reporting Program

**Zone Change Application No. PL-2014-0083 and Vesting Tentative  
Tract Map Application No. PL-2014-0084 (8172);  
Douglas Rich, Valley Oak Partners (Applicant/Owner)**

August 22, 2014

### **Mitigation 1**

#### **Significant environmental Impact:**

Based on the Bay Area Air Quality Management District's (BAAQMD) established screening criteria for potentially significant air quality impacts, construction of the proposed project would not violate any air quality standards. However, implementation of BAAQMD "Basic Construction Mitigation Measures" are recommended, as follows:

#### **Mitigation Measure 1<sup>1</sup>**

The Project shall adhere to the following Bay Area Air Quality Management District (BAAQMD) "Basic Construction Mitigation Measures".

- i) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- ii) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- iii) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- iv) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- v) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]).

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<sup>1</sup> BAAQMD's recommendation to require, "All vehicle speeds on unpaved roads shall be limited to 15 mph" has not been included with Air-1 since the Project would not result in unpaved roads or surfaces where vehicles could exceed 15 mph.

Clear signage shall be provided for construction workers at all access points.

- vi) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- vii) Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**Implementation Responsibility:** Project developer

**Monitoring Responsibility:** City of Hayward Planning and Building Divisions

**Timing:** During project construction

## **Mitigation 2**

### **Significant environmental Impact:**

The project site contains mature trees that will be impacted and the applicant proposes removal of 36 trees to accommodate 35 new homes. Preservation and/or protection of trees on adjacent properties are suggested as part of the project. Arbor Resources prepared an arborist report and tree appraisal dated July 22, 2014 identifying methods for tree preservation and tree replacement to mitigate for the potential impacts. The following requirements will reduce impacts to a level of insignificance.

### **Mitigation Measure:**

The applicant shall implement all recommendations in the tree evaluation report including protection of all trees adjacent to the project site to be preserved during all phases of the development:

### **Before Demolition, Grading and Construction**

- Tree protective fencing shall be established to restrict access within tree protection zones (TPZs), and should consist of six-foot high chain link mounted on two-inch diameter steel posts that are driven into the ground 24 inches deep. An alternate fencing type includes five- to six-foot tall chain link panels mounted on metal stands or concrete blocks, and the panels secured together. Where appropriate, perimeter fencing can double as tree fencing.
- The staging area and routes of access shall be established beyond TPZs.

- A four- to five-inch layer of coarse wood chips (1/4- to 3/4-inch in size) shall be manually spread on exposed ground beneath tree canopies (but not piled against a tree's trunk); the chips should remain throughout construction.
- Supplemental water for retained trees shall begin prior to demolition and continue throughout construction. It should be supplied every three weeks by either soaker hoses or filling a basin formed by a 12-inch high berm around a TPZ or farther. The rate should be roughly five gallons per inch of trunk diameter.
- Immediately south and five feet from #32's trunk, the section of roadway apron shall be manually dug to the required subgrade depth for exposing all roots two inches and greater in diameter; great care must be taken during the process to avoid damaging the roots until they can be observed by me to ascertain the extent of impacts to #32. Following this, the roots can be manually pruned at a 90-degree angle to the direction of root growth at the cut line and by using sharp cutting tools (e.g. loppers or handsaw).

### **During Demolitions, Grading and Construction**

- During demolition, great care shall be taken during removal of existing features to avoid excavating the ground and large roots within a TPZ. Removal of existing base material within the TPZs of #31 and 32 shall be carefully performed to avoid excavating roots during the process (or those roots reviewed with me beforehand).
- The future sidewalk (including base material, edging and forms) within the TPZs of #31 and 32 shall retain roots two inches and greater in diameter, or should they require removal, reviewed with Arborist beforehand.
- Any required digging and trenching within a TPZ shall be reviewed onsite with Arborist beforehand, and manually performed to allow retention of sizeable roots, one-inch and greater in diameter for trees #23 thru 25, and two inches and greater in diameter for #31 and 32. Roots less than those diameters can be cleanly severed at a 90-degree angle to the direction of root growth at the cut line, and by using sharp cutting tools.
- Spoils created during approved digging shall not be piled or spread within a TPZ; if necessary, they can be temporarily piled on plywood or a tarp.
- Tree trunks shall not be used as winch supports for moving or lifting heavy loads.
- Digging holes for any posts or bollards within a TPZ shall be manually performed using a post-hole digger or shovel, and in the event a root or two inches and greater in diameter is encountered during the process, the hole should be shifted over by 12 inches and the process repeated.
- Tree pruning is anticipated for the western edges of #31's and 32's canopies to achieve clearance for constructing the home on lot 35. The work shall be performed by a

California state-licensed tree service company (D-49 classification) that has an ISA (International Society of Arboriculture) certified arborist in a supervisory role, carries General Liability and Worker's Compensation insurance, and abides by in accordance with ANSI A300-2001 (Pruning) and ANSI Z133.1-2006 (Safety Operations) standards.

- Great care shall be taken by equipment operators to position their equipment to avoid the trunks and branches of trees, including exhaust that can scorch foliage.
- Dust accumulating on trunks and canopies during dry weather periods may require being periodically washed away (e.g. every three to four months).
- The disposal of harmful products (such as cement, paint, chemicals, oil and gasoline) is prohibited beneath canopies or anywhere on site that allows drainage beneath or near TPZs. Herbicides shall not be used with a TPZ; where used on site, they shall be labeled for safe use near trees.

**Implementation Responsibility:** Project developer

**Monitoring Responsibility:** City of Hayward Planning Division

**Timing:** Prior to any project construction and during project construction

### **Mitigation 3**

#### **Significant environmental Impact:**

The site is located within an area that may be susceptible to liquefaction. A design level geotechnical evaluation shall be conducted and submitted for review and approval prior to issuance of building permits and if liquefaction is determined to be probable, measures as recommended by the project geotechnical consultant shall be implemented. Such measures, such as special foundation construction as recommended by Cornerstone Earth Group in their Preliminary Geotechnical Investigation report dated March 21, 2014, will reduce the significance of liquefaction-related impacts to a level of insignificance.

#### **Mitigation Measure:**

Prior to issuance of a Building Permit for the project, the applicant shall conduct a design level geotechnical evaluation and submit that for review and approval and any recommendations shall be incorporated into the final design of the project.

**Implementation Responsibility:** Project developer

**Monitoring Responsibility:** City of Hayward Building Division

**Timing:** Prior issuance of a Building Permit for the project

### **Mitigation 4**

#### **Significant environmental Impact:**

According to the Cornerstone Earth Group in their Preliminary Geotechnical Investigation report dated March 21, 2014, highly expansive clay soils were observed on the surface of the project site. The assessment recommends specific criteria be followed for all earthwork, subgrade preparation, foundation construction, compaction in structural areas and drainage be observed, controlled and approved by the project Geotechnical Engineer. Implementation of the recommendations in the soil investigation report will mitigate the impacts of the expansive soils to a less than significant level.

**Mitigation Measure:**

A full design-level geotechnical evaluation shall be conducted and measures as recommended by the project geotechnical consultant shall be implemented. Such measures will reduce the significance of impacts related to expansive soils to a level of insignificance.

**Implementation Responsibility:** Project developer

**Monitoring Responsibility:** City of Hayward Building Division & Department of Public Works

**Timing:** Prior to issuance of a Grading and/or Building Permit for the project



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, October 2, 7:00 p.m.  
777 B Street, Hayward, CA94541**

2. Request for adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of a Zone Change (Application No. PL-2014-0083) from Medium Density Residential to Planned Development and Vesting Tentative Tract Map 8172 (Application No. PL-2014-0084) associated with the subdivision and construction of 25 single-family detached homes, 10 attached homes and common areas on a 2.94-acre site bounded by Eden Avenue, Saklan Road and Montevina Way, Doug Rich of Valley Oak Partners (Applicant) Sandra Gudiel, Fernando Ramirez and Tatsumi Hirakawa (Owners)

Associate Planner Ajello provided a synopsis of the staff report. She indicated that the development proposed to continue the existing streetscape and that there would be six homes that would front on Montevina Way. Ms. Ajello indicated the following revisions to parts 'b' and 'c' of Condition of Approval No. 102: (b) The developer/subdivider shall be obligated to pay a Benefit District Fee in the an amount approximately of \$10,008 ranging from \$11,500 to \$16,000 per unit after the third building permits hasve been issued, with final per unit fee to be determined by the City's Finance Director consistent with the associated Mt. Eden Benefit District Agreement and Chapter 8, Article 16 of the Hayward Municipal Code. (c) For each additional unit for which a Benefit District Fee is due, the developer/subdivider shall also pay the City an additional fee of \$300 to \$500 per each additional unit to cover the cost of collecting and administering the Benefit District Fees, with final per unit fee to be determined by the City's Finance Director consistent with the associated Mt. Eden Benefit District Agreement and Chapter 8, Article 16 of the Hayward Municipal Code.

Associate Planner Ajello explained that the reason an increase in the per unit fee was being proposed for the Mount Eden Benefit District was because Condition of Approval No. 102 as originally written, did not factor in the interest that had been accruing on the loan from Dutra Enterprises. She stated that staff did not have the interest amount available at this time.

Chair McDermott opened the public hearing at 8:10 p.m.

Mr. Doug Rich, project applicant with Valley Oak Partners, shared a presentation with the Planning Commission. He indicated that the current proposed plan for the development featured improvements that would provide for a stronger community than originally intended. He stated that the new community would be accessible through a main access road on Saklan Road and Eden Avenue. He shared that the development had been reduced in density from 48 homes to 35 homes to provide for more group open space. Mr. Rich stated that the original plan provided limited guest parking (11 spaces) along Montevina Way; this had been modified to include 27 more guest parking stalls along the main access road bringing the total number of guest parking spaces up to 38 spaces, for 35 homes. He mentioned that the original design of the 48 homes consisted of building the new homes adjacent to the existing homes with 3.5 feet separation; additionally, the new homes were proposed to be three-story units and the existing homes were two-story units. The design was modified after taking into account sensitivity to neighbors and the plan was changed to add traditional rear yards creating a greater setback between the proposed development and the existing neighboring homes; the design of these new homes was reduced to two-story units. Mr. Rich shared that a neighborhood meeting was held with the existing neighbors and the existing HOA, and the



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development received positive feedback regarding the setbacks added to the project and changes in heights to the proposed units. He mentioned that the number of floor plans was increased to six to provide for more architectural variety. More exterior features were also added to the design plans including stonework, ornamental railings, shutters, covered porches, etc. which assist in blending the development with existing homes in addition to providing strong architectural detail.

Commissioner Trivedi noted that the project was thoughtful and an improvement from its previous iteration. He asked the applicant about the 11 guest parking spaces on Montevina Way and whether this easement had been acquired from the KB Homes HOA already. Mr. Rich responded that this agreement was currently being finalized. Mr. Rich described for Commissioner Trivedi that the aggregate group open space was adequate.

In response to Commissioner Trivedi's question about the varying lot sizes proposed for the development, Mr. Rich stated that the goal of the project was in line with the City's General Plan. Commissioner Trivedi encouraged the applicant to have enough open space in the development so that a volleyball or badminton court, picnic area, or a barbecue pit could be accommodated. In response to Commissioner Trivedi's concern about the proximity of the development to the Hayward Airport and potential noise issues, Associate Planner Ajello stated that the proposed development would be required to use certain types of windows and have mechanical ventilation to mitigate noise. In regards to the distance of the project site from the airport, she indicated that the development was at a range which would not require additional noise mitigation measures. Commissioner Trivedi suggested that residents moving nearby were made aware of the proximity to the airport, especially since the Hayward Airport was city controlled.

Commissioner Enders disclosed that she had met with the project applicant. She commented that each home in the development should have the opportunity to have an adequately sized private open space area of ten by ten feet or larger for barbecuing or to keep a pet. She spoke to the applicant's goal for providing a development that will appeal to multi-generational families and individuals with varying circumstances and recommended that in order for future residents to benefit from the development, she felt it would be better to have enough private space per unit rather than having additional park space for public use.

Commissioner Lavelle disclosed that she met with the applicant. She recommended that the applicant work with either KB Homes or Standard Pacific to build the development. She appreciated the six floor plans and the diversity of exterior designs being Italian, Tuscan and Spanish styles. Commissioner Lavelle liked the improvements to the surrounding neighborhood since the annexation of these properties from Alameda County. She commented that parking did not appear to be an issue as it had been in other parts of the city. She pointed out that one of the older homes in the area had a water tower and she requested that the applicant maintain this structure and possibly utilize it at the entryway to the development or in the open space area. Commissioner Lavelle noted that a water tower was successfully preserved and showcased at the entrance to another development on Cryer Street and suggested the same for the current project.



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Chair McDermott said that she generally favored the project but shared the same concerns as Commissioner Enders about having larger homes on smaller lots. She stressed the importance of the availability of open space to residents. She agreed with the idea of having a place for the community to congregate that would include a barbecue pit and some benches. Mr. Rich indicated for Commissioner McDermott that the plans currently did not include providing electric vehicle charging stations in the garage per home. Commissioner McDermott commented that residents should have a designated place to store their garbage and recycling totes. Planning Manager Buizer noted for Commissioner McDermott that per a requirement of the United States Postal Service for new developments in the city, cluster mailboxes would be used in the project.

Commissioner Enders indicated that she was looking forward to the solar feasibility study and plans for Bioretention Treatment Areas where the rainwater will be filtered back into the environment. She emphasized the importance of having adequate private open space per unit, adding that the opportunity to place your garbage can and recycling bin outdoors was important. She mentioned that the front entrances to the homes were not inviting and that this could be improved by having awnings. She commented that the design of the homes lacked points of interest and were not unique from the surrounding homes, urging the applicant to incorporate designs that would make the development stand out in character. Commissioner Enders commented that plan 2 and plan 5 had insufficient master bedroom closet space. She encouraged the applicant to utilize native trees and shrubs for landscaping. She expressed concern about the parking limitations for residents.

Commissioner Faria appreciated that the applicant would be explore options for increasing the open space area and also commended the applicant for his willingness to replace the trees that will be removed due to construction at the development site with mature trees.

Chair McDermott closed the public hearing at 8:40 p.m.

Associate Planner Ajello clarified for Commissioner Lavelle that most homes in the proposed development would not be able to accommodate vehicle parking in the driveways.

Commissioner Lavelle offered a motion to approve the project per staff recommendation. She commented that it was a good feature of the project that it will blend in with the existing homes in the area. She was amenable to adding awnings to the front entryways of the homes. Commissioner Lavelle pointed out that neighboring residents were excited about the proposed project as it would help improve the neighborhood.

Commissioner Parso seconded the motion.

Commissioner Enders requested that some of her concerns be considered as a part of the motion by including the following: awnings over the front entryways; increasing the master bedroom closet space for floor plans 2 and 5; and that the developer provide a minimum of ten by ten square feet of private open space to the rear of the units.



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Associate Planner Ajello stated that the applicant would be required to work with staff prior to the submittal of the Precise Plans and clarified that the open space requirement could be met with a combination of common open space and private open space. She exemplified that the developer could meet the requirement by enlarging the common open space area even if some units do not have private space with the dimensions of ten by ten square feet.

Commissioner McDermott commented that the proposed development could be marketed to a wide range of potential buyers as there were different floor plans and lot sizes available; however, it would ultimately be up to the buyer to determine the home that would be suitable for them and their family. She stated that some individuals may have a preference to have a smaller private open space as there would be less maintenance, especially individuals concerned about aging in place. She added that the present development may even appeal to some buyers as a starter home. Commissioner McDermott supported requiring awnings over the front porch of homes.

Commissioner Faria preferred having a development where residents could choose from a range of options in regards to the size of private open space available in a home, as some people may not want backyard space to maintain. She expressed concern that placing too many restrictions on a project may put the development in jeopardy and she appreciated the thoughtfulness that the developer put into blending the project with its surrounding homes. Commissioner Faria agreed with staff's recommendation regarding open space; however, she was favorable to adding awnings over the front entryways of homes.

Commissioner Lavelle agreed to adding conditions of approval that would require awnings to be placed over entryways of some units and also that some native shrubs and trees be used in the development. She stated that for this development, it was not necessary to specify the exact square footage of private open and/or closet space required, noting that planned development projects were intended to provide developers with more flexibility.

Commissioner Parso agreed with the amendments to the motion. The motion passed with the following vote:

|          |                                                                         |
|----------|-------------------------------------------------------------------------|
| AYES:    | Commissioners Enders, Trivedi, Faria, Lavelle, Parso<br>Chair McDermott |
| NOES:    | None                                                                    |
| ABSENT:  | Commissioner Loché                                                      |
| ABSTAIN: | None                                                                    |

SHEET INDEX

Table with columns: CIVIL SHEET NO, DESCRIPTION, LANDSCAPE SHEET NO, DESCRIPTION, ARCHITECTURAL SHEET NO, DESCRIPTION, DRY UTILITY SHEET NO, DESCRIPTION.

TENTATIVE TRACT MAP #8172 EDEN POINTE VALLEY OAK PARTNERS CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA

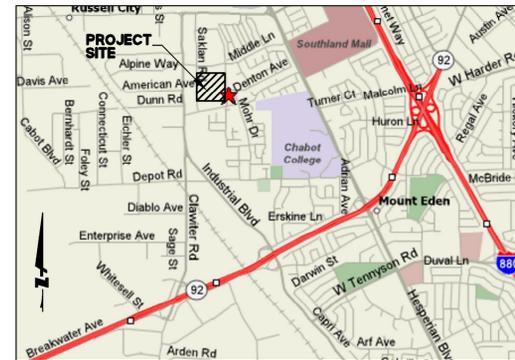
Attachment VII

PROJECT SUMMARY

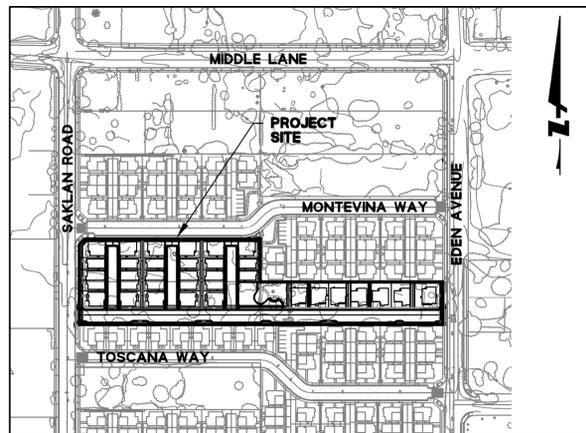
Table with columns: OWNERS, SUBDIVIDER, ENGINEER, GEOTECHNICAL ENGINEER, AREA, TYPE OF CONSTRUCTION, ASSESSOR PARCEL NOS., EXISTING ZONING, PROPOSED ZONING, EXISTING LAND USE, PROPOSED LAND USE, PARKING, DENSITY, IMPERVIOUSNESS, SITE ACCESS, PRIVATE STREETS, PRIVATE DRIVEWAYS, FEMA ZONE, UTILITIES, WATER SUPPLY, FIRE PROTECTION, SEWAGE DISPOSAL, STORM DRAIN, GAS, ELECTRIC, TELEPHONE, CABLE TELEVISION.



VICINITY MAP NTS



LOCATION MAP NTS



SITE PLAN SCALE 1"=200'

PROPOSED PRELIMINARY EARTHWORK QUANTITIES

CUT: 587 CUBIC YARDS
FILL: 5,322 CUBIC YARDS
NET, FILL: 4,735 CUBIC YARDS

BENCHMARK

NGS BENCHMARK N 1370 IN TOP OF THE WEST EDGE OF THE CONCRETE CATCH BASIN ON THE NORTHEAST CORNER OF THE INTERSECTION OF CLAWITER ROAD AND WEST WINTON AVENUE, DISK STAMPED "N 1370 1983" ELEVATION = 33.41' DATUM: NGVD 29

BASIS OF BEARING

THE BEARING SOUTH 2'24"00" EAST ALONG THE EASTERLY LINE OF SAKLAN ROAD AS SHOWN ON THAT CERTAIN MAP ENTITLED "GARDEN OF EDEN", RECORDED ON MAY 22, 1926 IN BOOK 3 OF MAPS AT PAGE 84, ALAMEDA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS PROJECT.

GENERAL NOTES

- TENTATIVE MAP: 1. THIS TENTATIVE MAP IS BEING FILED IN ACCORDANCE WITH CHAPTER 3, ARTICLE 2, SECTION 66452 AND CHAPTER 4.5 OF THE SUBDIVISION MAP ACT... BUILDINGS: 2. THE BUILDING FOOTPRINTS SHOWN ARE FOR INFORMATION... BENEFIT DISTRICT: 4. PROPOSED DEVELOPMENT IS WITHIN THE BENEFIT DISTRICT 411-06...

ENGINEER'S STATEMENT

THIS TENTATIVE MAP HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICE.



CHARLES J. HUMPAL DATE P.E. #C53325 BKF ENGINEERS

OWNER'S STATEMENT

I (WE) AGREE TO THE FILING OF SAID MAP AND AGREE TO COMPLY WITH THE PROVISIONS OF THE CITY OF HAYWARD SUBDIVISION ORDINANCE AND THE STATE MAP ACT AS THEY APPLY TO THE PROCESSING AND APPROVAL OF SAID MAP. APN: 441-0100-001-02

OWNER: SANDRA GUDIEL DATE

I (WE) AGREE TO THE FILING OF SAID MAP AND AGREE TO COMPLY WITH THE PROVISIONS OF THE CITY OF HAYWARD SUBDIVISION ORDINANCE AND THE STATE MAP ACT AS THEY APPLY TO THE PROCESSING AND APPROVAL OF SAID MAP. APN: 441-0100-002-02

OWNER: FERNANDO RAMIREZ DATE

I (WE) AGREE TO THE FILING OF SAID MAP AND AGREE TO COMPLY WITH THE PROVISIONS OF THE CITY OF HAYWARD SUBDIVISION ORDINANCE AND THE STATE MAP ACT AS THEY APPLY TO THE PROCESSING AND APPROVAL OF SAID MAP. APN: 441-0100-003-02

OWNER: TATSUMI HIRAKAWA DATE

I (WE) AGREE TO THE FILING OF SAID MAP AND AGREE TO COMPLY WITH THE PROVISIONS OF THE CITY OF HAYWARD SUBDIVISION ORDINANCE AND THE STATE MAP ACT AS THEY APPLY TO THE PROCESSING AND APPROVAL OF SAID MAP. APN: 441-0100-001-02, 441-0100-002-02, 441-0100-003-02

SUBDIVIDER: VALLEY OAK PARTNERS, LLC DATE MARK RUSSELL

EDEN POINTE - VALLEY OAK PARTNERS TENTATIVE TRACT MAP #8172 TITLE SHEET ALAMEDA COUNTY HAYWARD CALIFORNIA

BKF ENGINEERS / SURVEYORS / PLANNERS 255 SHORELINE DRIVE, SUITE 200 REDWOOD CITY, CA 94065 650/482-6300 650/482-6399 (FAX)

Table with columns: Date, Revisions, No., Scale, Design, Drawn, Approved, Job No.

DRAWING NAME: K:\ENCOA\040060-17\DWG\TMA\Plotted Sheets\C1 Title Sheet.dwg PLOT DATE: 08-29-14 PLOTTED BY: alom

DRAWING NAME: K:\ENCOA\040060-17\DWG\TM\Plotted Sheets\C2 Aerial General Plan.dwg  
PLOT DATE: 08-29-14 PLOTTED BY: alom



**LEGEND:**

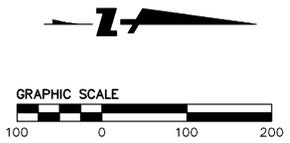
- SUBDIVISION BOUNDARY
- GENERAL PLAN DESIGNATION BOUNDARY
- ZONING DESIGNATION BOUNDARY (WHEN VARYING FROM GENERAL PLAN)

**ZONING ABBREVIATIONS:**

- CN NEIGHBORHOOD COMMERCIAL ZONE
- I INDUSTRIAL ZONE
- LM LIGHT MANUFACTURING ZONE
- MH MOBILE HOME PARK ZONE
- PD PLANNED DEVELOPMENT ZONE
- RM MEDIUM DENSITY RESIDENTIAL ZONE
- RS SINGLE FAMILY RESIDENTIAL ZONE

**NOTE:**

AREA LABELS CONSIST OF GENERAL PLAN DESIGNATION AND ZONING ABBREVIATION IN PARENTHESIS.



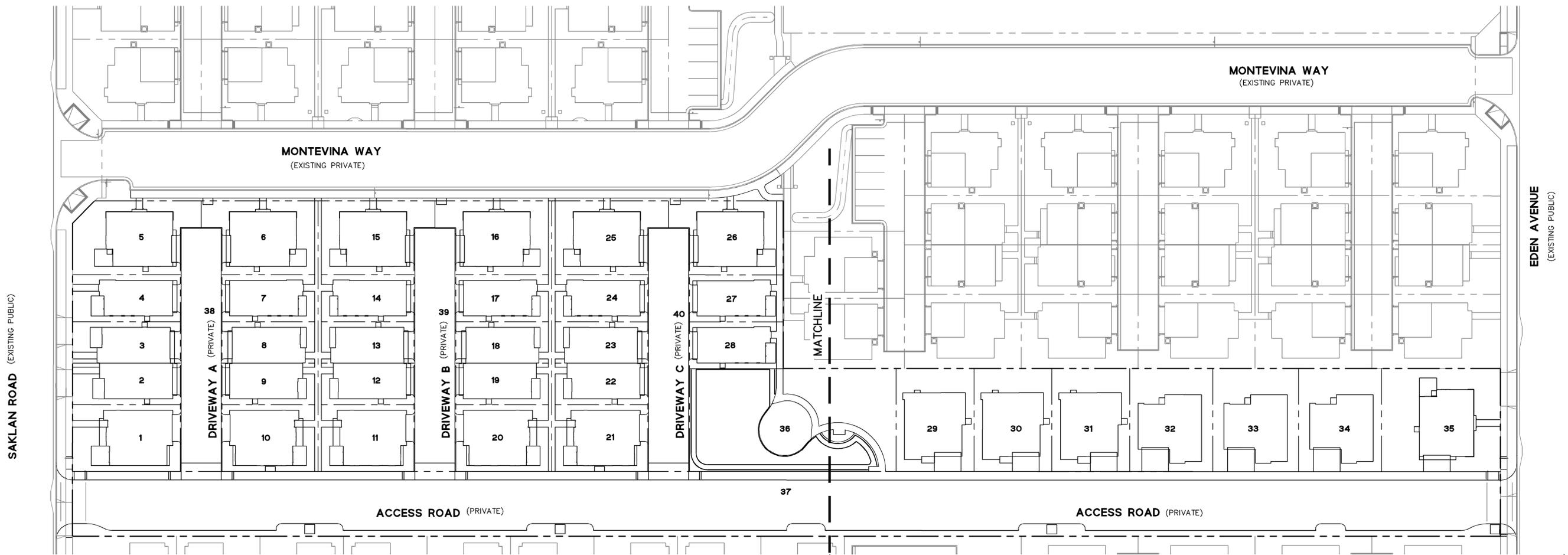
**BKF**  
 ENGINEERS / SURVEYORS / PLANNERS  
 255 SHORELINE DRIVE, SUITE 200  
 REDWOOD CITY, CA 94065  
 650/482-6300  
 650/482-6399 (FAX)

**EDEN POINTE - VALLEY OAK PARTNERS**  
**TENTATIVE TRACT MAP #8172**  
**EXISTING AERIAL GENERAL PLAN AND ZONING**  
 ALAMEDA COUNTY  
 HAYWARD CALIFORNIA

| No. | Revisions                                         | Date    |
|-----|---------------------------------------------------|---------|
| 1   | TENTATIVE TRACT MAP COMMENT REVISIONS             | 6/10/14 |
| 2   | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND | 7/29/14 |
| 3   | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND | 8/21/14 |

Scale 1"=100'  
 Design LW  
 Drawn KM  
 Approved CH  
 Job No 20040060-17

DRAWING NAME: K:\ENCOA\040060-17\DWG\TM\Plotted Sheets\C3 Graphic Index.dwg  
PLOT DATE: 08-29-14 PLOTTED BY: alom



CIVIL SHEET INDEX – WEST DIVISION OF PROPOSED SITE

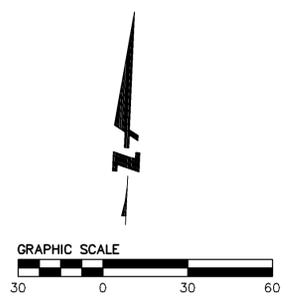
- C4 EXISTING SITE AND DEMOLITION PLAN
- C6 PROPOSED SITE PLAN
- C8 PROPOSED GRADING PLAN
- C10 PROPOSED UTILITY PLAN

CIVIL SHEET INDEX – EAST DIVISION OF PROPOSED SITE

- C5 EXISTING SITE AND DEMOLITION PLAN
- C7 PROPOSED SITE PLAN
- C9 PROPOSED GRADING PLAN
- C11 PROPOSED UTILITY PLAN

CIVIL SHEET INDEX – FULL SITE

- C12 PRELIMINARY STORMWATER CONTROL PLAN
- C13 PARKING EXHIBIT
- C14 FIRE ACCESS AND SERVICE EXHIBIT
- C15 NOTES AND DETAILS
- C16 TENTATIVE MAP INTENT



**BKF**  
ENGINEERS / SURVEYORS / PLANNERS

255 SHORELINE DRIVE, SUITE 200  
REDWOOD CITY, CA 94065  
650/482-6300  
650/482-6399 (FAX)

**EDEN POINTE – VALLEY OAK PARTNERS**  
**TENTATIVE TRACT MAP #8172**  
**GRAPHIC INDEX**

ALAMEDA COUNTY  
CALIFORNIA

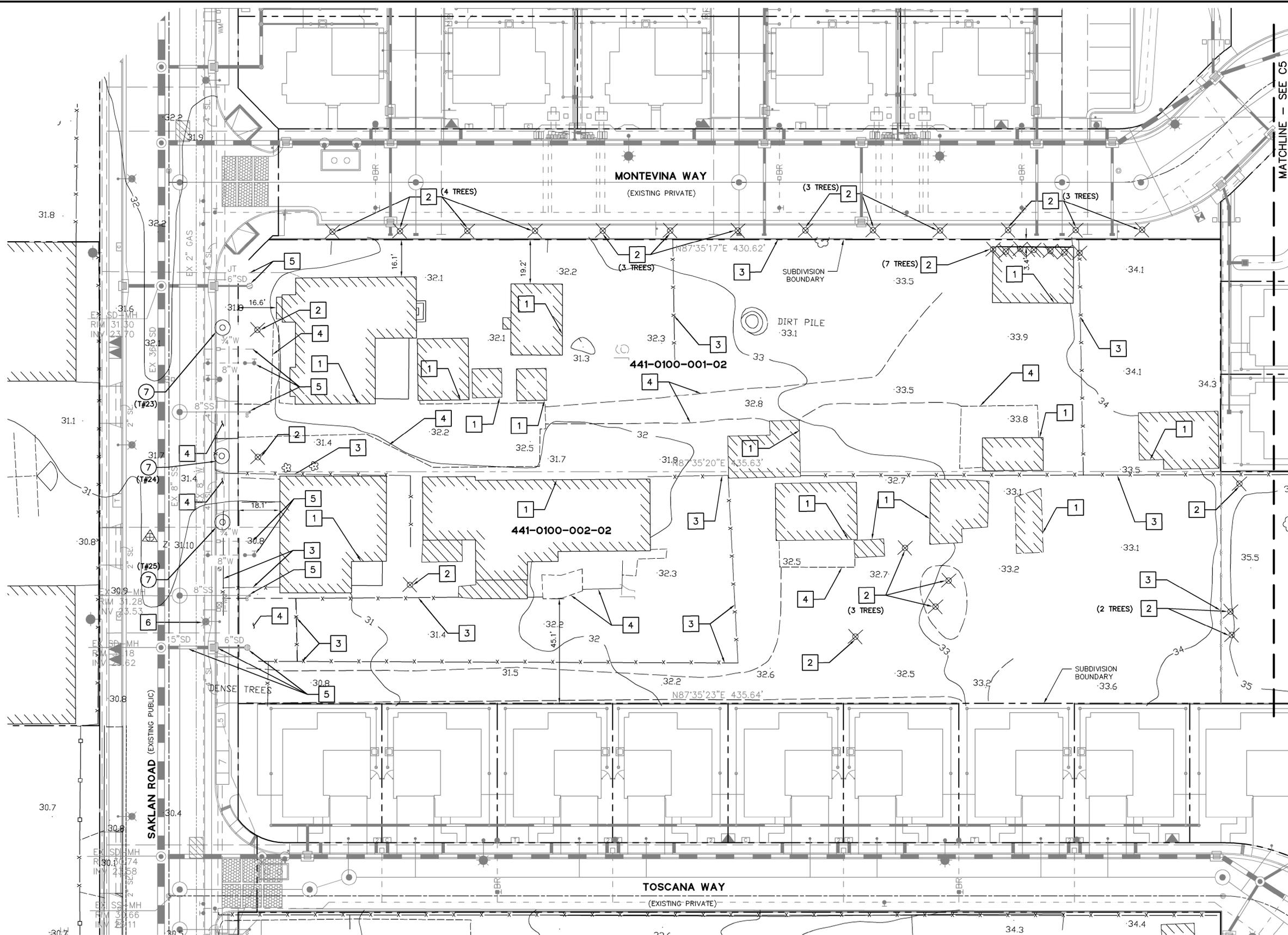
HAYWARD

| No. | Revisions                                         | Date    |
|-----|---------------------------------------------------|---------|
| 1   | TENTATIVE TRACT MAP COMMENT REVISIONS             | 6/10/14 |
| 2   | TENTATIVE TRACT MAP COMMENT REVISIONS – 2ND ROUND | 7/29/14 |
| 3   | TENTATIVE TRACT MAP COMMENT REVISIONS – 3RD ROUND | 8/21/14 |

Approved CH  
Job No 20040060-17

Sheet Number: **C3**

DRAWING NAME: J:\ENGR\040060-17\DWG\TMA\Plotted Sheets\C4-C5 Existing Conditions and Demolition Plan.dwg  
PLOT DATE: 08-29-14 PLOTTED BY: aiam

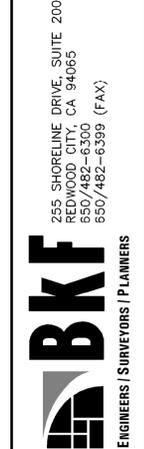


**TREE NOTES:**

- REFER TO TREE SURVEY REPORT FOR 23830 & 23836 SAKLAN ROAD AND 24137 EDEN AVENUE PREPARED BY ARBOR RESOURCES ON JANUARY 17, 2014. IN ADDITION, SEE TREE PROTECTION MEASURES CREATED ON JULY 22, 2014.
- ALL EXISTING, UNUSED LINES OR PIPES WITHIN A TREE PROTECTION ZONE SHALL BE ABANDONED AND CUT OFF AT EXISTING SOIL GRADE (RATHER THAN BEING DUG UP AND CAUSING SUBSEQUENT ROOT DAMAGE).
- ALL TRENCHING WITHIN TREE PROTECTION ZONE SHALL BE DONE UNDER THE FIELD SUPERVISION OF THE PROJECT ARBORIST.
- TREE PROTECTIVE FENCING INSTALLATION SHALL BE DONE UNDER THE FIELD SUPERVISION OF THE PROJECT ARBORIST.
- SEE ARBORIST'S RECOMMENDATION FOR TREE PROTECTION MEASURES BEFORE & DURING DEMOLITION, GRADING AND CONSTRUCTION ON SHEET C15.
- TREE LOCATIONS ARE APPROXIMATE.

**DEMOLITION LEGEND:**

- |                                      |                                                                                                                                                               |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 BUILDING / STRUCTURE TO BE REMOVED | 5 UNDERGROUND UTILITY TO BE REMOVED. EXISTING WATER SERVICES NO LONGER IN USE TO BE ABANDONED BY CITY WATER DISTRIBUTION PERSONNEL AT THE DEVELOPER'S EXPENSE |
| 2 TREES TO BE REMOVED                | 6 UTILITY TO BE RELOCATED                                                                                                                                     |
| 3 FENCE TO BE REMOVED OR REPLACED    | 7 PROTECT EXISTING TREE                                                                                                                                       |
| 4 PAVEMENT TO BE REMOVED             |                                                                                                                                                               |



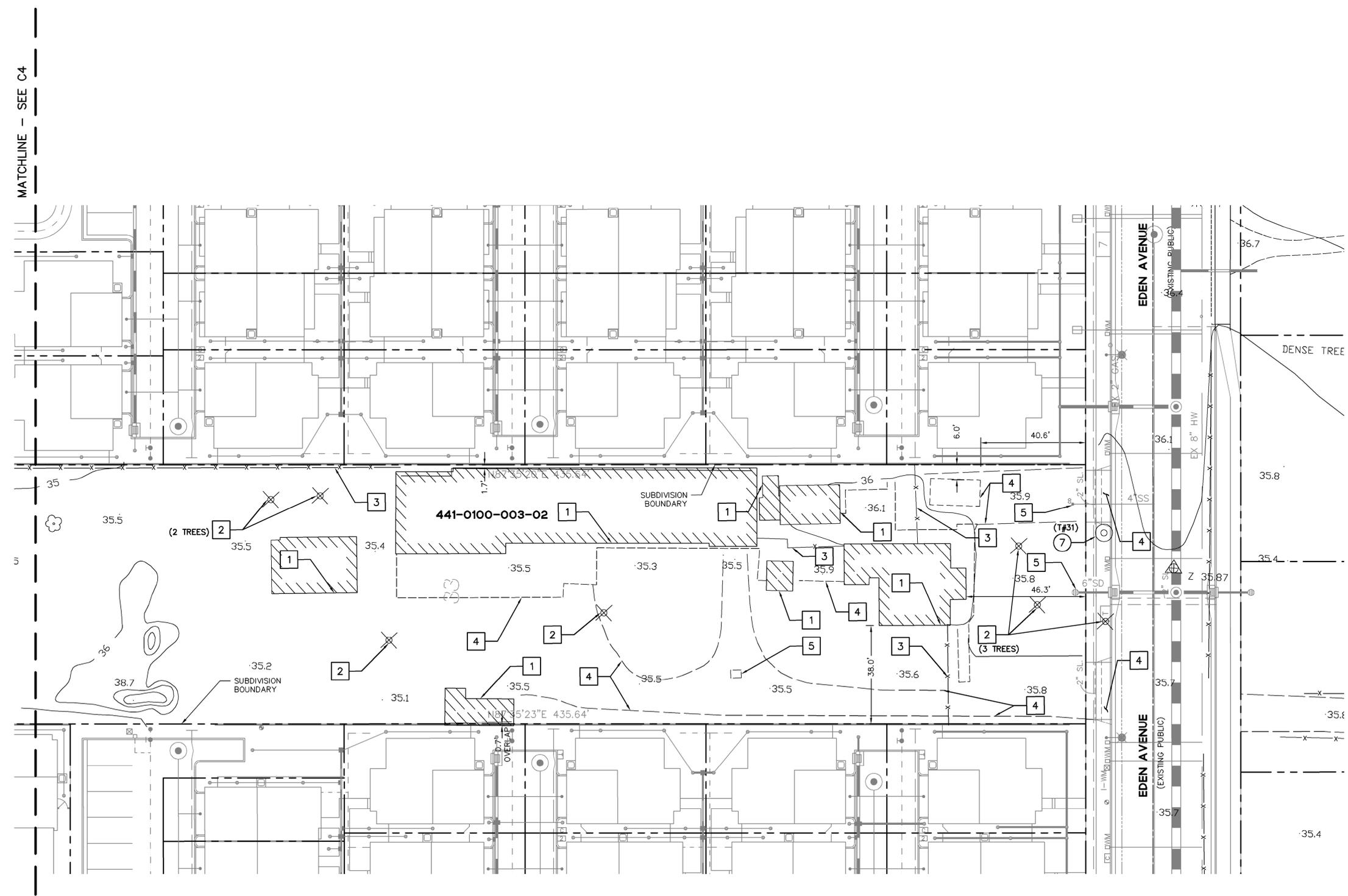
**EDEN POINTE - VALLEY OAK PARTNERS**  
**TENTATIVE TRACT MAP #8172**  
**EXISTING CONDITIONS AND DEMOLITION PLAN-WEST**  
 ALAMEDA COUNTY  
 HAYWARD CALIFORNIA

| No. | Revisions                                         | Date    |
|-----|---------------------------------------------------|---------|
| 1   | TENTATIVE TRACT MAP COMMENT REVISIONS             | 6/10/14 |
| 2   | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND | 7/29/14 |
| 3   | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND | 8/21/14 |

Date: 2/4/14  
 Scale: 1"=20'  
 Design: LW  
 Drawn: KM  
 Approved: CH  
 Job No: 20040060-17

Sheet Number: **C4**

**EDEN POINTE - VALLEY OAK PARTNERS  
TENTATIVE TRACT MAP #8172  
EXISTING CONDITIONS AND DEMOLITION PLAN-EAST**  
ALAMEDA COUNTY  
HAYWARD CALIFORNIA



MATCHLINE - SEE C4

DRAWING NAME: J:\ENGR04\040060-17\DWG\TM\Plotted Sheets\C4-C5 Existing Conditions and Demolition Plan.dwg  
PLOT DATE: 08-29-14 PLOTTED BY: aiam



**TREE NOTES:**

1. REFER TO TREE SURVEY REPORT FOR 23830 & 23836 SAKLAN ROAD AND 24137 EDEN AVENUE PREPARED BY ARBOR RESOURCES ON JANUARY 17, 2014. IN ADDITION, SEE TREE PROTECTION MEASURES CREATED ON JULY 22, 2014.
2. ALL EXISTING, UNUSED LINES OR PIPES WITHIN A TREE PROTECTION ZONE SHALL BE ABANDONED AND CUT OFF AT EXISTING SOIL GRADE (RATHER THAN BEING DUG UP AND CAUSING SUBSEQUENT ROOT DAMAGE).
3. ALL TRENCHING WITHIN TREE PROTECTION ZONE SHALL BE DONE UNDER THE FIELD SUPERVISION OF THE PROJECT ARBORIST.
4. TREE PROTECTIVE FENCING INSTALLATION SHALL BE DONE UNDER THE FIELD SUPERVISION OF THE PROJECT ARBORIST.
5. SEE ARBORIST'S RECOMMENDATION FOR TREE PROTECTION MEASURES BEFORE & DURING DEMOLITION, GRADING AND CONSTRUCTION ON SHEET C15.
6. TREE LOCATIONS ARE APPROXIMATE.

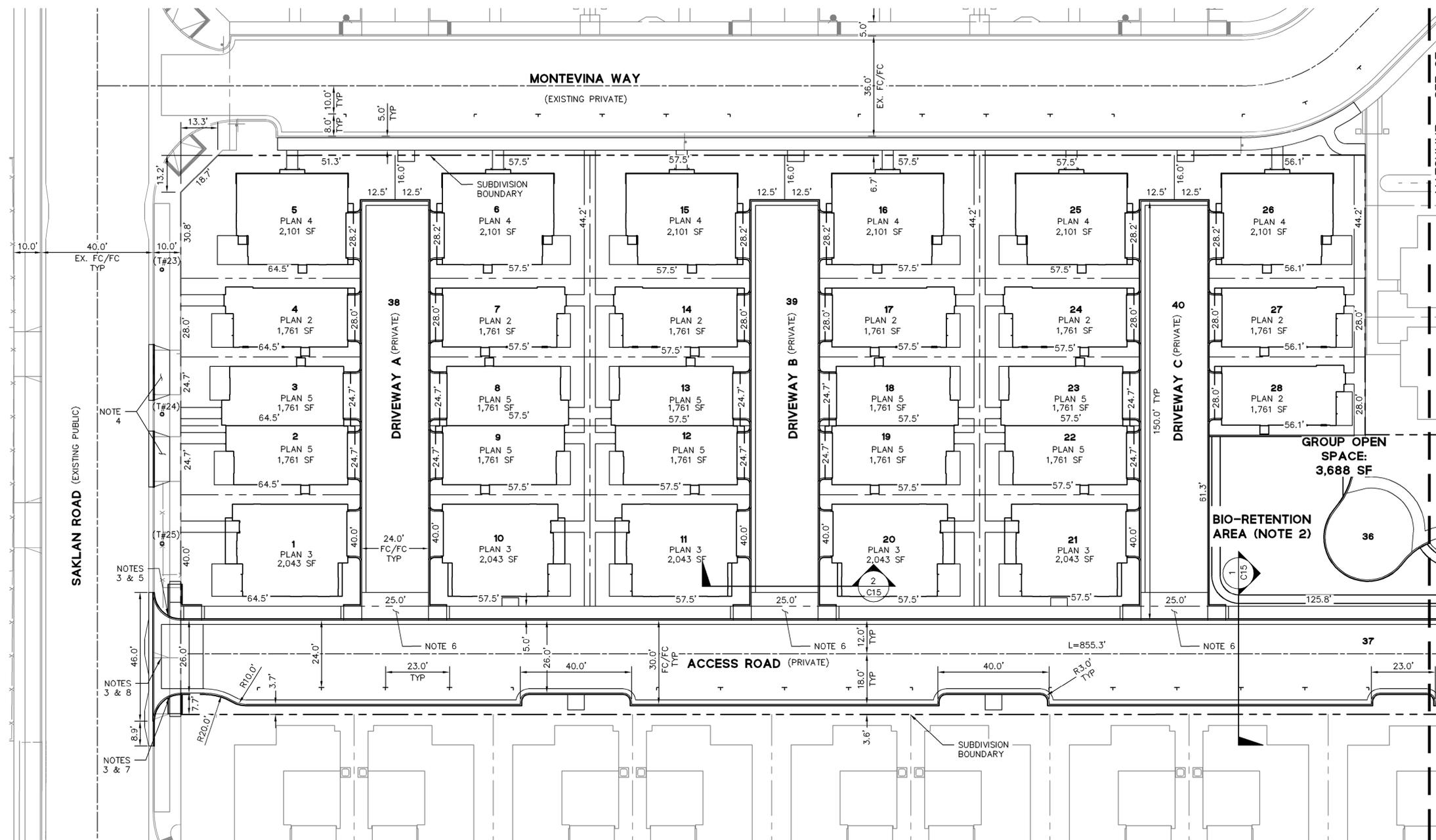
**DEMOLITION LEGEND:**

- 1 BUILDING / STRUCTURE TO BE REMOVED
- 2 TREES TO BE REMOVED
- 3 FENCE TO BE REMOVED OR REPLACED
- 4 PAVEMENT TO BE REMOVED
- 5 UNDERGROUND UTILITY TO BE REMOVED. EXISTING WATER SERVICES NO LONGER IN USE TO BE ABANDONED BY CITY WATER DISTRIBUTION PERSONNEL AT THE DEVELOPER'S EXPENSE
- 6 UTILITY TO BE RELOCATED
- 7 PROTECT EXISTING TREE

| No. | Revisions                                         | Date    |
|-----|---------------------------------------------------|---------|
| 1   | TENTATIVE TRACT MAP COMMENT REVISIONS             | 6/10/14 |
| 2   | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND | 7/29/14 |
| 3   | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND | 8/21/14 |

Scale 1"=20'  
Design LW  
Drawn KM  
Approved CH  
Job No 20040060-17

Sheet Number: **C5**



**SQUARE FOOTAGE, PRIVATE OPEN SPACE, AND PERCENT COVERAGE PER LOT**

| LOT NO | AREA (SF) | OPEN (SF) | COVERAGE (%) | LOT NO | AREA (SF) | OPEN (SF) | COVERAGE (%) |
|--------|-----------|-----------|--------------|--------|-----------|-----------|--------------|
| 1      | 2580.00   | 310.40    | 51.2         | 21     | 2300.00   | 277.17    | 57.4         |
| 2      | 1591.00   | 208.30    | 55.9         | 22     | 1418.33   | 183.55    | 62.7         |
| 3      | 1591.00   | 202.38    | 55.9         | 23     | 1418.33   | 160.47    | 62.7         |
| 4      | 1806.00   | 212.68    | 49.1         | 24     | 1610.00   | 179.57    | 55.0         |
| 5      | 2954.54   | 355.91    | 42.7         | 25     | 2737.68   | 348.42    | 46.1         |
| 6      | 2734.65   | 348.42    | 46.1         | 26     | 2678.15   | 355.66    | 47.1         |
| 7      | 1610.00   | 332.15    | 55.0         | 27     | 1671.60   | 305.83    | 56.4         |
| 8      | 1418.33   | 160.47    | 62.7         | 28     | 1571.66   | 193.89    | 56.4         |
| 9      | 1418.33   | 183.55    | 62.7         | 29     | 2868.88   | 1009.13   | 46.3         |
| 10     | 2300.00   | 278.18    | 57.4         | 30     | 2869.30   | 1000.64   | 46.3         |
| 11     | 2300.00   | 277.17    | 57.4         | 31     | 2869.72   | 992.05    | 46.3         |
| 12     | 1418.33   | 183.55    | 62.7         | 32     | 3056.72   | 1168.94   | 40.6         |
| 13     | 1418.33   | 160.47    | 62.7         | 33     | 3161.77   | 1239.44   | 39.2         |
| 14     | 1610.00   | 179.73    | 55.0         | 34     | 3057.69   | 1191.61   | 40.6         |
| 15     | 2735.66   | 348.42    | 46.1         | 35     | 4381.58   | 1433.46   | 28.8         |
| 16     | 2736.67   | 348.42    | 46.1         | 36     | 7600.00   | N/A       | N/A          |
| 17     | 1610.00   | 179.56    | 55.0         | 37     | 32994.00  | N/A       | N/A          |
| 18     | 1418.33   | 160.47    | 62.7         | 38     | 4035.60   | N/A       | N/A          |
| 19     | 1418.33   | 183.55    | 62.7         | 39     | 4036.30   | N/A       | N/A          |
| 20     | 2300.00   | 278.18    | 57.4         | 40     | 4037.00   | N/A       | N/A          |

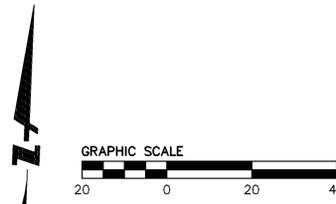
**OPEN SPACE:**

GROUP: MINIMUM = 100 SF / UNIT x 35 UNITS  
 PROVIDED = 3,500 SF  
 PROVIDED = 3,688 SF  
 PRIVATE: SEE TABLE TO THE LEFT  
 DIMENSIONS: PRIVATE OPEN SPACE AREAS ARE SHOWN AND DIMENSIONED IN DETAIL ON SHEET C15.

**NOTES:**

1. PARKING STRIPING INDICATIVE OF PROPOSED PARKING SPOTS. PAVEMENT NOT TO BE STRIPED. SEE SHEET C13 FOR PARKING EXHIBIT.
2. REFER TO C12 FOR INFORMATION RELATED TO STORMWATER TREATMENT AREA.
3. CITY OF HAYWARD SD-110 DRIVEWAY, WITH MODIFIED CURB RETURN RADIUS OF 10'.
4. EXISTING DRIVEWAYS NO LONGER IN USE SHALL BE REMOVED AND REPLACED WITH CITY OF HAYWARD SD-108 CURB & GUTTER AND PLANTING PER LANDSCAPE PLANS.
5. CITY OF HAYWARD SD-108 CURB RAMPS; A COMBINATION OF CASES C AND F.
6. CITY OF HAYWARD SD-108A, ALTERNATE A CURB RAMPS AND DRIVEWAY.
7. CITY OF HAYWARD SD-108 CURB RAMP; CASE F.
8. ENTRANCES WILL BE ENHANCED WITH AT LEAST 10' OF RAISED DECORATIVE PAVING AND BE CAPABLE OF SUPPORTING A 75,000 GVW LOAD.
9. TRAFFIC CALMING DEVICES WILL BE INSTALLED IN THE FUTURE IF NEEDED AS DETERMINED BY THE HOA.
10. REFER TO C16 FOR EASEMENTS.

DRAWING NAME: J:\ENGR\04\040060-17\DWG\TMA\Plotted Sheets\C6-C7 Proposed Site Plan.dwg  
 PLOT DATE: 08-29-14  
 PLOTTED BY: aiam



EDEN POINTE - VALLEY OAK PARTNERS  
 TENTATIVE TRACT MAP #8172  
 PROPOSED SITE PLAN-WEST  
 ALAMEDA COUNTY  
 HAYWARD  
 CALIFORNIA

| Date    | Revisions                                         |
|---------|---------------------------------------------------|
| 6/10/14 | TENTATIVE TRACT MAP COMMENT REVISIONS             |
| 7/29/14 | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND |
| 8/21/14 | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND |

Scale 1"=20'  
 Design LW  
 Drawn KM  
 Approved CH  
 Job No 20040060-17

**C6**



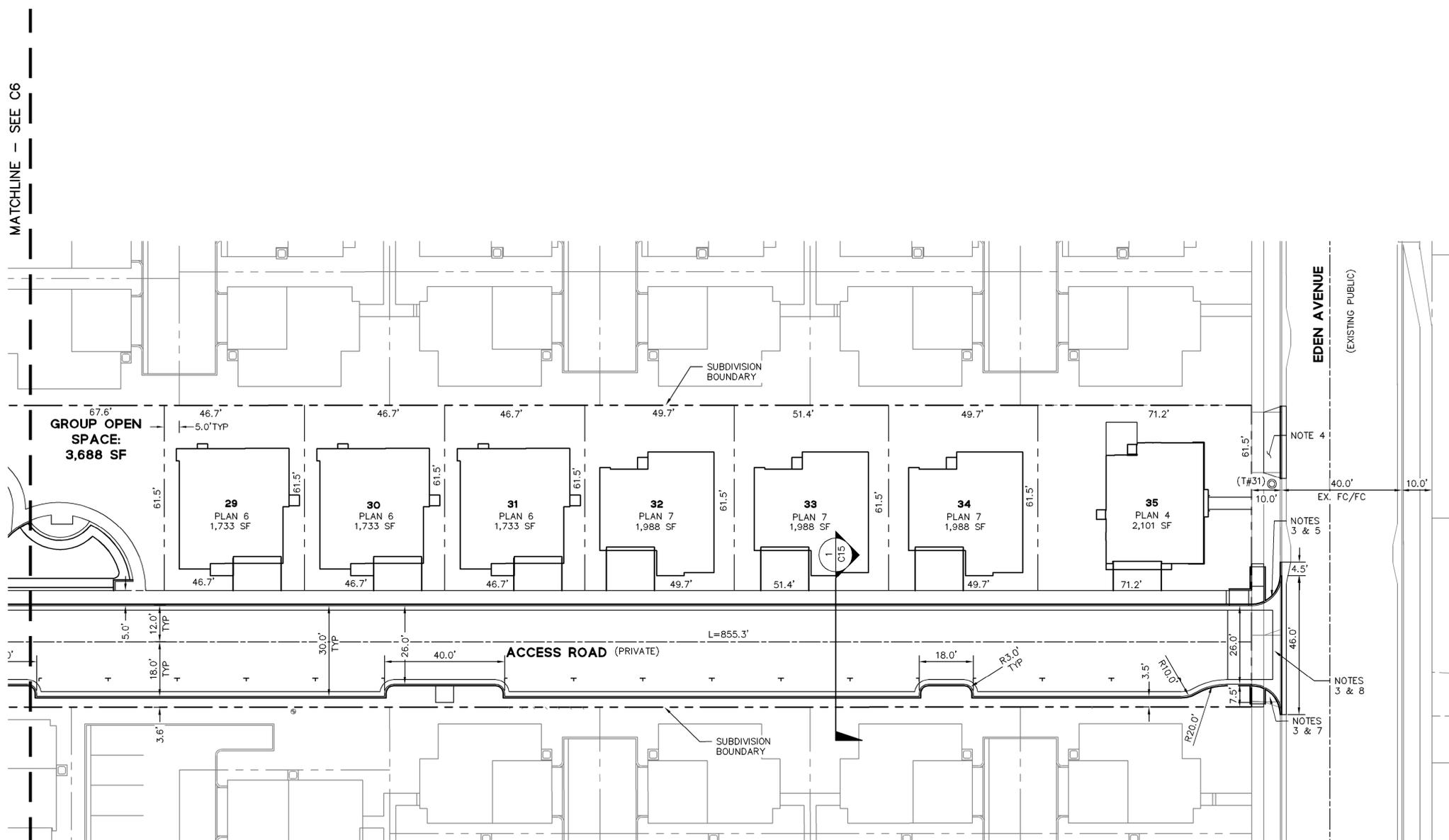
255 SHORELINE DRIVE, SUITE 200  
 REDWOOD CITY, CA 94065  
 650/482-6300  
 650/482-6399 (FAX)



**EDEN POINTE - VALLEY OAK PARTNERS**  
**TENTATIVE TRACT MAP #8172**  
**PROPOSED SITE PLAN-EAST**  
 ALAMEDA COUNTY  
 HAYWARD CALIFORNIA

|        |             |                                                   |         |
|--------|-------------|---------------------------------------------------|---------|
| Date   | 2/4/14      | Revisions                                         | 6/10/14 |
| No.    | 1           | TENTATIVE TRACT MAP COMMENT REVISIONS             | 7/26/14 |
|        | 2           | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND | 8/21/14 |
|        | 3           | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND |         |
| Scale  | 1"=20'      | Design                                            | LW      |
| Drawn  | KM          | Approved                                          | CH      |
| Job No | 20040060-17 | Sheet Number:                                     | C7      |

C7



**SQUARE FOOTAGE, PRIVATE OPEN SPACE, AND PERCENT COVERAGE PER LOT**

| LOT NO | AREA (SF) | OPEN (SF) | COVERAGE (%) | LOT NO | AREA (SF) | OPEN (SF) | COVERAGE (%) |
|--------|-----------|-----------|--------------|--------|-----------|-----------|--------------|
| 1      | 2580.00   | 310.40    | 51.2         | 21     | 2300.00   | 277.17    | 57.4         |
| 2      | 1591.00   | 208.30    | 55.9         | 22     | 1418.33   | 183.55    | 62.7         |
| 3      | 1591.00   | 202.38    | 55.9         | 23     | 1418.33   | 160.47    | 62.7         |
| 4      | 1806.00   | 212.68    | 49.1         | 24     | 1610.00   | 179.57    | 55.0         |
| 5      | 2954.54   | 355.91    | 42.7         | 25     | 2737.68   | 348.42    | 46.1         |
| 6      | 2734.65   | 348.42    | 46.1         | 26     | 2678.15   | 355.66    | 47.1         |
| 7      | 1610.00   | 332.15    | 55.0         | 27     | 1671.60   | 305.83    | 56.4         |
| 8      | 1418.33   | 160.47    | 62.7         | 28     | 1571.66   | 193.89    | 56.4         |
| 9      | 1418.33   | 183.55    | 62.7         | 29     | 2868.88   | 1009.13   | 46.3         |
| 10     | 2300.00   | 278.18    | 57.4         | 30     | 2869.30   | 1000.64   | 46.3         |
| 11     | 2300.00   | 277.17    | 57.4         | 31     | 2869.72   | 992.05    | 46.3         |
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| 18     | 1418.33   | 160.47    | 62.7         | 38     | 4035.60   | N/A       | N/A          |
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| 20     | 2300.00   | 278.18    | 57.4         | 40     | 4037.00   | N/A       | N/A          |

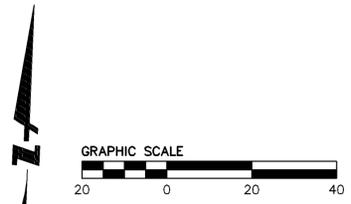
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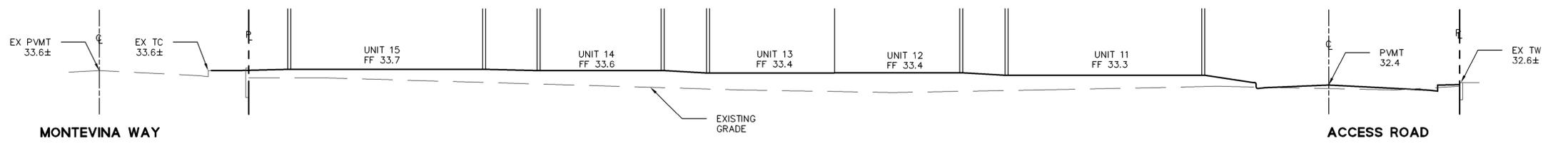
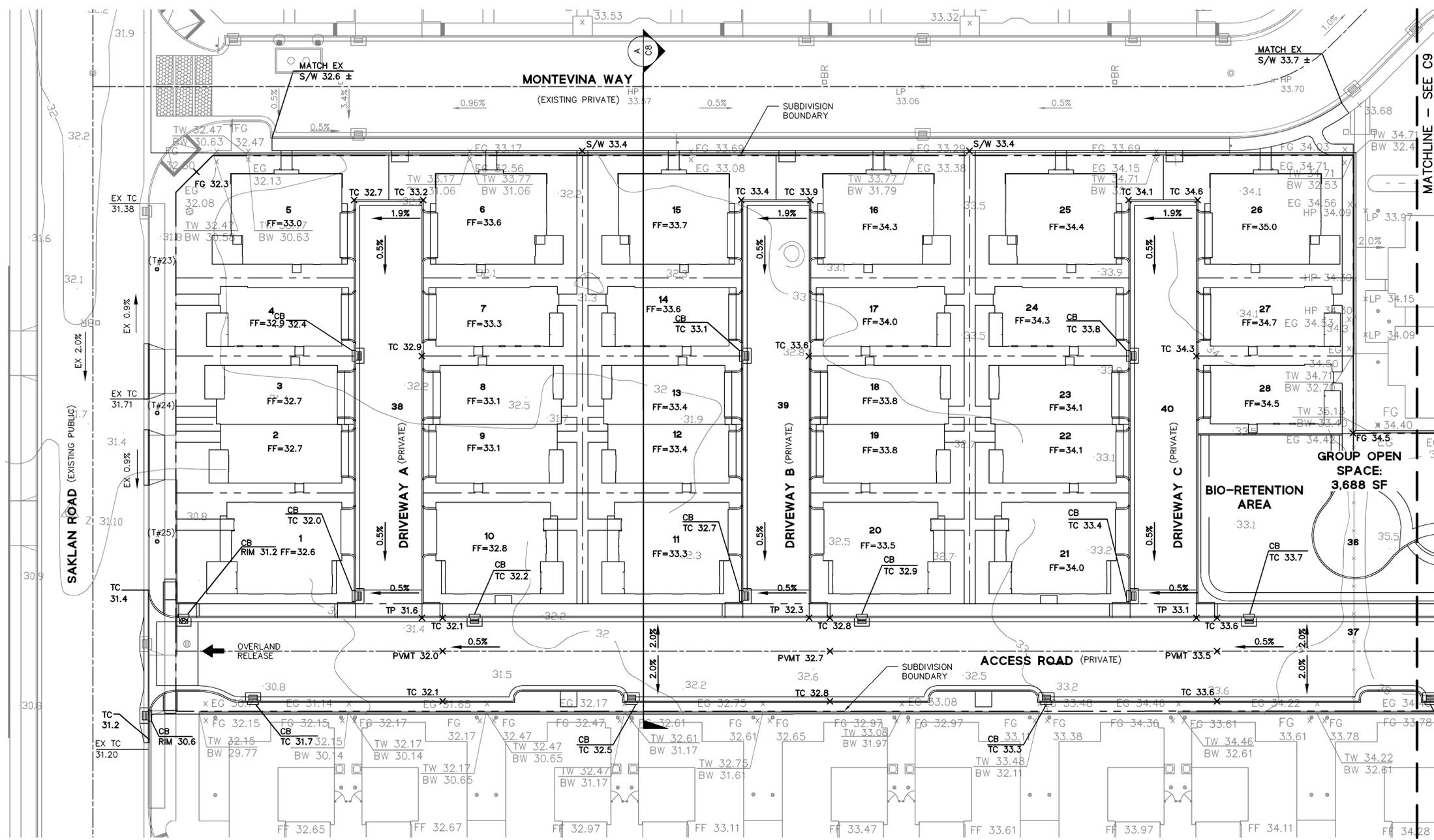
GROUP: MINIMUM = 100 SF / UNIT x 35 UNITS  
 PROVIDED = 3,500 SF  
 PROVIDED = 3,688 SF  
 PRIVATE: SEE TABLE TO THE LEFT  
 DIMENSIONS: PRIVATE OPEN SPACE AREAS ARE SHOWN AND DIMENSIONED IN DETAIL ON SHEET C15.

**NOTES:**

1. PARKING STRIPING INDICATIVE OF PROPOSED PARKING SPOTS. PAVEMENT NOT TO BE STRIPED. SEE SHEET C13 FOR PARKING EXHIBIT.
2. REFER TO C12 FOR INFORMATION RELATED TO STORMWATER TREATMENT AREA.
3. CITY OF HAYWARD SD-110 DRIVEWAY, WITH MODIFIED CURB RETURN RADIUS OF 10'.
4. EXISTING DRIVEWAYS NO LONGER IN USE SHALL BE REMOVED AND REPLACED WITH CITY OF HAYWARD SD-108 CURB & GUTTER AND PLANTING PER LANDSCAPE PLANS.
5. CITY OF HAYWARD SD-108 CURB RAMPS; A COMBINATION OF CASES C AND F.
6. CITY OF HAYWARD SD-108 A, ALTERNATE A CURB RAMPS AND DRIVEWAY.
7. CITY OF HAYWARD SD-108 CURB RAMP; CASE F.
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10. REFER TO C16 FOR EASEMENTS.

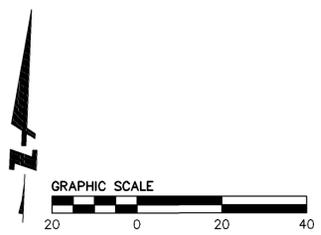
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 PLOT DATE: 08-29-14 PLOTTED BY: aiam





**PROPOSED PRELIMINARY  
EARTHWORK QUANTITIES**  
 CUT: 587 CUBIC YARDS  
 FILL: 5,322 CUBIC YARDS  
 NET, FILL: 4,735 CUBIC YARDS

DRAWING NAME: J:\ENCOA\040060-17\DWG\TM\Plotted Sheets\CB-C9 Proposed Grading Plan.dwg  
 PLOT DATE: 08-29-14 PLOTTED BY: aiam



255 SHORELINE DRIVE, SUITE 200  
 REDWOOD CITY, CA 94065  
 650/482-6300  
 650/482-6399 (FAX)



**EDEN POINTE - VALLEY OAK PARTNERS  
 TENTATIVE TRACT MAP #8172  
 PROPOSED GRADING PLAN-WEST**  
 ALAMEDA COUNTY  
 CALIFORNIA  
 HAYWARD

| Date   | Revisions                                         | No. | Date    |
|--------|---------------------------------------------------|-----|---------|
| 2/4/14 | TENTATIVE TRACT MAP COMMENT REVISIONS             | 1   | 6/10/14 |
|        | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND | 2   | 7/29/14 |
|        | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND | 3   | 8/21/14 |
|        | Approved CH                                       |     |         |
|        | Job No 20040060-17                                |     |         |

Sheet Number: **C8**

255 SHORELINE DRIVE, SUITE 200  
REDWOOD CITY, CA 94065  
650/482-6300  
650/482-6399 (FAX)

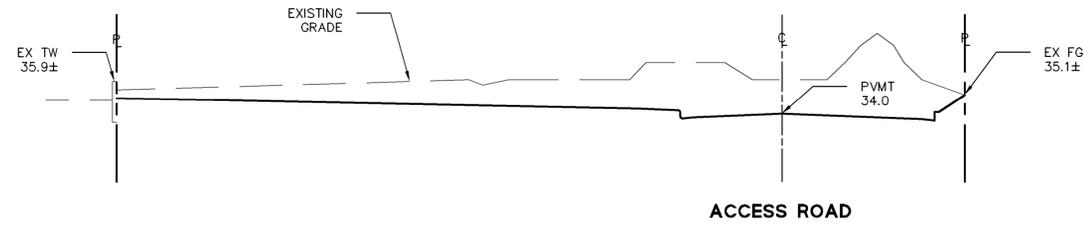
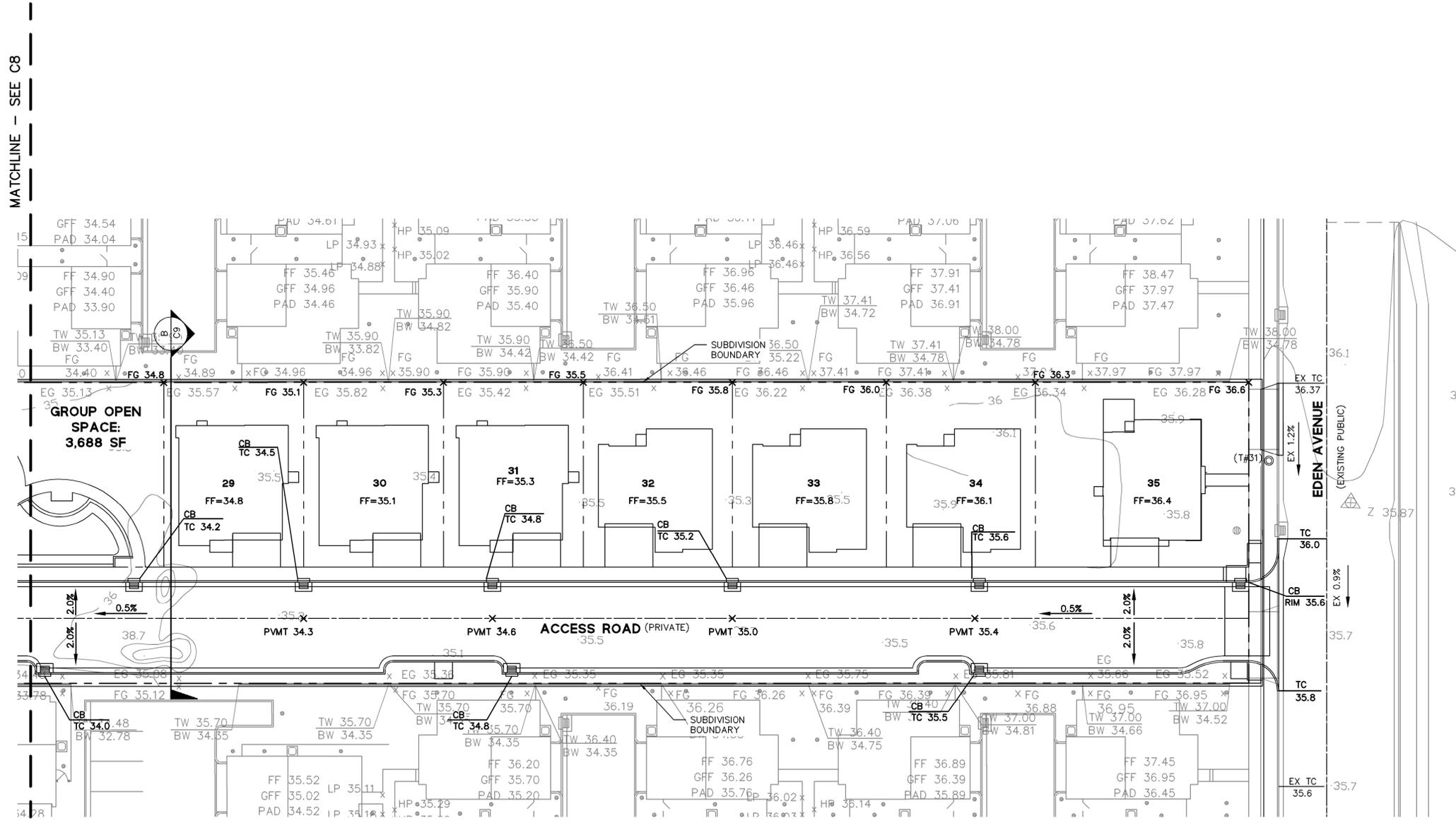


CALIFORNIA

EDEN POINTE - VALLEY OAK PARTNERS  
TENTATIVE TRACT MAP #8172  
PROPOSED GRADING PLAN-EAST

ALAMEDA COUNTY

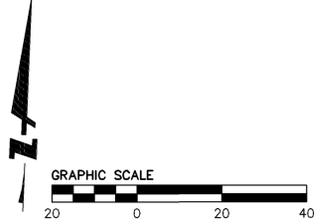
HAYWARD



GRADING SECTION B  
H: 1"=10' V: 1"=5'

**PROPOSED PRELIMINARY  
EARTHWORK QUANTITIES**  
CUT: 587 CUBIC YARDS  
FILL: 5,322 CUBIC YARDS  
NET, FILL: 4,735 CUBIC YARDS

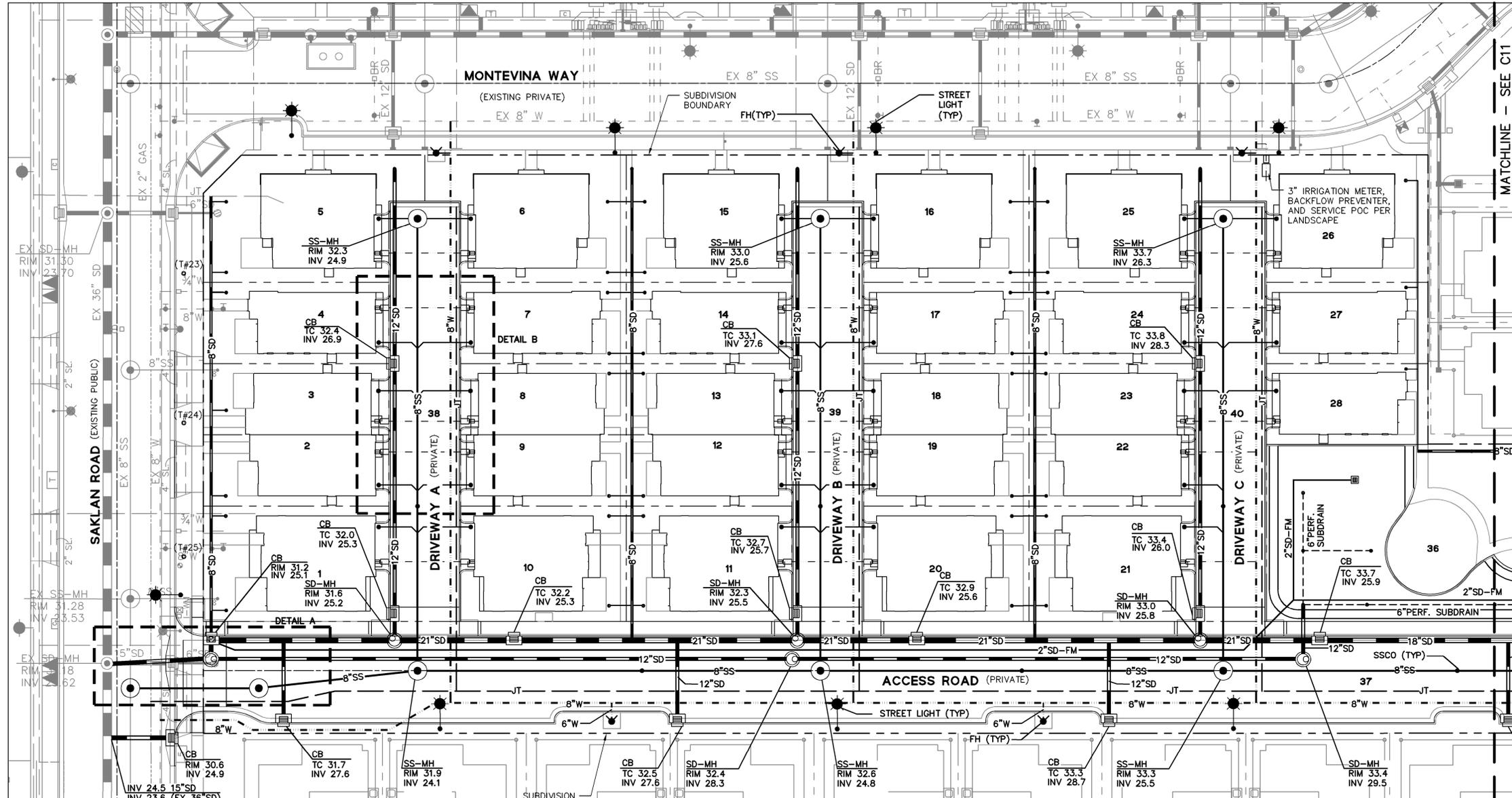
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PLOT DATE: 08-29-14 PLOTTED BY: aiam



| Date    | No. | Revisions                                         |
|---------|-----|---------------------------------------------------|
| 2/4/14  | 1   | TENTATIVE TRACT MAP COMMENT REVISIONS             |
| 7/28/14 | 2   | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND |
| 8/21/14 | 3   | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND |
|         |     | Approved CH                                       |
|         |     | Job No 20040060-17                                |

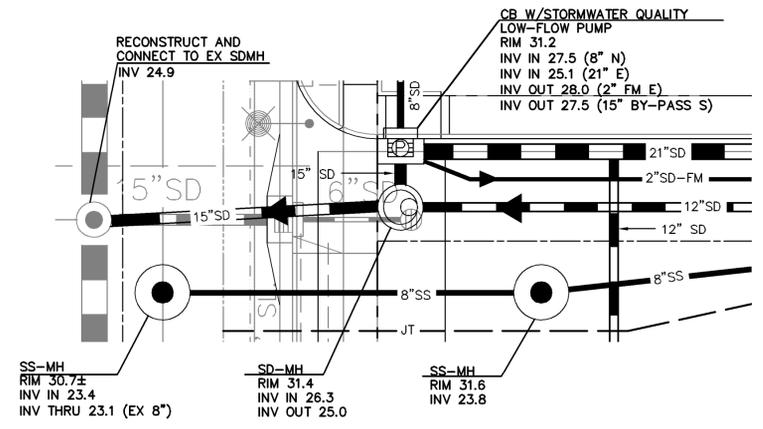
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 PLOT DATE: 08-29-14 PLOTTED BY: aiam

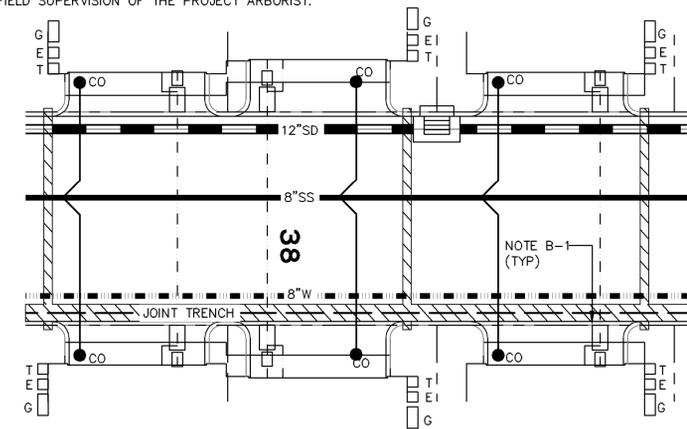


**GENERAL UTILITY NOTES:**

- REFER TO SHEET C16 FOR EASEMENTS.
- ALL TRENCHING WITHIN TREE PROTECTION ZONE SHALL BE DONE UNDER THE FIELD SUPERVISION OF THE PROJECT ARBORIST.



**DETAIL A**  
SCALE: 1"=10'



**NOTES:**

- COMBINED 1.5" FIRE AND 3/4" DOMESTIC WATER SERVICES WITH DUAL BOX PER CITY OF HAYWARD SD-216, SHEET 3 OF 3, DETAIL 2.

**DETAIL B - ROTATED 90 DEGREES CW**  
SCALE: 1"=10'

**EDEN POINTE - VALLEY OAK PARTNERS  
 TENTATIVE TRACT MAP #8172  
 PROPOSED UTILITY PLAN-WEST**

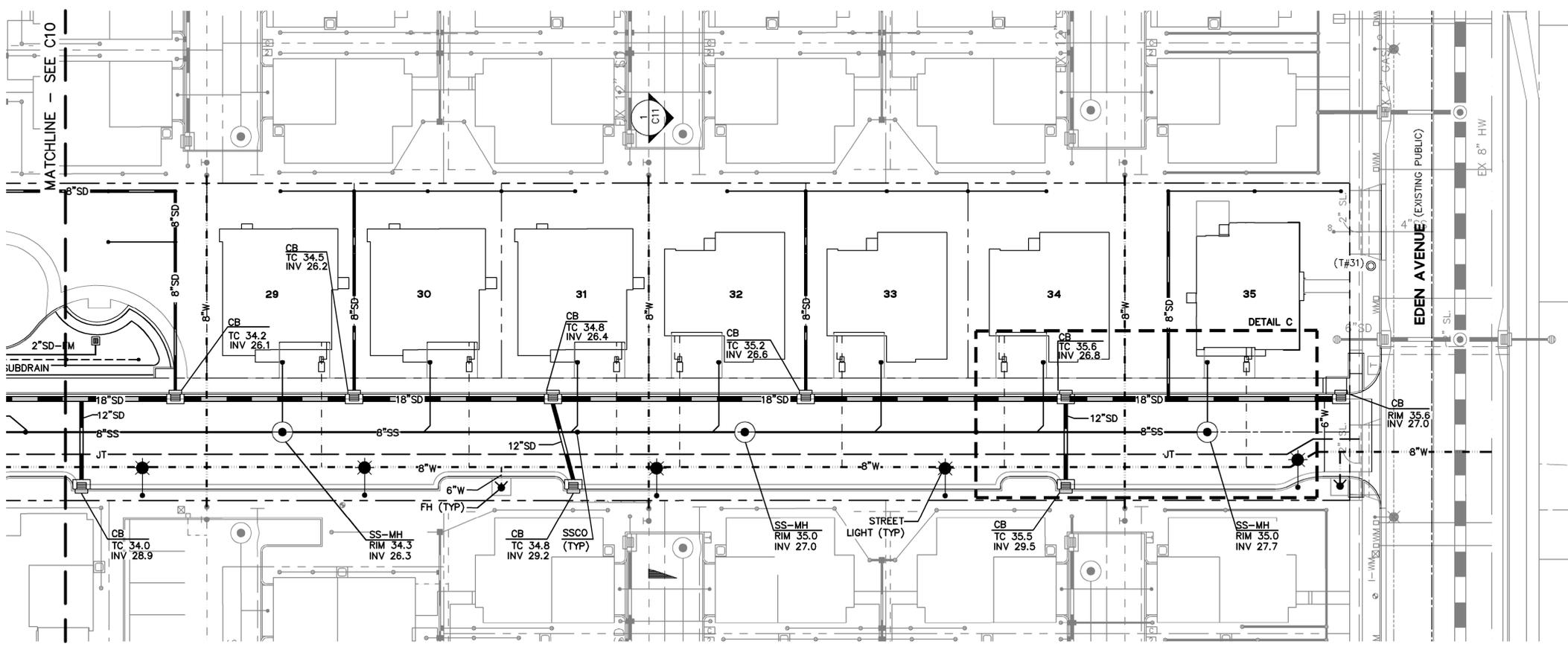
**BKF**  
 ENGINEERS / SURVEYORS / PLANNERS  
 255 SHORELINE DRIVE, SUITE 200  
 REDWOOD CITY, CA 94065  
 650/482-6300  
 650/482-6399 (FAX)

| No. | Revisions                                         | Date    |
|-----|---------------------------------------------------|---------|
| 1   | TENTATIVE TRACT MAP COMMENT REVISIONS             | 6/10/14 |
| 2   | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND | 7/26/14 |
| 3   | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND | 8/21/14 |

Scale: 1"=20'  
 Design: LW  
 Drawn: KM  
 Approved: CH  
 Job No: 20040060-17

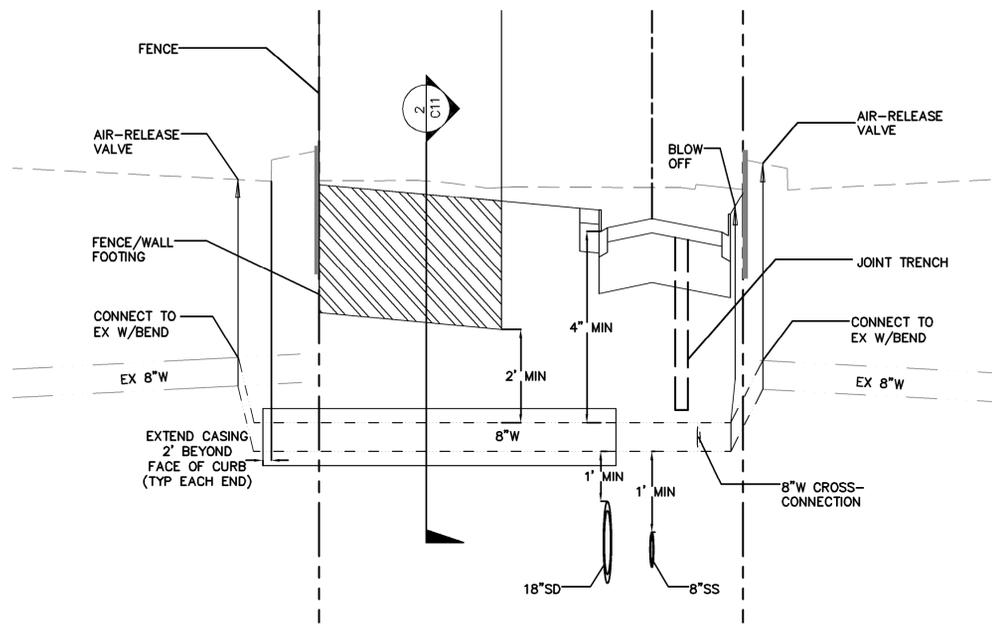
Sheet Number: **C10**

| No. | Date    | Revisions                                         |
|-----|---------|---------------------------------------------------|
| 1   | 1/31/14 | TENTATIVE TRACT MAP COMMENT REVISIONS             |
| 2   | 6/10/14 | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND |
| 3   | 7/29/14 | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND |
|     | 8/21/14 | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND |



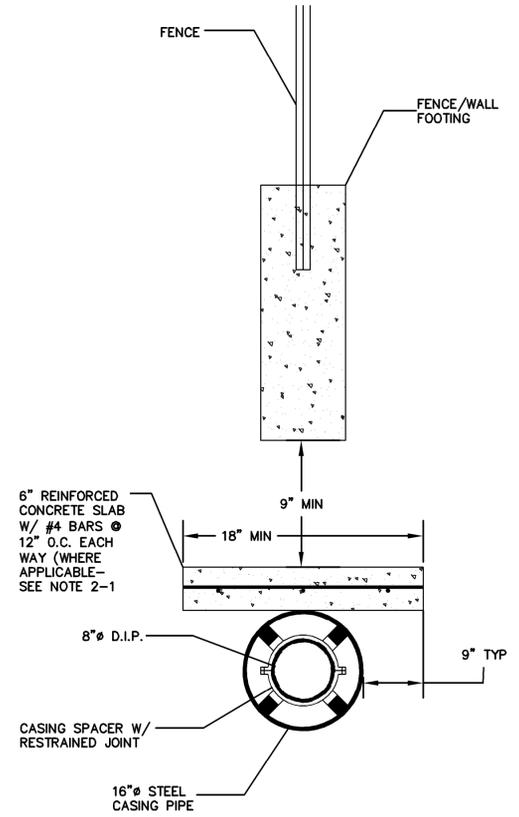
**GENERAL UTILITY NOTES:**

1. REFER TO SHEET C16 FOR EASEMENTS.
2. ALL TRENCHING WITHIN TREE PROTECTION ZONE SHALL BE DONE UNDER THE FIELD SUPERVISION OF THE PROJECT ARBORIST.



**SECTION 1 - TYPICAL 3 LOCATIONS**

SCALE: HORIZONTAL: 1"=20'  
VERTICAL: 1"=2'

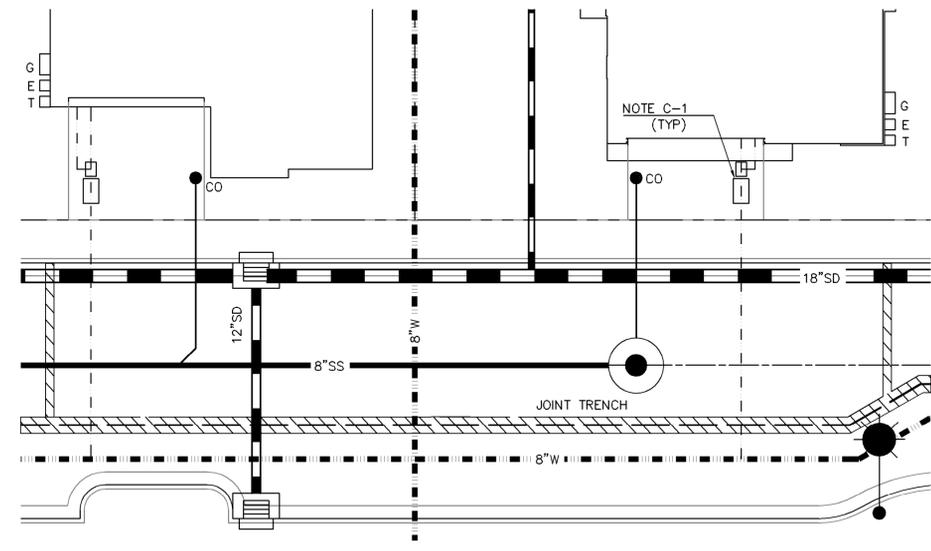


**NOTES:**

1. CONCRETE SLAB IS REQUIRED WHEN 2' MIN CLEARANCE IS NOT AVAILABLE BETWEEN BOTTOM OF FENCE/WALL FOOTING AND TOP OF 8" D.I.P.

**SECTION 2**

SCALE: 1"=1'



**NOTES:**

1. COMBINED 1.5" FIRE AND 3/4" DOMESTIC WATER SERVICES WITH DUAL BOX PER CITY OF HAYWARD SD-218, SHEET 3 OF 3, DETAIL 2.

**DETAIL C**

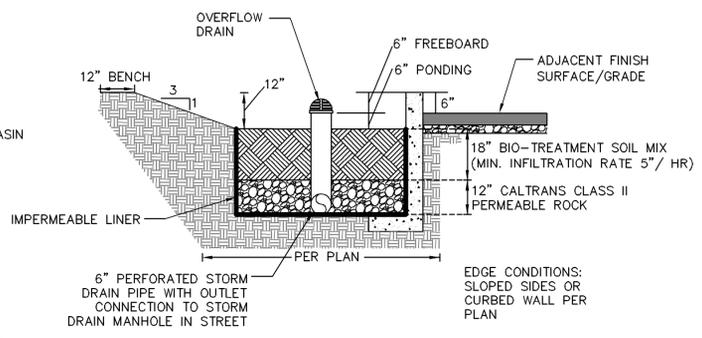
SCALE: 1"=10'

DRAWING NAME: J:\VENCO4\040060-17\DWG\TM\Plotted Sheets\C10-C11 Proposed Utility Plan.dwg  
PLOT DATE: 08-29-14 PLOTTED BY: alam



### LEGEND

- PERVIOUS AREA
- IMPERVIOUS AREA
- STORMWATER TREATMENT BIO-RETENTION AREA
- PROJECT AREA/DRAINAGE MANAGEMENT AREA
- STORM DRAIN MANHOLE
- STORM DRAIN INLET/CATCH BASIN
- OVERFLOW/AREA DRAIN
- FLOW-THROUGH PLANTER POP-UP EMITTER/BUBBLER
- STORM DRAIN FORCE MAIN
- GRAVITY STORM DRAIN
- PERFORATED STORM SUBDRAIN



TYPICAL BIO-RETENTION AREA SECTION  
N.T.S.

### AREA CALCULATIONS

| EXISTING CONDITION    |           |           |                  |
|-----------------------|-----------|-----------|------------------|
| AREA TYPE             | AREA (SF) | AREA (AC) | RUNOFF FACTOR, C |
| ROOF                  | 21,880    | 0.502     | 0.85             |
| CONCRETE              | 9,871     | 0.227     | 0.90             |
| ASPHALT               | 7,305     | 0.168     | 0.85             |
| LANDSCAPE             | 88,991    | 2.043     | 0.20             |
| TOTAL / AVERAGE       | 128,047   | 2.940     | 0.40             |
| TOTAL IMPERVIOUS AREA | 39,056    | 0.897     | 0.86             |

| PROPOSED CONDITION    |           |           |                  |
|-----------------------|-----------|-----------|------------------|
| AREA TYPE             | AREA (SF) | AREA (AC) | RUNOFF FACTOR, C |
| ROOF                  | 40,727    | 0.935     | 0.85             |
| CONCRETE              | 18,540    | 0.426     | 0.90             |
| ASPHALT               | 31,280    | 0.718     | 0.85             |
| LANDSCAPE             | 37,500    | 0.861     | 0.20             |
| TOTAL / AVERAGE       | 128047    | 2.940     | 0.67             |
| TOTAL IMPERVIOUS AREA | 90,547    | 2.079     | 0.86             |

### COMBINATION FLOW AND VOLUME SIZING CALCULATIONS OF BIO-RETENTION AREA

| STEP 1 | MEAN ANNUAL PRECIPITATION (MAP)                                                                                        |      |
|--------|------------------------------------------------------------------------------------------------------------------------|------|
|        | PROJECT SITE MAP (IN):                                                                                                 | 16   |
|        | IF SITE MAP > 16.4, USE SAN JOSE AIRPORT MAP = 14.4. OTHERWISE USE OAKLAND AIRPORT MAP = 18.35. AIRPORT SITE MAP (IN): | 14.4 |
|        | MAP ADJUSTMENT FACTOR:                                                                                                 | 1.11 |

| STEP 2 | PERCENT IMPERVIOUSNESS AND DRAINAGE MANAGEMENT AREA (DMA)                     |        |
|--------|-------------------------------------------------------------------------------|--------|
|        | IMPERVIOUS AREA (SF):                                                         | 90,547 |
|        | 10% OF THE PERVIOUS AREA IS CONSIDERED TO BE CONTRIBUTING PERVIOUS AREA (SF): | 3750   |
|        | EFFECTIVE IMPERVIOUS AREA (SF):                                               | 94,297 |

| STEP 3 | UNIT BASIN STORAGE VOLUME                                                                                                                     |       |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------|-------|
|        | UNIT BASIN DEPTH = 0.56 IN IF USING SAN JOSE AIRPORT GAUGE / MAP; UNIT BASIN DEPTH = 0.67 IN IF USING OAKLAND AIRPORT. UNIT BASIN DEPTH (IN): | 0.56  |
|        | MULTIPLY MAP ADJUSTMENT FACTOR BY UNIT BASIN DEPTH TO OBTAIN ADJUSTED UNIT BASIN DEPTH (IN):                                                  | 0.62  |
|        | USE THE EFFECTIVE IMPERVIOUS AREA AND ADJUSTED UNIT BASIN DEPTH TO DETERMINE THE REQUIRED CAPTURE VOLUME (CF):                                | 4,889 |

| STEP 4 | DURATION OF RAIN EVENT                                                                                                          |      |
|--------|---------------------------------------------------------------------------------------------------------------------------------|------|
|        | USE THE ADJUSTED UNIT BASIN DEPTH AND A CONSTANT RAINFALL INTENSITY OF 0.2 IN/HR TO OBTAIN THE DURATION OF THE RAIN EVENT (HR): | 3.11 |

| STEP 5 | PRELIMINARY ESTIMATE OF THE SURFACE AREA OF THE FACILITY                                                                                                          |       |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
|        | TAKE 4% OF THE EFFECTIVE IMPERVIOUS AREA FOR A PRELIMINARY BIO-RETENTION AREA ESTIMATE (SF):                                                                      | 3,772 |
|        | AS AN INITIAL GUESS, REDUCE THE BIO-RETENTION AREA ESTIMATE BY 30% (SF):                                                                                          | 2640  |
|        | USE THE REDUCED PLANTER AREA ESTIMATE AND A SOIL INFILTRATION RATE OF 5 IN/HR TO CALCULATE THE VOLUME OF RUNOFF THAT FILTERS THROUGH THE BIO-RETENTION SOIL (CF): | 3,422 |

| STEP 6 | SECONDARY ADJUSTMENT OF DEPTH OF SURFACE PONDING AREA                                                                                    |       |
|--------|------------------------------------------------------------------------------------------------------------------------------------------|-------|
|        | SUBTRACT THE FILTERED VOLUME OF RUNOFF FROM THE REQUIRED CAPTURE VOLUME TO CALCULATE THE REMAINING VOLUME TO TREAT (CF):                 | 1,467 |
|        | DIVIDE THE REMAINING TREATMENT VOLUME BY THE REDUCED BIO-RETENTION AREA ESTIMATE TO CALCULATE THE AVERAGE PONDING DEPTH (IN):            | 6.67  |
|        | IS THE AVERAGE PONDING DEPTH BETWEEN 6 AND 12 INCHES? IF YES, USE THE REDUCED BIO-RETENTION AREA ESTIMATE. IF NOT, REPEAT STEPS 5 AND 6. | YES   |

| STEP 7 | OPTIMIZE THE SIZE OF THE TREATMENT MEASURE                                                                                    |              |
|--------|-------------------------------------------------------------------------------------------------------------------------------|--------------|
|        | IS THE BIO-RETENTION AREA AT LEAST 3% OF THE EFFECTIVE IMPERVIOUS AREA? IF YES, PROCEED WITH AREA. IF NO, USE 3% AREA SIZING. | 2.80%        |
|        | 3% BIO-RETENTION AREA SIZING (SF):                                                                                            | <b>2,829</b> |

### PRELIMINARY HYDROMODIFICATION CALCULATIONS

| EXISTING CONDITION BASED ON TIME OF CONCENTRATION OF 12 MINUTES |       |       |       |       |       |
|-----------------------------------------------------------------|-------|-------|-------|-------|-------|
| RECURRENCE INTERVAL (YRS)                                       | 5     | 10    | 15    | 25    | 100   |
| FREQUENCY FACTOR, K                                             | 0.719 | 1.339 | 1.684 | 2.108 | 3.211 |
| RAINFALL INTENSITY, i (IN/HR)                                   | 1.42  | 1.70  | 1.85  | 2.04  | 2.53  |
| PEAK DISCHARGE, Q (CFS)                                         | 1.671 | 1.995 | 2.176 | 2.397 | 2.974 |

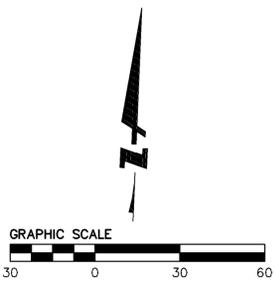
  

| PROPOSED CONDITION BASED ON TIME OF CONCENTRATION OF 10 MINUTES |       |       |       |       |       |
|-----------------------------------------------------------------|-------|-------|-------|-------|-------|
| RECURRENCE INTERVAL (YRS)                                       | 5     | 10    | 15    | 25    | 100   |
| FREQUENCY FACTOR, K                                             | 0.719 | 1.339 | 1.684 | 2.108 | 3.211 |
| RAINFALL INTENSITY, i (IN/HR)                                   | 1.57  | 1.88  | 2.05  | 2.26  | 2.80  |
| PEAK DISCHARGE, Q (CFS)                                         | 3.09  | 3.69  | 4.02  | 4.43  | 5.49  |
| REQUIRED STORAGE, V (CF)                                        | 845   | 1008  | 1100  | 1212  | 1503  |

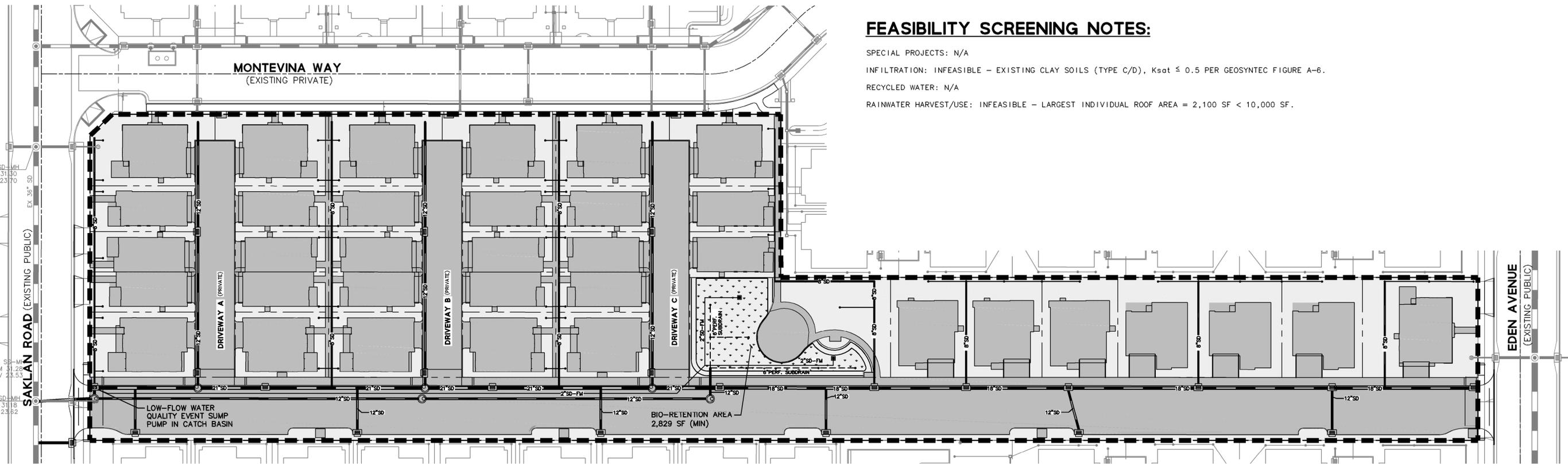
| DETENTION OPTIONS IN OVERSIZED PIPING BASED ON 100-YEAR REQUIRED STORAGE VOLUME |        |        |        |        |        |
|---------------------------------------------------------------------------------|--------|--------|--------|--------|--------|
| DIAMETER, D (IN)                                                                | 12     | 15     | 18     | 21     | 24     |
| AREA, Ap (SF)                                                                   | 0.7854 | 1.2272 | 1.7671 | 2.4053 | 3.1416 |
| REQUIRED LENGTH, L (FT)                                                         | 1914   | 1225   | 851    | 625    | 479    |

\*NOTE: AN ALLOWANCE IS MADE IN THE PIPE CAPACITY FOR FLOW AND STORAGE REQUIREMENTS.



### FEASIBILITY SCREENING NOTES:

SPECIAL PROJECTS: N/A  
 INFILTRATION: INFEASIBLE - EXISTING CLAY SOILS (TYPE C/D), Ksat ≤ 0.5 PER GEOSYNTEC FIGURE A-6.  
 RECYCLED WATER: N/A  
 RAINWATER HARVEST/USE: INFEASIBLE - LARGEST INDIVIDUAL ROOF AREA = 2,100 SF < 10,000 SF.

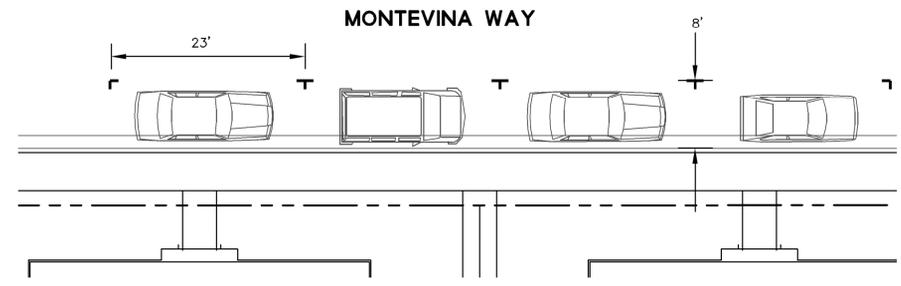
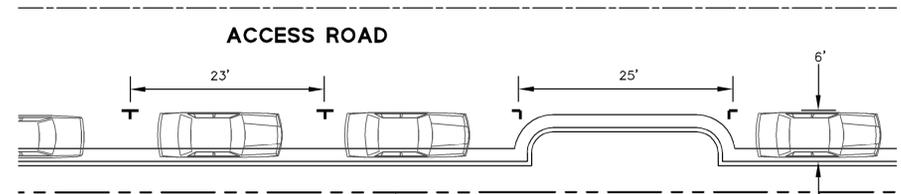
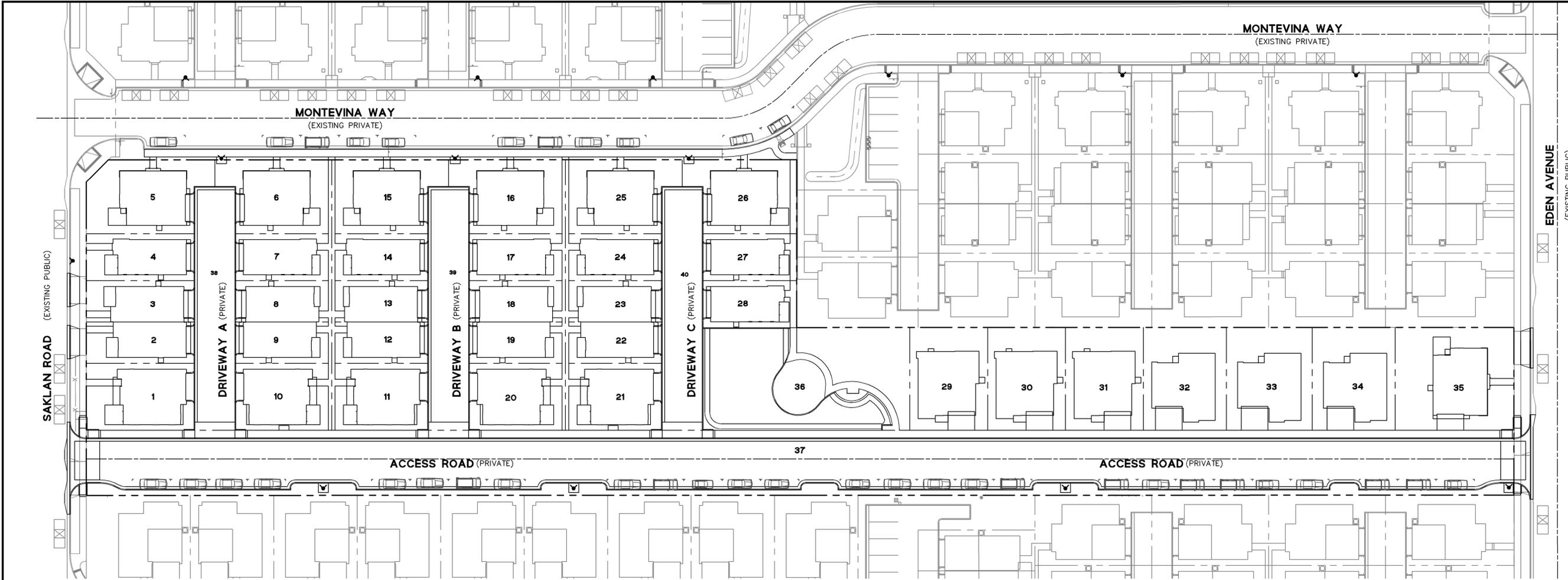


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PLOT DATE: 08-29-14 PLOTTED BY: aiam

| Date    | Revisions                                         | No. |
|---------|---------------------------------------------------|-----|
| 6/10/14 | TENTATIVE TRACT MAP COMMENT REVISIONS             | 1   |
| 7/29/14 | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND | 2   |
| 8/21/14 | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND | 3   |

Scale AS SHOWN  
 Design LW  
 Drawn KM  
 Approved CH  
 Job No 20040060-17

DRAWING NAME: J:\ENCOA\040060-17\DWG\TM\Plotted Sheets\C13 Parking Exhibit.dwg  
 PLOT DATE: 08-29-14 PLOTTED BY: aiam



TYPICAL PARKING STALLS  
 SCALE 1"=10'



**PARKING ANALYSIS**

**PROVIDED PARKING**

GARAGE 35 x 2 = 70  
 MONTEVINA WAY STREET PARKING = 11  
 ACCESS ROAD STREET PARKING = 27  
 TOTAL PARKING SPACES = 108

**LEGEND**

- FIRE HYDRANT LOCATION
- PROPOSED PARKING SPACE (SHOWN OCCUPIED)
- EXISTING PARKING SPACE (SHOWN FOR REFERENCE)

| Date | 2/4/14                                            | No.     | Revisions |
|------|---------------------------------------------------|---------|-----------|
| 1    | TENTATIVE TRACT MAP COMMENT REVISIONS             | 6/10/14 |           |
| 2    | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND | 7/28/14 |           |
| 3    | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND | 8/21/14 |           |

Approved C.H. [Signature]  
 Job No 20040060-17

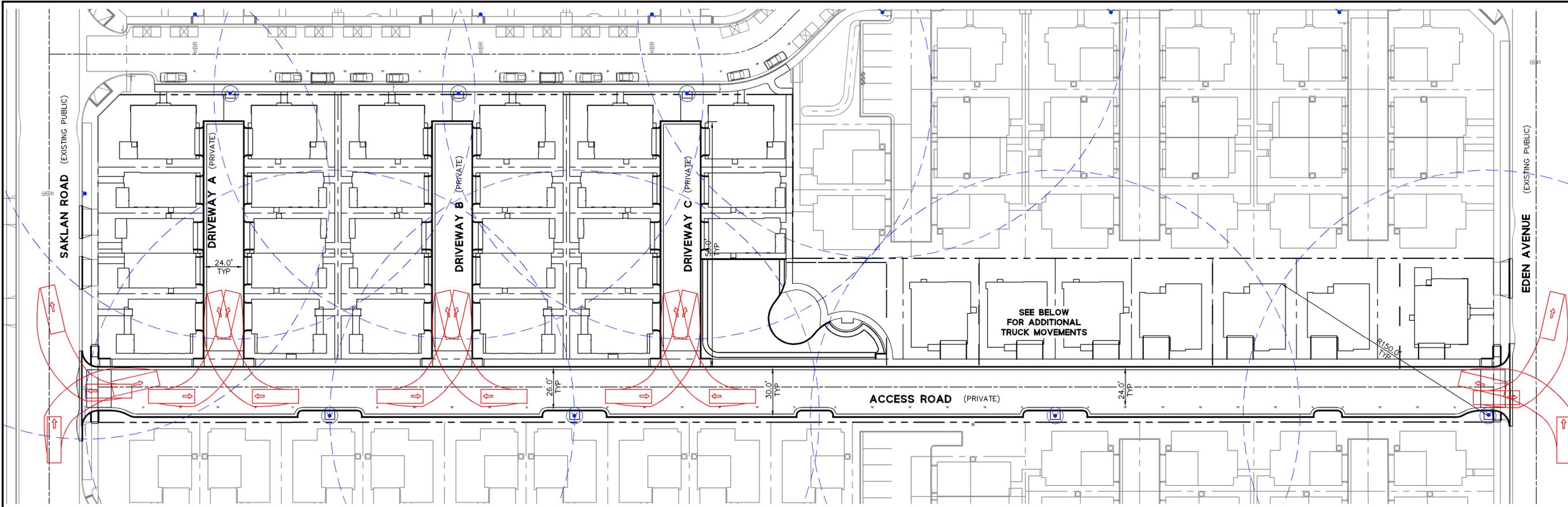
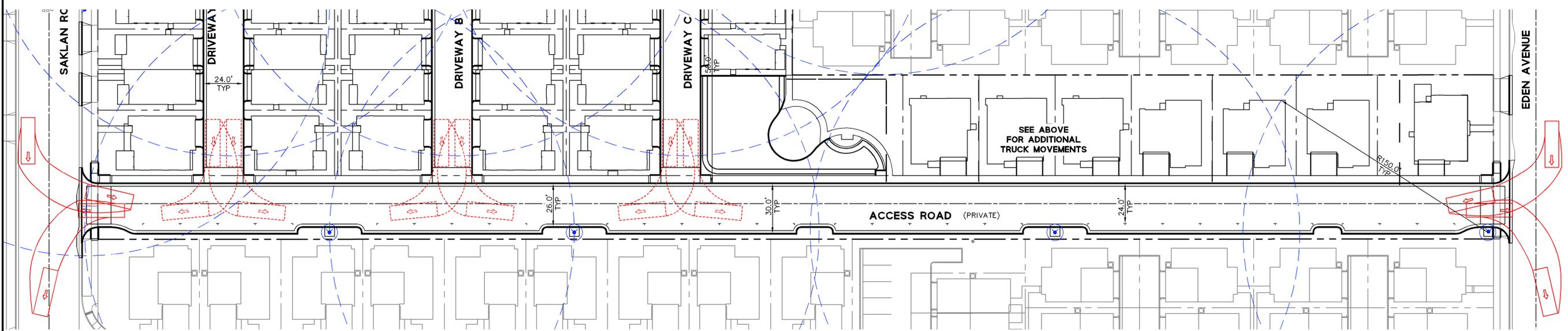
Sheet Number: **C13**

**EDEN POINTE - VALLEY OAK PARTNERS**  
**TENTATIVE TRACT MAP #8172**  
**PARKING EXHIBIT**  
 ALAMEDA COUNTY  
 HAYWARD  
 CALIFORNIA



255 SHORELINE DRIVE, SUITE 200  
 REDWOOD CITY, CA 94065  
 650/482-6300  
 650/482-6399 (FAX)

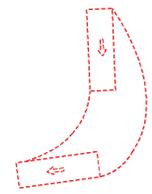
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 PLOT DATE: 08-29-14 PLOTTED BY: aiam



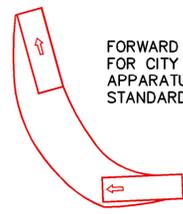
**NOTES:**

- CITY OF HAYWARD ORDINANCE 10-14, APPENDIX C, TABLE C105.1 REQUIRES FOR MEDIUM DENSITY RESIDENTIAL A 150' MAXIMUM DISTANCE FROM A HYDRANT TO ANY POINT ON STREET FRONTAGE.

**LEGEND**



BACKWARD TURNING MOVEMENT FOR CITY OF HAYWARD FIRE APPARATUS TURNING PER STANDARD CITY TEMPLATE



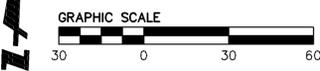
FORWARD TURNING MOVEMENT FOR CITY OF HAYWARD FIRE APPARATUS TURNING PER STANDARD CITY TEMPLATE



PROPOSED FIRE HYDRANT



EXISTING FIRE HYDRANT



| No. | Revisions                                         | Date    |
|-----|---------------------------------------------------|---------|
| 1   | TENTATIVE TRACT MAP COMMENT REVISIONS             | 6/10/14 |
| 2   | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND | 7/29/14 |
| 3   | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND | 8/21/14 |

Date: 2/4/14  
 Scale: 1"=30'  
 Design: LW  
 Drawn: KM  
 Approved: CH  
 Job No: 20040060-17

Sheet Number: **C14**

**EDEN POINTE - VALLEY OAK PARTNERS  
 TENTATIVE TRACT MAP #8172  
 FIRE ACCESS AND SERVICES EXHIBIT**

HAYWARD ALAMEDA COUNTY CALIFORNIA



255 SHORELINE DRIVE, SUITE 200  
 REDWOOD CITY, CA 94065  
 650/482-6300  
 650/482-6399 (FAX)

### ABBREVIATIONS

| SYMBOL   | DESCRIPTION                       | SYMBOL   | DESCRIPTION              |
|----------|-----------------------------------|----------|--------------------------|
| AB       | AGGREGATE BASE                    | G        | GAS                      |
| AC       | ASPHALT CONCRETE                  | GB       | GRADE BREAK              |
| AD       | AREA DRAIN                        | GE       | GARAGE ELEVATION         |
| APPROX   | APPROXIMATE                       | OFF      | GROUND FINISH FLOOR      |
| BLDG     | BUILDING                          | GND      | GROUND                   |
| BM       | BENCH MARK                        | GV       | GATE VALVE               |
| BO       | BLOWOFF                           | HC       | HANDICAPPED              |
| BW       | BACK OF WALK                      | HCR      | HANDICAPPED RAMP         |
| CV       | CABLE TELEVISION                  | HP       | HIGH POINT               |
| CB       | CATCH BASIN                       | HW       | HAYWARD WATER SERVICE    |
| CDS      | CDS TECHNOLOGIES, INC             | INV, I   | INVERT                   |
| C&G      | CURB & GUTTER                     | IRR      | IRRIGATION               |
| CI       | CURB INLET                        | JP       | JUNCTION POLE            |
| CL       | CENTERLINE                        | JT       | JOINT TRENCH             |
| CO       | HOUSE CLEANOUT                    | L        | LENGTH                   |
| COR      | CORNER                            | LF       | LINEAR FEET              |
| CONC     | CONCRETE                          | LG       | LIP OF GUTTER            |
| DI       | DROP INLET, DUCTILE IRON          | LP       | LOW POINT                |
| D/W, DWY | DRIVEWAY                          | L/S      | LANDSCAPE                |
| E        | EAST, ELECTRIC                    | LT       | LEFT                     |
| EA       | EACH                              | MAX      | MAXIMUM                  |
| EVAE     | EMERGENCY VEHICLE ACCESS EASEMENT | MH       | MANHOLE                  |
| EB       | ELECTRICAL BOX                    | MIN      | MINIMUM                  |
| EG       | EXISTING GRADE                    | MON      | MONUMENT                 |
| EL       | ELEVATION                         | MW       | MOHRLAND WATER SERVICE   |
| EP       | EDGE OF PAVEMENT                  | N        | NORTH                    |
| ESMT     | EASEMENT                          | NO, #    | NUMBER                   |
| ETW      | EDGE OF TRAVELED WAY              | NTS      | NOT TO SCALE             |
| EUC      | EUCALYPTUS                        | OC       | ON CENTER                |
| EX       | EXISTING                          | PAE      | PUBLIC ACCESS EASEMENT   |
| EXP      | EXPOSED                           | PCC      | PORTLAND CEMENT CONCRETE |
| EX       | EXPOSED                           | PG&E     | PACIFIC GAS AND ELECTRIC |
| FC       | FACE OF CURB                      | POC      | POINT OF CONNECTION      |
| FF       | FINISHED FLOOR ELEVATION          | PROP, PR | PROPOSED                 |
| FG       | FINISHED GRADE                    | PT       | POINT                    |
| FH       | FIRE HYDRANT                      | PUE      | PUBLIC UTILITY EASEMENT  |
| FL       | FLOW LINE                         | PVMT     | PAVEMENT                 |
| FP       | FINISHED PAVEMENT                 | R        | RADIUS                   |
| FT       | FEET                              | RCP      | REINFORCED CONCRETE PIPE |

### LEGEND

| SYMBOL | DESCRIPTION                   | DESCRIPTION                   | PROPOSED |
|--------|-------------------------------|-------------------------------|----------|
| ---    | SUBDIVISION BOUNDARY          | SANITARY SEWER                | SS       |
| ---    | CONTOUR LINE                  | WATER MAIN                    | W        |
| ---    | STORM DRAIN MAIN              | JOINT TRENCH                  | JT       |
| ○      | MANHOLE                       | FIRE HYDRANT                  | ▼        |
| ○      | FIRE HYDRANT                  | EXISTING TREE TO BE PROTECTED | (T#23)   |
| □      | DROP INLET                    |                               |          |
| ○      | STREET LIGHT                  |                               |          |
| ○      | GAS VALVE                     |                               |          |
| ○      | WATER VALVE                   |                               |          |
| ○      | BLOW OFF VALVE                |                               |          |
| ○      | STORM DRAIN MANHOLE           |                               |          |
| ○      | STORM DRAIN INLET/CATCH BASIN |                               |          |
| ○      | OVERFLOW/AREA DRAIN           |                               |          |
| ○      | FLOW-THROUGH PLANTER          |                               |          |
| ○      | POP-UP EMITTER/BUBBLER        |                               |          |
| ---    | STORM DRAIN FORCE MAIN        |                               |          |
| ---    | PERFORATED STORM SUBDRAIN     |                               |          |

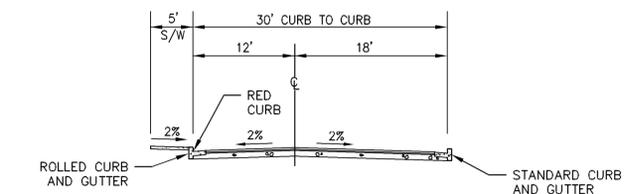
### PAVEMENT DESIGN CHART

| DESIGN TRAFFIC INDEX | ASPHALT CONCRETE TYPE B (IN) | AGGREGATE BASE CLASS II (IN) | TOTAL THICKNESS (IN) |
|----------------------|------------------------------|------------------------------|----------------------|
| 5.0                  | 3.0                          | 12.0                         | 15.0                 |
| 6.0                  | 4.0                          | 14.0                         | 18.0                 |

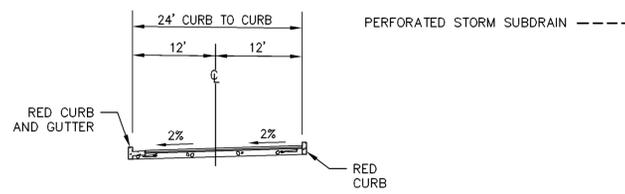
• Aggregate Base R-Value=78  
 \*\* Aggregate Subbase R-Value=50

### TREE PROTECTION MEASURES

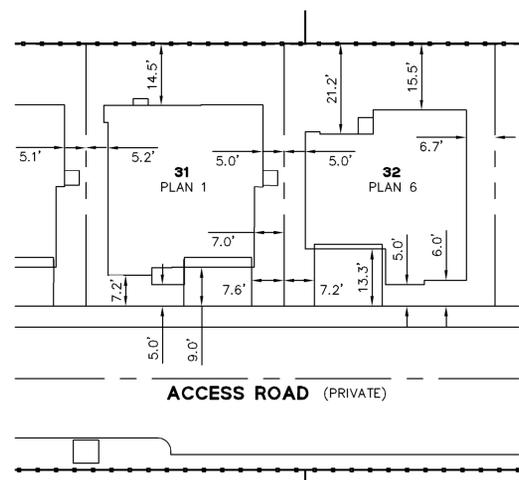
- BEFORE DEMOLITION, GRADING, AND CONSTRUCTION**
- TREE PROTECTIVE FENCING SHALL BE ESTABLISHED TO RESTRICT ACCESS WITHIN TPZS AND SHOULD CONSIST OF SIX-FOOT HIGH CHAIN LINK MOUNTED ON TWO-INCH DIAMETER STEEL POSTS THAT ARE DRIVEN INTO THE GROUND 24 INCHES DEEP. AN ALTERNATE FENCING TYPE INCLUDES FIVE- TO SIX-FOOT TALL CHAIN LINK PANELS MOUNTED ON METAL STANDS OR CONCRETE BLOCKS, AND THE PANELS SECURED TOGETHER. WHERE APPROPRIATE, PERIMETER FENCING CAN DOUBLE AS TREE FENCING.
  - THE STAGING AREA AND ROUTES OF ACCESS SHOULD BE ESTABLISHED BEYOND TPZS.
  - A FOUR- TO FIVE-INCH LAYER OF COARSE WOOD CHIPS (1/4 TO 3/4 INCH IN SIZE) SHOULD BE MANUALLY SPREAD ON EXPOSED GROUND BENEATH TREE CANOPIES (BUT NOT PILED AGAINST A TREE'S TRUNK); THE CHIPS SHOULD REMAIN THROUGHOUT CONSTRUCTION.
  - SUPPLEMENTAL WATER FOR RETAINED TREES SHOULD BEGIN PRIOR TO DEMOLITION AND CONTINUE THROUGHOUT CONSTRUCTION. IT SHOULD BE SUPPLIED EVERY THREE WEEKS BY EITHER SOAKER HOSES OR FILLING A BASIN FORMED BY A 12-INCH HIGH BERM AROUND A TPZ OR FARTHER. THE RATE SHOULD BE ROUGHLY FIVE GALLONS PER INCH OF TRUNK DIAMETER.
- AFTER DEMOLITION, GRADING, AND CONSTRUCTION**
- DURING DEMOLITION, GREAT CARE MUST BE TAKEN DURING REMOVAL OF EXISTING FEATURES TO AVOID EXCAVATING THE GROUND AND LARGE ROOTS WITHIN A TPZ. REMOVAL OF EXISTING BASE MATERIAL WITHIN THE TPZ OF #31 SHOULD BE CAREFULLY PERFORMED TO AVOID EXCAVATING ROOTS DURING THE PROCESS (OR THOSE ROOTS REVIEWED WITH ME BEFOREHAND).
  - THE FUTURE SIDEWALK (INCLUDING BASE MATERIAL, EDGING AND FORMS) WITHIN THE TPZ OF #31 SHOULD RETAIN ROOTS TWO INCHES AND GREATER IN DIAMETER, OR SHOULD THEIR REMOVAL, REVIEWED WITH ARBOR RESOURCES BEFOREHAND.
  - ANY REQUIRED DIGGING AND TRENCHING WITHIN A TPZ SHOULD BE REVIEWED ONSITE WITH ARBOR RESOURCES BEFOREHAND, AND MANUALLY PERFORMED TO ALLOW RETENTION OF SIZEABLE ROOTS, ONE-INCH AND GREATER IN DIAMETER FOR TREES #23 THRU 25, AND TWO INCHES AND GREATER IN DIAMETER FOR #31. ROOTS LESS THAN THOSE DIAMETERS CAN BE CLEANLY SEVERED AT A 90-DEGREE ANGLE TO THE DIRECTION OF ROOT GROWTH AT THE CUT LINE, AND BY USING SHARP CUTTING TOOLS.
  - SPOILS CREATED DURING APPROVED DIGGING MUST NOT BE PILED OR SPREAD WITHIN A TPZ; IF NECESSARY, THEY CAN BE TEMPORARILY PILED ON PLYWOOD OR A TARP.
  - TREE TRUNKS MUST NOT BE USED AS WINCH SUPPORTS FOR MOVING OR LIFTING HEAVY LOADS.
  - DIGGING HOLES FOR ANY POSTS OR BOLLARDS WITHIN A TPZ SHOULD BE MANUALLY PERFORMED USING A POST-HOLE DIGGER OR SHOVEL, AND IN THE EVENT A ROOT OF TWO INCHES AND GREATER IN DIAMETER IS ENCOUNTERED DURING THE PROCESS, THE HOLE SHOULD BE SHIFTED OVER BY 12 INCHES AND THE PROCESS REPEATED.
  - TREE PRUNING IS ANTICIPATED FOR THE WESTERN EDGE OF #31'S CANOPY TO ACHIEVE CLEARANCE FOR CONSTRUCTING THE HOME ON LOT 35. THE WORK SHALL BE PERFORMED BY A CALIFORNIA STATE-LICENSED TREE SERVICE COMPANY (D-49 CLASSIFICATION) THAT HAS AN ISA (INTERNATIONAL SOCIETY OF ARBORICULTURE) CERTIFIED ARBORIST IN A SUPERVISORY ROLE, CARRIES GENERAL LIABILITY AND WORKER'S COMPENSATION INSURANCE, AND ABIDES BY IN ACCORDANCE WITH ANSI A300-2001 (PRUNING) AND ANSI Z133.1-2006 (SAFETY OPERATIONS) STANDARDS.
  - GREAT CARE MUST BE TAKEN BY EQUIPMENT OPERATORS TO POSITION THEIR EQUIPMENT TO AVOID THE TRUNKS AND BRANCHES OF TREES, INCLUDING EXHAUST THAT CAN SCORCH FOLIAGE.
  - DUST ACCUMULATING ON TRUNKS AND CANOPIES DURING DRY WEATHER PERIODS MAY REQUIRE BEING PERIODICALLY WASHED AWAY (E.G. EVERY THREE TO FOUR MONTHS).
  - THE DISPOSAL OF HARMFUL PRODUCTS (SUCH AS CEMENT, PAINT, CHEMICALS, OIL AND GASOLINE) IS PROHIBITED BENEATH CANOPIES OR ANYWHERE ON SITE THAT ALLOWS DRAINAGE BENEATH OR NEAR TPZS. HERBICIDES SHOULD NOT BE USED WITHIN A TPZ; WHERE USED ON SITE, THEY SHOULD BE LABELED FOR SAFE USE NEAR TREES.



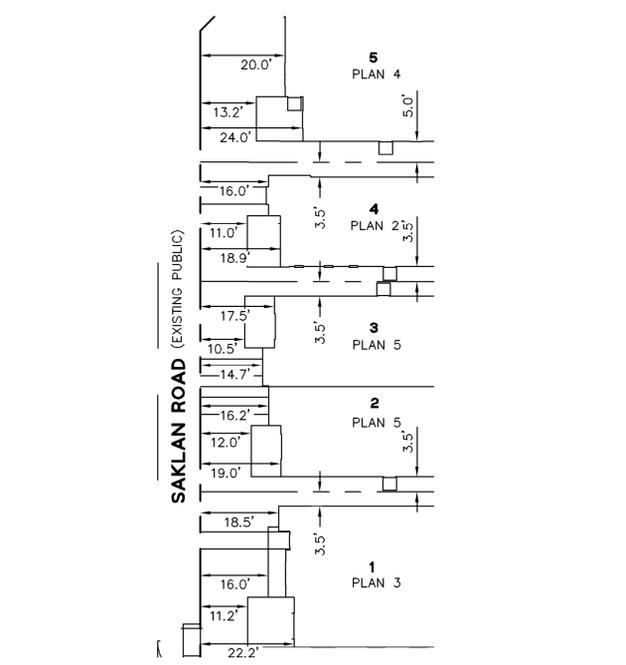
NOTE: T1=6.0  
**1 PRIVATE ROAD WITH PARKING ON ONE SIDE**  
 SCALE: 1"=10'



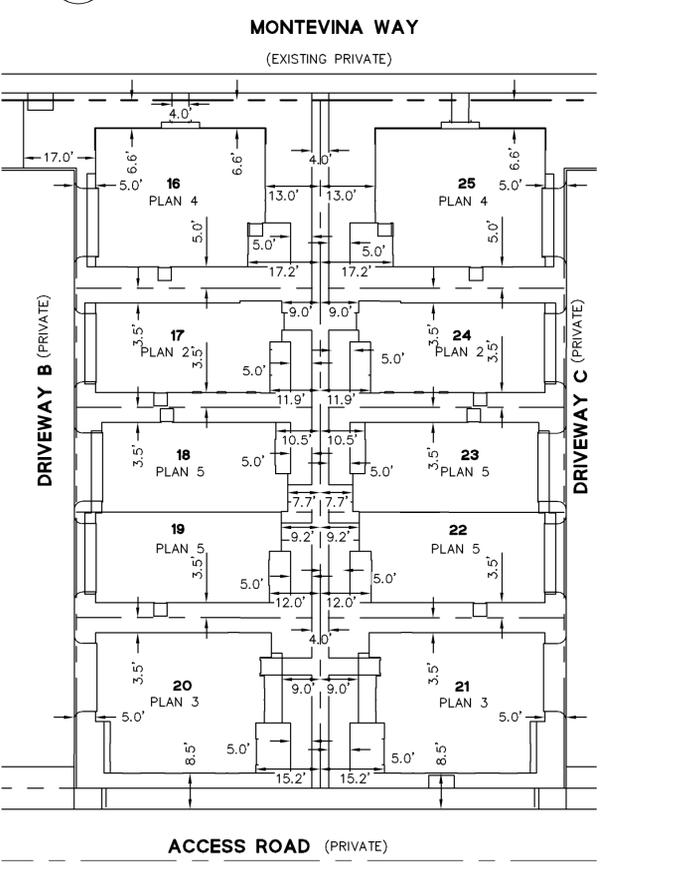
NOTE: T1=5.0  
**2 PRIVATE DRIVE WITHOUT PARKING**  
 SCALE: 1"=10'



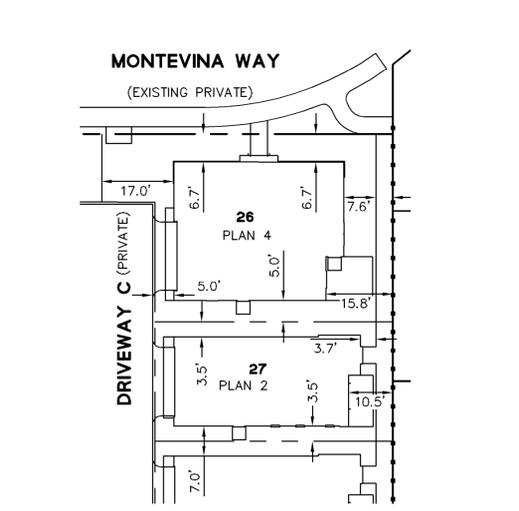
**6 SETBACK DETAIL**  
 SCALE: 1"=20'



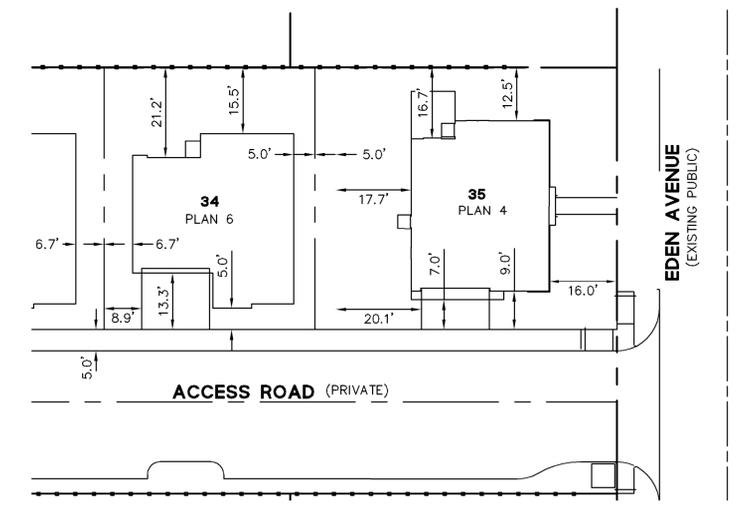
**3 SETBACK DETAIL**  
 SCALE: 1"=20'



**4 SETBACK DETAIL**  
 SCALE: 1"=20'



**5 SETBACK DETAIL**  
 SCALE: 1"=20'



**7 SETBACK DETAIL**  
 SCALE: 1"=20'

DRAWING NAME: J:\VENCOA\040060-17\DWG\TMA\Plotted Sheets\C15 Notes and Details.dwg  
 PLOT DATE: 08-29-14 PLOTTED BY: aiam

255 SHORELINE DRIVE, SUITE 200  
 REDWOOD CITY, CA 94065  
 650/482-6300  
 650/482-6399 (FAX)

**BKF**  
 ENGINEERS / SURVEYORS / PLANNERS

**EDEN POINTE - VALLEY OAK PARTNERS**  
 TENTATIVE TRACT MAP #8172  
 NOTES AND DETAILS

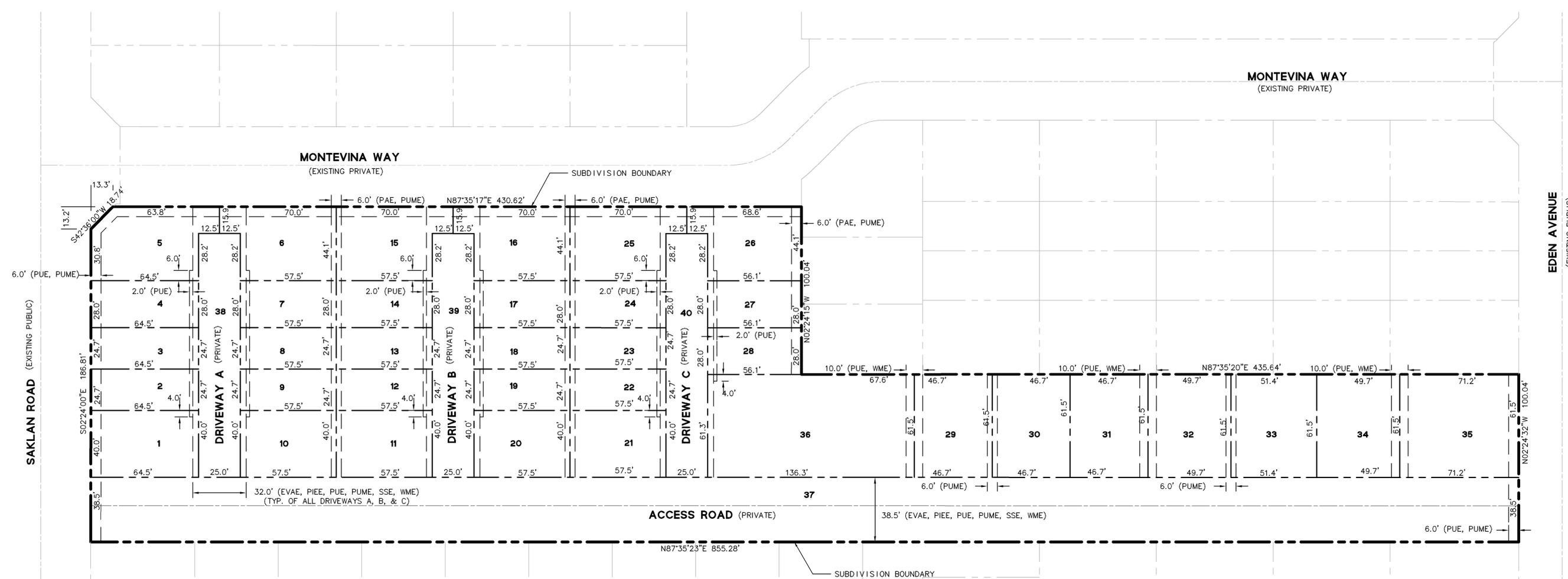
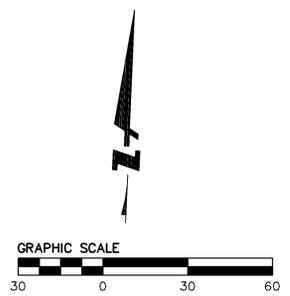
CALIFORNIA  
 ALAMEDA COUNTY  
 HAYWARD

| Date    | Revisions                                         | No. |
|---------|---------------------------------------------------|-----|
| 6/10/14 | TENTATIVE TRACT MAP COMMENT REVISIONS             | 1   |
| 7/28/14 | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND | 2   |
| 8/21/14 | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND | 3   |

Scale AS SHOWN  
 Design LW  
 Drawn KM  
 Approved CH  
 Job No 20040060-17

Sheet Number: **C15**

DRAWING NAME: J:\ENGR04\040060-17\DWG\TMA\Plotted Sheets\C16 Tentative Map Intent.dwg  
 PLOT DATE: 08-29-14 PLOTTED BY: aiam



**PROPOSED LAND USE**

- 35 RESIDENTIAL LOTS
- 1 PARCEL FOR GROUP OPEN SPACE AND STORMWATER TREATMENT (LOT #36)
- 1 PARCEL FOR PROPOSED PRIVATE ACCESS ROAD (LOT #37)
- 3 PARCELS FOR PRIVATE DRIVEWAYS/COURTS A (LOT #38), B (LOT #39), AND C (LOT #40).

**ABBREVIATIONS**

- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PAE PEDESTRIAN ACCESS EASEMENT
- PIEE PRIVATE INGRESS EGRESS EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PUME PRIVATE UTILITY AND MAINTENANCE EASEMENT
- SSE SANITARY SEWER EASEMENT
- WME WATER MAIN EASEMENT

**BASIS OF BEARING**

THE BEARING SOUTH 2°24'00" EAST ALONG THE EASTERLY LINE OF SAKLAN ROAD AS SHOWN ON THAT CERTAIN MAP ENTITLED "GARDEN OF EDEN", RECORDED ON MAY 22, 1926 IN BOOK 3 OF MAPS AT PAGE 84, ALAMEDA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS SURVEY.

**LEGEND**

- SUBDIVISION BOUNDARY
- - - PARCEL/LOT BOUNDARY
- - - EASEMENT
- - - CENTERLINE
- 22** PARCEL/LOT NUMBER

**EDEN POINTE - VALLEY OAK PARTNERS**  
**TENTATIVE TRACT MAP #8172**  
**TENTATIVE MAP INTENT**

ALAMEDA COUNTY  
 HAYWARD

**BKF**  
 ENGINEERS / SURVEYORS / PLANNERS

255 SHORELINE DRIVE, SUITE 200  
 REDWOOD CITY, CA 94065  
 650/482-6300  
 650/482-6399 (FAX)

| Date      | No. | Revisions                                         | Date    |
|-----------|-----|---------------------------------------------------|---------|
| 7/18/2014 | 1   | TENTATIVE TRACT MAP COMMENT REVISIONS             | 6/10/14 |
|           | 2   | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND | 7/29/14 |
|           | 3   | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND | 8/21/14 |

Scale: 1"=30'  
 Design: LM  
 Drawn: KCC  
 Approved: CH  
 Job No: 20040060-17

C16

## LANDSCAPE CONCEPT STATEMENT

THE LANDSCAPE PLANTING CONCEPT PROVIDES A SMOOTH TRANSITION BETWEEN EDEN POINTE AND THE ADJACENT EXISTING PROJECT BY MATCHING STREET TREE VARIETIES AND SHRUB PLANT PALETTE ALONG MONTEVINA WAY AND SAKLAN ROAD. PLANTING FOR THIS DEVELOPMENT CONSIDERS THE REGIONAL CLIMATE, SOLAR ORIENTATION AND EXISTING SOIL CONDITIONS.

THE PROPOSED LANDSCAPE COMPLEMENTS THE ARCHITECTURAL STYLE BY FRAMING THE RESIDENTIAL ENTRIES WITH VERTICAL ACCENT TREES, PROVIDING FLOWERING ACCENT TREES ALONG THE ALLEY DRIVEWAY AND USING THE APPROPRIATE SCALE PLANT MATERIAL IN SHRUB AREAS. DROUGHT TOLERANT PLANT MATERIAL WITH VARIOUS TEXTURE, FORM, FOLIAGE COLOR AND SEASONAL COLOR IS PROPOSED.

THE PARK PROVIDES OPEN GREEN SPACE, A TOT LOT, BENCHES, MEANDERING WALK AND SHADE TREES. BUFFER PLANTING PROVIDES PRIVACY BETWEEN HOMES AND THE PARK.

THE MAIN DRIVEWAY PROVIDES 'BUMP-OUTS' FOR SHADE TREES AND ACCENT SHRUBS BELOW. ALONG THE EXISTING FENCE, VERTICAL SCREENING TREES SHRUBS AND GROUNDCOVERS ARE PROPOSED. ALSO, ALONG THIS DRIVEWAY THE PROPOSED LIGHT POLES ARE COORDINATED WITH THE TREE LAYOUT TO AVOID CONFLICTS.

THE FUTURE LANDSCAPE DESIGN SHOULD CONFORM TO THE FOLLOWING:  
 a. TILLING, RIPPING AND COMPACTION WITHIN TPZs SHOULD BE AVOIDED  
 b. BENDER BOARD OR OTHER EDGING MATERIAL PROPOSED BENEATH THE CANOPIES SHOULD BE ESTABLISHED ON TOP OF EXISTING SOIL GRADE (SUCH AS BY USING VERTICAL STAKES).

## PROPOSED TREE PALETTE

| SYMBOL                          | BOTANICAL NAME               | COMMON NAME          | WATER USE | SIZE    | QTY |
|---------------------------------|------------------------------|----------------------|-----------|---------|-----|
| <b>TREES</b>                    |                              |                      |           |         |     |
|                                 | ACER R. 'RED SUNSET'         | RED SUNSET MAPLE     | M         | 24" BOX | 14  |
|                                 | LAGERSTROEMIA I. 'TUSCARORA' | CRAPE MYRTLE - PINK  | L         | 24" BOX | 40  |
|                                 | LAGERSTROEMIA I. 'NATCHEZ'   | CRAPE MYRTLE - WHITE | L         | 24" BOX | 40  |
|                                 | PISTACHIA CHINENSIS          | CHINESE PISTACHE     | L         | 36" BOX | 4   |
|                                 | PRUNUS C. 'KRATER VESUVIUS'  | PURPLE LEAF PLUM     | L         | 24" BOX | 13  |
|                                 | PYRUS C. 'CAPITAL'           | FLOWERING PEAR       | M         | 24" BOX | 57  |
|                                 | TRISTANOPSIS LARUNIA         | SWAMP MYRTLE         | M         | 24" BOX | 57  |
|                                 | TILDA C. 'GREENSPIRE'        | GREENSPIRE LINDEN    | M         | 24" BOX | 14  |
| <b>EXISTING TREES TO REMAIN</b> |                              |                      |           |         |     |
|                                 | QUERCUS VIRGINIANA           | SOUTHERN LIVE OAK    | L         | -       | 3   |
|                                 | PLATANUS ACERIFOLIA          | LONDON PLANE TREE    | M         | -       | 2   |

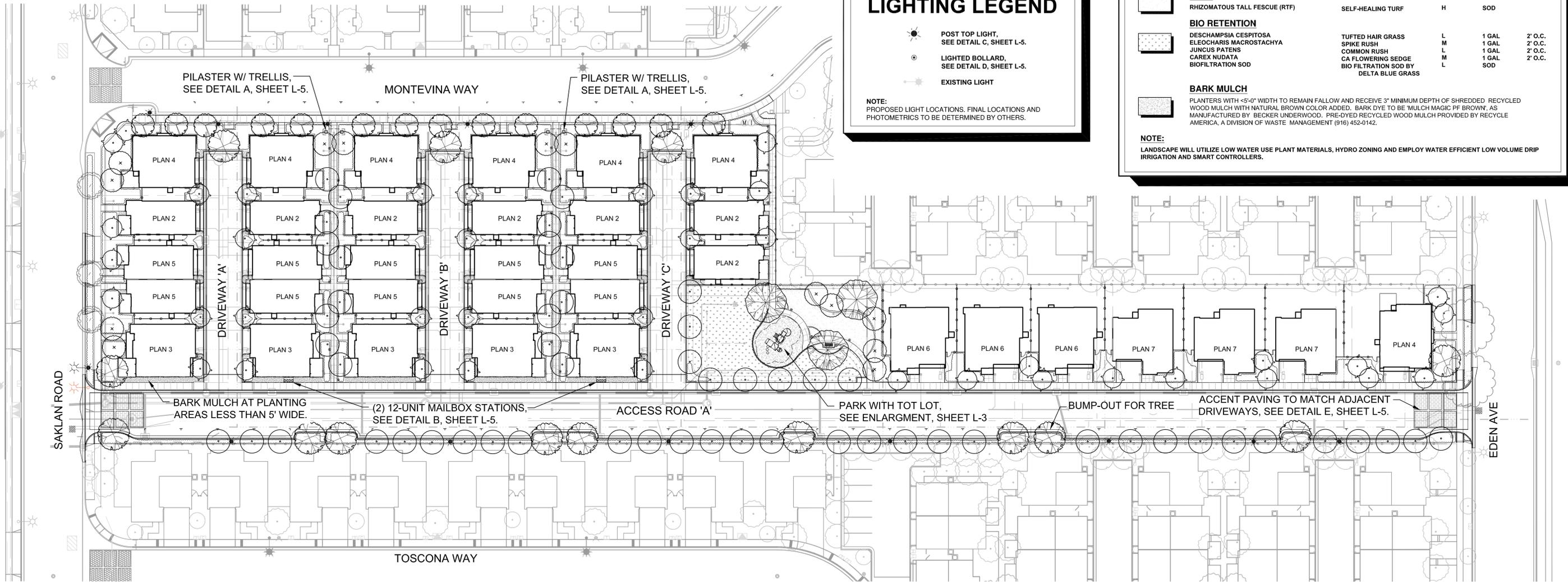
## PROPOSED PLANT PALETTE

| SYMBOL               | BOTANICAL NAME                                                                                                                                                                                                                                                                                                               | COMMON NAME                            | WATER USE | SIZE  | SPACING  |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-----------|-------|----------|
| <b>SHRUBS</b>        |                                                                                                                                                                                                                                                                                                                              |                                        |           |       |          |
|                      | ARCTOSTAPHYLOS D. 'HOWARD MCMINN'                                                                                                                                                                                                                                                                                            | VINE HILL MANZANITA                    | L         | 5 GAL | 5' O.C.  |
|                      | CAREX TUMULICOLA                                                                                                                                                                                                                                                                                                             | BREKLEY SEDGE                          | M         | 1 GAL | 2' O.C.  |
|                      | COLEONEMA PULCHRUM                                                                                                                                                                                                                                                                                                           | PINK BREATH OF HEAVEN                  | M         | 5 GAL | 4' O.C.  |
|                      | DIETES SP.                                                                                                                                                                                                                                                                                                                   | FORTNIGHT LILY                         | L         | 1 GAL | 3' O.C.  |
|                      | DODONEA V. 'PURPUREA'                                                                                                                                                                                                                                                                                                        | NCN                                    | L         | 5 GAL | 8' O.C.  |
|                      | ESCALLONIA 'COMPACTA'                                                                                                                                                                                                                                                                                                        | ESCALLONIA                             | M         | 1 GAL | 3' O.C.  |
|                      | FESTUCA MAREI                                                                                                                                                                                                                                                                                                                | ALTAS FESCUE                           | L         | 1 GAL | 2' O.C.  |
|                      | GAURA LINDHEIMERI                                                                                                                                                                                                                                                                                                            | GAURA                                  | M         | 1 GAL | 3' O.C.  |
|                      | HEMEROCALLIS HYBRIDIS                                                                                                                                                                                                                                                                                                        | EVERGREEN DAYLILY                      | M         | 1 GAL | 18" O.C. |
|                      | LOROPETALUM C. 'RAZZELBERRY'                                                                                                                                                                                                                                                                                                 | CHINESE FRINGE FLOWER                  | M         | 5 GAL | 4' O.C.  |
|                      | MISCANTHUS S. 'MORNING LIGHT'                                                                                                                                                                                                                                                                                                | EULALIA                                | M         | 1 GAL | 4' O.C.  |
|                      | MUHLENBERGIA CAPILLARIS                                                                                                                                                                                                                                                                                                      | PINK MUHLY GRASS                       | L         | 1 GAL | 3' O.C.  |
|                      | NANDINA D. 'GULF STREAM'                                                                                                                                                                                                                                                                                                     | GULF STREAM NANDINA                    | L         | 5 GAL | 3' O.C.  |
|                      | NEPETA 'SIX HILLS GIANT'                                                                                                                                                                                                                                                                                                     | CAT MINT                               | M         | 5 GAL | 4' O.C.  |
|                      | PHORMIUM 'MAORI QUEEN'                                                                                                                                                                                                                                                                                                       | NEW ZEALAND FLAX                       | L         | 5 GAL | 3' O.C.  |
|                      | PHORMIUM 'JACK SPRATT'                                                                                                                                                                                                                                                                                                       | DWARF NEW ZEALAND FLAX                 | L         | 1 GAL | 18" O.C. |
|                      | PITTSOPORUM T. 'TURNER'S DWARF VARIEGATA'                                                                                                                                                                                                                                                                                    | VARIEGATED PITTSOPORUM                 | M         | 5 GAL | 4' O.C.  |
|                      | RHAPHIOLEPIS I. 'BALLERINA'                                                                                                                                                                                                                                                                                                  | INDIAN HAWTHORNE                       | L         | 5 GAL | 4' O.C.  |
|                      | ROSA SPP.                                                                                                                                                                                                                                                                                                                    | CARPET ROSE                            | M         | 2 GAL | 3' O.C.  |
|                      | SALVIA 'LEUCANTHA'                                                                                                                                                                                                                                                                                                           | MEXICAN BUSH SAGE                      | L         | 5 GAL | 4' O.C.  |
|                      | TEUCRIUM F. 'COMPACTUM'                                                                                                                                                                                                                                                                                                      | GERMANDER                              | L         | 5 GAL | 4' O.C.  |
|                      | XYLOSMA C. 'COMPACTA'                                                                                                                                                                                                                                                                                                        | DWARF XYLOSMA                          | L         | 5 GAL | 4' O.C.  |
| <b>GROUNDCOVERS</b>  |                                                                                                                                                                                                                                                                                                                              |                                        |           |       |          |
|                      | ARCTOSTAPHYLOS UVI-URSI                                                                                                                                                                                                                                                                                                      | BEARBERRY                              | L         | 1 GAL | 4' O.C.  |
|                      | ERIGERON KARVINSKIANUS                                                                                                                                                                                                                                                                                                       | SANTA BARBARA DAISY                    | L         | 1 GAL | 18" O.C. |
|                      | TRACHELOSPERMUM JASMINOIDES                                                                                                                                                                                                                                                                                                  | STAR JASMINE                           | M         | 1 GAL | 3' O.C.  |
| <b>VINES</b>         |                                                                                                                                                                                                                                                                                                                              |                                        |           |       |          |
|                      | DISTICTUS BUCCINATORIA                                                                                                                                                                                                                                                                                                       | BLOOD-RED TRUMPET VINE                 | M         | 1 GAL | 10' O.C. |
|                      | WESTERIA SINENSIS                                                                                                                                                                                                                                                                                                            | CHINESE WISTERIA                       | M         | 1 GAL | @TRELLIS |
| <b>TURF</b>          |                                                                                                                                                                                                                                                                                                                              |                                        |           |       |          |
|                      | RHIZOMATOUS TALL FESCUE (RTF)                                                                                                                                                                                                                                                                                                | SELF-HEALING TURF                      | H         | SOD   |          |
| <b>BIO RETENTION</b> |                                                                                                                                                                                                                                                                                                                              |                                        |           |       |          |
|                      | DESCHAMPSIA CESPITOSA                                                                                                                                                                                                                                                                                                        | TUFTED HAIR GRASS                      | L         | 1 GAL | 2' O.C.  |
|                      | ELEOCHARIS MACROSTACHYA                                                                                                                                                                                                                                                                                                      | SPIKE RUSH                             | M         | 1 GAL | 2' O.C.  |
|                      | TERCIS PATENS                                                                                                                                                                                                                                                                                                                | COMMON RUSH                            | L         | 1 GAL | 2' O.C.  |
|                      | CAREX NUDATA                                                                                                                                                                                                                                                                                                                 | CA FLOWERING SEDGE                     | M         | 1 GAL | 2' O.C.  |
|                      | BIOFILTRATION SOD                                                                                                                                                                                                                                                                                                            | BIO FILTRATION SOD BY DELTA BLUE GRASS | L         | SOD   |          |
| <b>BARK MULCH</b>    |                                                                                                                                                                                                                                                                                                                              |                                        |           |       |          |
|                      | PLANTERS WITH <5'-0" WIDTH TO REMAIN FALLOW AND RECEIVE 3" MINIMUM DEPTH OF SHREDED RECYCLED WOOD MULCH WITH NATURAL BROWN COLOR ADDED. BARK DYE TO BE 'MULCH MAGIC PF BROWN', AS MANUFACTURED BY BECKER UNDERWOOD. PRE-DYED RECYCLED WOOD MULCH PROVIDED BY RECYCLE AMERICA, A DIVISION OF WASTE MANAGEMENT (916) 452-0142. |                                        |           |       |          |

## LIGHTING LEGEND

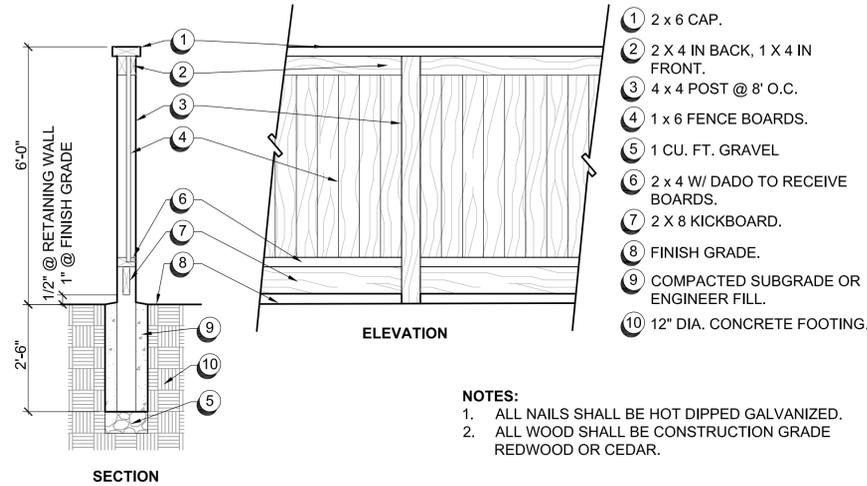
- POST TOP LIGHT, SEE DETAIL C, SHEET L-5.
- LIGHTED BOLLARD, SEE DETAIL D, SHEET L-5.
- EXISTING LIGHT

NOTE: PROPOSED LIGHT LOCATIONS. FINAL LOCATIONS AND PHOTOMETRICS TO BE DETERMINED BY OTHERS.



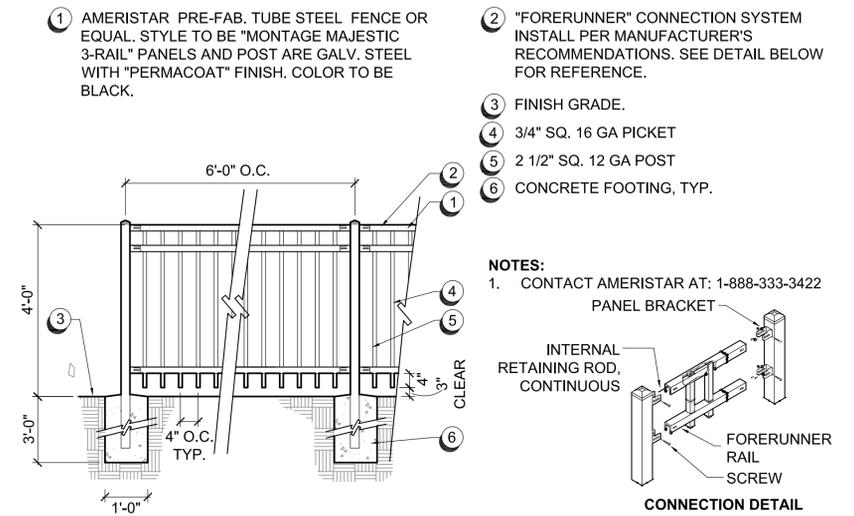
### FENCE LEGEND

- - - - - 6' HIGH WOOD FENCE  
SEE DETAIL A, THIS SHEET.
- - - - - 48" HIGH TUBE STEEL FENCE  
SEE DETAIL B, THIS SHEET.
- - - - - 36" HIGH SPLIT RAIL WOOD FENCE, SEE DETAIL C, THIS SHEET.
- - - - - EXISTING WOOD FENCE TO REMAIN



- NOTES:**
1. ALL NAILS SHALL BE HOT DIPPED GALVANIZED.
  2. ALL WOOD SHALL BE CONSTRUCTION GRADE REDWOOD OR CEDAR.

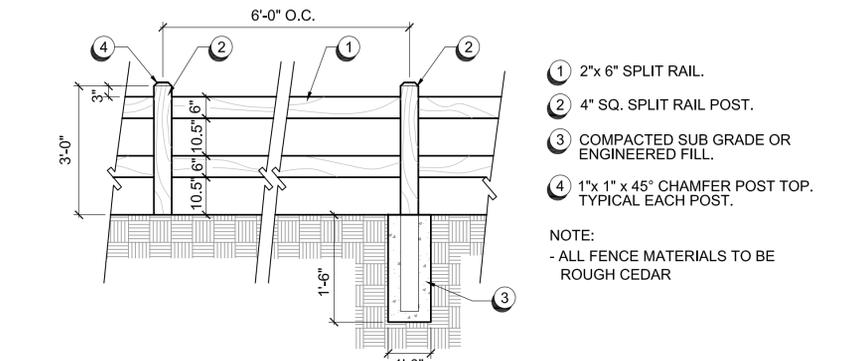
**A GOOD NEIGHBOR FENCE**  
SCALE: 1/2" = 1'-0"



- 1 AMERISTAR PRE-FAB. TUBE STEEL FENCE OR EQUAL. STYLE TO BE "MONTAGE MAJESTIC 3-RAIL" PANELS AND POST ARE GALV. STEEL WITH "PERMACOAT" FINISH. COLOR TO BE BLACK.
- 2 "FORERUNNER" CONNECTION SYSTEM INSTALL PER MANUFACTURER'S RECOMMENDATIONS. SEE DETAIL BELOW FOR REFERENCE.
- 3 FINISH GRADE.
- 4 3/4" SQ. 16 GA PICKET
- 5 2 1/2" SQ. 12 GA POST
- 6 CONCRETE FOOTING, TYP.

- NOTES:**
1. CONTACT AMERISTAR AT: 1-888-333-3422

**B TUBE STEEL FENCE - AMERISTAR**  
SCALE: NTS



- 1 2"x 6" SPLIT RAIL.
- 2 4" SQ. SPLIT RAIL POST.
- 3 COMPACTED SUB GRADE OR ENGINEERED FILL.
- 4 1"x 1" x 45° CHAMFER POST TOP. TYPICAL EACH POST.

**NOTE:**  
- ALL FENCE MATERIALS TO BE ROUGH CEDAR

**C SPLIT-RAIL FENCE**  
SCALE: NTS



### TREE SURVEY LEGEND

 TREES TO BE REMOVED  
 TREES TO REMAIN

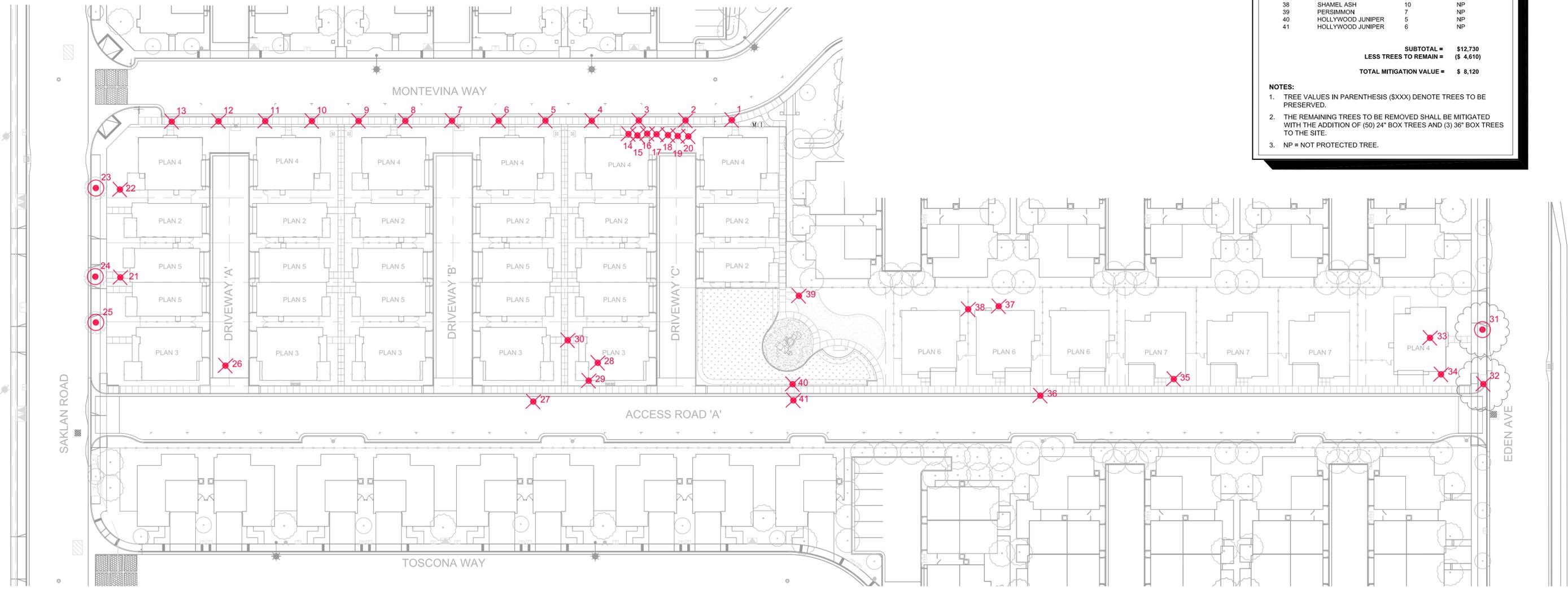
**NOTE:**  
ALL EXISTING TREES WERE SURVEYED BY ARBOR RESOURCES,  
JANUARY 17, 2014.

### SURVEYED TREES

| TREE NO. | SPECIES           | TRUNK DIA. (IN.) | VALUE     |
|----------|-------------------|------------------|-----------|
| 1        | GREENSPIRE LINDEN | 3                | \$190     |
| 2        | GREENSPIRE LINDEN | 3                | \$230     |
| 3        | GREENSPIRE LINDEN | 3                | \$190     |
| 4        | GREENSPIRE LINDEN | 3                | \$210     |
| 5        | GREENSPIRE LINDEN | 4                | \$310     |
| 6        | GREENSPIRE LINDEN | 3                | \$190     |
| 7        | GREENSPIRE LINDEN | 4                | \$280     |
| 8        | GREENSPIRE LINDEN | 3                | \$210     |
| 9        | GREENSPIRE LINDEN | 3                | \$210     |
| 10       | GREENSPIRE LINDEN | 3                | \$230     |
| 11       | GREENSPIRE LINDEN | 3                | \$230     |
| 12       | GREENSPIRE LINDEN | 4                | \$310     |
| 13       | GREENSPIRE LINDEN | 4                | \$350     |
| 14       | BLACKWOOD ACACIA  | 5,4              | NP        |
| 15       | BLACKWOOD ACACIA  | 5,5,4,3          | NP        |
| 16       | BLACKWOOD ACACIA  | 5                | NP        |
| 17       | BLACKWOOD ACACIA  | 5                | NP        |
| 18       | BLACKWOOD ACACIA  | 5,4              | NP        |
| 19       | BLACKWOOD ACACIA  | 4                | NP        |
| 20       | BLACKWOOD ACACIA  | 5                | NP        |
| 21       | PLUM              | 5                | NP        |
| 22       | COAST LIVE OAK    | 5                | \$440     |
| 23       | SOUTHERN LIVE OAK | 4                | (\$250)   |
| 24       | SOUTHERN LIVE OAK | 4                | (\$220)   |
| 25       | SOUTHERN LIVE OAK | 4                | (\$320)   |
| 26       | CAROB             | 19               | NP        |
| 27       | ALMOND            | 22               | NP        |
| 28       | ALMOND            | 17,12            | NP        |
| 29       | YUCCA             | 12,3             | NP        |
| 30       | YUCCA             | 10,10,9,8,5,5    | NP        |
| 31       | LONDON PLANE TREE | 25               | (\$3,820) |
| 32       | LONDON PLANE TREE | 27               | \$4,450   |
| 33       | SHAMEL ASH        | 14               | \$520     |
| 34       | JAPANESE LOQUAT   | 6                | NP        |
| 35       | JAPANESE LOQUAT   | 11               | NP        |
| 36       | SHAMEL ASH        | 32               | NP        |
| 37       | SHAMEL ASH        | 18               | NP        |
| 38       | SHAMEL ASH        | 10               | NP        |
| 39       | PERSIMMON         | 7                | NP        |
| 40       | HOLLYWOOD JUNIPER | 5                | NP        |
| 41       | HOLLYWOOD JUNIPER | 6                | NP        |

**SUBTOTAL =** \$12,730  
**LESS TREES TO REMAIN =** (\$ 4,610)  
**TOTAL MITIGATION VALUE =** \$ 8,120

**NOTES:**  
 1. TREE VALUES IN PARENTHESIS (\$XXX) DENOTE TREES TO BE PRESERVED.  
 2. THE REMAINING TREES TO BE REMOVED SHALL BE MITIGATED WITH THE ADDITION OF (50) 24" BOX TREES AND (3) 36" BOX TREES TO THE SITE.  
 3. NP = NOT PROTECTED TREE.



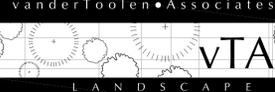

**VALLEY OAK PARTNERS**  
 734 THE ALAMEDA  
 SAN JOSE, CA 95126

Tree Survey Plan

## EDEN POINTE

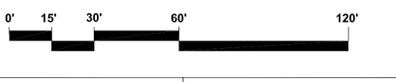
Hayward, California

Conceptual Design



**vanderToolen Associates**  
 www.vanderToolen.com

Napa Walnut Creek  
 855 Bordeaux Way 700 Ygnacio Valley  
 Suite 340 Suite 215  
 Napa, CA Walnut Creek, CA  
 94558 94596  
 Tel: 707.224.2599 Tel: 925.274.1005  
 Fax: 707.224.6821



Scale: 1" = 30'-0" August 20, 2014 NORTH

# L-1.2

Project No. 00414

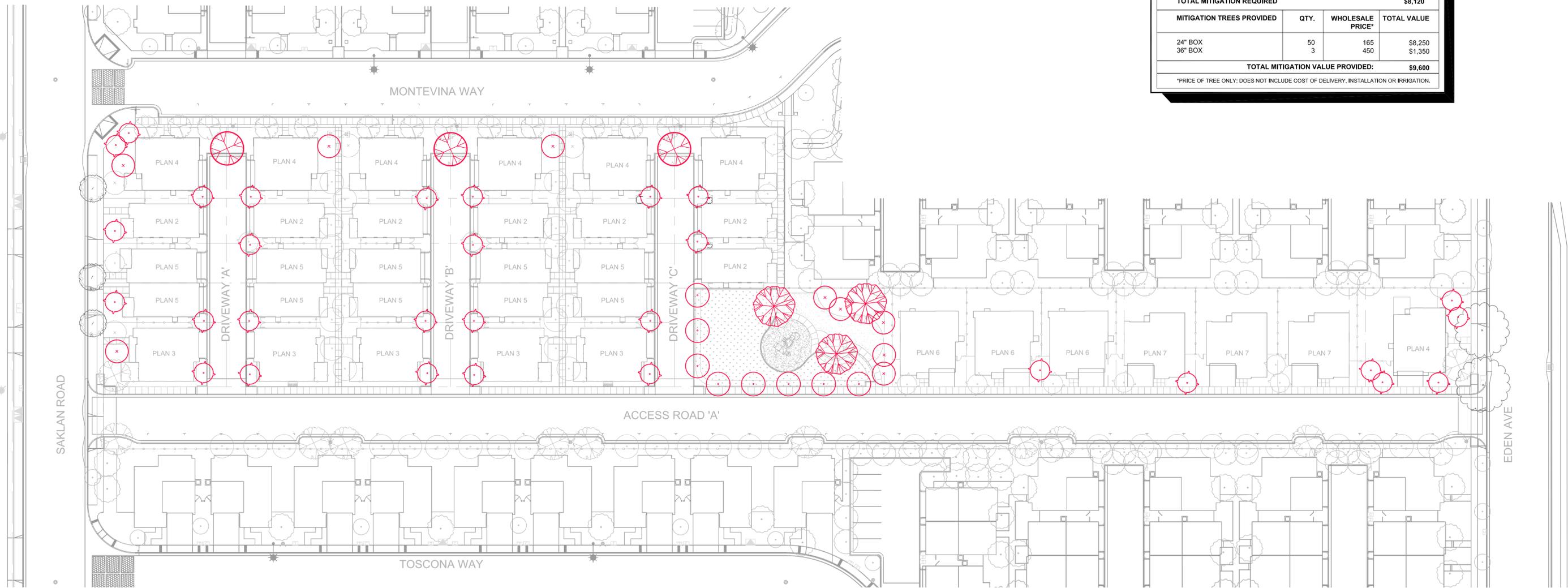
### TREE MITIGATION LEGEND

| BOTANICAL NAME                                                                                                   | COMMON NAME          | SIZE    | QTY |
|------------------------------------------------------------------------------------------------------------------|----------------------|---------|-----|
| <b>TREES</b>                                                                                                     |                      |         |     |
|  ACER R. 'RED SUNSET'         | RED SUNSET MAPLE     | 24" BOX | 3   |
|  LAGERSTROEMIA I. 'TUSCARORA' | CRAPE MYRTLE - PINK  | 24" BOX | 30  |
|  LAGERSTROEMIA I. 'NATCHEZ'   | CRAPE MYRTLE - WHITE | 24" BOX |     |
|  PISTACHIA CHINENSIS          | CHINESE PISTACHE     | 36" BOX | 3   |
|  PRUNUS C. 'KRATER VESUVIUS'  | PURPLE LEAF PLUM     | 24" BOX | 9   |
|  PYRUS C. 'CAPITAL'           | FLOWERING PEAR       | 24" BOX | 8   |
|  TRISTANOPSIS LARUNIA         | SWAMP MYRTLE         | 24" BOX |     |

### TREE MITIGATION VALUE

|                                         |             |                         |                    |
|-----------------------------------------|-------------|-------------------------|--------------------|
| <b>TOTAL MITIGATION REQUIRED</b>        |             | <b>\$8,120</b>          |                    |
| <b>MITIGATION TREES PROVIDED</b>        | <b>QTY.</b> | <b>WHOLESALE PRICE*</b> | <b>TOTAL VALUE</b> |
| 24" BOX                                 | 50          | 165                     | \$8,250            |
| 36" BOX                                 | 3           | 450                     | \$1,350            |
| <b>TOTAL MITIGATION VALUE PROVIDED:</b> |             |                         | <b>\$9,600</b>     |

\*PRICE OF TREE ONLY; DOES NOT INCLUDE COST OF DELIVERY, INSTALLATION OR IRRIGATION.



**VALLEY OAK PARTNERS**  
 734 THE ALAMEDA  
 SAN JOSE, CA 95126

Tree Mitigation Plan

**EDEN POINTE**  
 Hayward, California

Conceptual Design

vanderToolen • Associates  
**VTA**  
 LANDSCAPE ARCHITECTS

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 700 Ygnacio Valley Rd. Suite 215 Walnut Creek, CA 94596  
 Tel: 707.224.2299 Fax: 707.224.6821 Tel: 925.274.1305

0' 15' 30' 60' 120'

Scale: 1" = 30'-0"

August 20, 2014

**L-1.3**

NORTH

Project No. 00414

### HYDROZONE LEGEND

-  TREES, SHRUBS & GROUNDCOVERS - SOUTH/ WEST
-  TREES, SHRUBS & GROUNDCOVERS - NORTH/ EAST
-  TURF & BIOFILTRATION AREA

### LANDSCAPE AREA

| PLANTING TYPE               | IRRIGATION TYPE             | SQUARE FOOTAGE       | PERCENT OF LANDSCAPE |
|-----------------------------|-----------------------------|----------------------|----------------------|
| SHRUB                       | DRIP                        | 21,777 SF            | 78%                  |
| TURF                        | MP ROTATOR                  | 995 SF               | 4%                   |
| BIO TREATMENT BARK MULCH    | MP ROTATOR<br>NO IRRIGATION | 3,790 SF<br>1,501 SF | 13%<br>5%            |
| <b>TOTAL LANDSCAPE AREA</b> |                             | <b>28,063 SF</b>     | <b>100%</b>          |

### IRRIGATION CONCEPT STATEMENT

THE IRRIGATION DESIGN FOR THE SITE SHALL COMPLY WITH THE STATE OF CALIFORNIA MODEL WATER EFFICIENT LANDSCAPE ORDINANCE (TITLE 23 - DIVISION 2-CHAPTER 2.7) AND THE CITY OF HAYWARD WATER EFFICIENT LANDSCAPE STANDARDS.

THE IRRIGATION SYSTEMS WILL BE AUTOMATICALLY CONTROLLED BY AN ET IRRIGATION CONTROLLER CAPABLE OF MULTIPLE PROGRAMMING AND INDEPENDENT TIMING OF INDIVIDUAL IRRIGATION SYSTEMS. THE CONTROLLER WILL HAVE A 24-HOUR CLOCK TO ALLOW MULTIPLE START TIMES AND REPEAT CYCLES TO ADJUST FOR SOIL PERCOLATION RATES.

THE IRRIGATION SYSTEMS WILL CONSIST PRIMARILY OF LOW VOLUME, LOW FLOW BUBBLERS FOR TREES, POINT SOURCE DRIP IRRIGATION FOR SHRUBS AND GROUNDCOVERS, AND MP ROTATOR IRRIGATION FOR TURF PLANTINGS.

PLANTS WILL BE GROUPED ONTO SEPARATE VALVES ACCORDING TO SUN EXPOSURE AND WATER USE TO ALLOW FOR IRRIGATION APPLICATION BY HYDROZONE. THE IRRIGATION SCHEDULING WILL REFLECT THE REGIONAL EVAPO-TRANSPIRATION RATES. THE ENTIRE SITE WILL BE DESIGNED TO RUN DURING NIGHTTIME HOURS WHEN IRRIGATION IS MOST EFFICIENT.

### IRRIGATION NOTES

- IRRIGATION ZONES:** ALL LANDSCAPED AREAS HAVE AN IRRIGATION ZONE DESIGNATION OF "SHRUBS / GROUNDCOVERS/ TREES" OR "TURF." NO IRRIGATION ZONES FOR ANNUALS AND TURFED SLOPES EXCEEDING 10% ARE PROPOSED.
- DEPTH OF IRRIGATION LINES:** ALL ON-GRADE LATERAL LINES SHALL BE BURIED TO A DEPTH OF 18" MIN. ALL ON-GRADE MAINLINES SHALL BE BURIED TO A DEPTH OF 24" MIN.
- BACKFLOW PREVENTER:** BACKFLOW PREVENTER SHALL BE A REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTER (FEBCO 825Y OR EQUAL) TYPE AS APPROVED BY WATER PURVEYOR.
- IRRIGATION SPRINKLER TYPES:** ALL SPRINKLERS SHALL UTILIZE MATCHED PRECIPITATION, PRESSURE COMPENSATING NOZZLES FOR MAXIMUM UNIFORMITY OF DISTRIBUTION. IRRIGATION SYSTEMS TO BE INSPECTED PERIODICALLY FOR BROKEN OR DEFICIENT EQUIPMENT.
- IRRIGATION CONTROLLERS:** CONTROLLER SHALL BE AN AUTOMATIC ET (EVAPOTRANSPIRATION) WITH MULTIPLE PROGRAMMING CAPABILITY. CONTROLLER TO BE REPROGRAMMED SEASONALLY TO MINIMIZE RUNOFF OR OVER WATERING. MOISTURE SENSING DEVICES SHALL BE UTILIZED TO CONTROL IRRIGATION CYCLES ACCORDING TO SPECIFIC IRRIGATION REQUIREMENTS.
- CLASS OF IRRIGATION PIPE:** ALL MAINLINE SHALL BE CLASS 315 PVC. ALL LATERAL LINE SHALL BE CLASS 200 PVC.
- IRRIGATION EMITTERS:** ALL TURF AREAS SHALL BE IRRIGATED USING SUB-SURFACE DRIP TYPE IRRIGATION SYSTEM. ALL SHRUB/ GROUNDCOVER AREAS SHALL BE IRRIGATED USING DRIP IRRIGATION SYSTEM. ALL TREE AREAS SHALL BE IRRIGATED USING BUBBLER IRRIGATION SYSTEM.
- RECLAIMED WATER:** IRRIGATION SYSTEM SHALL BE DESIGNED TO MEET SOUTH BAY WATER RECYCLING PROGRAM REQUIREMENTS FOR FUTURE RECLAIMED WATER SYSTEM.

### WATER USE CALCULATIONS

THE MAXIMUM APPLIED WATER ALLOWANCE (MAWA) IN GALLONS PER YEAR IS BASED ON THE FOLLOWING FORMULA:

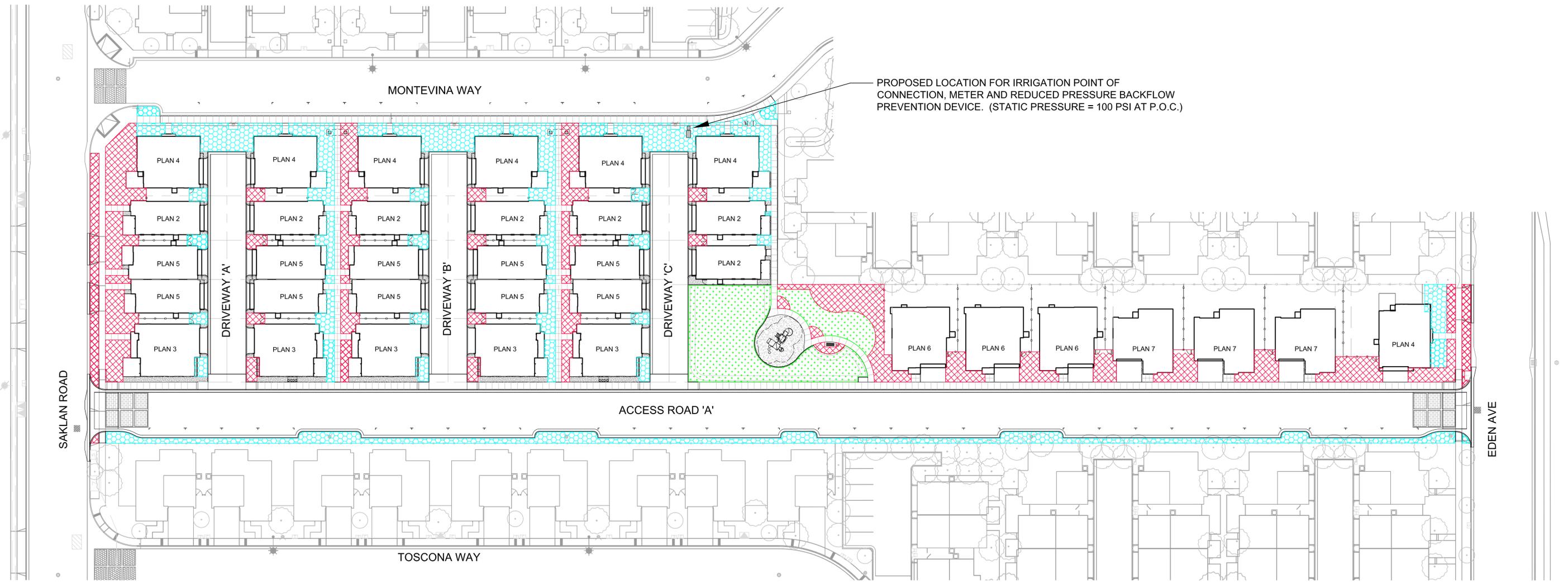
$$MAWA = (ET_o)(0.62) [(0.7 \times LA) + (0.3 \times SLA)]$$

THE ESTIMATED TOTAL WATER USE (ETWU) IS THE SUM TOTAL OF ESTIMATED WATER USE FOR EACH HYDROZONE IN GALLONS PER YEAR AND IS BASED ON THE FOLLOWING FORMULA:

$$ETWU = (ET_o)(0.62) [(PF)(HA) + SLA] IE$$

ET<sub>o</sub> = ANNUAL EVAPOTRANSPIRATION RATE  
 LA = TOTAL LANDSCAPE AREA (INCLUDES SLA)  
 SLA = SPECIAL LANDSCAPE AREA  
 HA = HYDROZONE PLANT AREA  
 PF = PLANT FACTOR  
 (0.7 FOR TURF & BIOTREATMENT; 0.35 FOR SHRUBS)  
 IE = IRRIGATION EFFICIENCY FACTOR (0.71 MINIMUM)  
 0.7 = ET ADJUSTMENT FACTOR  
 0.62 = CONVERSION FACTOR (TO GALLONS/SQUARE FOOT)  
 0.3 = ADDITIONAL ADJUSTMENT FACTOR FOR SLA

$$MAWA = (44.2)(0.62)[(0.7 \times 26,562) + (0.0 \times 1,501)] = 550,666 \text{ GAL/YEAR}$$

$$ETWU = (44.2)(0.62)[(0.35 \times 21,777) + (0.7 \times 4,086) + (0.0 \times 1,434)] = 462,515 \text{ GAL/YEAR}$$


**VALLEY OAK PARTNERS**  
 734 THE ALAMEDA  
 SAN JOSE, CA 95126

Hydrozone Plan

## EDEN POINTE

Hayward, California

Conceptual Design

vanderToolen Associates  
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 LANDSCAPE ARCHITECTS

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0' 15' 30' 60' 120'

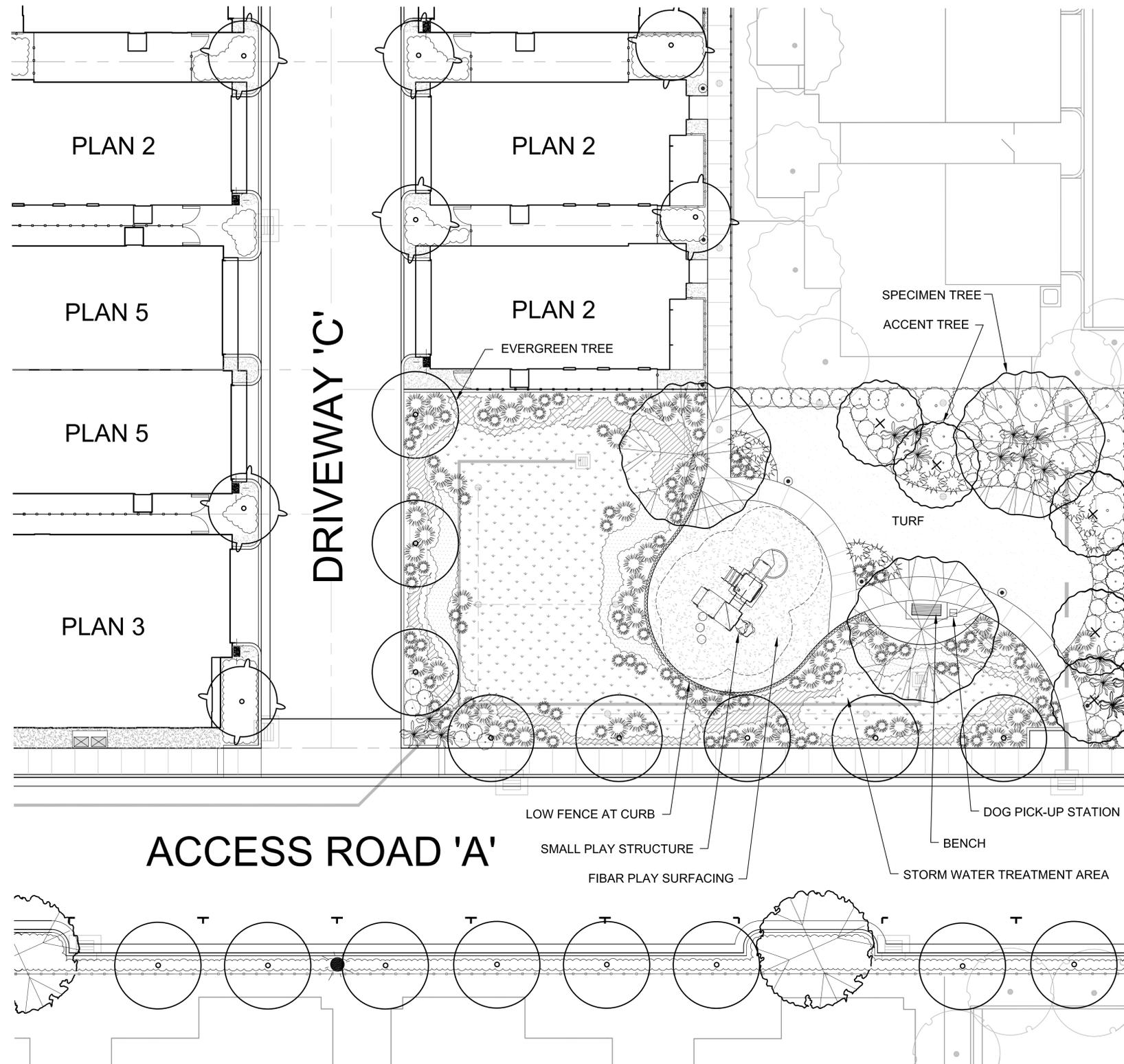
Scale: 1" = 30'-0"

August 20, 2014

NORTH

**L-2**

Project No. 00414



**A** **PLAY STRUCTURE**  
LANDSCAPE STRUCTURES  
PLAY SHAPER, AGES 2-5



**B** **BENCH**  
DUMOR BENCH 160  
COLOR: BRONZE



**D** **DOG PICK-UP STATION**  
MUTT MITT

### PROPOSED TREE PALETTE

| SYMBOL                          | BOTANICAL NAME               | COMMON NAME          | WATER USE | SIZE    | QTY |
|---------------------------------|------------------------------|----------------------|-----------|---------|-----|
| <b>TREES</b>                    |                              |                      |           |         |     |
|                                 | ACER R. 'RED SUNSET'         | RED SUNSET MAPLE     | M         | 24" BOX | 14  |
|                                 | LAGERSTROEMIA I. 'TUSCARORA' | GRAPE MYRTLE - PINK  | L         | 24" BOX | 40  |
|                                 | LAGERSTROEMIA I. 'NATCHEZ'   | GRAPE MYRTLE - WHITE | L         | 24" BOX | 40  |
|                                 | PISTACHIA CHINENSIS          | CHINESE PISTACHE     | L         | 36" BOX | 4   |
|                                 | PRUNUS C. 'KRATER VESUVIUS'  | PURPLE LEAF PLUM     | L         | 24" BOX | 13  |
|                                 | PYRUS C. 'CAPITAL'           | FLOWERING PEAR       | M         | 24" BOX | 57  |
|                                 | TRISTANOPSIS LARUNIA         | SWAMP MYRTLE         | M         | 24" BOX | 57  |
|                                 | TILDA C. 'GREENSPIRE'        | GREENSPIRE LINDEN    | M         | 24" BOX | 14  |
| <b>EXISTING TREES TO REMAIN</b> |                              |                      |           |         |     |
|                                 | QUERCUS VIRGINIANA           | SOUTHERN LIVE OAK    | L         | -       | 3   |
|                                 | PLATANUS ACERIFOLIA          | LONDON PLANE TREE    | M         | -       | 2   |

### TREES



ACER R. 'RED SUNSET'



PRUNUS C. 'KRATER VESUVIUS'



PISTACHIA CHINENSIS



LAGERSTROEMIA I. 'TUSCARORA'



QUERCUS AGRIFOLIA



PYRUS C. 'CAPITAL'

### SHRUBS



MISCANTHUS 'MORNING LIGHT'



ARCTOSTAPHYLOS SPP.



SALVIA LEUCANTHA



NEPETA 'SIX HILLS GIANT'



DIETES SPP.



RHAMPHOLEPIS SP.



PHORMIUM 'MAORI QUEEN'



FESTUCA MAIREI



PITTOSPORUM T. 'VARIEGATA'



GUARA LINDHEIMERI



HEMEROCALLIS HYBRIDS



ROSA SPP.

### PROPOSED PLANT PALETTE

| SYMBOL               | BOTANICAL NAME                                                                                                                                                                                                                                                                                                                            | COMMON NAME                            | WATER USE | SIZE  | SPACING  |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-----------|-------|----------|
| <b>SHRUBS</b>        |                                                                                                                                                                                                                                                                                                                                           |                                        |           |       |          |
|                      | ARCTOSTAPHYLOS D. 'HOWARD MCMINN'                                                                                                                                                                                                                                                                                                         | VINE HILL MANZANITA                    | L         | 5 GAL | 5' O.C.  |
|                      | CAREX TUMULICOLA                                                                                                                                                                                                                                                                                                                          | BREKELEY SEDGE                         | M         | 1 GAL | 2' O.C.  |
|                      | COLEONEMA PULCHRUM                                                                                                                                                                                                                                                                                                                        | PINK BREATH OF HEAVEN                  | M         | 5 GAL | 4' O.C.  |
|                      | DIETIES SP.                                                                                                                                                                                                                                                                                                                               | FORTNIGHT LILY                         | L         | 1 GAL | 3' O.C.  |
|                      | DODONEA V. 'PURPUREA'                                                                                                                                                                                                                                                                                                                     | NCN                                    | L         | 5 GAL | 8' O.C.  |
|                      | ESCALLONIA 'COMPACTA'                                                                                                                                                                                                                                                                                                                     | ESCALLONIA                             | M         | 1 GAL | 3' O.C.  |
|                      | FESTUCA MAIREI                                                                                                                                                                                                                                                                                                                            | ALTAS FESCUE                           | L         | 1 GAL | 2' O.C.  |
|                      | GAURA LINDHEIMERI                                                                                                                                                                                                                                                                                                                         | GAURA                                  | M         | 1 GAL | 3' O.C.  |
|                      | HEMEROCALLIS HYBRIDS                                                                                                                                                                                                                                                                                                                      | EVERGREEN DAYLILLY                     | M         | 1 GAL | 18" O.C. |
|                      | LOROPETALUM C. 'RAZZELBERRY'                                                                                                                                                                                                                                                                                                              | CHINESE FRINGE FLOWER                  | M         | 5 GAL | 4' O.C.  |
|                      | MISCANTHUS S. 'MORNING LIGHT'                                                                                                                                                                                                                                                                                                             | EULALIA                                | M         | 1 GAL | 4' O.C.  |
|                      | MUHLENBERGIA CAPILLARIS                                                                                                                                                                                                                                                                                                                   | PINK MUHLY GRASS                       | L         | 1 GAL | 3' O.C.  |
|                      | NANDINA D. 'GULF STREAM'                                                                                                                                                                                                                                                                                                                  | GULF STREAM NANDINA                    | L         | 1 GAL | 3' O.C.  |
|                      | NEPETA 'SIX HILLS GIANT'                                                                                                                                                                                                                                                                                                                  | CAT MINT                               | M         | 5 GAL | 4' O.C.  |
|                      | PHORMIUM 'MAORI QUEEN'                                                                                                                                                                                                                                                                                                                    | NEW ZEALAND FLAX                       | L         | 5 GAL | 3' O.C.  |
|                      | PHORMIUM 'JACK SPRATT'                                                                                                                                                                                                                                                                                                                    | DWARF NEW ZEALAND FLAX                 | L         | 1 GAL | 18" O.C. |
|                      | PITTOSPORUM T. 'TURNER'S DWARF VARIEGATA'                                                                                                                                                                                                                                                                                                 | VARIEGATED PITTOSPORUM                 | M         | 5 GAL | 4' O.C.  |
|                      | RHAMPHOLEPIS I. 'BALLERINA'                                                                                                                                                                                                                                                                                                               | INDIAN HAWTHORNE                       | L         | 5 GAL | 4' O.C.  |
|                      | ROSA SPP.                                                                                                                                                                                                                                                                                                                                 | CARPET ROSE                            | M         | 2 GAL | 3' O.C.  |
|                      | SALVIA LEUCANTHA                                                                                                                                                                                                                                                                                                                          | MEXICAN BUSH SAGE                      | L         | 5 GAL | 4' O.C.  |
|                      | TEUCRIUM F. 'COMPACTUM'                                                                                                                                                                                                                                                                                                                   | GERMANDER                              | L         | 5 GAL | 4' O.C.  |
|                      | XYLOSMA C. 'COMPACTA'                                                                                                                                                                                                                                                                                                                     | DWARF XYLOSMA                          | L         | 5 GAL | 4' O.C.  |
| <b>GROUNDCOVERS</b>  |                                                                                                                                                                                                                                                                                                                                           |                                        |           |       |          |
|                      | ARCTOSTAPHYLOS UVA-URSI                                                                                                                                                                                                                                                                                                                   | BEARBERRY                              | L         | 1 GAL | 4' O.C.  |
|                      | ERIGERON KARVINSKIANUS                                                                                                                                                                                                                                                                                                                    | SANTA BARBARA DAISY                    | L         | 1 GAL | 18" O.C. |
|                      | TRACHELOSPERMUM JASMINOIDIES                                                                                                                                                                                                                                                                                                              | STAR JASMINE                           | M         | 1 GAL | 3' O.C.  |
| <b>VINES</b>         |                                                                                                                                                                                                                                                                                                                                           |                                        |           |       |          |
|                      | DISTICTUS BUCCINATORIA                                                                                                                                                                                                                                                                                                                    | BLOOD-RED TRUMPET VINE                 | M         | 1 GAL | 10' O.C. |
|                      | WESTERIA SINENSIS                                                                                                                                                                                                                                                                                                                         | CHINESE WISTERIA                       | M         | 1 GAL | @TRELLIS |
| <b>TURF</b>          |                                                                                                                                                                                                                                                                                                                                           |                                        |           |       |          |
|                      | RHIZOMATOUS TALL FESCUE (RTF)                                                                                                                                                                                                                                                                                                             | SELF-HEALING TURF                      | H         | SOD   |          |
| <b>BIO RETENTION</b> |                                                                                                                                                                                                                                                                                                                                           |                                        |           |       |          |
|                      | DESCHAMPSIA CESPITOSA                                                                                                                                                                                                                                                                                                                     | TUFTED HAIR GRASS                      | L         | 1 GAL | 2' O.C.  |
|                      | ELEOCHARIS MACROSTACHYA                                                                                                                                                                                                                                                                                                                   | SPIKE RUSH                             | M         | 1 GAL | 2' O.C.  |
|                      | JUNCUS PATENS                                                                                                                                                                                                                                                                                                                             | COMMON RUSH                            | L         | 1 GAL | 2' O.C.  |
|                      | CAREX NUDATA                                                                                                                                                                                                                                                                                                                              | CA FLOWERING SEDGE                     | M         | 1 GAL | 2' O.C.  |
|                      | BIOFILTRATION SOD                                                                                                                                                                                                                                                                                                                         | BIO FILTRATION SOD BY DELTA BLUE GRASS | L         | SOD   |          |
| <b>BARK MULCH</b>    |                                                                                                                                                                                                                                                                                                                                           |                                        |           |       |          |
|                      | PLANTERS WITH <math>5'0''</math> WIDTH TO REMAIN FALLOW AND RECEIVE 3" MINIMUM DEPTH OF SHREDDED RECYCLED WOOD MULCH WITH NATURAL BROWN COLOR ADDED. BARK DYE TO BE 'MULCH MAGIC PF BROWN', AS MANUFACTURED BY BECKER UNDERWOOD. PRE-DYED RECYCLED WOOD MULCH PROVIDED BY RECYCLE AMERICA, A DIVISION OF WASTE MANAGEMENT (916) 452-0142. |                                        |           |       |          |

**NOTE:**  
LANDSCAPE WILL UTILIZE LOW WATER USE PLANT MATERIALS, HYDRO ZONING AND EMPLOY WATER EFFICIENT LOW VOLUME DRIP IRRIGATION AND SMART CONTROLLERS.

### GROUNDCOVERS



ARCTOSTAPHYLOS UVA-URSI



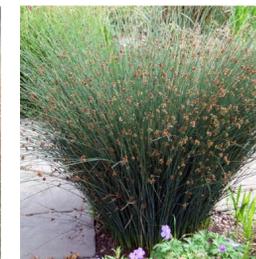
ERIGERON KARVINSKIANUS



SOLLYA HETEROPHYLLA



CAREX NUDATA

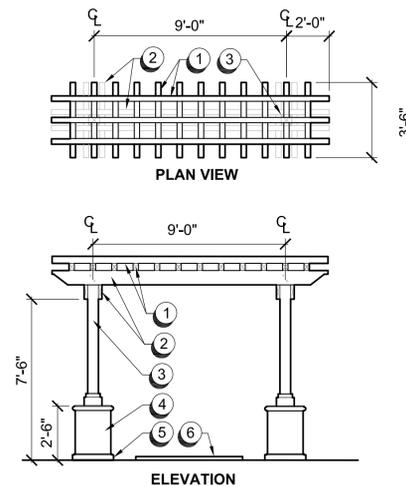


JUNCUS PATENS



ELEOCHARIS MACROSTACHYA

### BIO RETENTION



- ① 3 X 4 DOUGLAS FIR WOOD LATTICE ON END AT 12" O.C.
- ② 2 X 8 DOUGLAS FIR BEAM BOLTED WITH 5/8" MACHINE BOLTS.
- ③ 6 X 6 DOUGLAS FIR WOOD POST.
- ④ PILASTER WITH STUCCO TO MATCH ADJACENT ARCHITECTURE.
- ⑤ CONCRETE BASE.
- ⑥ 5'-0" CONCRETE WALK.

**A** TRELLIS STRUCTURE  
SCALE: 1/4" = 1'-0"



**B** CLUSTER MAILBOX  
SCALE: N.T.S.



**C** STREET LIGHT  
STERNBERG LIGHTING - YALE SERIES LED CAGED ACORN LIGHT A670TSR, COLOR: BLACK



**D** LIGHTED BOLLARD  
PHILIPS GARDCO - BR840 SERIES LED BOLLARD, COLOR: BLACK

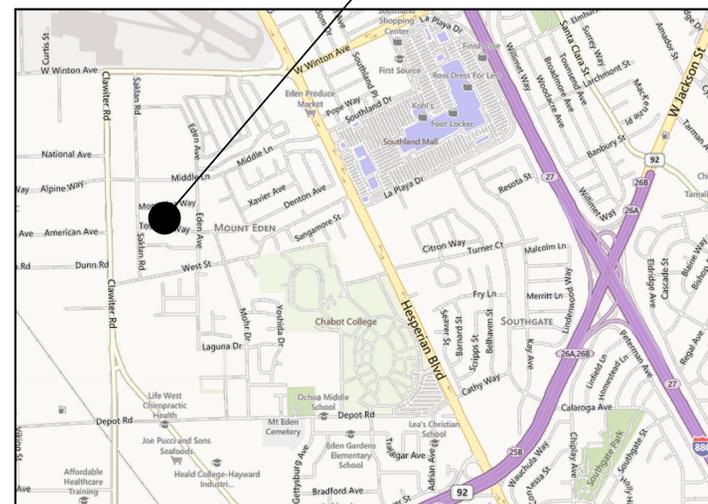


ACCENT PAVING TO MATCH ADJACENT PROPERTY, IMAGE OF PAVING AT INTERSECTION OF SAKLAN RD AND TOSCONA WAY.

**E** VEHICULAR ACCENT PAVING - STAMPED CONG.  
PATTERN TO BE: BRICKFORM FM-540 LONDON COBBLE W/ SMOOTH TROWEL BAND, COLOR TO MATCH EXISTING.



VICINITY MAP PROJECT SITE



ARCHITECTURAL SHEET INDEX

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  - A2.2 PLAN 2 ROOF PLAN & ELEVATIONS - ELEVATION A
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  - A7.3 PLAN 7 ROOF PLAN & ELEVATIONS - ELEVATION C
  - A7.4 PLAN 7 ROOF PLAN & ELEVATIONS - ELEVATION D

|                             |              |
|-----------------------------|--------------|
| <b>PLAN 2</b>               |              |
| TOTAL LIVING AREA:          | 1761 sq. ft. |
| First Floor                 | 403 sq. ft.  |
| Second Floor                | 867 sq. ft.  |
| Third Floor                 | 491 sq. ft.  |
| Garage:                     | 461 sq. ft.  |
| Porch:                      | 9 sq. ft.    |
| <b>3 BR, 3 BA &amp; DEN</b> |              |

|                                             |              |
|---------------------------------------------|--------------|
| <b>PLAN 3</b>                               |              |
| TOTAL LIVING AREA:                          | 2043 sq. ft. |
| First Floor                                 | 801 sq. ft.  |
| Second Floor                                | 1242 sq. ft. |
| Garage:                                     | 452 sq. ft.  |
| Porch:                                      | 71 sq. ft.   |
| Elevation A:                                | 11 sq. ft.   |
| Elevation C:                                | 11 sq. ft.   |
| Elevation D:                                | 11 sq. ft.   |
| <b>3 BR, 2.5 BA &amp; LOFT - OPT. BED 4</b> |              |

|                                                     |              |
|-----------------------------------------------------|--------------|
| <b>PLAN 4</b>                                       |              |
| TOTAL LIVING AREA:                                  | 2101 sq. ft. |
| First Floor                                         | 827 sq. ft.  |
| Second Floor                                        | 1274 sq. ft. |
| Garage:                                             | 420 sq. ft.  |
| Porch:                                              | 18 sq. ft.   |
| Elevation A:                                        | 15 sq. ft.   |
| Elevation C:                                        | 15 sq. ft.   |
| Elevation D:                                        | 18 sq. ft.   |
| <b>4 BR, 2.5 BA &amp; DEN OPT. LOFT &amp; BED 5</b> |              |

|                               |              |
|-------------------------------|--------------|
| <b>PLAN 5</b>                 |              |
| TOTAL LIVING AREA:            | 1761 sq. ft. |
| (3522 Duft sq. ft.)           |              |
| First Floor                   | 403 sq. ft.  |
| Second Floor                  | 867 sq. ft.  |
| Third Floor                   | 491 sq. ft.  |
| Garage:                       | 461 sq. ft.  |
| Porch:                        | 9 sq. ft.    |
| <b>3 BR, 3.5 BA &amp; DEN</b> |              |

|                                  |              |
|----------------------------------|--------------|
| <b>PLAN 6</b>                    |              |
| TOTAL LIVING AREA:               | 1733 sq. ft. |
| First Floor                      | 875 sq. ft.  |
| Second Floor                     | 858 sq. ft.  |
| Garage:                          | 411 sq. ft.  |
| Porch:                           | 10 sq. ft.   |
| <b>4 BR, 3 BA &amp; OPT. DEN</b> |              |

|                                     |              |
|-------------------------------------|--------------|
| <b>PLAN 7</b>                       |              |
| TOTAL LIVING AREA:                  | 1988 sq. ft. |
| First Floor                         | 747 sq. ft.  |
| Second Floor                        | 1241 sq. ft. |
| Garage:                             | 461 sq. ft.  |
| Porch:                              | x sq. ft.    |
| <b>4 BR, 2.5 BA &amp; OPT. LOFT</b> |              |

Title Sheet



PLAN 2 FRONT ELEVATION 'D', SPANISH  
SCALE: 1/4" = 1'-0"



PLAN 2 FRONT ELEVATION 'A', ITALIAN  
SCALE: 1/4" = 1'-0"



PLAN 2 FRONT ELEVATION 'C', TUSCAN  
SCALE: 1/4" = 1'-0"



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



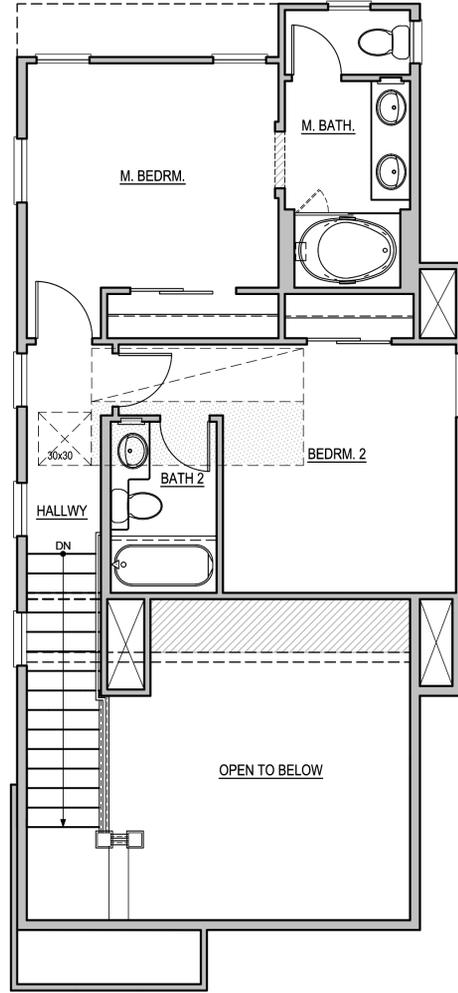
5865 Owens Drive  
Pleasanton, CA 94588  
925-251-7200

**Plan 2  
Elevations**

JOB NO. 1005.003

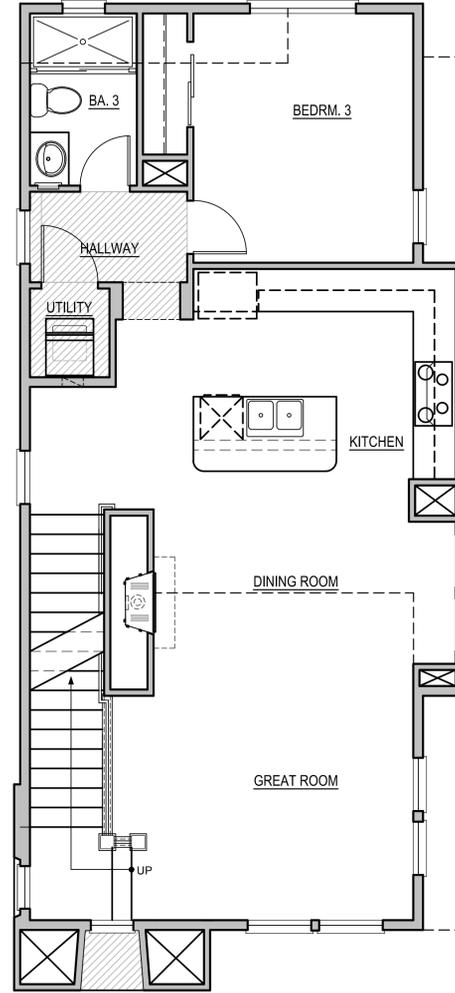
DATE 7-23-2014

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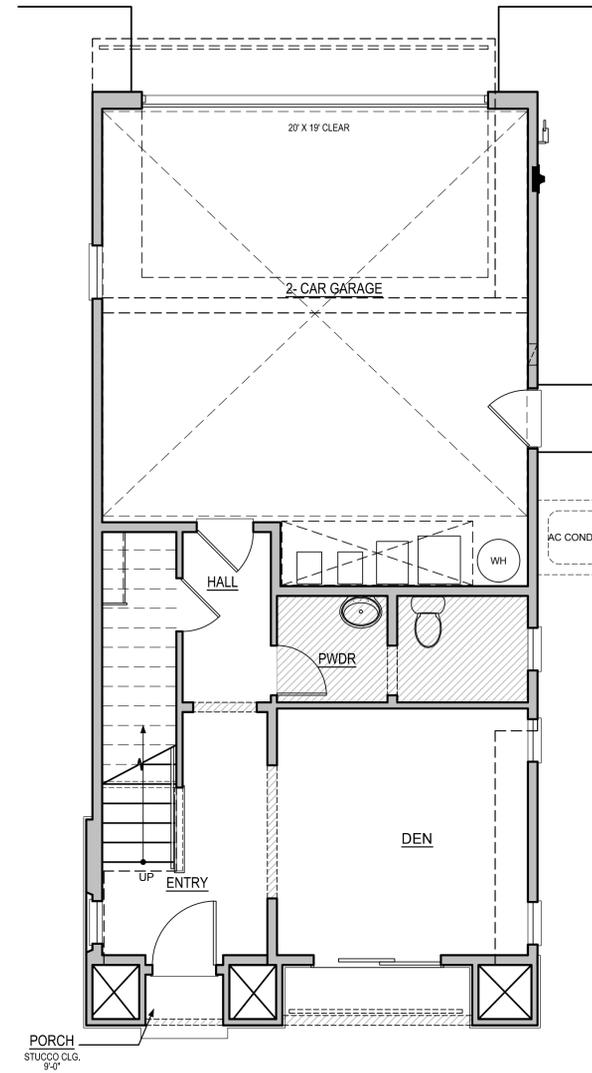
**PLAN 2 THIRD FLOOR PLAN**  
**ELEVATION 'A' ITALIAN**

SCALE: 1/4" = 1'-0"



**PLAN 2 SECOND FLOOR PLAN**  
**ELEVATION 'A' ITALIAN**

SCALE: 1/4" = 1'-0"



**PLAN 2 FIRST FLOOR PLAN**  
**ELEVATION 'A' ITALIAN**

SCALE: 1/4" = 1'-0"

|                             |              |
|-----------------------------|--------------|
| <b>PLAN 2</b>               |              |
| <b>TOTAL LIVING AREA:</b>   | 1761 sq. ft. |
| First Floor                 | 403 sq. ft.  |
| Second Floor                | 867 sq. ft.  |
| Third Floor                 | 491 sq. ft.  |
| Garage:                     | 461 sq. ft.  |
| Porch:                      | 9 sq. ft.    |
| <b>3 BR, 3 BA &amp; DEN</b> |              |

**Plan 2**  
**Floor Plans**



**EDEN POINTE - HAYWARD, CA**  
**VALLEY OAK PARTNERS**

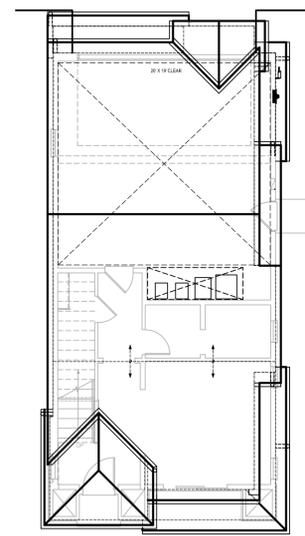


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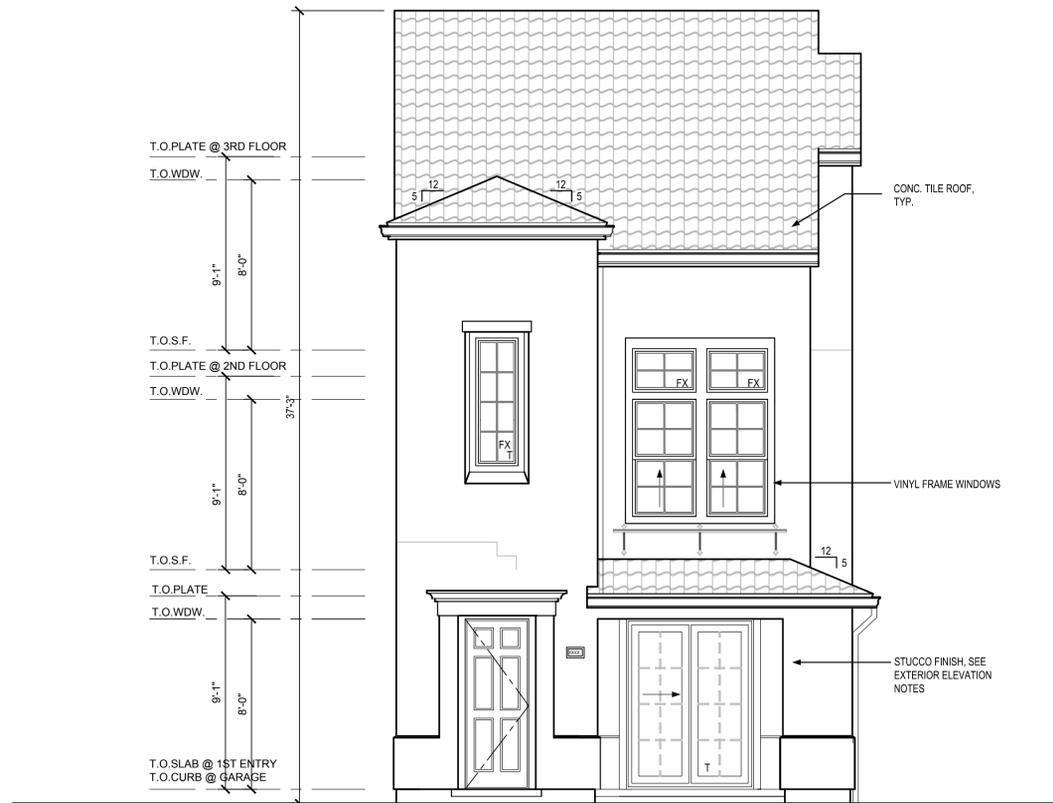
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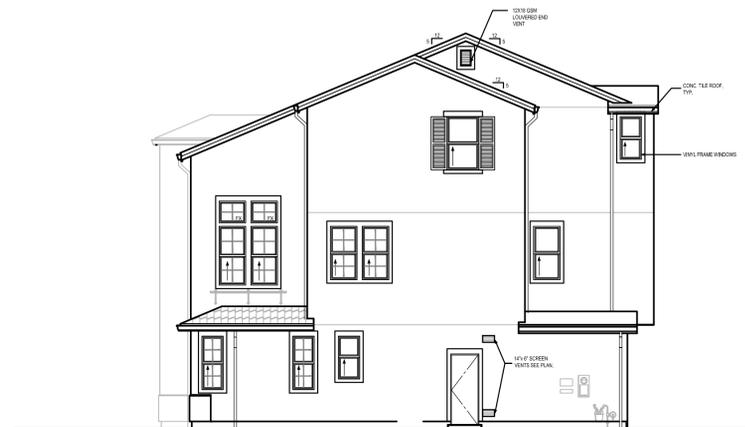
**A2.1**



**PLAN 2 ROOF  
ELEVATION 'A' ITALIAN**  
SCALE: 1/8" = 1'-0"



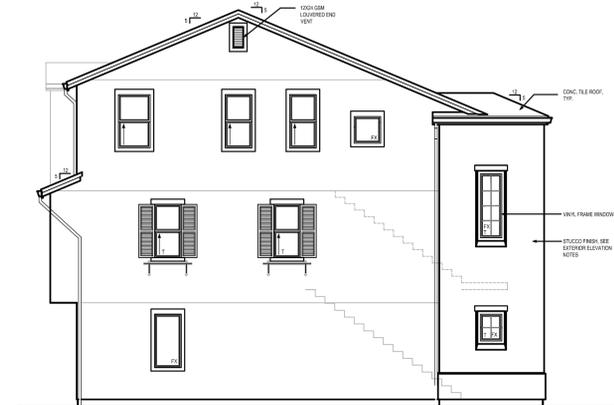
**PLAN 2 FRONT ELEVATION 'A', ITALIAN**  
SCALE: 1/4" = 1'-0"



PLAN 2 RIGHT SIDE ELEVATION 'A', ITALIAN



PLAN 2 REAR ELEVATION 'A', ITALIAN



PLAN 2 LEFT SIDE ELEVATION 'A', ITALIAN



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



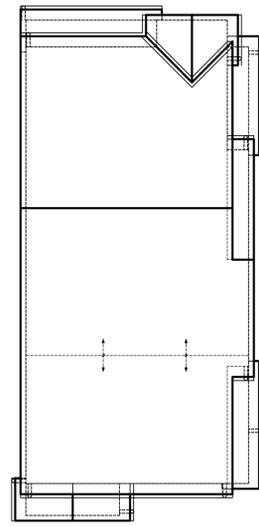
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**Plan 2  
Elevations & Roof Plan  
Elevation A  
Italian**

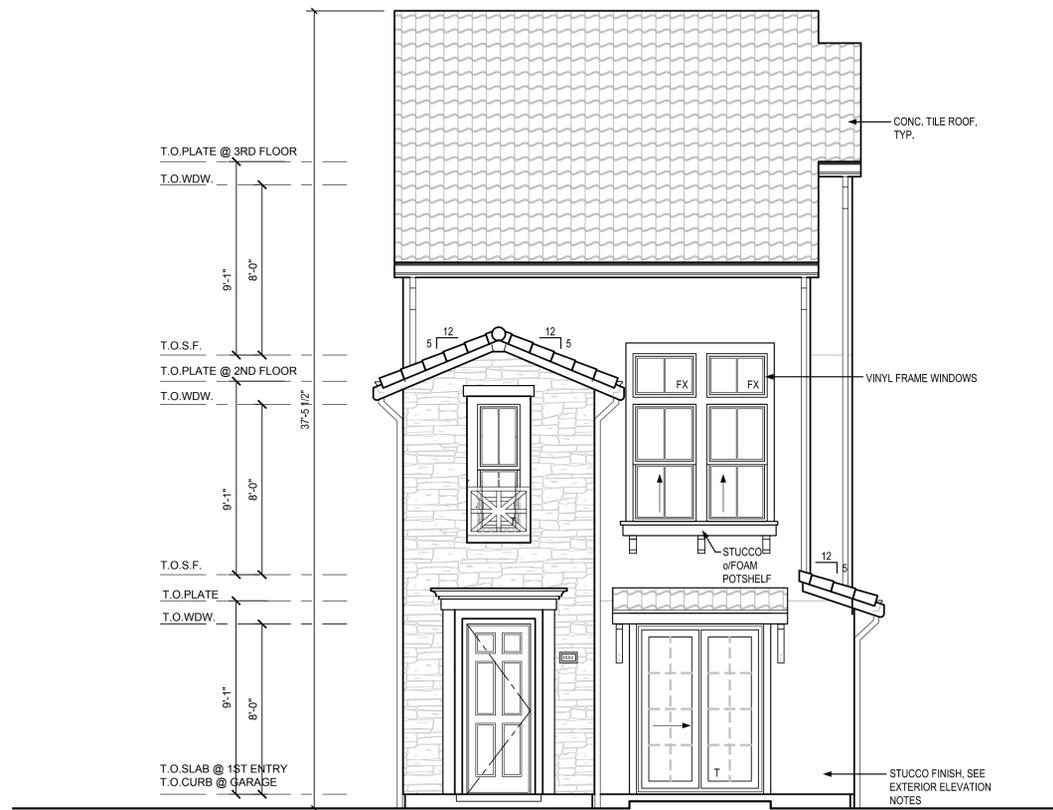
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**A2.2**



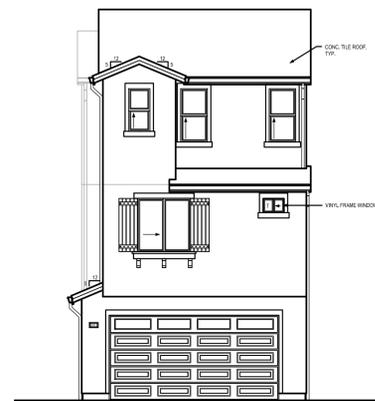
**PLAN 2 ROOF PLAN  
ELEVATION 'C' TUSCAN**  
SCALE: 1/8" = 1'-0"



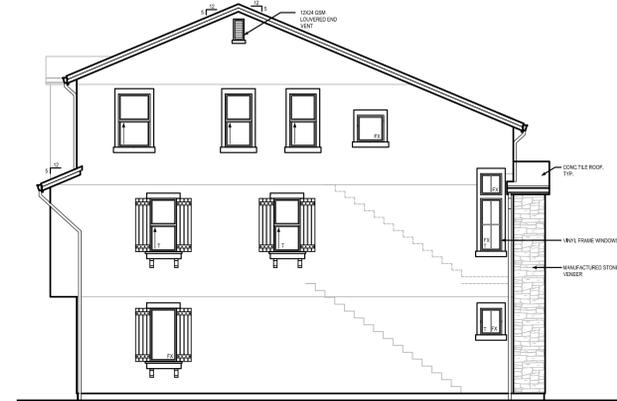
**PLAN 2 FRONT ELEVATION 'C', TUSCAN**  
SCALE: 1/4" = 1'-0"



PLAN 2 RIGHT SIDE ELEVATION 'C', TUSCAN



PLAN 2 REAR ELEVATION 'C', TUSCAN



PLAN 2 LEFT SIDE ELEVATION 'C', TUSCAN



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



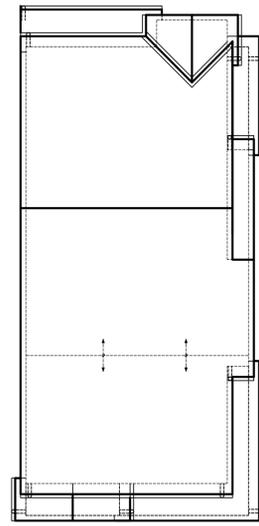
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925-251-7200

**Plan 2  
Elevations & Roof Plan  
Elevation C  
Tuscan**

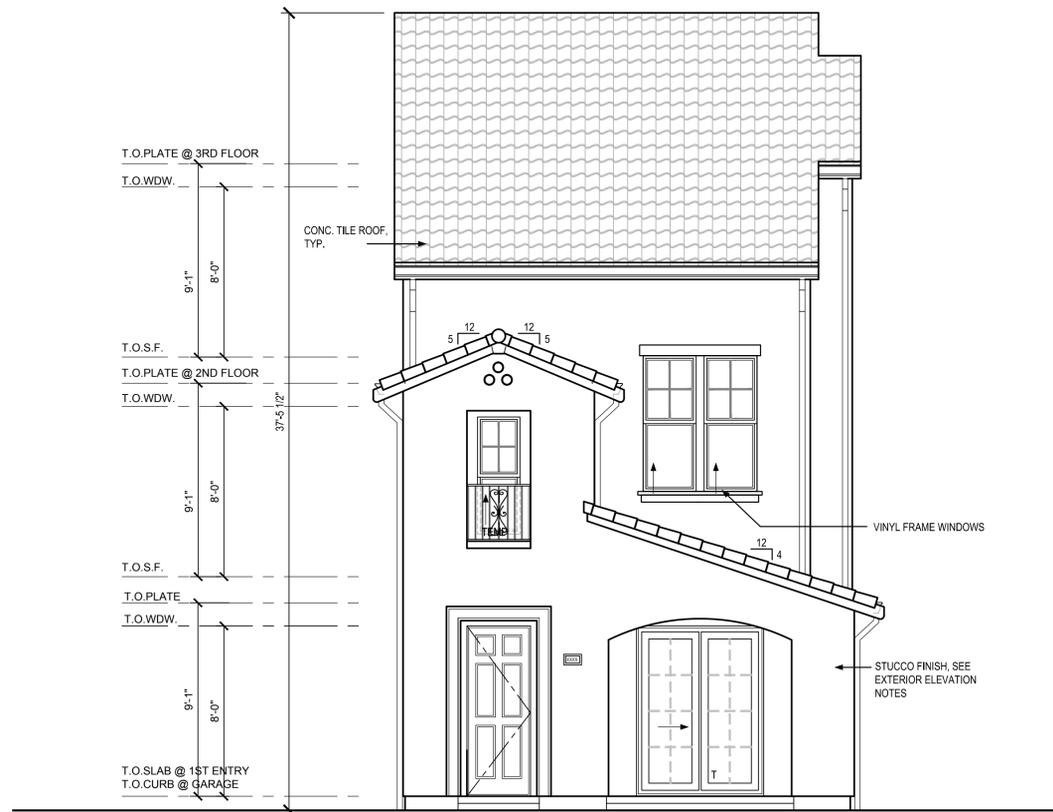
JOB NO. 1005.003

DATE 7-23-2014

**A2.3**



**PLAN 2 ROOF PLAN  
ELEVATION 'D' SPANISH**  
SCALE: 1/8" = 1'-0"



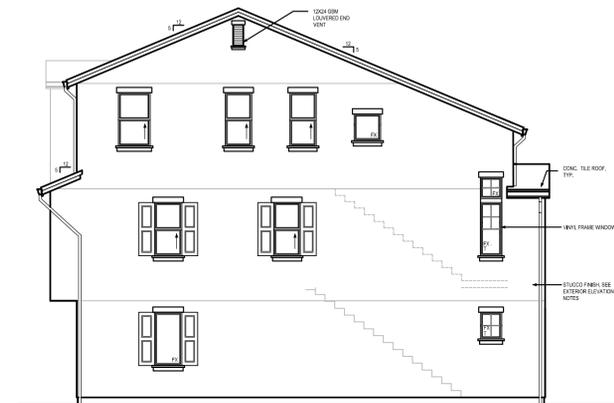
**PLAN 2 FRONT ELEVATION 'D', SPANISH**  
SCALE: 1/4" = 1'-0"



PLAN 2 RIGHT SIDE ELEVATION 'D', SPANISH



PLAN 2 REAR ELEVATION 'D', SPANISH



PLAN 2 LEFT SIDE ELEVATION 'D', SPANISH



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



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**Plan 2  
Elevations & Roof Plan  
Elevation D  
Spanish**

JOB NO. 1005.003

DATE 7-23-2014

**A2.4**



PLAN 3 FRONT ELEVATION 'A', ITALIAN  
SCALE: 1/4" = 1'-0"



PLAN 3 FRONT ELEVATION 'D', SPANISH  
SCALE: 1/4" = 1'-0"



PLAN 3 FRONT ELEVATION 'C', TUSCAN  
SCALE: 1/4" = 1'-0"

**Plan 3  
Elevations**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS

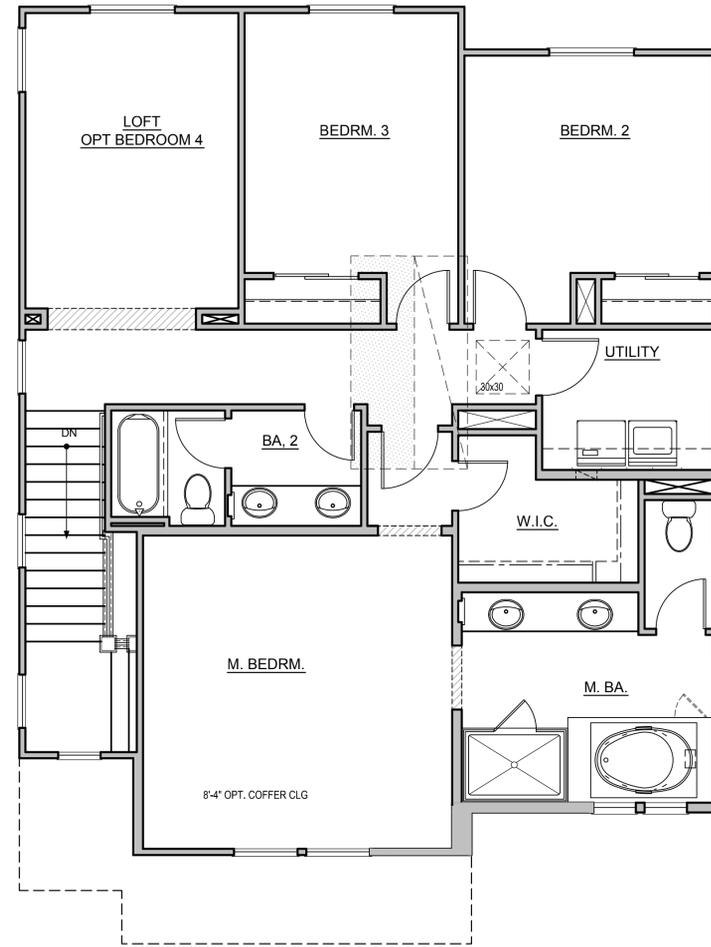


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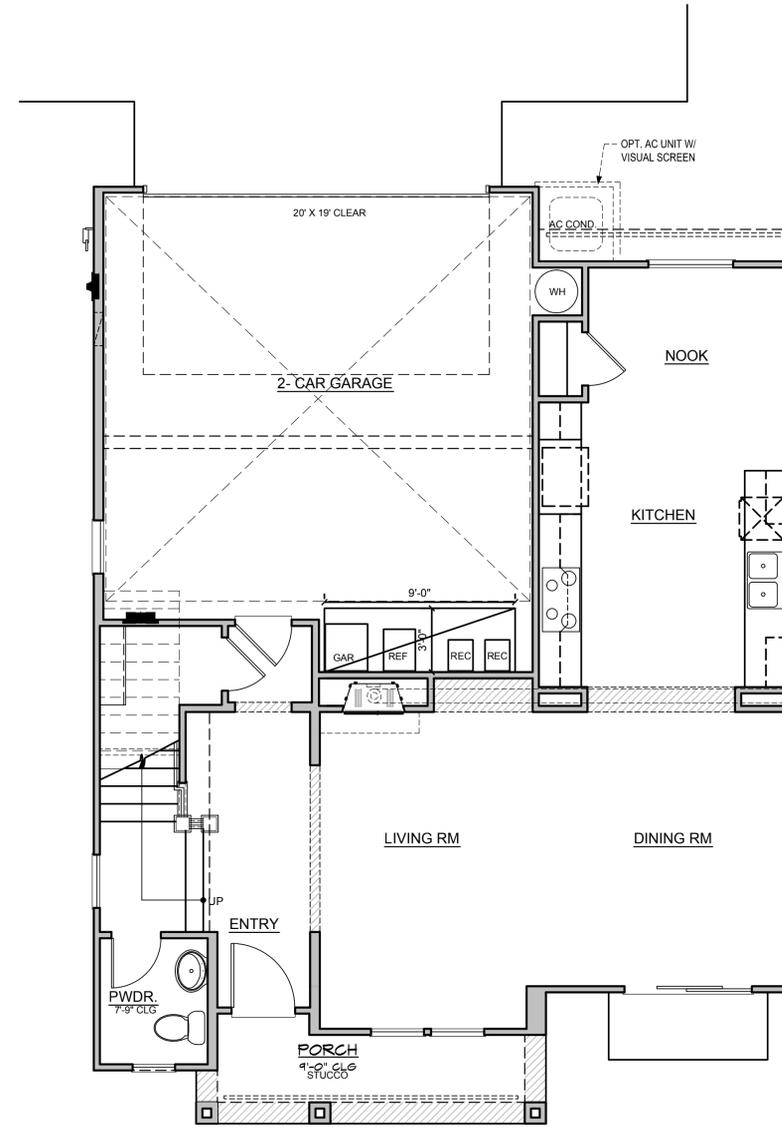
JOB NO. 1005.003

DATE 7-23-2014

**A3.0**



PLAN 3 SECOND FLOOR PLAN ELEVATION 'A' ITALIAN  
SCALE: 1/4" = 1'-0"



PLAN 3 FIRST FLOOR PLAN ELEVATION 'A', ITALIAN  
SCALE: 1/4" = 1'-0"

|                                  |              |
|----------------------------------|--------------|
| <b>PLAN 3</b>                    |              |
| <b>TOTAL LIVING AREA:</b>        | 2043 sq. ft. |
| First Floor                      | 801 sq. ft.  |
| Second Floor                     | 1242 sq. ft. |
| Garage:                          | 452 sq. ft.  |
| Porch:                           | 71 sq. ft.   |
| Elevation A:                     | 11 sq. ft.   |
| Elevation C:                     | 11 sq. ft.   |
| Elevation D:                     | 11 sq. ft.   |
| 3 BR, 2.5 BA & LOFT - OPT. BED 4 |              |

**Plan 3  
Floor Plans**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS

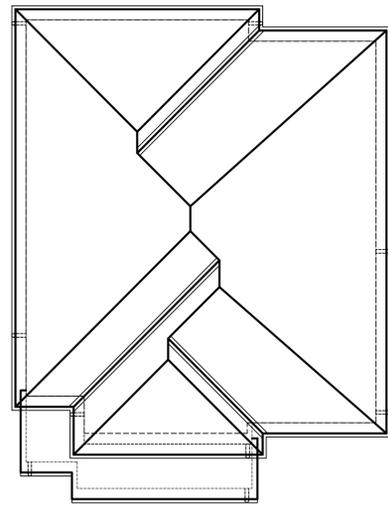


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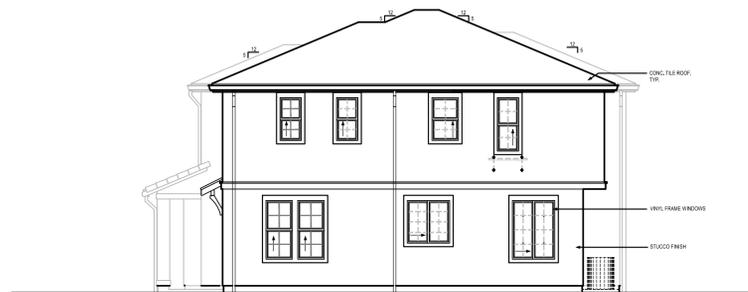
**A3.1**



**PLAN 3 ROOF PLAN  
ELEVATION 'A', ITALIAN**  
SCALE: 1/8" = 1'-0"



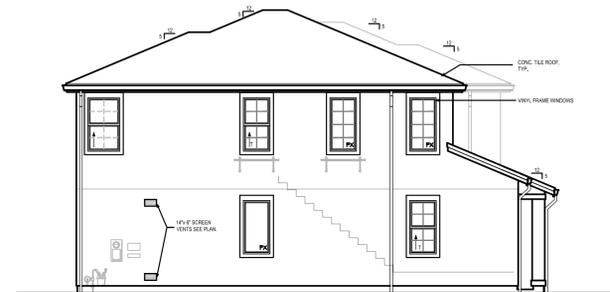
**PLAN 3 FRONT ELEVATION 'A', ITALIAN**  
SCALE: 1/4" = 1'-0"



PLAN 3 RIGHT SIDE ELEVATION 'A', ITALIAN



PLAN 3 REAR ELEVATION 'A', ITALIAN



PLAN 3 LEFT SIDE ELEVATION 'A', ITALIAN



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



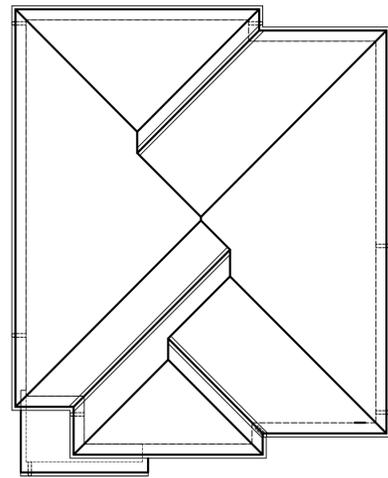
5865 Owens Drive  
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**Plan 3  
Elevations & Roof Plan  
Elevation A  
Italian**

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**A3.2**



**PLAN 3 ROOF PLAN ELEVATION 'C', TUSCAN**  
SCALE: 1/8" = 1'-0"



**PLAN 3 FRONT ELEVATION 'C', TUSCAN**  
SCALE: 1/4" = 1'-0"



PLAN 3 RIGHT SIDE ELEVATION 'C', TUSCAN



PLAN 3 REAR ELEVATION 'C', TUSCAN



PLAN 3 LEFT SIDE ELEVATION 'C', TUSCAN



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



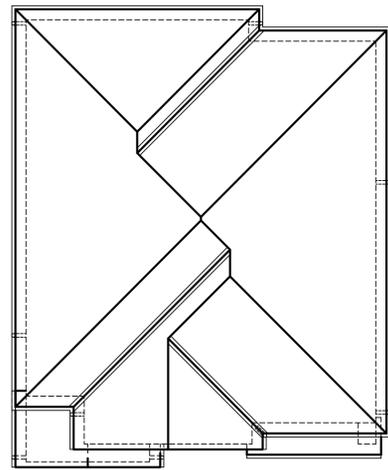
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**Plan 3**  
**Elevations & Roof Plan**  
**Elevation C**  
**Tuscan**

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**A3.3**



**PLAN 3 ROOF PLAN ELEVATION 'D',  
SPANISH**  
SCALE: 1/8" = 1'-0"



**PLAN 3 FRONT ELEVATION 'D', SPANISH**  
SCALE: 1/4" = 1'-0"



PLAN 3 RIGHT ELEVATION 'D', SPANISH



PLAN 3 REAR ELEVATION 'D', SPANISH



PLAN 3 LEFT ELEVATION 'D', SPANISH



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



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**Plan 3  
Elevations & Roof Plan  
Elevation D  
Spanish**

JOB NO. 1005.003

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**A3.4**



PLAN 4 FRONT ELEVATION 'A', ITALIAN  
SCALE: 1/4" = 1'-0"



PLAN 4 FRONT ELEVATION 'D', SPANISH  
SCALE: 1/4" = 1'-0"



PLAN 4 FRONT ELEVATION 'C', TUSCAN  
SCALE: 1/4" = 1'-0"

Plan 4 Elevations



EDEN POINTE - HAYWARD, CA  
VALLEY OAK PARTNERS

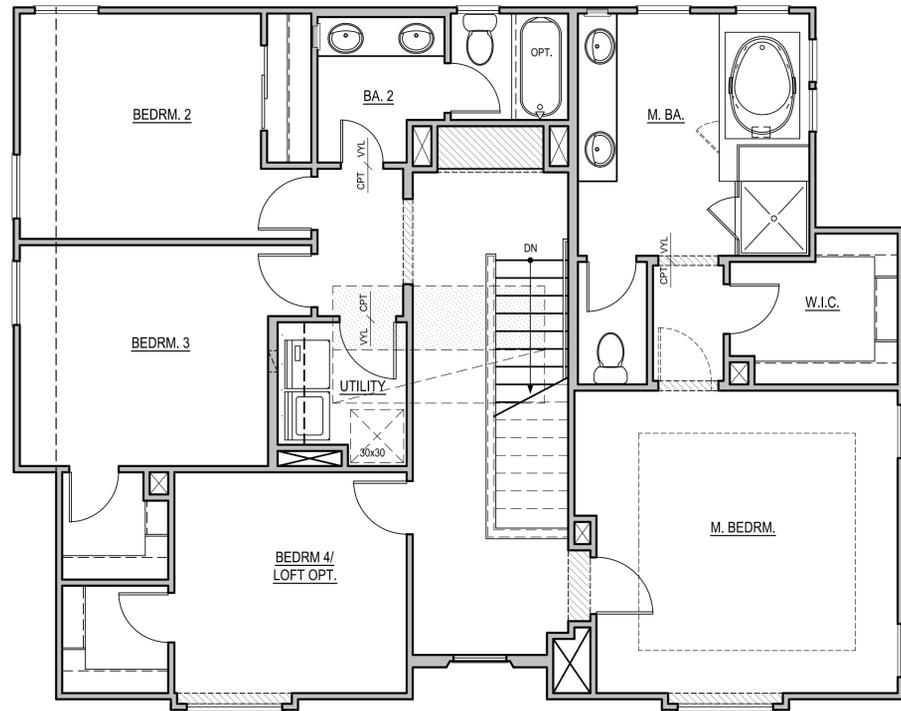


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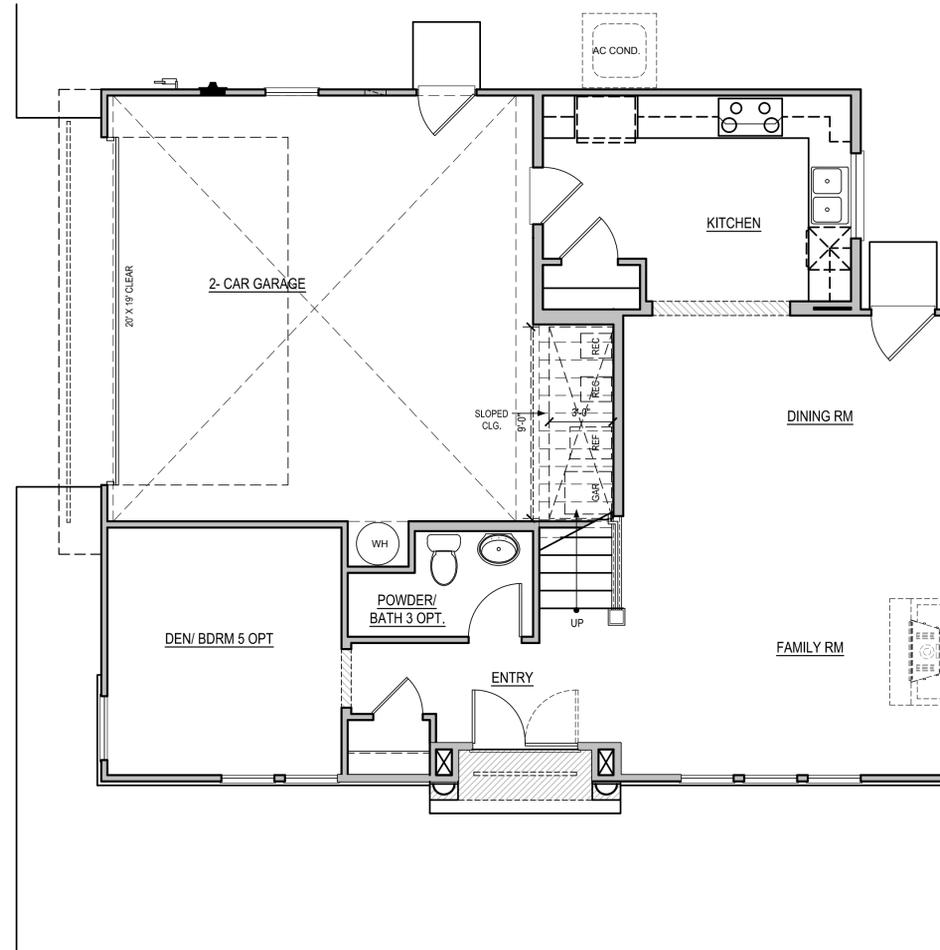
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A4.0



**PLAN 4 SECOND FLOOR PLAN 'A', ITALIAN**  
SCALE: 1/4" = 1'-0"



**PLAN 4 FIRST FLOOR PLAN 'A', ITALIAN**  
SCALE: 1/4" = 1'-0"

|                                         |              |
|-----------------------------------------|--------------|
| <b>PLAN 4</b>                           |              |
| <b>TOTAL LIVING AREA:</b>               | 2101 sq. ft. |
| First Floor                             | 827 sq. ft.  |
| Second Floor                            | 1274 sq. ft. |
| Garage:                                 | 420 sq. ft.  |
| Porch:                                  |              |
| Elevation A:                            | 18 sq.ft.    |
| Elevation C:                            | 15 sq.ft.    |
| Elevation D:                            | 18 sq.ft.    |
| 4 BR, 2.5 BA & DEN<br>OPT. LOFT & BED 5 |              |

**Plan 4  
Floor Plans**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS

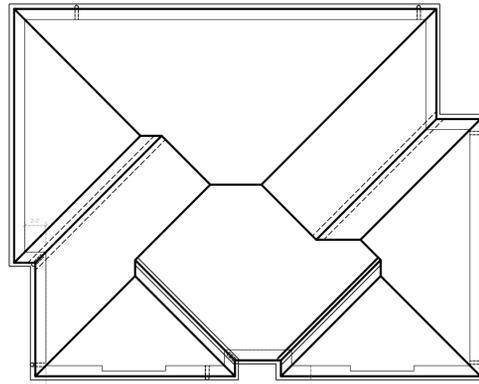


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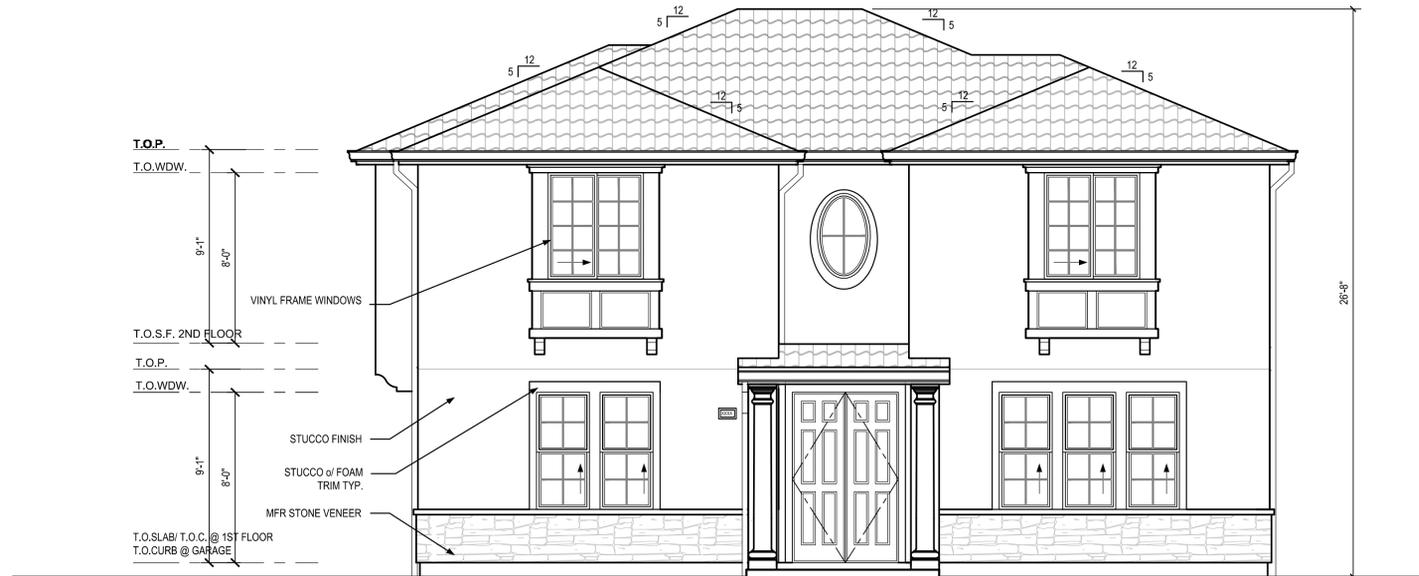
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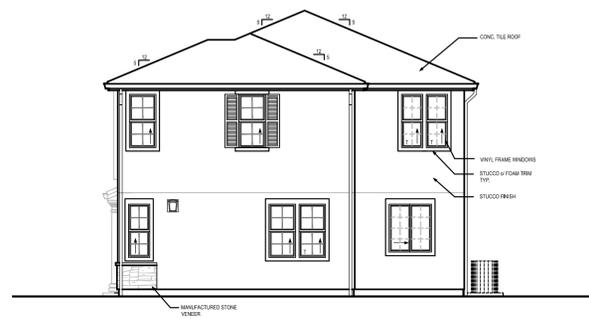
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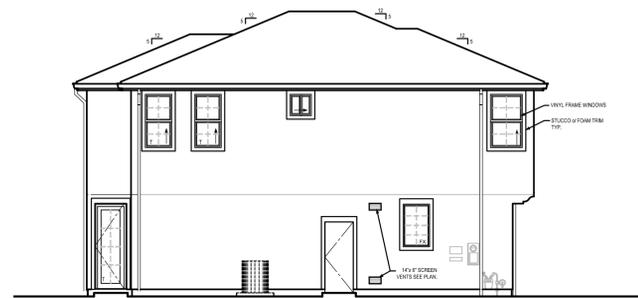
**PLAN 4 ROOF PLAN ELEVATION**  
**'A', ITALIAN**  
 SCALE: 1/8" = 1'-0"



**PLAN 4 FRONT ELEVATION 'A', ITALIAN**  
 SCALE: 1/4" = 1'-0"



**PLAN 4 RIGHT SIDE ELEVATION 'A', ITALIAN**



**PLAN 4 REAR ELEVATION 'A', ITALIAN**



**PLAN 4 LEFT SIDE ELEVATION 'A', ITALIAN**



**EDEN POINTE - HAYWARD, CA**  
 VALLEY OAK PARTNERS



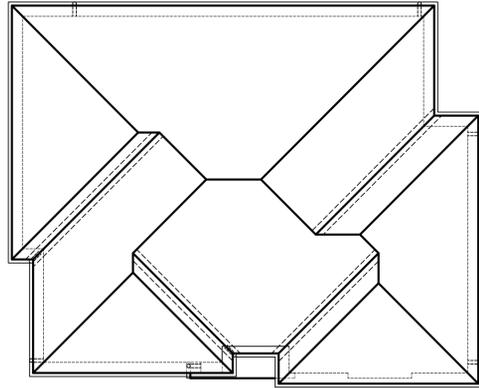
5865 Owens Drive  
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**Plan 4**  
**Elevations & Roof Plan**  
**Elevation A**  
**Italian**

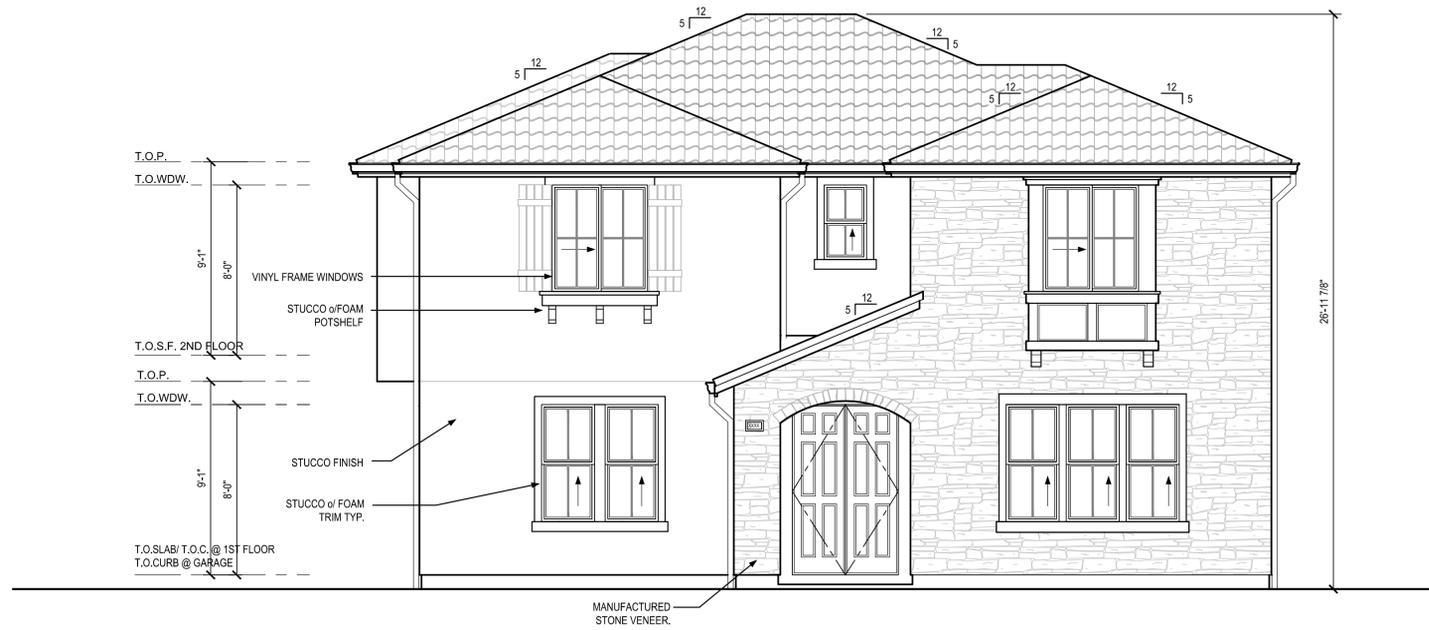
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**A4.2**



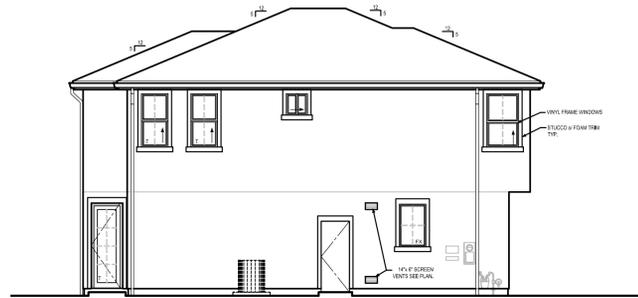
**PLAN 4 ROOF PLAN ELEVATION  
'C', TUSCAN**  
SCALE: 1/8" = 1'-0"



**PLAN 4 FRONT ELEVATION 'C', TUSCAN**  
SCALE: 1/4" = 1'-0"



**PLAN 4 RIGHT SIDE ELEVATION 'C', TUSCAN**



**PLAN 4 REAR ELEVATION 'C', TUSCAN**



**PLAN 4 LEFT SIDE ELEVATION 'C', TUSCAN**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



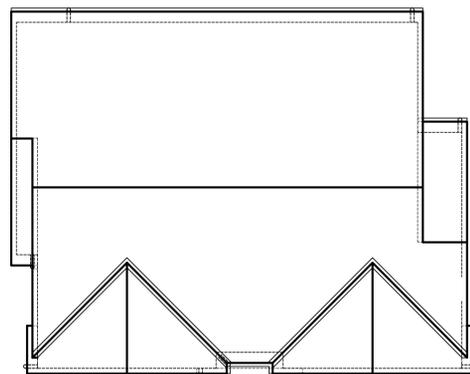
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**Plan 4  
Elevations & Roof Plan  
Elevation C  
Tuscan**

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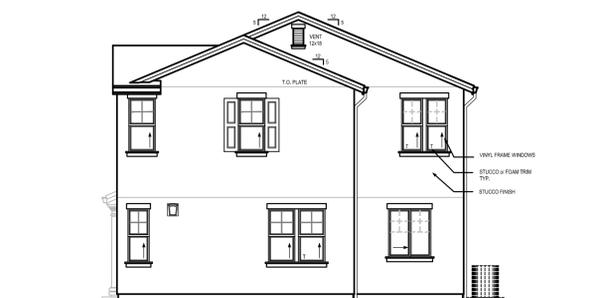
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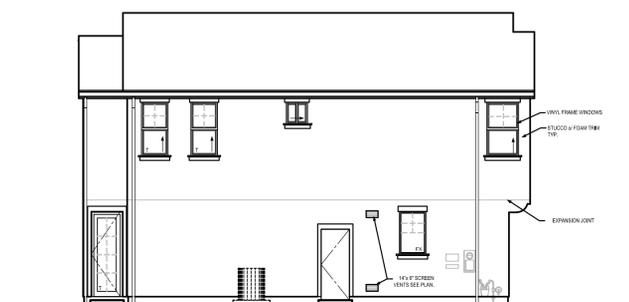
**PLAN 4 ROOF PLAN ELEVATION  
'D', SPANISH**  
SCALE: 1/8" = 1'-0"



**PLAN 4 FRONT ELEVATION 'D', SPANISH**  
SCALE: 1/4" = 1'-0"



**PLAN 4 RIGHT SIDE ELEVATION 'D', SPANISH**



**PLAN 4 REAR ELEVATION 'D', SPANISH**



**PLAN 4 LEFT SIDE ELEVATION 'D', SPANISH**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



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**Plan 4  
Elevations & Roof Plan  
Elevation D  
Spanish**

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**A4.4**



PLAN 5 FRONT ELEVATION 'A', ITALIAN  
SCALE: 1/4" = 1'-0"



PLAN 5 FRONT ELEVATION 'D', SPANISH  
SCALE: 1/4" = 1'-0"



PLAN 5 FRONT ELEVATION 'C', TUSCAN  
SCALE: 1/4" = 1'-0"

Plan 5 Elevations



EDEN POINTE - HAYWARD, CA  
VALLEY OAK PARTNERS

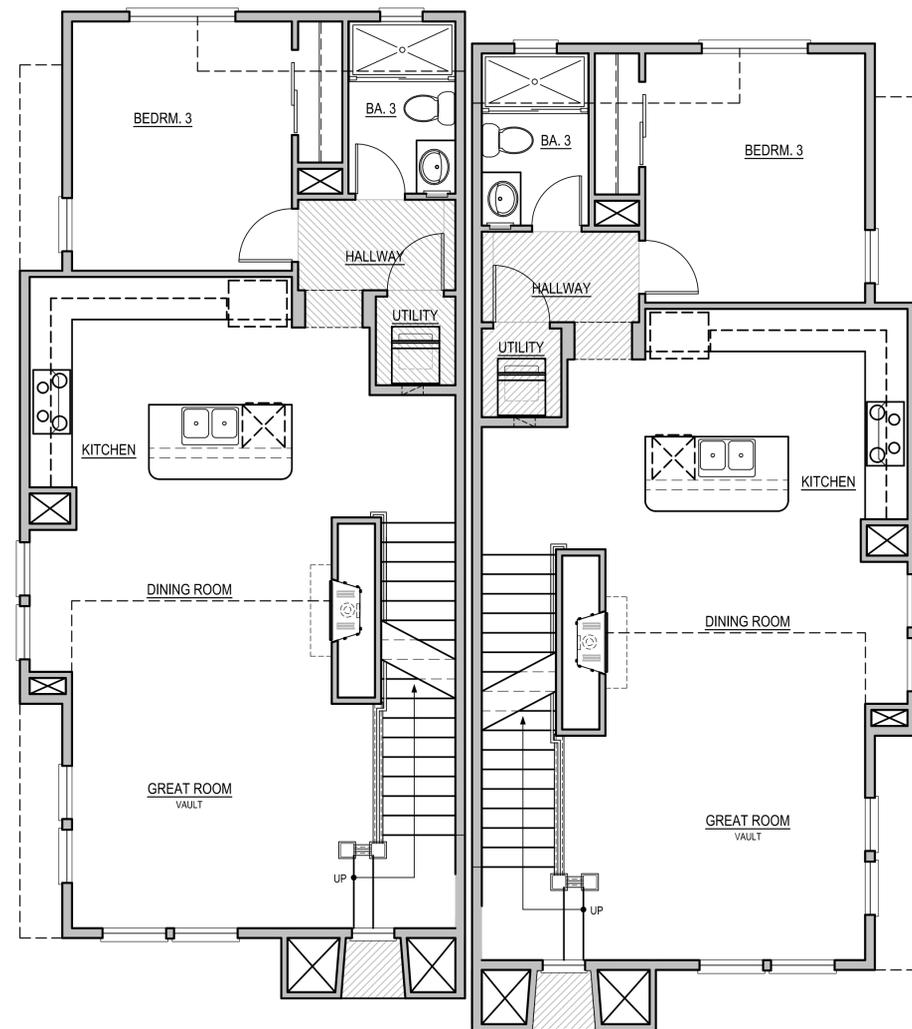


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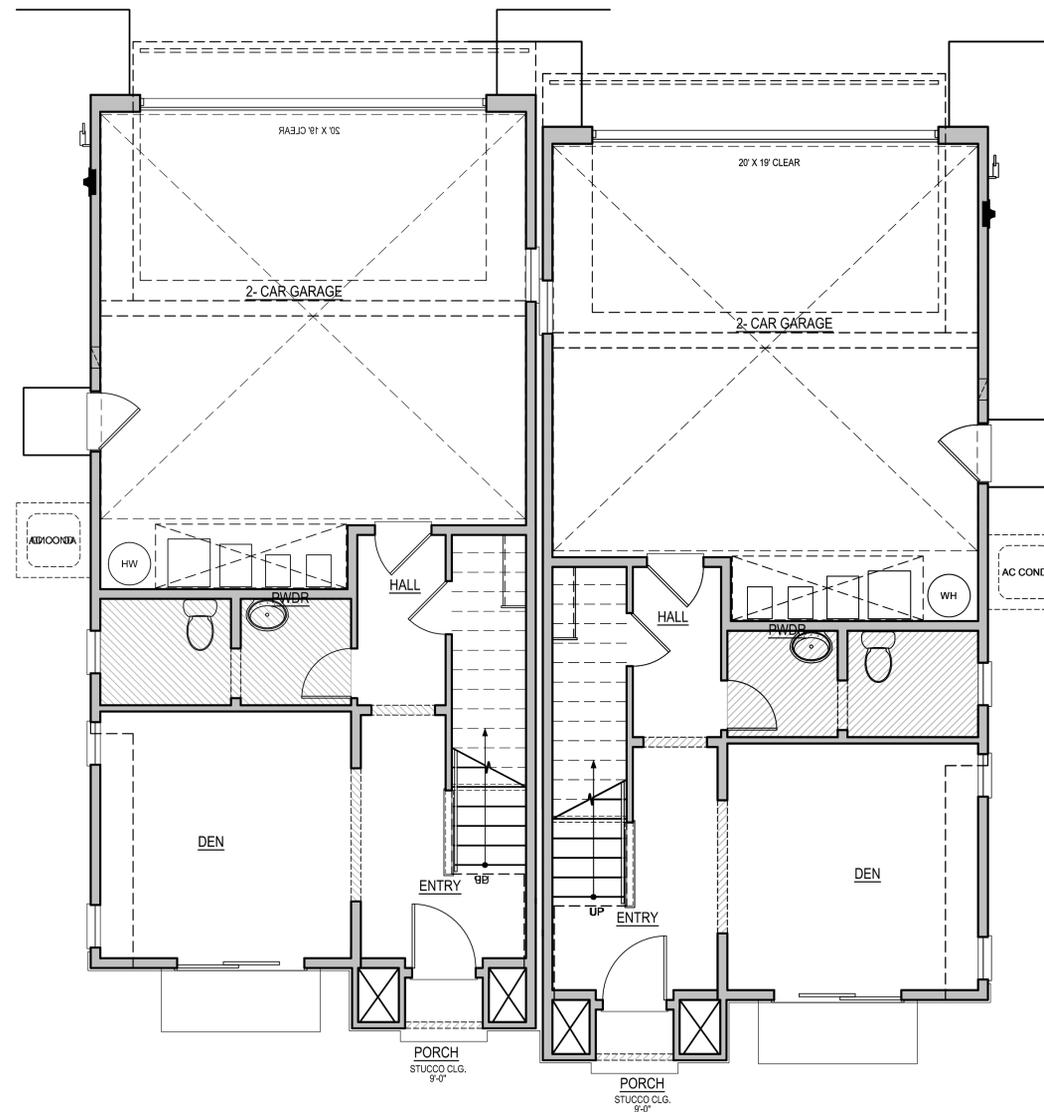
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A5.0



**PLAN 5 SECOND FLOOR PLAN**  
**ELEVATION 'A' ITALIAN**  
 SCALE: 1/4" = 1'-0"



**PLAN 5 FIRST FLOOR PLAN**  
**ELEVATION 'A' ITALIAN**  
 SCALE: 1/4" = 1'-0"

|                               |                     |
|-------------------------------|---------------------|
| <b>PLAN 5</b>                 |                     |
| <b>TOTAL LIVING AREA:</b>     | 1761 sq. ft.        |
|                               | (3522 Duet sq. ft.) |
| First Floor                   | 403 sq. ft.         |
| Second Floor                  | 867 sq. ft.         |
| Third Floor                   | 491 sq. ft.         |
| Garage:                       | 461 sq. ft.         |
| Porch:                        | 9 sq. ft.           |
| <b>3 BR, 3.5 BA &amp; DEN</b> |                     |

**Plan 5**  
**First & Second**  
**Floor Plans**

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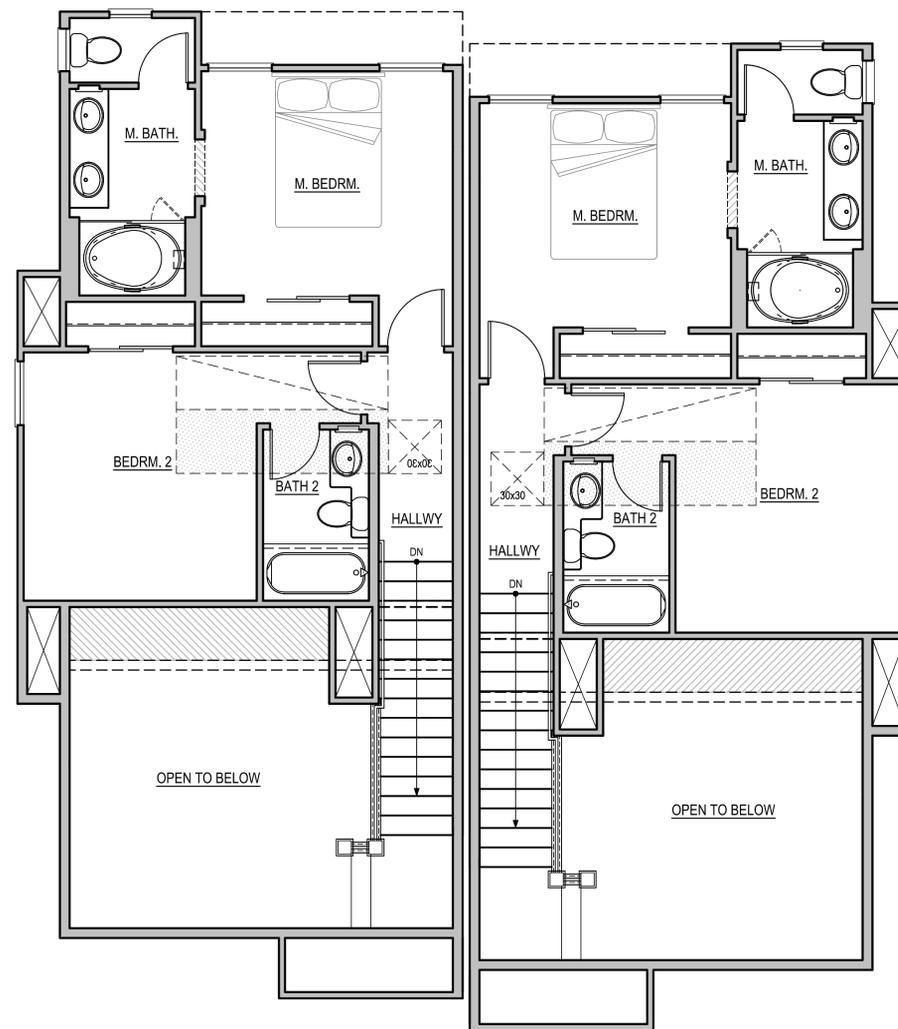
**A5.1**



**EDEN POINTE - HAYWARD, CA**  
 VALLEY OAK PARTNERS



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**PLAN 5 THIRD FLOOR PLAN  
ELEVATION 'A' ITALIAN**

SCALE: 1/4" = 1'-0"

|                               |                     |
|-------------------------------|---------------------|
| <b>PLAN 5</b>                 |                     |
| <b>TOTAL LIVING AREA:</b>     | 1761 sq. ft.        |
|                               | (3522 Duet sq. ft.) |
| First Floor                   | 403 sq. ft.         |
| Second Floor                  | 867 sq. ft.         |
| Third Floor                   | 491 sq. ft.         |
| Garage:                       | 461 sq. ft.         |
| Porch:                        | 9 sq. ft.           |
| <b>3 BR, 3.5 BA &amp; DEN</b> |                     |

**Plan 5  
Third Floor Plan**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS

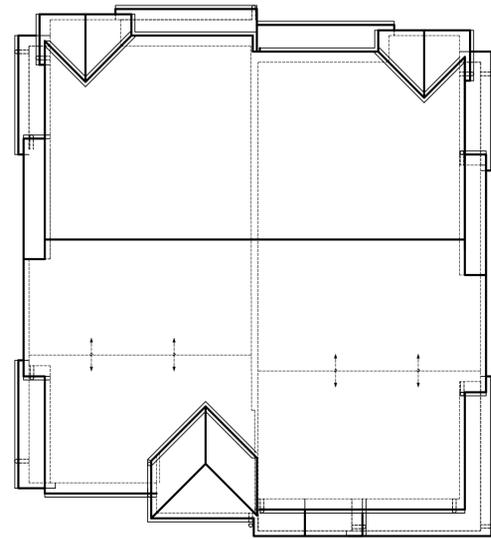


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**A5.2**



**PLAN 5 ROOF  
ELEVATION 'A' ITALIAN**  
SCALE: 1/8" = 1'-0"



**PLAN 5 FRONT ELEVATION 'A', ITALIAN**  
SCALE: 1/4" = 1'-0"



PLAN 5 RIGHT SIDE ELEVATION 'A', ITALIAN



PLAN 5 REAR ELEVATION 'A', ITALIAN



PLAN 5 LEFT SIDE ELEVATION 'A', ITALIAN



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



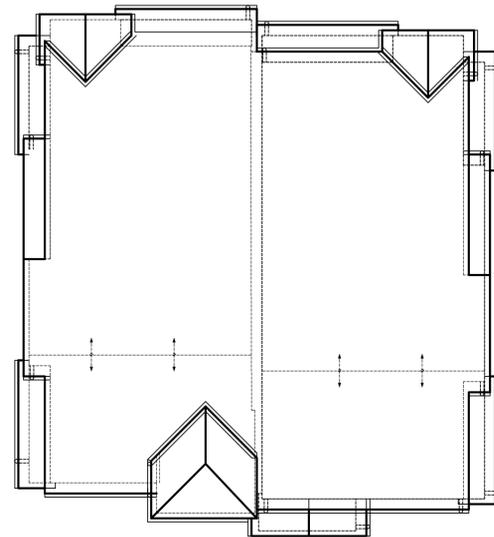
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**Plan 5  
Elevations & Roof Plan  
Elevation A  
Italian**

JOB NO. 1005.003

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**A5.3**



**PLAN 5 ROOF PLAN**  
**ELEVATION 'C' TUSCAN**  
 SCALE: 1/8" = 1'-0"



**PLAN 5 FRONT ELEVATION 'C', TUSCAN**  
 SCALE: 1/4" = 1'-0"



**PLAN 5 RIGHT SIDE ELEVATION 'C', TUSCAN**



**PLAN 5 REAR ELEVATION 'C', TUSCAN**



**PLAN 5 LEFT SIDE ELEVATION 'C', TUSCAN**



**EDEN POINTE - HAYWARD, CA**  
 VALLEY OAK PARTNERS



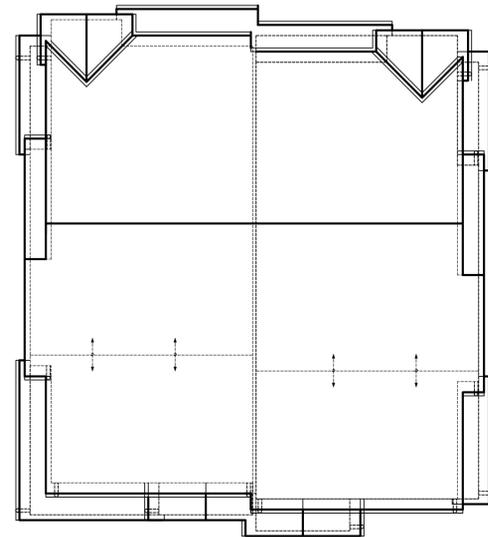
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**Plan 5**  
**Elevations & Roof Plan**  
**Elevation C**  
**Tuscan**

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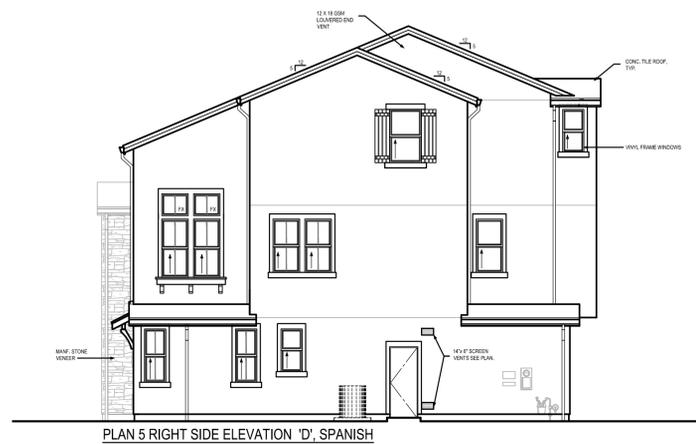
**A5.4**



**PLAN 5 ROOF PLAN  
ELEVATION 'D' SPANISH**  
SCALE: 1/8" = 1'-0"



**PLAN 5 FRONT ELEVATION 'D', SPANISH**  
SCALE: 1/4" = 1'-0"



PLAN 5 RIGHT SIDE ELEVATION 'D', SPANISH



PLAN 5 REAR ELEVATION 'D', SPANISH



PLAN 5 LEFT SIDE ELEVATION 'D', SPANISH



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



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**Plan 5  
Elevations & Roof Plan  
Elevation D  
Spanish**

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**A5.5**



PLAN 6 FRONT ELEVATION A, ITALIAN  
SCALE: 1/4" = 1'-0"



PLAN 6 FRONT ELEVATION D, SPANISH  
SCALE: 1/4" = 1'-0"



PLAN 6 FRONT ELEVATION C, TUSCAN  
SCALE: 1/4" = 1'-0"

**Plan 6  
Elevations**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS

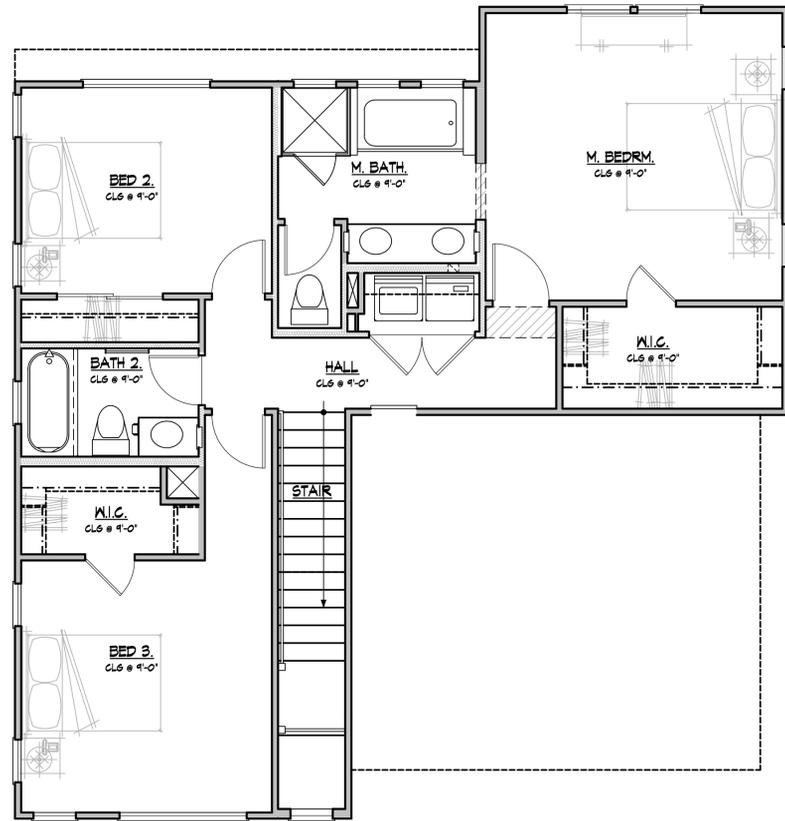


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**A6.0**



PLAN 6 SECOND FLOOR PLAN ELEVATION 'A', ITALIAN  
SCALE: 1/4" = 1'-0"



PLAN 6 FIRST FLOOR PLAN ELEVATION 'A', ITALIAN  
SCALE: 1/4" = 1'-0"

|                       |              |
|-----------------------|--------------|
| PLAN 6                |              |
| TOTAL LIVING AREA:    | 1733 sq. ft. |
| First Floor           | 875 sq. ft.  |
| Second Floor          | 858 sq. ft.  |
| Garage:               | 411 sq. ft.  |
| Porch:                | 10 sq. ft.   |
| 4 BR, 3 BA & OPT. DEN |              |

**Plan 6  
Floor Plans**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS

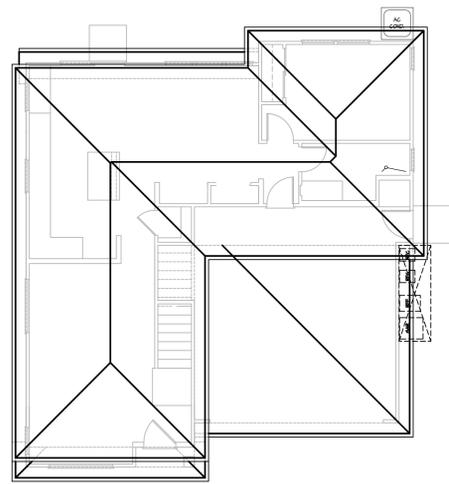


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**A6.1**



**PLAN 6 ROOF PLAN,  
ELEVATION A, ITALIAN**  
SCALE: 1/8" = 1'-0"



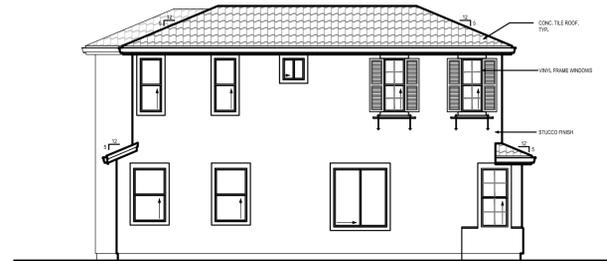
**PLAN 6 FRONT ELEVATION A, ITALIAN**  
SCALE: 1/4" = 1'-0"



PLAN 6 RIGHT SIDE ELEVATION A, ITALIAN



PLAN 6 REAR ELEVATION A, ITALIAN



PLAN 6 LEFT SIDE ELEVATION A, ITALIAN



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



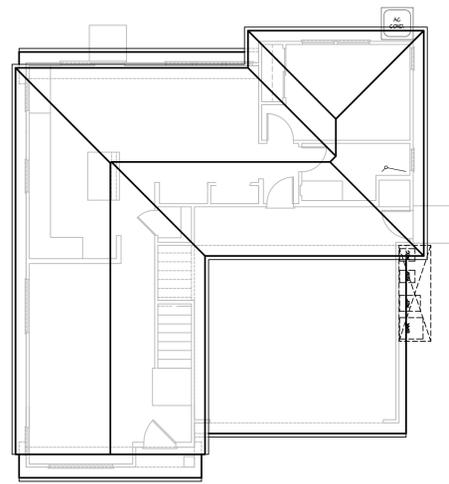
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**Plan 6  
Elevations & Roof Plan  
Elevation A  
Italian**

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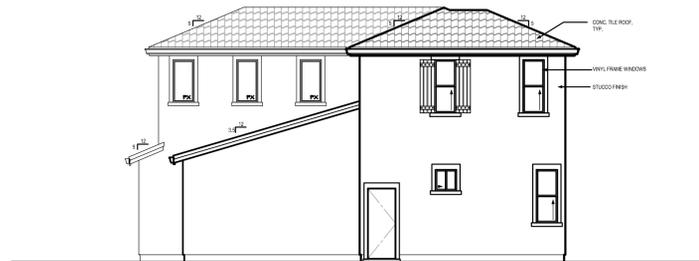
**A6.2**



**PLAN 6 ROOF PLAN,  
ELEVATION C, TUSCAN**  
SCALE: 1/8" = 1'-0"



**PLAN 6 FRONT ELEVATION C, TUSCAN**  
SCALE: 1/4" = 1'-0"



PLAN 6 RIGHT SIDE ELEVATION C, TUSCAN



PLAN 6 REAR ELEVATION C, TUSCAN



PLAN 6 LEFT SIDE ELEVATION C, TUSCAN



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



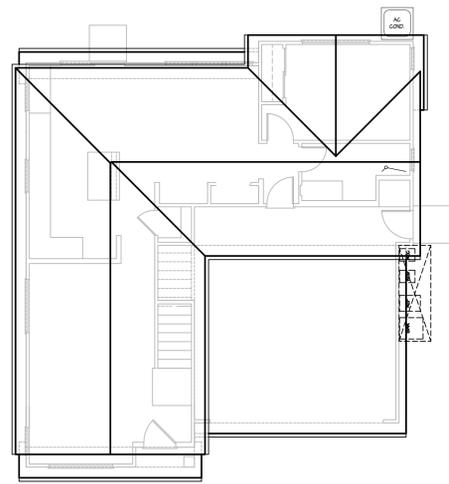
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**Plan 6  
Elevations & Roof Plan  
Elevation C  
Tuscan**

JOB NO. 1005.003

DATE 7-23-2014

**A6.3**



**PLAN 6 ROOF PLAN,  
ELEVATION D, SPANISH**  
SCALE: 1/8" = 1'-0"



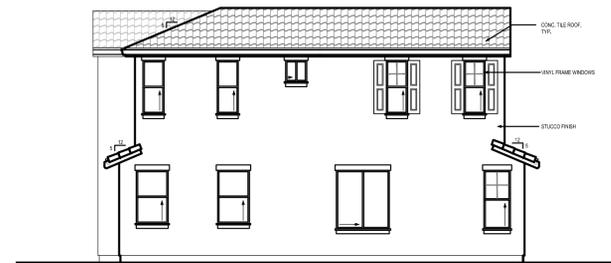
**PLAN 6 FRONT ELEVATION D, SPANISH**  
SCALE: 1/4" = 1'-0"



PLAN 6 RIGHT SIDE ELEVATION D, SPANISH



PLAN 6 REAR ELEVATION D, SPANISH



PLAN 6 LEFT SIDE ELEVATION D, SPANISH



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



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**Plan 6  
Elevations & Roof Plan  
Elevation D  
Spanish**

JOB NO. 1005.003

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**A6.4**



**PLAN 7 FRONT ELEVATION 'A', ITALIAN**  
SCALE: 1/4" = 1'-0"



**PLAN 7 FRONT ELEVATION 'D' SPANISH**  
SCALE: 1/4" = 1'-0"



**PLAN 7 FRONT ELEVATION 'C' TUSCAN**  
SCALE: 1/4" = 1'-0"

**Plan 7  
Elevations**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS

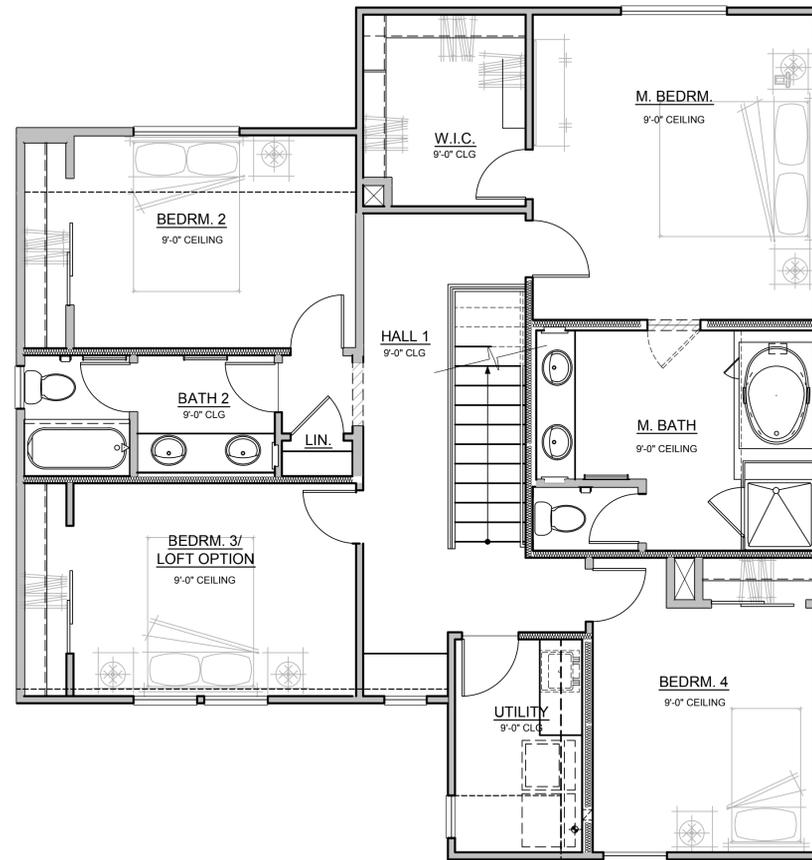


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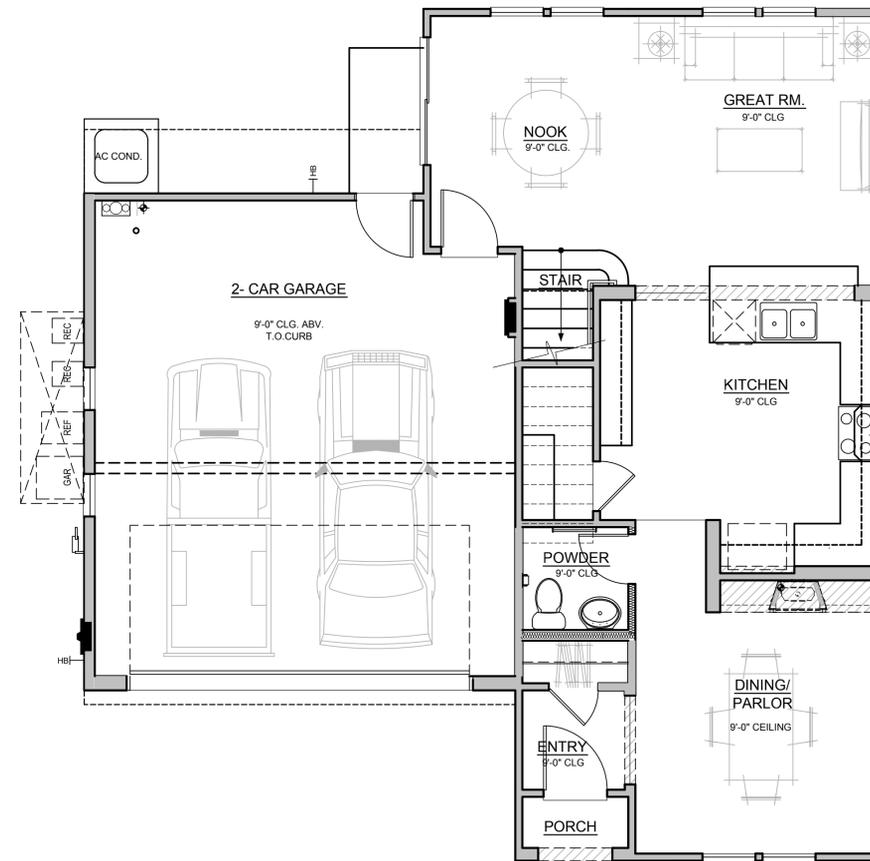
JOB NO. 1005.003

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**A7.0**



**PLAN 7 SECOND FLOOR PLAN ELEVATION 'A', ITALIAN**  
SCALE: 1/4" = 1'-0"



**PLAN 7 FIRST FLOOR PLAN ELEVATION 'A', ITALIAN**  
SCALE: 1/4" = 1'-0"

|                           |              |
|---------------------------|--------------|
| <b>PLAN 7</b>             |              |
| <b>TOTAL LIVING AREA:</b> | 1988 sq. ft. |
| First Floor               | 747 sq. ft.  |
| Second Floor              | 1241 sq. ft. |
| Garage:                   | 461 sq. ft.  |
| Porch:                    | x sq. ft.    |
| 4 BR, 2.5 BA & OPT. LOFT  |              |

**Plan 7  
Floor Plans**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS

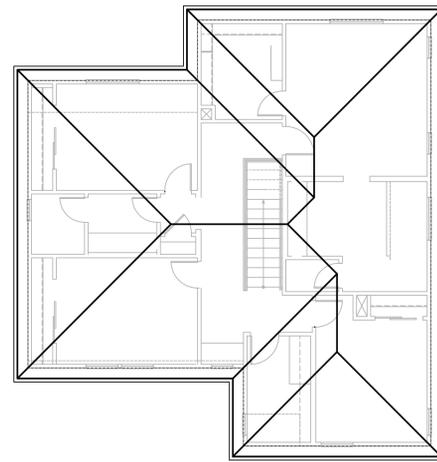


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**A7.1**



**PLAN 7 ROOF PLAN  
ELEVATION 'A', ITALIAN**  
SCALE: 1/8" = 1'-0"



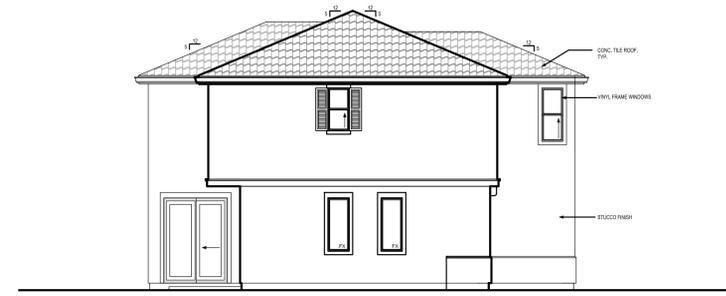
**PLAN 7 FRONT ELEVATION 'A', ITALIAN**  
SCALE: 1/4" = 1'-0"



**PLAN 7 RIGHT ELEVATION 'A', ITALIAN**



**PLAN 7 REAR ELEVATION 'A', ITALIAN**



**PLAN 7 LEFT ELEVATION 'A', ITALIAN**

**Plan 7  
Elevations & Roof Plan  
Elevation A  
Italian**

JOB NO. 1005.003

DATE 7-23-2014

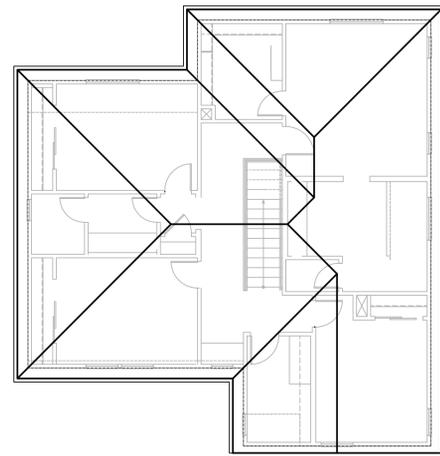
**A7.2**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



5865 Owens Drive  
Pleasanton, CA 94588  
925-251-7200



**PLAN 7 ROOF PLAN  
ELEVATION 'C' TUSCAN**  
SCALE: 1/8" = 1'-0"



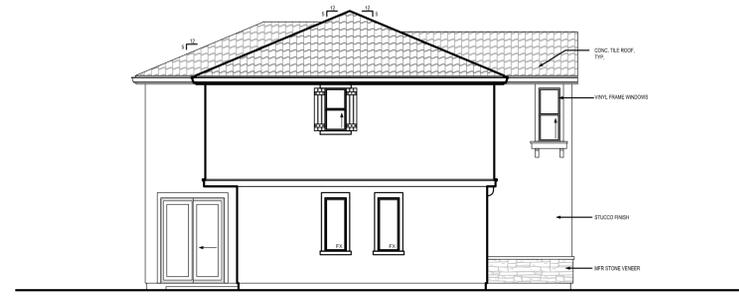
**PLAN 7 FRONT ELEVATION 'C' TUSCAN**  
SCALE: 1/4" = 1'-0"



**PLAN 7 RIGHT ELEVATION 'C' TUSCAN**



**PLAN 7 REAR ELEVATION 'C' TUSCAN**



**PLAN 7 LEFT ELEVATION 'C' TUSCAN**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



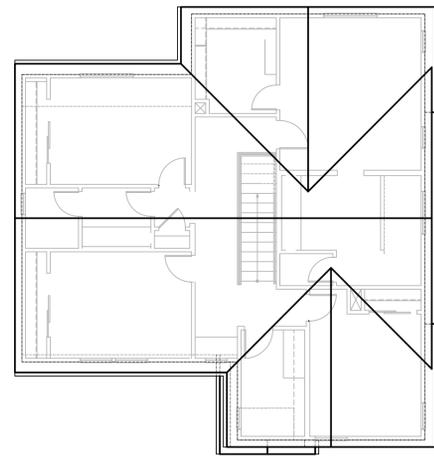
5865 Owens Drive  
Pleasanton, CA 94588  
925-251-7200

**Plan 7  
Elevations & Roof Plan  
Elevation C  
Tuscan**

JOB NO. 1005.003

DATE 7-23-2014

**A7.3**



**PLAN 7 ROOF PLAN  
ELEVATION 'D' SPANISH**  
SCALE: 1/8" = 1'-0"



**PLAN 7 FRONT ELEVATION 'D' SPANISH**  
SCALE: 1/4" = 1'-0"



**PLAN 7 RIGHT ELEVATION 'D' SPANISH**



**PLAN 7 REAR ELEVATION 'D' SPANISH**



**PLAN 7 LEFT ELEVATION 'D' SPANISH**



**EDEN POINTE - HAYWARD, CA**  
VALLEY OAK PARTNERS



5865 Owens Drive  
Pleasanton, CA 94588  
925-251-7200

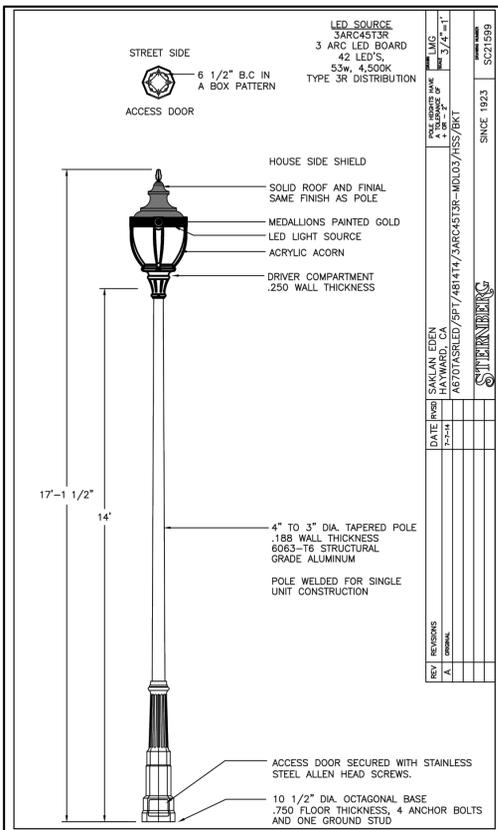
**Plan 7  
Elevations & Roof Plan  
Elevation D  
Spanish**

JOB NO. 1005.003

DATE 7-23-2014

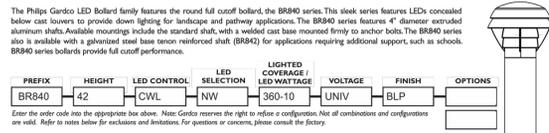
**A7.4**

# SAKLAN EDEN - STREET LIGHTING



Job: Saklan Eden - City of Hayward  
 Type: CC Qty. = 9  
 Notes: BR840-42-CWL-NW-360-10-UNIV-BLP

## Bollard LED Round Full Cutoff Bollard BR840 Series, Including Motion Response



| PREFIX | HEIGHT                                                      | LED CONTROL                                                                |
|--------|-------------------------------------------------------------|----------------------------------------------------------------------------|
| BR840  | Standard Shaft                                              | CWL Constant Wattage Full Light Output Full wattage and light output only. |
| BR841  | Head Only                                                   | 7.1"                                                                       |
| BR842  | School Bollard Reinforced Shaft with Galvanized Steel Teron | 42" 36" 30"                                                                |

| LED SELECTION     | LIGHTED COVERAGE / LED WATTAGE                            | VOLTAGE                                     |
|-------------------|-----------------------------------------------------------|---------------------------------------------|
| CW 5,700°K, 75CRI | 360° lighted lumens - 14 LEDs<br>360-10 10 watts at 225mA | UNIV 120V through 277V, 50Hz to 60Hz input. |
| NW 4,000°K, 75CRI | 360-18 18 watts at 350mA                                  |                                             |
| WW 3,000°K, 75CRI | 360-26 26 watts at 500mA                                  |                                             |

**FINISH**  
 BRP Bronze Paint  
 BLP Black Paint  
 WP White Paint  
 NP Natural Aluminum Paint

**OC** Optional Color Paint Specify RAL designation as per IEC60070-2  
**SC** Special Color Paint Specify exact color chip.

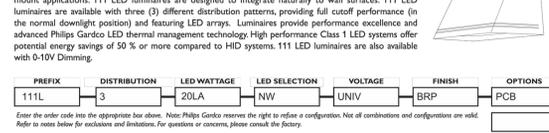
**PCB** Button Photoresistor  
**SPR** Surge Protection for 120V through 277V Input meeting ANSI CUL41.2

1611 Clovis Barker Road, San Marcos, TX 78666  
 (800) 227-0738 (512) 753-1000 FAX: (512) 753-7855 steelighting.com  
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 0230-02001.13



Job: Saklan Eden - City of Hayward  
 Type: BB Qty. 15  
 Notes: 111L-3-20LA-NW-UNIV-BRP-PCB (verify color prior to ordering)

## 110 Line LED 111 Mini Sconce LED



| PREFIX   | DISTRIBUTION                                                          |
|----------|-----------------------------------------------------------------------|
| 111L     | Type I Wide Throw Optic, featuring Maximized Lateral Throw            |
| 111L-DIM | Trapezoidal Wedge LED - 0 - 10V Dimming (Control system by others)    |
|          | Type III Preferred Wide Throw Optic, featuring Improved Forward Throw |
|          | Type IV Maximized Forward Throw Optic                                 |

| Ordering Code | Average System Watts | LED Current (mA) | LED Selection | Luminaire Initial Absolute Lumens* |        |        |
|---------------|----------------------|------------------|---------------|------------------------------------|--------|--------|
|               |                      |                  |               | TYPE 2                             | TYPE 3 | TYPE 4 |
| 20LA          | 18                   | 350              | CW            | 1,449                              | 1,512  | 1,468  |
|               |                      |                  | NW            | 1,418                              | 1,509  | 1,433  |
| 30LA          | 28                   | 530              | CW            | 2,145                              | 2,236  | 2,156  |
|               |                      |                  | NW            | 2,056                              | 2,209  | 2,085  |
| 40LA          | 38                   | 700              | CW            | 2,682                              | 2,825  | 2,691  |
|               |                      |                  | NW            | 2,589                              | 2,735  | 2,593  |

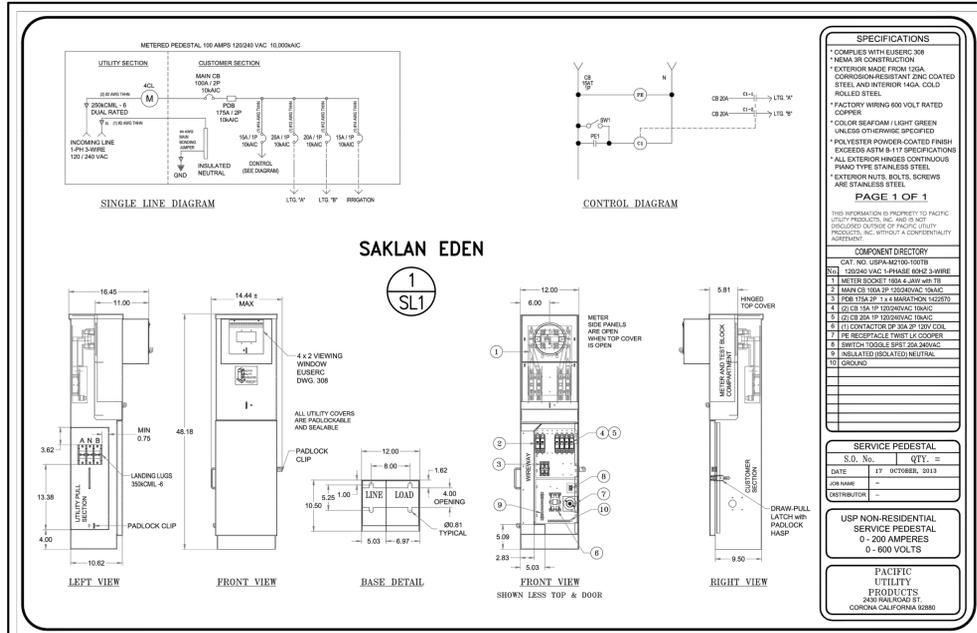
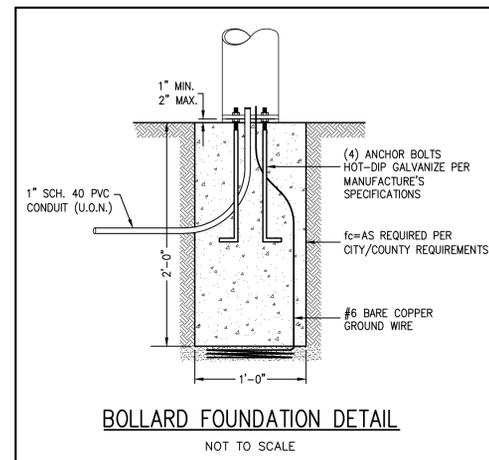
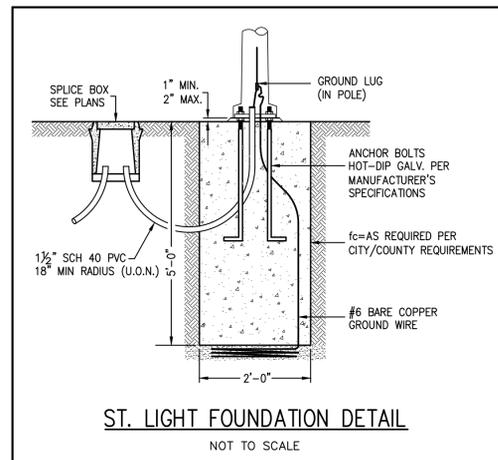
**LED SELECTION**  
 CW Cool White - 5700°K - 75 CRI  
 NW Neutral White - 4000°K - 70 CRI

**VOLTAGE**  
 UNIV 120V through 277V, 50Hz or 60Hz

1611 Clovis Barker Road, San Marcos, TX 78666  
 (800) 227-0738 (512) 753-1000 FAX: (512) 753-7855 steelighting.com  
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 0230-02010.12



- ### PRIVATE LIGHTING CONTRACTORS NOTES
- ALL WORK AND MATERIALS SHALL BE IN FULL ACCORDANCE WITH THE LATEST RULES AND REGULATIONS OF THE STATE FIRE MARSHALL, FEDERAL AND ALL APPLICABLE CITY, COUNTY, STATE AND LOCAL UTILITY COMPANY REGULATIONS; N.E.C., AND THE LATEST APPROVED STANDARDS OF I.E.E.E., A.S.A., N.E.M.A., U.L. AND OSHA WHERE APPLICABLE. NOTHING IN THESE PLANS OR SPECIFICATIONS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE ABOVE. ALSO, ALL SECTIONS OF STATE OF CALIFORNIA P.U.C. 95 SHALL APPLY.
  - TWO OR MORE LIGHTS ON THE SAME CIRCUIT SHALL BE WIRED TO BALANCE THE LOAD. (SEE WIRING DIAGRAM)
  - CONDUIT AND FITTINGS:** ALL CONDUIT AND FITTINGS SHALL BE U.L. APPROVED, UNLESS OTHERWISE NOTED OR REQUIRED, USE MINIMUM 1 1/2" FOR PARKING LOT, 3/4" FOR BOLLARD AND UPLIGHTS, SCHEDULE 40 P.V.C. CONDUIT AND FITTINGS BELOW GRADE. MINIMUM RADIUS BENDS SHALL BE 18". PROVIDE PULL WIRE IN ALL EMPTY CONDUITS.
  - CONDUIT DEPTH:** 24" UNDER SIDEWALK; 24" UNDER PLANTER STRIP; 30" UNDER PAVEMENT.
  - CABLE:** CABLE SHALL BE U.L. LISTED 600 VOLT A.W.G. NO. 8, 7-STRAND SOFT COPPER, TYPE THW OR THWN WITH MINIMUM OF 3/64" (40 MIL) POLYVINYL CHLORIDE INSULATION, UNLESS OTHERWISE NOTED. U.L. LISTED 600 VOLT, NO. 10 IN POLE MAY BE USED.
  - SPLICE BOXES:** SPLICE BOXES SHALL BE NO. 3-1/2 STATE TYPE WITH LID AND BRASS HOLDDOWN BOLTS, UNLESS OTHERWISE NOTED. LIDS TO BE INSCRIBED 'LIGHTING'. SPLICE BOXES SHALL NOT BE MORE THAN 200 FEET APART ON LONG RUNS. (PER CALTRANS DETAIL ES-8).
  - FUSES:** EACH PARKING LIGHT SHALL BE FUSED WITH WATERPROOF IN-LINE FUSE HOLDERS (BUSHMAN HEB SERIES) AT EACH ADJACENT SPLICE BOX WITH 5 AMP FUSE.
  - SPLICING:** ALL SPLICES SHALL BE MADE IN LIGHT BOXES ONLY. SPLICES SHALL BE MADE WITH 'C' SHAPED COMPRESSION CONNECTORS. ON SPLICES, WRAP WITH MOISTURE PROOF INSULATION A MINIMUM OF 1-1/2 TIMES THE THICKNESS OF REQUIRED WIRE INSULATION THICKNESS. SPLICES SHALL BE IN ACCORDANCE WITH CALTRANS STANDARD METHOD 'B'. (PER CALTRANS DETAIL ES-13).
  - CONTRACTOR TO INSTALL CIRCUIT GROUNDING AND GROUND WIRE IN CONDUIT PER N.E.C. STANDARDS AND LOCAL GOVERNING AGENCIES REQUIREMENTS.
  - A LIST OF ALL MATERIALS & SUPPLIERS SHOULD BE PROVIDED TO AUTHORITY HAVING JURISDICTION FOR APPROVAL.
  - GROUNDING AND BONDING SHALL PROPERLY INTERCONNECT ALL METAL PARTS OF THE SYSTEM.
  - ALL CONNECTIONS SHALL BE SECURED WITH LOCK NUTS AND INSULATED BUSHINGS.
  - THE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING A COMPLETE OPERATING SYSTEM.
  - EACH PARKING LIGHT SHALL BE CONTROLLED BY A PHOTO ELECTRIC CELL MOUNTED ON TOP OF EACH LUMINAIRE OR THE TOP OF EACH POLE DEPENDING UPON THE MANUFACTURER'S RECOMMENDATIONS OR CONTROLLED BY OTHER MEANS AS SHOWN ON THE DRAWINGS.
  - FOUNDATION MOUNTED ELECTROLYTES SHALL BE PLUMBED BY ADJUSTING THE NUTS ON THE ANCHOR BOLTS BEFORE THE FOUNDATION CAP IS PLACED. SHIMS OR OTHER SIMILAR DEVICES FOR PLUMBING OR RAKING WILL NOT BE PERMITTED. AFTER PLUMBING THE STANDARD, ANCHOR BOLTS SHALL BE CUT OFF 1/4" ABOVE THE NUTS AND THE EXPOSED SURFACES SHALL BE REPAIRED AS INDICATED BY THE INSPECTING AGENCY.
  - AS-BUILT DRAWINGS SHALL BE SUBMITTED TO THE STREET LIGHT ADMINISTRATION DEPT. OF THE COUNTY PRIOR TO ACCEPTANCE OF THE PRIVATE LIGHTING SYSTEM.



### STREET LIGHT (240V) LOAD SUMMARY METER#1

| CIRCUIT # | SL=ST LIGHT B=BOLLARD            | AMP | LOAD TYPE | LAMP QTY PER CIRCUIT | AMPS PER LAMP  | AMPS PER CIRCUIT |
|-----------|----------------------------------|-----|-----------|----------------------|----------------|------------------|
| #1 A      | (ST LIGHT = 53W) (BOLLARD = 10W) | 20A | L         | (5 SL) (12 B)        | SL=,22A B=.04A | 1.58             |
| #1 B      | (ST LIGHT = 53W) (BOLLARD = 10W) | 20A | L         | (4 SL) (13 B)        | SL=,22A B=.04A | 1.4              |

### LUMINAIRE SCHEDULE

| TYPE     | LUMINAIRE        | MTG. HT. | ARM | POLE HT. | MATERIAL | QUANTITY |
|----------|------------------|----------|-----|----------|----------|----------|
| POST TOP | 53W, 42LED, 240V | 17'-4"±  | -   | 14'-0"   | ALUMINUM | 9        |
| BOLLARD  | 10W, LED, 240V   | 3'-6"    | -   | -        | ALUMINUM | 25       |
| WALLPAK  | 18W, LED, 120V   | 8'-6"±   | -   | -        | ALUMINUM | 15       |

\*NOTE: CONTRACTOR TO VERIFY ALL QUANTITIES AND SPECIFICATIONS PRIOR TO ORDERING.

- ### PRIVATE LIGHTING GENERAL NOTES
- ALL WORK AND MATERIALS SHALL BE IN FULL ACCORDANCE WITH THE LATEST RULES AND REGULATIONS OF THE STATE FIRE MARSHALL, FEDERAL AND ALL APPLICABLE CITY, COUNTY, STATE AND LOCAL UTILITY COMPANY REGULATIONS; N.E.C., AND THE LATEST APPROVED STANDARDS OF I.E.E.E., A.S.A., N.E.M.A., U.L. AND OSHA WHERE APPLICABLE. NOTHING IN THESE PLANS OR SPECIFICATIONS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE ABOVE. ALSO, ALL SECTIONS OF STATE OF CALIFORNIA P.U.C. 95 SHALL APPLY.
  - MATERIALS FURNISHED UNDER THIS SECTION OF THESE SPECIFICATIONS FOR WHICH UL STANDARDS HAVE BEEN ESTABLISHED SHALL BE LISTED AND BEAR THE LABEL OF UNDERWRITER'S LABORATORIES, INC.
  - WHERE REQUIREMENTS OF APPLICABLE CODES AND STANDARDS CONFLICT WITH THE DRAWINGS OR THESE SPECIFICATIONS, THE MORE STRINGENT REQUIREMENT SHALL GOVERN.
  - THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY FIELD CHANGES MADE WITHOUT FIRST NOTIFYING & OBTAINING APPROVAL FROM CITY/COUNTY AGENCY & GIACALONE DESIGN SERVICES, INC.
  - GIACALONE DESIGN SERVICES, INC. ASSUMES NO RESPONSIBILITY FOR ANY VARIANCE BETWEEN THESE PLANS AND THE ACTUAL FIELD CONDITIONS. CONTRACTOR SHOULD REVIEW PROJECT SITE PRIOR TO SUBMITTING ITS BID.
  - ANY CHANGES OR MODIFICATIONS TO PROPOSED LIGHT LOCATIONS SHALL BE APPROVED, IN WRITING, BY THE CITY/COUNTY AGENCY PRIOR TO INSTALLATION.

PUBLIC/PRIVATE LIGHTING: **PRIVATE**  
 PG&E RATE SCHEDULE: **METERED**  
 INSTALL IN JOINT TRENCH:   
 INSTALL IN SEPARATE TRENCH:   
 CITY PERMIT REQUIRED:

**CAUTION:**  
 CONTACT U.S.A. (811) (2) FULL WORKING DAYS PRIOR TO STARTING WORK IF EXISTING UTILITIES CONFLICT WITH POLE LOCATION, FIELD ADJUST TO CLEAR EXISTING UTILITIES A MINIMUM OF 3'-0".

TWO DAYS BEFORE YOU DIG  
 CALL USA TOLL FREE  
**811**  
 CALL BEFORE YOU DIG

APPROVED

REVISIONS

SYMBOL DATE DESCRIPTION

GIACALONE DESIGN SERVICES, INC.  
 5820 STONERIDGE MALL, RD., #545, REDLANDS, CA 94088  
 822-67-1740 | WWW.GIACALONEDSIGN.COM

STREET LIGHTING TITLE SHEET

VALLEY OAK PARTNERS, LLC  
 SAKLAN EDEN

CALIFORNIA

HAYWARD

PROJECT MANAGER:  
 B. FULLINGTON

DRAWN BY:  
 CCP

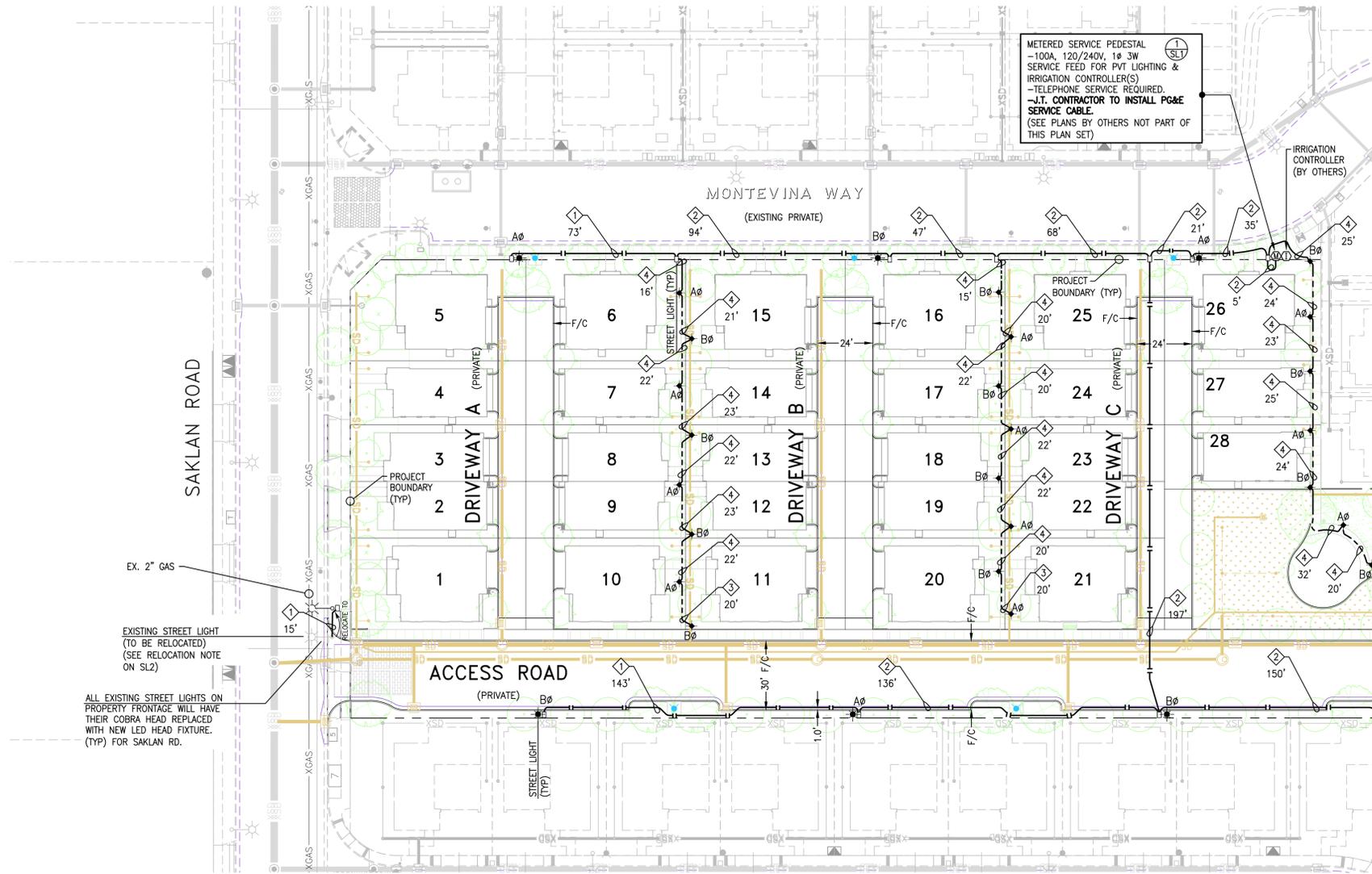
CHECKED BY:  
 BDF

SCALE:  
 AS SHOWN

JOB NUMBER:  
 14-097

DATE LAST MODIFIED:  
 7-25-14

SHEET  
**SL1**  
 OF 2 SHEETS



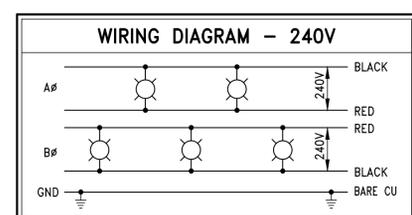
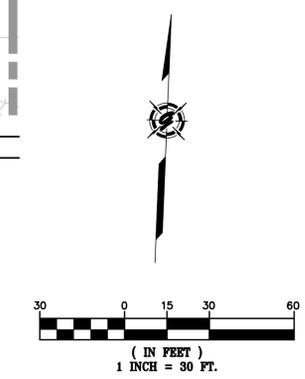
- ### CONTRACTOR STREET LIGHT RELOCATION NOTES:
- DE-ENERGIZE CIRCUIT AS REQUIRED, COORDINATE WORK WITH PG&E AND/OR CITY INSPECTORS.
  - DISCONNECT & REMOVE EXISTING STREET LIGHT SERVICE CONDUCTORS AS REQUIRED.
  - INSTALL NEW STREET LIGHT FOUNDATION & STATE 3-1/2" PULL BOX PER CITY STANDARDS.
  - EXPOSE, CUT & EXTEND 1-1/2" CONDUIT (MATCH EXISTING) & ROUTE INTO NEW STATE 3-1/2" STREET LIGHT PULL BOX AS REQUIRED.
  - RELOCATE EXISTING ELECTROLIER ONTO NEW CONCRETE BASE.
  - PULL NEW WIRE (MATCH EXISTING), INSTALL 10 AMP FUSE & MAKE ALL CONNECTIONS, INCLUDING #8 GROUNDING CONDUCTOR IF REQUIRED BY THE CITY, FOR A COMPLETE AND OPERATING SYSTEM.
  - REMOVE OR ABANDON EXISTING STREET LIGHT BOX AS REQUIRED.
  - JACK HAMMER EXISTING CONCRETE STREET LIGHT BASE 6" BELOW GRADE & CUT-OFF ANCHOR BOLTS, ABANDON REMAINING BASE IN PLACE, OR REMOVE ENTIRE BASE AS REQUIRED, COORDINATE WORK WITH DEVELOPER AND/OR CITY AS REQUIRED.
  - REPLACE HARDSCAPE AND/OR LANDSCAPE AS REQUIRED. COORDINATE WITH CITY DEVELOPER AND/OR CITY AS REQUIRED.
  - ALL WORK & MATERIAL SHALL CONFORM TO CITY OF HAYWARD STANDARDS AND DETAILS.
  - CONTRACTOR TO FIELD VERIFY EXISTING ST LIGHT CIRCUIT, LOCATION, CONDUIT AND WIRE SIZE AND SERVICE POINT LOCATION. COORDINATE WITH CITY INSPECTOR AS REQUIRED. EXACT LOCATION AND CIRCUITRY WAS UNKNOWN AT TIME OF ST LIGHT PLAN PREPARATION.

### LEGEND

- EXISTING TRENCH OR UTILITIES
- PROPOSED 1 1/2" SCH. 40 PVC CONDUIT
- PROPOSED 1" SCH. 40 PVC CONDUIT
- EXISTING STREET LIGHT SPICE BOX
- RELOCATED EX. SINGLE ARM STREET LIGHT (LED)
- PROPOSED POST TOP STREET LIGHT (53W, LED)
- PROPOSED BOLLARD LIGHT (10W, LED)
- PROPOSED WALLPACK LIGHT (18W, LED)(BY OTHERS)
- STREET LIGHT BOX (STATE TYPE 3 1/2")
- EXISTING STREET LIGHT
- METERED SERVICE PESTAL
- IRRIGATION CONTROLLER (BY OTHERS)
- FIRE HYDRANT (BY OTHERS)

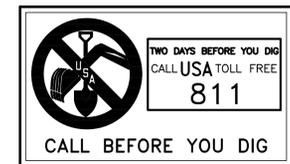
### CONDUCTOR AND CONDUIT SCHEDULE

| AWG OR CABLE | RUN NUMBER |        |    |    |
|--------------|------------|--------|----|----|
|              | 1          | 2      | 3  | 4  |
| #4           |            |        |    |    |
| #6           |            |        |    |    |
| #8           |            |        |    |    |
| #10          |            |        |    |    |
| #12          |            |        |    |    |
| CONDUIT SIZE | 1 1/2"     | 1 1/2" | 1" | 1" |



**NOTE:**  
CONDUIT SHOWN SCHEMATICALLY. REFER TO JOINT TRENCH COMPOSITE PLAN FOR EXACT TRENCH AND BOX LOCATIONS.

**CAUTION:**  
CONTACT U.S.A. (811) (2) FULL WORKING DAYS PRIOR TO STARTING WORK IF EXISTING UTILITIES CONFLICT WITH POLE LOCATION, FIELD ADJUST TO CLEAR EXISTING UTILITIES A MINIMUM OF 3'-0".



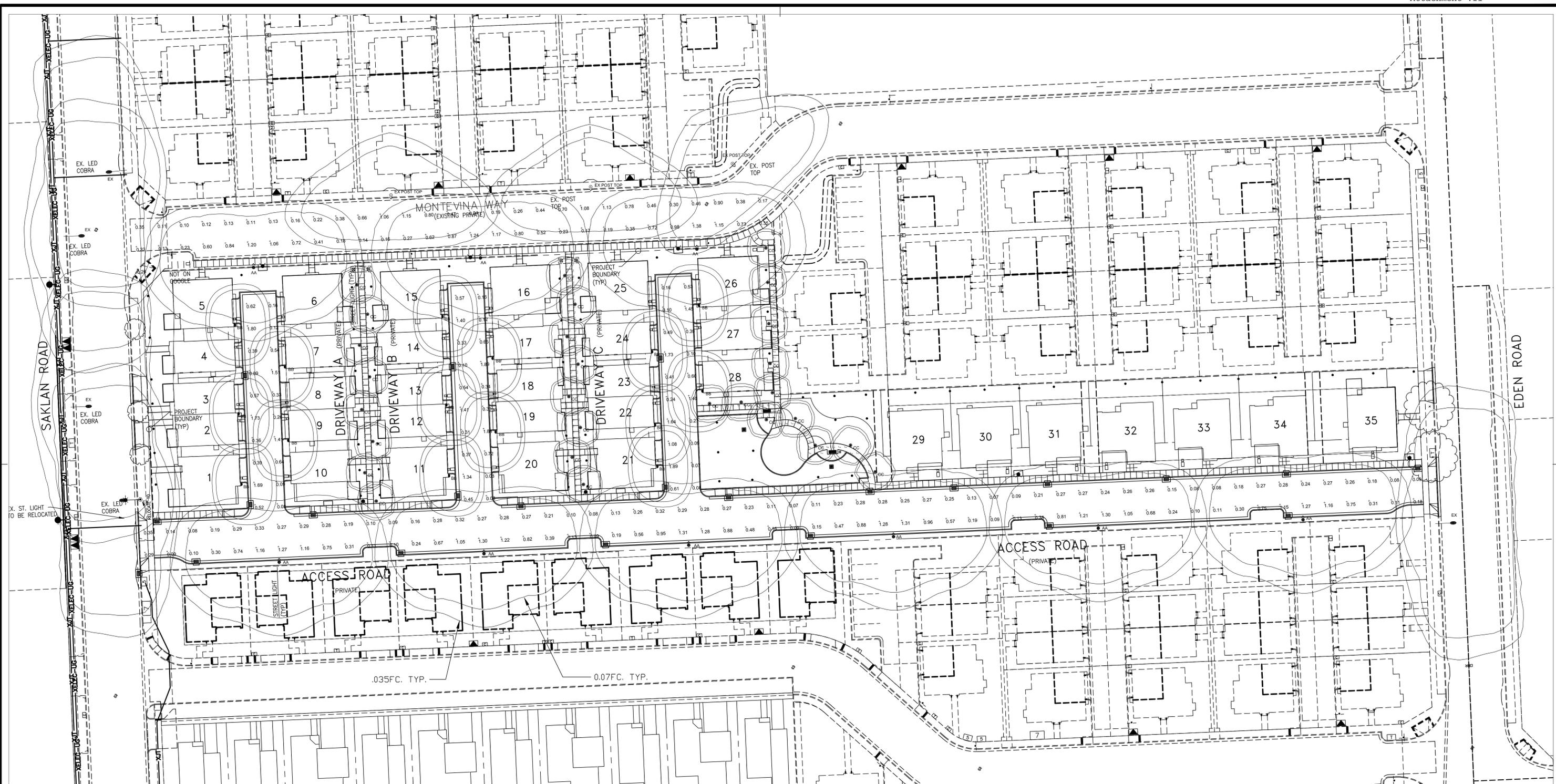
### REVISIONS

| SYMBOL | DATE | DESCRIPTION |
|--------|------|-------------|
|        |      |             |
|        |      |             |
|        |      |             |

**GIACALONE**  
DESIGN SERVICES, INC.  
5820 STONERIDGE MALL RD., #545 | REDWOOD CITY, CA 94068  
866-774-7140 | WWW.GIACALONEDSIGN.COM

STREET LIGHTING SITE PLAN  
VALLEY OAK PARTNERS, LLC  
SAKLAN EDEN  
CALIFORNIA  
HAYWARD

PROJECT MANAGER:  
B. FULLINGTON  
DRAWN BY:  
CCP  
CHECKED BY:  
BDF  
SCALE:  
1"=30'  
JOB NUMBER:  
14-097  
DATE LAST MODIFIED:  
7-25-14  
SHEET  
**SL2**  
OF 2 SHEETS



Luminaire Schedule LED  
Project: SAKLAN EDEN - HAYSTACK

| Sym. Id. | Label   | Arrangement | Lum. Watts | Lum. Lumens | LLF   | LDD   | LLD   | BF    | Description                                  | Filename                       |
|----------|---------|-------------|------------|-------------|-------|-------|-------|-------|----------------------------------------------|--------------------------------|
| 9        | AA      | SINGLE      | 52.4       | 3682        | 0.900 | 1.000 | 0.900 | 1.000 | STERNBERG A670TSRLED_XFIN_3ARC45T2 - 14 POLE | A670TSRLED_3ARC45T2_MD_03.IES  |
| 15       | BB      | SINGLE      | 18         | 1294        | 0.900 | 1.000 | 0.900 | 1.000 | PHILIPS GARDCO 111L-3-20LA-N - DL 8.5        | 111L-3-20LA-N - DL.IES         |
| 28       | CC      | SINGLE      | 9.5        | 565         | 0.900 | 1.000 | 0.900 | 1.000 | PHILIPS GARDCO BR840-42-C - L-N - 360-10-BLP | BR840-C - L-N - 360-10-BLP.IES |
| 5        | EX      | SINGLE      | 51.9       | 3954        | 0.900 | 1.000 | 0.900 | 1.000 | EXISTING 44 - COBRAHEAD BY OTHERS 30         | BXSPA_21A-U.IES                |
| 3        | EX POST | SINGLE      | 52.7       | 4201        | 0.800 | 1.000 | 0.800 | 1.000 | EXISTING LED POST TOP BY OTHERS              | FGS-RB-Y2-36LED-4K-450.IES     |

Calculation Summary  
Project: SAKLAN EDEN - HAYSTACK

| Description                  | Calc. Type  | Units | Avg  | Max  | Min  | Avg/Min | Max/Min | Pts |
|------------------------------|-------------|-------|------|------|------|---------|---------|-----|
| ACCESS ROAD                  | Illuminance | Fc    | 0.42 | 1.31 | 0.07 | 6.00    | 18.71   | 116 |
| DRIVEWAY AY A                | Illuminance | Fc    | 0.67 | 1.80 | 0.08 | 8.38    | 22.50   | 20  |
| DRIVEWAY AY B                | Illuminance | Fc    | 0.65 | 1.89 | 0.08 | 8.13    | 23.63   | 20  |
| DRIVEWAY AY C                | Illuminance | Fc    | 0.67 | 1.89 | 0.07 | 9.57    | 27.00   | 20  |
| MONTEVINA AY                 | Illuminance | Fc    | 0.53 | 1.38 | 0.10 | 5.30    | 13.80   | 59  |
| PATH AY                      | Illuminance | Fc    | 1.73 | 5.10 | 0.05 | 34.60   | 102.00  | 86  |
| PATH AY BET. EEN BLDGS 16-21 | Illuminance | Fc    | 1.61 | 4.47 | 0.13 | 12.38   | 34.38   | 82  |

ALL VALUES SHOWN ARE MAINTAINED HORIZONTAL FOOTCANDLES AT GRADE

PHOTOMETRIC DATA USED AS INPUT FOR THESE CALCULATIONS IS BASED ON ESTABLISHED IES PROCEDURES AND PUBLISHED LAMP RATINGS. FIELD PERFORMANCE WILL DEPEND ON ACTUAL LAMP, BALLAST, ELECTRICAL, AND SITE CHARACTERISTICS.

Calculations have been performed according to IES standards and good practices. Some differences between measured values and calculated results may occur due to tolerances in calculation methods, testing procedures, component performance, measurement techniques and field conditions such as voltage and temperature variations. In all data used to generate the attached calculations such as room dimensions, reflectances, furniture and architectural elements significantly affect the lighting calculations. If the real environment conditions do not match the input data, differences will occur between measured values and calculated values.

**ALR** Associated Lighting Representatives, Inc.

ASSOCIATED LIGHTING REPRESENTATIVES, INC.  
7777 PARDEE LANE  
P.O. BOX 2265  
OAKLAND, CA 94621  
PHONE: 510-638-0158 - FAX 510-638-2908

REPORT FOR: GIACALONE DESIGN SERVICES  
BY: APPLICATIONS ENGINEERING: RAMON LAPATA  
SALES REPRESENTATIVE: ALR JOHN BENSON



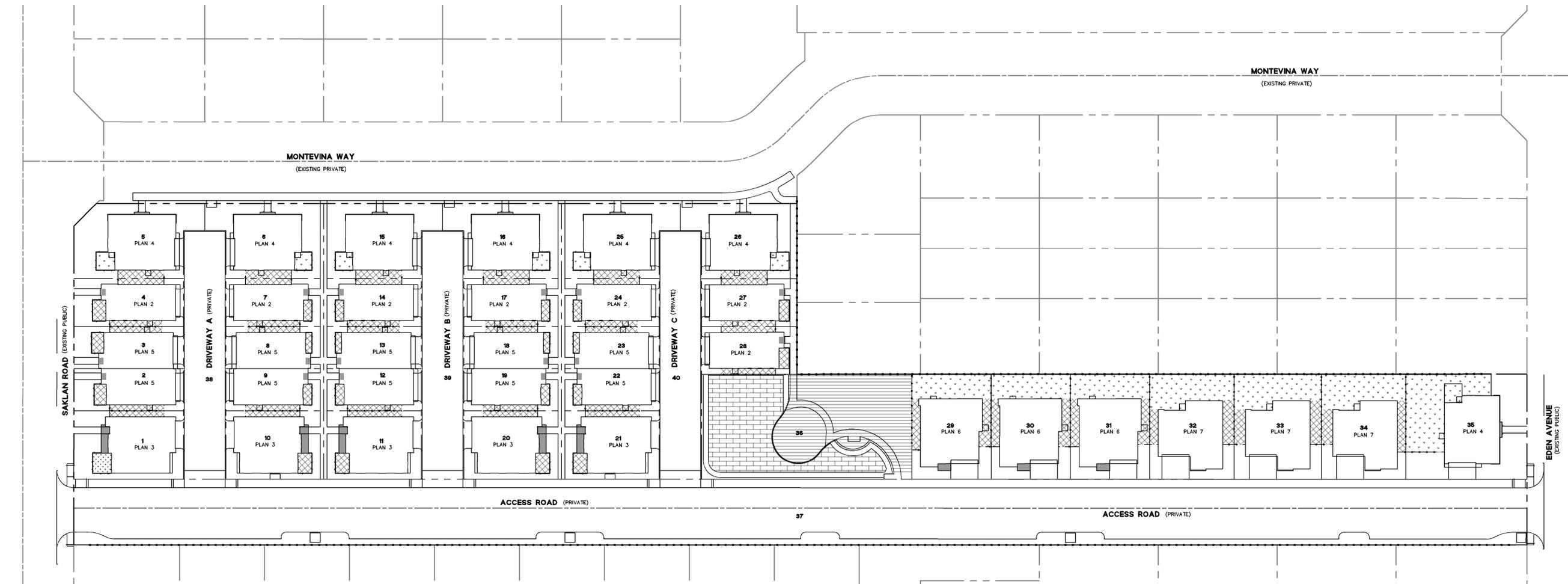
AGI32 VERSION 15.1  
AGI © 1999-2014 LIGHTING ANALYSTS, INC.  
10440 BRADFORD ROAD - UNIT A  
LITTLETON, CO 80127

PROJECT DESCRIPTION  
**SAKLAN EDEN**  
CITY OF HAYSTACK

DRAWING NO. / INPUT FILE  
11896BEN-R2.DWG / 11896BEN-R2.A32

SCALE: 1" = 30'  
SHEET: 1 OF 1  
DATE: 07.22.2014  
REV: 2

DRAWING NAME: K:\ENGR04\040060-17\DWG\Exhibits\14\_0801 Open Space Exhibit\Eden Pointe Open Space Exhibit.dwg  
PLOT DATE: 08-20-14 PLOTTED BY: chuk

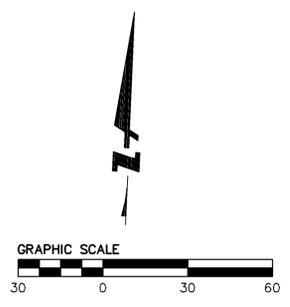


**OPEN SPACE**

| LOT NO             | 10'x10' AND 100 SF MIN. PRIVATE (SF) | PORCHES @ GRADE (SF) | ENCLOSED YARDS (SF) | TOTAL SF |
|--------------------|--------------------------------------|----------------------|---------------------|----------|
| 1                  | 127.65                               | 71.42                | 111.33              | 310.40   |
| 2                  | 0                                    | 11.34                | 196.96              | 208.30   |
| 3                  | 0                                    | 11.34                | 191.04              | 202.38   |
| 4                  | 0                                    | 11.60                | 201.08              | 212.68   |
| 5                  | 112.55                               | 13.51                | 229.85              | 355.91   |
| 6                  | 105.06                               | 13.51                | 229.85              | 348.42   |
| 7                  | 0                                    | 166.08               | 166.08              | 332.15   |
| 8                  | 0                                    | 11.34                | 149.12              | 160.47   |
| 9                  | 0                                    | 11.34                | 172.21              | 183.55   |
| 10                 | 0                                    | 71.42                | 206.76              | 278.18   |
| 11                 | 0                                    | 71.42                | 205.75              | 277.17   |
| 12                 | 0                                    | 11.34                | 172.21              | 183.55   |
| 13                 | 0                                    | 11.34                | 149.12              | 160.47   |
| 14                 | 0                                    | 13.65                | 166.08              | 179.73   |
| 15                 | 105.06                               | 13.51                | 229.85              | 348.42   |
| 16                 | 105.06                               | 13.51                | 229.85              | 348.42   |
| 17                 | 0                                    | 13.49                | 166.08              | 179.56   |
| 18                 | 0                                    | 11.34                | 149.12              | 160.47   |
| 19                 | 0                                    | 11.34                | 172.21              | 183.55   |
| 20                 | 0                                    | 71.42                | 206.76              | 278.18   |
| 21                 | 0                                    | 71.42                | 205.75              | 277.17   |
| 22                 | 0                                    | 11.34                | 172.21              | 183.55   |
| 23                 | 0                                    | 11.34                | 149.12              | 160.47   |
| 24                 | 0                                    | 13.49                | 166.08              | 179.57   |
| 25                 | 105.06                               | 13.51                | 229.85              | 348.42   |
| 26                 | 112.30                               | 13.51                | 229.85              | 355.66   |
| 27                 | 0                                    | 13.65                | 292.18              | 305.83   |
| 28                 | 0                                    | 13.65                | 180.24              | 193.89   |
| 29                 | 671.52                               | 30.31                | 307.30              | 1009.13  |
| 30                 | 671.52                               | 30.31                | 298.81              | 1000.64  |
| 31                 | 671.85                               | 30.31                | 289.89              | 992.05   |
| 32                 | 885.35                               | 9.15                 | 274.44              | 1168.94  |
| 33                 | 920.97                               | 9.15                 | 309.32              | 1239.44  |
| 34                 | 895.10                               | 9.15                 | 287.36              | 1191.61  |
| 35                 | 1419.96                              | 13.51                | 0                   | 1433.46  |
| GROUP OPEN SPACE   | -                                    | -                    | -                   | 3688.00  |
| BIO-RETENTION AREA | -                                    | -                    | -                   | 2829.00  |

**LEGEND**

- SUBDIVISION BOUNDARY
- PARCEL/LOT BOUNDARY
- CENTERLINE
- PARCEL/LOT NUMBER
- 10'x10' AND 100 SF MIN. PRIVATE
- PORCHES @ GRADE
- ENCLOSED YARDS
- GROUP OPEN SPACE
- BIO-RETENTION AREA



**EDEN POINTE - VALLEY OAK PARTNERS**  
**TENTATIVE TRACT MAP #8172**  
**OPEN SPACE EXHIBIT**



255 SHORELINE DRIVE, SUITE 200  
REDWOOD CITY, CA 94065  
650/482-6300  
650/482-6399 (FAX)

| Date     | No. | Revisions                                         |
|----------|-----|---------------------------------------------------|
| 2/4/14   | 1   | TENTATIVE TRACT MAP COMMENT REVISIONS             |
| AS SHOWN | 2   | TENTATIVE TRACT MAP COMMENT REVISIONS - 2ND ROUND |
| LW       | 3   | TENTATIVE TRACT MAP COMMENT REVISIONS - 3RD ROUND |
| KCC      |     |                                                   |
| CH       |     |                                                   |

Sheet Number: \_\_\_\_\_  
Job No 20040060-17

**OSE**

CALIFORNIA

ALAMEDA COUNTY

HAYWARD



CITY OF  
**HAYWARD**  
HEART OF THE BAY

7

**DATE:** October 28, 2014  
**TO:** Mayor and City Council  
**FROM:** Director of Public Works – Engineering & Transportation  
**SUBJECT:** Designation of Additional Preferential Residential Permit Parking Areas

### **RECOMMENDATION**

That Council holds a public hearing and adopts the attached resolution (Attachment I) that designates the following areas as Preferential Residential Permit Parking Areas under Section 3.95 of the Hayward Traffic Regulations:

1. North of Hayward Boulevard: Rainbow Court, Hillcrest Avenue, Home Avenue, and portions of Parkside Drive; and
2. South of Hayward Boulevard: Hemmingway Court, Spencer Lane, and portions of Dobbel Avenue and Civic Avenue.

### **BACKGROUND**

In 1987, Council adopted a resolution that approved a Preferential Residential Permit Parking Program. The Preferential Residential Permit Parking Program restricts on-street parking to residential permit-holders during posted hours.

Residents are required to submit a permit parking request to Public Works - Engineering and Transportation Department staff. Subsequently, parking surveys are conducted by staff to verify the parking issues. If the survey shows 75% parking occupancy in at least six adjacent block faces, residents are then required to submit a petition that must include signatures from at least 55% of the residents within the proposed area.

If the petition requirements are met, staff provides a recommendation to the Director of Public Works, who determines whether to recommend a request to the City Council to add the area to the program.

Since 1987, Council has made updates to the fee structure in response to public concerns and has tried to make the program more self-sustaining. On May 31, 2011, Council approved a revised fee structure for newly designated areas as follows:

|                                                 |         |
|-------------------------------------------------|---------|
| Biennial Fee (2 residential or visitor permits) | \$50.00 |
| Renewal Fee (2 residential or visitor permits)  | \$50.00 |
| Each additional residential permit (biennial)   | \$25.00 |
| Each additional visitor permit (biennial)       | \$25.00 |

There are four areas currently covered by the Preferential Residential Permit Parking Program, which are in effect Monday through Friday (except holidays): (1) the Eden Gardens neighborhood near Chabot College, which is in effect between 8:00 A.M. and 8:00 P.M.; (2) Santa Clara Street near the Alameda County offices and the Post Office, which is in effect between 8:00 A.M. and 6:00 P.M.; (3) Edloe Drive/Ocie Way near the Alameda County offices, which is in effect between 8:00 AM and 4:00 PM; and (4) University Court/Highland Boulevard neighborhood near Cal State campus, which is in effect between 8:00 AM and 9:00 PM.

## **DISCUSSION**

Over the last several years, staff has received requests for additional residential permit parking areas around the Cal State University (CSU) campus. In response to these requests, permit parking was established in the University Court and Highland Boulevard areas in 2011. Recently, residents from Parkside Drive and Dobbel Avenue have expressed a desire to resolve on-going parking availability issues on their streets. Residents also expressed concerns regarding unsafe and illegal parking and trash being left on their neighborhood streets.

Field observations have concluded that the majority of the vehicles parked on-street in these neighborhoods are not residents, but are overwhelmingly CSU students.

Therefore, based upon the field observations and signatures received, staff recommends including the following streets in the Preferred Residential Permit Parking program:

- Parkside Drive between Hayward Boulevard and Tribune Avenue
- Home Avenue between Hillcrest Avenue and Parkside Drive
- Hillcrest Avenue
- Rainbow Court
- Dobbel Avenue from Cotati Street to Pappas Place
- Civic Avenue from 2505 on the east and the shopping center on the west to Dobbel Avenue
- Hemmingway Court
- Spencer Lane

The proposed permit parking will be in effect for these streets on weekdays only (excluding weekends and holidays) between 8:00 AM and 9:00 PM. These areas, as shown in Attachment II, will be subject to the procedure and fees approved by Council on May 31, 2011.

## **ECONOMIC IMPACT**

There are approximately 174 residences in the two areas. Assuming that each participant purchases two residential permits at \$50, this would generate at least \$8,700 bi-annually for the City. If each resident chooses to purchase an additional visitor permit, this could generate another \$4,350. Thus,

the added areas have the potential to bring in \$13,050 bi-annually to the City, which would cover the costs necessary to maintain the program.

The revenue to be generated from the additional designated areas will be used to partially offset the costs incurred by Public Works - Engineering and Transportation staff (working with the public to obtain the signatures, and preparation of maps and petitions), Maintenance Services (preparation and installation of signs), Revenue (printing and distributing the permits, and collecting the fees) and the Police Department (enforcement).

## **PUBLIC CONTACT**

Per Section 3.95 of the Traffic Regulations, on October 18, 2014, a public hearing notice was duly printed in *The Daily Review* newspaper, ten days before the public hearing. In addition, staff provided written notification of the public hearing to each of the affected residents of the proposed designated areas. Staff has not received any objections to the proposed designation as of the submission of this report.

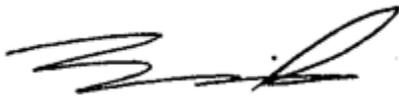
## **NEXT STEPS**

Once Council approves the designation, the Finance Department will send out residential permit parking applications and Maintenance Services will install the appropriate signage on the subject streets indicating that parking is by permit only. The Hayward Police Department will also be notified of the designation for enforcement purposes. Courtesy citations will be issued for a period of two weeks prior to initiating actual enforcement.

*Prepared by:* Fred Kelley, Transportation Manager

*Approved by:* Morad Fakhrai, Director of Public Works – Engineering & Transportation

Approved by:



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Fran David, City Manager

Attachments:

- Attachment I: Resolution
- Attachment II: Location Maps

HAYWARD CITY COUNCIL

RESOLUTION NO.14- \_\_\_\_\_

Introduced by Councilmember \_\_\_\_\_

RESOLUTION DESIGNATING RAINBOW COURT, HOME AVENUE, HILLCREST AVENUE, SPENCER LANE, HEMMINGWAY COURT AND PORTIONS OF PARKSIDE DRIVE, CIVIC AVENUE AND DOBBEL AVENUE AS PREFERRED RESIDENTIAL PERMIT PARKING AREAS

WHEREAS, Section 3.95 of the Hayward Traffic Regulations, as amended May 31, 2011, allows the City to designate certain streets for preferred residential permit parking if certain conditions are met as described by the Traffic Regulations;

WHEREAS, greater than 55% of the residents of the above areas have agreed to the designation of these streets for preferred residential permit parking and have agreed to pay the fees adopted on May 31, 2011 associated with this designation;

WHEREAS, a public hearing was duly advertised at least ten days prior to the public hearing; and

WHEREAS, a public hearing was held on October 28, 2014.

NOW, THEREFORE, BE IT RESOLVED, that the City Council designates the following streets for preferred residential permit parking:

- Parkside Drive between Hayward Boulevard and Tribune Avenue,
- Home Avenue,
- Hillcrest Avenue,
- Rainbow Court,
- Dobbel Avenue from Cotati Street to Pappas Place,
- Civic Avenue from 2505 on the east and the shopping center on the west to Dobbel Avenue,
- Hemmingway Court, and
- Spencer Lane.

Permit parking will be in effect for these streets between 8:00 AM and 9:00 PM Monday through Friday (excluding weekends and holidays).

IN COUNCIL, HAYWARD, CALIFORNIA, October 28, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

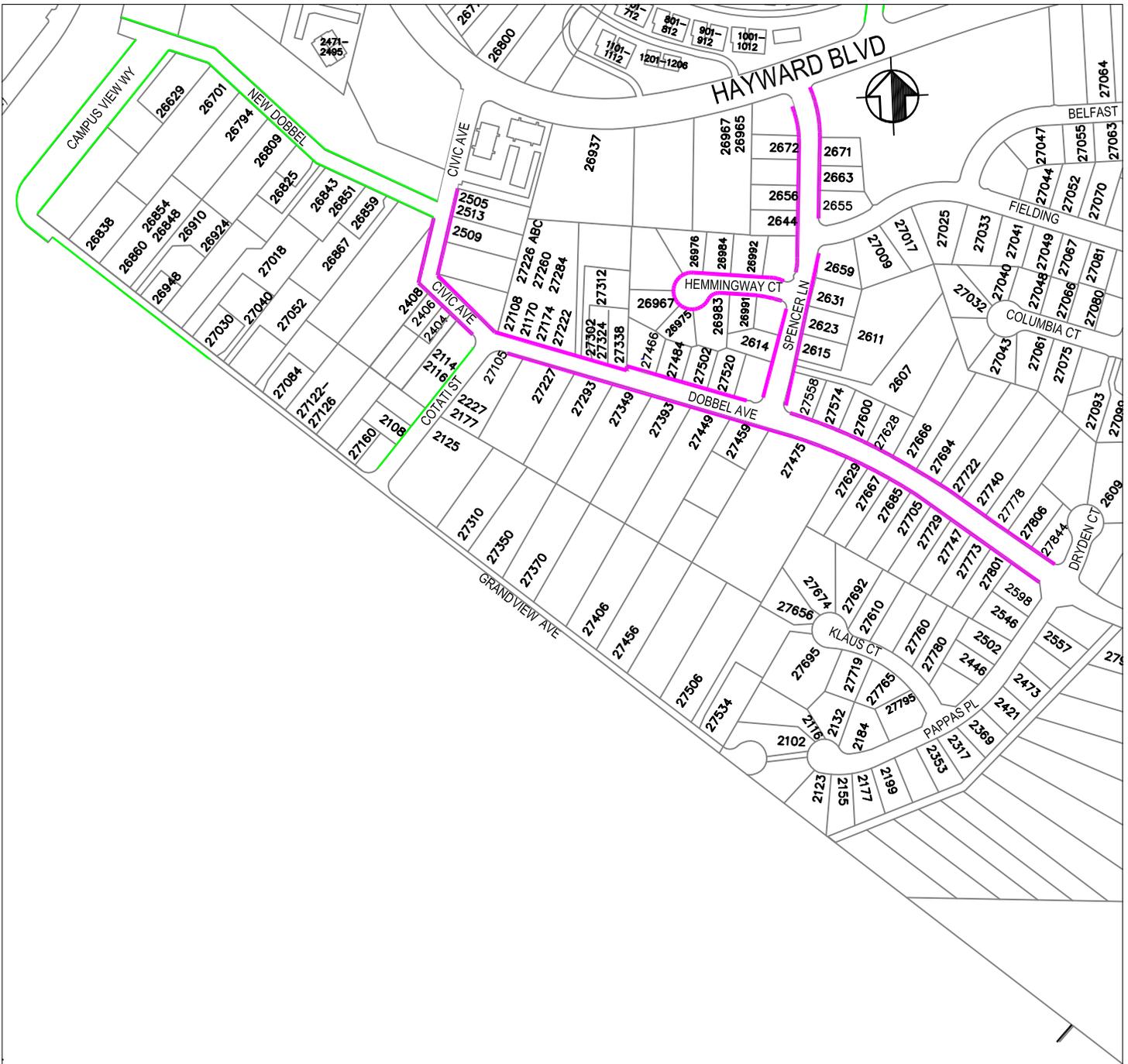
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

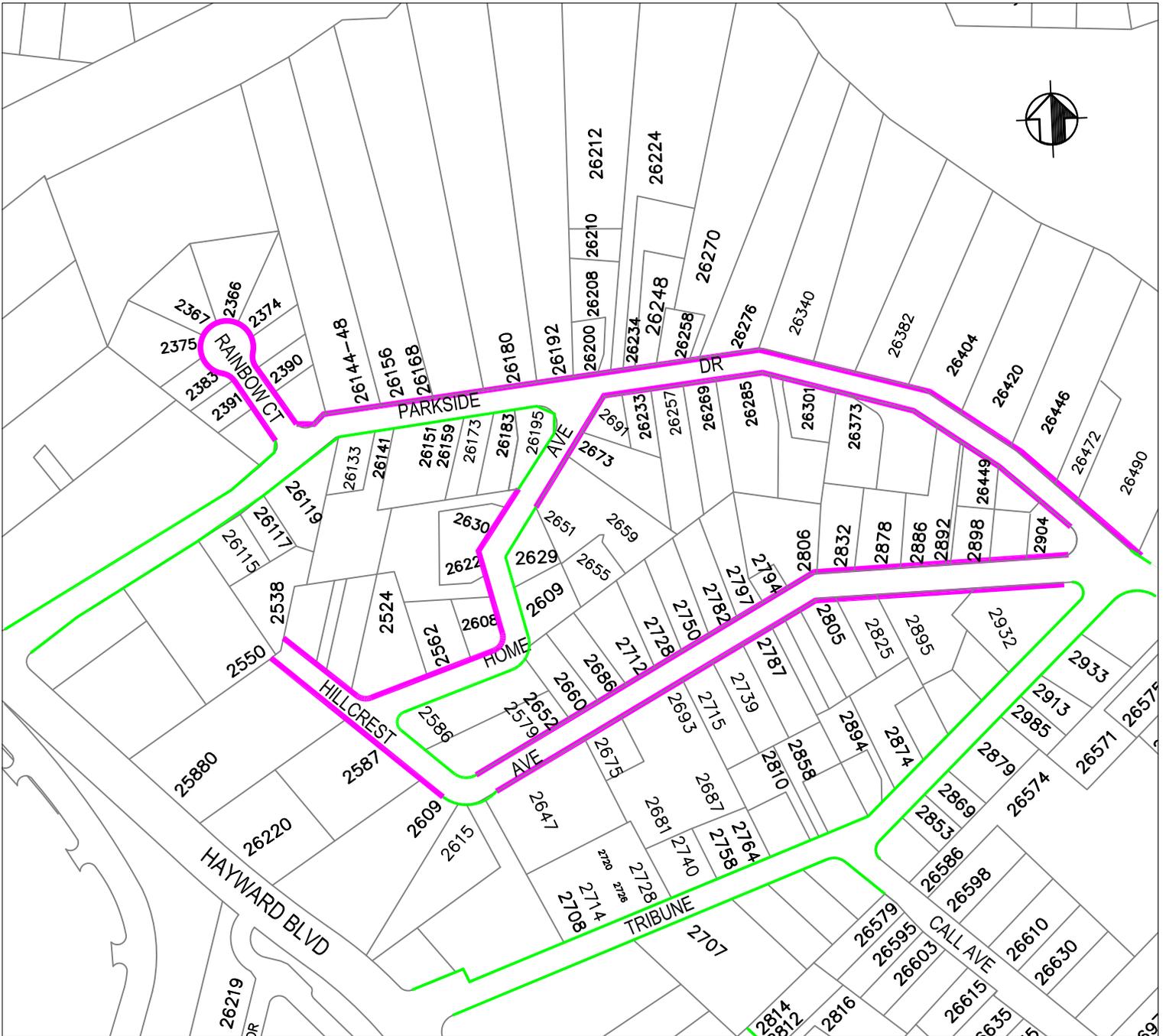


**Proposed Permit Parking Area**



**Parking not allowed**

**PROPOSED PREFERENTIAL PERMIT PARKING AREA  
DOBBEL AVE-SPENCER LN-HEMMINGWAY CT-CIVIC AVE**



**Proposed Permit Parking Area**

**Parking not allowed**

**PROPOSED PREFERENTIAL PERMIT PARKING AREA  
PARKSIDE DR-RAINBOW CT-HOME AVE-HILLCREST AVE**

**DATE:** October 28, 2014  
**TO:** Mayor and City Council  
**FROM:** Assistant City Manager  
**SUBJECT:** Regulating Short-term, Peer-to-Peer Rental Housing

### **RECOMMENDATION**

This report is for informational purposes only; no Council action is requested.

### **SUMMARY**

Staff seeks to explore the growing trends of the “sharing economy,” more specifically, short-term peer-to-peer rental housing through sharing platforms like Airbnb, VRBO, and others. This report discusses the emergence of short-term rentals and the issues they pose for municipalities. While companies like Airbnb argue their programs are inherently self-regulating, many issues still arise. Consequently, several cities have begun to regulate these short-term rentals. Plans of four cities; Austin, TX; Palm Desert, CA; Portland, OR; and San Francisco, CA are detailed in the report. Finally, this report outlines current zoning and other pertinent city regulations regarding short-term rentals in Hayward. Additionally the demand for these short-term rentals and potential Transient Occupancy Tax (TOT) revenue is quantified using available information.

This report is submitted as an informational item for the Mayor and City Council and the general public to provide status on staff work related to an issue of wide interest.

### **BACKGROUND**

Over the last four years, the demand for short-term, peer-to-peer rentals has grown exponentially, largely due to the emergence of new housing platform sites like Airbnb, VRBO (Vacation Rental by Owner), and others. Cities like Portland, OR and San Francisco, CA have seen these types of listings in their cities increase by well over 1000% since 2011. There is no sign of any decrease in demand at this time. Airbnb, for example, is currently operating in over 34,000 cities in 190 countries, providing 800,000 listings worldwide and servicing over 17 million guests.

The premise and subsequent motive behind the success of these short-term, peer-to-peer rentals is that they allow individuals to rent out their extra space, ranging from entire houses to futons, to earn

extra income. It provides a unique alternative to traditional hotels and triggers an inflow of economic activity into neighborhoods.

Yet given the wild success of these rentals, there are a number of issues they create for municipalities. Most notably – (1) users do not remit Transit Occupancy Tax (TOT); and (2) high turnover of resident “guests” can be disruptive to a neighborhood. For cities with a large demand for these rentals, this forgone revenue can be sizable. This raises equity concerns when juxtaposed with more traditional tax paying lodging services.

The growing use of short-term rentals may also require changes in zoning ordinances to either prohibit or allow for such activity in a residential zone. There may be nuisance related issues too, such as loud or rowdy renters, lack of proper trash disposal, street overcrowding from insufficient amount of parking, and a general decline in neighborhood character from an increasing number of transient individuals.

## **DISCUSSION**

The impetus for many City regulations is addressing market failures, more specifically for this case, negative externalities. Potential hazardous living conditions, safety concerns, issues with traffic, lack of sufficient parking, noise, and deterioration of “neighborhood fiber” are just a few of the negative externalities that could justify municipal regulation of these rentals.

### *The AirBnB Perspective*

AirBnB and similar hosting platforms argue there is no need for municipalities to regulate for negative externalities because these systems are inherently self-regulating. Renters provide feedback/ratings of property and property operators while property operators provide feedback/ratings of renters. There is a strong economic driver to maintain a good rating and thus maintaining a quality property. One sub-par or negative review can and will hinder a property operator’s ability to charge a higher price per night, and worse, attract individuals to rent in the first place. Safer, higher quality properties will yield a higher rate per night, providing an economic motivation to property operators.

The situation is very similar for renters. If operators leave negative feedback on a renter, that renter is going to have a more difficult time finding operators who are willing to open their homes to that renter. The system therefore, theoretically, regulates itself.

In reality, negative externalities still manage to permeate through the “self-regulating” system. It is for this reason that several cities have begun to implement different regulations aimed at addressing these short-term rentals.

## *What Other Cities are Doing*

This section provides a cursory overview of how other cities are regulating short-term rentals.

- **Austin, Texas**

- Defines short-term rentals (STR) as “The rental of a residential dwelling unit or accessory building on a temporary basis for periods of less than thirty (30) consecutive days.”
- Three tiered regulatory scheme based on type of unit
  - Owner Occupied
  - Not Owner Occupied
  - Multi-Family
- Renters have to apply for an annual, non-transferrable license and must provide proof of:
  - Property insurance
  - TOT payment
  - Certificate of Occupancy or Certified Inspection
- Total cost of license: \$285 (\$235 Annual Licensing Fee + \$50 Notification Fee)
- The City provides information with each license summarizing the restrictions applicable to the short-term rental use. The owner or operator must provide a copy of this information to every renter as well as post the packet conspicuously in the common area of each dwelling. The City also will mail notice of the contact information for the local responsible contact to all properties within 100 feet of the STR at the owner/operator's expense.

- **Palm Desert, California**

- Defines short-term rentals as "A privately owned residential dwelling, such as, but not limited to, a single-family detached or multiple family attached unit, apartment house, condominium, cooperative apartment, duplex, or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for any period less than twenty-seven (27) days.”
- Minimum of three (3) days and two (2) nights the rental unit must be occupied.
  - Maximum number of guests is two (2) people per bedroom.
  - On-site parking is required for all overnight guests.
  - Guests must comply with City's noise ordinance.
  - Renter must have a designated 24-hour contact person.
- Owner/operator must apply for an annual permit which incorporates a Transient Occupancy Registration Permit issued by the Tax Administrator.
  - Owner/operator must submit: names, addresses, and phone number of any contact person, owner, and operator; rental address; number of bedrooms and applicable overnight/daytime occupancy limits; acknowledgement of receipt and inspection of good neighbor brochure.
- Total cost of permit: \$26 (\$25 Application Fee + \$1 State Mandated Disability Access and Education Revolving Fund Fee)
- Operator must provide renter with:

- 24 hour contact information; maximum number of overnight and daytime occupants permitted; applicable trash collection rules and regulations; a copy of Palm Desert Municipal Code Chapter 9.24 Noise Control and Chapter 9.25 Multiple Responses to Loud or Unruly Parties, Gatherings, or Other Similar Events; and notification that occupant and/or owner may be cited or fined by city for any violations. Prior to Occupancy,
    - Operator must obtain the name, address, and copy of a valid government ID of the responsible renter; provide a copy of the good neighbor brochure to the responsible renter; and require renters to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants of the short-term rental unit and their guests with all applicable laws, rules, and regulations pertaining to the use and occupancy of the unit. This information shall be maintained by the operator for a period 3 years.
    - Short-term Rentals exist in 3.08% of Palm Desert’s total housing stock. (1,140 units/37,073 total units)
- **Portland, Oregon**
  - Defines short-term rentals as an Accessory Use: “allow as accessory to residential (household living) use. This means that the individual or family who operate the accessory short-term rental must occupy the unit for at least 270 days each year.”
  - Two tiered program based on number of bedrooms being rented
    - Type A: 1 & 2 bedrooms
      - Total cost of Administrative Permit: \$180
        - This involves an inspection of the rental rooms and house. Permit may be revoked at any time for failure to comply with the regulations.
      - Operator must send notice with their contact information to all owners of property abutting or across the street from the residence. Permit number must be included in all advertising and posted in the dwelling unit.
    - Type B: 3 to 5 bedrooms
      - Requires a \$4,130 Type II Conditional Use Review, appealable to a Hearing Officer. Requires a property inspection.
      - Public notice sent to property owners and recognized organizations within 150 feet of the residence. Conditional use case file number must be included in all advertising and posted in dwelling unit.
    - Short-term Rentals exist in 0.60% of Portland’s total housing stock (1,600 units/265,439 total units)
- **San Francisco, California**
  - Defines short-term rentals as “A Tourist or transient use where all of the following conditions are met: (a) the residential unit is offered for tourist or transient use by the permanent resident of the residential unit; (b) the permanent resident is a natural person; and, (c) the permanent resident has registered the unit

and maintains good standing on the Planning Department's short-term residential rental registry.”

- Only permanent residents can offer short-term rentals.
  - They must register with the city and remit the Hotel/TOT tax.
  - Each listing must have at least \$500,000 in liability insurance.
  - Entire home rentals are limited to only 90 days a year.
- Permanent resident must: (1) register their property with the City; (2) maintain residency in the unit for at least 275 days a year; and (3) comply with all applicable laws, including remitting all required transient occupancy taxes.
- Proposed cost of application: \$50 (subject to change).
- NOTE: These regulations are expected to pass final approval in the upcoming weeks and will take effect in 2015. Specifics regarding costs, renewal and notification requirements have yet to be determined at the publication of this report.
- Short-term rentals exist in 1.26% of San Francisco’s total housing stock. (~4,800 units/380,971 total units)

### *Additional Regulation Alternatives*

Municipal regulation of short-term rentals is a new endeavor. In addition to the aforementioned municipal regulation schemes, some academic literature presents additional regulation alternatives. Eric Biber and J.B. Ruhl at the Penn Program on Regulation propose regulating through a tiered system of general permits. This would provide municipalities with basic information while ensuring renters are meeting minimal standards.

The three tiered system is based on the number of days planned for renting. They propose:

- Tier 1: 14 total days, and no more than 10 consecutively
  - Operators provide notice to the city by completing an online form that provides basic information regarding address, maximum number of renters, general estimated rental dates.
  - This would allow the city to monitor for any consequences of rental activity.
- Tier 2: 15 to 60 days total, with no more than 21 days consecutively
  - In addition to the first tier requirements, Operators conduct a self-inspection for basic housing code and safety elements. Require reporting on rental rates, and number of bedrooms and bathrooms.
- Tier 3: More than 60 days in total rent time
  - Require city inspection for health and safety; Operators provide notice to neighbors about rental use.

Fees could be designed to increase with rental time to account for city inspection and administrative costs. Compliance would require monitoring various short-term rental sites. These sites have been uncooperative in releasing data on the number of rentals listed in a given city.

San Francisco has been successful at persuading AirBnB to incorporate TOT calculations in the costs of rentals. However at this time, there is no signal that this practice will carry over to other municipalities.

### *The Hayward Situation*

Currently in Hayward, renting out a home on a hosting platform may be permitted in some residential districts within Hayward, with correct permits. Districts that permit the use of a “boarding home”- “a building where lodging or meals are provided for compensation for residents not functioning as a common household, usually for compensation” could allow the use of short-term rentals via a hosting platform like Airbnb.

If boarding homes are interpreted to fully encompass short-term rentals, then there are three zoning districts where this use would be permitted as either primary or conditional use. RM (Medium Density Residential) and RH (High Density Residential) districts would require a Conditional Use Permit (CUP). In RO (Residential Office) districts, short-term rentals can be permitted under the “boarding home” primary use as well.

Given the current zoning regulations, City legal staff has outlined three general options:

- Allow the use in the presently permitted residential districts.
- Amend the definition of Boarding Home to exclude or clarify short-term rentals.
- Amend all residential district zoning regulations to allow for short-term rentals.

Another issue with short-term rentals is the remittance, or lack thereof, of the Transient Occupancy Taxes (TOT). Hotels are defined as any structure that is occupied or intended or designated for occupancy by transients for dwelling, lodging or sleeping purposes. This includes any hotels, inns, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location or other similar structure or portion thereof” and are subject to the TOT. Under this definition, TOT is due for any short-term rental. Operators are currently required to obtain a \$33.35 business license per HMC 8-1.96.

Currently the Hayward Police Department does not maintain data specifically on calls for service to short-term rentals because at this time there is no way for them to know if the location is being sub-rented.

### *Short-term Rental Housing Demand in Hayward*

Several cursory reviews of short-term rental sites such as AirBnb, VRBO, Tripping.com, etc. reveal that within Hayward there are roughly anywhere between 37 to 50 short-term rentals listed within Hayward’s housing stock of around 50,000 (0.1%).

Pricing ranges from \$40 to \$190 per day in Hayward. Assuming 61% occupancy (223 days), the average hotel occupancy in the U.S., it is roughly estimated that Hayward’s TOT of 8.50%, applied to short-term rentals, would generate anywhere between \$28,000 and \$180,000 annually.<sup>1</sup>

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<sup>1</sup> The average TOT owed would be \$95,912.30 assuming: average number of rentals (~44); average rental price (\$115); and 61% occupancy. Out of the total 17 revenue generating Hotel/Motels in Hayward, 11 of them net below this average TOT. 65% of all Hotel/Motels in Hayward have annual TOT returns of less than \$95,912.30.

Given these demand assumptions, it is reasonable to expect that the cost of the administering any regulation would potentially be higher than the amount of revenue collected from TOT unless also offset by an administrative charge.

At this point given the small number of short-term rentals in the community (0.1% of the total housing stock), staff intends to monitor the level of short-term rentals in Hayward and actions taken by other communities before bringing any formal regulatory scheme forward to Council. If there are concerns with short-term rentals (either maintenance of these properties or tenant population), these can be referred to Code Enforcement or Police Department staff for follow up as appropriate.

### **ECONOMIC IMPACT**

It is highly unlikely that these types of rentals will cease to exist in the future. These rentals provide another opportunity for the inflow of resources into the Hayward economy. Short-term rentals give additional income to Hayward residents who may use this income for home improvements or other commercial activity.

### **FISCAL IMPACT**

The ability of the City to generate revenue from any potential regulatory scheme is largely contingent on the demand of these rentals being substantial enough to generate revenue to support regulatory administration and enforcement. Given the current demand assumptions, any regulation at this time would more than likely have a negative fiscal impact on the city. While information on costs for regulation is unknown at this time, revenue estimates at current demand levels would not be able to cover basic overhead staffing costs.

*Prepared by:* John Stefanski, Management Fellow

*Recommended by:* Kelly McAdoo, Assistant City Manager

Approved by:



---

Fran David, City Manager