ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY PLANNING DEPARTMENT



STAFF REPORT

TO: PLANNING COMMISSION

HEARING DATE: November 4, 2019

GENERAL INFORMATION

AND NUMBER:

APPLICATION TYPE Ministerial Project Review Permit for PLN2019-00167

OWNER/ Cranmer / Resources for Community Development / Hayward Area

APPLICANT: Recreation and Park District

PROPOSAL: Under California Government Code Section 65913.4 (also known as Senate Bill 35 (SB 35)), and State Density Bonus Law Government Code Section 65915; affordable residential mixed-use development to include a seven-story building, 79 deed-restricted affordable housing units, 9,700 sq. ft. of public meeting facility on the ground and second floors, and 2,900 sq. ft. of day care

on the second floor.

ADDRESS AND 16060 East 14th Street, Ashland area of unincorporated Alameda County; SIZE OF PARCEL: Assessor's Parcel Number: 080 -0057-041-00; parcel is 38,100 sq. ft. size.

ZONING: District Mixed Use (DMU) per the 2015 Ashland and Cherryland Business District Specific Plan, intended to provide a vibrant, walkable urban main street mixed-use commercial environment that supports public transportation alternatives and provides locally and regionally-serving commercial, retail, and entertainment uses, as well as a variety of urban housing choices.

GENERAL PLAN **DESIGNATION:**

GC (General Commercial - 1.0 Floor Area Ratio) with HDR (High Density Residential at a density of 43 - 86 dwelling units per acre allowed as a Secondary Use), per the 2010 Eden Area General Plan.

ENVIRONMENTAL REVIEW: The proposed application has been reviewed in accordance with the provisions of the California Environment Quality Act (CEQA). Under California Government Code Section 65913.4 (also known as Senate Bill 35 (SB 35)), and State Density Bonus Law Government Code Section 65915, this application is considered a ministerial project review of affordable residential mixed-use development. Because the State Statute mandates that the project review process is ministerial and that projects are judged purely on objective standards that do not involve the exercise of discretion, the California Environmental Quality Act does not apply to the SB 35 process: Title 14 of the California Code of Regulations, Section 15268(a): "Ministerial projects are exempt from the requirements of CEQA".

RECOMMENDATION

Staff recommends that the Planning Commission review and compare the project against the applicable objective standards and direct the Planning Director to approve the Ministerial Project Review Permit.

Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal" per Government Code § 65913.4 (a)(5).

Projects that comply with objective standards cannot be required to obtain a discretionary use permit, per Government Code § 65913.4(a). Per Government Code § 65913.4(a)(5), consistency with objective standards is determined after "excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915".

PARCEL ZONING HISTORY

July 18, 1957, the 133rd Zoning Unit was approved, establishing "C-1" Commercial District zoning for the site and surrounding area.

February 04, 1979, the 1317th Zoning Unit changed the zoning of the property and an adjacent property from C-1 to PD (Planned Development) zoning, specific allowing commercial planned unit development.

June 1, 1995, the subject site and vicinity were annexed into the Ashland and Cherryland Business District Specific Plan, which classified into the "TA" (Transit Access) Zoning District.

December, 2015, the updated Ashland and Cherryland Business District Specific Plan was adopted. It designated the site and surrounding area into the District Mixed Use (DMU) Zoning District, which is intended to provide a vibrant, walkable urban main street mixed-use commercial environment that supports public transportation alternatives and provides locally and regionally-serving commercial, retail, and entertainment uses, as well as a variety of urban housing choices. The Specific Plan designates the area surrounding the subject parcel into the "Ashland District". The vision for the Ashland District is as a transit-oriented district with a wide mix of uses accessible by multiple modes of transportation.

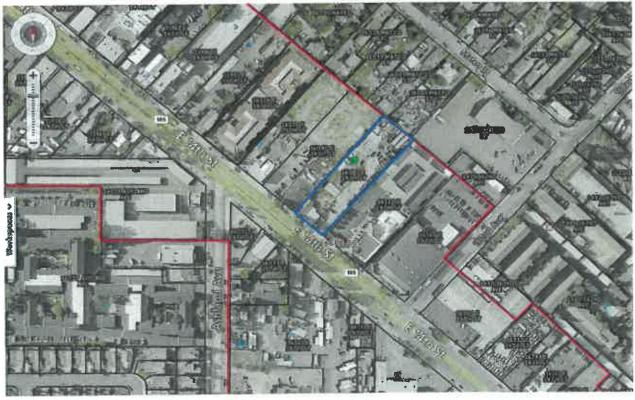
SITE AND CONTEXT DESCRIPTION

<u>Physical Features</u>: Located on East 14th Street, east side, the flat, rectangularly-shaped property measures roughly 100 feet wide by 370 feet deep. It is currently being used for a tobacco retailer and a cosmetology business. There are various vehicles and shipping containers stored at the rear of the property, near several accessory buildings.

Surrounding Area: The subject property, between the north end of Ashland Avenue and the south end of $162^{\rm nd}$ Avenue, is surrounded by the Tiburcio Vasquez Health Center and a vacant Thrift Town building to the south, an underutilized property to the north with a bar and vacant buildings, and a large empty space to the rear. To the west, across East $14^{\rm th}$ Street, are located various small-scale commercial, residential, and storage uses. A mobile-home park is also located across the street, behind some residential buildings. To the east, leading into a residential neighborhood, is Grace Baptist Church, and directly behind the subject site, is a vehicle storage yard.

The site is located along a major commercial "spine" for unincorporated Alameda County (Mission Blvd / East 14th Street), with an approximately 0.7-mile walk to the Bay Fair BART Station, which is located to the northwest of the property at a straight-line distance of 2,406 ft. There is an AC Transit Bus Stop on East 14th Street, with bus lines 10, 28, and 801, located approximately 300 feet north of the parcel.





PROJECT DESCRIPTION

The non-profit developer, Resources for Community Development (RCD), and the Hayward Area Recreation and Parks District (HARD) propose a seven-story, mixed-use development containing 79 deed-restricted affordable housing units, up to 9,700 sq. ft. of public meeting facility on the ground and second floors, and up to 2,900 sq. ft. of day care on the second floor, on a 38,100 sq. ft. property.

This is an application for a development permit pursuant to Government Code 65913.4, otherwise known as Senate Bill 35 (SB 35). The project also utilizes a density bonus pursuant to State Density Bonus Law, Government Code Section 65915 (SDBL), with waivers/modifications to support the proposed project. The project qualifies for the maximum 35% density bonus and three concessions/incentives because it proposes more than 5 dwelling units, and 100% of the units will be affordable to households earning 60% AMI or less.

The gross building area of the proposed project is approximately 93,716 sq. ft. The project proposes to include the following uses:

- 79 deed-restricted, affordable housing units with a mix of one-, two-, and three-bedroom units
- Services, community space, and 2,937 sq.ft. of useable open space for residents
- 9,614 sq.ft. of offices and meeting rooms for HARD and 605 sq.ft. of attached, useable open space
- 2.750 sq.ft. day care center with 2,053 sq.ft. of attached, useable open space
- 67 automobile parking spaces including 3 ADA spaces
- 54 long-term bike parking spaces

The project proposes 79 dwelling units all of which will be affordable to at least the 60% Area Median Income (AMI) threshold. The units are distributed across the two buildings as shown below.

Levels of Housing Affordability

Unit Type	Building A	Building B	Total
1 Bedroom	20	16	36
2 Bedroom	20	1	21
3 Bedroom	15	7	22
% of total units	70%	30%	100%
Total	55	24	79

STAFF ANALYSIS

The proposed project is subject to two different unit affordability criteria. First, based on Alameda County's progress toward meeting the Regional Needs Housing Allocation (RHNA), SB 35 requires 10% of units to be dedicated affordable units at less than 80% AMI, per Gov. Code § 65913.4(a)(4)(B)(i). Since all of the proposed project's units will be affordable to households earning less than 60% AMI, the proposed affordability program satisfies the affordability criterion under SB 35. Second, the project's compliance with this 10% threshold ensures that it also meets the State Density Bonus Law affordability threshold, per Gov. Code § 65915(b)(1)(A); ACC § 17.106.040.B.

Conformance with SB 35 / Government Code Section 65913.4

Overview

The legislature enacted SB 35 in 2017 as a response to California's housing crisis and, specifically, the negative impact that the lack of housing production is having on the State's economic vitality, environmental goals and socio-economic diversity.

Pursuant to SB 35, cities and counties that are not on track to meet their RHNA targets will be required to follow a streamlined, ministerial approval process for qualified housing projects. On June 25, 2019, HCD confirmed that Alameda County is not on track to meet its RHNA for very low-, low-, moderate-housing and above moderate-income housing and is therefore subject to SB 35 at the 10% threshold. The SB 35 approval process requires cities to approve SB35-eligible projects that propose 150 units or less within 90 days of submittal of an application and such approval must be based only on whether an eligible project complies with "objective planning standards." To qualify, the project must meet several criteria, including providing certain percentages of the units affordable to households with incomes below 80% area median income; paying prevailing wage for construction labor; and meeting all objective zoning and design review standards.

The terms "objective zoning standards" and "objective design review standards" are narrowly defined to mean "standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal." A comprehensive checklist of SB 35 requirements is attached to this staff report.

Applicability of the California Environmental Quality Act

Because the statute mandates that the process is ministerial and that projects are judged purely on objective standards that do not involve the exercise of discretion, CEQA does not apply to the SB 35 process. See 14 Cal. Code Regs. 15268(a) ("Ministerial projects are exempt from the requirements of CEQA"); see also Pub. Res. Code 21080(b)(1).

Parking Standards Under SB 35

SB 35 provides that eligible developments within a ½ mile of public transit are exempt from locally imposed automobile parking standards (Gov. Code § 65913.4(d)(1)). Public transit is further defined within the implementing Streamlined Ministerial Approval Process Guidelines as:

"Public transit" means a site containing an existing rail transit station (e.g. light rail, Metro, or BART), a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. For purposes of these Guidelines, measurements for frequency of bus service can include multiple bus lines. (Streamlined Ministerial Approval Process Guidelines - 102(r))

The project sits approximately 2,406 ft from the platform of the Bay Fair BART station. This is within the half mile (2,640 ft) requirement. Therefore, the County is precluded from imposing any automobile parking requirements on the project including the off-street parking and car-share requirements for residential and commercial uses. However, the project provides 67 parking spaces for residents and visitors.

Conformance with State Density Bonus (Government Code Section 65915)

Pursuant to Government Code section 65915, because more than 20% of the "base" project will be affordable to low income-households, the project is entitled to a 35% density bonus over the otherwise

allowable maximum residential density, plus three concessions or incentives. The project is also eligible for waivers and modifications of development standards (without additional legislative or discretionary requirements) that, if applied, would "physically preclude" the density bonus project. Finally, the project is entitled to up to three (3) concessions or incentives that provide actual and identifiable cost reductions for the affordable units.

For purposes of SB 35, the project's proposed "additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915" are not considered when assessing the project's compliance with the County's objective standards (Gov. Code § 65913.4(a)(5)). That means that if the base project and its "otherwise allowable gross maximum residential density", is consistent with the objective standards, then the proposed SB 35 application and its density bonus, waivers/modifications, and/or concessions/incentives must also be deemed consistent. As noted above, the project's proposal for 100% of units to be affordable to households at less than 60% AMI entitle it to the State density bonus. The benefits afforded under the State Density Bonus Law include waivers/modifications of development standards that would otherwise "physically preclude" the density bonus project and three allowed concessions/incentives.

As required by Alameda County Code, a detailed description of the density bonus, waivers, concessions and units is provided in the attached "16060 E. 14th Street Density Bonus Statement"

Conformance with the General Plan: From the Eden Area General Plan, adopted in 2010, the subject property is designated GC (General Commercial – 1.0 Floor Area Ratio) with HDR (High Density Residential at a density of 43 – 86 dwelling units per acre Allowed as a Secondary Use), which allows for:

The General Commercial designation allows for a wide range of commercial uses that encompass small offices, local and regional retail establishments and automobile-oriented uses to meet the needs of Eden Area residents, employees and pass-through travelers. Offices are particularly encouraged in commercially designated areas to enhance the employment base of the area. Commercial parcels have a maximum FAR of 1.0. Allowed uses include the following:

- ♦ Neighborhood commercial uses include grocery and convenience stores, salons, professional offices, restaurants, fast-food establishments, auto service stations, drug stores, dry cleaners, day care centers, shoe stores, tool and appliance repair shops, contractors' shops, hardware stores and banks. Neighborhood commercial uses are best located in centralized areas capable of serving the greatest number of households with the least travel distance and best access to alternate modes of transportation and freeways.
- ♦ Regional commercial uses include factory outlets, discount stores, regional shopping malls, automobile sales, office uses, medical facilities and home improvement centers. These uses are best located in areas with the highest level of automobile access but should also contain a safe pedestrian environment.
- ♦ Highway commercial uses include hotels and motels, restaurants, and motor vehicle and gasoline service stations that provide services to the traveling public and allow for convenient freeway access. These uses should be located in close proximity to freeway ramps.

On some commercial parcels throughout the Eden Area, residential uses are allowed as a secondary use (/LMDR, /MDR, /MHDR, /HDR). Public uses are also allowed in areas with commercial designations. (pgs 3-26 and 3-27)

The High-Density Residential designation is the most urban designation in the Eden Area. Allowed uses include multi-family residential buildings between three and six stories. Allowed densities are between 43 to 86 dwelling units per acre. The designation is intended to allow for intensification of growth over time along major roadways. (pg 3-25)

The subject site is located in a "District" as per the Eden Area General Plan, as defined below:

Districts

Districts are intended to be pedestrian- and transit-oriented centers of mixed-use development. This section presents the County's vision for creating and redeveloping the locations identified as Districts. (pg 3-41)

The Eden Area General Plan has the following Goals and Policies for the subsequent development of the Districts, as described below:

Goal LU-8 Create Districts that serve as shopping, living, meeting, and gathering places.

Policies

- P1. The County shall pursue the creation of distinct Districts throughout the Eden Area. Districts should be places where residents gather to shop, socialize and eat. They should have ample public spaces such as plazas, wide sidewalks, and outdoor seating for restaurants and cafes. The land use patterns should emphasize human-scale design, streetscape and transit improvements and a lively mix of higher density residential, commercial and public uses.
- P2. The County shall pursue redevelopment of the following general areas to create vibrant Districts:
 - ♦ San Lorenzo Village Center
 - ♦ East 14th Street at Ashland Avenue
 - ♦ Mission Boulevard at Mattox Road
 - ♦ The Four Corners area at the intersection of Hesperian Blvd and Lewelling Blvd
 - ♦ The intersection of Hesperian Boulevard and 'A' Street
- P3. The County should strategically pursue commercial and vertically-mixed use development (i.e. residential uses over commercial uses) in Districts. Such projects should be a priority for the County in terms of permit processing and County financial assistance, where feasible. (pg 3-42)

Due to the above general plan land use designations of GC with HDR allowed as a secondary use, and given the goal to establish vibrant Districts and policies for the County to pursue mixed-use development and provide financial assistance where feasible, the proposed use of the subject underutilized parcel as an affordable housing mixed-use development with HARD community center and child care center, would be in conformance with the General Plan.

Conformance with the Zoning Ordinance: The subject site is designated into the District Mixed Use (DMU) zoning district per the 2015 Ashland and Cherryland Business District Specific Plan (ACBD Specific Plan), which acts as the Zoning Code for this property. The DMU zoning district is intended to provide a vibrant, walkable urban main street mixed-use commercial environment that supports public transportation alternatives and provides locally and regionally-serving commercial, retail, and entertainment uses, as well as a variety of urban housing choices.

For the project to meet the current zoning land use regulations in the 2015 Ashland and Cherryland Business District Specific Plan, the below standards will have to be met. For compliance comparisons, see the attached table "16060 E. 14th Street Compliance with Objective Zoning Standards".

6.2.4 Development Standards

DMU (District Mixed Use) /DC (District Commercial) allowed density: 86 dwelling units per acre maximum; no minimum identified. (pg 6-25)

6.2.5.4 Mixed Use Commercial/ Residential

A. Purpose

Mixed use with a non-residential and residential component is encouraged in order to provide a balance of commercial and residential uses, reduce traffic congestion, and provide a stronger economy in commercial areas. In order to accomplish these goals, while also ensuring adequate commercial space and neighborhood compatibility, this Section provides standards and requirements for mixed-use commercial/residential projects.

B. Applicability

This section applies to mixed-use development that combines a non-residential and residential use on the same site or within the same building (mixed use commercial/residential) in any Zone where nonresidential is the primary use and residential uses are allowed only as a secondary use. Mixed-use with two or more non-residential components, e.g. office and retail (mixed-use commercial) or where residential is the primary use and commercial is the secondary use (mixed-use residential/commercial), are exempt from the standards in this Section.

C. General Standards

- 1. In the DMU zone, residential uses may be allowed on the ground floor of a mixed-use building or site (horizontal mixed-use), only if also located above the ground floor non-residential use (vertical-mixed use) and only if located behind a street-fronting nonresidential use.
- 2. In the BC and CMU-C zones, residential uses may be allowed on the ground floor of a mixed-use building or site (horizontal mixed-use), only if located behind a street-fronting non-residential use. A vertical-mixed use component is allowed, but is not required.
- 3. Residential uses are not required to be part of a mixed-use project.
- 4. If any one of the uses of the mixed-use development requires a MUP, CUP, or SDR, then the project in its entirety shall be subject to the same permit requirements.
- 5. Only uses allowed as a single use within the Zone shall be allowed as part of a mixed-use project.
- 6. When determining the density/intensity of the site, the non-residential floor area ratio (FAR) shall be calculated independently of the residential density.

D. Required findings

The review authority, when making a decision on a mixed-use project, shall first make all of the following findings:

- 1. The mixed-use project is consistent with the intent of the applicable zone.
- 2. The mixed-use project is designed so that the non-residential component is the primary use of the property.
- 3. Any residential component to a mixed-use project is designed to be a secondary use of the property.
- 4. For mixed-use projects on sites greater than 10,000 square feet:
 - a. The non-residential floor space provided on the ground floor of the mixed-use building contains a minimum 25 percent of the lot area (e.g. for a 10,000 sf lot, 2,500 sf of the ground floor space must be non-residential).

E. Building and Site Design Objectives

A mixed-use development shall be designed to achieve the following objectives:

- 1. The design shall provide for internal compatibility between the residential and nonresidential uses on the site.
- 2. Potential glare, noise, odors, traffic and other potential nuisance conditions for residents shall be minimized to allow a compatible mix of residential and nonresidential uses on the same site.
- 3. The design shall take into consideration existing and potential future uses on adjacent properties and shall include specific design features to minimize potential impacts, with specific consideration provided to adjacent residential properties.
- 4. The design shall ensure that the residential units are of a residential character, and that appropriate privacy between residential units and other uses on the site, or neighboring sites, is provided.
- 5. Site planning and building design shall provide for convenient pedestrian access separate from access provided for nonresidential uses on the site.
- 6. Site planning and building design shall be compatible with and enhance the adjacent and surrounding residential neighborhood in terms of building design, color, exterior materials, landscaping, lighting, roof styles, scale, and signage.

F. Supplemental Development Standards for Mixed-Use

Commercial/Residential Projects Mixed-Use Commercial/Residential Projects are subject to the following development standards in addition to the zone-based standards provided in Table 6.2.3.

- 1. Maximum Building Length-Maximum building length shall be 150 feet a. Exceptions. Staff may approve building length greater than 150 feet if buildings are designed with several different setbacks (instead of a long flat wall), changes in roof form or height, and major recesses (notches) along the length of the building, which successfully break up the massing of the building. Parking podiums may be continuous.
- 2. Minimum Entrances. Minimum 1 entrance per 100 linear feet of building length.
- 3. Side Setback Adjacent to residential. Commercial development adjacent to residentially zoned property shall provide a minimum 10 foot landscaped side setback, excluding the portion of the side property line that is within the front setback. The side property landscaped setback shall include tree planting, to provide a continuous shade canopy against the building wall when viewed from the residential property.
- 4. Open Space
- a. Minimum total usable open space: 1,000 sq. ft., or 50 sq. ft. per unit. (pgs 6-30 6-31)

6.3.6 Shopfront and Awning

A Shopfront and Awning is a frontage wherein the main façade of the building is at or near the property line, although partially recessed storefronts, such as recessed entrances, are common and allowed as long as façade meets minimum frontage requirement per zone. Shopfronts and Awnings are conventional for retail use, however, may be allowed as entryways into mixed-use buildings with ground floor commercial uses. An awning is not required, but is encouraged. The building entrance shall be at the sidewalk grade and provide direct access to a non-residential ground floor use, or lobby of a mixed-use building.

Design Characteristics

- Shopfront with large, transparent windows and doors at or near the property line
- Entrance at sidewalk grade
- Entrances may be recessed
- Optional canopy/awnings project over the sidewalk

Shopfront and Awning

Standard	Measurement
Building front setback	0 feet max
Width of shopfront opening	8 feet min
Height of shopfront opening	12 feet min
Depth of recessed entry	5 feet max
Width of recessed entry	10% of building facade max
Transparency - ground floor	70 % min
Transparency - upper floors	30% min
Awning encroachment into public	3 feet max
right-of-way with valid encroachment permit	
Clearance sidewalk to awning	8 feet min
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(pg 6-37)

6.4.1.2 General Parking Standards

D. Parking Reduction

- 1. Mixed Use Parking. By approving a Minor Use Permit, the Planning Director may reduce the parking requirement for various uses in a single development by up to 20 percent, in addition to the shared parking reduction, for a total maximum parking reduction of 40 percent, upon finding that the times of maximum parking demand from various uses will not coincide.
- 2. Proximity to Transit. A parking reduction of up to 10 percent, but not less than one space, may be approved by the Planning Director for any use within a quarter mile of frequent transit service (Transit service that is available with headways in at least one direction of 15 minutes or less for at least 12 hours per day, 6 days per week, and 30 minutes or less for at least 18 hours every day). Within a half mile of frequent transit service a parking reduction of up to 5 percent, but not less than one space, may be approved by the Planning Director.
- 3. Transportation Demand Management. Parking in the DMU, DC, BC, and CMU-C zones may be reduced by up to 30 percent, but not less than one space, with approval by the Planning Director of a Transportation Demand Management Plan.
- 4. Bicycle Parking. For every 5 nonrequired permanent bicycle parking spaces provided, required off-street automobile parking may be reduced by 1 space, up to a maximum 25 percent of required automobile parking.
- 5. Car Share. For every 1 parking space leased to a County recognized carshare program, required off-street parking may be reduced by 1 space, up to a maximum 25 percent of required automobile parking.

E. Parking Alternatives

1 On-Street Parking. In the DMU, DC, BC, and CMU-C Zones, on-street parking to the front, side or rear of the lot may satisfy up to 50 percent of required parking spaces. (e.g. if parking requirement is 10 spaces, parking may be reduced by no more than 5 spaces. 5 on-street parking spaces would count toward the 5-space reduction).

(pg 6-49)

Staff has determined that the project meets the land use, density, and objective development standards for the DMU zoning district of the ACBD Specific Plan, and therefore conforms to the zoning ordinance.

CONCLUSION

The proposed mixed-use development containing 79 deed-restricted affordable housing units, up to 9,700 sq. ft. of public meeting facility on the ground and second floors, and up to 2,900 sq. ft. of day care on the second floor, on a 38,100 sq. ft. property, complies with the objective development standards and the density and land use limitations of the *ACBD Specific Plan*, as regulated by SB 35 and the State density bonus laws.

Staff recommends that the Planning Commission review and compare the project against the applicable objective standards and direct the Planning Director to ministerially approve the project.

"Ministerial approval" means that the project would be approved without a right of appeal. Any challenge to the project would need to be resolved in litigation rather than through an appeal to the Board of Supervisors.

Any conditions of approval for the development shall be limited to those conditions that fulfill objective development standards and regulations. The Planning Director will include those conditions as required by the County Departments of Fire, Building, Public Works Land Development, Public Works Permitting, and Flood Control. However, those conditions of approval are already part of the required development regulations and standards (such as compliance with the Building and Fire Codes), that the project is already subject to, such that those conditions will be included as a reminder to the applicant.

PROJECT DOCUMENTS AVAILABLE FOR PUBLIC VIEWING

All documents for this staff report and its attachments are available for public review at: http://acgov.org/cda/planning/landuseprojects/currentprojects.htm

ATTACHMENTS

- A. 16060 E. 14th Street Comprehensive checklist of SB 35 requirements
- B. 16060 E. 14th Street Compliance with Objective Zoning Standards
- C. 16060 E. 14th Street Density Bonus Statement
- D. Referral responses
- E. Applicant response to referral responses
- F. Correspondence from stakeholders
- G. Summary of Community Engagement
- H. Project drawings

PREPARED BY: Rodrigo Orduña

Assistant Planning Director

THE PLANNING COMMISSION OF ALAMEDA COUNTY HAYWARD, CALIFORNIA

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RESOLUTION NO. 19-XX APPROVING PLN2019-00167, MINISTERIAL PROJECT REVIEW

Introduced by Commissioner XXXX Seconded by Commissioner XXXX

WHEREAS the Alameda County Planning Commission did receive ministerial application PLN2019-00167, Cranmer / Resources for Community Development / Hayward Area Recreation and Park District — for ministerial project review of affordable residential mixed-use development under California Government Code Section 65913.4 (also known as Senate Bill 35 (SB 35)), and State Density Bonus Law Government Code Section 65915, to allow a seven-story, mixed-use development containing 79 deed-restricted affordable housing units, 9,700 sq. ft. of public meeting facility on the ground and second floors, and 2,900 sq. ft. of day care on the second floor.

WHEREAS the 38,100 sq. ft. property is zoned "District Mixed Use" (DMU) per the Ashland and Cherryland Business District Specific Plan, is located in the General Commercial with High Density Residential allowed as a secondary use (GC / HDR) land use designation of the Eden Area General Plan, and is located at 16060 E. 14th Street, Ashland area of unincorporated Alameda County, with County Assessor's Parcel Number: 080 -0057-041-00.

WHEREAS State Statute mandates that the project review process for qualifying affordable housing projects is ministerial, and that projects are judged purely on objective standards that do not involve the exercise of discretion, the California Environmental Quality Act does not apply to the SB 35 process: Title 14 of the California Code of Regulations, Section 15268(a): "Ministerial projects are exempt from the requirements of CEQA"; and

WHEREAS the Ashland and Cherryland Business District Specific Plan (Specific Plan) classifies the subject property as District Mixed Use (DMU), which is suitable for mixed-use, commercial and residential development, and is intended to provide a vibrant, walkable urban main street mixed-use commercial environment that supports public transportation alternatives and provides locally and regionally-serving commercial, retail, and entertainment uses, as well as a variety of urban housing choices; and

WHEREAS the Eden Area General Plan (General Plan) designates the subject property primarily as General Commercial, and provides a secondary designation of High-Density-Residential (with a density of 43 – 86 dwellings per acre); and,

WHEREAS under SB 35, the only applicable review standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal" per Government Code § 65913.4 (a)(5); and

WHEREAS projects that comply with objective standards cannot be required to obtain a discretionary use permit, per Government Code § 65913.4(a); and

WHEREAS Government Code § 65913.4(a)(5) states that consistency with objective standards is determined after "excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915"; and

PLANNING COMMISSION RESOLUTION NO. 19-XX November 4, 2019 PAGE 2

WHEREAS notice of public hearing was given as required by law; and

WHEREAS this Commission did hold a public hearing on said proposed amendment at the hour of 6:00 p.m. on Monday, November 04, 2019; and

WHEREAS the Commission does find that the proposed mixed-use development containing 79 deed-restricted affordable housing units, up to 9,700 sq. ft. of public meeting facility on the ground and second floors, and up to 2,900 sq. ft. of day care on the second floor, on a 38,100 sq. ft. property, complies with the objective development standards and the density and land use limitations of the ACBD Specific Plan, as regulated by SB 35 and the State density bonus laws.

NOW THEREFORE

BE IT RESOLVED that this Planning Commission does hereby direct the Planning Director to ministerially approve the proposal for a mixed-use development containing 79 deed-restricted affordable housing units, up to 9,700 sq. ft. of public meeting facility on the ground and second floors, and up to 2,900 sq. ft. of day care on the second floor, on a 38,100 sq. ft. property, as set forth in drawings dated as received on October 22, 2019, marked "Exhibit B", PLN2019-00167, on file at the Alameda County Planning Department.

GENERAL CONDITIONS FROM THE COUNTY PLANNING DEPARTMENT

- 1. All conditions must be accomplished prior to or concurrent with issuance of Building Permits, unless another time of compliance is specified below or on the face of Exhibit B. If conditions or improvements are permitted to be deferred, improvement plans, engineer's estimate and guarantees shall be submitted by the project proponent and its successors in a form and amount as approved by the Director of Public Works.
- 2. The design and improvement of this ministerial project review proposal, PLN2019-00167, shall be in substantial conformance with the design and improvements indicated graphically or by statement on Exhibit B, PLN2019-00167.
- 3. Minor modification(s) to plans marked, "Exhibit B", PLN2019-00167, as well as to these Conditions of Approval, may be conducted as an administrative Planning Department staff-level procedure not requiring a public hearing. The determination of minor modification(s) and of the level of staff review necessary shall be subject to the discretion by the Planning Director.
- 4. All necessary permits shall be obtained by the developer prior to commencing any related work.
- 5. Prior to issuance of Demolition, Grading, Site, Stormwater, Encroachment, or Building Permits, the project proponent shall provide to the satisfaction of the Alameda County Public Works Agency, and the Alameda County Planning Director, evidence of compliance with all laws, policies, and regulations applicable at the time of application for respective Demolition, Grading, Site, Stormwater, Encroachment, or Building Permits.
- 6. A final landscape plan shall be reviewed and approved by the Planning Director prior to Building Permit issuance. The plan shall demonstrate compliance with the California State Water Efficiency Landscape Ordinance and with the Alameda Countywide Clean Water Program stormwater treatment and stormwater pollution prevention drainage regulations.

- 7. A Stormwater Treatment Measures Maintenance Agreement shall be submitted to the Public Works Agency (PWA) for review and approval. Once approved and prior to approval of Building Permits, 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.
- 8. All required plans, specifications, and technical data necessary to submit and issue Building Permit(s) shall be filed with the Building Official at the Alameda County Building Inspection Department, or to the satisfaction of the Director of Public Works. Requirements for submitting the Building Permit application(s), review fees, improvements and inspections of work shall be determined by the Building Official or designee.
- 9. This project shall comply with all Building and Fire Code requirements in effect at time of building permit submittal.
- 10. All Americans with Disabilities Act accessibility requirements shall be met by the project.
- 11. Project proponent and its successors shall defend, indemnify, and hold harmless the County of Alameda and its agents, officers, or employees from any claim, action, or proceeding against the County of Alameda, or its agents, officers, or employees to attach, set aside, void, or annul this ministerial project review, PLN2019-00167, including any amendments thereto, or underlying actions taken pursuant to the Alameda County Zoning Ordinance, other State and County code and ordinance requirements, and any combination thereof. Such indemnification shall include but not be limited to any such proceeding. If the project proponent and its successors fail to adequately defend the County of Alameda, the County may provide its own legal defense and the project proponent and its successors shall be responsible for the County's reasonable attorney's fees.
- 12. The applicant, owner, and any successor shall comply with all local, state, and federal regulations, laws, and ordinances, during the life of this Permit. Failure to comply with all local, state, and federal regulations, laws, and ordinances may subject the permit to revocation in accordance with the conditions of approval herein and Alameda County Zoning Ordinance Section 17.54.030, Zoning approval Permits Revocable.
- 13. The permittee must maintain compliance with all requirements of the following State and County agencies:
 - a) Alameda County Fire Department;
 - b) California Massage Building Inspection Department
 - c) Alameda County Public Works Agency, Land Development;
 - d) Alameda County Public Works Agency, Permitting;
 - e) Alameda County Flood Control;
 - f) Alameda County Planning and Code Enforcement Department;
 - g) Alameda County Business License Department.
- 14. Pursuant to section 17.54.020, Zoning approval Lapse: "A zoning approval shall lapse and become void whenever the permit or license upon which it is given either lapses or is revoked." Therefore, this permit shall lapse if a Building Permit application is not properly filed to the satisfaction of the Building Official within one year from the date of this approval.

PLANNING COMMISSION RESOLUTION NO. 19-XX November 4, 2019 PAGE 4

ADOPTED BY THE FOLLOWING VOTE:

AYES: None

NOES: None

ABSENT: None

EXCUSED: None

ABSTAINED: None

ALBERT LOPEZ - PLANNING DIRECTOR & SECRETARY COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY

ATTACHMENT

SB 35 (Government Code Section 65913.4) Eligibility Criteria

As shown in the Table below, the proposed submittal complies with the SB 35 eligibility requirements. The following table lists the criteria for a project's consideration per the Government Code and confirms that the project complies.

SB:	35	Eli	gibility	Check	list
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3	Government Code Section 65			Requirement satisfied?
	Requirement: Is the project a units? Subd. (a)(1).	a multifamily housing deve	elopment with 2 or more	Yes
	Response: The project is mix than two units. See attached pl	an set showing 58 dwelling	units in the base project.	
	Requirement: Is the project Bureau as an urbanized area?	located in an area designa	ated by the U.S. Census	Yes
	Response: The project is loc	ated inside an urbanized a	rea in Alameda County.	
	See: https://www2.census.gov/geo/geo/geo/geo-oakland_ca/DC10UA		Map/ua/ua78904 san fr	
	Requirement: Is more than	75% of the project site's p	erimeter developed with	Yes
	1 0 (In-1) /- \(/-\/\((1)\/\((1)\) /	/L\/0\ .		
	urban uses? Subds. (a)(2)(B), (Response: SB 35 defines "u commercial, public institution retail use, or any combination	arban uses" as "any curre nal, transit or transportation of those uses." Based on the	on passenger facility, or esse standards, the entirety	
	Response: SB 35 defines "a commercial, public institution retail use, or any combination of the Project site's perimeter residential and commercial use. The following table shows to parcels adjacent to the propose	arban uses" as "any curre nal, transit or transportation of those uses." Based on the rais developed with urbanes. The current uses and zoning project site:	on passenger facility, or ese standards, the entirety n uses including current	,
	Response: SB 35 defines "a commercial, public institution retail use, or any combination of the Project site's perimeter residential and commercial use. The following table shows to parcels adjacent to the propose. Surrounding Uses and Zoning	arban uses" as "any currenal, transit or transportation of those uses." Based on the rais developed with urbanes. The current uses and zoning project site:	on passenger facility, or ese standards, the entirety n uses including current ng classifications on the	,
	Response: SB 35 defines "a commercial, public institution retail use, or any combination of the Project site's perimeter residential and commercial use. The following table shows to parcels adjacent to the propose	arban uses" as "any curre nal, transit or transportation of those uses." Based on the rais developed with urbanes. The current uses and zoning project site:	on passenger facility, or ese standards, the entirety in uses including current ing classifications on the Zoning District Mixed Use	,
	Response: SB 35 defines "a commercial, public institution retail use, or any combination of the Project site's perimeter residential and commercial use. The following table shows to parcels adjacent to the propose. Surrounding Uses and Zonin Direction. Site	arban uses" as "any curre nal, transit or transportation of those uses." Based on the rais developed with urbanes. The current uses and zoning project site:	on passenger facility, or ese standards, the entirety n uses including current ng classifications on the Zoning	,
	Response: SB 35 defines "a commercial, public institution retail use, or any combination of the Project site's perimeter residential and commercial use. The following table shows to parcels adjacent to the propose. Surrounding Uses and Zonin Direction	arban uses" as "any currenal, transit or transportation of those uses." Based on the rais developed with urbanes. The current uses and zoning project site:	on passenger facility, or ese standards, the entirety in uses including current ing classifications on the Zoning District Mixed Use (DMU)	,
	Response: SB 35 defines "commercial, public institution retail use, or any combination of the Project site's perimeter residential and commercial use. The following table shows to parcels adjacent to the propose. Surrounding Uses and Zonin Direction Site North (16050 E. 14th)	urban uses" as "any currenal, transit or transportation of those uses." Based on the rais developed with urbanes. the current uses and zoning project site:	on passenger facility, or ese standards, the entirety in uses including current ing classifications on the Zoning District Mixed Use (DMU) DMU RS DV (Density	,

	Government Code Section 65913.4 Eligibility Requirement	Requirement satisfied?
4 .	Requirement: Does the site have either a zoning or a general plan designation that allows for residential use or residential mixed-use development, with at least two-thirds of the square footage designated for residential use? Subd. (a)(2)(C).	Yes
	Response: The Ashland and Cherryland Business District Specific Plan designates this area as the Ashland District where the vision statement explicitly anticipates housing: "Residential uses will be allowed above or behind commercial space, to promote street activity during all times of day and to increase the consumer base for local businesses." (2.2.2 Ashland District Vision Page 2-7. ACBD Specific Plan)	
	The Specific Plan goes on to implement this vision through the District Mixed Use (DMU) zoning district which also envisions housing as a use: "To provide a vibrant, walkable urban main street mixed-use commercial environment that supports public transportation alternatives and provides locally and regionally-serving commercial, retail, and entertainment uses, as well as a variety of urban housing choices." (6.2.2.3 ACBD Specific Plan Framework Page 6-20. ACBD Specific Plan).	
	The gross building area between the two proposed buildings is 74,561 sq. ft. in the base project which is compliant with all zoning and general plan standards. The base project includes 53,175 sq. ft. of gross residential floor area which is in excess of the 2/3 residential standard (71%).	
5.	Requirement: Has the Department of Housing and Community Development (HCD) determined that the local jurisdiction is subject to SB 35? Gov't Code Sec. 65913.4(a)(4)(A).	Yes
	Response: In June 2019, HCD issued a revised determination regarding which jurisdictions throughout the State are subject to streamlined housing development under SB 35. Alameda County is subject to SB 35 with at least 10% @80% AMI affordable units based on its progress towards providing very low-, low-, moderate- and above moderate-income housing. Therefore, projects are eligible for streamlining under SB 35 for proposed developments. See also:	
	http://www.hcd.ca.gov/community-development/housing- element/docs/SB35 StatewideDeterminationSummary.pdf	
6.	Requirement: Will the project include the required percentage of below market rate housing units? Subd. (a)(3) and (a)(4)(B)	Yes
	Response: The project meets the required 10% of below-market rate housing units since all of its units (79 units for households making at most 60% AMI) are deed-restricted affordable housing units.	

	Government Code Section 65913.4 Eligibility Requirement	Requirement satisfied?
7.	Requirement: Is the project consistent with "objective zoning standards" and "objective design review standards?" Subd. (a)(5)	Yes
	Response: The project conforms with all applicable objective standards as shown in the plan set and application materials, specifically in "16060 E. 14 th Street Compliance with Objective Zoning Standards".	
	The project will also comply with the reduced parking standards as permitted by SB35 and discussed in subsection c below.	

Government Code Section 65913.4 Eligibility Requirement

Requirement satisfied?

Yes

8. Requirement: Is the project located outside of all types of areas exempted from SB 35? Subd. (a)(6-7), (10).

Subd.(a)(6) exempt areas:

- Coastal zone
- Prime farmland or farmland of statewide importance
- Wetlands
- High or very high fire hazard severity zones
- Hazardous waste sites
- Earthquake fault zone (unless the development complies with applicable seismic protection building code standards)
- Floodplain or floodway designated by FEMA
- Lands identified for conservation in an adopted natural community conservation plan or habitat conservation plan
- Habitat for a state or federally protected species
- Land under a conservation easement

Response: The project site is not located on any of the above areas. See "Attachment 2: SB 35 Eligibility Mapping" for detailed mapping.

Requirement:

Subd. (a)(7) exempt areas:

- A development that would require the demolition of housing that:
- Is subject to recorded rent restrictions
- Is subject to rent or price control
- Was occupied by tenants within the last 10 years
- A site that previously contained housing occupied by tenants within past 10 years
- A development that would require the demolition of a historic structure on a national, state, or local register
- The property contains housing units that are occupied by tenants, and units at the property are/were offered for sale to the general public by the subdivider or subsequent owner of the property.

Response: There have been no dwelling units on the property at any point during the last ten years. The current structure is not currently on a local, national or state register for historic properties.

Requirement:

Subd. (a)(10) exempt areas:

- Land governed under the Mobilehome Residency Law
- Land governed by the Recreational Vehicle Park Occupancy Law
- Land governed by the Mobilehome Parks Act
- Land governed by the Special Occupancy Parks Act

Response: The project site is not located on land governed by any of the above laws.

	Government Code Section 65913.4 Eligibility Requirement	Requirement satisfied?
9.	Requirement: If the Project is not a public work, has the proponent certified that all construction workers employed in the development project be paid prevailing wages? Subd. (a)(8)(A).	Yes
	Response: The applicant has certified by letter (as attached) that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages.	
10.	Requirement: Has the applicant made the required "skilled and trained workforce" certification, to the extent applicable? Subd. (a)(8)(B). Response: The "skilled and trained workforce" certification requirement is inapplicable because the development is a 100% affordable housing project. Gov. Code § 65913.4(a)(8)(B)(i).	Applicable.
11.	Requirement: If the project involves a subdivision, are the criteria in subd. (a)(9) satisfied? Response: The Project does not involve a subdivision.	Not Applicable.

16060 East 14th St - Compliance with Objective Standards Table

gs.

Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal." Gov. Code § 65913.4 (a)(5).

Projects that comply with objective standards cannot be required to obtain a discretionary use permit. See Gov. Code § 65913.4(a).

See Gov. Code § 65913.4(a)(5) (consistency with objective standards is determined after "excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915").

public official prior to submittal." The	external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the	Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an	with objective standards cannot be required to obtain a discretionary use permit. See Gov. Code § 65913.4(a); see also HCD's SB 35 Streamlined Ministerial Approval Draft Guidelines (9/28/18), § 300(b)(2).	Permitted if under 14 count Permit for a day care center with children Above 14 allowed with conditional use permit pursuant to SB 35. Projects that comply	ved Land Uses	Provision Applicability Compliance
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Compliant. The applicant proposes a mixed-use project which is an allowable use in the DMU zone per Table 6.2.2. The proposal is for a vertical mixed-use building, including non-residential uses on the ground floor.		The base project plan set shows compliant setbacks. The proposed project conforms to all setback regulations except for the rear setback when adjacent to residential. The proposed project provides no rear setback and so requests a waiver/modification to exceed the rear setback, as permitted under State density bonus law. Compliant. The lot is 38,100 sq. ft. The base project has a building footprint of 22,847 which
Objective criteria. The permitted category of mixed-use for the DMU zone is "Mixed-use Commercial/Residential: Commercial is required on the site as a primary use. Residential is allowed as a secondary use. Commercial may be developed without a residential use." (Section 6.6. "M. Definitions" Page 6-57)	ilding Placement	Applicable objective criteria. The rear setback must be 15' as it is adjacent to a residentially zoned parcel. Applicable objective criteria.
Mixed-Use: Allowed per Section 6.2.5.4. Footnote 7: "Residential only allowed as a secondary use" Footnote 8: "For Commercial/residential mixed use. Vertical mixed use, when residential is located above a ground floor non-residential use, is required. Horizontal mixed-use, when a residential use is located on the ground floor behind a non-residential use facing a major arterial, is allowed only if there is also vertical mixed use on the site." Additional regulations regarding mixed-use commercial/residential projects found in Section 6.2.5.4	Section 6.2.4 - Table 6.2.3 Development Standards, Building Placement	Setbacks: • Front – 0' • Side Street: 0' max • Side – N/A • Rear – 5' min • Rear adjacent to residential – 15' min

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	available and knowable by both the development applicant or proponent and the public official prior to submittal." The standards for a conditional use permit under Alameda County Government Code 17.54.130 do not meet this criteria.	building is a six-story building that tops out at 64'. The ground floor is proposed to be 24' high and all upper floors are proposed the be 10' high in both buildings. The additional stories are proposed waivers/modifications under State Density Bonus Law. Under SB 35, no conditional use permits are required.
Frontages • 70% min frontage requirement (Percentage of lot width occupied by allowed frontage or combination of frontages) • 2' max encroachment in front setback • 4' max encroachment into side or rear setback	Applicable objective criteria.	There are a 100 feet of frontage on East 14th Street. The base project includes 70'-11" of building frontage which equates to 71% of the front lot line as building frontage. The rest is landscaped areas in the setbacks, a pedestrian walkway to access the rear building and the driveway. There are no encroachments into the setbacks. The proposed project provides 56% frontage and requests a modification/waiver to physically accommodate the reduced frontage, as allowed by under State density bonus law.
6.2.5.4.B Mixed-Use Requirements		
6.2.5.4.B Applicability: This section applies to mixed-use development that combines a non-residential and residential use on the same site or within the same building (mixed use commercial/residential) in any Zone where	This section applies as the DMU zone allows for 'Mixed-Use Commercial/Residential"	Compliant. Mixed use general standards are applicable, see following regulations.

Table 3: Section 6.3 Frontage Requirements (ACBD	(ACBD Specific Plan)	
Provision	Applicability	Compliance
Table 6.3.1 - Allowed Frontage Types		
Table 6.3.1 Allowed Frontage Types in DMU/DC	Applicable objective criteria.	The project proposes for the frontage to be in the
Shopfront		Shopfront style.
• Forecourt		
• Terrace		

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16060 E, 14th St. Compliance with Objective Standards Table Page 12 of 20

Table 3: Section 6.3 Frontage Requirements (ACBD S	(ACBD Specific Plan)	
Provision	Applicability	Compliance
70% min transparency on ground floor	Applicable objective criteria.	Compliant.
		The proposed and base project provide over 70% transparency on the ground floor along the frontage. See page A3.5 of the proposed plan set for more details on the calculations.
30% min transparency on upper floor	Applicable objective criteria.	Compliant.
•		The proposed and base project provide over 30% transparency for each upper floor along the frontage. See page A3.5 of the proposed plan set for more details on the calculations.
3 feet max encroachment of awning into public right-of-way with valid encroachment permit	Applicable objective criteria.	Compliant.
	N/A - There is no awning in the proposed project.	
8° min clearance for sidewalk to awning	Applicable objective criteria.	N/A
	N/A - There is no awning in the proposed project.	

Table 2: Section 6.4 Parking Requirements (ACBD Specific Plan)	occific Plan)	
Provision	Applicability	Compliance
6.4.1.1 Parking Requirements and Placement (Table 6.4.1)	(4.1)	
Minimum setback – 20' (defined as: Distance from	Applicable objective criteria.	Compliant.
property line to garage or parking lot. Does not include		
driveway. Driveways providing access to garage or		The driveway extends for more
parking lot may be located within required setbacks.		than 100° to the parking area.
Allowed to nark in drive.)		

16060 E. 14th St.
Compliance with Objective Standards Table
Page 14 of 20

Provision	Applicability	Compliance
Minimum Side street setback - 0'	Applicable objective criteria.	N/A
	N/A — the parking is not located in the street side setback.	
Minimum Side setback – 0'	Applicable objective criteria.	Compliant.
Minimum rear setback – 0°	Applicable objective criteria.	ΝΆ
	N/A – the parking is not located in the rear of the lot.	
Maximum Parking drive width: 12' single and 20' shared	Applicable objective criteria.	Compliant. Base case and proposed project plan sets show a 20° width on the shared driveway.
Minimum distance between front curb cuts: 40'	Applicable objective criteria.	Compliant.
(Distance between curb cuts does not apply to rear land/alley access or front access single driveways if located maximum 6 feet from a single driveway on the adjacent lot.)		There is only one curb cut along the 100 ft frontage.
6.4.1.1 Parking Requirements and Placement (Table and 6.4.2)	nd 6.4.2)	
Residential parking requirement - Multifamily: 1 per	Not applicable.	N/A
(Footnote 2. At least one car-share parking space must be designated in new residential developments that offer more than 10 private car parking spaces. Two car-share parking spaces must be provided in developments with	SB 35 provides that a local government cannot impose automobile parking standards on an eligible project that is within ½ mile of a public transit stop. The project meets this requirement.	

Table 2: Section 6.4 Parking Requirements (ACBD Specific Plan)		
Provision	Applicability	Compliance
4. Required parking may be provided either on the same lot as the use for which they are intended to serve, or on another lot within 1,500 feet, guaranteed through a covenant agreement.	N/A parking provided onsite.	N/A
5. Off-Street parking does not need to be covered.	Not a requirement.	N/A
ever ot or shall	Applicable objective requirement.	Compliant. Parking totals are summed based on the residential and commercial requirements.
Chapter, parking designed, and OC Sections	N/A - no loading required	N/A
of the required spaces in a parking spaces may be designed and a cars.	Applicable objective requirement.	Compliant.
9. Parking for disabled access shall be provided and comply with Chapter 2-71 of Title 24 of the California Administrative Code. When less than five total spaces in a parking lot are provided, one space shall be 14 feet by 18 feet, however, the space does not need to be reserved exclusively for handicapped use.	Applicable objective criteria.	Compliant. The base project and proposed project both provide sufficient disabled and disabled van parking spaces.

16060 E. 14th St.
Compliance with Objective Standards Table
Page 17. of 20

	Compliance	Compliant.	
ecific Plau)	Applicability	Applicable objective requirement.	eral to All Non-Residential Uses
Table 2: Section 6.4 Parking Requirements (ACBD Specific Plan)	Provision	10. Parking spaces shall be designed per Table 6.4.3, subject to County review and approval: Parallel (on-street): 7.5' wide, 20' deep Standard: 8.5' wide, 18' deep Compact: 7.5' wide, 15' deep Tandem: 8.5' wide, 33' deep Disabled Access: 14' wide, 18' deep.	on each side abutting any wall, fence, property line, or other fixed obstruction that restricts vehicular access or movement. 6.4.1.2 General Parking Standards: Subsection B: General to All Non-Residential Uses 1. Parking areas for non-residential uses in any zone

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16060 E. 14th St. Compliance with Objective Standards Table Page 18 of 20

Provision	Applicability	Compliance
2. Parking and loading areas shall be landscaped and Applicable of	Applicable objective requirement.	Compliant.
a. Parking adjacent to streets shall be landscaped to		The parking is provided within
screen area from public streets. Screening materials may include a combination of plant materials fences walls.		parking spaces provided
hedges, or planters in compliance with ACGOC		outdoors. The outdoor spaces
Sections 17.52.410 - 17.52.460.		will be screened and landscaped
b. Parking areas with 5 or more spaces, excluding		appropriately.
parking garages, shall be improved and maintained at all		
times with canopy trees that provide at least 40 percent		
shade coverage at maturity.		
c. Trees in paved areas, such as a parking lot or adjacent		
to sidewalks, shall be installed with deep root		
barriers, metal grates or other designs as approved by		
the County.		
d. Landscaping shall be installed with automatic		
irrigation unless other irrigation methods are approved		
by the County. Irrigation systems and components shall		
be maintained in a fully functional manner.		
e. All landscaping shall comply with ACGOC 17.64		
(Water Efficient Landscape Ordinance).		
f. Each property is responsible for the maintenance of all		
landscaped areas on site and shall maintain all		
landscaping in a healthful and thriving condition at all		
times. Landscaped areas shall be maintained clean of		
debris, litter, and weeds. Any decaying or dead		
material shall be replaced.		

rooms have compliant locking

mechanisms.

rooms in the buildings. These

hanging position, and having a means that will enable a

2. When located in an automobile parking area, bike

user to lock his bicycle to such a device.

parking spaces shall be protected by curbs, fences, planters, or similar barriers for protection of bikes,

pedestrians, and automobiles.

	Compliance	Compliant.	The base project and proposed project both provide 54 bicycle parking spaces which exceeds the minimum requirements.	
cific Plan)	Applicability	Some applicable objective criteria.	The base project requires 29 spaces at the ratio of .5 spaces per unit for the residential requirement. The Meeting Facility non-residential spaces requires 32 parking spaces and therefore require 6 bicycle parking spaces (20% of the required 31 automobile spaces). The proposed project's 79 units triggers a bicycle requirement of 40 bike parking spaces. The 31 vehicle parking spaces required for the meeting facility use triggers a required for 6 additional bicycle parking spaces. This leads to a total requirement of 48 spaces.	The car share requirement is not an applicable criterion. SB 35 provides that a local government cannot impose automobile parking standards on an eligible project that is within ½ mile of a public transit stop. The project meets this requirement.
Table 2: Section 6.4 Parking Requirements (ACBD Specific Plan)	Provision	Table 6.4.4 Bicycle Parking Requirements	Multi family: 1 space/1-2 units Commercial, office, retail: 10% of required car spaces (Where no car parking required, minimum bike parking is 2 plus 1/1,000 sf.) Civic, recreation, assembly: 20% of required car spaces Note: For calculating required bicycle spaces, the required car spaces is equal to the number of required spaces before any reduction received under Section 6:4.4.2.	

16060 E. 14th Street, Ashland Area of unincorporated Alameda County Density Bonus Statement

INTRODUCTION AND OVERVIEW

This is a written statement accompanying the project application for 16060 East 14th Street describing the desired density increase, requested incentives and waivers and number, type, location, size and construction schedule of all dwelling units as required by Alameda County Code (ACC § 17.106.110).

1. Density Bonus

The DMU zone within the Ashland Cherryland Business District specific plan allows a maximum residential density of 86 units per acre. The proposed project's 38,100-sq. ft lot therefore permits a maximum of 75 units ($86 \times .88$ acres). The proposed project provides 100% of the units to households at or below 60% of AMI and is therefore eligible for the maximum density bonus of 35%. Applied to the base project of 58 units, the 35% density bonus permits an additional 21 units ($58 \times .35$, rounded up per density bonus law, Gov Code 65915(f)(5)). Therefore, the project is eligible for a maximum residential density of 79 units. The project proposes to use the entirety of this density bonus and includes 79 units.

2. Incentives/Concessions

In addition to granting the density bonus, the City must also grant the project up to three incentives or concessions pursuant to Gov Code Sec. 65915(d)(1) because more than 30% of the "base density" units (100%) will be at least affordable to low-income households. The City is required to grant the concessions/incentives in so far as the request results in identifiable and actual cost reductions to provide for affordable housing costs and do not result in any adverse public health or safety impacts (Gov. Code Sec. 65915(k)). Although the Project qualifies for three incentives or concessions, the project does not request any.

3. Walvers/Modifications

The County must waive any development standards that would have the effect of "physically precluding" the density bonus project. The following standards, if applied, would physically preclude the project and thus must be waived.

Regulation	Required	Provided
Rear setback adjacent to a residential use (ACBD 6.2.4)	15' min	0"
Height – Stories (ACBD 6.2.4)	5 stories maximum	7 stories in building A and 6 stories in building B

Minimum frontage requirement (ACBD 6.2.4)	70%/70′	56%
Maximum Density (ACBD 6.2.4)	75 dwelling units (.88 of an acre at a maximum of 86 units per acre)	79 units
Useable Open Space (ACBD 6.2.5.4.F.4)	3,950 sq. ft.	2,937

In regards to the open space, the amount of useable open space required could only be provided via rooftop decks which are not physically possible to construct in this building. Rooftop open space requires that the rooftop be constructed of far stronger materials and methods, including waterproofing, structural support and additional methods of egress not provided within this building design. Therefore, the density bonus units can only be accommodated by a reduction in the useable open space requirement.

4. Details on Units

The project's units, both from the base project and the additional density bonus units, will all be constructed simultaneously. The following table summarizes the number, type, and location of the units:

Building A

Floor	Unit Type	Count Per Floor	Count Per Building	Average Unit Size
3-7	1 BR	4	20	495
3-7	2 BR	4	20	800
3-7	3 BR	3	15	962

Building B

Floor	Unit Type	Count Per Floor	Count Per Building	Average Unit Size	
2	2 BR	1	1	867	
3-6	1 BR	4	16	509	
3-6	3 BR	1	4	1047	
4-6	3 BR	1	3	1095	

Alameda County Sheriff's Office

Eden Township Substation 15001 Foothill Boulevard, San Leandro, CA 94578-1008

Gregory J. Ahern, Sheriff

Director of Emergency Services Coroner - Marshal

October 10, 2019

Alameda County Community Development Agency 224 West Winton Avenue #111 Hayward, CA 94544

Attention: Rodrigo Orduna

RE: PLN2019-00167

My staff reviewed the attached application and has expressed concern based on the cumulative effect of allowing additional growth with no provision for additional law enforcement resources. While it would seem each new project does not create a significant law enforcement problem, the total number of new projects ultimately impacts the sheriff's office ability to respond to calls for service. This also includes additional impact on support staff in records, warrants and dispatch.

While the sheriff's office supports the concept of affordable housing, the scope and location of this project may also add to the potential for police calls for service, particularly theft and vandalism during the construction phase. The sheriff's office would like to see security measures added during construction to restrict access and provide adequate exterior lighting and physical security measures. The final construction should include adequate exterior lighting, security cameras, and complete perimeter fencing, consistent with the principles of Crime Prevention Through Environmental Design (CPTED).

If further assistance is needed, please contact Deputy Steve Sweeney at (510) 667-3620.

Gregory J. Ahern, Sheriff-Coroner

David A. Blanchard, Captain Eden Township Division

GJA:DAB:sgs



REVIEW OF AGENCY PLANNING APPLICATION

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i ne technical data supp	ned rigiein is pased on b	С	NLY	e taring	or or to no seem to beautiff balloon	
DATE: 09/26/2019 EBMUD MA		NP(S): 1530B440	EBMU	UD FILE:S-10852		
AGENCY: Alameda Co Developmen Attn: Rodrigo 224 West W HAYWARD,	t Agency o Orduna inton Ave. Room 111	AGENCY F 00167	ILE: PLN2019-	FILE T	YPE: Tentative Map	
2220 Oxf	imer-Resources for Com and Street CA 94704	munity Develop	ement	OWNE	R: Stephenie & Roland Eberle Family Trust 20664 Glenwood Drive Castro Valley, CA 94452	
		DEVELOP	MENT DATA			
ADDRESS/LOCATION:	16060 E 14th Street	City:SAN LEAN	IDRO ZIp Code:	94578		
ZONING:ACBD-C-DMV	PREVIOUS LAND US	SE: Commercial				
DESCRIPTION: 79 deed of day care facility	i restricted housing units	, 9,700 sf meet	ing facility, 2,900	TOTAL	ACREAGE:0.89 ac.	
TYPE OF DEVELOPME	NT:	Multi Family R	esidential:79 Units			
		WATER SE	RVICES DATA			
PROPERTY: In EBMUD STREETS: 32-33			N RANGES OF	ELEVATION RANGE OF PROPERTY TO BE DEVELOPED:		
All of development may Location of Main(s):E 1	· · · · · · · · · · · · · · · · · · ·		None from mair	n extensio	on(s)	
PRESSURE ZONE	DESSURE ZONE SERVICE ELEVATION RANGE		PRESSURE Z			
G0A7	0-100					
		ook	MENTS	_		

Effective January 1, 2018, water service for new multiunit structures shall be individually metered or sub-metered in compliance with State Senate Bill 7 (SB-7), SB-7 encourages conservation of water in multifamily residential and mixed use multi-family and commercial buildings through metering infrastructure for each dwelling unit, including appropriate water billing safeguards for both tenants and landlords. EBMUD water services shall be conditioned for all development projects that are subject to SB-7 requirements and will be released only after the project sponsor has satisfied all requirements and provided evidence of conformance with SB-7.

When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine the costs and conditions of providing additional water service to the development. Engineering and installation of water meters requires substantial lead time which should be provided for in the project sponsor's development schedule. No water meters are allowed to be located in driveways. The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense. Due to EBMUD's limited water supply, all customers should plan for shortages in time of drought.

CHARGES & OTHER REQUIREMENTS FOR SERVICE: Contact the EBMUD New Business Office at (510)287-1008.

> Jennifer Mcgregor, Serior Civil Engineer; WATER SERVICE PLANNING SECTION

MEMORANDUM

DATE:

October 4, 2019

TO:

Rodrigo Orduna, Development Planning Division

FROM:

Fernando Gonzales, Development Services

SUBJECT:

SDR, PLN2019-00167 -- 16060 East 14th Street

Land Development Department have completed the initial review of the transmitted September 18, 2019 dated project referral letter and architectural plan drawings prepared by Kava Massih Architects regarding the above application located on a lot at 16060 E. 14th Street, unincorporated Ashland area, bearing County Assessor's designation: APN: 080-0057-041-00. The proposed project is to allow for a mixed use development containing 79 deed restricted affordable housing units, 9,700 square feet of meeting facility and 2,900 square feet of day care facility.

Should this application received favorable consideration by the Planning Department, the following preliminary comments and recommendations are hereby provided to assist in establishing the conditions of approval:

SPECIFIC COMMENTS

- 1. A soils/geotechnical investigation report should be provided for the proposed project. This report should address among others, the groundwater level at the site and if the existing subsoil underneath the proposed "permeable vehicular concrete" will be able to sustain traffic loads without excessive deformation.
- 2. The development of the site is not to augment storm runoff to the existing Alameda County Flood Control District's Zone 2, Line C storm drain facility, an underground 8' x 5' reinforced concrete box culvert that traverses the site which cannot accommodate additional runoff that was not accounted for in its original design. A modified runoff coefficient factor, C' of 0.40 had been assigned to this site in the District's hydrology calculations prepared for the sizing of the subject underground culvert. Since the site will have a post-development runoff coefficient that is higher than the original C' value of 0.40, mitigation measures with adequate outlet and/or metering works will need to be included and implemented by the Developer in the design of the on-eite storm drainage facility.
- 3. The development of the site must fully comply with Provision C.3 of the Municipal Regional Stormwater Permit. On-site storm drainage system must integrate in the design post-construction storm water control measures so that storm runoff will be treated first before flowing to the detention facility which then discharges into public flood control facility.
- 4. A hydrology and hydraulic analysis will need to be provided for drainage and connection to the existing District's underground box culvert. Storm drain connection to the box culvert should only be allowed if the lateral pipe is reinforced concrete.
- 5. The proposed buildings must be designed so as not to place any loads on the underground box culvert. The foundation must be designed to support the buildings independently of the box culvert and the buildings must be freestanding to allow the box culvert to be unearthed, repaired or replaced when the need arises. Development in the vicinity of the existing

- underground box culvert should allow adequate access for proper maintenance and operation of the box culvert.
- 6. The Developer will need to provide a geotechnical and structural engineering analysis and improvement plans that show that loads from any proposed structures, and/or grading and construction activity in the vicinity of the underground box culvert will not damage or create a negative impact to the existing box culvert. The project geotechnical and structural engineer will also need to certify that the proposed building structures will be unaffected in the event that the box culvert is unearthed, removed, or replaced.
- 7. Pre-construction and post-construction TV/video inspections of the box culvert structure will be required to be performed, at the expense of the Developer, to establish its structural condition before and after construction at the project site. The Developer will be required to provide a bond to ensure that the box culvert will be repaired if damaged by the construction of the building structure and other associated construction activities within the vicinity of the box culvert.
- 8. The Owner/Project Developer will need to provide an executed and recorded Hold Harmless and Indemnification Release holding Alameda County Flood Control District harmless against any loss, injury, or damage due to the construction of the building and other associated construction activities in the vicinity of the box culvert structure, as well as structural failure of the box culvert structure and possible losses to people or property due to such failure.

GENERAL COMMENTS

- 9. The drainage area map created for the project drainage design calculations shall clearly indicate all areas tributary to the project site.
- 10. Prior to the issuance of any building permits on this site, this office should be afforded the opportunity to review a detailed grading, drainage, and road improvement plan with supporting calculation by a Registered Civil Engineer. The proposed curb elevations are not to be less than 1.25 feet above the hydraulic grade line and at no point should the curb grade be below the energy grade line.
- 11. Prior to issuance of a grading permit, a Storm Water Quality Control Plan, including erosion and sedimentation control, that addresses both construction and post-construction storm water quality shall be prepared and included in the project improvement plans.
- 12. The project plans shall include storm water quality control measures for the operation and maintenance of the project once construction is complete. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively control entry of pollutants into storm water runoff.
- 13. No grading shall be permitted until a grading plan and erosion and sedimentation control plans have been reviewed and approved by the County and a grading permit or exemption is obtained from this office in accordance with the provisions of the Alameda County Grading Ordinance.
- 14. No grading work would be allowed during the rainy season, from October 1 to April 30, except upon a clear demonstration, to the satisfaction of the director of the public works, that at no stage of the work will there be any substantial risk of increased sediment discharge from the site.

- 15. Sites with land disturbances greater than one (1) acre must file a Notice of Intent (NOI) with the State Water Resources Control Board for coverage under the State General NPDES permit for Construction Activities. A copy of the NOI must be submitted to the District prior to issuance of a grading permit for the site or any land disturbance on the site. A Storm Water Pollution Prevention Plan (SWPPP) shall be made available to the District prior to issuance of grading permit or any land disturbance on the site.
- 16. All roadway and storm drain facilities are to conform to Alameda County's Subdivision Design Guidelines and Hydrology and Hydraulies Criteria Summary. All work must be in compliance with Alameda County ordinances, guidelines, and permit requirements.
- 17. Before any demolition or grading, destroy known water wells that do not have documented intent of future use. Obtain a destruction permit from Zone 7 for any water well destruction within Zone 7's service boundary. For additional information, the owner or other responsible party should call Zone 7 at (925) 484-2600.
- 18. On-site driveway and parking area structural pavement section is required designed by a civil engineer. The minimum structural section for emergency vehicle access roads is 6 inches of asphalt concrete over filter fabric, if required.
- 19. Any right-of-way dedication, road improvements, and any necessary relocation of utility facilities shall be at no cost to the County.
- 20. All property dedication to the County should be done in a form and a manner acceptable to the Right-of-Way Section of Public Works Agency.
- 21. Fire hydrants are required to be located a minimum of 2.5 feet to their centerline from the face of curb.
- 22. Show the fire hydrant and electrolier on the roadway typical section, and a passage way consistent with ADA requirements provided around these facilities. If there is inadequate space within the sidewalk for the utilities, locate them behind the sidewalk within a public services easement.
- 23. Streetlights on private streets shall be privately owned and maintained. Ownership, maintenance, and responsible party for payment of the streetlight energy bills shall be clarified in appropriate documents such as C.C.&R.'s, Improvement and Streetlight Plans, and Final Map.
- 24. Streetlights shall be installed at the locations shown on plans approved by the County in accordance with the Streetlight Design Guidelines and Specifications. Streetlight plans shall include electrolier and foundation details, trench detail, and a circuitry plan that includes pole identification numbers, PG&E service points, underground conduit size, wires, alignment, and pull box locations.
- 25. Fire hydrants are required to be located a minimum of 2.5 feet to their centerline from the face of curb.
- 26. Show the fire hydrant and electrolier on the roadway typical section, and a passage way consistent with ADA requirements provided around these facilities. If there is inadequate space within the sidewalk for the utilities, locate them behind the sidewalk within a public services easement.

- 27. Streetlights on private streets shall be privately owned and maintained. Ownership, maintenance, and responsible party for payment of the streetlight energy bills shall be clarified in appropriate documents such as C.C.&R.'s, Improvement and Streetlight Plans, and Final Map.
- 28. Streetlights shall be installed at the locations shown on plans approved by the County in accordance with the Streetlight Design Guidelines and Specifications. Streetlight plans shall include electrolier and foundation details, trench detail, and a circuitry plan that includes pole identification numbers, PG&E service points, underground conduit size, wires, alignment, and pull box locations.

Road and traffic related comments will be provided separately by those Public Works Agency Departments. More detailed comments will be provided after complete improvement plans are submitted during the plan review stage.

Let me know if you should have any questions.

Thank you.

/FG

Orduna, Rodrigo, CDA.

From:

Rogers, John

Sent:

Thursday, October 10, 2019 02:21 PM

To:

Gonzales, Fernando; Orduna, Rodrigo, CDA

Cc:

Valderrama, Arthur

Subject:

RE: SDR. PLN2019-00167 - 16060 East 14th Street, Ashland

Rodrigo-

I'm unclear on the application of the California Green Building Standards Code (CALGreen) to this SB 35 project — and also whether this would be considered a residential project or a non-residential project if this Code does apply.

Assuming that CALGreen does apply – and that the project is residential – and that the applicant will be submitting for a building permit after 1/1/20 when the 2019 Codes will be in place, here are the requirements that would apply to the site design:

4.106.2 Storm water drainage and retention during construction.

Projects which disturb less than one acre of soil and are not part of a larger common plan of development which in total disturbs one acre or more, shall manage storm water drainage during construction. In order to manage storm water drainage during construction, one or more of the following measures shall be implemented to prevent flooding of adjacent property, prevent erosion and retain soil runoff on the site.

- 1. Retention basins of sufficient size shall be utilized to retain storm water on the site.
- 2. Where storm water is conveyed to a public drainage system, collection point, gutter or similar disposal method, water shall be filtered by use of a barrier system, wattle or other method approved by the enforcing agency.
- 4.106.3 Grading and paving. Construction plans shall indicate how the site grading or drainage system will manage all surface water flows to keep water from entering buildings. Examples of methods to manage surface water include, but are not limited to, the following:
- 1. Swales
- 2. Water collection and disposal systems
- 3. French drains
- 4. Water retention gardens
- 5. Other water measures which keep surface water away from buildings and aid in groundwater recharge.

4.106.4 Electric vehicle (EV) charging for new construction.

New construction shall comply with Section 4.106.4.1, 4.106.4.2, or 4.106.4.3, to facilitate future installation and use of EV chargers. Electric vehicle supply equipment (EVSE) shall be installed in accordance with the *California Electrical Code*, Article 625.

Exceptions:

- 1. On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based upon one or more of the following conditions:
- 1.1. Where there is no commercial power supply.
- 1.2. Where there is evidence substantiating that meeting the requirements will alter the local utility infrastructure design requirements on the utility side of the meter so as to increase the utility side cost to the homeowner or the developer by more than \$400.00 per dwelling unit.
- 2. Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) without additional parking facilities.
 4.106.4.2 New multifamily dwellings. If residential parking is available, ten (10) percent of the total number of parking spaces on a building site, provided for all types of parking facilities, shall be electric vehicle charging spaces (EV spaces) capable of supporting future EVSE. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.

Notes:

- 1. Construction documents are intended to demonstrate the project's capability and capacity for facilitating future EV charging.
- 2. There is no requirement for EV spaces to be constructed or available until EV chargers are installed for use.

4.106.4.2.1 Electric vehicle charging space (EV space) locations. Construction documents shall indicate the location of proposed EV spaces. Where common use parking is provided at least one EV space shall be located in the common use parking area and shall be available for use by all residents.

4.106.4.2.1.1 Electric vehicle charging stations (EVCS). When EV chargers are installed, EV spaces required by Section 4.106.4.2.2, Item 3, shall comply with at least one of the following

options:

1. The EV space shall be located adjacent to an accessible parking space meeting the requirements of the California Building Code, Chapter 11A, to allow use of the EV charger from the accessible parking space.

2. The EV space shall be located on an accessible route, as defined in the California Building

Code, Chapter 2, to the building.

Exception: Electric vehicle charging stations designed and constructed in compliance with the California Building Code, Chapter 11B, are not required to comply with Section 4.106.4.2.1.1 and Section 4.106.4.2.2, Item 3.

Note: Electric vehicle charging stations serving public housing are required to comply with the California Building Code, Chapter 11 B.

4.106.4.2.2 Electric vehicle charging space (EV space) dimensions. The EV spaces shall be designed to comply with the following:

1. The minimum length of each EV space shall be 18 feet (5486 mm).

2. The minimum width of each EV space shall be 9 feet (2743 mm).

3. One in every 25 EV spaces, but not less than one, shall also have an 8-foot (2438 mm) wide minimum aisle, A 5-foot (1524 mm) wide minimum aisle shall be permitted provided the minimum width of the EV space is 12 feet (3658 mm).

a. Surface slope for this EV space and the aisle shall not exceed 1 unit vertical in 48 units horizontal (2.083 percent slope) in any direction.

4.304.1 Outdoor potable water use in landscape areas.

Residential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent.

4.410.2 Recycling by occupants. Where 5 or more multifamily dwelling units are constructed on a building site, provide readily accessible area(s) that serves all buildings on the site and are identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals, or meet a lawfully enacted local recycling ordinance, if more restrictive.

There are several other CALGreen requirements that would pertain to interior residential design and to exterior/interior nonresidential design. All of this is ministerial, but for a project like this where space is limited, I think the applicant should be showing the tentative solutions to the above.

If this project was deemed subject to the CALGreen nonresidential design requirements, there would be additional requirements for parking of clean air vehicles, bicycle parking, and the installation of shade trees - and the EV parking requirements would change.

JohnR

From: Gonzales, Fernando

Sent: Thursday, October 10, 2019 1:01 PM

To: Orduna, Rodrigo, CDA < rodrigo.orduna@acgov.org>

Cc: Valderrama, Arthur <arthur@acpwa.org>; Rogers, John <johnr@acpwa.org>

Subject: FW: SDR, PLN2019-00167 - 16060 East 14th Street, Ashland

Sorry Rodrigo, I had senior moment here.

Fernando ·

From: Gonzales, Fernando

Sent: Friday, October 04, 2019 4:01 PM

To: Rogers, John < iohnr@acpwa.org>

Cc: Valderrama, Arthur < arthur@acpwa.org>; Rogers, John < iohnr@acpwa.org>

Subject: SDR, PLN2019-00167 - 16060 East 14th Street, Ashland

Hi Rodrigo,

Enclosed please find Land Development Department's preliminary planning referral comment letter for the subject project.

Thanks, Fernando

Orduna, Rodrigo, CDA

From:

Rogers, John

Sent:

Thursday, October 10, 2019 08:43 AM

To:

Melinda Thomas; Orduna, Rodrigo, CDA

Cc:

'Nick Cranmer'; Bruce Jett; Mark Schlientz; Lia Farley; Jason Fong; Kava Massih; Gonzales,

Fernando: Valderrama, Arthur

Subject:

RE: PLN2019-00167 -- comments from stormwater division of PWA

Melinda-

OK, but the design should be reviewed by the landscape architect. Presumably, the self-retaining area that you are showing will be landscaped per Sh. L1.1 – and that would mean that the planting should be compatible with the associated standing water following storm events. The area should be designed as a depressed basin with a 3 inch ponding depth – and because self-retaining landscaped areas should not overflow onto paved areas, you should include area drains with the rim height 3" above grade that would discharge directly into the storm drain system. By rule, the self-retaining area has to be at least 50% of the area that is draining to it – and you are just over that threshold at 50.8%.

JohnR

From: Melinda Thomas [mailto:melindathomas@bkf.com]

Sent: Wednesday, October 9, 2019 3:47 PM

To: Orduna, Rodrigo, CDA < rodrigo.orduna@acgov.org>; Rogers, John < johnr@acpwa.org>

Cc: 'Nick Cranmer' <ncranmer@rcdhousing.org>; Bruce Jett <brucej@jett.land>; Mark Schlientz

<marks@kavamassiharchitects.com>; Lia Farley <liaf@jett.land>; Jason Fong <jfong@bkf.com>; Kava Massih

<kavam@kavamassiharchitects.com>

Subject: RE: PLN2019-00167 -- comments from stormwater division of PWA

Hi Rodrigo and John,

I know that we have not yet reached the 60 day mark for finalized comments from the County, but in response to the comment from Public Works about the area on site that we called out as being uncaptured, I wanted to send over the attached new Stormwater exhibit to see if the County is on board with our new approach.

We want to turn our plans around as quickly as possible to give the county time to review within the 30 day window, so I just want to get ahead of this and make sure we are on the right track.

Please let me know if there are any questions or comments, and thanks for your help on this.

MELINDA THOMAS, EIT

Project Engineer

BKF ENGINEERS Delivering Inspired Infrastructure
1646 N. California Street, Suite 400, Walnut Creek, CA 94596
d 925,940,2202 melindathomas@bkf.com BKF.com

From: Nick Cranmer < ncranmer@rcdhousing.org>

Sent: Friday, September 27, 2019 11:28 AM

To: Kava Massih < kavam@kavamassiharchitects.com >; Mark Schlientz < marks@kavamassiharchitects.com >; Melinda

Thomas <melindathomas@bkf.com>; Jason Fong <ifong@bkf.com>; Lia Farley <iiiaf@iett.land>; Bruce Jett

<brucei@jett.land>

Subject: FW: PLN2019-00167 -- comments from stormwater division of PWA

See below from County.

Nick Cranmer | RCD | 510 841 4410 x309

From: Orduna, Rodrigo, CDA < rodrigo.orduna@acgov.org>

Sent: Friday, September 27, 2019 11:22 AM
To: Nick Cranmer ncranmer@rcdhousing.org

Cc: 'Kava Massih' < kavam@kavamassiharchitects.com>

Subject: FW: PLN2019-00167 — comments from stormwater division of PWA

Below are comments from John Rogers of the Public Works Agency regarding stormwater treatment and drainage, and street improvements.

Regards,

Rodrigo

Rodrigo Orduña, AICP
Assistant Planning Director
Alameda County Planning Department
Community Development Agency

rodrigo.orduma@acgov.org telephone 510-670-6503 facsimile 510-785-8793

224 West Winton Avenue, Suite 111
Hayward, CA 94544
http://www.acgov.org/cda

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From: Rogers, John < johnr@acowa.org>

Sent: Thursday, September 26, 2019 02:06 PM

To: Orduna, Rodrigo, CDA < rodrigo.orduna@acgov.org>

Cc: Valderrama, Arthur <arthur@acpwa.org>; Gonzales, Fernando fernando@acpwa.org; Tam, Alan

<alant@acpwa.org>
Subject: PLN2019-00167

Rodrigo-

Comments on the 16060 E. 14th plan set referred by your 9/18/19 letter. I will not attempt to separate discretionary from ministerial, but obviously all must be resolved before we issue permits.

Also, can I rechannel Bonnie's speech about responding to known unknowns and unknown unknowns?

• The drainage management plan on CO.4 is unusual, given that it seems to describe stormwater collection at various levels of the buildings — and treatment measures not only on the ground next to one of the buildings,

but also on the second floor of the other building. The obvious issues will be waterproofing the buildings and getting access for post-construction inspection, but we are also going to have plumbing system design issues related to getting runoff into these facilities, getting overflow and treated runoff out, and how high flows from major storms can bypass the treatment and drain away from the buildings and the adjacent properties. Treated water must be collected and discharged directly into the County stormdrain system, either the on-site culvert or the roadway culvert. Going to be a very interesting drainage system that we aren't going to fully comprehend until we see the building plans.

- Not clear how all of the ground surface runoff will be collected and treated, but I see both pervious pavement and landscaping self-treating areas described on CO.4. As indicated in the 9/26 meeting, the area shown as "not treated" is not acceptable; all runoff generated on the site must be collected and treated using LiD measures (or self-treating). It is acceptable under LiD to design pervious pavement (and landscaping) as "self-retaining," wherein these SR areas can serve to treat runoff from adjacent impervious surfaces (in addition to self-treating), but then the pavement (or landscaping) should be depressed so that it will temporarily hold a couple of inches of stormwater pending eventual percolation into the ground. Any area drains in the SR areas would have to be elevated and this would typically make those areas unsuitable as open space because of the tripping hazard. Also not sure that we would be happy with the collection and discharge of concentrated stormwater runoff in a SR area in our District easement, or even next to it.
- Pervious pavement in this area of the County will likely require the installation of subdrains (that connect to the stormdrain system).
- The plans show pervious pavement in the drive aisle, which we would typically not encourage because of the higher than normal maintenance costs; however, the PP appears to be necessary here, given the lack of space on the ground.
- Not sure what I'm seeing on CO.3 with respect to the drainage system. There appear to be three separate connections of drainage pipes to the District culvert, but two of these appear to be combined subdrain/area drain subsystems. The connection of subdrains to the culvert is OK, given that this water is treated but area drains cannot be directly connected to the culvert. Also, I think that we would prefer that the plumbing system be designed so that there is only a single new connection.
- Per CO.1, there appears to be an existing manhole/inlet over the District culvert in the middle of the site. The inlet part, which I assume means a manhole cover with slots or holes, will have to be replaced with a solid cover but there could be a question of why the new system is not being connected to the old manhole.
- We would like to get a replacement tree in the frontage that looks something like the adjacent tree and not like
 the half-dead existing tree that is going to be whacked; see attached. It would be nice if this new tree was fitted
 with a tree grate so that there wouldn't be drop-offs from the sidewalk, as there are at the other frontage tree
 locations.
- What is with the proposed electrical transformer in the sidewalk on C0.3? This thing had better be in an underground vault otherwise, no way!

JohnR

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October 22, 2019

Rodrigo Orduña, AICP
Assistant Planning Director
Alameda County Planning Department
Community Development Agency
VIA Email: rodrigo.orduna@acgov.org

Subject:

Government Code Sec. 65913.4 Affordable Housing Development Application for

16060 E. 14th Street, San Leandro, California

Dear Mr. Orduña,

Thank you for your work to date helping Resources for Community Development move forward a desperately needed affordable housing project at 16060 14th St. The attached plan set represents the project's final plan set for its planning and zoning entitlements.

As you know, Resources for Community Development submitted the initial application under Government Code 65913.4 to the County on August 13, 2019 for a mixed-use development project containing 79 deed restricted affordable housing units, 9,600 square feet of meeting facility and 2,750 square feet of day care facility on a parcel located at 16060 E. 14th St. Since then, communications from yourself, the County of Alameda's Assistant Planning Director, on October 16, 2019 confirmed that there were no objective zoning or design comments associated with the project.

The Development Planning Division did forward a comment letter from Alameda County Fire Department on September 25, 2019, as well as an email with comments from Public Works Agency on September 27, 2019 and again on October 11, 2019 with a number of comments concerning geotechnical, groundwater, stormwater, grading and sediment control, and streetlights. Please find attached several letters and reports from the project consultants addressing the specific comments.

The applicant looks forward to receiving planning approval under the SB35 guidelines by the 90 day deadline on November 11, 2019.

Best,

Nick Cranmer Acquisitions Project Manager

Attachments: Responses to Fire Comment Letter

Responses to Public Works Agency Comments

Resources for Community Development 2220 Oxford Street • Barkeley, GA 94704 (510) 841-4410 • xxx (510) 548-3502 WWW.RCDHOUSING.ORG



21 October 2019

Alameda County
Community Development Agency
Planning Department
224 West Winton Ave., Room 111
Hayward, California 94544

Attention: Bonnie Terra, Division Chief

Project:

16060 E 14th Street

San Leandro, CA

RE:

City Permit No.: 2019-00167

Plan Review Responses

Comments:

1. Please provide all the occupancy classifications for all areas.

Response: see sheet A1.6 attached for occupancy types

2. Please show on the plans how the project is meeting the access requirements set forth in appendix d of the 2016 CFC.

Response: see sheet A1.4 for fire department access. Please note that the building is now being considered as one building which means the aerial apparatus can access the building from E. 14th Street. We are still providing a hammerhead turn-around on site for standard emergency vehicle access on site.

3. Please show the location of the two closest fire hydrants to serve the project.

Response: (2) existing fire hydrants are shown on sheet A1.4

4. Please note on the plan that a fire sprinkler monitoring system and possibly a fire alarm system will be required as a deferred submittal. Please note that the fire alarm system requirements are not known until the occupancies are known.

Response: see note #1 on sheet A1.4 for deferred approval Items.

5. Please show on the plans how exiting to the public way is being achieved from both buildings.

Response: see sheet A1.6 for access to public right-of-way from building exits.

6. BBQ's are shown on the 3rd floor. Please clarify that the type of fuel being used is natural gas or electric since the use of propane in this area would not be permitted.

Response: The BBQ's on the 3rd level are natural gas fueled. They will be plumbed and provided with shut-off switches to meet plumbing code.

7. Parts of the Daycare are shown on the second floor. Please provide additional information indicating how compliant exiting is being achieved from the daycare to the public way

Response: See code summary below:

308.6 Institutional Group I-4, day care facilities. This group shall include buildings and structures occupied by more than six clients of any age who receive custodial care for fewer than 24 hours per day by persons other than parents or guardians, relatives by blood, marriage or adoption, and in a place other than the home of the clients eared for. This group shall include, but not be limited to, the following:

Adult day care Child day care

436.1 Group 1-4 special provisions. Rooms classified as Group 1-4 shall not be located above or below the first story.

Exceptions:

- 3. Group I-4 child-care facilities may be located above the first story in buildings of Type I-A. Type I-B, Type II-A and Ill-A construction, subject to the limitation of Section 503 when:
 - 3.1. Group I-4 child-care facilities with children under the age of seven or containing more than 12 children per story shall not be located above the fourth floor; and
 - 3.2. The entire story in which the Group 1-4 childcare facility is located is equipped with an approved manual fire alarm and smoke-detection system. (See the Fire Code.) Actuation of a initiating device shall sound an audible alarm throughout the entire story. When a building fire alarm system is required by other provisions of this code or the Fire Code, the alarm system shall be connected to the building alarm system. An approved alarm signal shall sound at an approved location in the Group 1-4 child-care facility to indicate a fire alarm or sprinkler flow condition in other portions of the building; and
 - 3.3. Group I-4 child-care facilities, if more than 1,000 square feet (92.9 m) in area, is divided into at least two compartments of approximately the same size by a smoke barrier with door openings protected by smoke- and draft-control assemblies having a fire-protection rating of not less than 20 minutes. Smoke barriers shall have a fire-resistive rating of not less than one hour. In addition to the requirements of Section 508.3.3, occupancy separations between Group I-4 childcare and other occupancies shall be constructed as smoke barriers. Door openings in the smoke barrier shall be tightfitting, with gaskets installed as required by Section 710, and shall be automatic closing by actuation of the automatic sprinklers, fire alarm or smoke-detection system.
 - 3.4. Each compartment formed by the smoke barrier has not less than two exits or exit access doors, one of which is permitted to pass through the adjoining compartment; and
 - 3.5. Where two or more exits or exit access are required at least one shall not share a common path of travel.
 - 3.6. The building is equipped with an automatic sprinkler system throughout.



Based on summary above we can meet the minimum requirements of section 436.1 for i-4 daycare to be located above the 1st floor. See sheet A1.6 for additional notes.

8. Please note the use of each area on the plans.

Response: see plan sheet A1.6 for identified use of each space and occupancy types.

9. Please show the location of the fire pump rooms for each building.

Response: See fire pump room on 1^{\pm} level of building area A. We are showing (1) fire pump to service the entire building.

10. The construction types shown on sheet A0.0 indicate IIA, Type VA, and IA. Please show on the plans the location of each type of construction.

Response: see building sections on sheet A3.4 which identifies Type 1A construction on floors 1-2 and Type IIIA construction on floors 3-7.

11. Please indicate on the plans the codes and standards including additions to which this project will conform.

Response: see sheet A1.6 for code references.

12. Please show how fire access to egress windows is to be achieved.

Response: we have made the entire building Type IIIA construction which eliminates the need for egress windows. See CBC section 1030.1, exception 1.

13. Please note that this project will need to certify the height of each floor as it is constructed. The final height of the structure must remain less than 75 feet.

Response: acknowledged.

14. Sheet L2.1, L2.2, L2.3 speaks to City of San Jose regulations and the San Jose Water. These are not correct references for this project. Please revise the plans.

Response: see revised sheets.

15. Please note multiple addresses will be required for these structures. Please show the location size and type of address numbers to be provided.

Response: now that we are calling this one building we will maintain one address, 16060 E 14th Street.

16. Please provide the fire flow



Response: to be determined prior to permit submittal



WALNUT CREEK OFFICE | 925.940.2200

MEMORANDUM

BKF Job Number: 20181871

Date: 10.21.2019

Deliver To: Rodrigo Orduna, Development Planning Division

From: Melinda Thomas

Subject: Response to October 4, 2019 SDR, PLN2019-00167 - 16060 East 14th Street Plan Check Comments

Dear Mr. Orduna,

Please see the following responses to the 16060 East 14th Street Plan Check Comments.

SPECIFIC COMMENTS:

- 1. A soils/geotechnical investigation report should be provided for the proposed project. This report should address among others, the ground water level at the site and if the existing subsoil underneath the proposed "permeable vehicular concrete" will be able to sustain traffic loads without excessive deformation. BKF Response: Draft Geotech Report attached.
- 2. The development of the site is not to augment storm runoff to the existing Alameda County Flood control District's Zone 2, Line C storm drain facility, an underground 8' x 5' reinforced concrete box culvert that traverses the site which cannot accommodate additional runoff that was not accounted for in its original design. A modified runoff coefficient factor, C' of 0.40 had been assigned to this site in the District's hydrology calculations prepared for the sizing of the subject underground culvert. Since the site will have a post-development runoff coefficient that is higher than the original C' value of 0.40, mitigation measures with adequate outlet and/or metering works will need to be included and implemented by the Developer in the design of the on-site storm drainage facility. BKF Response: A Hydrology memo has been provided to account for changes in runoff coefficient.
- 3. The development of the site must fully comply with Provision C.3 of the Municipal Regional Stormwater Permit. On-site storm drainage system must integrate in the design post-construction storm water control measures so that storm runoff will be treated first before flowing to the detention facility which then discharges into public flood control facility. BKF Response: Understood, project complies with C.3 requirements.
- 4. The hydrology and hydraulic analysis will need to be provided for drainage and connection to the existing District's underground box culvert. Storm drain connection to the box culvert should only be allowed if the lateral pipe is reinforced concrete. BKF Response: A Hydrology memo has been provided to account for changes in runoff coefficient and notes have been added to the utility plan for reinforced concrete connections.
- 5. The proposed buildings must be designed so as not to place any loads on the underground box culvert. The foundation must be designed to support the buildings independently of the box culvert and the buildings must be freestanding to allow the box culvert to be unearthed, repaired or replaced when the



need arises. Development in the vicinity of the existing underground box culvert should allow adequate access for proper maintenance and operation of the box culvert. BKF Response: Understood, structural design will follow these guidelines.

- 6. The Developer will need to provide a geotechnical and structural engineering analysis and improvement plans that show that loads from any proposed structures, and/or grading and construction activity in the vicinity of the underground box culvert will not damage or create a negative impact to the existing box culvert. The project geotechnical and structural engineer will also need to certify that the proposed building structures will be unaffected in the event that the box culvert is unearthed, removed, or replaced. BKF Response: Understood, this will take place during permit/CD phase.
- 7. Pre-construction and post-construction TV/video inspections of the box culvert structure will be required to be performed, at the expense of the Developer, to establish its structural condition before and after construction at the project site. The Developer will be required to provide a bond to ensure that the box culvert will be repaired if damaged by the construction of the building structure and other associated construction activities within the vicinity of the box culvert. BKF Response: Understood.
- 8. The Owner/Project Developer will need to provide an executed and recorded **Hold Harmless and Indemnification** Release holding Alameda County Flood Control District harmless against any loss, injury, or damage due to the construction of the building and other associated construction activities in the vicinity of the box culvert structure, as well as structural failure of the box culvert structure and possible losses to people or property due to such failure. **BKF Response**: **Understood**.

SPECIFIC COMMENTS:

- 9. The drainage area map created for the project drainage design calculations shall clearly indicate all areas tributary to the project site. BKF Response: Drainage area map is shown on Stormwater control plan.
- 10. Prior to the issuance of any building permits on this site, this office should be afforded the opportunity to review a detailed grading, drainage, and road improvement plan with supporting calculation by a Registered Civil Engineer. The proposed curb elevations are not to be less than 1.25 feet above the hydraulic grade line and at no point should the curb grade be below the energy grade line. BKF Response: Understood, these will be provided during CD phase.
- 11. Prior to issuance of a grading permit, a Storm Water Quality Control Plan, including erosion and sedimentation control, that addresses both construction and post-construction storm water quality shall be prepared and included in the project improvement plans. BKF Response: Erosion control plan will be provided during CD phase.
- 12. The project plans shall include storm water quality control measures for the operation and maintenance of the project once construction is complete. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively control entry of pollutants into storm water runoff. BKF Response: Erosion control plan will be provided during CD phase.
- 13. No grading shall be permitted until a grading plan and erosion and sedimentation control plans have been reviewed and approved by the County and a grading permit or exemption is obtained from this



office in accordance with the provisions of the Alameda County Grading Ordinance. BKF Response: Erosion control plan will be provided during CD phase.

- 14. No grading work would be allowed during the rainy season, from October 1 to April 30, except upon a clear demonstration, to the satisfaction of the director of the public works, that at no stage of the work will there be any substantial risk of increased sediment discharge from the site. BKF Response: Erosion control plan will be provided during CD phase and will include notes about the rainy season.
- 15. Sites with land disturbances greater than one (1) acre must file a Notice of Intent (NOI) with the State Water Resources Control Board for coverage under the State General NPDES permit for Construction Activities. A copy of the NOI must be submitted to the District prior to issuance of a grading permit for the site or any land disturbance on the site. A Storm Water Pollution Prevention Plan (SWPPP) shall be made available to the District prior to issuance of grading permit or any land disturbance on the site. BKF Response: Site is less than 1 acre.
- 16. All roadway and storm drain facilities are to conform to Alameda County's Subdivision Design Guidelines and Hydrology and Hydraulics Criteria Summary. All work must be in compliance with Alameda County ordinances, guidelines, and permit requirements. BKF Response: Understood. All calculations for Stormwater and hydrology memo reference the Alameda County Hydrology & Hydraulics Manual.
- 17. Before any demolition or grading, destroy known water wells that do not have documented intent of future use. Obtain a destruction permit from Zone 7 for any water well destruction within Zone 7's service boundary. For additional information, the owner or other responsible party should call Zone 7 at (925) 484-2600. BKF Response: Understood.
- 18. On-site driveway and parking area structural pavement section is required designed by a civil engineer. The minimum structural section for emergency vehicle access roads is 6 inches of asphalt concrete over filter fabric, if required. BKF Response: Proposed structural section exceeds 6 inches per the civil plans.
- 19. Any right-of-way dedication, road improvements, and any necessary relocation of utility facilities shall be at no cost to the County. BKF Response: Understood.
- 20. All property dedication to the County should be done in a form and a manner acceptable to the Right-of-Way Section of Public Works Agency. BKF Response: Understood.
- 21. Fire hydrants are required to be located a minimum of 2.5 feet to their centerline from the face of curb. BKF Response: Understood. No new fire hydrants proposed at this time.
- 22. Show the fire hydrant and electrolier on the roadway typical section, and a passage way consistent with ADA requirements provided around these facilities. If there is inadequate space within the sidewalk for the utilities, locate them behind the sidewalk within a public services easement. BKF Response: There is no fire hydrant or electrolier fronting our property.
- 23. Streetlights on private streets shall be privately owned and maintained. Ownership, maintenance, and responsible party for payment of the streetlight energy bills shall be clarified in appropriate documents such as C.C.&R.'s, Improvement and Streetlight Plans, and Final Map. BKF Response: Understood.



- 24. Streetlights shall be installed at the locations shown on plans approved by the County in accordance with the Streetlight Design Guidelines and Specifications. Streetlight plans shall include electrolier and foundation details, trench detail, and a circuitry plan that includes pole identification numbers, PG&E service points, underground conduit size, wires, alignment, and pull box locations. BKF Response: Understood, these plans will be provided during the CD phase.
- 25. Fire hydrants are required to be located a minimum of 2.5 feet to their centerline from the face of curb. BKF Response: This appears to be a duplicate comment of #21.
- 26. Show the fire hydrant and electrolier on the roadway typical section, and a passage way consistent with ADA requirements provided around these facilities. If there is inadequate space within the sidewalk for the utilities, locate them behind the sidewalk within a public services easement. BKF Response: This appears to be a duplicate comment of #22.
- 27. Streetlights on private streets shall be privately owned and maintained. Ownership, maintenance, and responsible party for payment of the streetlight energy bills shall be clarified in appropriate documents such as C.C.&R.'s, Improvement and Streetlight Plans, and Final Map. BKF Response: This appears to be a duplicate comment of #23.
- 28. Streetlights shall be installed at the locations shown on plans approved by the County in accordance with the Streetlight Design Guidelines and Specifications. Streetlight plans shall include electrolier and foundation details, trench detail, and a circuitry plan that includes pole identification numbers, PG&E service points, underground conduit size, wires, alignment, and pull box locations. BKF Response: This appears to be a duplicate comment of #24.

ADDITIONAL COMMENTS (John Rogers):

- 1. The drainage management plan on C0.4 is unusual, given that it seems to describe stormwater collection at various levels of the buildings and treatment measures not only on the ground next to one of the buildings, but also on the second floor of the other building. The obvious issues will be waterproofing the buildings and getting access for post-construction inspection, but we are also going to have plumbing system design issues related to getting runoff into these facilities, getting overflow and treated runoff out, and how high flows from major storms can bypass the treatment and drain away from the buildings and the adjacent properties. Treated water must be collected and discharged directly into the County stormdrain system, either the on-site culvert or the roadway culvert. Going to be a very interesting drainage system that we aren't going to fully comprehend until we see the building plans. BKF Response: Once we reach the CD phase, MEP can confirm the viability of our Stormwater routing. For clarity, roof floor labels have been added to the Stormwater control plan. Planter access will be coordinated with the building owner. Entire site is to be treated with permeable paving or bioretentions, and the bioretention planters are sized appropriately to maintain existing runoff volume to the culvert.
- 2. Not clear how all of the ground surface runoff will be collected and treated, but I see both pervious pavement and landscaping self-treating areas described on C0.4. As indicated in the 9/26 meeting, the area shown as "not treated" is not acceptable; all runoff generated on the site must be collected and



treated using LID measures (or self-treating). It is acceptable under LID to design pervious pavement (and landscaping) as "self-retaining," wherein these SR areas can serve to treat runoff from adjacent impervious surfaces (in addition to self-treating), but then the pavement (or landscaping) should be depressed so that it will temporarily hold a couple of inches of stormwater pending eventual percolation into the ground. Any area drains in the SR areas would have to be elevated – and this would typically make those areas unsuitable as open space because of the tripping hazard. Also not sure that we would be happy with the collection and discharge of concentrated stormwater runoff in a SR area in our District easement, or even next to it. BKF Response: The concrete area over the culvert is being treated either by draining to a self retaining area (DMA 1E) or is being counted as less than 5% of the DMA 1C self treating area.

- 3. Pervious pavement in this area of the County will likely require the installation of subdrains (that connect to the stormdrain system). BKF Response: Subdrains are already included in our design.
- 4. The plans show pervious pavement in the drive aisle, which we would typically not encourage because of the higher than normal maintenance costs; however, the PP appears to be necessary here, given the lack of space on the ground. BKF Response: Unless we are allowed to treat this area with a media filter, the easiest way to treat the drive aisle is with permeable paving.
- 5. Not sure what I'm seeing on C0.3 with respect to the drainage system. There appear to be three separate connections of drainage pipes to the District culvert, but two of these appear to be combined subdrain/area drain subsystems. The connection of subdrains to the culvert is OK, given that this water is treated but area drains cannot be directly connected to the culvert. Also, I think that we would prefer that the plumbing system be designed so that there is only a single new connection. BKF Response: A singular connection to the culvert is not possible because the top of the culvert is approximately 2 to 3 feet deep below the existing finished ground, so there is not enough depth for our pipes to clear the top of the culvert. The existing inlet/manhole connected to the culvert is more of a hatch opening than a true inlet structure.
- 6. Per C0.1, there appears to be an existing manhole/inlet over the District culvert in the middle of the site. The inlet part, which I assume means a manhole cover with slots or holes, will have to be replaced with a solid cover – but there could be a question of why the new system is not being connected to the old manhole. BKF Response: Existing inlet at culvert is to be replaced as a manhole cover, as noted on the plans.
- 7. We would like to get a replacement tree in the frontage that looks something like the adjacent tree and not like the half-dead existing tree that is going to be whacked; see attached. It would be nice if this new tree was fitted with a tree grate so that there wouldn't be drop-offs from the sidewalk, as there are at the other frontage tree locations. BKF Response: Landscape to address.
- 8. What is with the proposed electrical transformer in the sidewalk on C0.3? This thing had better be in an underground vault otherwise, no way! BKF Response: This would be an underground vault, but the joint trench consultant will need to confirm the location.



WALNUT CREEK OFFICE | 925.940.2200

MEMORANDUM

Date: 10.21.2019

BKF Job Number: 20181871

Deliver To: Rodrigo Orduna, Development Planning Division

From: Melinda Thomas

Subject: Hydrology Memo - 16060 East 14th Street

This memo intends to demonstrate existing peak stormwater runoff at 16060 E14th Street, San Leandro, California.

Existing Conditions

The project is proposed on a 0.88 acre site that currently consists of asphalt and concrete parking with scattered vegetation and metal shipping containers. The site is generally flat but drains to an inlet near the center of the site that connects to an existing concrete box culvert managed by the Alameda County Flood Control & Water Conservation District.

Determination of Existing Peak Flow

The 2016 Alameda County Hydrology & Hydraulics Manual was used to determine existing flow. The following values for the Rational Method were determined:

C (Runoff Coefficient) = 0.40

i₁₀ (10-Year Storm Intensity) = 3.43 in/hr

A (Watershed Area) = 0.88 acres

Q₁₀ (10-Year Storm Discharge) = 1.21 CFS

See attached Sheet C0.1 for existing site conditions.

Proposed Peak Flow

The proposed peak flow was calculated using the 2016 Alameda County Hydrology & Hydraulics Manual. See Sheet C0.2 for proposed site conditions. The following values for the Rational Method were determined:

C (Runoff Coefficient) = 1.24

 i_{10} (10-Year Storm Intensity) = 3.43 in/hr

A (Watershed Area) = 0.88 acres

Q₁₀ (10-Year Storm Discharge) = 3.74 CFS

The project size is less than one acre and not subject to hydromodification requirements. Since the proposed peak flow exceeds the existing peak flow, in order to match the pre-project runoff conditions, bioretention areas will be required to detain volume. The approximate volume is determined as follows:

 $V = \frac{3}{2} \times (Q_{POST} - Q_{PRE}) \times \frac{60 \text{ sec}}{\text{min}} \times T_c$ $Q_{PRE} \text{ (Pre-project Discharge)} = 1.21 \text{ CFS}$ $Q_{POST} \text{ (Post-project Discharge)} = 3.74 \text{ CFS}$ $T_c \text{ (Time of Concentration)} = 5 \text{ min (post-construction)}$ V (Volume) = 1,139 CF



The site has 1,240 square feet of bioretention area for stormwater treatment. IMP 1 has 12-inches of ponding and 40-inches of gravel reservoir to account for 1,118 cubic feet of storage volume. IMP 2 has 7.5-inches of ponding and 25-inches of gravel reservoir to account for 1,122 cubic feet of storage volume. This provides detention of 2,240 cubic feet, which is greater than the detention volume required to match pre-project conditions.

Orduna, Rodrigo, CDA

From:

Orduna, Rodrigo, CDA

Sent:

Wednesday, October 9, 2019 03:52 PM

To:

charles pisano; Leo Esclamado

Cc:

Lopez, Albert, CDA; Nick Cranmer

Subject:

RE: Site Development Review

Greetings, Charles.

Thank you for the comments. I included the project applicant Nick Cranmer and Albert Lopez.

Because the applicant has the right to obtain parking reduction concessions through the State Density Bonus regulations, and because these rights for reduced parking are considered "pass or fail" per the ministerial permitting process that SB 35 requires local jurisdictions to process affordable housing projects, we do not have any discretion to require additional parking if the project provides the minimum parking (after parking concessions through State Density Bonus regulations). The staff review so far is that the project does provide the minimum parking required (after concessions), and therefore scores a "pass" on this regulation.

Regards,

Rodrigo

Rodrigo Orduña, AICP
Assistant Planning Director
Alameda County Planning Department
Community Development Agency

rodrigo.orduna@acgov.org telephone 510-670-6503 facsimile 510-785-8793

224 West Winton Avenue, Suite 111 Hayward, CA 94544

http://www.acgov.org/cda

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From: charles pisano <churispisano@gmail.com>
Sent: Wednesday, October 9, 2019 02:30 PM
To: Orduna, Rodrigo, CDA <rodrigo.orduna@acgov.org>; Leo Esclamado <lesclamado@rcdhousing.org>
Subject: Site Development Review

10/9/10 Case #PLN2019-00167

Mr Orduna,

The Ashland Community Assn board has reached a position of support for the 165060 E14th st project.in general. Housing, child care, and new facilities are certainly needed and welcome in the community.

Our group has concerns about access from E14th. and about the number of parking spaces. Although this project meets the SB35 exemption requirements. It doesn't offer adequate spaces for residents and day use for the public.Perhaps RCD could purchase an adjacent property to address this situation, or find a different solution. Parking is a serious concern in the area, and should be made sufficient for this new .development.

Sincerely,
Charles Pisano
ACA Govt Accountability Chair



October 1, 2019

RE:

Madrone Terrace - County A1 NOFA Application

16060 E. 14th Street, San Leandro, CA

To whom it may concern:

On behalf of Bike East Bay, I am writing to express my support for Resources for Community Development (RCD)'s new construction project, Madrone Terrace, at 16060 E. 14th Street in Ashland. The proposed investment in a recreation center, affordable childcare, and 79 units of affordable housing would result in an innovative development that will transform the blighted, underutilized parcel into a community asset.

Bike East Bay promotes healthy, sustainable communities by improving access to biking, walking and transit with a focus on communities that are underserved. Bike East Bay has partnered with RCD on a range of community building initiatives in Ashland Cherryland—including education programs, advocacy, and community events like the Eden Walk and Roll Fest—and see this investment in affordable housing and community amenities as another step towards addressing the historic inequities and quality of life challenges in Ashland and Cherryland.

RCD's latest development in Ashland, Madrone Terrace, represents a significant physical and economic investment in a neighborhood that is transit-oriented yet struggling with high rent burden, rising homelessness, growing displacement, and a built environment that does not foster healthy living. Bike East Bay will continue to partner with RCD to ensure that residents of Ashland and Cherryland have access to safe and affordable active transportation and transit options.

Bike East Bay fully support the efforts of RCD to promote and develop much needed affordable housing for low-income and formerly homeless households, and encourage the County to Invest in this meaningful work.

Sincerely,

Susie Hufstader Advocacy Manager

li Har

Bike East Bay

susle@bikeeastbay.org



October 1, 2019

RE:

Madrone Terrace – County A1 NOFA Application

16060 E. 14th Street, San Leandro, CA

To whom it may concern:

On behalf of the Ashland Community Association's Board of Directors, I am writing to express my support for Resources for Community Development (RCD)'s new construction project, Madrone Terrace, at 16060 E. 14th Street in Ashland. The proposed investment in a recreation center, affordable childcare, and 79 units of affordable housing would result in an innovative development that will transform the bilghted, underutilized parcel into a community asset.

The Ashland Community Association is a resident-led, community organization working to improve quality of life in the unincorporated Ashland community. The Ashland Community Association regularly collaborates with RCD on local campaigns, neighborhood cleanups, a support group for single mothers, and community outreach activities. RCD is a strong partner in the community and we are excited to welcome Madrone Terrace into our neighborhood.

Madrone Terrace will support this community with some of its biggest challenges — blighted property, lack of affordable childcare, the need for high quality affordable housing, and recreation space. We fully support the efforts of RCD to promote and develop much needed affordable housing for low-income and formerly homeless households, and encourage the County to invest in this meaningful work.

Sincarety L Pisers

Chas Pisano

Government Liaison

Ashland Community Association





Alameda County Health Care Services Agency

October 8, 2019

RE:

Madrone Terrace - County A1 NOFA Application 16060 E. 14th Street, San Leandro, CA

To whom it may concern:

I am writing to express my support for Resources for Community Development (RCD)'s new construction project, Madrone Terrace, at 16060 E. 14th Street in Ashland. The proposed investment in a recreation center, affordable childcare, and 79 units of affordable housing would result in an innovative development that will transform the blighted, underutilized parcel into a community asset.

The REACH Ashland Youth Center serves youth ages 11 through 24 who live throughout Alameda County with a focus on the Ashland and unincorporated area, a community that is known for poverty, crime and chronic health conditions. We help our members overcome the immediate and prevalent obstacles in their lives by cultivating their own strengths and promise. In the process, they develop resiliency and the skills they need to take positive action and thrive, even amidst ongoing personal trauma and social disadvantage.

REACH has partnered with RCD on a range of community events and initiatives—including a civic engagement series during the last midtern election, a series of murals along E. 14th Street to beautify the corridor, and community engagement events to promote healthy living, active transportation, and community building. Many of REACH's youth members and their families are struggling with affordable housing and homelessness and Madrone Terrace would be another step towards addressing these challenges and fostering a healthler community.

We fully support the efforts of RCD to promote and develop much needed affordable housing for low-income and formerly homeless households, and encourage the County to invest in this meaningful work.

Sincerely.

Erik Sakamoto

Interim Executive Director
REACH Ashland Youth Center



October 9, 2019

RE:

Madrone Terrace - County A1 NOFA Application

16060 E. 14th Street, San Leandro, CA

To whom it may concern:

I am writing to express my support for Resources for Community Development (RCD)'s new construction project, Madrone Terrace, at 16060 E. 14th Street in Ashland. The proposed investment in a recreation center, affordable childcare, and 79 units of affordable housing would result in an innovative development that will transform the blighted, underutilized parcel into a community asset.

Mandela Partners is a non-profit organization that works in partnership with local residents, family farmers, and community-based businesses to improve health, create wealth, and build assets through local food enterprises in low-income communities. Our business incubation projects have contributed more than \$7.2MM in new revenue to the local economy, and are proven and successful examples of how to develop and promote new models for investment, growth and shared wealth that sustain and elevate community power, opportunity and health.

Mandela Partners collaborated with RCD and Alameda County to develop Ashland Market & Café—the latest food hall in unincorporated Alameda County—at Ashland Place, RCD's affordable housing development at 16385 E. 14th Street in Ashland. Through our work together, RCD has demonstrated its ability to plan, develop, and manage quality, sustainable affordable housing and complex investments in commercial and retail spaces.

Ashland has a great opportunity to attract new investment, like Madrone Terrace, that will foster a healthler community. We fully support the efforts of RCD to promote and develop much needed affordable housing for low-income and formerly homeless households, and encourage the County to invest in this meaningful work.

Sincerely,

Mariela Cedeño Interim Executive Director

Manule Padorio



Hayward Area Recreation and Park District

Board of Directors

Louis M. Andrade Rick J. Hatcher Paul W. Hodges, Jr. Minane Jameson Carol A. Pereira

General Manager Paul McCreary

October 8, 2019

RE: Madrone Terrace – County A1 NOFA Application

16060 E. 14th Street, San Leandro, CA

To whom it may concern:

I am writing to express my support for Resources for Community Development (RCD)'s new construction project, Madrone Terrace, at 16060 E. 14th Street in Ashland. The proposed investment in a recreation center, affordable childcare, and 79 units of affordable housing would result in an innovative development that will transform the blighted, underutilized parcel into a community asset.

Hayward Area Recreation & Park District, known locally as "H.A.R.D.," is an independent special use district created to provide park and recreation services for over 280,000 residents. Our boundaries encompass a 100 square-mile area, which includes the City of Hayward and the unincorporated communities of Castro Valley, San Lorenzo, Ashland, Cherryland, and Fairview. HARD will assist RCD to develop the ground floor commercial space for use as the Ashland Recreation Center, which will provide over 12,000 square feet of community space that will support children, youth and families in the Ashland area. As part of our commitment to this project, H.A.R.D. is contributing \$5 million of funding from the Measure F1 Bond funds to develop the recreation center.

As RCD's latest development in Ashland, Madrone Terrace represents a significant physical and economic investment in a neighborhood that is transit-oriented yet struggling with high rent burden, rising homelessness, growing displacement, and a built environment that does not foster healthy living.

We fully support the efforts of RCD to promote and develop much needed affordable housing for low-income and formerly homeless households and encourage the County to invest in this meaningful work.

Sincerely,

General Manager



Oakland Office 1221 Oak Street, Suite 536 Oakland, CA 94612 510-272-6694/510-465-7628 Facelmile

Board of Supervisors

Nathan A. Miley Supervisor, District 4

Eden Area District Office 20980 Retiwood Road, Suite 250 Castro Valley, CA 94548 510-670-5717/510-637-7289 Facetmile Pleasanton District Office 4501 Pleasanton Avenue Pleasanton, CA 84565 925-803-7959

October 1, 2019

Linda Gardner, Director
Housing and Community Development
Alameda County
224 W. Winton Ave, Room 108
Hayward, CA 94544

RE: Madrone Terrace - County A1 NOFA Application, 16060 E. 14th Street, San Leandro, CA

Dear Director Gardner:

On October 17, 2019, the Unincorporated Services Committee of the Alameda County Board of Supervisors heard a proposal from Resources for Community Development's (RCD) to transform the underutilized parcel at 16060 E. 14th Street into affordable housing, recreation center, and affordable childcare facilities. The Unincorporated Services Committee consists of Supervisors Chan and Miley. At this meeting they expressed their support for moving this investment in housing and community facilities forward, in concept.

With over 35 years of affordable housing experience, RCD has a long history and successful track record of building and operating affordable housing and commercial facilities, including the County's work with RCD to develop the nearby Ashland Place development and pursue initiatives that benefit the unincorporated communities.

Madrone Terrace will provide much needed affordable housing and community facility space in a community that is struggling with overcrowding, rent burden, homelessness, and high poverty. Located along E. 14th Street, in close proximity to the Bayfair BART Station, and adjacent to the Tiburcio Vasquez Health Center, the Madrone Terrace site is a prime opportunity to revitalize a disinvested structure and provide 79 affordable, high quality apartments.

llaugha altany

Claudia Albano Deputy Chief of Staff

CC: Breann Gala, RCD

Dave Brown, Chief of Staff, Supervisor Chan

Madrone Terrace Summary of Community Engagement

RCD launched its Community Development Initiative with a pilot in Ashland in 2016. We are a piloting a model focused on placemaking and community building. We are bringing together residents and local organizations to design, shape, and implement strategies that build community voice and civic engagement, boost local economic development and reinvestment, and improve access to education, healthy food, and affordable housing. Through investments in both people and place we believe these mutually reinforcing activities and investments will spur positive community change for residents.

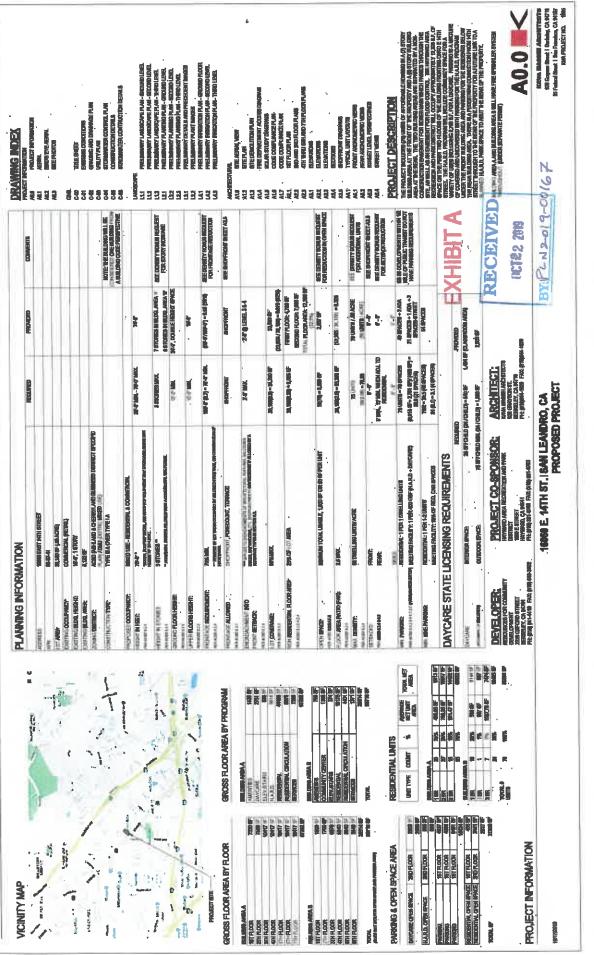
Madrone Terrace is RCD's second development in Ashland and would transform a blighted lot into a beautifully designed recreation center, affordable childcare center, and affordable housing. Through our existing programming and engagement, RCD staff heard from community residents about rising rents, poor quality of local housing, and overcrowding amongst families. In some regards, RCD's community engagement for Madrone Terrace began in 2016 through the listening sessions, community meetings, and programs we've worked to launch.

More recently, RCD has undertaken the following community engagement strategies:

- Presented and gathered feedback from the Ashland Community Association, the main resident-led neighborhood association in the area, to collect feedback on design, partnership between RCD and HARD, and the population that will served in the development on April 17, 2019;
- Engaged with the Castro Valley and Eden Area Chamber of Commerce to get feedback from the business community about the development concept, which resulted in an endorsement on January 14, 2019;
- Presented the development concept to the Edendale Middle School padres club on November 17, 2018 a group of Spanish speaking parents from the area that are involved in community affairs;

Community support for the project has been positive, especially given the blend of uses on-site that will meet many different community needs.

16060 EAST 14TH STREET, SAN LEANDRO, CA 94578





PROJECT SITE

45 48136

16060 E. 14TH ST. I SAN LEANDRO, CA PROPOSED PROJECT

AFRIAL







10000 E. 14TH ST. I SAN LEANDRO, CA PROPOSED PROJECT

BIRD'S EYE AERIAL







3-LOCKING TOWARD PROPERTY FROM ACROSS THE STREET



4 - LOOKING ACROSS THE STREET FROM PROPERTY

16060 E. 14TH ST. | SAN LEANDRO, CA PROPOSED PROJECT



1-E, 14TH STREET LOOKING SOUTH



2-E, 14TH STREET LOOKING NORTH

SITE PHOTOS

16060 E. 14TH STREET, SAN LEANDRO, CA

SAN LEANDRO, CA ALAMEDA COUNTY **JULY 2019**

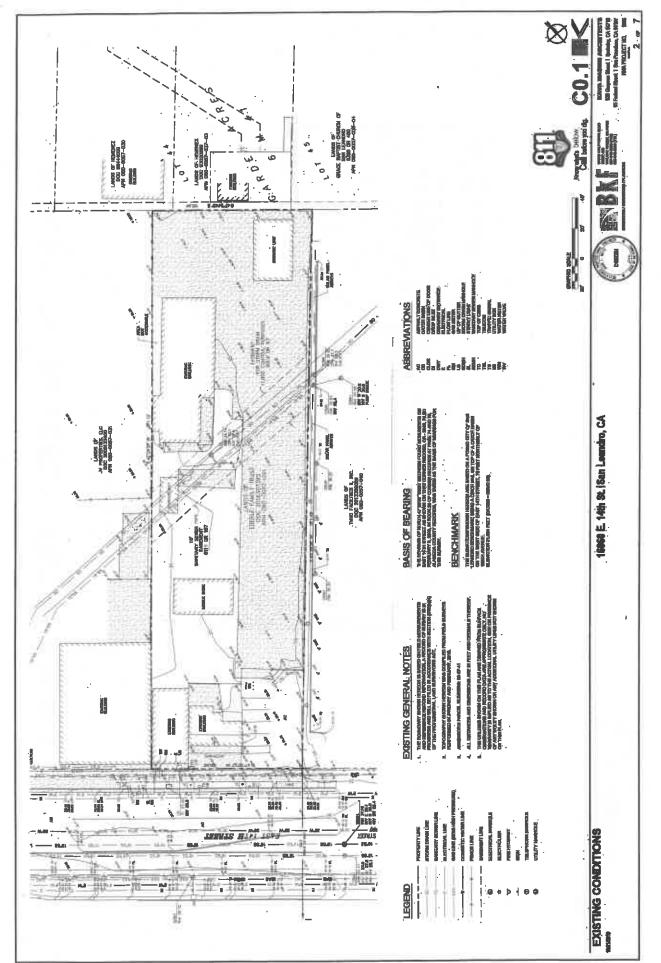


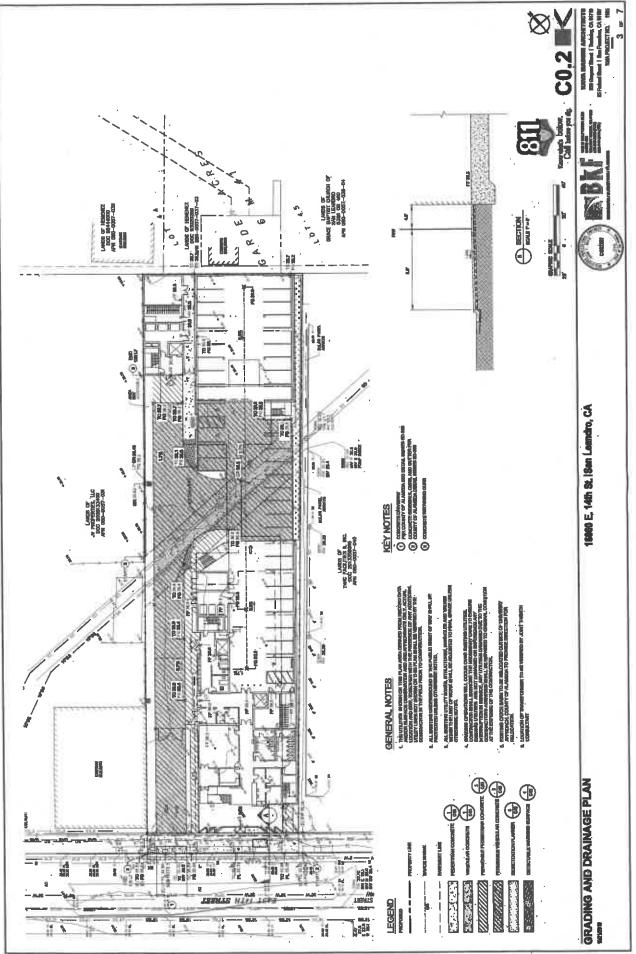
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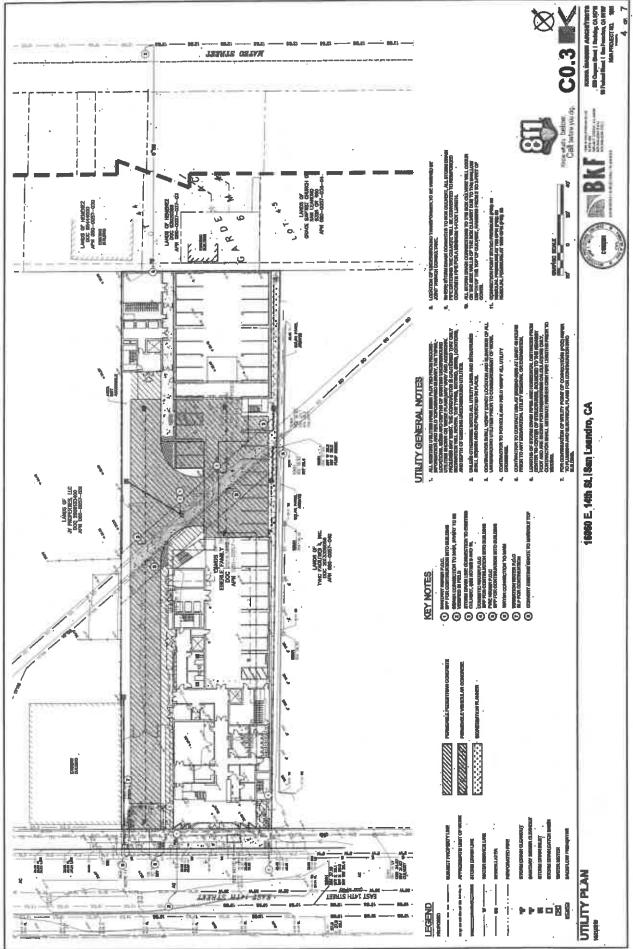
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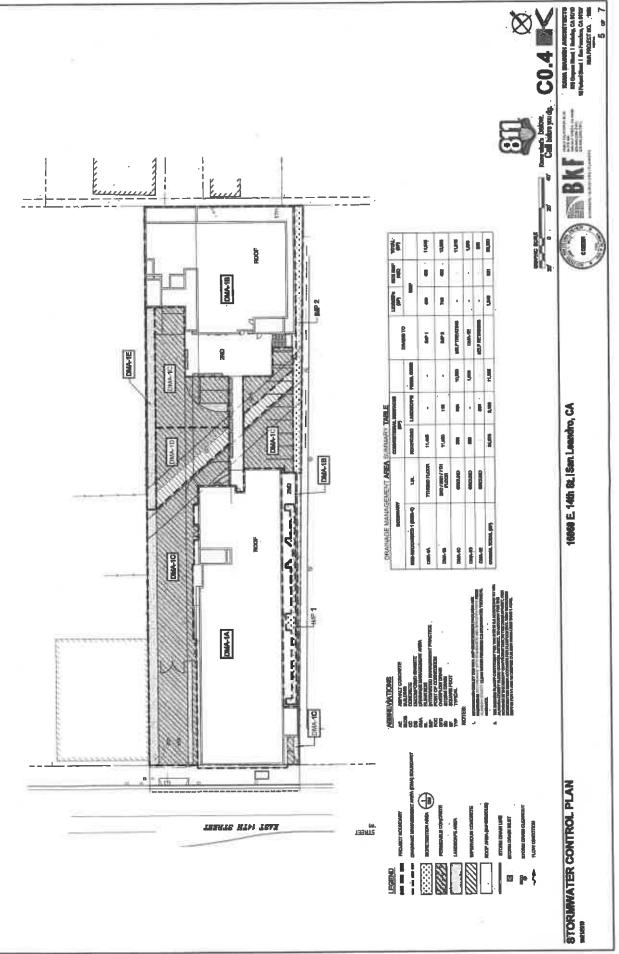
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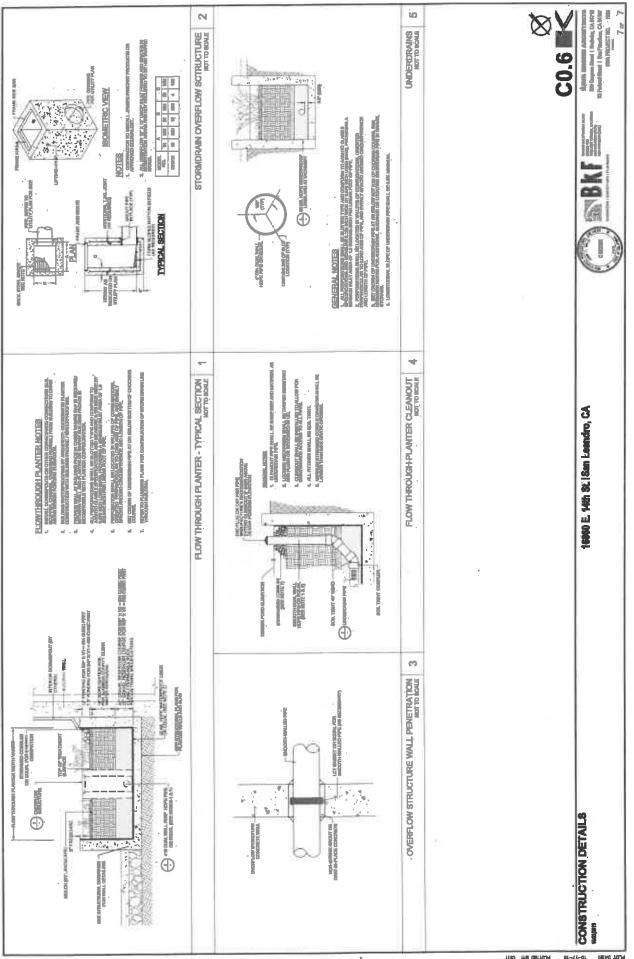
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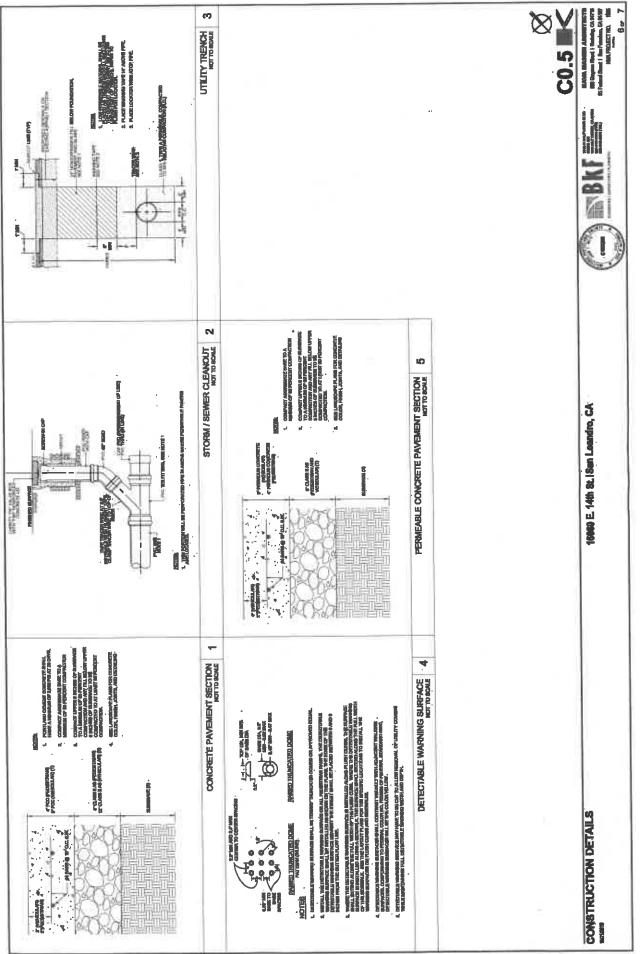
















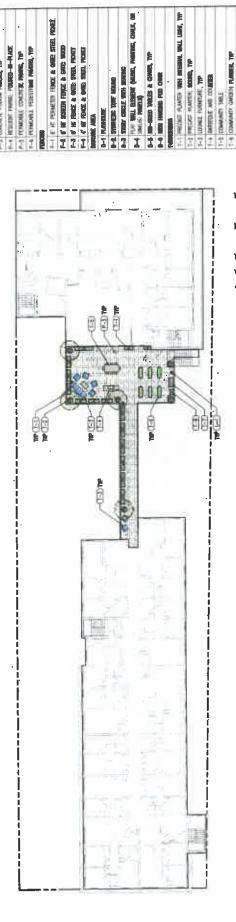


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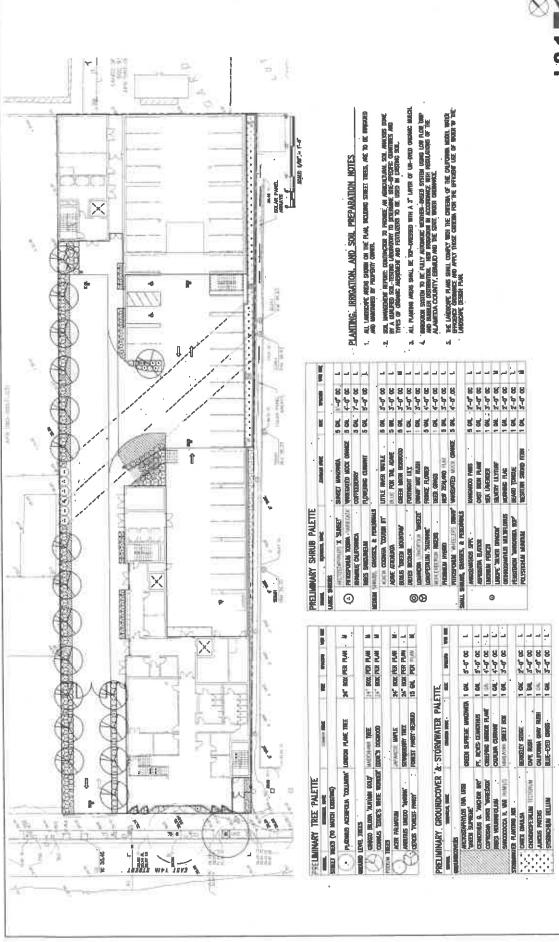
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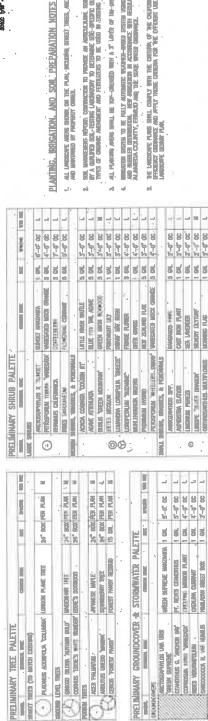




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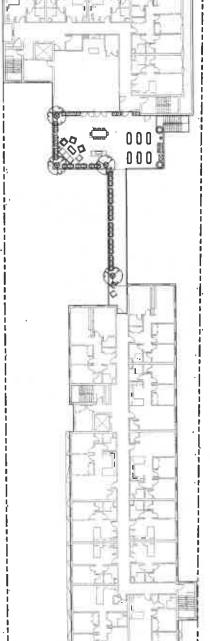
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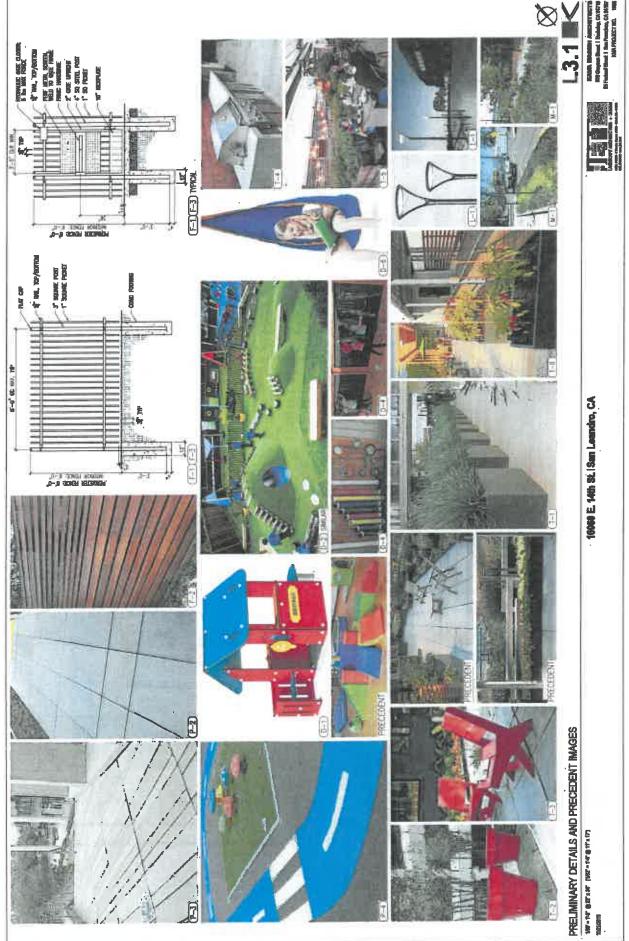
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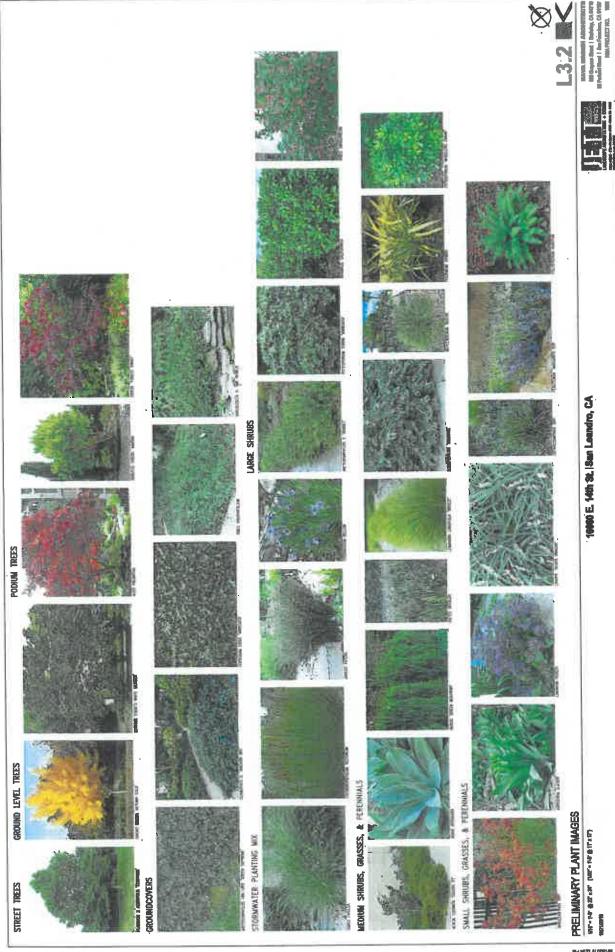
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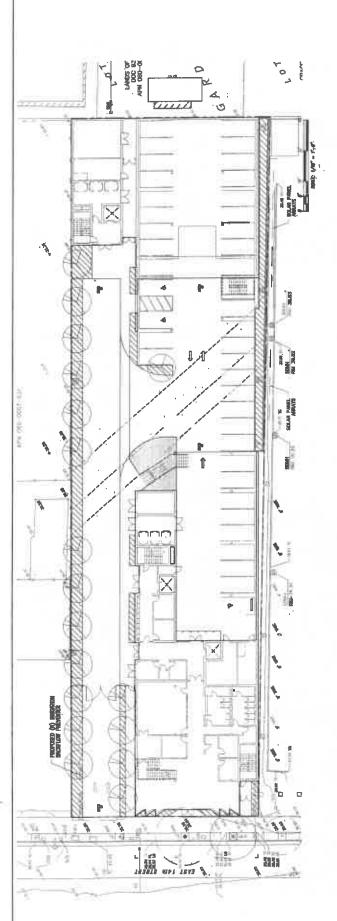
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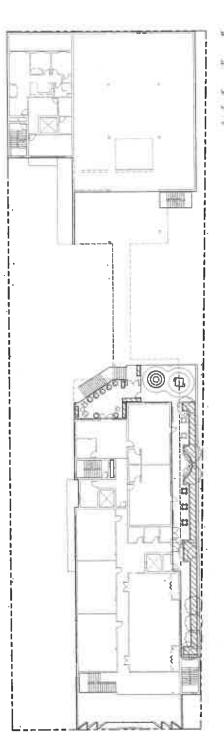
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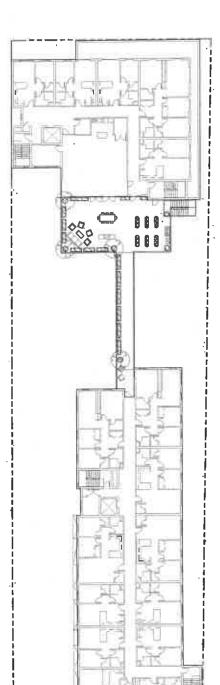
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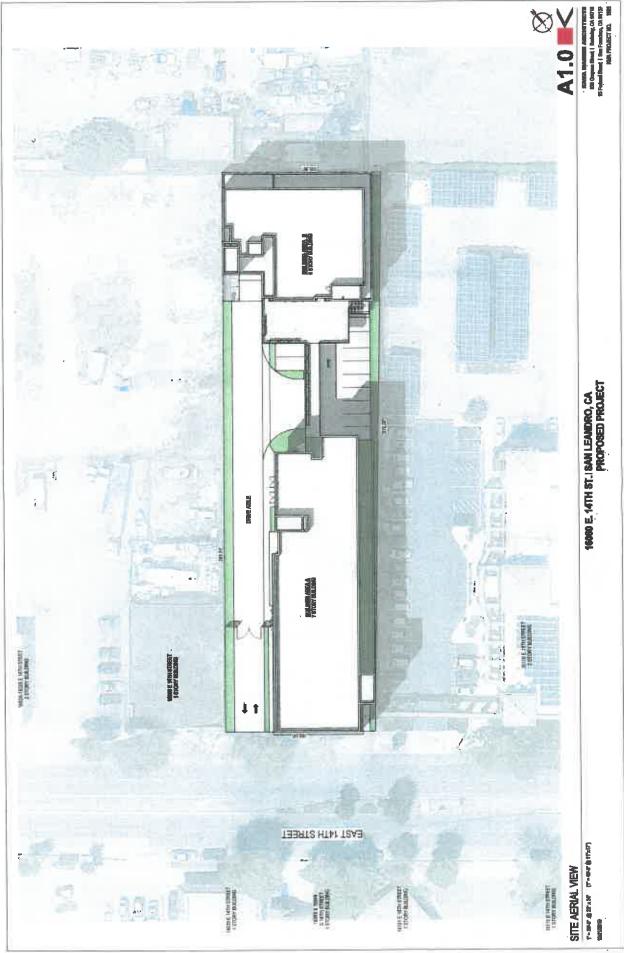
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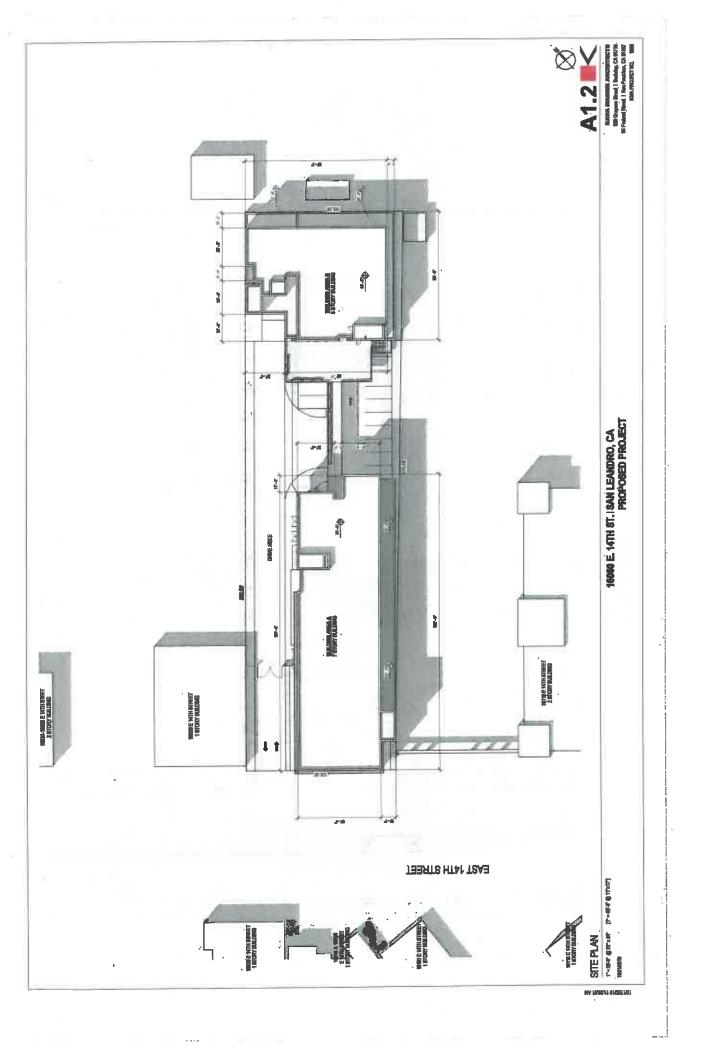
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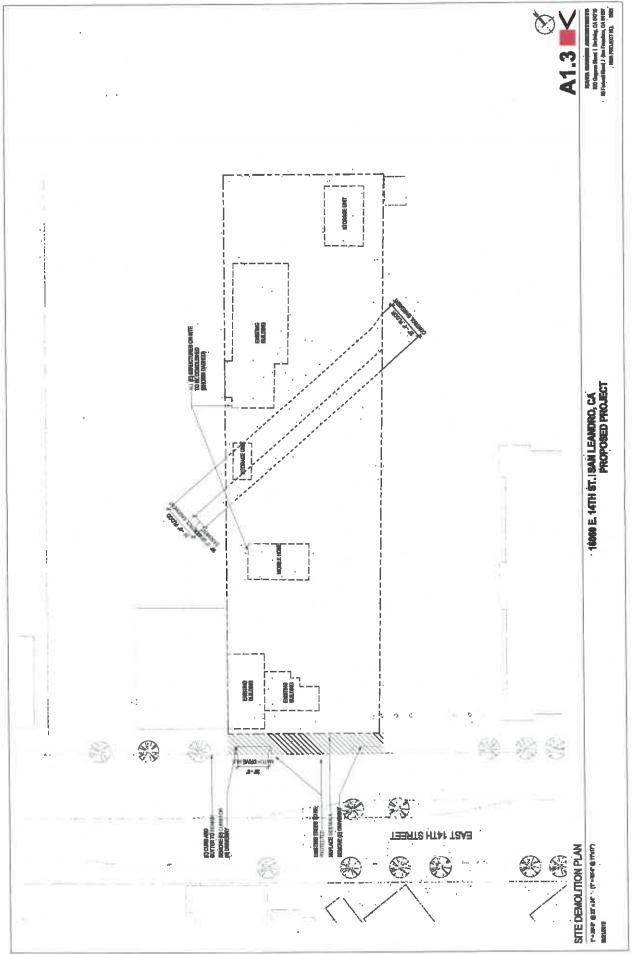
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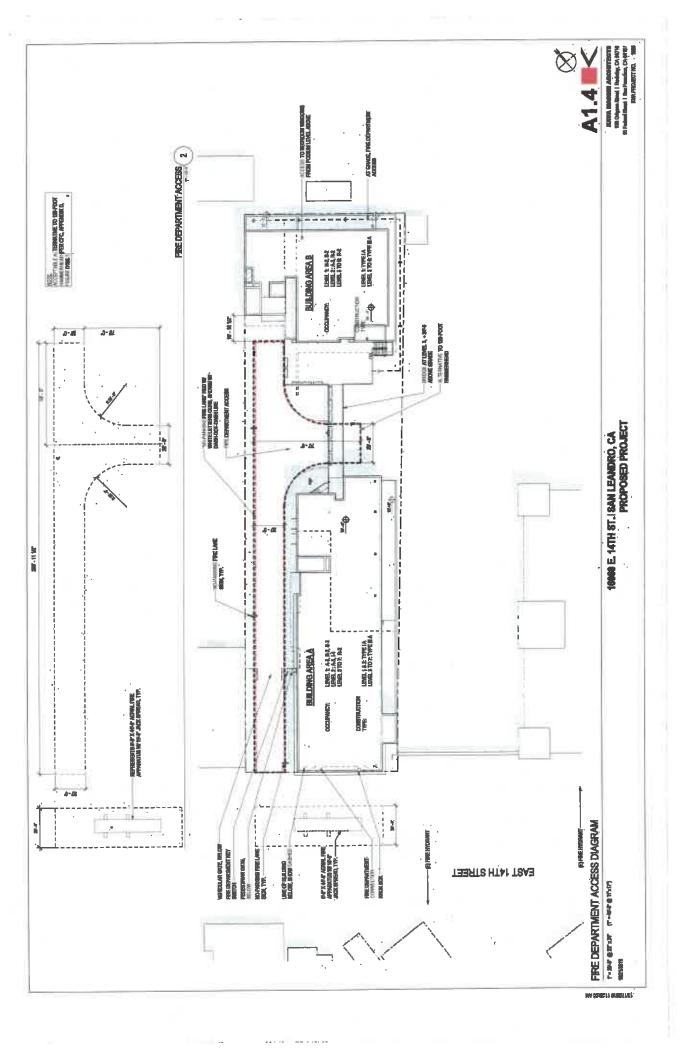
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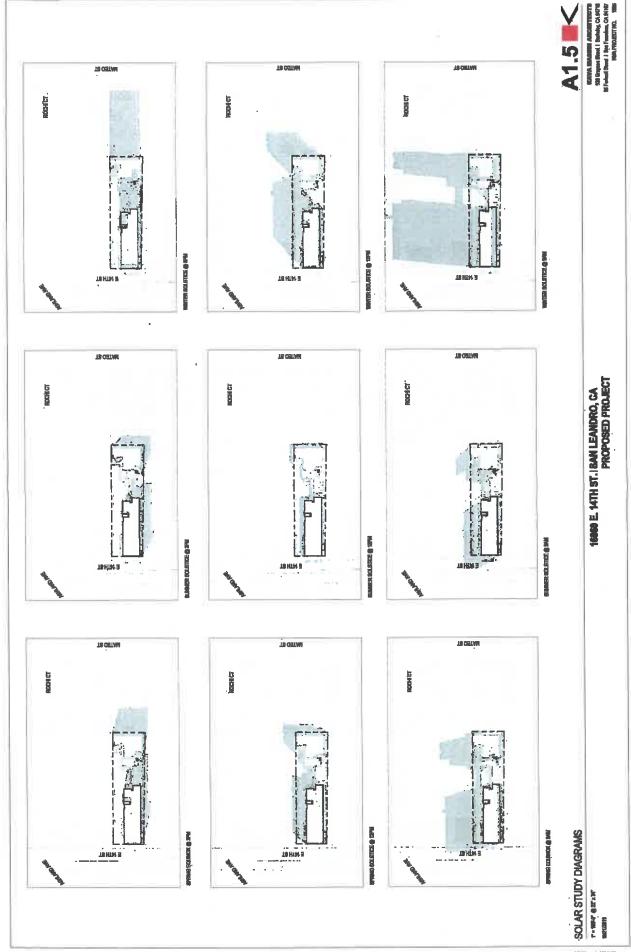


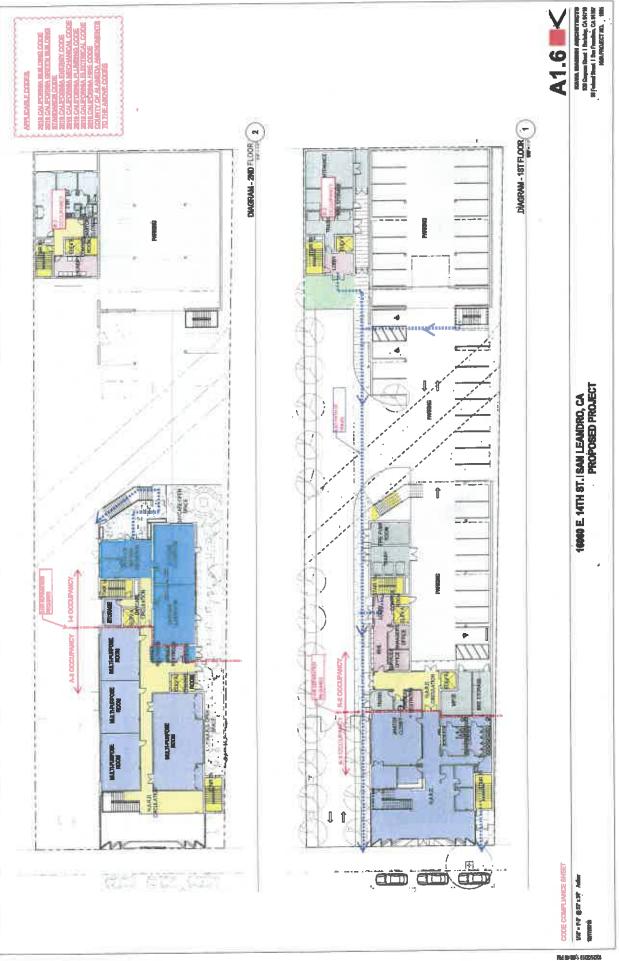












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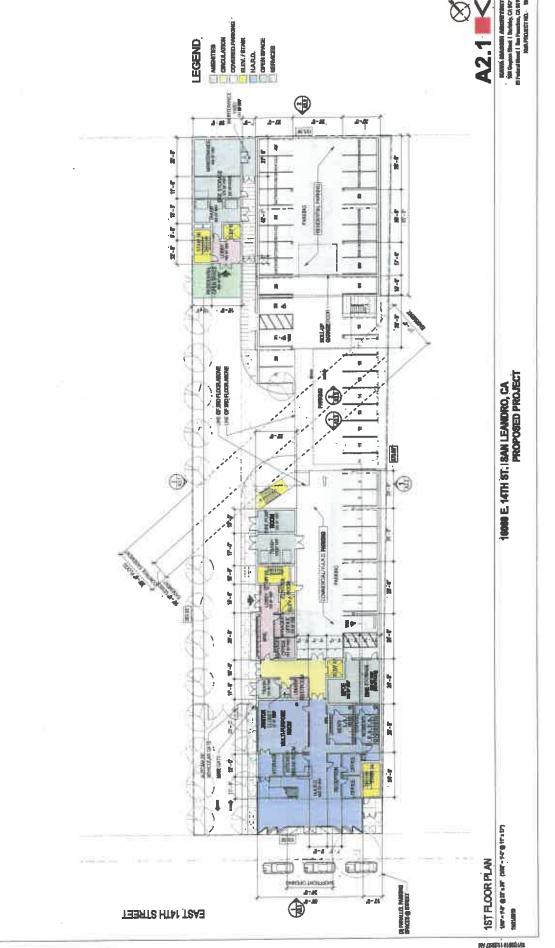
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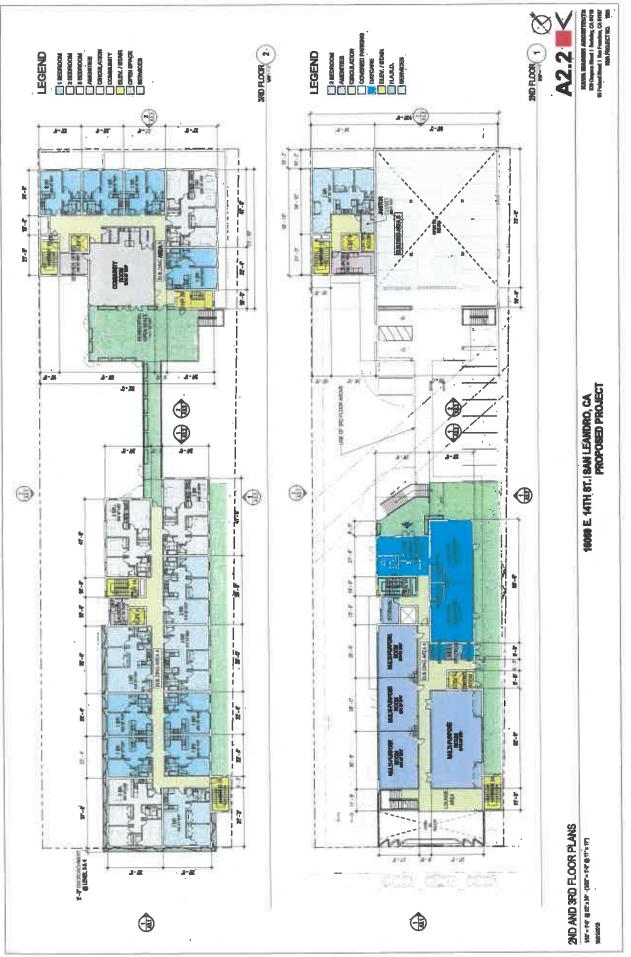
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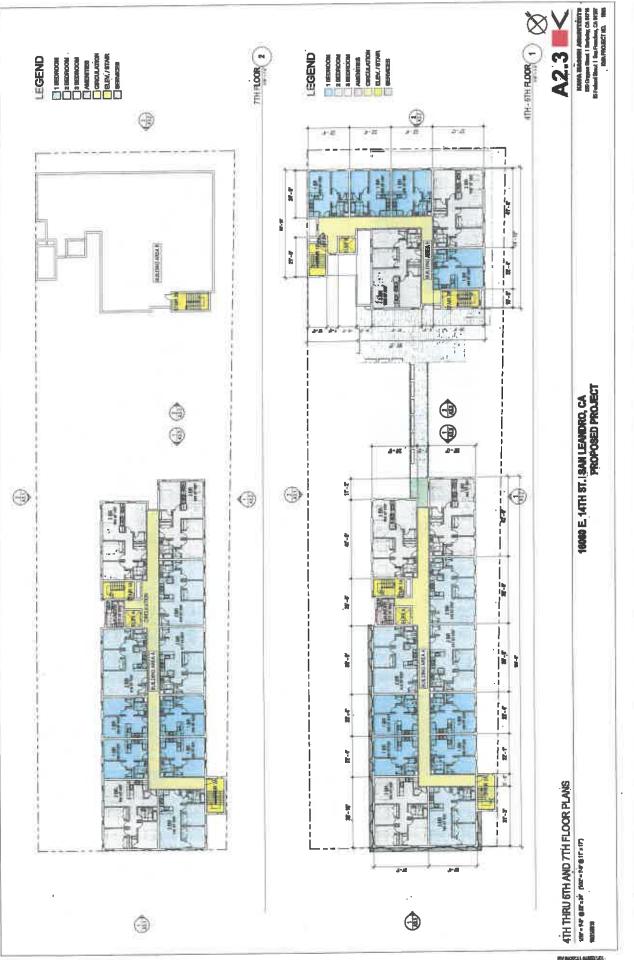
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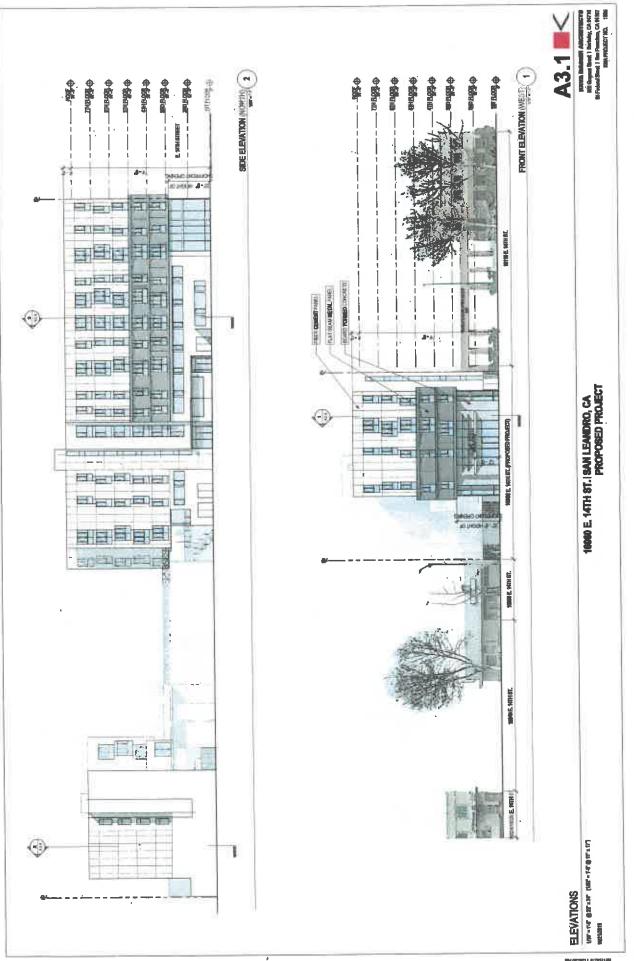
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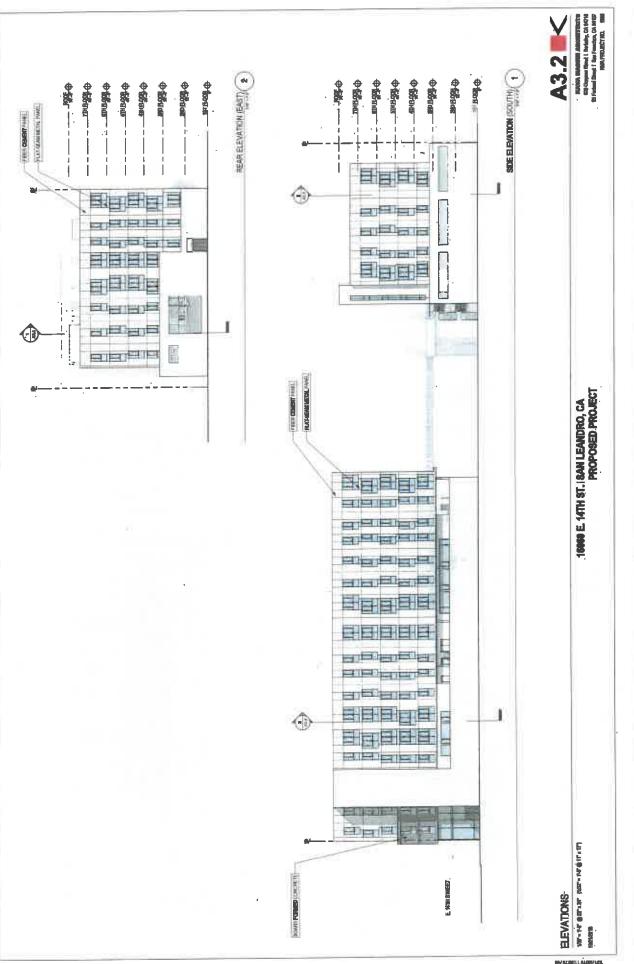
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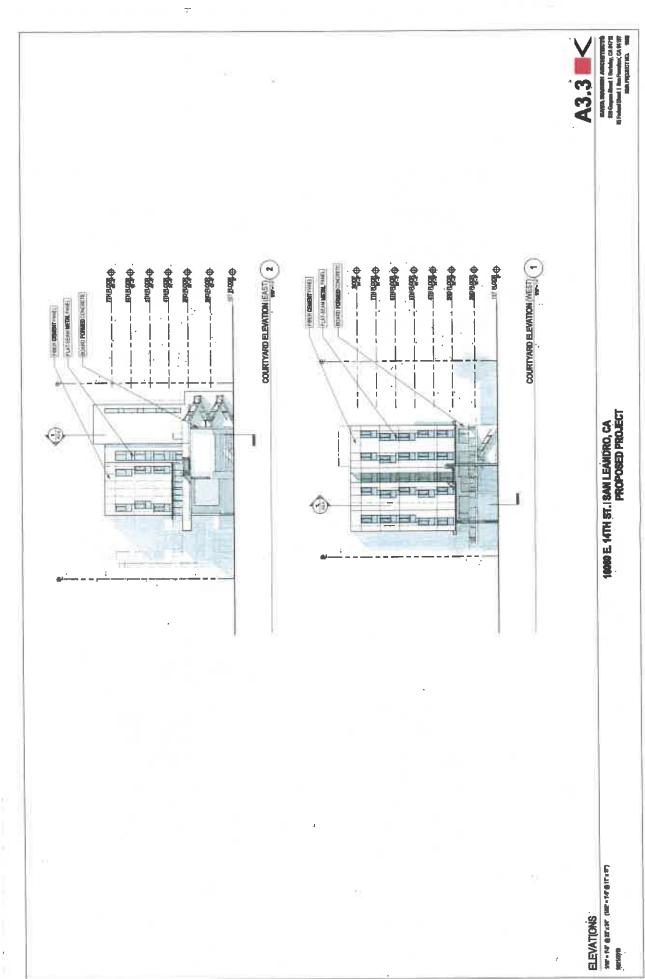




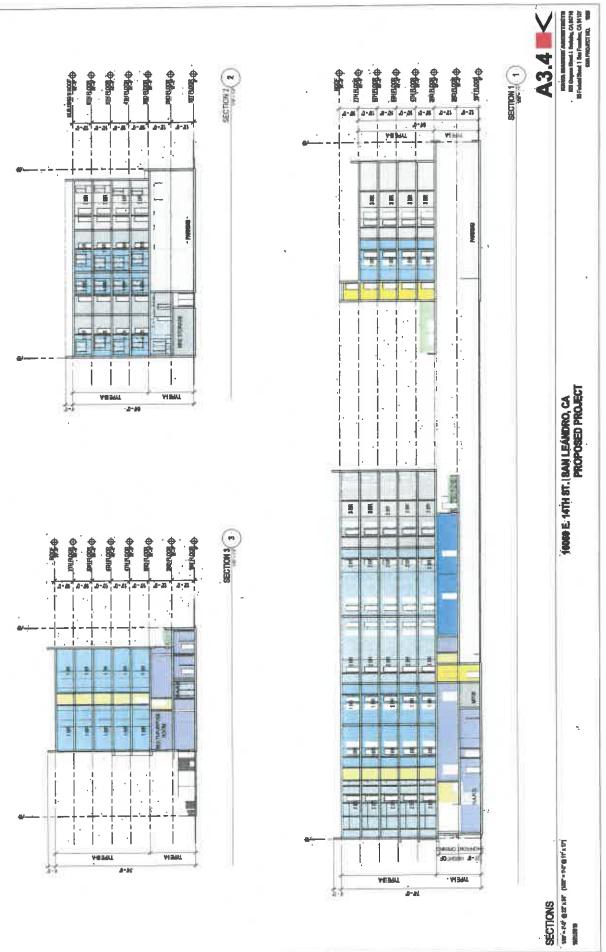


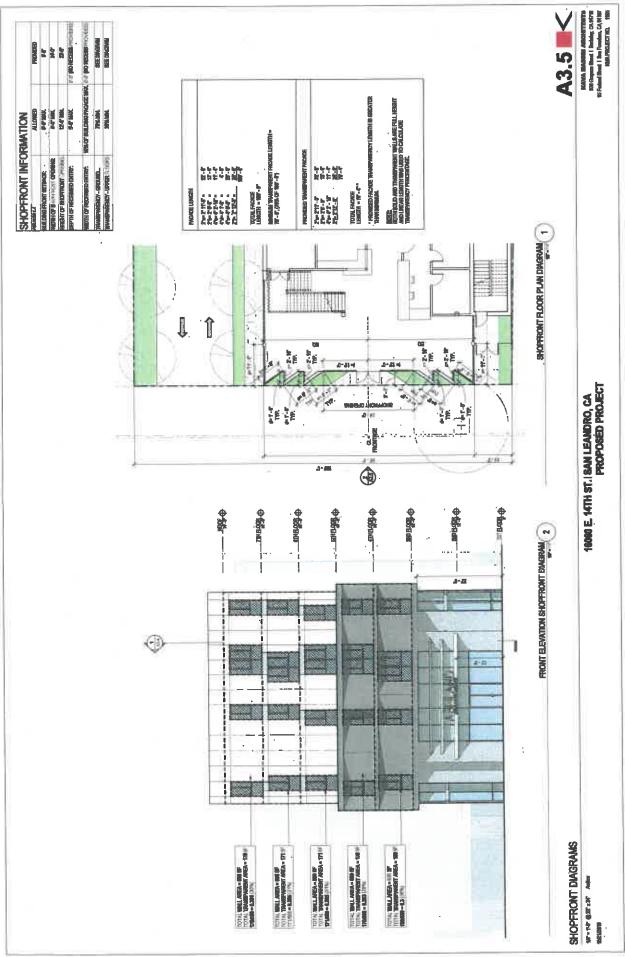


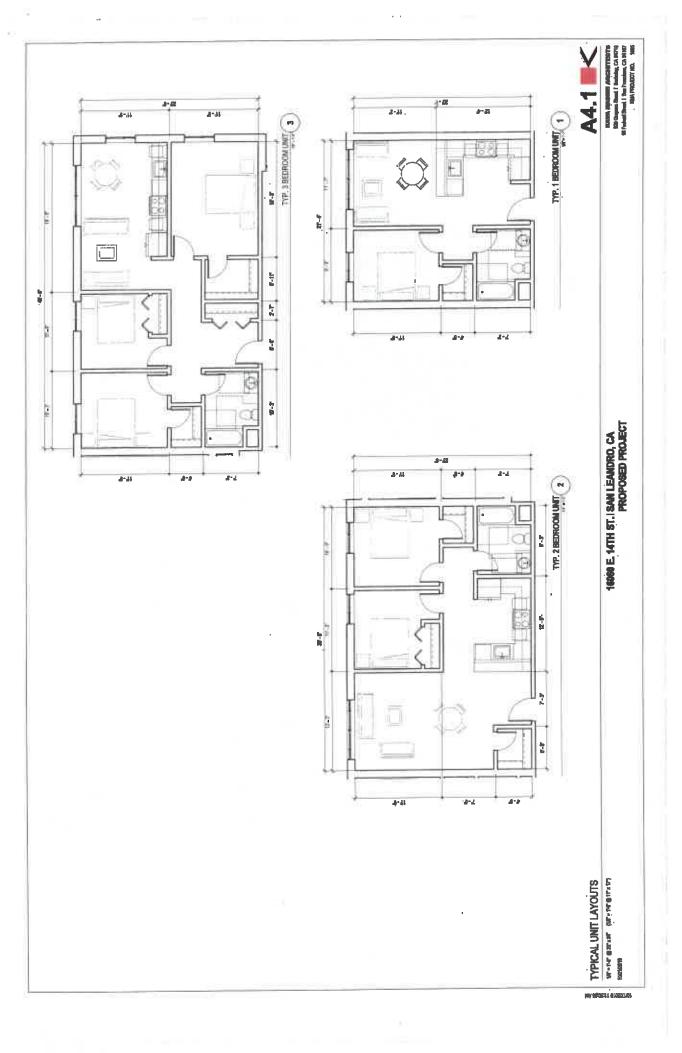




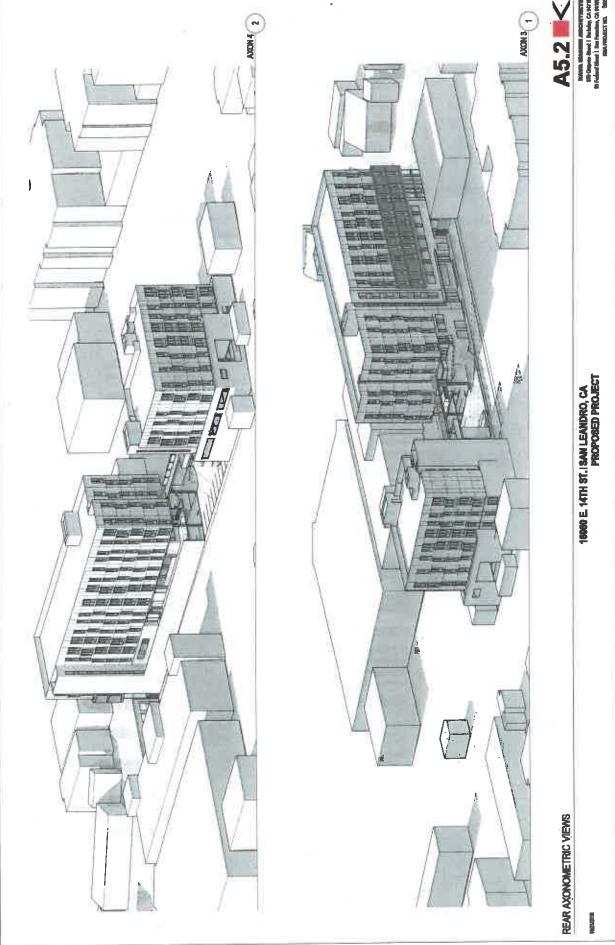
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