



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

Chris Bazar
Agency Director

Agenda Item: #9 March 10, 2015

Albert Lopez
Planning Director

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February 26, 2015

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, CA 94612

Dear Board Members:

SUBJECT: Application PLN2010-00100, TR 8053, by Hue Tran/Braddock & Logan to subdivide one 5.9 acre parcel into 17 residential lots, and to reclassify the new lots from the R-1-B-E-CSU-RV (Single Family Residence, 6500 sq ft MBSA, Secondary Unit) District to a PD (Planned Development) District allowing uses consistent with the "R-1-B-E-CSU-RV" District, with reduced side yard dimensions at specific locations, and building heights of 28.5 feet, for property located on Proctor Road, south side, 600 feet east of Ewing and Walnut Roads, Castro Valley area of unincorporated Alameda County, bearing Assessor's Parcel Number: 84D-1403-014-17.

RECOMMENDATION:

Castro Valley Municipal Advisory Council (CVMAC): On December 8, 2014, the CVMAC unanimously recommended adoption of the Initial Study/Mitigated Negative Declaration and approval of the application.

Planning Commission (PC): On February 2, 2015 the PC acted unanimously to adopt the project Initial Study and Mitigated Negative Declaration. With one dissenting vote, the Commission also recommended approval of the reclassification request, and approved the application to subdivide the property..

Planning Department recommendation: Staff recommends that the Board of Supervisors adopt the Initial Study and Mitigated Negative Declaration, and approve the petition to rezone the property.

SUMMARY:

Proposal: The project proposes to subdivide the subject property into 17 residential lots, with two parcels held in common to provide access and stormwater treatment. Also proposed is the reclassification of the project area from the "R-1-B-E-CSU-RV" (Single Family Residence, 6500 sq. ft. MBSA, Conditional Secondary Unit, Recreation Vehicle Parking) District to a "PD" (Planned Development) District allowing "R-1-B-E-CSU-RV" uses, with reduced dimensions for certain side yards, and building heights of 28.5 feet.

Surrounding Area: The project is located on the west side of Proctor Road, bordered by residential tracts off Joseph Drive and Sorani Avenue that were developed in the late 1950s through the early 1970s. Additional residential development along Almond and Proctor Roads is characterized by relatively large lots with older single story homes. Opposite Proctor Road from the project are two more recent developments on Cardinal Court and Oak Canyon Place.

CEQA Status: A project Initial Study was circulated from January 29 to March 1, 2013. An updated addendum reflecting changes to the project was made available for review and comment from August 18 to September 18 of 2014.

Originally submitted as an application in July 2010, the proposal to subdivide the subject property was considered on multiple occasions by the Castro Valley Municipal Advisory Council. With Council input, the applicant modified the proposal by reducing the number of lots from the original 23 to 17, increasing the provision of on- and off-site parking, improving access, reducing the amount of grading, and including comprehensive residential and improvement design.

Other issues presented by those in opposition to the project included the degradation of a seasonal wetland area on the property, an increase in Proctor Road traffic, the strain on Castro Valley School District resources, an increase in danger from fire, and the lack of water pressure in the project vicinity. Each of these issues and others were addressed in subsequent referrals to the affected agencies and districts, and the the Addenda to the Initial Study.

Significant concern was expressed during initial public hearings regarding the number of new lots, and the methodology used by staff to complete an analysis of Lot Size Consistency. Through public vetting the project was reduced in scope to address many of the community concerns, and the lots were ultimately found to be consistent in size with the average lot size of the adjacent area.

While the Planning Commission was unanimous in its adoption of the draft Initial Study and Mitigated Negative Declaration, one of the commissioners (Ratto) gave a dissenting vote on project approval on the basis of a lack of open space that could be used by residents.

As the request to reclassify the project from the 'R-1-B-E-CSU-RV' District to a Planned Development District requires the approval of the Board of Supervisors, this project is presented for Board consideration.

CONCLUSION:

The proposed subdivision of the subject property into 17 residential lots, and reclassification from the R-1-B-E-CSU-RV District to a PD District allowing "R-1-B-E-CSU-RV" uses, building heights of 28.5 feet, and reduced side yards at specific locations, meets the overall intent of the Subdivision Map Act and the General Plan. The complete record is attached.

Very truly yours,



Chris Bazar, Director
Community Development Agency

Attachments:

Board of Supervisors
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Exhibit D Provisions of Reclassification
Board of Supervisors Draft Resolution
Draft Ordinance Amendment
Project IS/MND:

http://www.acgov.org/cda/planning/landuseprojects/documents/FinalI-SDraft01-25-2013_SP.pdf

Addendum to Initial Study:

http://www.acgov.org/cda/planning/landuseprojects/documents/Addendum_Aug2014_to_initial_study.pdf

cc: Planning Commission
Hue Tran, 4584 Ewing Road, Castro Valley, CA 94546
Braddock & Logan, 4155 Blackhawk Plaza Circle, Danville, CA 94506

REEL

IMAGE

DONNA R. ZIEGLER, County Counsel

By Brian Washington, Assistant County Counsel

**THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA,
STATE OF CALIFORNIA**

On motion of Supervisor
Seconded by Supervisor

and approved by the following vote:

Ayes:

Noes:

Excused or Absent:

**THE FOLLOWING RESOLUTION WAS ADOPTED MARCH 10, 2015:
NUMBER R- 2015-**

**RESOLUTION ADOPTING INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
FOR SUBDIVISION AND REZONING, PLN2010-00100, TR-8053**

WHEREAS Hue Tran/Braddock & Logan did submit an application for Vesting Tentative Tract Map, TR-8053, and Zoning Unit, PLN2010-00100, to reclassify the property located on Proctor Road, south side, approximately 600 feet east of Ewing and Walnut Roads, Castro Valley area of Alameda County, County Assessor's Parcel Number: 84D-1403-014-17, from the R-1-BE-CSU-RV (Single Family Residence, 6500 square foot MBSA, Conditional Second Unit, Recreation vehicle parking) District to a PD (Planned Development) District allowing uses consistent with the R-1-B-E-CSU-RV District, with reduced side yard dimensions at specific locations, and building heights of 28.5 feet, and to subdivide the property into 17 residential lots with two parcels held in common ownership to provide access and stormwater treatment; and

WHEREAS a draft project Initial Study and Mitigated Negative Declaration was prepared; and

WHEREAS the documents were available for public review and comment from January 29 and March 1, 2013; and

WHEREAS an addendum to the Initial Study was prepared; and

WHEREAS this document was available for public review and comment from August 18 to September 18, 2014; and

WHEREAS, the Alameda County Planning Commission did hold a public hearing on said application at the hour of 6:00 p.m. on the 2nd day of February, 2015, in room 160, 224 W. Winton Avenue, Hayward, California; and

WHEREAS, the Alameda County Planning Commission considered the draft project Initial Study and Mitigated Negative Declaration; and

ALAMEDA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. R-2015-____
ADOPTION OF INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
AND APPROVAL OF RECLASSIFICATION
PLN2010-00100, TR-8053
MARCH 10, 2015

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WHEREAS, the Alameda County Planning Commission recommended the requested reclassification of the subject property to the Board for approval; and

WHEREAS, this Board did conduct a public hearing on the 10th day of March, 2015, at the hour of 1:00 p.m. in the Chambers of the Board of Supervisors, 1221 Oak Street, Oakland, California; and

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

NOW THEREFORE

BE IT RESOLVED that this Board does hereby find on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment, and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis; and

BE IT FURTHER RESOLVED that this Board does hereby adopt the draft Initial Study and Mitigated Negative Declaration; and

BE IT FURTHER RESOLVED that this Board does hereby find that:

- A. The resulting development implements the applicable policies, objectives, principles and goals of the Castro Valley General Plan; and
- B. The property size, shape, property lines, and terrain are suitable for the proposed development in that the resulting residential parcels will exceed the minimum size prescribed in the Zoning District, the project would not impact views from public areas, and development will incorporate suitable measures scaled to minimize stormwater drainage; and
- C. The resulting development is integrated and harmonious with and or beneficial to the character and infrastructure of the surrounding area in terms of physical development and use, with proposed residential development consistent with the hillside residential development in the surrounding area; and
- D. The development results in a higher quality design or site plan than would otherwise result from development of the property if subject to the existing zoning development and use standards, with proposed development consistent with the General Plan designation and the Alameda County Residential Design Standards; and
- E. The project does not propose to increase density above the levels prescribed under the Zoning Ordinance and General Plan Land Use Designation; and
- F. The private roadway would be adequate to serve the number of dwelling units proposed, frontage and room for the required project access driveway. Further, the proposed development will not generate traffic in an amount that will overload the existing street network; and

ALAMEDA COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. R-2015-____

ADOPTION OF INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
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- G. There will be no adverse fiscal impact to the county, as the project proponent would be required to provide curb, gutter and sidewalk improvements to Alameda County standards along the Proctor Road frontage, and all appropriate development and service fees will be paid by the project applicant or successor; and
- H. Each phase, if applicable, of the development, as well as the development as a whole, can exist as an independent unit capable of creating an environment of sustained desirability and stability, as completion of all improvements will be required prior to residential development.

NOW THEREFORE

BE IT FURTHER RESOLVED that this Board does hereby approve the reclassification of the subject property, subject to the ordinance and Exhibit "D" Provisions of Reclassification.

ALAMEDA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. R-2015-____
ADOPTION OF INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
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THE FOREGOING was **PASSED** and **ADOPTED** by a majority vote of the Alameda County Board of Supervisors this **10th** day of **March, 2015** to wit:

AYES:

NOES:

EXCUSED:

ATTEST:

Anika Campbell-Belton, Clerk
Board of Supervisors

By: _____
Deputy

File: _____
Agenda No: _____
Document No: **R-2015-**_____



I certify that the foregoing is a correct
copy of a Resolution adopted by the
Board of Supervisors, Alameda County,
State of California

ATTEST:

ANIKA CAMPBELL-BELTON, Clerk
Board of Supervisors

By: _____

PRESIDENT, BOARD OF SUPERVISORS

ALAMEDA COUNTY BOARD OF SUPERVISORS

ORDINANCE NO. O-_____
AN ORDINANCE AMENDING TITLE 17 OF
THE ALAMEDA COUNTY GENERAL ORDINANCE

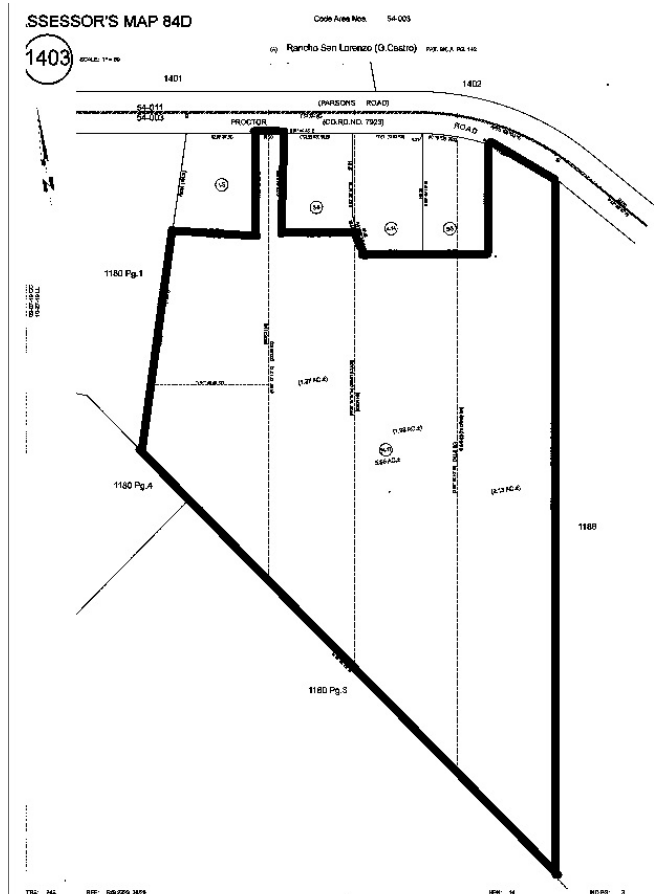
The Board of Supervisors of the County of Alameda, State of California, do ordain as follows:

SECTION I

Title 17 of the Alameda County General Ordinance is hereby amended in the following manner:

One parcel containing approximately 5.89 acres, located on Proctor Road, south side, approximately 600 feet east of Ewing Road, Castro Valley area of unincorporated Alameda County, bearing Assessor's Parcel Number: 84D-1403-014-17, is hereby reclassified from the R-1-B-E-CSU-RV (Single Family Residential, 6500 square foot MBSA, Secondary Unit, Recreational Vehicle Parking) District to the PD (Planned Development, allowing R-1-B-E-CSU-RV Uses, Building Heights of 28.5 feet and side yards as specified on Exhibit B) District, subject to the Alameda County Zoning Ordinance and the "Provisions of Reclassification" (Exhibit D).

A map of the Unit follows:



SECTION II

This Ordinance shall take effect and be in force thirty (30) Days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once with the names of the members voting for and against the same in **THE INTER-CITY EXPRESS**, a newspaper published in the said County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on , by the following called vote:

AYES:

NOES:

EXCUSED:

President of the Board of Supervisors of the
County of Alameda, State of California

ATTEST: Clerk of the Board of Supervisors
of the County of Alameda, State of California

Approved as to form, BRIAN WASHINGTON
County Counsel

O-2015-____
Agenda Number ____
File ____

EXHIBIT C
CONDITIONS OF APPROVAL, VESTING TENTATIVE TRACT MAP TR-8053
(PLN2010-00100)

Approved by the Planning Commission on February 2, 2015

1. All conditions must be accomplished prior to or concurrent with filing the Final Map, unless a different timing of compliance is specified below. Installation of improvements shall be guaranteed under a County-Developer Tract Contract, as approved by the Director of Public Works. All improvements guaranteed under this contract shall be completed by the land divider and accepted by the Board of Supervisors, prior to release of improvement guarantees.
2. The design and improvement of this land division shall be in conformance with the design and improvement indicated graphically or by statement on the exhibits, including road location, grade, alignment, width and intersection design; design and grading of lots; location and design of storm drainage facilities; and location and design of frontage improvements.
3. All required plans, specification, and technical data necessary to complete the Final Map shall be filed with the Director of Public Works. Requirements for filing the map, review fees, improvements and inspection of work shall be determined by the Director.
4. A current title report and copies of the recorded deeds of all parties having record title interest in the property to be divided and if necessary, copies of deeds for adjoining properties shall be submitted to and accepted by the Director of Public Works.
5. Where easements are not obtained, rights of entry and drainage releases shall be acquired by the land divider in writing from the adjoining property owners for use of improvement of drainage ways outside the boundary of the tract map. Original copies of right of entry shall be provided to the Director of Public Works.
6. Developer shall not sell any individual lots to individual buyers prior to the general completion of the improvements as shown on the Tentative Map. This condition does not apply to the sale of the entire project to another entity.
7. Subdivider or successors shall defend, indemnify, and hold harmless Alameda County or its agents, officers, or employees from any claim, action, or proceeding against Alameda County, or its agents, officers, or employees to attach, set aside, void, or annul this tentative map, including any amendments thereto, or underlying environmental documents and actions taken pursuant to the California Environmental Quality Act, 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 subdivider or successors shall fail to adequately defend the County of Alameda, the County may provide its own legal defense and subdivider or successors shall be responsible for the County's reasonable attorney fees.

PLANNED DEVELOPMENT

8. Dimensions of Side Yards for all parcels shall be as shown on the accompanying exhibits.
9. Building Heights of 28.5 feet shall be allowed.
10. Substantial changes to the PD approval for lot size, lot configuration, number of lots, changes in topography, parking or house design subject to subsequent review by the Castro Valley Municipal Advisory Council.

CONDITIONS OF APPROVAL

TR-8053 PLN2010-00100 - EXHIBIT C

APPROVED BY PLANNING COMMISSION FEBRARY 2, 2015

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HOME DESIGN

11. Initial Purchasers of lots where building plan #2 is indicated shall have the option of selecting plan #3.

ACCESS/STREET IMPROVEMENTS

12. Private street, entrance and turnaround areas shall be developed as shown on Exhibit B. The private street shall provide a minimum 17 off-site spaces for guest parking.
13. Developer shall install a streetlight on Proctor Road at the street entrance.
14. Subject to the approval of the Director of Public Works, Developer shall install traffic control measures at the street entrance.
15. Any right-of-way dedication, relocation of improvements or public facilities, or road improvements shall be accomplished at no expense to the County.
16. Traffic safety signs and devices shall be installed in accordance with Alameda County standards. The proposed name for the private street shall be cleared through the Planning Department and such name shall appear on the Final Map.
17. Approval shall be secured from the Director of Public Works of detailed plans prepared by and engineer (including location, extent and sizes of all permanent and temporary facilities) for: a) grading, drainage, erosion and sedimentation control; b) storm drainage facilities; and c) on-site improvements including paving and P.C.C. curb, gutter and sidewalk.
18. Subject to the approval of the Director of Public Works, the Developer shall provide initial funding for maintenance of the private road in the amount of \$1,000 per new lot created.
19. The Development HOA shall bear responsibility for the maintenance of all public areas including street, sidewalks, lighting, and parcel "B" hydromodification facilities.
20. A conservation easement shall be incorporated in the portions of parcel "B" that are below the proposed limits of grading to prevent future grading alterations, private fencing and the introduction of non-native plants or animals. This easement will ensure the perpetual use of this area as a wildlife corridor and seasonal wetland.

SITE ALTERATIONS/IMPROVEMENTS

21. Between March and June, and prior to grading activities, the project applicant's biologist shall conduct a pre-construction plant survey to validate the negative findings from the Initial Study. Should samples be found, impacts to the plants shall be avoided by (a) relocating the plants to locations on the project site where disturbance will not occur; and (b) collecting seeds from the plants and planting the seeds elsewhere on the project site.
22. Three days prior to vegetation removal or commencement of construction, the project applicant's biologist shall prepare a nesting bird survey to determine the absence or presence of nesting bird species. Prior to January, nesting bird surveys shall be performed to identify any potential nesting trees prior to egg laying. Should nest sites or young birds be located, a no-disturbance buffer of between 150 and 200 feet shall be established around the site until August 15 or until the young have fledged. Removal of on-site trees and shrubs is prohibited in the event of discovery of one or more nests.
23. Consistent with the terms of the Construction General Permit and in accordance with the procedures and specifications of the Alameda County Clean Water Program, the project

CONDITIONS OF APPROVAL

TR-8053 PLN2010-00100 - EXHIBIT C

APPROVED BY PLANNING COMMISSION FEBRARY 2, 2015

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sponsor shall prepare and implement a Storm Water Pollution and Prevention Plan (SWPPP). This plan shall be submitted for review and approval from the Director of Public Works.

24. During construction, the Developer shall follow the following Best Management Practices:

- All contractors and subcontractors shall comply with the Alameda County Noise Ordinance
- Noise-generating activities shall be restricted to the hours of 7:00 am to 7:00 pm on weekdays, and on Saturdays by Special Consideration from the Director of Public Works.
- All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Stationary noise generating equipment shall be located as far as possible from sensitive receptors when such receptors adjoin or are near a construction project area. Temporary noise or screening barriers shall be erected for noise generating equipment when located near adjoining sensitive land uses.
- “Quiet” air compressors and other stationary noise sources shall be utilized where such technology exists.
- Contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities, identifying a procedure for coordination with adjacent noise sensitive residences to minimize noise disturbances.
- Contractor shall designate and identify by name a “Disturbance Coordinator.” This individual will be responsible for responding to any local complaints about construction noise. This information will be provided to residents within 300 feet of the project site, and placed on the project construction sign off Proctor Road.

21. During to completion and approval of construction plans, the location of the construction staging area shall be identified, as well as provisions incorporated that specify construction debris removal and vehicle staging and storage. Project site will be clear of debris and construction vehicles. Prior to completion and approval of project plans, the contractor and County shall incorporate traffic control provisions for the safety and convenience of pedestrians and motorists.

22. On-site grading shall conform to the Alameda County Grading Ordinance. A Grading Permit shall be secured from the Director of Public Works, as needed, in accordance with requirements of the Alameda County Grading Ordinance and design and quantities shown on accompanying exhibits.

23. An Encroachment Permit shall be secured from the Director of Public Works. Grading plans shall also be approved by the Planning Director prior to filing the Final Map or grading of the site and shall generally conform to grading envelope and quantities indicated on the accompanying exhibits.

24. Grading shall not augment rate of flow or concentrate runoff to adjacent properties or block runoff from adjoining properties.

25. Grading operations and construction activities shall be limited to weekdays (Monday through Friday) and the hours of 7:00 am and 6:00 pm, unless otherwise authorized by the Director of Public Works.

26. Dust shall be controlled and adjoining public street and private drives shall be kept clean of project dirt, mud, materials and debris, to the satisfaction of the Director of Public Works.

CONDITIONS OF APPROVAL

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APPROVED BY PLANNING COMMISSION FEBRARY 2, 2015

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- a. All exposed surfaces shall be watered two times per day. A 20-foot wide, 100-foot long, minimum 8-inch thick rocked construction entrance shall be provided during construction.
 - b. All haul trucks transporting loose or bulk material shall be covered.
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - d. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pad shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - e. Equipment idling times shall not exceed 5 minutes when not in use.
 - f. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - g. The name and contact information of the Lead Agency representative regarding dust complaints shall be posted publicly at the project site. The contact number for the Bay Area Air Quality Management District shall also be visibly posted at the project site.
27. The following shall be submitted to the Director of Public Works, prior to acceptance of final improvements by the Board of Supervisors:
- a. A grading plan prepared by a registered Civil Engineer including original ground surface elevations, ground surface elevations, lot drainage, and location of surface and subsurface drainage facilities.
 - b. A complete record including location and elevation of all field density tests, and a summary of all field and laboratory tests.
 - c. A declaration by a Civil Engineer and Geologist that all work was done in accordance with the recommendations contained in the soil and geologic investigation report and approved plans and specifications
 - d. Where soil or geologic conditions encountered during grading operations differ from those anticipated in the soil and geologic investigations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval and shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement and seismic activity.
28. Any known water well without a documented intent of future use that is shown on the map, is known to exist, is proposed, or is located during the course of field operations must be destroyed or backfilled prior to any demolition or grading in accordance with a well destruction permit obtained from the Public Works Agency.
29. Operations shall cease in the vicinity of any suspected archaeological resource until an archaeologist is consulted and his or her recommendations followed, subject to approval by the Planning Director. If evidence of human remains is discovered on the site, the County Coroner shall be notified immediately.
30. A WELO-compliant landscape plan prepared by a licensed Landscape Architect shall be submitted to the Planning Director for approval prior to issuance of a grading permit. Said Plan shall include a mechanical irrigation plan, planting and staking details, and a landscape maintenance program, perimeter fencing plans and details, and outdoor and security lighting. Additionally, the Plan shall integrate comprehensive vegetation management as part of a Fire

CONDITIONS OF APPROVAL

TR-8053 PLN2010-00100 - EXHIBIT C

APPROVED BY PLANNING COMMISSION FEBRUARY 2, 2015

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Hazard Management Plan. Enforcement of the elements and requirements of this plan shall be performed by the project HOA.

SERVICES AND UTILITIES

31. All utility distribution facilities within the land division shall be placed underground.
32. The project street shall be offered for dedication to the County
33. A letter from the East Bay Municipal Utility District stating that it has agreed to provide water to each lot in the land division shall be submitted to the Director of Public Works.
34. Sanitary sewers are to be provided to service each lot and are to be connected to the Castro Valley Sanitary District system of sewers and installed at the expense of the land divider in accordance with the requirements of said District and the approval by the Director of Public Works.
35. A letter from the Castro Valley Sanitary District stating that it has agreed to provide a connection to its sanitary sewer system for each lot in the land division shall be submitted to the Director of Public Works.
36. Fire protection improvements are to be installed by the subdivider in accordance with the requirements of the Alameda County Fire Department. A letter from the Fire Department stating that it has approved the design and improvement guarantees shall be submitted to the Director of Public Works.
37. Prior to release of guarantees, all improvements as specified herein or shown on the accompanying exhibits shall be installed in accordance with the improvement plans approved by the Director of Public Works. Inspections shall be certified by a registered Engineer or by Public Works Agency staff, at the option of the Director of Public Works. Fire protection improvements shall be inspected and approved by the Alameda County Fire Department.

EXHIBIT D
PROVISIONS OF RECLASSIFICATION, ZONING UNIT PLN2010-00100

Recommended by the Planning Commission on February 2, 2015

Adopted by the Board of Supervisors on _____

THE SITE SHALL BE DEVELOPED AND MAINTAINED IN CONFORMANCE WITH THE DESIGN, STATEMENTS, AND CONDITIONS INDICATED ON EXHIBIT B (LAND USE AND DEVELOPMENT PLAN). NO STRUCTURES OR USES OTHER THAN THOSE INDICATED ARE PERMITTED. ALL DESIGN OR OTHER MODIFICATIONS MUST BE REVIEWED BY THE PLANNING DEPARTMENT FOR CONSISTENCY WITH THIS PD DISTRICT.

GENERAL PROVISIONS

1. All permitted and conditional uses in the “R-1-B-E-CSU-RV” District are permitted in this PD District subject to all procedures in the Alameda County Zoning Ordinance, except that yards, and building height shall be as shown on the Land Use and Development Plan, “Exhibit B, PLN2010-00100.”
2. The property owner and developer shall defend, indemnify, and hold harmless Alameda County or its agents, officers, and employees from any claim, action, or proceeding against Alameda County or its, agents, officers or employees to attack, set aside, void, or annul the Zoning Unit, PLN2010-00100, Vesting Tentative Tract Map TR-8053, or any combination thereof. Such indemnification shall include, but not be limited to, an award of costs and attorney’s fees incurred by Alameda County in its defense. The County shall promptly notify applicant or successor of any such challenge.

SPECIFIC CONDITIONS

3. Dimensions of Side Yards for all parcels shall be as shown on the accompanying exhibits.
4. Building Heights of 28.5 feet shall be allowed.
5. Changes to the PD approval for lot size, lot configuration, number of lots, changes in topography, parking or house design subject to subsequent review by the Castro Valley Municipal Advisory Council.
6. On proposed residential lots where House Plan #2 is indicated, initial purchasers shall have the option of selecting Plan #3.

PRIOR TO ISSUANCE OF GRADING AND BUILDING PERMITS

7. Secure approval from the Planning Director for color and materials of all structures. All utility meters shall be screened from view.

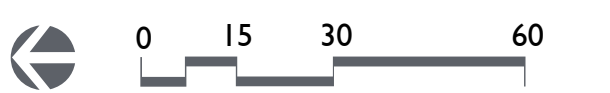
PROVISIONS OF RECLASSIFICATION

PLN2010-00100 - EXHIBIT D

ADOPTED _____

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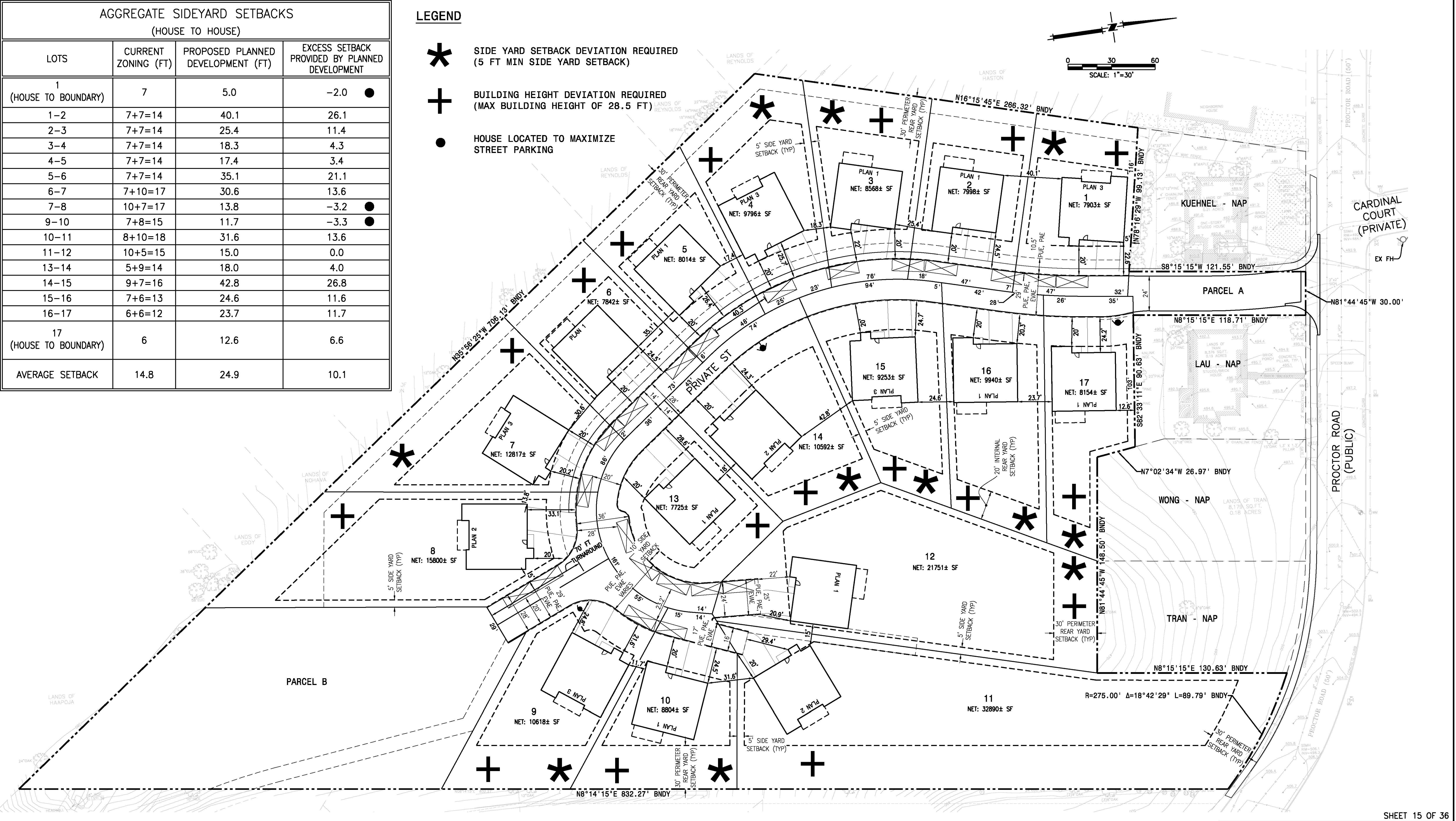
8. Submit for review and approval by the County Planning Department, a detailed Landscaping Plan prepared by a Landscape Architect, compliant with the Alameda County Water Efficient Landscape Ordinance. Said plan shall include a mechanical irrigation and landscape maintenance plan. It shall also show types of planting and planting /staking details, including size at time of planting, of all proposed vegetation, and construction and/or installation detail of all proposed paving, lighting, fencing, and all outdoor furniture and equipment on the property (including proposed locations of all transformers and utility meters). Site shall be maintained in substantial conformance with the approved plans.
9. Secure approval from the Planning Director of an outdoor and security lighting plan. Lighting for landscaping, driveway, security and outdoor recreation facilities shall be designed, installed, and operated so as not to radiate or emit glare off-site. Lighting shall be oriented internally toward the site. The illumination intensity of light should be sufficient only for the intended purpose.



AGGREGATE SIDEYARD SETBACKS (HOUSE TO HOUSE)			
LOTS	CURRENT ZONING (FT)	PROPOSED PLANNED DEVELOPMENT (FT)	EXCESS SETBACK PROVIDED BY PLANNED DEVELOPMENT
1 (HOUSE TO BOUNDARY)	7	5.0	-2.0 ●
1-2	7+7=14	40.1	26.1
2-3	7+7=14	25.4	11.4
3-4	7+7=14	18.3	4.3
4-5	7+7=14	17.4	3.4
5-6	7+7=14	35.1	21.1
6-7	7+10=17	30.6	13.6
7-8	10+7=17	13.8	-3.2 ●
9-10	7+8=15	11.7	-3.3 ●
10-11	8+10=18	31.6	13.6
11-12	10+5=15	15.0	0.0
13-14	5+9=14	18.0	4.0
14-15	9+7=16	42.8	26.8
15-16	7+6=13	24.6	11.6
16-17	6+6=12	23.7	11.7
17 (HOUSE TO BOUNDARY)	6	12.6	6.6
AVERAGE SETBACK	14.8	24.9	10.1

LEGEND

- * SIDE YARD SETBACK DEVIATION REQUIRED (5 FT MIN SIDE YARD SETBACK)
- + BUILDING HEIGHT DEVIATION REQUIRED (MAX BUILDING HEIGHT OF 28.5 FT)
- HOUSE LOCATED TO MAXIMIZE STREET PARKING



PROCTOR ROAD-17 LOT SUBDIVISION
SITE DEVELOPMENT PLAN /
PLANNED DEVELOPMENT EXHIBIT
CASTRO VALLEY CALIFORNIA

Mackay & Somp
ENGINEERS PLANNERS SURVEYORS
51429 FRANKLIN DR., PLEASANTON, CA 94588 (925)225-0690

MACKAY & SOMPS IS NOT RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF REPRODUCTIONS OF THIS DOCUMENT THAT ARE GENERATED BY OTHERS FROM ELECTRONIC MEDIA.

PLEASANTON OFFICE	1" = 30' SCALE	01/14/2015 DATE	19761.000 JOB NO.
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PLN 2010-00100, TR 8053

**THE COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY
HAYWARD, CALIFORNIA**

RESOLUTION NO. 15-02, FEBRUARY 2, 2015

Introduced by Commissioner Moore
Seconded by Commissioner Rhodes

WHEREAS Hue Tran/Braddock & Logan did submit an application for Vesting Tentative Tract Map, TR-8053, (PLN2010-00100), to subdivide the 5.85 acre property located on Proctor Road, south side, approximately 600 feet east of Ewing and Walnut Road, Castro Valley area of Alameda County, bearing County Assessor's Parcel Number: 84D-1403-014-17, into seventeen residential parcels; and

WHEREAS a draft Initial Study and Mitigated Negative Declaration was prepared; and

WHEREAS the documents were available for public review and comment from January 29 and March 1, 2013; and

WHEREAS an addendum to the Initial Study was prepared; and

WHEREAS this document was available for public review and comment from August 18 to September 18, 2014; and

WHEREAS this Commission did hold a public hearing to consider the subdivision application and the draft Initial Study and Mitigated Negative Declaration at the hour of 6:00 pm on Monday, the 2nd day of February, 2015, at 224 West Winton Avenue, Room 160, Public Hearing Room, Hayward, California, 94544; and

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

NOW THEREFORE

BE IT RESOLVED that this Planning Commission does hereby find on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment, and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis; and

BE IT FURTHER RESOLVED that this Planning Commission does hereby adopt the draft Initial Study and Mitigated Negative Declaration.

ADOPTED BY THE FOLLOWING VOTE:

AYES: Commissioners Imhof, Jacob, Moore, Ratto, Ready, Rhodes
NOES: None
ABSENT: None
EXCUSED: Loisel
ABSTAINED: None

**PLANNING COMMISSION
AS DESIGNATED ADVISORY AGENCY**

**THE COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY
HAYWARD, CALIFORNIA**

RESOLUTION NO. 15-03, FEBRUARY 2, 2015

Introduced by Commissioner Moore
Seconded by Commissioner Rhodes

WHEREAS Hue Tran/Braddock & Logan did submit an application for Vesting Tentative Tract Map, TR-8053, and Zoning Unit, PLN2010-00100, to reclassify the property located on Proctor Road, south side, approximately 600 feet east of Ewing and Walnut Roads, Castro Valley area of Alameda County, County Assessor's Parcel Number: 84D-1403-014-17, from the R-1-BE-CSU-RV (Single Family Residence, 6500 square foot MBSA, Conditional Second Unit, Recreation vehicle parking) District to a PD (Planned Development) District allowing uses consistent with the R-1-B-E-CSU-RV District, with reduced side yard dimensions at specific locations, and building heights of 28.5 feet, and to subdivide the property into 17 residential lots with two parcels held in common ownership to provide access and stormwater treatment; and

WHEREAS a draft Initial Study and Mitigated Negative Declaration was prepared; and

WHEREAS the documents were available for public review and comment from January 29 and March 1, 2013; and

WHEREAS an addendum to the Initial Study was prepared; and

WHEREAS this document was available for public review and comment from August 18 to September 18, 2014; and

WHEREAS this Commission did hold a public hearing to consider the Rezoning and Subdivision application and the draft Initial Study and Mitigated Negative Declaration at the hour of 6:00 pm on Monday, the 2nd day of February, 2015, at 224 West Winton Avenue, Room 160, Public Hearing Room, Hayward, California, 94544; and

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

NOW THEREFORE

BE IT RESOLVED that this Planning Commission, in accordance with Section 66474 of the Subdivision Map Act, does hereby find that

1. The Map is consistent with the Hillside Residential Land Use Designation under the General Plan, which sets a target density range of 4-8 dwelling units per acre, and would meet the standards of the PD District allowing "R-1-BE-CSU-RV" uses for which a minimum 6,500 square feet minimum parcel size is prescribed, and

2. The private street that is a component of the design and improvements of the Map is consistent with the General Plan, and the proposed development would meet the specific setbacks and building height standards of the PD District allowing “R-1-BE-CSU-RV” uses, and the Map design and improvements are consistent with all applicable General Plan policies; and
3. The site is physically suitable for the type of development the Map proposes, as documented in the project Initial Study and addenda; and
4. The site is physically suitable for the type of density the Map proposes, and
5. The project design will not cause substantial environmental damage, or substantially and avoidably injure fish and wildlife or their habitat, as documented in the project Initial Study and addenda, and associated Biological Studies; and
6. This Map will not cause serious public health problems in that (a) public sewer, water and other services will be made available to each lot created by the Map and there will be no significant impacts on the provision of public services; and (b) no hazardous or unsafe conditions exist on the site that could present a significant health or safety danger to future residents of the Project or existing residents in the area; and
7. The design of the lots will not conflict with easements acquired by the public at large for access through, or for use of, property within the proposed land division in that none are known to exist; and

BE IT FURTHER RESOLVED that this Planning Commission does hereby conditionally approve Vesting Tentative Tract Map, TR-8053 subdividing the subject property into 17 residential lots, subject to the Exhibit “B” on file with the Alameda County Planning Department, and the subject to conditions as listed on Exhibit “C” on file with the Alameda County Planning Department; and

BE IT FURTHER RESOLVED that this Planning Commission does hereby recommend adoption by the Alameda County Board of Supervisors of the draft Initial Study and Mitigated Negative Declaration, and approval of the reclassification of the subject property, subject to the draft ordinance and Exhibit “D” Provisions of Reclassification, based on the following findings from Alameda County Zoning Ordinance Section 17.18.115:

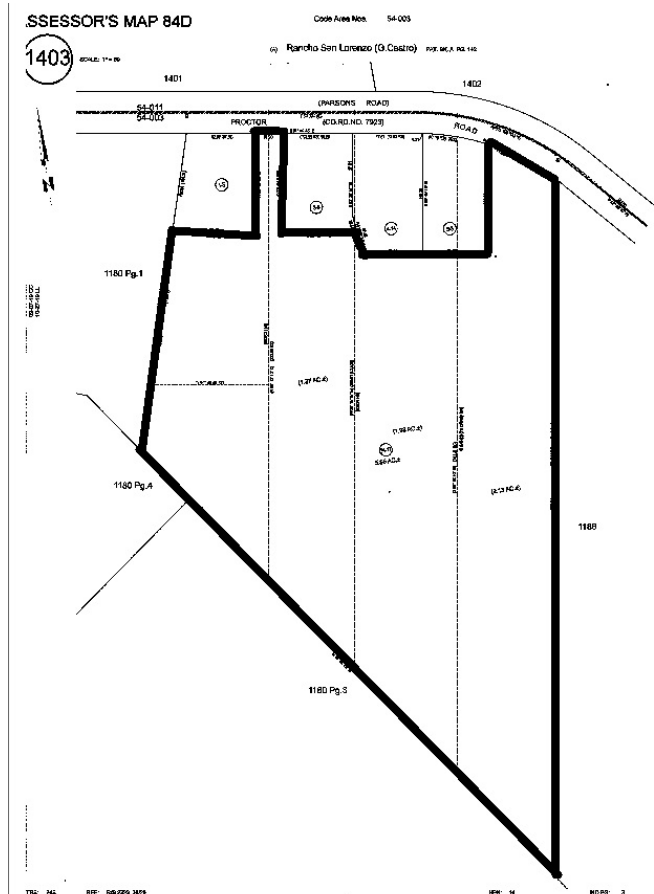
- A. The resulting development implements the applicable policies, objectives, principles and goals of the Castro Valley General Plan; and
- B. The property size, shape, property lines, and terrain are suitable for the proposed development in that the resulting residential parcels will exceed the minimum size prescribed in the Zoning District, the project would not impact views from public areas, and development will incorporate suitable measures scaled to minimize stormwater drainage; and

- C. The resulting development is integrated and harmonious with and or beneficial to the character and infrastructure of the surrounding area in terms of physical development and use, with proposed residential development consistent with the hillside residential development in the surrounding area; and
- D. The development results in a higher quality design or site plan than would otherwise result from development of the property if subject to the existing zoning development and use standards, with proposed development consistent with the General Plan designation and the Alameda County Residential Design Standards; and
- E. The project does not propose to increase density above the levels prescribed under the Zoning Ordinance and General Plan Land Use Designation; and
- F. The private roadway would be adequate to serve the number of dwelling units proposed, frontage and room for the required project access driveway. Further, the proposed development will not generate traffic in an amount that will overload the existing street network; and
- G. There will be no adverse fiscal impact to the county, as the project proponent would be required to provide curb, gutter and sidewalk improvements to Alameda County standards along the Proctor Road frontage, and all appropriate development and service fees will be paid by the project applicant or successor; and
- H. Each phase, if applicable, of the development, as well as the development as a whole, can exist as an independent unit capable of creating an environment of sustained desirability and stability, as completion of all improvements will be required prior to residential development.

ADOPTED BY THE FOLLOWING VOTE:

AYES: Commissioners Imhof, Jacob, Moore, Ready, Rhodes
NOES: Ratto
ABSENT: None
EXCUSED: Loisel
ABSTAINED: None

**PLANNING COMMISSION
AS DESIGNATED ADVISORY AGENCY**



SECTION II

This Ordinance shall take effect and be in force thirty (30) Days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once with the names of the members voting for and against the same in **THE INTER-CITY EXPRESS**, a newspaper published in the said County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on , by the following called vote:

AYES:

NOES:

EXCUSED:

President of the Board of Supervisors of the
County of Alameda, State of California

ATTEST: Clerk of the Board of Supervisors
of the County of Alameda, State of California

Approved as to form, BRIAN WASHINGTON
County Counsel

O-2015-____
Agenda Number ____
File ____

EXHIBIT C
CONDITIONS OF APPROVAL, VESTING TENTATIVE TRACT MAP TR-8053
(PLN2010-00100)

Approved by the Planning Commission on February 2, 2015

1. All conditions must be accomplished prior to or concurrent with filing the Final Map, unless a different timing of compliance is specified below. Installation of improvements shall be guaranteed under a County-Developer Tract Contract, as approved by the Director of Public Works. All improvements guaranteed under this contract shall be completed by the land divider and accepted by the Board of Supervisors, prior to release of improvement guarantees.
2. The design and improvement of this land division shall be in conformance with the design and improvement indicated graphically or by statement on the exhibits, including road location, grade, alignment, width and intersection design; design and grading of lots; location and design of storm drainage facilities; and location and design of frontage improvements.
3. All required plans, specification, and technical data necessary to complete the Final Map shall be filed with the Director of Public Works. Requirements for filing the map, review fees, improvements and inspection of work shall be determined by the Director.
4. A current title report and copies of the recorded deeds of all parties having record title interest in the property to be divided and if necessary, copies of deeds for adjoining properties shall be submitted to and accepted by the Director of Public Works.
5. Where easements are not obtained, rights of entry and drainage releases shall be acquired by the land divider in writing from the adjoining property owners for use of improvement of drainage ways outside the boundary of the tract map. Original copies of right of entry shall be provided to the Director of Public Works.
6. Developer shall not sell any individual lots to individual buyers prior to the general completion of the improvements as shown on the Tentative Map. This condition does not apply to the sale of the entire project to another entity.
7. Subdivider or successors shall defend, indemnify, and hold harmless Alameda County or its agents, officers, or employees from any claim, action, or proceeding against Alameda County, or its agents, officers, or employees to attach, set aside, void, or annul this tentative map, including any amendments thereto, or underlying environmental documents and actions taken pursuant to the California Environmental Quality Act, 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 subdivider or successors shall fail to adequately defend the County of Alameda, the County may provide its own legal defense and subdivider or successors shall be responsible for the County's reasonable attorney fees.

PLANNED DEVELOPMENT

8. Dimensions of Side Yards for all parcels shall be as shown on the accompanying exhibits.
9. Building Heights of 28.5 feet shall be allowed.
10. Substantial changes to the PD approval for lot size, lot configuration, number of lots, changes in topography, parking or house design subject to subsequent review by the Castro Valley Municipal Advisory Council.

CONDITIONS OF APPROVAL

TR-8053 PLN2010-00100 - EXHIBIT C

APPROVED BY PLANNING COMMISSION FEBRARY 2, 2015

PAGE 2

HOME DESIGN

11. Initial Purchasers of lots where building plan #2 is indicated shall have the option of selecting plan #3.

ACCESS/STREET IMPROVEMENTS

12. Private street, entrance and turnaround areas shall be developed as shown on Exhibit B. The private street shall provide a minimum 17 off-site spaces for guest parking.
13. Developer shall install a streetlight on Proctor Road at the street entrance.
14. Subject to the approval of the Director of Public Works, Developer shall install traffic control measures at the street entrance.
15. Any right-of-way dedication, relocation of improvements or public facilities, or road improvements shall be accomplished at no expense to the County.
16. Traffic safety signs and devices shall be installed in accordance with Alameda County standards. The proposed name for the private street shall be cleared through the Planning Department and such name shall appear on the Final Map.
17. Approval shall be secured from the Director of Public Works of detailed plans prepared by and engineer (including location, extent and sizes of all permanent and temporary facilities) for: a) grading, drainage, erosion and sedimentation control; b) storm drainage facilities; and c) on-site improvements including paving and P.C.C. curb, gutter and sidewalk.
18. Subject to the approval of the Director of Public Works, the Developer shall provide initial funding for maintenance of the private road in the amount of \$1,000 per new lot created.
19. The Development HOA shall bear responsibility for the maintenance of all public areas including street, sidewalks, lighting, and parcel "B" hydromodification facilities.
20. A conservation easement shall be incorporated in the portions of parcel "B" that are below the proposed limits of grading to prevent future grading alterations, private fencing and the introduction of non-native plants or animals. This easement will ensure the perpetual use of this area as a wildlife corridor and seasonal wetland.

SITE ALTERATIONS/IMPROVEMENTS

21. Between March and June, and prior to grading activities, the project applicant's biologist shall conduct a pre-construction plant survey to validate the negative findings from the Initial Study. Should samples be found, impacts to the plants shall be avoided by (a) relocating the plants to locations on the project site where disturbance will not occur; and (b) collecting seeds from the plants and planting the seeds elsewhere on the project site.
22. Three days prior to vegetation removal or commencement of construction, the project applicant's biologist shall prepare a nesting bird survey to determine the absence or presence of nesting bird species. Prior to January, nesting bird surveys shall be performed to identify any potential nesting trees prior to egg laying. Should nest sites or young birds be located, a no-disturbance buffer of between 150 and 200 feet shall be established around the site until August 15 or until the young have fledged. Removal of on-site trees and shrubs is prohibited in the event of discovery of one or more nests.
23. Consistent with the terms of the Construction General Permit and in accordance with the procedures and specifications of the Alameda County Clean Water Program, the project

CONDITIONS OF APPROVAL

TR-8053 PLN2010-00100 - EXHIBIT C

APPROVED BY PLANNING COMMISSION FEBRARY 2, 2015

PAGE 3

sponsor shall prepare and implement a Storm Water Pollution and Prevention Plan (SWPPP). This plan shall be submitted for review and approval from the Director of Public Works.

24. During construction, the Developer shall follow the following Best Management Practices:

- All contractors and subcontractors shall comply with the Alameda County Noise Ordinance
- Noise-generating activities shall be restricted to the hours of 7:00 am to 7:00 pm on weekdays, and on Saturdays by Special Consideration from the Director of Public Works.
- All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Stationary noise generating equipment shall be located as far as possible from sensitive receptors when such receptors adjoin or are near a construction project area. Temporary noise or screening barriers shall be erected for noise generating equipment when located near adjoining sensitive land uses.
- “Quiet” air compressors and other stationary noise sources shall be utilized where such technology exists.
- Contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities, identifying a procedure for coordination with adjacent noise sensitive residences to minimize noise disturbances.
- Contractor shall designate and identify by name a “Disturbance Coordinator.” This individual will be responsible for responding to any local complaints about construction noise. This information will be provided to residents within 300 feet of the project site, and placed on the project construction sign off Proctor Road.

21. During to completion and approval of construction plans, the location of the construction staging area shall be identified, as well as provisions incorporated that specify construction debris removal and vehicle staging and storage. Project site will be clear of debris and construction vehicles. Prior to completion and approval of project plans, the contractor and County shall incorporate traffic control provisions for the safety and convenience of pedestrians and motorists.

22. On-site grading shall conform to the Alameda County Grading Ordinance. A Grading Permit shall be secured from the Director of Public Works, as needed, in accordance with requirements of the Alameda County Grading Ordinance and design and quantities shown on accompanying exhibits.

23. An Encroachment Permit shall be secured from the Director of Public Works. Grading plans shall also be approved by the Planning Director prior to filing the Final Map or grading of the site and shall generally conform to grading envelope and quantities indicated on the accompanying exhibits.

24. Grading shall not augment rate of flow or concentrate runoff to adjacent properties or block runoff from adjoining properties.

25. Grading operations and construction activities shall be limited to weekdays (Monday through Friday) and the hours of 7:00 am and 6:00 pm, unless otherwise authorized by the Director of Public Works.

26. Dust shall be controlled and adjoining public street and private drives shall be kept clean of project dirt, mud, materials and debris, to the satisfaction of the Director of Public Works.

CONDITIONS OF APPROVAL

TR-8053 PLN2010-00100 - EXHIBIT C

APPROVED BY PLANNING COMMISSION FEBRARY 2, 2015

PAGE 4

- a. All exposed surfaces shall be watered two times per day. A 20-foot wide, 100-foot long, minimum 8-inch thick rocked construction entrance shall be provided during construction.
 - b. All haul trucks transporting loose or bulk material shall be covered.
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - d. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pad shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - e. Equipment idling times shall not exceed 5 minutes when not in use.
 - f. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - g. The name and contact information of the Lead Agency representative regarding dust complaints shall be posted publicly at the project site. The contact number for the Bay Area Air Quality Management District shall also be visibly posted at the project site.
27. The following shall be submitted to the Director of Public Works, prior to acceptance of final improvements by the Board of Supervisors:
- a. A grading plan prepared by a registered Civil Engineer including original ground surface elevations, ground surface elevations, lot drainage, and location of surface and subsurface drainage facilities.
 - b. A complete record including location and elevation of all field density tests, and a summary of all field and laboratory tests.
 - c. A declaration by a Civil Engineer and Geologist that all work was done in accordance with the recommendations contained in the soil and geologic investigation report and approved plans and specifications
 - d. Where soil or geologic conditions encountered during grading operations differ from those anticipated in the soil and geologic investigations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval and shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement and seismic activity.
28. Any known water well without a documented intent of future use that is shown on the map, is known to exist, is proposed, or is located during the course of field operations must be destroyed or backfilled prior to any demolition or grading in accordance with a well destruction permit obtained from the Public Works Agency.
29. Operations shall cease in the vicinity of any suspected archaeological resource until an archaeologist is consulted and his or her recommendations followed, subject to approval by the Planning Director. If evidence of human remains is discovered on the site, the County Coroner shall be notified immediately.
30. A WELO-compliant landscape plan prepared by a licensed Landscape Architect shall be submitted to the Planning Director for approval prior to issuance of a grading permit. Said Plan shall include a mechanical irrigation plan, planting and staking details, and a landscape maintenance program, perimeter fencing plans and details, and outdoor and security lighting. Additionally, the Plan shall integrate comprehensive vegetation management as part of a Fire

CONDITIONS OF APPROVAL**TR-8053 PLN2010-00100 - EXHIBIT C****APPROVED BY PLANNING COMMISSION FEBRUARY 2, 2015****PAGE 5**

Hazard Management Plan. Enforcement of the elements and requirements of this plan shall be performed by the project HOA.

SERVICES AND UTILITIES

31. All utility distribution facilities within the land division shall be placed underground.
32. The project street shall be offered for dedication to the County
33. A letter from the East Bay Municipal Utility District stating that it has agreed to provide water to each lot in the land division shall be submitted to the Director of Public Works.
34. Sanitary sewers are to be provided to service each lot and are to be connected to the Castro Valley Sanitary District system of sewers and installed at the expense of the land divider in accordance with the requirements of said District and the approval by the Director of Public Works.
35. A letter from the Castro Valley Sanitary District stating that it has agreed to provide a connection to its sanitary sewer system for each lot in the land division shall be submitted to the Director of Public Works.
36. Fire protection improvements are to be installed by the subdivider in accordance with the requirements of the Alameda County Fire Department. A letter from the Fire Department stating that it has approved the design and improvement guarantees shall be submitted to the Director of Public Works.
37. Prior to release of guarantees, all improvements as specified herein or shown on the accompanying exhibits shall be installed in accordance with the improvement plans approved by the Director of Public Works. Inspections shall be certified by a registered Engineer or by Public Works Agency staff, at the option of the Director of Public Works. Fire protection improvements shall be inspected and approved by the Alameda County Fire Department.

EXHIBIT D
PROVISIONS OF RECLASSIFICATION, ZONING UNIT PLN2010-00100

Recommended by the Planning Commission on February 2, 2015

Adopted by the Board of Supervisors on _____

THE SITE SHALL BE DEVELOPED AND MAINTAINED IN CONFORMANCE WITH THE DESIGN, STATEMENTS, AND CONDITIONS INDICATED ON EXHIBIT B (LAND USE AND DEVELOPMENT PLAN). NO STRUCTURES OR USES OTHER THAN THOSE INDICATED ARE PERMITTED. ALL DESIGN OR OTHER MODIFICATIONS MUST BE REVIEWED BY THE PLANNING DEPARTMENT FOR CONSISTENCY WITH THIS PD DISTRICT.

GENERAL PROVISIONS

1. All permitted and conditional uses in the “R-1-B-E-CSU-RV” District are permitted in this PD District subject to all procedures in the Alameda County Zoning Ordinance, except that yards, and building height shall be as shown on the Land Use and Development Plan, “Exhibit B, PLN2010-00100.”
2. The property owner and developer shall defend, indemnify, and hold harmless Alameda County or its agents, officers, and employees from any claim, action, or proceeding against Alameda County or its, agents, officers or employees to attack, set aside, void, or annul the Zoning Unit, PLN2010-00100, Vesting Tentative Tract Map TR-8053, or any combination thereof. Such indemnification shall include, but not be limited to, an award of costs and attorney’s fees incurred by Alameda County in its defense. The County shall promptly notify applicant or successor of any such challenge.

SPECIFIC CONDITIONS

3. Dimensions of Side Yards for all parcels shall be as shown on the accompanying exhibits.
4. Building Heights of 28.5 feet shall be allowed.
5. Changes to the PD approval for lot size, lot configuration, number of lots, changes in topography, parking or house design subject to subsequent review by the Castro Valley Municipal Advisory Council.
6. On proposed residential lots where House Plan #2 is indicated, initial purchasers shall have the option of selecting Plan #3.

PRIOR TO ISSUANCE OF GRADING AND BUILDING PERMITS

7. Secure approval from the Planning Director for color and materials of all structures. All utility meters shall be screened from view.

PROVISIONS OF RECLASSIFICATION

PLN2010-00100 - EXHIBIT D

ADOPTED _____

PAGE 2

8. Submit for review and approval by the County Planning Department, a detailed Landscaping Plan prepared by a Landscape Architect, compliant with the Alameda County Water Efficient Landscape Ordinance. Said plan shall include a mechanical irrigation and landscape maintenance plan. It shall also show types of planting and planting /staking details, including size at time of planting, of all proposed vegetation, and construction and/or installation detail of all proposed paving, lighting, fencing, and all outdoor furniture and equipment on the property (including proposed locations of all transformers and utility meters). Site shall be maintained in substantial conformance with the approved plans.
9. Secure approval from the Planning Director of an outdoor and security lighting plan. Lighting for landscaping, driveway, security and outdoor recreation facilities shall be designed, installed, and operated so as not to radiate or emit glare off-site. Lighting shall be oriented internally toward the site. The illumination intensity of light should be sufficient only for the intended purpose.

9. **HUE TRAN/BRADDOCK & LOGAN, TRACT MAP/RESIDENTIAL SUBDIVISION AND REZONING, PLN2010-00100** ~ Review and adoption of a Mitigated Negative Declaration and consideration of the petition to subdivide one 5.85 acre parcel into 17 separate residential lots with 1 remainder lot held in common ownership to provide stormwater treatment and rezone the tract, with Addenda, to a PD (Planned Development) District allowing R-1-BE-CSU-RV uses, building heights of 28.5 feet and reduced side yards as specified in a 'R-1-BE-CSU-RV (Single Family Residential, 6,500 square foot Minimum Building Site Area, Conditional Secondary Unit, Recreation Vehicle) District, located on Proctor Road, south side, approximately 6,000 feet east of Ewing and Walnut Roads, Castro Valley area of unincorporated Alameda County; bearing Assessor's Parcel Number: 84D-1403-17.

Staff Planner: Damien Curry

Action Item

Mr. Lopez presented the staff report. Commissioner Moore announced that his company represents a neighbor and he has had conversations with the applicant re easement.

Andy Bye, Braddock & Logan, with a powerpoint, showed an overview of the site and explained the project in detail -- previous proposals, discussions at CVMAC, architectural design Plan 1, 2 & 3, sight lines, parking with increased garage size, consistent to County ordinances, lot sizes/density, setbacks and conclusion. The Commission requested clarifications re close proximity of landscaping to property lines re Lots 16 & 17, location of property lines, entrance to Proctor Road, Water Quality Basin area and grading issues.

Public testimony was called for. Barbara Barklind, 17926 Joseph Dr, submitted photographs and expressed concerns re seasonal wetlands.

Dr. Wayne Mindle, 4717 Sorani Way, submitted a photograph of the entrance and a petition, and expressed his concerns--loss of view from two existing houses, # of units, parking and design (not reflective of the canyon).

Bruce O'Sullivan, 729 Sorani Way, in opposition, stated his safety, precedent setting, high density (water shortage) and traffic concerns.

Angela Wilhelm, 17520 Cardinal Ct, although not anti-development, expressed concerns re night lights (discussed with Mr. Bye) and density.

Walter Young, 4777 Proctor Road, said his concerns were traffic and parking.

Susan Huberich, 17892 Sorani Ct, in opposition, read a portion of the CV Strategic Plan, Section 2.2.

Nel O'Neill concurred with all the above speakers adding environmental impact concerns and suggested perhaps a park.

Carey Sanchez Para, 4815 Proctor Road, read her written statement in opposition—# of units, 4-year old traffic study, and lack of school facilities (over-enrolled).

Matt Turner, 2756 Grove Way, former CVMAC member, explained a property owner's (Joseph Drive) concerns expressed at the last CVMAC meeting re easement rights for sewer hook ups resulting in loss of trees.

Martin Carmody, 4579 Ewing Road, although in support, expressed some traffic and parking concerns.

Peter Rosen, 4663 Ewing Road, read his written concerns re lot sizes, consistency, owner/guest parking and HOA/enforcement issues.

Millie Hughes, 4683 Ewing Road, also expressed lot sizes, parking, road maintenance and water concerns.

Kathleen Jones, 17894 Joseph Drive, stated her concerns--wetland protection, erosion, width of parking area, water run-off, road easement perhaps thru Tran property, and school/property taxes increases.

Chris Higgins, 23964 Madeiros Ct, Hayward, discussed traffic-lack of pedestrian involved accidents in EIR, construction period enforcement and enforcement of COA.

Mr. Byde provided clarification re sewer easement, wetland protection, sidewalk installation and HOA budget/funding per State regulations.

Public testimony was closed. Commissioner Ratto expressed concerns re density and lack of useable open space. A discussion ensued regarding possible open space locations; speed control—perhaps a controlled intersection; Water Quality Basin; HOA enforcement/bond; traffic; parking concerns; wetland/location of conservation easement; density—perhaps elimination of lots; more than minimum requirements; school district's approval; mid-range housing per RHNA; possible open area between lots 13 & 14; lack/inclusion of specific PD Findings; removal of words "...and approval by the CVMAC" TR Reso #10 (page 2 of 6), Condition #10 (page 16) and Exhibit C #5 (as CVMAC is an advisory body); Condition 22.b. (page 17)—Saturday hours by special authorization by Director, Public Works and delete Sundays (similarly to Condition #25); add the words "and additional traffic control Condition #13 (page 3 of 6) after the word 'streetlight'; project construction signs; and PW's \$1,000 road development bond requirement. *Commissioner Moore made the motion to approve the MND and Commissioner Rhodes seconded. Motion carried unanimously, 6/0. Commissioner Moore made the motion to approve the project and recommend approval of the Reclassification to the BOS as modified above. Motion carried 5/1 with Commissioner Ratto dissenting. Commissioner Loisel was excused.*



**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

STAFF REPORT

TO: PLANNING COMMISSION
HEARING DATE: FEBRUARY 2, 2015

GENERAL INFORMATION

APPLICATION TYPE AND NUMBER: Vesting Tentative Tract Map and Zoning Unit, PLN2010-00100, TR 8053

OWNER/ APPLICANT: Hue Tran/Braddock & Logan

PROPOSAL: Application to subdivide one parcel into 17 residential lots, and reclassify the new lots into a PD (Planned Development) District allowing uses consistent with the R-1-B-E-CSU-RV District, with reduced side yard dimensions at specific locations, and building heights of 28.5 feet.

ADDRESS AND SIZE OF PARCEL: Proctor Road, south side, approximately 6,000 feet east of Ewing and Walnut Roads. Castro Valley, CA, bearing Assessor's Parcel Number 84D-1403-014-17, 5.9 acres.

ZONING: R-1-B-E-CSU-RV

GENERAL PLAN DESIGNATION: Hillside Residential (Castro Valley General Plan, adopted March 27, 2012)

ENVIRONMENTAL REVIEW: A project Initial Study and Mitigated Negative Declaration was prepared and circulated between January 29 and March 1, 2013. An update reflecting changes to the project was made available for review and comment from August 18 to September 18 of 2014.

RECOMMENDATION

Staff recommends adoption of the Mitigated Negative Declaration and project approval, with recommendation of the reclassification to the Board of Supervisors, subject to the proposed conditions.

PARCEL ZONING HISTORY

June 21, 1951, 12th Zoning Unit, classified the subject property and surrounding area into the R-1 (Single Family Residence) District.

April 17, 1965, 656th Zoning Unit, reclassified the site and surrounding area to the R-1-B-E (Single Family Residence, 6,500 square feet) District.

May 7, 1988, 1695th Zoning Unit, reclassified the site and surrounding area to the R-1-B-E-CSU (Single Family Residence, 6,500 square feet, Conditional Secondary Unit) District.

June 4, 1988, 1812th Zoning Unit, reclassified the site and surrounding area to the R-1-B-E-CSU-RV (Single Family Residence, 6,500 square feet, Conditional Secondary Unit, Recreational Vehicle) District.

During 2009 and 2010, approval of a series of Boundary Adjustments resulted in the present parcel boundaries.

SITE AND CONTEXT DESCRIPTION

Located off Proctor Road, the 5.9 acre, irregularly-shaped parcel slopes downward moderately to the south and east. A shallow ravine runs north to south along the eastern boundary, draining from Proctor Road towards the northern terminus of Joseph Drive. The property is vegetated with shrubs and grasses and sparse wooded cover consisting primarily of live oak, pine, and eucalyptus.

PROJECT DESCRIPTION

The applicant proposes the subdivision of the subject 5.9-acre parcel into 17 residential lots and reclassification of the tract from the R-1-B-E-CSU-RV District to a PD (Planned Development) District allowing uses consistent with R-1-B-E-CSU-RV, reduced dimensions for certain side yards, and building heights of 28.5 feet.

REFERRAL RESPONSES

Building Inspection Division, Alameda County Public Works Agency: responded to the referral request on May 21, 2013 without objection to the proposal, with eight project conditions.

Alameda County Fire Marshal: responded most recently on October 30, 2014 with six conditions of approval, appropriate to development within a very high fire hazard severity zone. The response also noted that the turnaround areas proposed meet the requirements of the Fire Department.

Castro Valley Sanitary District: Responded to the initial referral request on August 24, 2010, without objection to the proposal. Subsequent changes only reduce the project's scope; therefore no additional response was solicited from the District.

Castro Valley School District: Responded most recently on October 10, 2014, that the District would have the ability to accommodate any influx of matriculation attributable to the proposed development.

East Bay Municipal Utility District: Responded on September 10, 2014 that the addition of new housing units would not further reduce the relatively low water pressure serving existing homes in the area. Homes in the vicinity of the project are elevated at or near the upper limit of the District's "Proctor Pressure Zone" which serves residences between 350 and 500 feet. Many properties in the vicinity of Proctor Road receive water service through low-pressure agreements. Some properties, particularly those to the north of Proctor Road at a higher elevation than the subject site, are situated between 500 and 540 feet, above the practical band of the Proctor Pressure Zone. New service to the proposed residential lots would have a minimal affect on the existing water pressure, as the pressure is derived from elevation rather than volume.

Hayward Area Recreation and Parks District: Responded to the initial referral request on August 9, 2010, without objection to the proposal. No additional response was solicited from the District, because changes made since this response served only to reduce the scope of the project.

Land Development Division, Alameda County Public Works Agency: Responded on November 21, 2014 with 35 general comments, and 7 specific comments pertaining to the compliance of the project design with state and regional stormwater requirements. The Division communicated more recently on December 18 that the requirements were addressed with the applicant and will be further evaluated during the design review process.

Traffic Division, Alameda County Public Works Agency: Has approved the project design through the Land Development review process. As recent as July 2014 the Division indicated that the service levels generated by the development would not warrant a reconfiguration of the Proctor roadway at the project entrance.

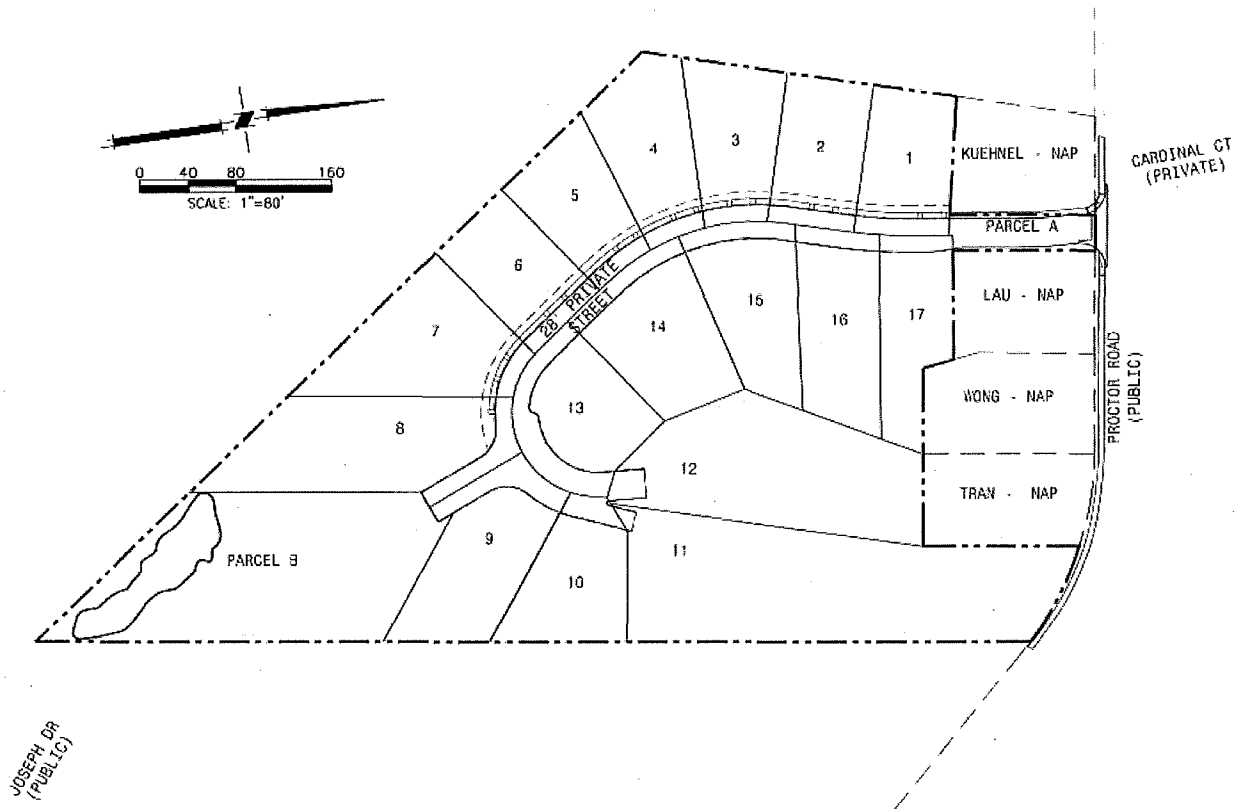
STAFF ANALYSIS

The project proposes a subdivision of the subject 5.9-acre property into 17 residential lots, (figure 1 following page) with reclassification of the tract from the R-1-B-E-CSU-RV District to a PD (Planned Development) District allowing uses consistent with R-1-B-E-CSU-RV, reduced dimensions for certain side yards, and building heights of 28.5 feet. Access would be provided via a private drive with a 28 foot roadway, denoted Parcel "A". A Pedestrian walkway and most of the twenty one off-site guest parking spaces would be located on the west side of the private drive. The east side of the drive would be kept free and clear as a Fire/EVA lane. A hammerhead vehicle turnaround would be located between parcels 8 and 9, and would also provide access for maintenance of a remaining parcel (Parcel "B"). On this commonly-owned parcel a bioretention area, situated easterly of an existing potential wetland area, would provide stormwater treatment for the tract. Proposed sanitary sewer service and other utilities for the tract would connect to public services from Joseph Drive. The HOA would maintain both parcel "B" and parcel "A".

The un-gated entry for the private drive would be located between 4651 and 4659 Proctor Road, with a 24 foot roadway entrance bordered on both sides by landscaping, and a pedestrian walkway on the northern side. The driveway and garage parking area for 4651 Proctor will be relocated away from the entrance. The roadway entrance is proposed in lieu of two alternative locations. The first alternative would extend Joseph Drive at the southwest corner of the parcel, traversing the location of the proposed parcel "B" thereby precluding this area from providing hydro-modification services for the tract. The second alternative would locate a standard public street entrance at the location of the proposed parcel 11, which, owing to its location on a curve of Proctor Road, would not have afforded adequate visibility for ingress and egress onto that street. Both of these alternatives would have

required significant grading, fill and earth retention in order to develop access meeting county standards with respect to slope and width.

Figure 1 –Proposed Subdivision Plan View



House Designs – The project proposes three floor plans, each featured in a cottage, traditional, or bungalow exterior trim. The first model would include four bedrooms, and the second five. The third plan proposed is a variant of the second, with an expanded garage in lieu of a downstairs bedroom and full bath. The expanded garage would accommodate three vehicles, with one of the spaces in tandem. Garage width for all houses would be sized to accommodate storage and/or utility uses.

Castro Valley Municipal Advisory Council (CVMAC)

At its December 8, 2014 meeting, the CVMAC unanimously recommended adoption of the project Mitigated Negative Declaration and, with a minor change and the addition of two conditions, project approval. With the applicant's agreement, the change specified for lot 4, house plan #3, featuring the 3-car partial tandem garage, in lieu of plan #2. The first added condition would give buyers the option of selecting plan #3 for lots indicating plan #2. An additional condition would make changes to the PD approval for lot size, lot configuration, number of lots, changes in topography, parking or house design subject to subsequent review and approval by the CVMAC. The CVMAC also reiterated the desire for the project to comply with the Alameda County Design Standards and Guidelines. A preliminary review of the residential designs has revealed no conflict with the Standards and Guidelines, which became effective January 1st of this year. Further, the project application date predates the Standards and Guidelines, and where there would be conflict between the two, the PD approval for specific residential designs would take precedent.

Previous proposals for 23, 19 and 18 units were considered by the CVMAC and continued without action. The applicant in each case modified the proposal, addressing a range of issues discussed at the CVMAC hearings, including lot density, parking, construction design, affected viewsheds from public areas, light pollution, water pressure, school resources, fire danger, emergency vehicle access, and traffic.

Zoning Ordinance

The subject property is currently classified under the "R-1-B-E-CSU-RV" (Residential Uses, Secondary Unit, 6500 square foot minimum building site area, Recreation Vehicle) District. The applicant proposes to rezone the tract to a PD (Planned Development) District in order to allow for reduced side yard dimensions at specific locations, and building heights of 28.5 feet. The area of each of the subject parcels would conform to the density specified under the Zoning Ordinance. The Ordinance also provides standards for development of secondary units.

Side Yards – To develop buildable lots while minimizing mass grading and visual impacts from retaining walls and interior slopes, the applicant proposes building pads where side yards compliant with the standard measurement for R-1 Districts are not always practical. To meet standard side yard requirements, the applicant would need to place fence lines mid-slope, which would itself create significant unusable space on almost all lots, as shown on figure 2. To maximize the usability of the individual lots, the applicant proposes to position fence lines at the top of slopes, where the side yard dimensions will not always conform to R-1 standards.

Required side yard measurement in R-1 Districts is based on the median lot width, with one foot in addition to five required for each full 10 feet that the median lot width exceeds 50 feet. In this manner a 6 foot side yard setback would be required for a lot with a median width of between 60 and 70 feet, a 7 foot setback for a median lot width between 70 and 80 feet, proceeding to a maximum requirement of 10 feet. For select parcels (numbered 3, 4, 7, 8, 9, 13, and 15) the proposal requests allowance for one side yard as specified on each lot. In no case are the proposed side yards less than 5 feet. The proposed lot orientation of the residences is such that many of the buildings are parallel to only one side yard. In most cases the requested allowance affects only the front portion of the residence. In effect, the combined separation between buildings (as shown on figure 3) meets or exceeds the same distance that one would find with a development with side yards adhering to R-1 standards. As shown on the exhibits, side yard setbacks in many cases will exceed the standard for the R-1 District.

The project proposes decreases in the separation between buildings at three locations, as indicated below. Based on community input, the project proposes a number of lots well below the density range prescribed by the General Plan, which has led in some cases to greater median lot widths, in turn to the requirement for greater side yard setbacks. Private garages have been positioned to provide maximum space for on-street parking, which has encouraged at some locations the encroachment in the side yard setback. For all parcels, setbacks for front yards will meet, and rear yard setbacks will exceed, the 20 foot R-1 standards.

Figure 2 – Typical Elevation depicting Design, Slope, and Side Yard Preference

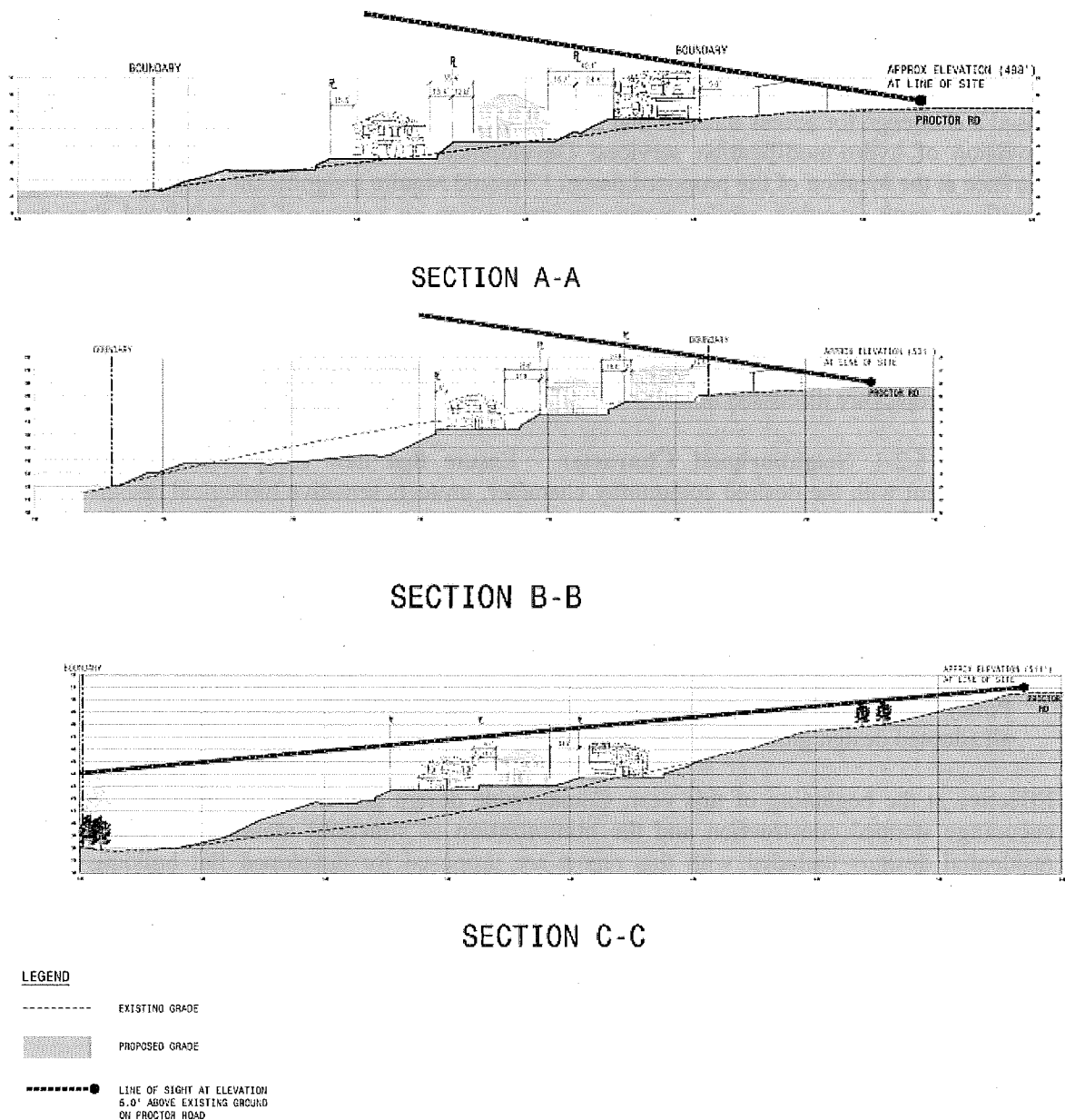


Figure 3 – Effective PD Side Yard Setbacks

AGGREGATE SIDEYARD SETBACKS (HOUSE TO HOUSE)			
LOTS	CURRENT ZONING (FT)	PROPOSED PLANNED DEVELOPMENT (FT)	EXCESS SETBACK PROVIDED BY PLANNED DEVELOPMENT
1 (HOUSE TO BOUNDARY)	7	5.0	-2.0 ●
1-2	7+7=14	40.1	26.1
2-3	7+7=14	25.4	11.4
3-4	7+7=14	18.3	4.3
4-5	7+7=14	17.4	3.4
5-6	7+7=14	35.1	21.1
6-7	7+10=17	30.6	13.6
7-8	10+7=17	13.8	-3.2 ●
9-10	7+8=15	11.7	-3.3 ●
10-11	8+10=18	31.6	13.6
11-12	10+5=15	15.0	0.0
13-14	5+9=14	18.0	4.0
14-15	9+7=16	42.8	26.8
15-16	7+6=13	24.6	11.6
16-17	6+6=12	23.7	11.7
17 (HOUSE TO BOUNDARY)	6	12.6	6.6
AVERAGE SETBACK	14.8	24.9	10.1

Building Height –The proposal requests building heights of 28.5 feet, where a height of 25 feet would normally be required. The justification for this deviation is primarily aesthetic, as the proposed roof pitch will complement the proposed house designs, where a flatter roof conforming to a 25 foot height limit would not. The change in building heights for the lots indicated would not increase building area or an increase in the visual mass of the individual residences. The proposal’s visual impact upon the viewsheds from public areas will not be significantly affected, as shown in figure 4. As with the requested allowances for specific side yards, the proposed building heights would help foster livable, practical residences in character with the surrounding area.

Figure 4 –Development Impact upon prevailing views



Conformance with the General Plan

The subject property lies within the boundaries of the Castro Valley General Plan (Plan), adopted in 2012 by the Board of Supervisors. Under the Plan the site is designated Hillside Residential. This designation is used in areas of steep slopes and/or high fire hazard areas, with lot sizes ranging from 5,000 to 10,000 square feet. Residential densities as proposed would be significantly less than the 4 – 8 dwelling units per acre range consistent with the Hillside Residential land use designation, with net and gross densities of 3.7 and 3.4 units per acre, respectively.

To ensure adequate traffic access, General Plan drafts prior to adoption of the Plan included provision of public streets for subdivision projects with more than 10 lots. While the project draft initial study references this restriction, it is not contained within the adopted Plan. The current proposal, with access for the proposed lots provided by a private road 28 feet in width, is consistent with the Plan in its current form. As such, discussion was given to the extension of the public right of way from Joseph Drive, however this proposal met with significant community concern and objection. In addition, a potential wetland area adjacent to the northern terminus of Joseph Drive posed a challenge for access through that right of way, as well as an opportunity for preservation and provision of hydro-modification services. Development of a public street with a broader street entrance at the location of the proposed parcel 12 would require a significant amount of grading, with significant earth retention, while creating an intersection on a curve of Proctor Road, thus creating significant issues with regard to traffic safety.

Neighborhood Character Policies

Several policies within the General Plan are designed to preserve and enhance Castro Valley's community character. Policy prescriptions and how they affect the design and development of the proposed project are discussed below:

Policy 5.2-1 Neighborhood Character - Ensure that new residential development is consistent with the desired community character, protects sensitive biological resources, and is not subject to undue natural hazards.

As discussed in the Project Initial Study and Mitigated Negative Declaration, the application does not propose development in an area subject to undue natural hazards, nor would the project create significant detriment to sensitive biological resources.

Policy 5.2-2 Residential Design - Ensure that residential development projects comply with all adopted design guidelines.

Effective at the beginning of this year, County-wide design guidelines for residential construction encourage stepped construction and the minimization of structural massing on downslopes. The residential designs included with this report are proposed for developed flat building pads with minimal mass grading, retaining walls and other features that would affect sensitive viewshed areas. Figure 4 shows the relative location of the proposed residences with respect to prevailing views.

Policy 5.2-3 Design Exceptions - Exceptions to design standards and guidelines will only be considered through a discretionary review process, and only approved if:

- There are site-specific conditions that make it physically infeasible to follow the standards or guidelines; and

- The proposed design provides an equal or better design solution in terms of livability for residents and impacts on neighboring properties.

With respect to the proposal to reclassify the proposed residential lots into a PD District, the allowances sought with respect to specific side yard dimensions and select building heights for select parcels are targeted to meet the goals of creating a tract with livable residential development.

Policy 5.2-4 **Lot Sizes** - Lot sizes shall be consistent with the desired character of the area.

While determining an area's desired character is often subjective, one measure of the character could be the prevailing lot size, discussed below under Residential Density.

For Hillside Residential areas, Action 5.2-3 calls for the requirement of lot sizes between 5,000 and 10,000 square feet, with a sliding scale based on slope. As discussed below, the average size of the proposed lots is over 10,000 square feet. The applicant seeks to develop the project in a manner that follows the character of the surrounding area, without significant structural massing on downhill slopes, and with minimal retaining wall heights.

In "environmentally sensitive" areas with "high fire hazards" and "steep slopes" General Plan Action 5.2-4 (Alternative Standards for Environmentally Sensitive Areas) – calls for a reduction in development intensity up to 75 percent of the maximum permitted. If applied to development at the subject property, the modification would limit the proposal from the maximum number of residential lots permitted for the R-1-BE-CSU-RV (6,500 square foot MBSA) District. To account for street access and other improvements necessary for an application for subdivision, a general rule would make 75 percent of the land area available for any calculation of the maximum number of lots. For the subject property this rule calculates a theoretical maximum of 29 lots. Action 5.2-4 would further reduce this maximum by 75 percent, to 22 lots. The proposed 17 lot subdivision is consistent with this General Plan Action.

Residential Density

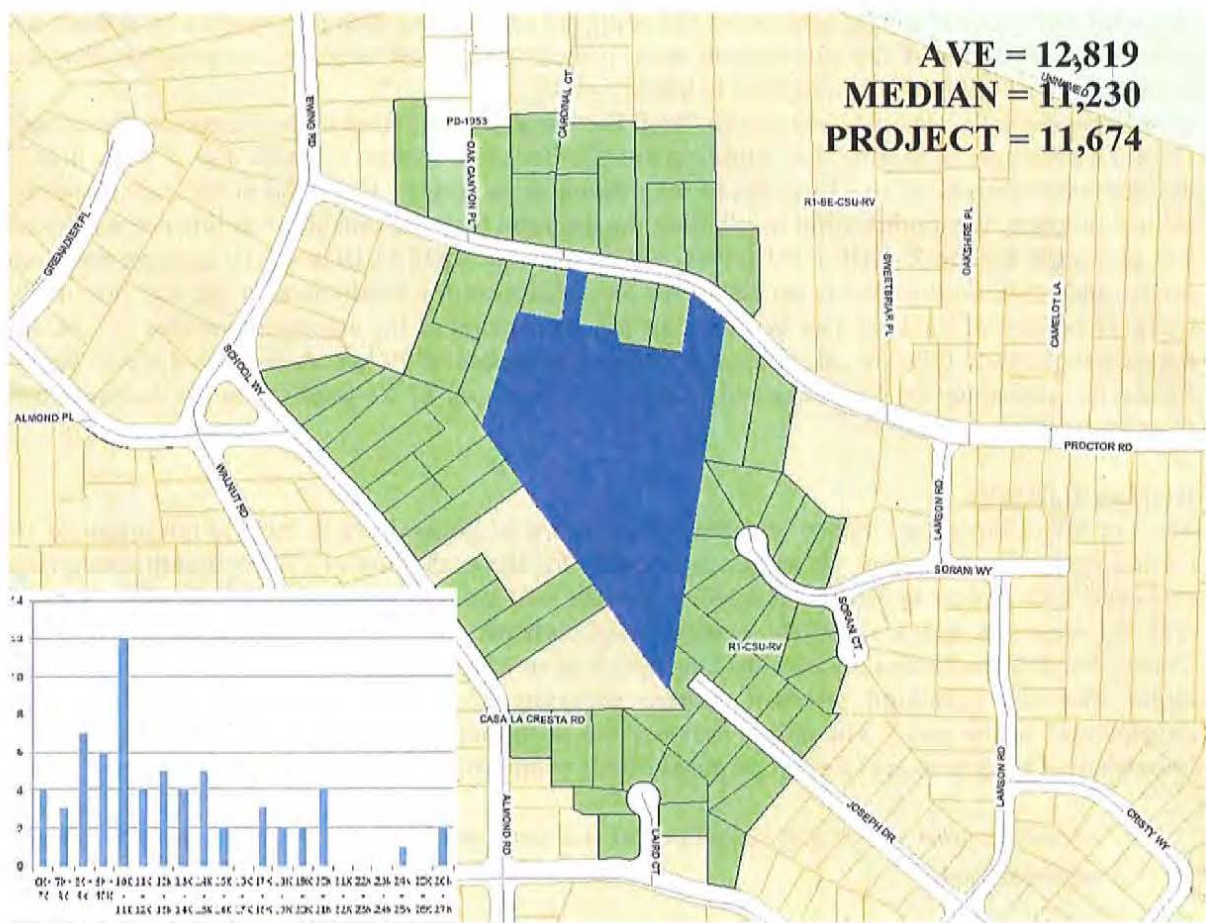
The Lot Size Consistency Policy adopted by the Board of Supervisors in 1991 is not a part of the Castro Valley General Plan, yet serves as one tool for the evaluation of Castro Valley subdivision proposals with respect to density. The policy's intent is to guide development in a manner consistent with the character and scale of the existing neighborhood. Section 16.16.050(A) of the Alameda County Subdivision Ordinance considers the option of an advisory agency to require lot areas that are larger than the minimum standard "where necessary to maintain consistency with existing development in the area." The policy provides the following guidelines for the determination of a "surrounding neighborhood" for the purposes of this comparison:

- A discreet tract which was developed at one time and continues to function as a cohesive neighborhood.
- An area defined by physical features both natural and human-made including creeks, ridges, and roads.
- A discreet unit of similarly-sized lots which are contiguous and have an established pattern of large single family lots larger than the minimum zoning requirements.

The proposed subdivision has an average lot size of 11,674 square feet. Parcels located closer to the private drive entrance tend to be smaller, with sizes in the range of 7,800 to 9,700 square feet. To promote livability, preserve usable space, and minimize grading and the visual impacts of the development upon the surrounding properties and public areas, the applicant has proposed a configuration with larger parcels located in steeper, less accessible areas.

For this project two such comparison studies are examined. One exercise includes those parcels within a 300-foot buffer of the project site, the other an expanded range of 500 feet. Parcels that under current standards for setbacks and access could be subdivided without resulting in parcels that are well below the prevailing average size are excluded from the initial comparison. The averages of both samples are compared with the 11,674 square foot average of the parcels that would be created by the proposed subdivision.

Figure 5— Lot Size Comparison for area within 300 feet from subject property

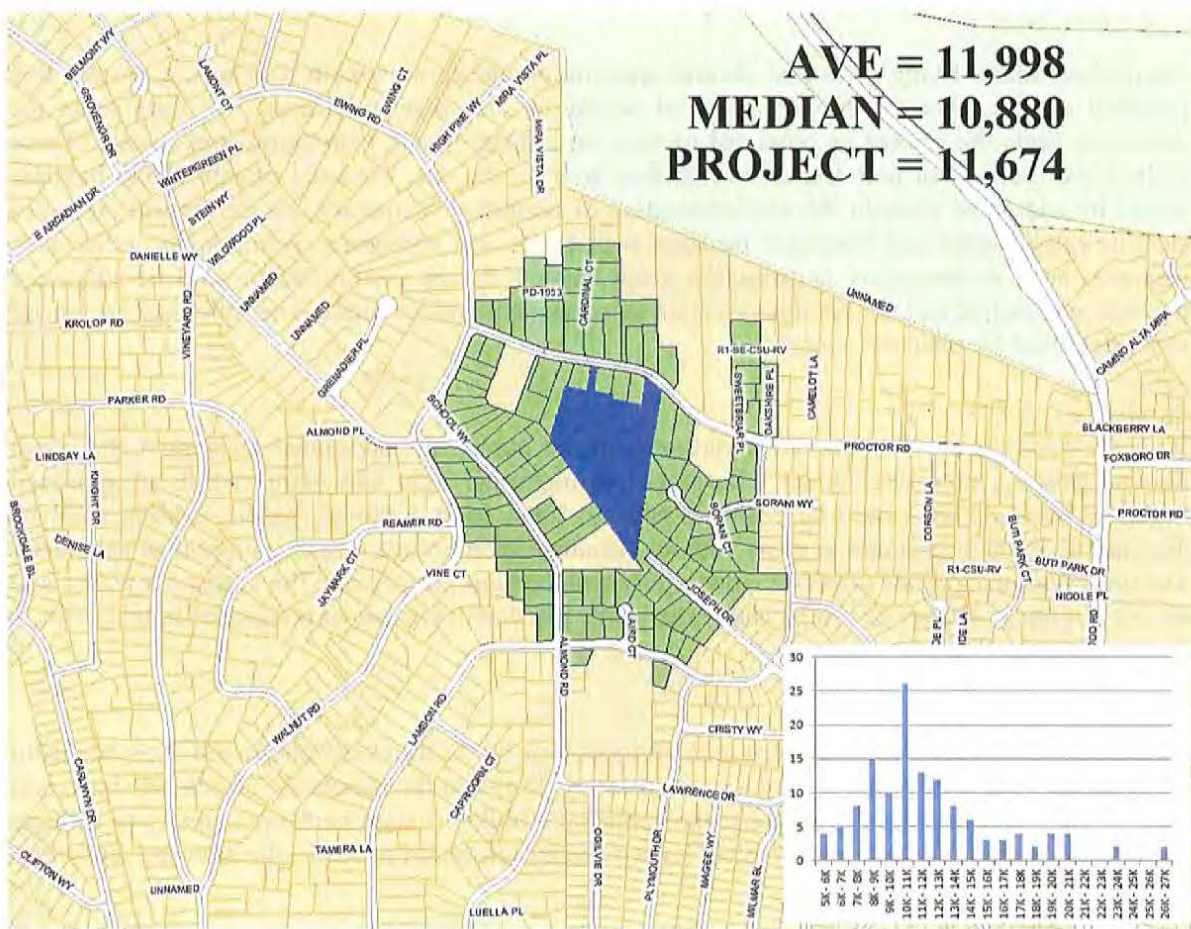


Parcels highlighted in Figure 5 are those included for comparison within a 300-foot buffer around the subject property. The parcels are also included on Attachment A. With net area values used for all parcels, the average of the sample is about 12,800 square feet with a median lot size (that lot size value in the middle range of the sample) of 11,230 square feet.

Examination of the frequency of lot sizes for this comparison highlights the high concentration of parcels within the 10,000 and 11,000 square foot range, somewhat below the project average. The frequency table further depicts the right side of the sample range with three “outlier” values, the deletion of which would reduce the mean lot size to 11,651 square feet.

Figure 6 highlights the parcels included from a sample within a 500-foot buffer around the subject property, which are listed in Attachment B. The sample mean lot size is 11,998 square feet with a median value of 10,880 square feet. As with the 300 foot radius comparison, the value range between 10,000 and 11,000 square feet has the greatest number of parcels within the sample. Deletion of four “outlier” parcels from the calculation of average would result in a mean value of 11,409 square feet.

Figure 6 – Lot Size Comparison for area within a 500-foot buffer from subject property



Parking and the Subdivision Ordinance

The Alameda County Subdivision Ordinance, found in Title 16 of the General Ordinance Code, provides standards for subdivisions and residential development. Section 16.16.050 (D) requires the provision of at least one off-site parking space per lot. “Off-site” is defined as those spaces that are not on the individual lot. These spaces are typically placed either on the street, or in designated areas not included in the area calculation for any one parcel. The proposed 21 streetside spaces for 17 lots, providing 1.23 guest parking spaces per parcel, exceeds the County standard for guest parking.

Fire Safety

The subject site is within a local response area, in a Very High Hazard Fire Severity Zone. As required by the Fire Marshal, the proposal will implement a Hazardous Vegetation and Fuel Management Area consistent with the California Fire Code. Enforcement of the Area provisions will be the responsibility of the HOA.

Environmental Review

Under planning staff supervision, IPA Planning Solutions, Inc. prepared an Initial Study and Mitigated Negative Declaration for the project. The current proposal reduces the scope and intensity of development from the previous proposals for which the environmental documents were prepared, and even with the addition of the Zoning Unit request, the basic conditions and findings included in the Initial Study remain valid. Included with this report are addenda to the Initial Study, including a memorandum addressing comments received, Initial Study Errata, and updates to the geotechnical investigation and the traffic study.

The project Initial Study identified several areas necessitating mitigation measures to ensure that potential effects from the project proposal would be less than significant. In other areas the document finds the project as proposed to have no impact or less than significant impact. These include the creation of new impervious surface area on the site. Potential effects of the increase would be addressed through the implementation of permitted temporary and permanent measures such as catch basins and treatment facilities with filters and separators. Additionally, other such measures such as temporary construction noise impacts during construction would be addressed through mechanical and temporal restrictions on equipment and activities. The following categories were identified for potential concern:

Aesthetics

With the addition of 17 homes to a currently vacant parcel, the additional residential and street lighting poses a potential impact with regard to nighttime light and glare. While an approved Lighting Design Plan would be required prior to Final Map approval, public lighting shall be designed to illuminate common areas without intruding upon private property more than necessary. The use of timers and full cutoff-shielded lights shall be incorporated into the design for public and security lighting. The project HOA shall enforce the placement and use of residential lighting within the development.

Biological Resources

Two special status species of concern in the project vicinity, Diablo helianthella and Most beautiful jewel flower, were not found during a project survey. Between the months of March and June, and prior to the commencement of grading, the applicant's biologist shall perform a survey to validate these findings, and if found, impacts shall be avoided by relocation or seed collection and replanting elsewhere on the site.

Three days prior to removal of vegetation and commencement of construction, the project biologist shall prepare a nesting bird survey to determine the absence or presence of bird species. In the event of a discovery, a no-disturbance buffer of between 150 and 200 feet shall be established around a nesting site until the young have fledged.

Adherence to the project SWPPP and observance of BMPs to prevent erosion and hold runoff to allow time for sedimentation to occur would serve to prevent large volumes of silt-laden runoff leaving the project site and entering local waterways, impacting aquatic life and wildlife habitat.

Further details for the prevention of stormwater pollution are contained within the Erosion Control Plan prepared by the consulting engineer. The establishment of a conservation easement covering the wetland area off Joseph Drive would preserve the potential wetland on the Parcel 'B' into perpetuity, while keeping the space available for development hydromodification and stormwater control services.

Cultural Resources

During grading and excavation, the very real potential exists for the exposure of cultural resources such as human remains and use artifacts. In the event of such an inadvertent discovery, work shall be immediately halted within 50 feet of the discovery, and after notification of the county, a professional paleontologist or archaeologist shall be retained to determine the significance of the discovery.

Air Quality

Dust and exhaust from project construction activity would have the potential to adversely affect air quality at several stages during development. Implementation of "Basic Construction Mitigation Measures" endorsed by the Bay Area Air Quality Management District (BAAQMD) include the following:

- Watering of exposed surfaces
- Coverage of haul trucks with loose material
- Wet power vacuum removal of mud or dirt from public roadway entrances
- Paved public areas such as sidewalks and roadways will be completed as soon as possible
- Idling time of vehicles and equipment will not exceed five minutes
- Equipment shall be properly maintained and tuned in good working order
- A publicly posted sign shall inform those in the area of the Lead Agency contact regarding dust complaints

Enhanced control procedures shall incorporate, in addition to the measures listed above, the hydroseeding of graded areas inactive for ten days or more, enclosure, watering, or binding of exposed stockpiles, limiting of traffic speeds to 15 mph, and replanting of disturbed areas as quickly as possible. Optional control measures, if necessary, would entail the installation of wheel washers for exiting trucks, the installation of wind breaks, limiting of the total area being disturbed at one time, and the suspension of excavation and grading activity when wind gusts exceed 25 mph.

Geology/Soils

To preserve the native topsoils and prevent substantial erosion of soils during mass grading, roadway development and home construction, the project sponsor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and ensure that the project is in compliance with the Construction General Permit. Best Management Practices (BMPs) relating to land disturbance and stabilization, conveyance and retention of runoff, storage of waste materials, and delineation of the project perimeter shall be incorporated into development to meet the conditions of the SWPPP.

Wildland Fire Risk

Located in a Very High Hazard Fire Severity Zone, a Hazardous Vegetation and Fuel Management Area consistent with the California Fire Code will be implemented. Enforcement of the Area provisions will be the responsibility of the HOA. As proposed, the development of the project should enhance Fire Safety in the general vicinity.

Hydrology and Water Quality

During grading and construction, the proposed project has a potential to contribute sediment to area stormwater runoff. Implementation of the conditions of the Grading permit, combined with the preparation of and adherence to a detailed Stormwater Management Plan (SMP) would safeguard against the contamination of surface and groundwater with non-point source pollutants (NPS). Upon completion as proposed, the addition of impervious surfaces from sidewalks, roadway, parking and roofed areas could catalyze an increase in the amount of stormwater released.

Home construction and development infrastructure would add to the amount of impervious surfaces, from which stormwater runoff would be directed toward the treatment area on parcel "B". Stormwater from all roofed areas shall be directed toward landscaping on individual lots, and with drainage from paved areas shall be directed toward the retention pond located on parcel "B".

Noise

During construction, noise and vibration would likely impact the local surroundings and rise above existing ambient levels. As part of the efforts to minimize such disturbance upon the surrounding area, appropriate equipment such as "quiet" air compressors would be used. A "Disturbance Coordinator" would be designated and given full authority to respond to complaints and make appropriate changes at the project site.

CONCLUSION

The subject application complies with State statute, meets standards set forth in relevant County Ordinances, and is consistent with the policies and goals of the Castro Valley General Plan. Staff recommends an approval recommendation for the rezoning application, subdivision and "Exhibit C" Provisions of Reclassification, Zoning Unit PLN2010-00100. Consistent with section 66474 of the Subdivision Map Act, staff recommends approval of the proposed subdivision with the following findings:

1. The Map is consistent with the Hillside Residential Land Use Designation under the General Plan, which sets a target density range of 4-8 dwelling units per acre. The proposal would realize 3.4 units per acre of gross area, 3.7 units using a net area measurement. The Map would meet the standards of the PD District allowing "R-1-BE-CSU-RV" uses for which a minimum 6,500 square feet minimum parcel size is prescribed.
2. The private street that is a component of the design and improvements of the Map is consistent with the General Plan as adopted. Further, the proposed development will meet the specific setbacks and building height standards of the PD District allowing "R-1-BE-CSU-RV" uses. There is no Specific Plan adopted for this area, and the Map design and improvements are consistent with all applicable General Plan policies.
3. The site is physically suitable for the type of development the Map proposes, as documented in the project Initial Study and addenda.
4. The site is physically suitable for the type of density the Map proposes, which at 3.7 dwelling units to the net acre is below the 4-8 dwelling unit per acre range prescribed for the Hillside Residential Land Use Designation under the Castro Valley General Plan. The General Plan recommendations and policies for steep slopes that project a development density 75% of the existing standards would constrain the subject development to a minimum 22 lots, which is more than the number proposed.

5. The project design will not cause substantial environmental damage, or substantially and avoidable injure fish and wildlife or their habitat, as documented in the project Initial Study and addenda, and associated Biological Studies.
6. This Map will not cause serious public health problems in that (a) public sewer, water and other services will be made available to each lot created by the Map and there will be no significant impacts on the provision of public services; and (b) no hazardous or unsafe conditions exist on the site that could present a significant health or safety danger to future residents of the Project or existing residents in the area;
7. The design of the lots will not conflict with easements acquired by the public at large for access through, or for use of, property within the proposed land division in that none are known to exist.

Fig. 6 – Location of Property



For the subject application the following Conditions of Approval are proposed:

1. All conditions must be accomplished prior to or concurrent with filing the Final Map, unless a different timing of compliance is specified below. Installation of improvements shall be guaranteed under a County-Developer Tract Contract, as approved by the Director of Public Works. All improvements guaranteed under this contract shall be completed by the land divider and accepted by the Board of Supervisors, prior to release of improvement guarantees.

2. The design and improvement of this land division shall be in conformance with the design and improvement indicated graphically or by statement on the exhibits, including road location, grade, alignment, width and intersection design; design and grading of lots; location and design of storm drainage facilities; and location and design of frontage improvements.
3. All required plans, specification, and technical data necessary to complete the Final Map shall be filed with the Director of Public Works. Requirements for filing the map, review fees, improvements and inspection of work shall be determined by the Director.
4. A current title report and copies of the recorded deeds of all parties having record title interest in the property to be divided and if necessary, copies of deeds for adjoining properties shall be submitted to and accepted by the Director of Public Works.
5. Where easements are not obtained, rights of entry and drainage releases shall be acquired by the land divider in writing from the adjoining property owners for use of improvement of drainage ways outside the boundary of the tract map. Original copies of right of entry shall be provided to the Director of Public Works.
6. Developer shall not sell any individual lots to individual buyers prior to the general completion of the improvements as shown on the Tentative Map. This condition does not apply to the sale of the entire project to another entity.
7. Subdivider or successors shall defend, indemnify, and hold harmless Alameda County or its agents, officers, or employees from any claim, action, or proceeding against Alameda County, or its agents, officers, or employees to attach, set aside, void, or annul this tentative map, including any amendments thereto, or underlying environmental documents and actions taken pursuant to the California Environmental Quality Act, 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 subdivider or successors shall fail to adequately defend the County of Alameda, the County may provide its own legal defense and subdivider or successors shall be responsible for the County's reasonable attorney fees.

PLANNED DEVELOPMENT

8. Dimensions of Side Yards for all parcels shall be as shown on the accompanying exhibits.
9. Building Heights of 28.5 feet shall be allowed.
10. Substantial changes to the PD approval for lot size, lot configuration, number of lots, changes in topography, parking or house design subject to subsequent review and approval by the Castro Valley Municipal Advisory Council.

HOME DESIGN

11. Initial Purchasers of lots where building plan #2 is indicated shall have the option of selecting plan #3. Home Designs shall comply with the Alameda County Design Guidelines, except where in conflict with the PD approval for setbacks and building height.

ACCESS/STREET IMPROVEMENTS

12. Private street, entrance and turnaround areas shall be developed as shown on Exhibit B. The private street shall provide a minimum 17 off-site spaces for guest parking.
13. Developer shall install a streetlight on Proctor Road at the street entrance.
14. Any right-of-way dedication, relocation of improvements or public facilities, or road improvements shall be accomplished at no expense to the County.

15. Traffic safety signs and devices shall be installed in accordance with Alameda County standards. The proposed name for the private street shall be cleared through the Planning Department and such name shall appear on the Final Map.
16. Approval shall be secured from the Director of Public Works of detailed plans prepared by and engineer (including location, extent and sizes of all permanent and temporary facilities) for: a) grading, drainage, erosion and sedimentation control; b) storm drainage facilities; and c) on-site improvements including paving and P.C.C. curb, gutter and sidewalk.
17. The Development HOA shall bear responsibility for the maintenance of all public areas including street, sidewalks, lighting, and parcel "B" hydromodification facilities.
18. A conservation easement shall be incorporated in the portions of parcel "B" that are below the proposed limits of grading to prevent future grading alterations, private fencing and the introduction of non-native plants or animals. This easement will ensure the perpetual use of this area as a wildlife corridor and seasonal wetland.

SITE ALTERATIONS/IMPROVEMENTS

19. Between March and June, and prior to grading activities, the project applicant's biologist shall conduct a pre-construction plant survey to validate the negative findings from the Initial Study. Should samples be found, impacts to the plants shall be avoided by (a) relocating the plants to locations on the project site where disturbance will not occur; and (b) collecting seeds from the plants and planting the seeds elsewhere on the project site.
20. Three days prior to vegetation removal or commencement of construction, the project applicant's biologist shall prepare a nesting bird survey to determine the absence or presence of nesting bird species. Prior to January, nesting bird surveys shall be performed to identify any potential nesting trees prior to egg laying. Should nest sites or young birds be located, a no-disturbance buffer of between 150 and 200 feet shall be established around the site until August 15 or until the young have fledged. Removal of on-site trees and shrubs is prohibited in the event of discovery of one or more nests.
21. Consistent with the terms of the Construction General Permit and in accordance with the procedures and specifications of the Alameda County Clean Water Program, the project sponsor shall prepare and implement a Storm Water Pollution and Prevention Plan (SWPPP). This plan shall be submitted for review and approval from the Director of Public Works.
22. During construction, the Developer shall follow the following Best Management Practices:
 - a. All contractors and subcontractors shall comply with the Alameda County Noise Ordinance
 - b. Noise-generating activities shall be restricted to the hours of 7:00 am to 7:00 pm on weekdays, 8:00 am to 5:00pm on Saturdays and Sundays.
 - c. All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
 - d. Stationary noise generating equipment shall be located as far as possible from sensitive receptors when such receptors adjoin or are near a construction project area. Temporary noise or screening barriers shall be erected for noise generating equipment when located near adjoining sensitive land uses.
 - e. "Quiet" air compressors and other stationary noise sources shall be utilized where such technology exists.
 - f. Contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities, identifying a procedure for coordination with adjacent noise sensitive residences to minimize noise disturbances.
 - g. Contractor shall designate and identify by name a "Disturbance Coordinator." This

individual will be responsible for responding to any local complaints about construction noise. This information will be provided to residents within 300 feet of the project site, and placed on the project construction sign off Proctor Road.

21. During to completion and approval of construction plans, the location of the construction staging area shall be identified, as well as provisions incorporated that specify construction debris removal and vehicle staging and storage. Project site will be clear of debris and construction vehicles. Prior to completion and approval of project plans, the contractor and County shall incorporate traffic control provisions for the safety and convenience of pedestrians and motorists.
22. On-site grading shall conform to the Alameda County Grading Ordinance. A Grading Permit shall be secured from the Director of Public Works, as needed, in accordance with requirements of the Alameda County Grading Ordinance and design and quantities shown on accompanying exhibits.
23. An Encroachment Permit shall be secured from the Director of Public Works. Grading plans shall also be approved by the Planning Director prior to filing the Final Map or grading of the site and shall generally conform to grading envelope and quantities indicated on the accompanying exhibits.
24. Grading shall not augment rate of flow or concentrate runoff to adjacent properties or block runoff from adjoining properties.
25. Grading operations and construction activities shall be limited to weekdays (Monday through Friday) and the hours of 7:00 am and 6:00 pm, unless otherwise authorized by the Director of Public Works.
26. Dust shall be controlled and adjoining public street and private drives shall be kept clean of project dirt, mud, materials and debris, to the satisfaction of the Director of Public Works.
 - a. All exposed surfaces shall be watered two times per day. A 20-foot wide, 100-foot long, minimum 8-inch thick rock construction entrance shall be provided during construction.
 - b. All haul trucks transporting loose or bulk material shall be covered.
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - d. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pad shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - e. Equipment idling times shall not exceed 5 minutes when not in use.
 - f. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - g. The name and contact information of the Lead Agency representative regarding dust complaints shall be posted publicly at the project site. The contact number for the Bay Area Air Quality Management District shall also be visibly posted at the project site.
27. The following shall be submitted to the Director of Public Works, prior to acceptance of final improvements by the Board of Supervisors:
 - a. A grading plan prepared by a registered Civil Engineer including original ground surface elevations, ground surface elevations, lot drainage, and location of surface and subsurface drainage facilities.
 - b. A complete record including location and elevation of all field density tests, and a summary of all field and laboratory tests.
 - c. A declaration by a Civil Engineer and Geologist that all work was done in accordance

- with the recommendations contained in the soil and geologic investigation report and approved plans and specifications
- d. Where soil or geologic conditions encountered during grading operations differ from those anticipated in the soil and geologic investigations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval and shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement and seismic activity.
- 28. Any known water well without a documented intent of future use that is shown on the map, is known to exist, is proposed, or is located during the course of field operations must be destroyed or backfilled prior to any demolition or grading in accordance with a well destruction permit obtained from the Public Works Agency.
 - 29. Operations shall cease in the vicinity of any suspected archaeological resource until an archaeologist is consulted and his or her recommendations followed, subject to approval by the Planning Director. If evidence of human remains is discovered on the site, the County Coroner shall be notified immediately.
 - 30. A WELO-compliant landscape plan prepared by a licensed Landscape Architect shall be submitted to the Planning Director for approval prior to issuance of a grading permit. Said Plan shall include a mechanical irrigation plan, planting and staking details, and a landscape maintenance program, perimeter fencing plans and details, and outdoor and security lighting. Additionally, the Plan shall integrate comprehensive vegetation management as part of a Fire Hazard Management Plan. Enforcement of the elements and requirements of this plan shall be performed by the project HOA.

SERVICES AND UTILITIES

- 31. All utility distribution facilities within the land division shall be placed underground.
- 32. The project street shall be offered for dedication to the County
- 33. A letter from the East Bay Municipal Utility District stating that it has agreed to provide water to each lot in the land division shall be submitted to the Director of Public Works.
- 34. Sanitary sewers are to be provided to service each lot and are to be connected to the Castro Valley Sanitary District system of sewers and installed at the expense of the land divider in accordance with the requirements of said District and the approval by the Director of Public Works.
- 35. A letter from the Castro Valley Sanitary District stating that it has agreed to provide a connection to its sanitary sewer system for each lot in the land division shall be submitted to the Director of Public Works.
- 36. Fire protection improvements are to be installed by the subdivider in accordance with the requirements of the Alameda County Fire Department. A letter from the Fire Department stating that it has approved the design and improvement guarantees shall be submitted to the Director of Public Works.
- 37. Prior to release of guarantees, all improvements as specified herein or shown on the accompanying exhibits shall be installed in accordance with the improvement plans approved by the Director of Public Works. Inspections shall be certified by a registered Engineer or by Public Works Agency staff, at the option of the Director of Public Works. Fire protection improvements shall be inspected and approved by the Alameda County Fire Department.

ATTACHMENTS

Referral Responses

Parcels included within 300 ft buffer of subject property

Parcels included within 500 ft buffer of subject property

Graphics

Draft Initial Study and Mitigated Negative Declaration

Addenda to Initial Study (April 9, 2013)

Updated Addenda (2014)

October 28, 2014 letter from H.T. Harvey & Associates

Draft Resolution Adopting Mitigated Negative Declaration

Draft Resolution Recommending Approval of Rezoning to Board of Supervisors

Exhibit C - Conditions of Approval

Draft Ordinance Amendment

EXHIBITS

Tentative Map Proposal, sheets 1 through 36

PREPARED BY: Damien Curry

Planner

REVIEWED BY: Phil Sawrey Kubicek

Senior Planner

H:\APPLICATIONS - 2010\PLN2010_00100\Staff Report\ PLN2010-00100 PC Staff Report



Alameda County Fire Department

Fire Prevention Bureau

Plan Review Comments

399 Elmhurst Street, Room 120, Hayward, California 94544 (510) 670-5853 Fax (510) 887-5836

10-30-14

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

To	Damien Curry	PLN #	10-0100
Address	Proctor Road		
Job Description	17 lot subdivision		
Reviewed By	Scott McMillan	510 670-5877	

Conditions of Approval

The following conditions shall be met prior the issuance of a building permit and fire clearance for occupancy.

1. This project is located in a very high hazard fire severity zone. The homes shall comply with CBC chapter 7A.
2. The hazardous vegetation/fuels shall be designed and maintained per CFC chapter 49.
3. The turnaround shown on the plans meets the Fire Department requirements.
4. Portions of the street without parking shall be posted "Fire Lane No Parking" with red curbs or signage.
5. The homes shall be provided with fire sprinkler systems.
6. The required fire flow for the site is 1000 gpm. If there are homes over 3600 sq ft including the garage, the required fire flow is 1500 gpm.

Curry, Damien, CDA

From: Candi Clark [cclark@cv.k12.ca.us]
Sent: Friday, October 10, 2014 2:05 PM
To: Curry, Damien, CDA
Cc: Negri, James
Subject: RE: School District Accomodation of Proposed 18-lot Subdivision for Proctor Road

Damien,

Based on really rough estimates, 18 new homes with 2 students each would yield on average 36 students. Even if there were an average of 3 students per home (54 students), I believe that we would have the ability to absorb the students within the district. Mr. Negri is correct in that we would not know if the school would be impacted because I have no way of knowing the age or grade of any potential students. It is common in our district and in other school districts to have availability in one grade and not another at the same site. In those cases, we will move kids to other schools throughout the district. Please let me know if you need any more information.

Thanks,

Candi Clark, MBA, Ed.D
Assistant Superintendent of Business Services
Castro Valley Unified School District
Phone: 510-537-3335, ext. 1212
Fax: 510-886-7529

From: Curry, Damien, CDA [mailto:damien.curry@acgov.org]
Sent: Thursday, October 09, 2014 9:06 AM
To: Jim Negri
Cc: Candi Clark; Rinda Bartley
Subject: RE: School District Accomodation of Proposed 18-lot Subdivision for Proctor Road

Thanks for the prompt response. Half the 18 proposed homes would be 2800 sq ft 4 bedroom designs, the other half 3200 sq ft 5 bedroom.

Damien Curry
Alameda County Planning
(510) 670-6684
damien.curry@acgov.org

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From: Jim Negri [mailto:jnegri@cv.k12.ca.us]
Sent: Wednesday, October 08, 2014 10:07 PM
To: Curry, Damien, CDA
Cc: Candi Clark; Rinda Bartley
Subject: RE: School District Accomodation of Proposed 18-lot Subdivision for Proctor Road

Damien:

I am going to provide a brief answer and let Dr. Candi Clark, Assistant Superintendent for Business Services, provide a more detailed answer.

If a student is a resident in the district, we must provide a space for the student at a district school. If the neighborhood school does not have space, the student will be enrolled in another school in the district. If necessary, the district would have to open new classrooms.

We will need to check with the demographer regarding the generation factor for the homes. What is the projected size of the homes?

Jim Negri

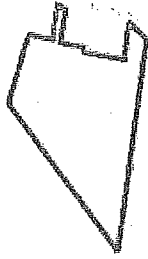
Jim Negri, Superintendent
Castro Valley Unified School District
4400 Alma Avenue
Castro Valley, CA 94546
510.537.3000 ext 1210
<http://www.cv.k12.ca.us/>

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From: Curry, Damien, CDA [damien.curry@acgov.org]
Sent: Tuesday, October 07, 2014 10:30 AM
To: Jim Negri
Subject: School District Accommodation of Proposed 18-lot Subdivision for Proctor Road

Mr. Negri,

The Planning Department has been processing a proposal to subdivide a six acre parcel off Proctor Road west of Redwood Road in Castro Valley. At a recent CVMAC hearing several neighbors said that the school district would be unable to accommodate an influx of children from the 18 new homes proposed. Is there merit to that statement? Thank you for your consideration



Damien Curry
Alameda County Planning
(510) 670-6684
damien.curry@acgov.org

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Curry, Damien, CDA

From: Rehnstrom, David [drehnstr@ebmud.com]
Sent: Wednesday, September 10, 2014 4:35 PM
To: Curry, Damien, CDA
Subject: RE: S-9764, Proctor Road Subdivision

Hi Damien,

The following is my response to the questions posed by Cheryl Miraglia. I tried to provide additional information to help clarify the issue.

1) There are currently no plans to improve service to the area. The properties in the area are served from EBMUD's Proctor Pressure Zone which serves the elevation range of 350 to 500 feet. Because the properties are located near or above the upper limit of the pressure zone (500 feet) and a higher pressure zone is not located in the area, standard water service is not available. Water service was granted to the properties via Low Pressure Service Agreements which recommends the installation and maintenance of individual pumping facilities (hydropneumatic service), at the project sponsor's expense, to maintain adequate pressure to the premises at all times; these agreements are signed by the homeowner and recorded against the property. Since there is no higher pressure zone in the area, the Low Pressure Service is the only option.

2) EBMUD collects a System Capacity Charge (SCC). The SCC (as defined in our Regulations Governing Water Service) is the charge required of all applicants for water service to premises where installation of a service connection is required, including enlargement of service. The charge to be paid depends on the regional location and the applicable meter size or number of multi-family units. The charge is for payment for the costs allocated to providing capacity for water service to applicants within each region, including components for major facilities in the District distribution system master plan, major facilities constructed prior to the master plan and water main oversizing. The SCC also includes a component for the allocated cost of providing future water supply to meet the long-term increase in water demand in the District. The charge shall be computed in accordance with Schedule J of the Rates and Charges.

The SCC is based on the domestic demand for each home to be supplied by the project sponsor - the current rate per Schedule J for a 3/4inch SCC is \$27,830 and a 1-inch SCC is \$46,480 (located in Region 2).

EBMUD does not have any plans for improvements to this area.

I hope this helps. Please let me know if you have any questions or need additional information. Thanks.

Dave

-----Original Message-----

From: Curry, Damien, CDA [mailto:damien.curry@acgov.org]
Sent: Wednesday, September 10, 2014 4:02 PM
To: Rehnstrom, David
Subject: FW: S-9764, Proctor Road Subdivision

Thanks Mr. Rehnstrom,
Would you be able to in any way address the concerns expressed by this Board member? They reflect some community input on the matter. Thanks again Damien Curry Alameda County Planning (510) 670-6684

damien.curry@acgov.org

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-----Original Message-----

From: Miraglia, Cheryl, Castro Valley MAC
Sent: Wednesday, September 10, 2014 3:57 PM
To: Curry, Damien, CDA
Cc: Weldon, Jana, CDA; Sawrey-Kubicek, Phil, CDA
Subject: RE: S-9764, Proctor Road Subdivision

Thanks for this, Damien. Unfortunately, it says that it would be minimal "if any".....Good to have something in writing from him but I suspect that to people who already have incredibly low water pressure, even minimal is not acceptable.

Do you mind if I contact him as I have a question which may be appropriate for me to ask and perhaps not for you (and will possibly not be well-received regardless from whom) which is basically two fold: 1) Is there anything that EBMUD can do to improve service in the the area (what would that take?)and are there currently any plans to do so? 2) Will or can the significant mitigation fees that EBMUD would be receiving from this project go towards improvements there?

By the way, Damien, can you let me know how much the mitigation fee is? Isn't it something like \$30-40K per home?

Thanks!

From: Curry, Damien, CDA
Sent: Wednesday, September 10, 2014 3:27 PM
To: Miraglia, Cheryl, Castro Valley MAC
Cc: Weldon, Jana, CDA; Sawrey-Kubicek, Phil, CDA
Subject: FW: S-9764, Proctor Road Subdivision

Cheryl, this message clearly states that any effect on water pressure for the existing residents would be minimal. I'll include this with the report, along with an example low water service agreement. (For some Cardinal Court properties) Damien Curry Alameda County Planning

(510) 670-6684

damien.curry@acgov.org<mailto:damien.curry@acgov.org>

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From: Rehnstrom, David [mailto:drehnstr@ebmud.com]
Sent: Wednesday, September 10, 2014 3:24 PM
To: Curry, Damien, CDA
Subject: RE: S-9764, Proctor Road Subdivision

Hi Damien,

The water demand associated with the proposed 18 residential would have a minimal, if any, effect on the water pressure for the existing homes in the vicinity of Proctor Road. Some of the existing homes in the area are served by Low Pressure Service Agreements because they are located at or above the upper limit (500 feet) of the pressure zone serving this area which is based on the elevation of their meter and house. The addition of 18 units would not change this.

Let me know if you have any questions or need additional information. Thanks.

Dave Rehnstrom
Senior Civil Engineer
Water Service Planning

From: Curry, Damien, CDA [mailto:damien.curry@acgov.org]
Sent: Tuesday, September 09, 2014 8:28 AM
To: Rehnstrom, David
Subject: S-9764, Proctor Road Subdivision

Mr. Rehnstrom, thank you for your response from 9/5. Could you please clarify that the subdivision of this vacant land and development into 18 residential lots will not have an effect on the water pressure for those existing homes in the vicinity of Proctor? Thanks

Damien Curry
Alameda County Planning
(510) 670-6684

damien.curry@acgov.org<mailto:damien.curry@acgov.org>

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Curry, Damien, CDA

Subject: FW: Land Development Review Comments - Application PLN2010-00100, TR- 8053 located at Proctor Road

From: Gonzales, Fernando

Sent: Thursday, December 18, 2014 11:31 AM

To: Curry, Damien, CDA

Cc: Adolph Martinelli; Valderrama, Arthur; Mark McClellan; Hue Tran; Sawrey-Kubicek, Phil, CDA; 'Andy Byde'; Laurence, Justin; Rogers, John

Subject: RE: Land Development Review Comments - Application PLN2010-00100, TR- 8053 located at Proctor Road

Hi Damien,

After Arthur, Justin and myself met with Andy Byde of *Braddock and Logan*, Mark McClellan of *MacKay and Soms* and Cameron Johnson of *Johnson Marigot Consulting, LLC*, I would like to let you know that Land Development Department does not have any further comments on the preliminary plan drawings dated 10/2014 exhibitized for the tentative tract map application.

The items provided in our comment letter dated 11/21/2014 were addressed in our meeting and further submittal of back-up drainage calculations, hydrology report and other engineering design details will be presented to us later as part of the detailed review of the improvement plan drawings.

Let me know if you should have any questions.

Thank you.



Fernando B. Gonzales, P.E.

Associate Civil Engineer

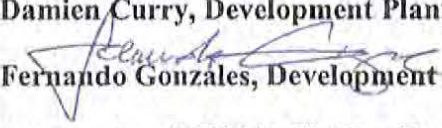
Construction & Development Services Department | Alameda County Public Works Agency

951 Turner Court, Room 100 | Hayward, CA 94545

e-mail: fernando@acpwa.org | (510) 670-5267 | (510) 670-5269 Fax

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MEMORANDUM

DATE: November 21, 2014
TO: Damien Curry, Development Planning Division
FROM:  Fernando Gonzales, Development Services
SUBJECT: Application PLN2010-00100 – Tract Map 8053

Land Development Department have completed the initial review of the transmitted October 30, 2014 dated plan drawings exhibit and project referral letter regarding the above application which is to allow 6-acre parcel to be subdivided into 17 single family residential parcels located at 4659 Proctor Road, unincorporated Castro Valley.

In addition to those preliminary review comment items 1, 2 and 3 as previously provided to you as contained in our comment letter dated June 6, 2013 and the Developer requiring to putting initial seed money for future maintenance of private road at \$1,000 for each new lot as contained in our August 13, 2014 email to you, the following additional comments are hereby offered for consideration in the determination of project status:

SPECIFIC COMMENTS

1. The concept of discharging treated storm runoff into designated wetlands' detention is not covered by any of the standard designs in the C.3 Technical Guidance. The Developer will have to be required to obtain approval from the U.S. Army Corps of Engineers and Regional Water Quality Control Board if the project will be allowed to discharge the treated storm runoff into the wetland and the creation of the wetland into a detention facility.
2. If the treated storm runoff will be allowed to be discharged into the wetlands, as is being proposed by this project, this will constitute a C.3 design variance. The Regional Water Quality Control Board will have to be consulted by the Developer to obtain information on how C.3 design variance are to be documented.
3. The Developer will need to clearly define and demonstrate that the "bio-filtration basin" that is being proposed will be designed as a stormwater treatment measure that will be in compliance with the C.3 Technical Guidance.
4. The high flow bypass of the bio-filtration basin facility will be discharged into the wetlands as it is being proposed. The high flow bypass guideline in the C.3 Technical Guidance assume that this flow will be directed to a roadway or a similar impervious holding area. So if the bypass flow will be allowed to go directly to the wetlands, this is another C.3 design variance that the Developer will need to address accordingly.
5. It is not clear whether the "bio-filtration basin" or the wetland is being used to function as the hydromodification and/or flood control detention facility.

6. The storm runoff that will be collected from the area along the westerly boundary of the project site is being proposed to be discharged directly to the wetlands area without being treated.
7. Assuming that Alameda County will need to assure that the wetlands will be maintained in perpetuity, can we simply add that to the list of things that the HOA has to commit to the County – or does this kind of a thing have to be legally obligated to the overall community through a conservancy or some such thing? Does a wetlands maintenance plan have to be approved by others?

GENERAL COMMENTS

8. Any right-of-way dedication, road improvements, and any necessary relocation of utility facilities shall be at no cost to the County.
9. All property dedication to the County will be done in a form and a manner acceptable to the Real Estate Division, Public Works Agency.
10. 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.
11. Acquire an encroachment permit from Alameda County for all work within the roadway right-of-way.
12. Note on the plans: "The proposed street structural section is to be designed by a Registered Civil Engineer and approved by the County Engineer." The minimum public road pavement section, including conform pavement tie-in, shall consist of 3 inches of asphalt concrete over 8 inches of aggregate base.
13. The Developer's engineer should evaluate the intersection for adequate intersection sight distance and recommend appropriate measures (on-street parking restrictions, fence and landscaping limitations, grading, etc.) to ensure that the required intersection sight distance is maintained.
14. Design the private street to conform to County private street criteria.
15. On-site driveway and parking area structural pavement section are required to be designed by a civil engineer. The minimum structural section should be 3 inches asphalt concrete over 6 inches aggregate base, or equivalent. The minimum structural section for emergency vehicle access roads is 6 inches of asphalt concrete over filter fabric, if required.
16. All paved slopes should have a minimum 0.5 percent grade.
17. The maximum driveway grade should not exceed 15 percent. Grades up to 20 percent may be allowed if use of this grade is consistent with good engineering practice and County Fire Department concerns are satisfied.

18. Adjacent driveways shall have minimum separation of 3 feet from edge of flare to edge of flare.
19. Minimize the number of access points from the site to the road. One access point is recommended.
20. Fire hydrants are required to be located a minimum of 2.5 feet to their centerline from the face of curb.
21. 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.
22. 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.
23. Streetlights on public streets shall meet County standards and upon acceptance by the Board of Supervisors, they shall be owned and maintained by the County. These lights shall be energized at the PG&E LS-2 rate schedule.
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. Adequate streetlighting shall be provided at the entrance and on-site according to County requirements. Streetlights shall be located at least 3 feet from driveway flares, 5 feet from fire hydrants, and 20 feet from trees.
26. The County standard electrolier on public roadways is the Type 15 galvanized steel pole with a cutoff, cobra head luminaire.
27. Prior to any trenching for streetlight conduits and installation of streetlight facilities, approval to begin work shall be obtained from the County inspector.
28. No sheet flow of drainage shall flow over the sidewalk area. Collect all drainage on the property and discharge to the road gutter using the County's Standard Sidewalk Drain SD-527 or to the storm drain culvert in the roadway.
29. The minimum size pipe allowed in the County right-of-way is 18 inches in diameter. This office recommends that all storm drains be no less than 18 inches in diameter to minimize maintenance problems.
30. Catch basins deeper than 3 feet must have a minimum top opening of 2' x 3' and must have

steps for access.

31. Do not block the runoff from the adjacent properties. The drainage area map created for the project drainage design calculations shall clearly indicate all areas tributary to the project site.
32. Do not augment or concentrate runoff to the adjacent properties to the rear or side of the development area.
33. Develop a contingency overland flow drainage plan to account for blocked drainage inlets and the 100-year storm. The emergency overflow plan should show emergency overflow contained within the roadway right-of-way. Show right-of-way on the tentative map between lots to allow passage of emergency overflow releases, where low point cul-de-sac's or other internal low points are unavoidable. The potential area of flooding should not extend outside the roadway right-of-way, unless approved by the Public Works Agency.
34. No structure or load is to be placed over the storm drainage pipe.
35. It is the responsibility of the Developer to comply with Federal, State, and local water quality standards and regulations. In order for the County and the Developer to comply with the Alameda Countywide Clean Water Program's (ACCWP) National Pollutant Discharge Elimination System (NPDES) Municipal Storm Water Permit issued by the San Francisco Bay Regional Water Quality Control Board, water quality protection must be implemented both during construction and after construction. Permanent measures to protect water quality will reduce pollution that is commonly produced from the creation of new impervious surfaces such as roads and roof tops. The applicant shall provide measures to prevent discharge of contaminated materials into public drainage facilities both during construction and post-construction periods. The primary references for providing stormwater treatment are "ACCWP C.3 Stormwater Handbook" and the "California BMP Handbook for New Development and Redevelopment, 2003". These and other resources are available at no cost electronically at the ACCWP website, www.cleanwaterprogram.org. A printed version of the "ACCWP C.3 Stormwater Handbook" can be purchased at the Public Works Map & File Room, 399 Elmhurst Avenue, Hayward, CA 94544. A printed version of the "California BMP Handbook for New Development and Redevelopment, 2003" can be purchased through www.cabmphandbooks.com.
36. Due to the impacts impervious surfaces have on creeks and water quality, new development projects must provide stormwater quality treatment according to numeric sizing standards. In order for this project to be in compliance with the provisions of the National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit, stormwater is to be treated on this project site. Treatment of stormwater is to be provided through the implementation of landscape features. Should the applicant find that landscape features are not practicable, applicant must demonstrate impracticability with calculations, geotechnical review and/or soil analysis. After review by Land Development, alternative options may be explored. The stormwater treatment system must be maintained in perpetuity. Maintenance language, identifying the type of maintenance, frequency of maintenance and the party responsible for providing maintenance, must be included in a recorded maintenance agreement and/or on the deed prior to finalizing the project.

In addition and separate from the requirements above, applicable projects located in an erosion-susceptible area, creating and replacing one acre or more of impervious surface, and "deemed complete" after June 12, 2007 by the Alameda County Community Development Agency's Planning Department, shall comply with the Hydromodification Management Requirements of the "ACCWP C.3 Stormwater Handbook". The default compliance method for project designers is the use of the Bay Area Hydrology Model (BAHM) software. The BAHM software and the electronic version of its user manual are available for download at www.bayareahydrologymodel.org.

37. The developer shall design all landscaping irrigation so runoff is minimized. Design of landscaping shall consider that the use of pesticides and fertilizers shall be minimized to prevent storm water contamination (i.e., native and/or pest resistant plants).
38. The developer shall provide the Alameda Countywide Clean Water Program brochure entitled "The Bay Begins At Your Front Door," available to initial property buyers/occupants at the time of property sales/move-in. The applicant may contact the Alameda Countywide Clean Water Program at 510-670-5543 for information on obtaining the above-mentioned literature.
39. In order to help discourage the disposal of litter and other pollutants into the drains, the developer shall stencil, emboss the concrete, or affix an iron placard on all storm drain inlets where storm water runoff from the site may enter the storm drain system with the message "NO DUMPING! DRAINS TO BAY," or other approved wording. The applicant may contact the Alameda Countywide Clean Water Program at 510-670-5543 to obtain stencils.
40. Outdoor storage of potential pollutants or storm water contaminants must be under a roof, cover, or temporary tarp during the rainy season.
41. Trash enclosures and recycling areas must be completely covered. Grading and drainage for the trash enclosure area shall ensure that no other area shall drain into this area and this area shall not drain out to another area. Drains from trash and/or recycling areas shall not connect to the storm drain. If drains are used they shall connect to the sanitary sewer, with the approval of the Sanitary District. Contact your sanitary district for their standards.
42. Site planning practices such as limiting disturbed areas, limiting impervious areas, avoiding areas with water quality benefits and susceptibility to erosion, protection of existing vegetation and topography, and clustering to structures should be employed.

More detailed comments will be provided once revised civil plan drawings and drainage calculations are submitted for our review.

Let me know if you should have any questions.

Thank you.

Curry, Damien, CDA

Subject: FW: Proctor Road Subdivision

From: Carrera, Art
Sent: Monday, July 28, 2014 2:34 PM
To: Curry, Damien, CDA
Cc: Nguyen, Tam; Yeung, Rick
Subject: RE: Proctor Road Subdivision

Hi Damian, the installation of an all-way stop on Proctor Road would at a minimum, need to meet the MUTCD warrants for an all-way stop for consideration. I don't think the intersection would meet the warrant or be justified for the all-way stop. The location and installation of speed humps go through a community process including concurrence from the adjacent property owners and a requirement for street lights for the installation of speed humps. We could consider relocation of the speed humps along Proctor Road if requested by the residents along Proctor Road.

Art

Arthur G. Carrera, P.E., T.E.
Engineering and Transportation Program Manager
Alameda County Public Works Agency
399 Elmhurst Street
Hayward, CA 94544
(510) 670-5581



Alameda County Fire Department FIRE PREVENTION

www.acgov.org/fire

July 30, 2014

DEMETRIOS N. SHAFFER
Fire Chief

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

COUNTY
FIRE PREVENTION
3091 Industrial Road, Room 120
Hayward, CA 94544
Tel (510) 670-5853
Fax (510) 682-5836

DUBLIN
FIRE PREVENTION
100 Civic Plaza
Dublin, CA 94568
Tel (925) 833-4600
Fax (925) 829-1648

EMERYVILLE
FIRE PREVENTION
1333 Park Avenue
Emeryville, CA 94601
Tel (510) 586-3750
Fax (510) 450-2012

NEWARK
FIRE PREVENTION
2301 Newark Blvd.
Newark, CA 94560
Tel (510) 570-4240
Fax (510) 570-4281

SAN LEANDRO
FIRE PREVENTION
835 E. 14th Street
San Leandro, CA 94577
Tel (510) 522-3334
Fax (510) 522-1410

UNION CITY
FIRE PREVENTION
1400 Alameda Hills Road
Union City, CA 94587
Tel (510) 625-5370
Fax (510) 631-2944

TO:	Damien Curry	CC	Hue Tran
FROM:	Alameda County Fire Prevention Office		
SUBJECT:	Vesting tentative map 8053, a proposed 18 lot sub-division located at Proctor Road, Castro Valley.		

Conditions of Approval

The following conditions shall be met prior the issuance of a building permit and fire clearance for occupancy.

1. This project is located in a very high hazard fire severity zone. The homes shall comply with CBC chapter 7A.
2. The wording on the plans referencing a fire buffer zone shall be changed to "hazardous vegetation and fuel management area" to be consistent with the California Fire Code. The locations of the vegetation management areas shown on the plan shall be consistent with the revised lot design and shall not be shown extending into the adjacent lot north of lot 1.
3. The hazardous vegetation/fuels shall be designed and maintained per CFC chapter 49.
4. Parking is allowed on only one side of the streets that are 28 feet wide. The other side of the street shall be posted Fire Lane No Parking. Portions of the streets less than 28 feet wide shall be posted Fire Lane No Parking on both sides of the street.
5. Locations on the streets where fire hydrants are located shall have a minimum clearance of 26 feet.



BUILDING INSPECTION DEPARTMENT
(510) 670-5440 • FAX (510) 293-0960

Public Works Agency
Alameda County

Daniel Woldesenbet, Ph.D., P.E., Director

399 Elmhurst Street • Hayward, CA 94544-1395 • www.acgov.org/pwa

Planning Application Comments

Date: 5/21/2013

Application: PLN2010-00100, New Tract 8053, 19 SFR & Parcel A. — Revised Plans 4/29/2013 on a sloped property.

Location: 4659 Proctor Road, Castro Valley, CA

Planning Date/Staff: Damien Curry, 4/29/2013

BID Staff: Allen Lang

Project Review Notes (Revised plans as 1/30/2013, 4/29/2013)

1. Application for a new tract with proposed 19 Single Family Residence & a Parcel A common detention pond.
2. Lot Plans, Civil plans, and Grading Plans.

Review Conclusion

The Building Department has no objection to proceed with the planning process.

Special Project Conditions for the Building Permit Application:

1. Soils report and/or geological study will be required to identify any geo-hazards on site and foundation design criteria for individual lot.
2. Separate on-site retaining wall, drainage, and water tank permits will be required.
3. This project will be subject to the County Green Building Ordinance and C&D Debris Management Program — Available on the website.
4. The owner shall apply for new address assignments prior to the final map approval.
5. Common trash enclosure shall be covered and constructed per Alameda County Stormwater protection requirements — Section 15.08.190.
6. Individual lot plot plan will be required in submittal for building permits.

General Conditions for Building Permit Application:

1. Plans and documents shall comply with building codes submittal requirements in effect at the time of submitting for building permits.
2. A California licensed architect or engineer shall be designated as the design professional in responsible charge for the project submittal.

Notes to applicants: *The Building Department has not conducted a complete permit search or code review for the proposed planning application. The owner or design professional shall be responsible for the property information filed with the planning application. Once the building permit application is filed with the Building Department, staff will perform building permit history search and code review.*

COUNTY OF ALAMEDA
PUBLIC WORKS AGENCY
INTER-OFFICE COMMUNICATION

DATE : February 19, 2013
TO : Damien Curry, Development Planning Division
FROM : Andy Cho, Grading Section
SUBJECT: Case No. PLN 2010-00100, Tentative Tract Map – 8053

This office is in receipt of your referral letter dated February 8, 2013 along with a copy of the exhibit plan prepared by *Lea & Braze Engineering*, titled "*Tentative Map – Tract 8053, 23 Lot Subdivision, Castro Valley, California*" dated 3-14-11 with the latest plan update dated 12-14-2013 for review and comment. This application is to allow 6-acre parcel into 23 single family residential parcels, located at 4659 Proctor Rd. in Castro Valley area of unincorporated Alameda County.

We offer the following grading/geotechnical comments and recommendations at this time for the subject application:

1. Pursuant to the provisions of the Chapter 15.36.240, a preliminary grading plan shall include the following information:
 - a. Approximate location of cut and fill lines and the limits of grading for all the proposed grading work including borrow and stockpile areas.
2. It is suggested to provide a geotechnical engineer's block on the cover sheet providing the project geotechnical engineer's information and referencing the geotechnical report prepared for the project.
3. It is suggested to incorporate any remedial grading work and site preparation work, including but not limited to keyway, benching and over-excavation work, as recommended by the project soils engineer into the grading plan.
4. Pursuant to the current grading ordinance, the rainy season is now defined as from October 1st to April 30th. The erosion control notes on Sheet ER-2 should be revised accordingly to reflect the current rainy season.
5. In-depth technical geotechnical/geologic review by a county consulting geotechnical engineer will be required prior to issuance of a grading permit. Fund for this review shall be born from the developer.
6. No grading shall be permitted on this site until a final grading plan and an erosion and sedimentation control plan have been reviewed and approved by the County and a grading permit is issued in accordance with the Alameda County Grading Ordinance.
7. No grading work will 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.
8. Although there are a couple sheets providing the conceptual house locations and site sections in the plans set, it is assumed that the actual lot grading work is neither planned nor proposed

at this time as the grading plan does not include the lot grading work. Any future grading work required for the individual lot will be subject to review by this office and a separate grading permit must be secured in pursuant to the provisions of the Alameda County Grading ordinance. A supplemental geotechnical report might also be required.

9. Sites with land disturbances greater than one acre must file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) per the regulations of the General Construction Activities NPDES permit. The SWRCB will require that the contractor prepare a Storm Water Pollution Prevention Plan (SWPPP). Copies of the NOI & the SWPPP must be submitted to the Grading Department prior to issuance of a grading permit or prior to any land disturbance on the site.
10. A Building Permit must be secured for the proposed retaining walls from the Building Inspection Department prior to construction of the retaining walls.
11. Prior to any work in the vicinity of the designated wetland area, it is the developer's responsibility for securing other permits or approvals required for work which is regulated by any other public agency (i.e. California Department of Fish and Wildlife, RWQCB, Army Corp of Engineers) as required.

If you have any questions, please contact me at extension 56451.

/AC

Cc: Tran, Hue Q., 4584 Ewing Rd., Castro Valley, CA 94546
Fernando Gonzales, Construction and Development Services



BUILDING INSPECTION DEPARTMENT
(510) 670-5440 • FAX (510) 293-0960

Public Works Agency
Alameda County

Daniel Woldesenbet, Ph.D., P.E., Director

399 Elmhurst Street • Hayward, CA 94544-1395 • www.acgov.org/pwa

Planning Application Comments

Date: 2/28/2013

Application: PLN2010-00100, New Tract 8053, 23 SFR & Parcel A. – Revised Plans 1/30/2013 on a sloped property.

Location: 4659 Proctor Road, Castro Valley, CA

Planning Date/Staff: Damien Curry, 2/8/2013

BID Staff: Allen Lang

Project Review Notes (Revised plans as 1/30/2013)

1. Application for a new tract with proposed 23 Single Family Residence & a Parcel A common detention pond.
2. Lot Plans, Civil plans, and Grading Plans.

Review Conclusion

The Building Department has no objection to proceed with the planning process.

Special Project Conditions for the Building Permit Application:

1. Soils report and/or geological study will be required to identify any geo-hazards on site and foundation design criteria for individual lot.
2. Separate on-site retaining wall, drainage, and water tank permits will be required.
3. This project will be subject to the County Green Building Ordinance and C&D Debris Management Program – Available on the website.
4. The owner shall apply for new address assignments prior to the final map approval.
5. Common trash enclosure shall be covered and constructed per Alameda County Stormwater protection requirements – Section 15.08.190.
6. Individual lot plot plan will be required in submittal for building permits.

General Conditions for Building Permit Application:

1. Plans and documents shall comply with building codes submittal requirements in effect at the time of submitting for building permits.
2. A California licensed architect or engineer shall be designated as the design professional in responsible charge for the project submittal.

Notes to applicants: *The Building Department has not conducted a complete permit search or code review for the proposed planning application. The owner or design professional shall be responsible for the property information filed with the planning application. Once the building permit application is filed with the Building Department, staff will perform building permit history search and code review.*

Parcels Included Within 300 ft Radius of Subject Parcel

APN	Gross Lot Area	Public ROW	Net Area	SitusAddress	Minimum Parcel Size
84D-1401-10	14665	1913	12752	17475 CARDINAL CT CASTRO VALLEY 94546	10,000
84D-1401-20	16130	2230	13900	17480 CARDINAL CT CASTRO VALLEY 94546	10,000
84D-1401-9	14934	2306	12628	17515 CARDINAL CT CASTRO VALLEY 94546	10,000
84D-1401-21	16161	3120	13041	17520 CARDINAL CT CASTRO VALLEY 94546	10,000
84D-1180-22-1	20408		20408	17730 ALMOND RD CASTRO VALLEY 94546	6,500
84D-1180-21-1	14625		14625	17742 ALMOND RD CASTRO VALLEY 94546	6,500
84D-1180-19-1	9535		9535	17854 ALMOND RD CASTRO VALLEY 94546	6,500
84D-1180-18-3	8910		8910	17860 ALMOND RD CASTRO VALLEY 94546	6,500
84D-1180-17-1	20148		20148	17872 ALMOND RD CASTRO VALLEY 94546	6,500
84D-1186-18	8750		8750	17891 SORANI CT CASTRO VALLEY 94546	5,000
84D-1186-30-2	14615		14615	17894 JOSEPH DR CASTRO VALLEY 94546	5,000
84D-1186-19	8892		8892	17899 SORANI CT CASTRO VALLEY 94546	5,000
84D-1186-28	6500		6500	17902 JOSEPH DR CASTRO VALLEY 94546	5,000
84D-1186-33	8515		8515	17905 JOSEPH DR CASTRO VALLEY 94546	5,000
84D-1186-27	6500		6500	17910 JOSEPH DR CASTRO VALLEY 94546	5,000
84D-1186-34	8580		8580	17913 JOSEPH DR CASTRO VALLEY 94546	5,000
84D-1186-26-5	6500		6500	17914 JOSEPH DR CASTRO VALLEY 94546	5,000
84D-1186-35	10143		10143	17925 JOSEPH DR CASTRO VALLEY 94546	5,000
84D-1186-26-4	7140		7140	17926 JOSEPH DR CASTRO VALLEY 94546	5,000
84D-1205-15	13024		13024	17933 JOSEPH DR CASTRO VALLEY 94546	5,000
84D-1180-15-2	8960		8960	17988 ALMOND RD CASTRO VALLEY 94546	6,500
84D-1180-14-2	8731		8731	17996 ALMOND RD CASTRO VALLEY 94546	6,500
84D-1180-13-1	17880		17880	18006 ALMOND RD CASTRO VALLEY 94546	6,500
84D-1180-12-1	17880		17880	18008 ALMOND RD CASTRO VALLEY 94546	6,500
84D-1241-4	12709		12709	18009 LAIRD CT CASTRO VALLEY 94546	5,000
84D-1241-5	9435		9435	18010 LAIRD CT CASTRO VALLEY 94546	5,000
84D-1241-3	7095		7095	18017 LAIRD CT CASTRO VALLEY 94546	5,000
84D-1241-6	9400		9400	18018 LAIRD CT CASTRO VALLEY 94546	5,000
84D-1205-29	9916		9916	18065 LAMSON RD CASTRO VALLEY 94546	5,000
84D-1241-2	7735		7735	18083 LAMSON RD CASTRO VALLEY 94546	5,000
84D-1240-7	10587		10587	4415 CASA LA CRESTA RD CASTRO VALLEY 94546	5,000
84D-1240-9	18292		18292	4431 CASA LA CRESTA RD CASTRO VALLEY 94546	5,000
84D-1180-26	12810		12810	4440 SCHOOL WAY CASTRO VALLEY 94546	6,500
84D-1180-24	11130		11130	4444 SCHOOL WAY CASTRO VALLEY 94546	6,500
84D-1240-10	11896		11896	4445 CASA LA CRESTA RD CASTRO VALLEY 94546	5,000
84D-1180-23	12508		12508	4470 SCHOOL WAY CASTRO VALLEY 94546	6,500
84D-1265-7	17360		17360	4612 PROCTOR RD CASTRO VALLEY 94546	10,000
84D-1401-3	14958	4406	10552	4624 PROCTOR RD CASTRO VALLEY 94546	10,000
84D-1180-28	19587		19587	4635 PROCTOR RD CASTRO VALLEY 94546	6,500
84D-1180-29	20410		20410	4635 PROCTOR RD CASTRO VALLEY 94546	6,500
84D-1401-1	20911		20911	4636 PROCTOR RD CASTRO VALLEY 94546	10,000
84D-1180-4	24192		24192	4643 PROCTOR RD CASTRO VALLEY 94546	6,500
84D-1401-2	18144		18144	4650 PROCTOR RD CASTRO VALLEY 94546	10,000
84D-1403-1-5	10791		10791	4651 PROCTOR RD CASTRO VALLEY 94546	6,500
84D-1402-4-1	26735		26735	4652 PROCTOR RD CASTRO VALLEY 94546	10,000
84D-1402-1	14888		14888	4658 PROCTOR RD CASTRO VALLEY 94546	10,000
84D-1403-3-8	10134		10134	4659 PROCTOR RD CASTRO VALLEY 94546	6,500
84D-1402-2	14565		14565	4704 PROCTOR RD CASTRO VALLEY 94546	10,000
84D-1186-12	11330		11330	4711 SORANI WAY CASTRO VALLEY 94546	5,000
84D-1186-11	13312		13312	4716 SORANI WAY CASTRO VALLEY 94546	5,000

Parcels Included Within 300 ft Radius of Subject Parcel

84D-1186-13	9265		9265	4717 SORANI WAY CASTRO VALLEY 94546	5,000
84D-1402-5-1	15218		15218	4722 PROCTOR RD CASTRO VALLEY 94546	10,000
84D-1186-10	10150		10150	4722 SORANI WAY CASTRO VALLEY 94546	5,000
84D-1186-14	10200		10200	4723 SORANI WAY CASTRO VALLEY 94546	5,000
84D-1186-9	10880		10880	4728 SORANI WAY CASTRO VALLEY 94546	5,000
84D-1186-1	26208		26208	4729 PROCTOR RD CASTRO VALLEY 94546	6,500
84D-1186-15	10508		10508	4729 SORANI WAY CASTRO VALLEY 94546	5,000
84D-1186-16	10626		10626	4735 SORANI WAY CASTRO VALLEY 94546	5,000
84D-1186-2	19402		19402	4739 PROCTOR RD CASTRO VALLEY 94546	6,500
84D-1186-8	9360		9360	4740 SORANI WAY CASTRO VALLEY 94546	5,000
84D-1186-17	6840		6840	4741 SORANI WAY CASTRO VALLEY 94546	5,000
84D-1180-18-2	10436		10436	ALMOND RD CASTRO VALLEY 94546	6,500
84D-1180-20	15475		15475	ALMOND RD CASTRO VALLEY 94546	6,500
84D-1186-32-1	14086		14086	JOSEPH DR CASTRO VALLEY 94546	5,000
84D-1403-5-3	10690		10690	PROCTOR RD CASTRO VALLEY 94546	6,500
84D-1403-4-14	11754		11754	PROCTOR RD CASTRO VALLEY 94546	6,500

12819

11230

ATTACHMENT B

Parcels Included within 500 ft buffer of Subject Property

APN	Gross Lot Area	Public ROW	Net Area	SitusAddress
84D-1186-23	5520		5520	4749 SORANI WAY CASTRO VALLEY 94546
84D-1162-1-12	5701		5701	ALMOND RD CASTRO VALLEY 94546
84D-1186-24	5917		5917	4755 SORANI WAY CASTRO VALLEY 94546
84D-1186-25	5959		5959	4761 SORANI WAY CASTRO VALLEY 94546
84D-1186-28	6500		6500	17902 JOSEPH DR CASTRO VALLEY 94546
84D-1186-27	6500		6500	17910 JOSEPH DR CASTRO VALLEY 94546
84D-1186-26-5	6500		6500	17914 JOSEPH DR CASTRO VALLEY 94546
84D-1240-2-2	6681		6681	18022 ALMOND RD CASTRO VALLEY 94546
84D-1186-17	6840		6840	4741 SORANI WAY CASTRO VALLEY 94546
84D-1241-3	7095		7095	18017 LAIRD CT CASTRO VALLEY 94546
84D-1186-26-4	7140		7140	17926 JOSEPH DR CASTRO VALLEY 94546
84D-1205-27	7497		7497	18053 LAMSON RD CASTRO VALLEY 94546
84D-1180-1-1	7623		7623	4603 PROCTOR RD CASTRO VALLEY 94546
84D-1241-2	7735		7735	18083 LAMSON RD CASTRO VALLEY 94546
84D-1205-12	7772		7772	17934 JOSEPH DR CASTRO VALLEY 94546
84D-1205-30	7800		7800	18064 LAMSON RD CASTRO VALLEY 94546
84D-1241-1	7990		7990	18091 LAMSON RD CASTRO VALLEY 94546
84D-1205-18	8120		8120	17957 JOSEPH DR CASTRO VALLEY 94546
84D-1240-8	8256		8256	18018 ALMOND RD CASTRO VALLEY 94546
84D-1241-7	8300		8300	18026 LAIRD CT CASTRO VALLEY 94546
84D-1186-6	8384		8384	4754 SORANI WAY CASTRO VALLEY 94546
84D-1186-33	8515		8515	17905 JOSEPH DR CASTRO VALLEY 94546
84D-1186-34	8580		8580	17913 JOSEPH DR CASTRO VALLEY 94546
84D-1240-5-1	8588		8588	18096 LAMSON RD CASTRO VALLEY 94546
84D-1186-5	8625		8625	4760 SORANI WAY CASTRO VALLEY 94546
84D-1205-28	8680		8680	18059 LAMSON RD CASTRO VALLEY 94546
84D-1205-17	8700		8700	17949 JOSEPH DR CASTRO VALLEY 94546
84D-1180-14-2	8731		8731	17996 ALMOND RD CASTRO VALLEY 94546
84D-1186-18	8750		8750	17891 SORANI CT CASTRO VALLEY 94546
84D-1186-19	8892		8892	17899 SORANI CT CASTRO VALLEY 94546
84D-1180-18-3	8910		8910	17860 ALMOND RD CASTRO VALLEY 94546
84D-1180-15-2	8960		8960	17988 ALMOND RD CASTRO VALLEY 94546
84D-1186-13	9265		9265	4717 SORANI WAY CASTRO VALLEY 94546
84D-1205-16	9338		9338	17941 JOSEPH DR CASTRO VALLEY 94546
84D-1186-8	9360		9360	4740 SORANI WAY CASTRO VALLEY 94546
84D-1241-6	9400		9400	18018 LAIRD CT CASTRO VALLEY 94546
84D-1241-5	9435		9435	18010 LAIRD CT CASTRO VALLEY 94546
84D-1205-10	9512		9512	17950 JOSEPH DR CASTRO VALLEY 94546
84D-1180-19-1	9535		9535	17854 ALMOND RD CASTRO VALLEY 94546
84D-1186-7	9798		9798	4748 SORANI WAY CASTRO VALLEY 94546
84D-1205-11	9860		9860	17942 JOSEPH DR CASTRO VALLEY 94546
84D-1205-29	9916		9916	18065 LAMSON RD CASTRO VALLEY 94546
84D-1180-2-3	10020		10020	17552 WALNUT RD CASTRO VALLEY 94546
84D-1270-17	10085		10085	17772 SWEETBRIAR PL CASTRO VALLEY 94546
84D-1403-3-8	10134		10134	4659 PROCTOR RD CASTRO VALLEY 94546
84D-1180-2-2	10140		10140	17624 WALNUT RD CASTRO VALLEY 94546
84D-1186-35	10143		10143	17925 JOSEPH DR CASTRO VALLEY 94546
84D-1186-10	10150		10150	4722 SORANI WAY CASTRO VALLEY 94546
84D-1162-1-10	10170		10170	17838 WALNUT RD CASTRO VALLEY 94546
84D-1162-1-11	10191		10191	WALNUT RD CASTRO VALLEY 94546

ATTACHMENT B
Parcels Included within 500 ft buffer of Subject Property

84D-1186-14	10200		10200	4723 SORANI WAY CASTRO VALLEY 94546
84D-1186-22	10248		10248	17892 SORANI CT CASTRO VALLEY 94546
84D-1186-20	10260		10260	17907 SORANI CT CASTRO VALLEY 94546
84D-1180-18-2	10436		10436	ALMOND RD CASTRO VALLEY 94546
84D-1162-1-14	10440		10440	17763 ALMOND RD CASTRO VALLEY 94546
84D-1186-15	10508		10508	4729 SORANI WAY CASTRO VALLEY 94546
84D-1240-7	10587		10587	4415 CASA LA CRESTA RD CASTRO VALLEY 94546
84D-1186-16	10626		10626	4735 SORANI WAY CASTRO VALLEY 94546
84D-1403-5-3	10690		10690	PROCTOR RD CASTRO VALLEY 94546
84D-1180-2-1	10740		10740	17658 WALNUT RD CASTRO VALLEY 94546
84D-1403-1-5	10791		10791	4651 PROCTOR RD CASTRO VALLEY 94546
84D-1165-18	10872		10872	18137 LAMSON RD CASTRO VALLEY 94546
84D-1162-7	10875		10875	18016 WALNUT RD CASTRO VALLEY 94546
84D-1186-9	10880		10880	4728 SORANI WAY CASTRO VALLEY 94546
84D-1180-24	11130		11130	4444 SCHOOL WAY CASTRO VALLEY 94546
84D-1162-1-13	11280		11280	17815 ALMOND RD CASTRO VALLEY 94546
84D-1186-12	11330		11330	4711 SORANI WAY CASTRO VALLEY 94546
84D-1265-5-3	11340		11340	4796 EWING RD CASTRO VALLEY 94546
84D-1270-18	11418		11418	17768 SWEETBRIAR PL CASTRO VALLEY 94546
84D-1403-4-14	11754		11754	PROCTOR RD CASTRO VALLEY 94546
84D-1180-1-2	11880		11880	4611 PROCTOR RD CASTRO VALLEY 94546
84D-1162-1-4	11880		11880	17982 WALNUT RD CASTRO VALLEY 94546
84D-1240-10	11896		11896	4445 CASA LA CRESTA RD CASTRO VALLEY 94546
84D-1240-4	11990		11990	18028 ALMOND RD CASTRO VALLEY 94546
84D-1162-1-9	12144		12144	17705 ALMOND RD CASTRO VALLEY 94546
84D-1165-1-2	12160		12160	18019 ALMOND RD CASTRO VALLEY 94546
84D-1401-19	12438	1464	10974	17440 CARDINAL CT CASTRO VALLEY 94546
84D-1401-17	12500	1570	10930	17360 CARDINAL CT CASTRO VALLEY 94546
84D-1180-23	12508		12508	4470 SCHOOL WAY CASTRO VALLEY 94546
84D-1162-2-1	12600		12600	17995 ALMOND RD CASTRO VALLEY 94546
84D-1162-1-6	12604		12604	17869 ALMOND RD CASTRO VALLEY 94546
84D-1180-27	12610		12610	4430 SCHOOL WAY CASTRO VALLEY 94546
84D-1241-4	12709		12709	18009 LAIRD CT CASTRO VALLEY 94546
84D-1265-6-2	12720		12720	4610 PROCTOR RD CASTRO VALLEY 94546
84D-1180-26	12810		12810	4440 SCHOOL WAY CASTRO VALLEY 94546
84D-1401-18	12835	1674	11161	17400 CARDINAL CT CASTRO VALLEY 94546
84D-1205-15	13024		13024	17933 JOSEPH DR CASTRO VALLEY 94546
84D-1186-11	13312		13312	4716 SORANI WAY CASTRO VALLEY 94546
84D-1165-1-1	13464		13464	18011 ALMOND RD CASTRO VALLEY 94546
84D-1270-26-2	13565		13565	4764 PROCTOR RD CASTRO VALLEY 94546
84D-1270-5-6	13706		13706	4758 PROCTOR RD CASTRO VALLEY 94546
84D-1401-8	14014	2382	11632	17458 OAK CANYON PL CASTRO VALLEY 94546
84D-1186-32-1	14086		14086	JOSEPH DR CASTRO VALLEY 94546
84D-1270-30	14163		14163	4754 PROCTOR RD CASTRO VALLEY 94546
84D-1401-5	14400	3913	10487	17423 OAK CANYON PL CASTRO VALLEY 94546
84D-1402-2	14565	3027	11538	4704 PROCTOR RD CASTRO VALLEY 94546
84D-1401-4	14602		14602	17493 OAK CANYON PL CASTRO VALLEY 94546
84D-1186-30-2	14615		14615	17894 JOSEPH DR CASTRO VALLEY 94546
84D-1180-21-1	14625		14625	17742 ALMOND RD CASTRO VALLEY 94546
84D-1401-10	14665	1913	12752	17475 CARDINAL CT CASTRO VALLEY 94546
84D-1402-1	14888		14888	4658 PROCTOR RD CASTRO VALLEY 94546
84D-1401-11	14900	2349	12551	17435 CARDINAL CT CASTRO VALLEY 94546
84D-1401-9	14934	2306	12628	17515 CARDINAL CT CASTRO VALLEY 94546

ATTACHMENT B

Parcels Included within 500 ft buffer of Subject Property

84D-1401-3	14958	4406	10552	4624 PROCTOR RD CASTRO VALLEY 94546
84D-1402-5-1	15218		15218	4722 PROCTOR RD CASTRO VALLEY 94546
84D-1180-20	15475		15475	ALMOND RD CASTRO VALLEY 94546
84D-1270-31	15857		15857	17565 OAKSHIRE PL CASTRO VALLEY 94546
84D-1186-21	16044		16044	17900 SORANI CT CASTRO VALLEY 94546
84D-1401-20	16130	2230	13900	17480 CARDINAL CT CASTRO VALLEY 94546
84D-1401-21	16161	3120	13041	17520 CARDINAL CT CASTRO VALLEY 94546
84D-1205-1-2	16188		16188	17915 LAMSON RD CASTRO VALLEY 94546
84D-1401-12	16224	2565	13659	17385 CARDINAL CT CASTRO VALLEY 94546
84D-1162-3-1	16275		16275	18003 ALMOND RD CASTRO VALLEY 94546
84D-1165-2-1	17300		17300	18129 LAMSON RD CASTRO VALLEY 94546
84D-1265-7	17360		17360	4612 PROCTOR RD CASTRO VALLEY 94546
84D-1180-12-1	17880		17880	18008 ALMOND RD CASTRO VALLEY 94546
84D-1180-13-1	17880		17880	18006 ALMOND RD CASTRO VALLEY 94546
84D-1401-2	18144		18144	4650 PROCTOR RD CASTRO VALLEY 94546
84D-1240-9	18292		18292	4431 CASA LA CRESTA RD CASTRO VALLEY 94546
84D-1186-4	19024		19024	4755 PROCTOR RD CASTRO VALLEY 94546
84D-1186-2	19402		19402	4739 PROCTOR RD CASTRO VALLEY 94546
84D-1180-28	19587		19587	4635 PROCTOR RD CASTRO VALLEY 94546
84D-1162-4-1	19650		19650	18007 ALMOND RD CASTRO VALLEY 94546
84D-1180-17-1	20148		20148	17872 ALMOND RD CASTRO VALLEY 94546
84D-1180-22-1	20408		20408	17730 ALMOND RD CASTRO VALLEY 94546
84D-1180-29	20410		20410	4635 PROCTOR RD CASTRO VALLEY 94546
84D-1401-1	20911		20911	4636 PROCTOR RD CASTRO VALLEY 94546
84D-1270-19	24175		24175	17764 SWEETBRIAR PL CASTRO VALLEY 94546
84D-1180-4	24192		24192	4643 PROCTOR RD CASTRO VALLEY 94546
84D-1186-1	26208		26208	4729 PROCTOR RD CASTRO VALLEY 94546
84D-1402-4-1	26735		26735	4652 PROCTOR RD CASTRO VALLEY 94546

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H. T. HARVEY & ASSOCIATES
ECOLOGICAL CONSULTANTS

28 October 2014

Mr. Andy Bye
Braddock & Logan, Inc. Services
4155 Blackhawk Plaza Circle, Suite 201
Danville, California 94506-4613

SUBJECT: 4659 PROCTOR ROAD, CASTRO VALLEY, CA

Dear Mr. Bye:

I've reviewed the Biological Reconnaissance Survey Report (2010) prepared by ECORP Consulting Inc. Particular attention was paid to the description of existing biological conditions relative to the Alameda whipsnake at the 5.8-acre property located at 4659 Proctor Road, Castro Valley, CA. I also reviewed various Google Earth images taken between the time when the field survey was done in 2010 and the most recent aerial image (2014).

Based on the description contained in the ECORP (2010) report and signatures present on Google Earth images, there does not appear to have been any changes made on or adjacent to the subject parcel that would alter habitat suitability of the site for the Alameda whipsnake.

Please contact me by email at pboursier@harveyecology.com or by phone at 408.458.3204 if you have any questions.

Sincerely,

Patrick J. Boursier, Ph.D.
Principal, Senior Plant Ecologist



**THE COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY
HAYWARD, CALIFORNIA**

RESOLUTION NO. ____ AT MEETING HELD FEBRUARY 2, 2015

INTRODUCED ____, SECONDDED BY ____

WHEREAS Hue Tran/Braddock & Logan did submit an application for Vesting Tentative Tract Map, TR-8053, (PLN2010-00100), to subdivide the 5.85 acre property located on Proctor Road, south side, approximately 6,000 feet east of Ewing and Walnut Roads, Castro Valley area of Alameda County, with County Assessor's Parcel Number: 84D-1403-014-17, into seventeen residential parcels; and

WHEREAS a draft Initial Study and Mitigated Negative Declaration was prepared; and

WHEREAS the documents were available for public review and comment from January 29 and March 1, 2013; and

WHEREAS an addendum to the Initial Study was prepared; and

WHEREAS this document was available for public review and comment from August 18 to September 18, 2014; and

WHEREAS this Commission did hold a public hearing to consider the subdivision application and the draft Initial Study and Mitigated Negative Declaration at the hour of 6:00 pm on Monday, the 2nd day of February, 2015, at 224 West Winton Avenue, Room 160, Public Hearing Room, Hayward, California, 94544; and

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

NOW THEREFORE

BE IT RESOLVED that this Planning Commission does hereby find on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment, and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis; and

BE IT FURTHER RESOLVED that this Planning Commission does hereby recommend to the Alameda County Board of Supervisors adoption of the draft Initial Study and Mitigated Negative Declaration, and conditional approval of the Tentative Map application to subdivide the subject property, subject to the exhibit "B" on file with the Alameda County Planning Department, and the subject conditions:

1. All conditions must be accomplished prior to or concurrent with filing the Final Map, unless a different timing of compliance is specified below. Installation of improvements shall be guaranteed under a County-Developer Tract Contract, as approved by the Director of Public Works. All improvements guaranteed under this contract shall be completed by the land divider and accepted by the Board of

- Supervisors, prior to release of improvement guarantees.
2. The design and improvement of this land division shall be in conformance with the design and improvement indicated graphically or by statement on the exhibits, including road location, grade, alignment, width and intersection design; design and grading of lots; location and design of storm drainage facilities; and location and design of frontage improvements.
 3. All required plans, specification, and technical data necessary to complete the Final Map shall be filed with the Director of Public Works. Requirements for filing the map, review fees, improvements and inspection of work shall be determined by the Director.
 4. A current title report and copies of the recorded deeds of all parties having record title interest in the property to be divided and if necessary, copies of deeds for adjoining properties shall be submitted to and accepted by the Director of Public Works.
 5. Where easements are not obtained, rights of entry and drainage releases shall be acquired by the land divider in writing from the adjoining property owners for use of improvement of drainage ways outside the boundary of the tract map. Original copies of right of entry shall be provided to the Director of Public Works.
 6. Developer shall not sell any individual lots to individual buyers prior to the general completion of the improvements as shown on the Tentative Map. This condition does not apply to the sale of the entire project to another entity.
 7. Subdivider or successors shall defend, indemnify, and hold harmless Alameda County or its agents, officers, or employees from any claim, action, or proceeding against Alameda County, or its agents, officers, or employees to attach, set aside, void, or annul this tentative map, including any amendments thereto, or underlying environmental documents and actions taken pursuant to the California Environmental Quality Act, 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 subdivider or successors shall fail to adequately defend the County of Alameda, the County may provide its own legal defense and subdivider or successors shall be responsible for the County's reasonable attorney fees.

PLANNED DEVELOPMENT

8. Dimensions of Side Yards for all parcels shall be as shown on the accompanying exhibits.
9. Building Heights of 28.5 feet shall be allowed.
10. Substantial changes to the PD approval for lot size, lot configuration, number of lots, changes in topography, parking or house design subject to subsequent review and approval by the Castro Valley Municipal Advisory Council.

HOME DESIGN

11. Initial Purchasers of lots where building plan #2 is indicated shall have the option of selecting plan #3.

ACCESS/STREET IMPROVEMENTS

12. Private street, entrance and turnaround areas shall be developed as shown on Exhibit B. The private street shall provide a minimum 17 off-site spaces for guest parking.
13. Developer shall install a streetlight on Proctor Road at the street entrance.
14. Any right-of-way dedication, relocation of improvements or public facilities, or road improvements shall be accomplished at no expense to the County.
15. Traffic safety signs and devices shall be installed in accordance with Alameda County standards. The proposed name for the private street shall be cleared through the Planning Department and such name shall appear on the Final Map.
16. Approval shall be secured from the Director of Public Works of detailed plans prepared by an engineer (including location, extent and sizes of all permanent and temporary facilities) for: a) grading, drainage, erosion and sedimentation control; b) storm drainage facilities; and c) on-site improvements including paving and P.C.C. curb, gutter and sidewalk.
17. The Development HOA shall bear responsibility for the maintenance of all public areas including street, sidewalks, lighting, and parcel "B" hydromodification facilities.
18. A conservation easement shall be incorporated in the portions of parcel "B" that are below the proposed limits of grading to prevent future grading alterations, private fencing and the introduction of non-native plants or animals. This easement will ensure the perpetual use of this area as a wildlife corridor and seasonal wetland.

SITE ALTERATIONS/IMPROVEMENTS

19. Between March and June, and prior to grading activities, the project applicant's biologist shall conduct a pre-construction plant survey to validate the negative findings from the Initial Study. Should samples be found, impacts to the plants shall be avoided by (a) relocating the plants to locations on the project site where disturbance will not occur; and (b) collecting seeds from the plants and planting the seeds elsewhere on the project site.
20. Three days prior to vegetation removal or commencement of construction, the project applicant's biologist shall prepare a nesting bird survey to determine the absence or presence of nesting bird species. Prior to January, nesting bird surveys shall be performed to identify any potential nesting trees prior to egg laying. Should nest sites or young birds be located, a no-disturbance buffer of between 150 and 200 feet shall be established around the site until August 15 or until the young have fledged. Removal of on-site trees and shrubs is prohibited in the event of discovery of one or more nests.
21. Consistent with the terms of the Construction General Permit and in accordance with the procedures and specifications of the Alameda County Clean Water Program, the project sponsor shall prepare and implement a Storm Water Pollution and Prevention Plan (SWPPP). This plan shall be submitted for review and approval from the Director of Public Works.
22. During construction, the Developer shall follow the following Best Management Practices:
 - All contractors and subcontractors shall comply with the Alameda County

Noise Ordinance

- Noise-generating activities shall be restricted to the hours of 7:00 am to 7:00 pm on weekdays, 8:00 am to 5:00pm on Saturdays and Sundays.
 - All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
 - Stationary noise generating equipment shall be located as far as possible from sensitive receptors when such receptors adjoin or are near a construction project area. Temporary noise or screening barriers shall be erected for noise generating equipment when located near adjoining sensitive land uses.
 - “Quiet” air compressors and other stationary noise sources shall be utilized where such technology exists.
 - Contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities, identifying a procedure for coordination with adjacent noise sensitive residences to minimize noise disturbances.
 - Contractor shall designate and identify by name a “Disturbance Coordinator.” This individual will be responsible for responding to any local complaints about construction noise. This information will be provided to residents within 300 feet of the project site, and placed on the project construction sign off Proctor Road.
21. During to completion and approval of construction plans, the location of the construction staging area shall be identified, as well as provisions incorporated that specify construction debris removal and vehicle staging and storage. Project site will be clear of debris and construction vehicles. Prior to completion and approval of project plans, the contractor and County shall incorporate traffic control provisions for the safety and convenience of pedestrians and motorists.
22. On-site grading shall conform to the Alameda County Grading Ordinance. A Grading Permit shall be secured from the Director of Public Works, as needed, in accordance with requirements of the Alameda County Grading Ordinance and design and quantities shown on accompanying exhibits.
23. An Encroachment Permit shall be secured from the Director of Public Works. Grading plans shall also be approved by the Planning Director prior to filing the Final Map or grading of the site and shall generally conform to grading envelope and quantities indicated on the accompanying exhibits.
24. Grading shall not augment rate of flow or concentrate runoff to adjacent properties or block runoff from adjoining properties.
25. Grading operations and construction activities shall be limited to weekdays (Monday through Friday) and the hours of 7:00 am and 6:00 pm, unless otherwise authorized by the Director of Public Works.
26. Dust shall be controlled and adjoining public street and private drives shall be kept clean of project dirt, mud, materials and debris, to the satisfaction of the Director of Public Works.
- a. All exposed surfaces shall be watered two times per day. A 20-foot wide, 100-foot long, minimum 8-inch thick rock construction entrance shall be provided during construction.
 - b. All haul trucks transporting loose or bulk material shall be covered.

- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - d. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pad shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - e. Equipment idling times shall not exceed 5 minutes when not in use.
 - f. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - g. The name and contact information of the Lead Agency representative regarding dust complaints shall be posted publicly at the project site. The contact number for the Bay Area Air Quality Management District shall also be visibly posted at the project site.
27. The following shall be submitted to the Director of Public Works, prior to acceptance of final improvements by the Board of Supervisors:
- a. A grading plan prepared by a registered Civil Engineer including original ground surface elevations, ground surface elevations, lot drainage, and location of surface and subsurface drainage facilities.
 - b. A complete record including location and elevation of all field density tests, and a summary of all field and laboratory tests.
 - c. A declaration by a Civil Engineer and Geologist that all work was done in accordance with the recommendations contained in the soil and geologic investigation report and approved plans and specifications
 - d. Where soil or geologic conditions encountered during grading operations differ from those anticipated in the soil and geologic investigations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval and shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement and seismic activity.
28. Any known water well without a documented intent of future use that is shown on the map, is known to exist, is proposed, or is located during the course of field operations must be destroyed or backfilled prior to any demolition or grading in accordance with a well destruction permit obtained from the Public Works Agency.
29. Operations shall cease in the vicinity of any suspected archaeological resource until an archaeologist is consulted and his or her recommendations followed, subject to approval by the Planning Director. If evidence of human remains is discovered on the site, the County Coroner shall be notified immediately.
30. A WELO-compliant landscape plan prepared by a licensed Landscape Architect shall be submitted to the Planning Director for approval prior to issuance of a grading permit. Said Plan shall include a mechanical irrigation plan, planting and staking details, and a landscape maintenance program, perimeter fencing plans and details, and outdoor and security lighting. Additionally, the Plan shall integrate comprehensive vegetation management as part of a Fire Hazard Management Plan. Enforcement of the elements and requirements of this plan shall be performed by the project HOA.

SERVICES AND UTILITIES

31. All utility distribution facilities within the land division shall be placed underground.
32. The project street shall be offered for dedication to the County
33. A letter from the East Bay Municipal Utility District stating that it has agreed to provide water to each lot in the land division shall be submitted to the Director of Public Works.
34. Sanitary sewers are to be provided to service each lot and are to be connected to the Castro Valley Sanitary District system of sewers and installed at the expense of the land divider in accordance with the requirements of said District and the approval by the Director of Public Works.
35. A letter from the Castro Valley Sanitary District stating that it has agreed to provide a connection to its sanitary sewer system for each lot in the land division shall be submitted to the Director of Public Works.
36. Fire protection improvements are to be installed by the subdivider in accordance with the requirements of the Alameda County Fire Department. A letter from the Fire Department stating that it has approved the design and improvement guarantees shall be submitted to the Director of Public Works.
37. Prior to release of guarantees, all improvements as specified herein or shown on the accompanying exhibits shall be installed in accordance with the improvement plans approved by the Director of Public Works. Inspections shall be certified by a registered Engineer or by Public Works Agency staff, at the option of the Director of Public Works. Fire protection improvements shall be inspected and approved by the Alameda County Fire Department.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

EXCUSED:

ABSTAINED:

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

**THE COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY
HAYWARD, CALIFORNIA**

RESOLUTION NO. _____ AT MEETING HELD FEBRUARY 2, 2015

INTRODUCED BY _____, SECONDED BY _____

WHEREAS Hue Tran/Braddock & Logan did submit an application for Zoning Unit, PLN2010-00100, to reclassify the property located on Proctor Road, south side, approximately 6,000 feet east of Ewing and Walnut Roads, Castro Valley area of Alameda County, County Assessor's Parcel Number: 84D-1403-014-17, from the R-1-BE-CSU-RV (Single Family Residence, 6500 square foot MBSA, Conditional Second Unit, Recreation vehicle parking) District to a PD (Planned Development) District allowing uses consistent with the R-1-B-E-CSU-RV District, with reduced side yard dimensions at specific locations, and building heights of 28.5 feet; and

WHEREAS a draft Initial Study and Mitigated Negative Declaration was prepared; and

WHEREAS the documents were available for public review and comment from January 29 and March 1, 2013; and

WHEREAS an addendum to the Initial Study was prepared; and

WHEREAS this document was available for public review and comment from August 18 to September 18, 2014; and

WHEREAS this Commission did hold a public hearing to consider the Rezoning and Subdivision application and the draft Initial Study and Mitigated Negative Declaration at the hour of 6:00 pm on Monday, the 2nd day of February, 2015, at 224 West Winton Avenue, Room 160, Public Hearing Room, Hayward, California, 94544; and

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

NOW THEREFORE

BE IT RESOLVED that this Planning Commission does hereby find that

- A. The resulting development implements the applicable policies, objectives, principles and goals of the Castro Valley General Plan; and
- B. The property size, shape, property lines, and terrain are suitable for the proposed development in that the resulting residential parcels will exceed the minimum size prescribed in the Zoning District, the project would not impact views from public areas, and development will incorporate suitable measures scaled to minimize stormwater drainage; and
- C. The resulting development is integrated and harmonious with and or beneficial to the character and infrastructure of the surrounding area in terms of physical development and

use, with proposed residential development consistent with the hillside residential development in the surrounding area; and

- D. The development results in a higher quality design or site plan than would otherwise result from development of the property if subject to the existing zoning development and use standards, with proposed development consistent with the General Plan designation and the Alameda County Residential Design Standards; and
- E. The project does not propose to increase density above the levels prescribed under the Zoning Ordinance and General Plan Land Use Designation; and
- F. The private roadway would be adequate to serve the number of dwelling units proposed, frontage and room for the required project access driveway. Further, the proposed development will not generate traffic in an amount that will overload the existing street network; and
- G. There will be no adverse fiscal impact to the county, as the project proponent would be required to provide curb, gutter and sidewalk improvements to Alameda County standards along the Proctor Road frontage, and all appropriate development and service fees will be paid by the project applicant or successor; and
- H. Each phase, if applicable, of the development, as well as the development as a whole, can exist as an independent unit capable of creating an environment of sustained desirability and stability, as completion of all improvements will be required prior to residential development; and

BE IT FURTHER RESOLVED that this Planning Commission does hereby find on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment, and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis; and

BE IT FURTHER RESOLVED that this Planning Commission does hereby recommend to the Alameda County Board of Supervisors adoption of the draft Initial Study and Mitigated Negative Declaration, and conditional approval of the reclassification of the subject property, subject to the conditions of exhibit "C" on file with the Alameda County Planning Department.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

EXCUSED:

ABSTAINED:

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

EXHIBIT C
PROVISIONS OF RECLASSIFICATION, ZONING UNIT PLN2011-00100

Recommended by the Planning Commission on _____
Adopted by the Board of Supervisors on _____

THE SITE SHALL BE DEVELOPED AND MAINTAINED IN CONFORMANCE WITH THE DESIGN, STATEMENTS, AND CONDITIONS INDICATED ON EXHIBIT B (LAND USE AND DEVELOPMENT PLAN). NO STRUCTURES OR USES OTHER THAN THOSE INDICATED ARE PERMITTED. ALL DESIGN OR OTHER MODIFICATIONS MUST BE REVIEWED BY THE PLANNING DEPARTMENT FOR CONSISTENCY WITH THIS PD DISTRICT.

GENERAL PROVISIONS

1. All permitted and conditional uses in the "R-1-B-E-CSU-RV" District are permitted in this PD District subject to all procedures in the Alameda County Zoning Ordinance, except that yards, and building height shall be as shown on the Land Use and Development Plan, "Exhibit B, PLN2010-00100."
2. The property owner and developer shall defend, indemnify, and hold harmless Alameda County or its agents, officers, and employees from any claim, action, or proceeding against Alameda County or its, agents, officers or employees to attack, set aside, void, or annul the Zoning Unit, PLN2010-00100, Vesting Tentative Tract Map TR-8053, or any combination thereof. Such indemnification shall include, but not be limited to, an award of costs and attorney's fees incurred by Alameda County in its defense. The County shall promptly notify applicant or successor of any such challenge.

SPECIFIC CONDITIONS

3. Dimensions of Side Yards for all parcels shall be as shown on the accompanying exhibits.
4. Building Heights of 28.5 feet shall be allowed.
5. Changes to the PD approval for lot size, lot configuration, number of lots, changes in topography, parking or house design subject to subsequent review and approval by the Castro Valley Municipal Advisory Council.
Strike
6. On proposed residential lots where House Plan #2 is indicated, initial purchasers shall have the option of selecting Plan #3.

PRIOR TO ISSUANCE OF GRADING AND BUILDING PERMITS

7. Secure approval from the Planning Director for color and materials of all structures. All utility meters shall be screened from view.

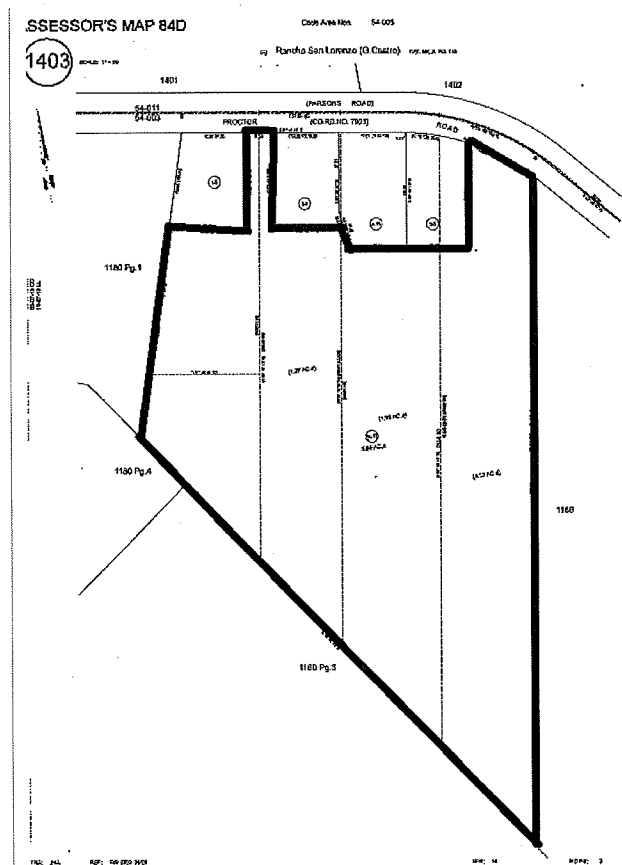
PROVISIONS OF RECLASSIFICATION

PLN2010-00100 - EXHIBIT C

ADOPTED _____

PAGE 2

8. Submit for review and approval by the County Planning Department, a detailed Landscaping Plan prepared by a Landscape Architect, compliant with the Alameda County Water Efficient Landscape Ordinance. Said plan shall include a mechanical irrigation and landscape maintenance plan. It shall also show types of planting and planting /staking details, including size at time of planting, of all proposed vegetation, and construction and/or installation detail of all proposed paving, lighting, fencing, and all outdoor furniture and equipment on the property (including proposed locations of all transformers and utility meters). Site shall be maintained in substantial conformance with the approved plans.
9. Secure approval from the Planning Director of an outdoor and security lighting plan. Lighting for landscaping, driveway, security and outdoor recreation facilities shall be designed, installed, and operated so as not to radiate or emit glare off-site. Lighting shall be oriented internally toward the site. The illumination intensity of light should be sufficient only for the intended purpose.



SECTION II

This Ordinance shall take effect and be in force thirty (30) Days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once with the names of the members voting for and against the same in **THE INTER-CITY EXPRESS**, a newspaper published in the said County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on , by the following called vote:

AYES:

NOES:

EXCUSED:

President of the Board of Supervisors of the
County of Alameda, State of California

ATTEST: Clerk of the Board of Supervisors
of the County of Alameda, State of California

Approved as to form, BRIAN WASHINGTON
County Counsel

O-2015-____
Agenda Number ____
File ____



**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

FIELD TRIP

TO: PLANNING COMMISSION
HEARING DATE: FEBRUARY 2, 2015

GENERAL INFORMATION

APPLICATION TYPE AND NUMBER: Vesting Tentative Tract Map and Zoning Unit, PLN2010-00100, TR 8053

OWNER/ APPLICANT: Hue Tran/Braddock & Logan

PROPOSAL: Application to subdivide one parcel into 17 residential lots, and reclassify the new lots into a PD (Planned Development) District allowing uses consistent with the R-1-B-E-CSU-RV District, with reduced side yard dimensions at specific locations, and building heights of 28.5 feet.

ADDRESS AND SIZE OF PARCEL: Proctor Road, south side, approximately 6,000 feet east of Ewing and Walnut Roads. Castro Valley, CA, bearing Assessor's Parcel Number 84D-1403-014-17, 5.9 acres.

ZONING: R-1-B-E-CSU-RV

GENERAL PLAN DESIGNATION: Hillside Residential (Castro Valley General Plan, adopted March 27, 2012)

ENVIRONMENTAL REVIEW: A project Initial Study and Mitigated Negative Declaration was prepared and circulated between January 29 and March 1, 2013. An update reflecting changes to the project was made available for review and comment from August 18 to September 18 of 2014.

NOTE:

- Proposed entrance between two residential lots
- Sight Distances on Proctor
- Lower property elevation and wetland adjacent to Joseph Drive terminus

**NOTICE OF PUBLIC HEARING
AND NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION
TR-8053 PLN 2010-00100 – TRAN HUE/BRADDOCK & LOGAN
TENTATIVE TRACT MAP & ZONING UNIT**

NOTICE IS HEREBY given that the Alameda County Board of Supervisors will hold a public hearing to consider a petition to subdivide one 5.85 acre parcel into 17 separate residential lots with 1 remainder lot held in common ownership to provide stormwater treatment, and rezone to a PD (Planned Development) District allowing R-1-BE-CSU-RV uses, building heights of 28.5 feet and specific reduced side yards, located on Proctor Road, south side, approximately 600 feet east of Ewing and Walnut Roads, unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Number: 084D-1403-014-17.

As part of this reclassification the Board of Supervisors will also adopt the Mitigated Negative Declaration for this proposal.

A project Initial Study and Mitigated Negative Declaration were prepared and circulated for review and comment between January 29 and March 1, 2013.

IF YOU CHALLENGE the County's action in court, you may be limited to only those issues you or someone else raise at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at or prior to the public hearing.

SAID PUBLIC HEARING WILL BE HELD on Tuesday, March 10, 2015, beginning at **1:00 p.m.**, in the Board Chambers of the Alameda County Board of Supervisors, 1221 Oak Street, fifth floor, Oakland, CA.

ALL PERSONS INTERESTED in this matter may appear and be heard at this hearing. For more information, please contact Damien Curry at 510-670-5400 or email at Damien.Curry@acgov.org.

CLERK OF THE BOARD OF SUPERVISORS

Daily Review

c/o Bay Area News Group-East Bay
22533 Foothill Blvd.
Hayward, CA 94541
Legal Advertising
408-595-9595 opt. 4

CALIF. NEWSPAPER SVC.
BILLING DEPT., PO BOX 60460
LOS ANGELES CA 90060

PROOF OF PUBLICATION

FILE NO. 2706821

In the matter of

Daily Review

The Daily Review

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Daily Review, a newspaper published in the English language in the City of Hayward, County of Alameda, State of California.

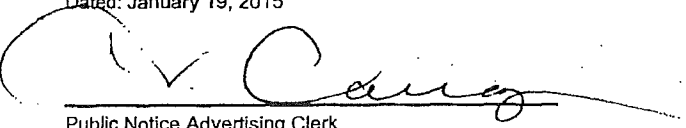
I declare that the Daily Review is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's decree, dated March 2, 1950, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Daily Review as a Newspaper of General Circulation, case number 221938. Said decree states that "The Daily Review" has been established, printed, and published daily in the City of Hayward, County of Alameda, State of California, for one year or more next preceding the date of the filing of said petition; that it is a newspaper published for the dissemination of local and telegraphic news and intelligence of a general character and has a bona fide subscription list of paying subscribers; ... [] [and] THEREFORE, ... 'The Daily Review' is hereby determined and declared to be a newspaper of general circulation [within the meaning of Government Code §§ 6000 et seq.]" Said decree has not been revoked, vacated or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

1/17/2015

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated: January 19, 2015

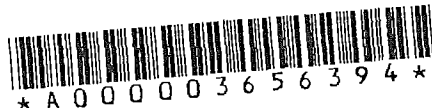

Public Notice Advertising Clerk

Legal No.

0005389179

NOTICE OF PUBLIC HEARING
TRAN
HUE/BRADDOCK & LOGAN, TENTATIVE TRACT MAP, ZONING UNIT, TR-8053, PLN-2010-00100 - Petition to subdivide one 5.85 acre parcel into 17 separate residential lots with 1 remainder lot held in common ownership to provide stormwater treatment, and rezone to a PD (Planned Development) District allowing R-1-BE-CSU-RV uses, building heights of 28.5 feet and reduced side yards, located on Proctor Road, south side, approximately 6,000 feet east of Ewing and Walnut Roads, unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Number: 084D-1403-014-17. Alameda County, acting as the Lead Agency under the California Environmental Quality Act (CEQA) publicly announces its intent to adopt a Mitigated Negative Declaration for the proposed subdivision and rezoning, with Addenda to reflect project modifications. The Mitigated Negative Declaration, which is a written statement finding that the proposed project will not have a significant effect upon the environment due to project revisions agreed to by the applicant, is proposed to be adopted pursuant to the CEQA and State and County CEQA Guidelines. Said public hearing will be held on Monday, February 2, 2015, beginning at 6:00 p.m. in the Public Hearing Room, 224 W. Winton Avenue, Hayward. For additional information, please contact Damien Curry at 510-670-5400 or email at damien.curry@acgov.org. If you challenge the proposed project in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in written correspondence delivered to the Planning Department prior to the public hearing. All persons interested in the matter may appear and be heard at this hearing. Written comments may also be submitted in advance or at the hearing. ALBERT LOPEZ - PLANNING DIRECTOR & SECRETARY PLANNING COMMISSION OF ALAMEDA COUNTY
1/17/15
CNS-2706821#
THE DAILY REVIEW
DR
Jan. 17, 2015

FILE COPY



PLN 2010-100

ABRAHAM JACK W JR
Parcel #: 84D-1402-1
4738 PROCTOR RD
CASTRO VALLEY CA 94546

ABRAHAM JACK W JR &
Parcel #: 84D-1402-5-2
4738 PROCTOR RD
CASTRO VALLEY CA 94546

ABRAHAM JACK W JR &
Parcel #: 84D-1402-4-2
4738 PROCTOR RD
CASTRO VALLEY CA 94546

ABRAHAM JACK WALTER III
Parcel #: 84D-1402-5-1
4722 PROCTOR RD
CASTRO VALLEY CA 94546

ABRAHAM JOEL M
Parcel #: 84D-1402-4-1
4654 PROCTOR RD
CASTRO VALLEY CA 94546

AKITA ROBERT & PARKES
Parcel #: 84D-1401-19
17440 CARDINAL CT
CASTRO VALLEY CA 94546

ALCANTAR ARTURO
Parcel #: 84D-1401-17
17360 CARDINAL CT
CASTRO VALLEY CA 94546

ANDERSEN SHIRLEY A &
Parcel #: 84D-1162-1-14
17763 ALMOND RD
CASTRO VALLEY CA 94546

ANDRES RICHARD D TR
Parcel #: 84D-1401-18
17400 CARDINAL CT
CASTRO VALLEY CA 94546

ANDREWS DARLENE M
Parcel #: 84D-1240-4
18028 ALMOND RD
CASTRO VALLEY CA 94546

AUFDERMAUER BOBETTE TR
Parcel #: 84D-1180-12-1
17580 MADISON AVE
CASTRO VALLEY CA 94546

BANKS ANTHONY B &
Parcel #: 84D-1401-9
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CASTRO VALLEY CA 94546

BARKLIND BARBARA L TR
Parcel #: 84D-1186-26-4
17926 JOSEPH DR
CASTRO VALLEY CA 94546

BERINGER JUERG A &
Parcel #: 84D-1186-35
17925 JOSEPH DR
CASTRO VALLEY CA 94546

BOSOLD ROBERT F &
Parcel #: 84D-1180-27
4430 SCHOOL WAY
CASTRO VALLEY CA 94546

BRITT TERRY C & LINDA M
Parcel #: 84D-1165-1-1
18011 ALMOND RD
CASTRO VALLEY CA 94546

BROTHERS JOSEPH M & MARA
Parcel #: 84D-1186-34
17913 JOSEPH DR
CASTRO VALLEY CA 94546

BROTHERS MEGHAN J &
Parcel #: 84D-1186-2
4739 PROCTOR RD
CASTRO VALLEY CA 94546

CARBONE ANTHONY K &
Parcel #: 84D-1241-1
18091 LAMSON RD
CASTRO VALLEY CA 94546

CARTER DAVID A &
Parcel #: 84D-1162-3-1
18003 ALMOND RD
CASTRO VALLEY CA 94546

CASEY MICHAEL W &
Parcel #: 84D-1205-27
18053 LAMSON RD
CASTRO VALLEY CA 94546

CHING ROBERT P & ANNIE Y
Parcel #: 84D-1265-5-4
4790 EWING RD
CASTRO VALLEY CA 94546

CHOI MYUNG
Parcel #: 84D-1205-28
3139 ASHBROOK LN
SAN RAMON CA 94582

CLARK DIANE TR
Parcel #: 84D-1186-5
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CASTRO VALLEY CA 94546

COOK DUSTIN E & KATHRYN
Parcel #: 84D-1186-12
4711 SORANI WAY
CASTRO VALLEY CA 94546

COOK RICK & DENISE
Parcel #: 84D-1165-18
15959 E 14TH ST
SAN LEANDRO CA 94578

CORTEZ VERONICA A &
Parcel #: 84D-1205-17
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CASTRO VALLEY CA 94546

DARE DAVID J & CORA L
Parcel #: 84D-1241-7
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CASTRO VALLEY CA 94546

DAVID JAMES C &
Parcel #: 84D-1270-17
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CASTRO VALLEY CA 94546

DESANTO MICHAEL A &
Parcel #: 84D-1186-24
4755 SORANI WAY
CASTRO VALLEY CA 94546

DUKE JIM G
Parcel #: 84D-1162-2-1
17995 ALMOND RD
CASTRO VALLEY CA 94546

DUNCAN CLAY & JUDY
Parcel #: 84D-1240-7
4415 CASA LA CRESTA
CASTRO VALLEY CA 94546

DUNNIGAN SUSAN A &
Parcel #: 84D-1186-6
4754 SORANI WAY
CASTRO VALLEY CA 94546

DUONG HAO D & BAK JULIE H
Parcel #: 84D-1162-1-4
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CASTRO VALLEY CA 94546

EAST BAY MUNICIPAL
Parcel #: 84D-1240-6-2
375 11TH ST
OAKLAND CA 94607

ECKHARDT RODGER A &
Parcel #: 84D-1180-29
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CASTRO VALLEY CA 94546

ENQUIST SHARYN TR
Parcel #: 84D-1270-19
17764 SWEETBRIAR PL
CASTRO VALLEY CA 94546

ESCORCIO JOSEPH D &
Parcel #: 84D-1205-30
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CASTRO VALLEY CA 94546

FESMIRE WILLIAM JR &
Parcel #: 84D-1162-1-13
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CASTRO VALLEY CA 94546

FOSDAHL PATRICK A & M L
Parcel #: 84D-1186-23
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CASTRO VALLEY CA 94546

FOSTER BRIAN A & BRIAN A
Parcel #: 84D-1241-6
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CASTRO VALLEY CA 94546

FURGER FRANK R & TAMMIE
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CASTRO VALLEY CA 94546

GAO NANCY
Parcel #: 84D-1186-25
4761 SORANI WAY
CASTRO VALLEY CA 94546

GAUTHIER EARL TR
Parcel #: 84D-1186-8
4740 SORANI WAY
CASTRO VALLEY CA 94546

HAAPOJA ROBERT L & DIANE
Parcel #: 84D-1180-11-1
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CASTRO VALLEY CA 94546

HAFFNER ALAN A & JODEE M
Parcel #: 84D-1205-12
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CASTRO VALLEY CA 94546

HAGAN WILLIAM L & JANET
Parcel #: 84D-1401-4
17493 OAK CANYON PL
CASTRO VALLEY CA 94546

HASSETT PATRICK M &
Parcel #: 84D-1402-2
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CASTRO VALLEY CA 94546

HASTON IRMA A TR
Parcel #: 84D-1180-4
4643 PROCTOR RD
CASTRO VALLEY CA 94546

HAYNES MARIE E
Parcel #: 84D-1162-1-10
228 N K ST
LIVERMORE CA 94551

HEAVINGHAM CHESTER A &
Parcel #: 84D-1180-24
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CASTRO VALLEY CA 94546

HEGER SHIRLEY A & WILSON
Parcel #: 84D-1180-1-2
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CASTRO VALLEY CA 94546

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CASTRO VALLEY CA 94546

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Parcel #: 84D-1270-31
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HUBERICH SUSAN & TARR
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JOHNSON ARTHUR E TR
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JONES DONALD A &
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CASTRO VALLEY CA 94546

JONES LAWRENCE A &
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JUNG CHANG H & CHUNG J
Parcel #: 84D-1186-18
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CASTRO VALLEY CA 94546

KARDASIS STYLLIANOS &
Parcel #: 84D-1180-26
4440 SCHOOL WAY
CASTRO VALLEY CA 94546

KEMPEN KATHLEEN E
Parcel #: 84D-1205-10
17950 JOSEPH DR
CASTRO VALLEY CA 94546

KENNELLY MARTHA M TR
Parcel #: 84D-1162-1-6
17869 ALMOND RD
CASTRO VALLEY CA 94546

KENTRIS JAMES M &
Parcel #: 84D-1186-14
4723 SORANI WAY
CASTRO VALLEY CA 94546

KHATRI SUNIL & NITIN
Parcel #: 84D-1401-11
17435 CARDINAL CT
CASTRO VALLEY CA 94546

KIM SU K
Parcel #: 84D-1186-1
4729 PROCTOR RD
CASTRO VALLEY CA 94546

KUEHNEL FRANK &
Parcel #: 84D-1403-1-5
4651 PROCTOR RD
CASTRO VALLEY CA 94546

LAM GILBERT K & WONG
Parcel #: 84D-1240-5-1
18096 LAMSON RD
CASTRO VALLEY CA 94546

LASUSKY JOSEPH J &
Parcel #: 84D-1401-8
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CASTRO VALLEY CA 94546

LAU BENJAMIN & QUEENIE
Parcel #: 84D-1403-3-8
4659 PROCTOR RD
CASTRO VALLEY CA 94546

LAVIN TERESA D TR
Parcel #: 84D-1241-3
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CASTRO VALLEY CA 94546

LEE MICHAEL P & LINNA H
Parcel #: 84D-1401-10
17475 CARDINAL CT
CASTRO VALLEY CA 94546

LEMAY DAVID M & DEBBIE L
Parcel #: 84D-1270-30
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CASTRO VALLEY CA 94546

LEON WARREN
Parcel #: 84D-1186-26-5
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CASTRO VALLEY CA 94546

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CASTRO VALLEY CA 94546

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Parcel #: 84D-1180-19-1
17854 ALMOND RD
CASTRO VALLEY CA 94546

LONSDALE ROBERT A &
Parcel #: 84D-1205-1-2
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CASTRO VALLEY CA 94546

LOW STELLA TR
Parcel #: 84D-1186-11
4716 SORANI WAY
CASTRO VALLEY CA 94546

LY CAN H & TRUONG ANH T
Parcel #: 84D-1180-23
4470 SCHOOL WAY
CASTRO VALLEY CA 94546

MALDINICH RUBY TR
Parcel #: 84D-1186-7
4748 SORANI WAY
CASTRO VALLEY CA 94546

MAR TERRY C & JULIE R
Parcel #: 84D-1162-4-1
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CASTRO VALLEY CA 94546

MAYFIELD CHARLES A &
Parcel #: 84D-1180-14-2
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CASTRO VALLEY CA 94546

MCDONALD JAMES L TR
Parcel #: 84D-1270-26-2
PO BOX 20788
CASTRO VALLEY CA 94546

MCQUOWN JACOB
Parcel #: 84D-1401-1
4636 PROCTOR RD
CASTRO VALLEY CA 94546

MEISSNER RONALD L &
Parcel #: 84D-1265-7
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CASTRO VALLEY CA 94546

MICHEL FREDRICK & LISA
Parcel #: 84D-1265-4
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CASTRO VALLEY CA 94546

MINDLE WAYNE L
Parcel #: 84D-1186-13
4717 SORANI WAY
CASTRO VALLEY CA 94546

MORGAN RALPH & ROSALIE
Parcel #: 84D-1180-28
4635 PROCTOR RD
CASTRO VALLEY CA 94546

NAVARRO RAUL C &
Parcel #: 84D-1180-2-1
17658 WALNUT RD
CASTRO VALLEY CA 94546

NIKOLOUTSOPOULOS
Parcel #: 84D-1180-21-1
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CASTRO VALLEY CA 94546

NOHAVA WILLIAM E &
Parcel #: 84D-1180-13-1
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CASTRO VALLEY CA 94546

NUNEZ ROGER T & APRIL L
Parcel #: 84D-1186-3
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CASTRO VALLEY CA 94546

ORNER ALICIA D
Parcel #: 84D-1240-2-2
18022 ALMOND RD
CASTRO VALLEY CA 94546

OSULLIVAN BRUCE & JOYCE
Parcel #: 84D-1186-15
4729 SORANI WAY
CASTRO VALLEY CA 94546

OWWING HERBERT &
Parcel #: 84D-1162-1-9
17705 ALMOND RD
CASTRO VALLEY CA 94546

OWWING ROSALIND TR
Parcel #: 84D-1162-1-11
17705 ALMOND RD
CASTRO VALLEY CA 94546

OWWING ROSALIND TR
Parcel #: 84D-1162-1-12
17705 ALMOND RD
CASTRO VALLEY CA 94546

PORTUGAL SENOVIO
Parcel #: 84D-1240-9
4431 CASA LA CRESTA
CASTRO VALLEY CA 94546

POWELL JOHN M & JOANN
Parcel #: 84D-1186-10
4722 SORANI WAY
CASTRO VALLEY CA 94546

QUAMEN ANN M ETAL
Parcel #: 84D-1401-12
1773 SAINT HELENA ST
SEASIDE CA 93955

RADLEY DOROTHY R TR
Parcel #: 84D-1205-29
18065 LAMSON RD
CASTRO VALLEY CA 94546

RADOVICH PATRICIA A TR
Parcel #: 84D-1186-16
4735 SORANI WAY
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1162-1-11
WALNUT RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1162-1-12
ALMOND RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1162-1-10
17838 WALNUT RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1165-18
18137 LAMSON RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1180-18-2
ALMOND RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1180-22-1
17730 ALMOND RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1180-17-1
17872 ALMOND RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1180-20
ALMOND RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1180-29
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CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1180-11-1
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CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1180-12-1
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CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1180-18-3
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CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1186-27
17910 JOSEPH DR
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1186-19
17899 SORANI CT
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1186-32-1
JOSEPH DR
CASTRO VALLEY CA 94546

RESIDENT
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CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1240-9
4431 CASA LA CRESTA RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1241-2
18083 LAMSON RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1240-6-2
LAMSON RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1240-7
4415 CASA LA CRESTA RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1240-10
4445 CASA LA CRESTA RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1265-7
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CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1270-26-2
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CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1270-30
4754 PROCTOR RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1265-6-2
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CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1401-2
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CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1401-12
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CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1403-4-14
PROCTOR RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1402-1
4658 PROCTOR RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1403-5-3
PROCTOR RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1403-14-17
4651 PROCTOR RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1402-3
4748 PROCTOR RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1402-4-1
4652 PROCTOR RD
CASTRO VALLEY CA 94546

RESIDENT
Parcel #: 84D-1402-4-2
4652 PROCTOR RD
CASTRO VALLEY CA 94546

REYNOLDS ROBIN
Parcel #: 84D-1162-7
18016 WALNUT RD
CASTRO VALLEY CA 94546

REYNOLDS TERRY &
Parcel #: 84D-1180-17-1
3013 GREENVIEW DR
CASTRO VALLEY CA 94546

ROBINSON ANN F TR
Parcel #: 84D-1186-19
PO BOX 1165
MENDOCINO CA 95460

ROSENDIN ANNE & JUDY A
Parcel #: 84D-1205-15
17933 JOSEPH DR
CASTRO VALLEY CA 94546

SCHNEIDER RUTH W
Parcel #: 84D-1180-1-1
4603 PROCTOR RD
CASTRO VALLEY CA 94546

SCHOON WILLIAM H &
Parcel #: 84D-1180-16-2
17980 ALMOND RD
CASTRO VALLEY CA 94546

SEVERS GREGORY D &
Parcel #: 84D-1180-22-1
4589 EWING RD
CASTRO VALLEY CA 94546

SILL MARK S & MARY K TRS
Parcel #: 84D-1241-5
18010 LAIRD CT
CASTRO VALLEY CA 94546

SIMMS IRENE
Parcel #: 84D-1180-2-2
17624 WALNUT RD
CASTRO VALLEY CA 94546

SMITH JACQUELYN A
Parcel #: 84D-1270-5-6
4758 PROCTOR RD
CASTRO VALLEY CA 94546

SQUAGLIA CORY & TERESA
Parcel #: 84D-1186-4
4755 PROCTOR RD
CASTRO VALLEY CA 94546

STRONG GEORGE & SHARON
Parcel #: 84D-1165-2-1
18129 LAMSON RD
CASTRO VALLEY CA 94546

SULLIVAN BERENICE K &
Parcel #: 84D-1401-7
17388 OAK CANYON PL
CASTRO VALLEY CA 94546

SULLIVAN JOHN J & MARY T
Parcel #: 84D-1270-15
17760 SWEETBRIAR PL
CASTRO VALLEY CA 94546

TERHELL RICHARD J & LAMAI
Parcel #: 84D-1205-18
17957 JOSEPH DR
CASTRO VALLEY CA 94546

THORNALLY SHIRLEY TR
Parcel #: 84D-1205-16
17941 JOSEPH DR
CASTRO VALLEY CA 94546

TOMLESTER B & CYNTHIA C
Parcel #: 84D-1401-3
4624 PROCTOR RD
CASTRO VALLEY CA 94546

TOTTEN JAMES E & KELLY L
Parcel #: 84D-1241-4
18009 LAIRD CT
CASTRO VALLEY CA 94546

TRAN YLAN & HUE Q
Parcel #: 84D-1403-5-3
4584 EWING RD
CASTRO VALLEY CA 94546

TRAN YLAN & HUE Q
Parcel #: 84D-1403-14-17
4584 EWING RD
CASTRO VALLEY CA 94546

VANDERBILT RANDY &
Parcel #: 84D-1186-21
17900 SORANI CT
CASTRO VALLEY CA 94546

VANDERBILT RONALD H &
Parcel #: 84D-1265-6-2
70 TATE TER
OAKLAND CA 94605

VASCONCELOS TERESA &
Parcel #: 84D-1180-2-4
4619 PROCTOR RD
CASTRO VALLEY CA 94546

VESCO JOHN M TR
Parcel #: 84D-1165-1-2
18019 ALMOND RD
CASTRO VALLEY CA 94546

WANG WEI Q
Parcel #: 84D-1240-8
18018 ALMOND RD
CASTRO VALLEY CA 94546

WEATHERILL ROBERT A &
Parcel #: 84D-1186-32-1
17905 JOSEPH DR
CASTRO VALLEY CA 94546

WEATHERILL ROBERT A &
Parcel #: 84D-1186-33
17905 JOSEPH DR
CASTRO VALLEY CA 94546

WILHELM CHRIS & ANGELA
Parcel #: 84D-1401-21
17520 CARDINAL CT
CASTRO VALLEY CA 94546

WILSON DESIREE P & LENNY J
Parcel #: 84D-1180-18-3
3013 GREENVIEW DR
CASTRO VALLEY CA 94546

WILSON DESIREE P &
Parcel #: 84D-1180-18-2
3013 GREENVIEW DR
CASTRO VALLEY CA 94546

WILSON DESIREE P &
Parcel #: 84D-1180-20
3013 GREENVIEW DR
CASTRO VALLEY CA 94546

WINKENBACH MICHEAL
Parcel #: 84D-1186-17
4741 SORANI WAY
CASTRO VALLEY CA 94546

WONG JEFFREY Y &
Parcel #: 84D-1401-5
17423 OAK CANYON PL
CASTRO VALLEY CA 94546

WONG WILLIAM & MARY C
Parcel #: 84D-1403-4-14
822 FRANKLIN ST #4
OAKLAND CA 94607

YATES EDITH C & LIM YIPING
Parcel #: 84D-1401-2
2610 ORCHARD RD
HOLLISTER CA 95023

YOUNG WILSON & IMELDA
Parcel #: 84D-1240-10
14429 CATALINA ST
SAN LEANDRO CA 94577

Andy Bye
4155 Blackhawk Plaza Circle
Danville, CA 94506

Adolph Martinelli

Terry & Reynante Brett Reynolds
3013 Greenview Drive
Castro Valley, CA 94546-6537

***ENVIRONMENTAL DECLARATION**

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

Alameda County Planning Department
224 West Winton Ave., Rm. 111
Hayward, CA 94544

FOR COUNTY CLERK USE ONLY

**ENDORSED
FILED**
ALAMEDA COUNTY
AUG 15 2014

PATRICK O'CONNELL, County Clerk
By CB Deputy

File No.: 14-334

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

(MARK ONLY ONE)

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

- ☐ STATUTORILY OR CATEGORICALLY EXEMPT
\$ 50.00 (Fifty Dollars) - CLERK'S HANDLING FEE

2. NOTICE OF DETERMINATION

- ☐ A. NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)
\$2,101.50 - STATE FILING FEE (Dept. of Fish & Game)
\$ 50.00 (Fifty Dollars) - CLERK'S HANDLING FEE

- ☐ B. ENVIRONMENTAL IMPACT REPORT
\$ 2,919.00 - STATE FILING FEE (Dept. of Fish & Game)
\$ 50.00 (Fifty Dollars) - CLERK'S HANDLING FEE

3. OTHER (Specify) Addendum to Initial Study

- ☒ \$ 50.00 (Fifty Dollars) - CLERK'S HANDLING FEE

*A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH ALL COPIES OF ENVIRONMENTAL DECLARATIONS BEING FILED WITH THE ALAMEDA COUNTY CLERK.

FOUR (4) COPIES OF ALL NECESSARY DOCUMENTATION, INCLUDING THIS FORM, ARE REQUIRED FOR FILING PURPOSES. FIVE (5) COPIES ARE REQUIRED FOR IN-OFFICE FILINGS.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2012
MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Tract 8053 Residential SubdivisionLead Agency: Alameda County Planning DepartmentContact Person: Damien CurryMailing Address: 224 W. Winton Ave, Rm 111Phone: 510-670-6684City: HaywardZip: 94544County: AlamedaProject Location: County: AlamedaCity/Nearest Community: Castro ValleyCross Streets: Proctor Road, 600 feet east of Walnut and Ewing RoadsZip Code: 94551Longitude/Latitude (degrees, minutes and seconds): 37 ° 43 ' 05 " N / 122 ° 04 ' 50 " W Total Acres: 5.85Assessor's Parcel No.: 084D-1403-014-17Section: unsec

Twp.: _____

Range: _____

Base: _____

Within 2 Miles: State Hwy #: I-580Waterways: Castro Valley Creek

Airports: _____

Railways: _____

Schools: CV Unified**Document Type:**CEQA: ☐ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.) _____

☐ Draft EIS☐ Other: _____☒ Mit Neg Dec

Other: _____

☐ FONSI**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☐ Site Plan☒ Land Division (Subdivision, etc.)☐ Other: _____**Development Type:**☒ Residential: Units 18 Acres _____☐ Office: Sq.ft. _____ Acres _____

Employees _____

☐ Transportation: Type _____☐ Commercial: Sq.ft. _____

Acres _____

Employees _____

☐ Mining: Mineral _____☐ Industrial: Sq.ft. _____

Acres _____

Employees _____

☐ Power: Type _____

MW _____

☐ Educational: _____☐ Waste Treatment: Type _____

MGD _____

☐ Recreational: _____☐ Hazardous Waste: Type _____☐ Water Facilities: Type _____

MGD _____

☐ Other: _____**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☐ Recreation/Parks☐ Vegetation☐ Agricultural Land☐ Flood Plain/Flooding☐ Schools/Universities☒ Water Quality☒ Air Quality☐ Forest Land/Fire Hazard☐ Septic Systems☐ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☐ Sewer Capacity☐ Wetland/Riparian☒ Biological Resources☐ Minerals☐ Soil Erosion/Compaction/Grading☐ Growth Inducement☐ Coastal Zone☒ Noise☐ Solid Waste☐ Land Use☐ Drainage/Absorption☐ Population/Housing Balance☒ Toxic/Hazardous☐ Cumulative Effects☐ Economic/Jobs☐ Public Services/Facilities☒ Traffic/Circulation☒ Other: Mandatory Findings**Present Land Use/Zoning/General Plan Designation:**R-1-BE-CSU-RV**Project Description:** (please use a separate page if necessary)

Addendum of previous project circulated Jan 29 - March 1, 2013. Subdivision of the subject property into 18 separate residential lots, with one remainder lot held in common ownership to provide hydro-modification and other services.

Reclassification of tract to a PD (Planned Development) allowing R-1-BE-CSU-RV uses, reduced dimensions for specific side yards, and allowances for 28.5 foot building heights where a 25 foot height is normally allowed.

INITIAL STUDY & MITIGATED NEGATIVE DECLARATION
TRACT 8053 RESIDENTIAL SUBDIVISION PROJECT

2014 UPDATED ADDENDA

FURTHER RESPONSE TO COMMENTS ON AND MODIFICATIONS TO PROPOSED PROCTOR COURT PROJECT:

- **Memorandum to Staff, dated August 8, 2014**
- **Plan Set for Adjusted, 18 Lot Proctor Court Project**
- **Geotechnical Feasibility Evaluation by ENGEO,
dated November 19, 2013**
- **Correspondence from the Chief of the Regulatory
Division of the U.S. Army Corps of Engineers, dated
December 12, 2013**
- **Alameda County Fire Department Conditions of
Approval, dated July 30, 2014**
- **Letter from TJKM, Traffic Consultant in response to
comments at July 8 MAC meeting and to address
Traffic impact adjustments for the 18 Lot Proposal,
dated August 7, 2014**

INITIAL STUDY & MITIGATED NEGATIVE DECLARATION
TRACT 8053 RESIDENTIAL SUBDIVISION PROJECT

- **Letter from Johnson Marigot Consulting, LLC
containing a report on the seasonal wetland area of
the Proctor Road Property, dated August 8, 2014**

INITIAL STUDY & MITIGATED NEGATIVE DECLARATION
TRACT 8053 RESIDENTIAL SUBDIVISION PROJECT

- **Letter from TJKM, Traffic Consultant in response to adjustments for the 18 Lot Proposal, dated August 7, 2014**
- **Letter from Johnson Marigot Consulting, LLC containing a report on the seasonal wetland area of the Proctor Road Property, dated August 8, 2014**

MEMORANDUM: Summary of Adjustments to the Proctor Court Subdivision Project to Allow 18 Lots and an Evaluation of the Continued Standing of the INITIAL STUDY & MITIGATED NEGATIVE DECLARATION Prepared for the Previous 19 Lot Plan, As Well As Further Response to Public Comments, Technical Reports and Regulatory Requirements Subsequent to the July 8, 2013 MAC meeting.

TO: Damien Curry and Philip Sawrey-Kubicek, Alameda County Planning Department

FROM: Jay Claiborne, Consultant

DATE: August 8, 2014

RE: Updated Project Information and Description

On January 29, 2013, A Public Notice was posted and sent to all neighbors near the project site in Castro Valley informing them and the general public of the intention of the County to adopt the Initial Study and Mitigated Negative Declaration on a proposed 19 Lot Subdivision for Tract 8053 subdivision PLN 2010-00100.

This memorandum provides a summary and discussion of the issues raised prior to, during, and following the Castro Valley MAC Hearings on February 25, 2013 and July 8, 2013, in anticipation of a MAC Hearing to be scheduled for discussion of further adjustments to the Tract 8053 Proctor Court Residential Subdivision Project. These adjustments include the removal of a lot on Proctor Road to further reduce the number of planned lots in the subdivision to 18, as well as several other modifications intended to reduce the level of environmental impacts as well as reduce the impacts to the surrounding neighborhoods.

The memorandum describes the details of these adjustments and revisions. The accompanying 2014 Update to the review Addendum includes technical studies and reports for the proposed refinements. The subdivision plan adjustments for the 18 Lot Subdivision are responsive to additional letters of concern, comments made at the MAC Public Hearings, and include modifications regarding tree removal, lot slopes, house design, and lot slope and configuration. The grading configurations for all 18 lots will provide flat padded footprints for homes that allow conventional structural design.

The modifications to the project do not increase any identified potential environmental impacts. The Initial Study and Mitigated Negative Declaration for the 19 Lot Subdivision will remain applicable to the 18 Lot proposal. The adjusted 18 Lot development plan includes a request for a rezoning from R-1-B-E-CSU-RV to a PD (Planned Development) District allowing the following modifications to the zoning standards: (1) side yard setbacks are to be measured as the distance between homes rather than as the distance from property lines; and (2) allow a height limit of 28.5 feet rather than 25 feet to permit steeper pitched roofs, which are more aesthetically pleasing.

POTENTIALLY SIGNIFICANT IMPACTS REQUIRING MITIGATION

The revised 18 Lot project would not result in any additional potentially significant impacts requiring mitigation as identified by the Initial Study for the 19 Lot proposal. All identified mitigation measures to reduce potential environmental impacts to a less than significant level remain in place as discussed below.

1. Aesthetics (Street and Site Lighting, Landscape, and Home Design)

As with the previous 19 lot proposal, the street and site lighting for the proposed project will be sensitive to neighboring land uses and will minimize energy use. The lighting plan for the 18 lot proposal will be professionally designed in conformance with the County's lighting guidelines and criteria for energy usage to ensure and enhance safety, security, functionality, privacy and conservation. The removal of the one lot on Proctor Road will further reduce potential impacts to the public street area. Effects from street and site lighting will be limited to the private road, further reducing all identified, less than significant aesthetic impacts.

Concerns for the existing view shed and general view obstruction for neighboring residences were raised at earlier public MAC meetings and in a neighbor's letter and signed petition, which is on record for development of the site. The Castro Valley General Plan does not designate any scenic vistas related to the Project Site. The Project Site is located on the south side of Proctor and gently slopes south and southeast. The predominant views from surrounding homes are toward the south and southwest. Two existing residences on the north side of Proctor have partial views to the south and southwest from their second story. These two homes are sited on higher elevations than that of the project site. Partial views to the southwest from residences on Sorani Court will either be enhanced by removal of some vegetation on the project site or will not be obstructed by the new homes mainly resulting from the lower elevations and the farther distances of the proposed new homes.

As illustrated in the plan set for the revised 18 Lot subdivision proposal (See the page titled: Cross Section View Diagrams and Analysis), future homes on the project site would either not break the height of the existing ridgeline or would be blocked from offsite views due to existing vegetation. In either case, the diagrams show that future homes on the project site would not affect views to and through the site from off site locations mainly due to fact that most homes in the new subdivision will be constructed at a lower elevation in comparison with the homes in the surrounding area. Views for adjacent residents remain relatively unaffected by the 18 Lot.

The viewshed analysis included in the plan set demonstrates the extent to which the modified site grading and flat building pads increase the protection of views across the subdivision, including conformance with the policy intent of the Castro Valley General Plan (CVGP). As discussed in section 8 below, the proposed 18 Lot subdivision will require rezoning to a PD district allowing R-1 uses.

The level building pads in the modified, 18 Lot proposal allow standard, conventional foundation and structural systems for each lot which will result in shorter construction duration. As in the earlier 19 Lot proposal, the homes in the subdivision will be architecturally designed to conform with the aesthetic character and scale of the surrounding homes and neighborhoods.

The design and construction of the 18 new homes will be in conformance with the Castro Valley General Plan Design Guidelines and with County building codes, which address and minimize visual impacts to the environment. For the proposed site, certain proposed design criteria are considered critical, including:

- Grading Plan for alteration of existing natural grades to be in accordance with code, and to provide economically viable building pads while preserving the overall topographic canyon shape of the site; and
- Seasonal wetland area preservation at the south end of the subdivision maintained to ensure that the natural drainage areas and associated wildlife are preserved within the common boundaries of Parcel B.

A professionally designed landscape plan for the 18 Lot subdivision will coordinate important elements of fire safety, conservations, aesthetics and privacy. A local, licensed, professional landscape architect and fire prevention specialist has been contracted to ensure that the project will create an attractive, viable and safe home environment for the site and the surrounding neighborhoods. The grading and siting modifications for the 18 Lot proposal increase opportunities for protecting significantly important existing plant material and trees.

2. Air Quality (Construction Period Impacts, Including Safety, Security, and Nuisance)

Air Quality issues for the site result primarily from the construction phase of project. The following practices submitted for the 19 Lot proposal remain unchanged for the 18 Lot project. In addition to all required measures to control traffic, construction noise, dust, hours of operations, soil erosion, and water pollution, other measures such as rodent and animal control will be exercised to minimize construction phase impacts to the adjacent neighborhoods.

Extra measures will also be taken to address traffic control and security issues for project sites, including neighborhood crime prevention.

Coordinated project planning, construction and management mechanisms will be put in place to minimize total project construction time for the 18 lots proposed for the project site.

3. Biological Resources

As noted above, appropriate rodent and animal control will be exercised during the construction phase of the project. All identified mitigation measures for the 19 Lot proposal will apply to the reduced, 18 Lot project to reduce to less than significant potential impacts to the two identified special status plant species, to nesting birds and nesting bird habitat, and potential interference with migratory wildlife corridors.

4. Cultural Resources

As an undeveloped land area, any cultural resources are limited to archaeological and paleontological resources or to human remains. As for the 19 Lot proposal, the 18 Lot project will follow proper mitigation practices for such resources.

5. Geology and Soils (Slope and Soil Engineering Stability)

The issue of project site slope and soil stability has been raised, both at the February hearing and in a letter by one of the adjacent homeowners.

A Geotechnical investigation was conducted for the originally proposed 23 Lot subdivision. The Geotechnical Engineering firm, Henry Justiniano and Associates made the following conclusion: "Based on the results of our evaluations, we conclude that there are no geotechnical nor geologic considerations that would preclude the proposed development. Information from our review of the geological maps, published geotechnical reports, the existing topography, and our exploration program, indicates that the designed building locations would be within acceptably stable terrain, and that the site would be feasible for construction of the proposed residences, provided that the recommendation presented herein are incorporated into the design, and adhered to during the construction phases of the project." The reduction in the number of proposed lots from 23 to 18, as well as the increased lot size, should further reduce concern for site slope and soil stability

At the July 8, 2013 public MAC meeting, Mr. Justiniano, the Principal of the Geotechnical Engineering firm, supported the feasibility of the 19 Lot project proposal for geotechnical and geologic considerations. His assessment is on record in a letter summarizing the analysis for the 19 Lot subdivision, dated April 30, 2013. In addition to the geotechnical work completed by Mr. Justiniano, further evaluation has been conducted for the subdivision site by the firm ENGEO on behalf of Braddock and Logan, dated November 19, 2013, which concludes that site is suitable for the proposed 18 Lot development. The ENGEO report is included in the Updated Addendum.

The grading plan modifications for the 18 Lot proposal provide additional refinements that improve the site design for each of the homes. The basic concepts of the 19 Lot plan remain in place, but are modified to provide a flat footprint area for each home appropriate to allow conventional construction practices. In addition, lot lines are set at or near the top of each slope to make property edges more understandable to home owners for fencing and planting and to support more feasible access for landscape maintenance. The modified grading also improves view protection for properties adjacent to the subdivision, as discussed in the viewshed section below. Potential impacts to geology and soils remain mitigated by the grading plan to less than significant.

6. Hazards and Hazardous Materials

The site is located within an area designated as a very high hazard fire danger zone. The development plans now reference the former fire buffer zone on the 19 Lot plan set as a "hazardous vegetation and fuel management area" to comply with the language of the California Fire Code. The vegetation management areas are consistent with the revised lot design and do not extend into the adjacent lot on Proctor Road adjacent to Lot 1.

The revisions also include home design to fully comply with the Wildland-Urban Interface County Building Code (CBC) Standards under Chapter 7 A.C.B.C, including use of fire retardant building materials and sprinkler systems. County standards are met for private road and emergency access and clearance, including provisions for and installation of signs along the Fire Lane No Parking side of the private roadway. The roadway width, as discussed below in Section 10, is designed with a minimum width of 28 feet, allowing on-street parking opposite the Fire Lane curb edge. Fire hydrants, as required, are located to provide a minimum clearance for access of 26 feet. A professionally prepared Vegetation and Fire Hazard Management Plan will be prepared and submitted to the County Fire Department for action. These measures are intended to significantly improve the existing fire safety conditions for the site area and prevent potential future fire hazards for the neighborhood. All revisions for the 18 Lot proposal are responsive to the Conditions of Approval noted in a letter from the by the County Fire Department, dated July 30, 2014, which is included in the Addendum.

7. Hydrology and Water Quality

As in the 19 Lot subdivision proposal, the 18 Lot proposal retains a water quality collection area, retitled Parcel B, which is located at the southeast end of the property. This area is subject to protection by the agencies for flood control and water conservation as reported in the attached documents from the U.S. Army Corps of Engineers. The wetland separates the proposed subdivision from a more elevated, adjacent neighborhood area, accessed by Joseph Drive, a public street. Unlike the 19 Lot proposal, the modified subdivision plan does not create a large water feature in this area for collecting runoff, but rather provides for the treatment of surface runoff from the private street and other impervious surface areas prior to its open passage into the absorption area. The treatment management approach is an

improvement that more effectively mitigates polluted runoff prior to its absorption by the preserved lower land area, Parcel B. The letter dated August 8, 2014 included in the Addendum, provides further clarification on how the seasonal wetland area will not be impacted or filled by the project and will continue to receive storm water from the surrounding watershed in the post development scenario.

8. Conflicts with Land Use or Zoning

Similar to the previous 19 Lot subdivision plan, the current proposal would comply with the Castro Valley General Plan (CVGP). Reclassification to a Planned Development (PD) district allowing R-1 uses would be required for the project to be compliant with the Alameda County Zoning Ordinance. The intent of PD districts (17.18.010) in the Zoning Ordinance is to allow appropriate regulatory flexibility, in accordance with the policies of the General Plan, for development of more environmentally sensitive areas. The rezoning is necessary to allow the proposed building height and side yard setbacks. The Hillside Residential designation is used for steep slopes and/or in high fire hazard areas to ensure that adequate mitigations are identified for one family detached dwellings for lot sizes that can range from 5,000 to 10,000 square feet with overall densities of 4-8 du/acre. The project site currently is zoned as R-1-BE-CSU-RV Single Family Residential, with a 6500 net square foot minimum building site area.

As has been discussed in the section above on grading, the preferred property line locations are responsive to slope and grading conditions. In a number of cases, lot lines do not maintain County standards for side yards. However, in the proposed plan the physical separation between the identified building pads for the subdivision allow or exceed the County dimension established by the standard side yard requirement. Comparably, the height of the homes proposed for the proposed flat building pads is appropriate to the sloped conditions of the site, but exceed that allowed by the standard measurement practice. The building height as it impacts the surrounding neighborhoods and adjacent lots considering the general topography and planned regrading is consistent with General Plan policies. The PD R-1 rezoning allows the necessary regulatory flexibility for full consistency of the proposed 18 Lot plan with the CVGP.

Previously, when 23 lots were proposed for the 5.85 acre project site, there was concern that the subdivision would exceed the environmental constraints of the site and that the proposed average 8,050 square foot lot size would be significantly inconsistent with the average lot size for the surrounding neighborhoods. Those concerns, as well as issues of traffic and soils, were first addressed in the Initial Study (IS) and Mitigated Negative Declaration (MND) for the 23 Lot proposal and were discussed at the initial February 2013 MAC meeting. They have remained issues for study through the project revisions that have shaped the 19 Lot proposal, for which the number and size of the 19 lots are found to be less than significant. The current subdivision proposed for the site eliminates one more lot and allows an average lot size of 12,093 gross square feet (10,813 net), with the smallest lot being 7,421 gross square feet (6,515 net). Two of the 18 lots are slightly larger than 33,000 and 26,000 gross square feet. The current project clusters smaller lots on the flatter portions of the site, while the larger lots are within the more constrained portions of the site.

The original subdivision project initially planned for the site would have created 24 lots. At the above referenced hearing at the end of February 2013, the project submitted had been reduced to 23 lots, for a total maximum density of approximately 3.9 units per acre. The maximum density for the 19 Lot proposal is approximately 3.3 units per acre. The current 18 Lot proposal further reduces the density, to approximately 3.1 units per acre, which is slightly below the density range for the CVGP, which should not be a concern given the nature of the public comments. New homes planned for the 18 Lot subdivision are to be approximately 2,800 to 3,100 square feet. For comparison, the 19 Lot proposal assumed an average home size of approximately 2,800 square feet.

9. Noise

As noted above in the discussion Air Quality, the potential for significant noise impacts from the project is largely related to the construction period. All mitigations required by the Initial Study for the 19 Lot project will be used by the 18 Lot project, keeping potential impacts to a less than significant level.

10. Transportation and Traffic

The feasibility of creating the private street access for the proposed subdivision from Proctor Road has been studied and further refined by the transportation consultant and reviewed by County Staff. In the general setting of the Project Site and the surrounding neighborhoods, a private road has been determined to be the best option for lot access within the subdivision. A public street was considered during the conceptual design phase and it was determined not to be feasible or practicable due to a combination factors, including:

- hillside topography;
- space constraints at the entrance;
- conservation considerations for less grading;
- minimization of impervious surfaces;
- minimization of need for retaining walls; and
- preservation of the rural characteristics of the neighborhood.

All lots for the current 18 lot subdivision are to be accessed from the private roadway. One of the lots in the earlier 19 lot proposal was located at the northeast corner of the subdivision and was to be accessed by a driveway from Proctor Road, as are two separately owned, developed properties on either side of the proposed new intersection for the private road. As previously stated, the lot on Proctor Road has been eliminated from the proposed subdivision plan.

To help mitigate potential turn movement conflicts along Proctor Road, the proposed 18 Lot development will include the earlier concept to relocate the driveway curb cuts for the two existing homes and create new driveways farther from the Proctor Court intersection. A stop controlled intersection (Parcel A) for the new, private subdivision road with Proctor Road is proposed. As with

other residential street intersections, the stop signs will be located on the right-of-way of the private roadway that serves the 18 Lot subdivision.

In concurrence with the Alameda County Fire Department and Alameda County Public Works, the right-of-way for the new proposed private road is 33 feet, with a 28 foot roadway width and a 5 foot sidewalk along the interior side of the roadway. The private road will meet all the county requirements and standards for public safety and engineering design, as well as for emergency and large vehicle access, including fire.

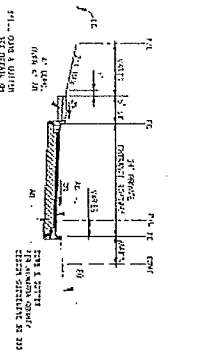
The proposed 28 foot width for the private Proctor Court roadway is adequate to accommodate on-street parking in accordance with County Standards. In compliance with the Alameda County Fire Department criteria, all on-street parking will be located on the same side of the private roadway. A total of 18 on-street parking spaces along the interior edge of the roadway are designated for the proposed 18 homes. With the elimination of the one lot on Proctor Road, no on-street parking resulting from the 18 Lot subdivision is anticipated.

TJKM, the traffic consultant for the project, has compared potential impacts for the 19 Lot subdivision with the original 23 Lot subdivision and concluded that traffic impacts from the revised project to the neighborhood would be minimum to insignificant. Subsequent to the further refinements for the 18 Lot subdivision plan, they have updated their analysis for potential impacts. Roadway widths and parking for the 18 Lot subdivision remain in conformance with the County's standards for private roads. TKJM's updated report for the 18 Lot subdivision plan concludes that impacts from traffic will be reduced slightly and remain minimum to insignificant.

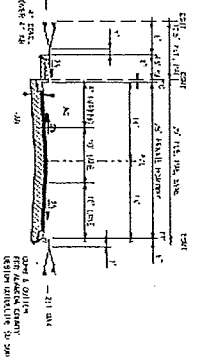
The TKJM Traffic impact Reassessment Letter, which addresses circulation and parking concerns raised at the July 8, 2103 MAC meeting, as well as their update report on the 18 Lot subdivision is included as part of the 2014 Updated Addenda.

11. Utilities and Service Systems

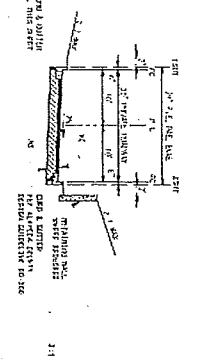
All public utility providers, including PG&E, EBMUD, and the Castro Valley Sanitary District have provided letters for the 19 Lot proposal confirming that the proposed project site is within the boundary of their respective service areas and capacity. The 18 Lot proposal does not alter this confirmation and, if anything, slightly lowers the overall demand placed on the capacity of the existing utility network.



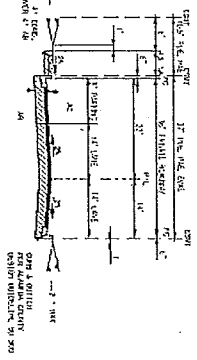
24' PRIVATE ENTRANCE STREET SECTION



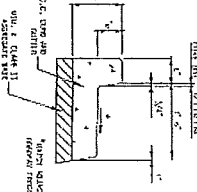
22' PRIVATE STREET SECTION



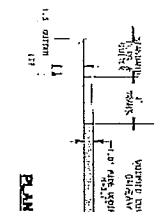
20' PRIVATE STREET SECTION



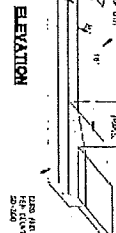
18' PRIVATE STREET SECTION



SEMI-PRIVATE STREET SECTION

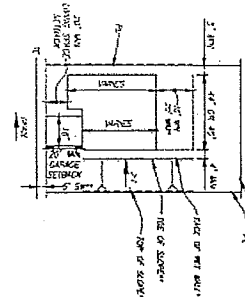


PLAN

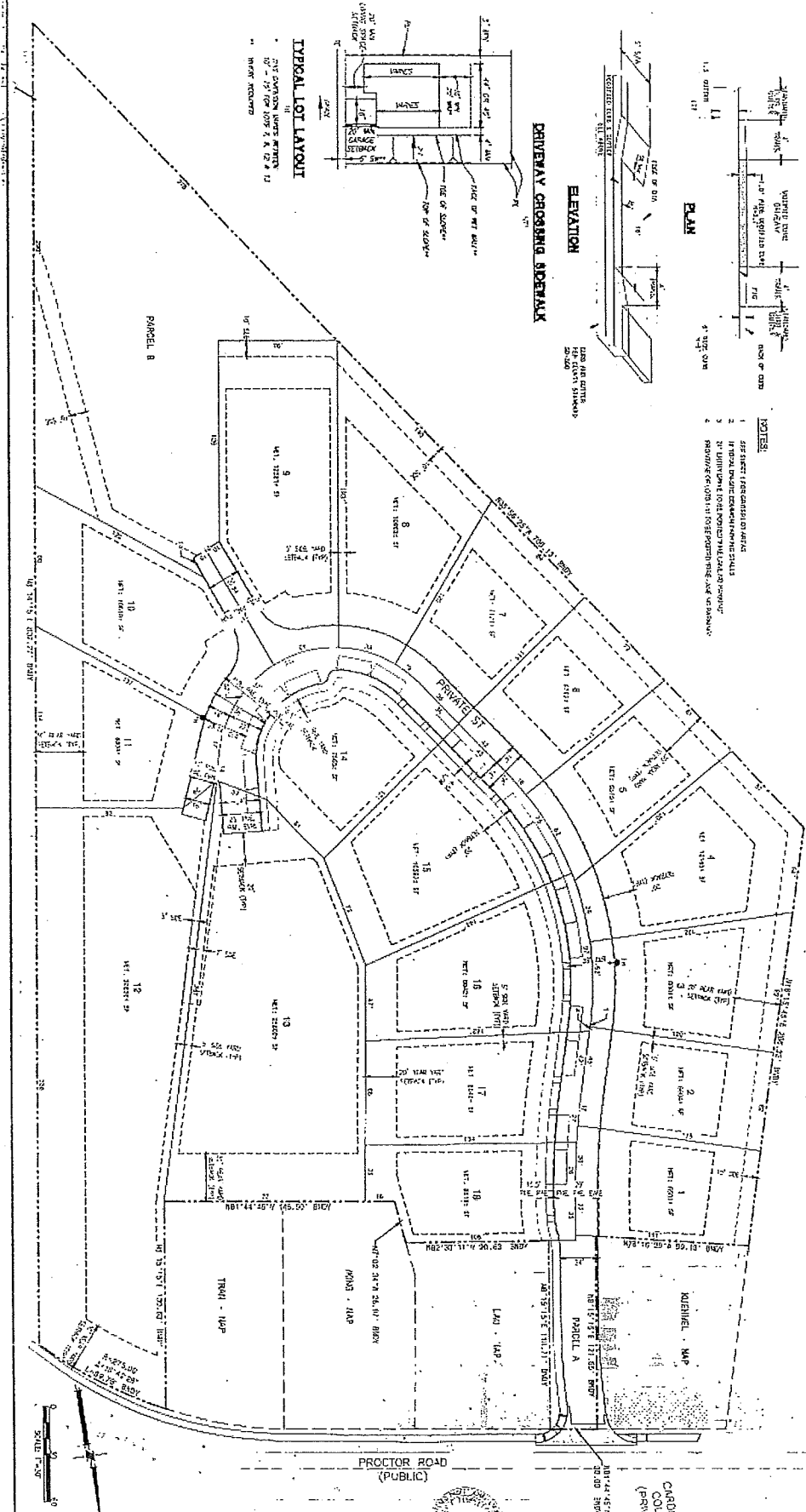


ELEVATION

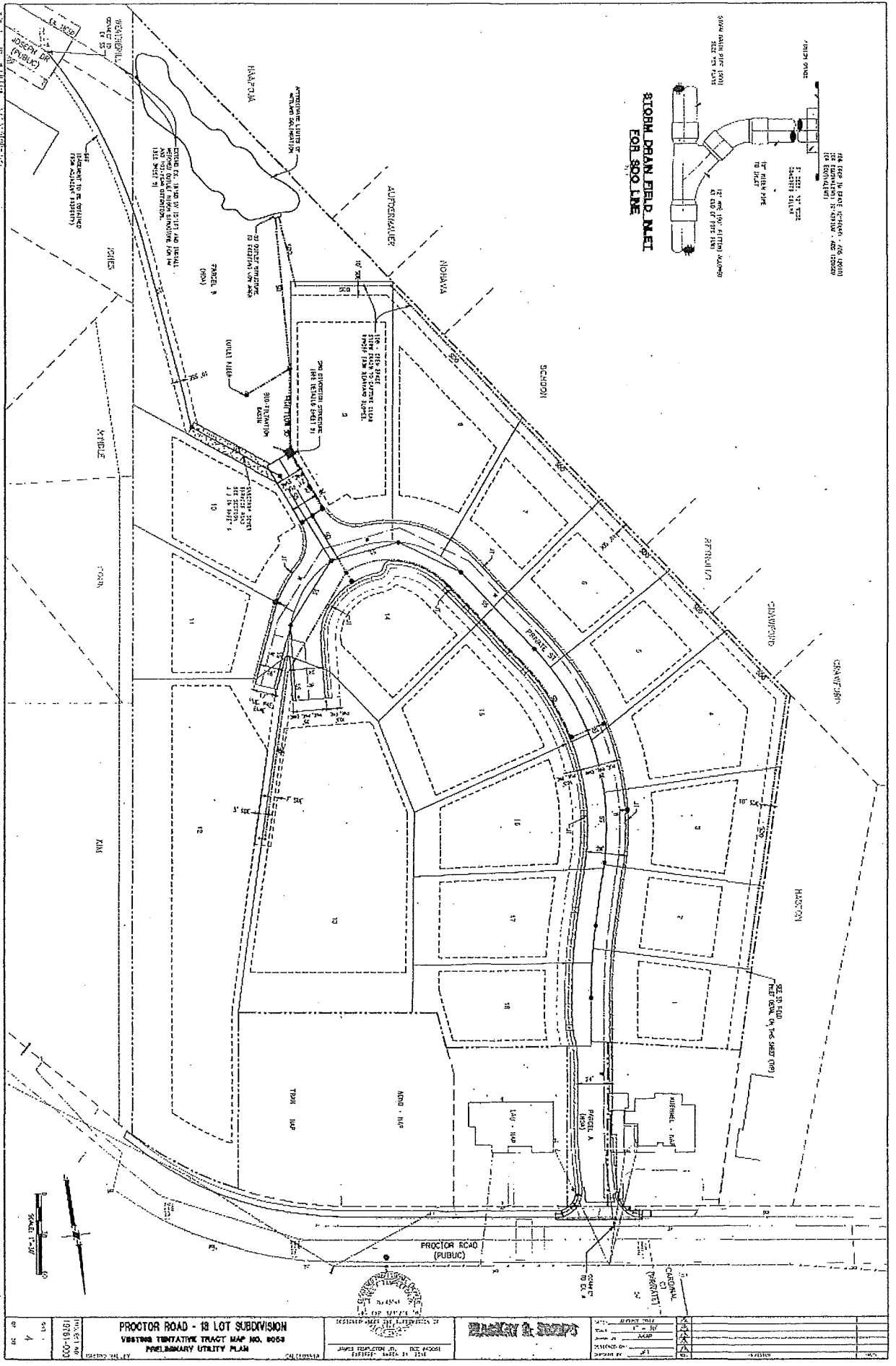
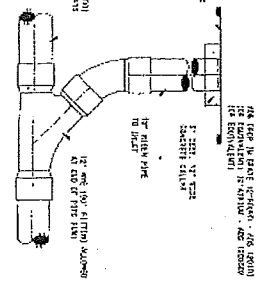
DRIVEWAY CROSSING DETAIL



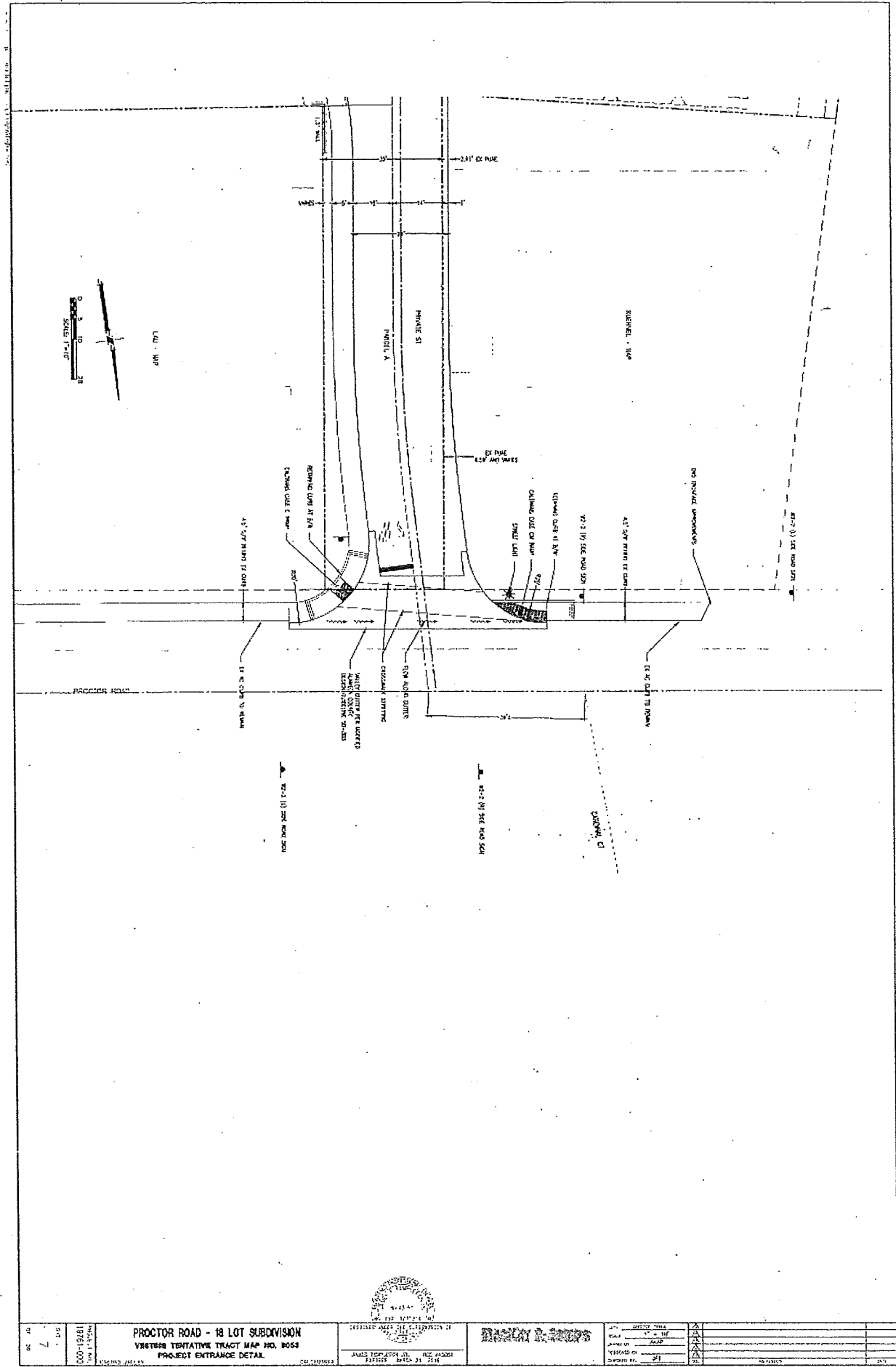
TYPICAL LOT LAYOUT



STORM DRAIN FIELD INLET FOR 300' LINE



<p>18</p> <p>17</p> <p>16</p> <p>15</p> <p>14</p> <p>13</p> <p>12</p> <p>11</p> <p>10</p> <p>9</p> <p>8</p> <p>7</p> <p>6</p> <p>5</p> <p>4</p> <p>3</p> <p>2</p> <p>1</p>	<p>PROCTOR ROAD - 18 LOT SUBDIVISION</p> <p>VISIONS TENTATIVE TRACT MAP NO. 8058</p> <p>PRELIMINARY UTILITY PLAN</p>	<p>18</p> <p>17</p> <p>16</p> <p>15</p> <p>14</p> <p>13</p> <p>12</p> <p>11</p> <p>10</p> <p>9</p> <p>8</p> <p>7</p> <p>6</p> <p>5</p> <p>4</p> <p>3</p> <p>2</p> <p>1</p>	<p>18</p> <p>17</p> <p>16</p> <p>15</p> <p>14</p> <p>13</p> <p>12</p> <p>11</p> <p>10</p> <p>9</p> <p>8</p> <p>7</p> <p>6</p> <p>5</p> <p>4</p> <p>3</p> <p>2</p> <p>1</p>	<p>18</p> <p>17</p> <p>16</p> <p>15</p> <p>14</p> <p>13</p> <p>12</p> <p>11</p> <p>10</p> <p>9</p> <p>8</p> <p>7</p> <p>6</p> <p>5</p> <p>4</p> <p>3</p> <p>2</p> <p>1</p>	<p>18</p> <p>17</p> <p>16</p> <p>15</p> <p>14</p> <p>13</p> <p>12</p> <p>11</p> <p>10</p> <p>9</p> <p>8</p> <p>7</p> <p>6</p> <p>5</p> <p>4</p> <p>3</p> <p>2</p> <p>1</p>	<p>18</p> <p>17</p> <p>16</p> <p>15</p> <p>14</p> <p>13</p> <p>12</p> <p>11</p> <p>10</p> <p>9</p> <p>8</p> <p>7</p> <p>6</p> <p>5</p> <p>4</p> <p>3</p> <p>2</p> <p>1</p>
--	--	--	--	--	--	--



1" = 10'
 SCALE 1" = 10'
 1" = 10'

PROCTOR ROAD - 18 LOT SUBDIVISION
 VETERAN TENTATIVE TRACT MAP NO. 8053
 PROJECT ENTRANCE DETAIL

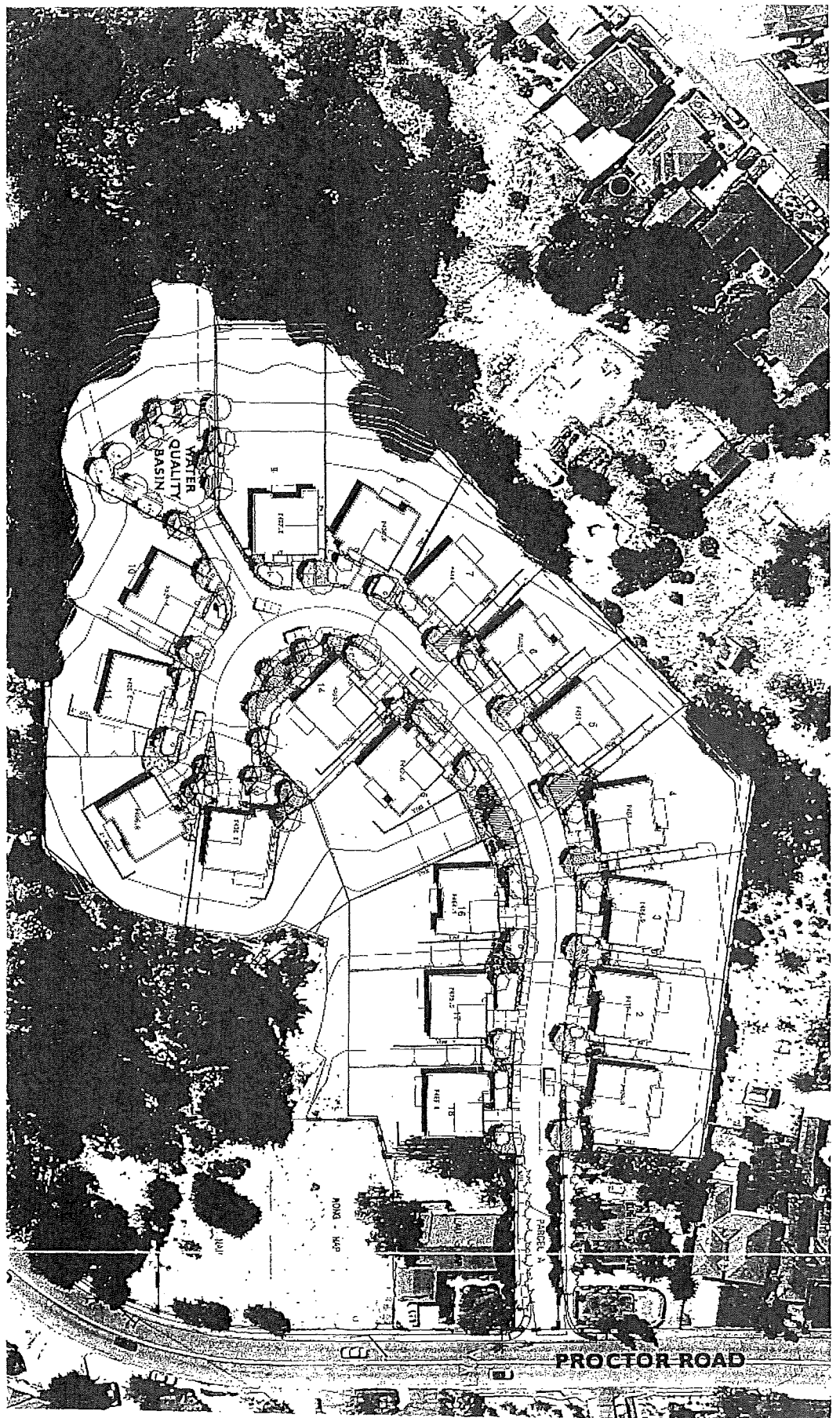
JAMES TOPP, JR., P.E.
 1000 S. 10TH AVE., SUITE 100
 DENVER, CO 80202

1" = 10'
 SCALE 1" = 10'

1" = 10'
 SCALE 1" = 10'

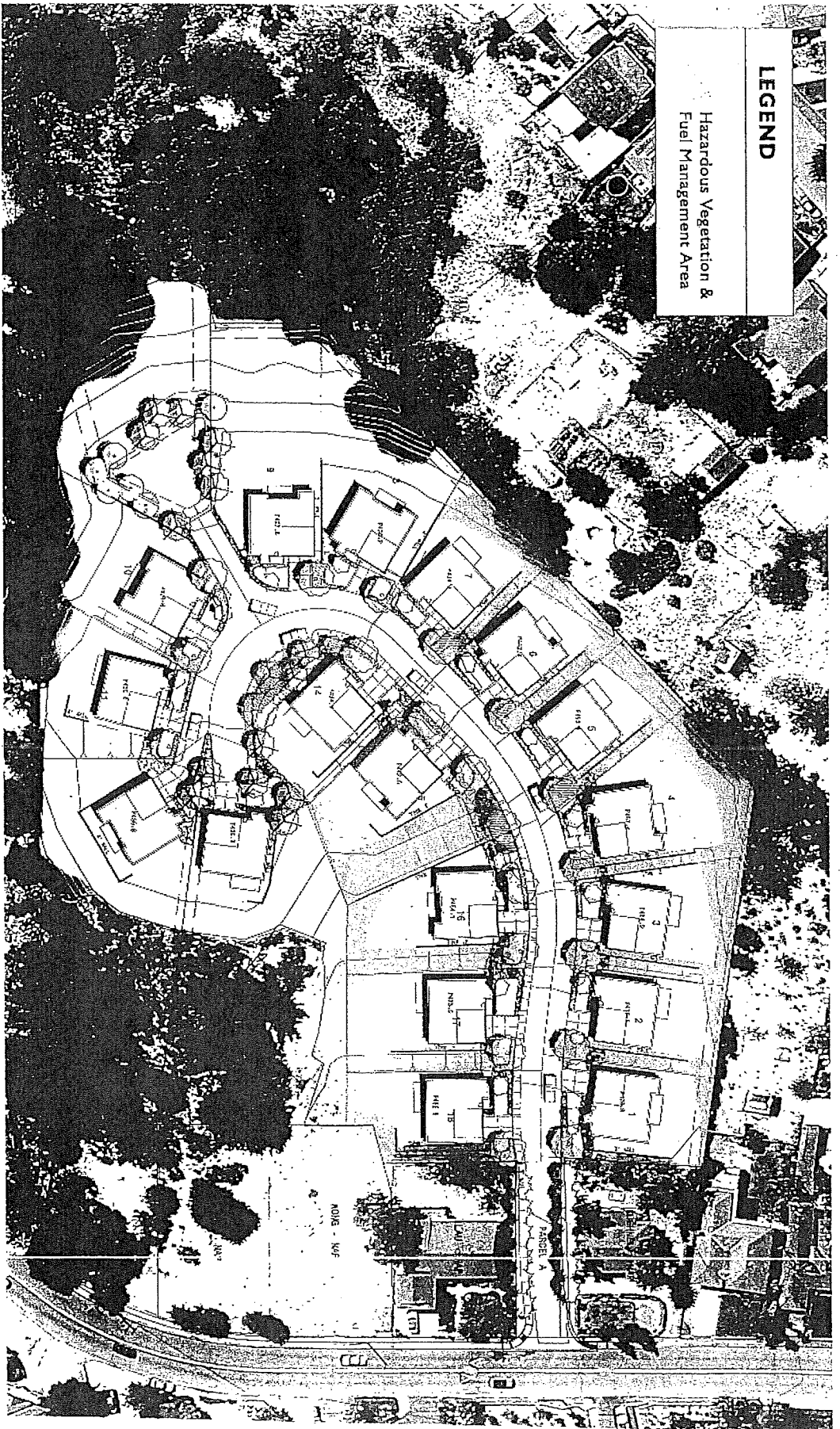
NO.	REVISION	DATE
1	ISSUED FOR PERMIT	10/1/00
2	ISSUED FOR CONSTRUCTION	10/1/00
3	ISSUED FOR CONSTRUCTION	10/1/00
4	ISSUED FOR CONSTRUCTION	10/1/00
5	ISSUED FOR CONSTRUCTION	10/1/00
6	ISSUED FOR CONSTRUCTION	10/1/00
7	ISSUED FOR CONSTRUCTION	10/1/00
8	ISSUED FOR CONSTRUCTION	10/1/00
9	ISSUED FOR CONSTRUCTION	10/1/00
10	ISSUED FOR CONSTRUCTION	10/1/00

0 15 30
Feet



LEGEND

Hazardous Vegetation &
Fuel Management Area



GATES
ASSOCIATES

PROCTOR ROAD CASTRO VALLEY, CALIFORNIA

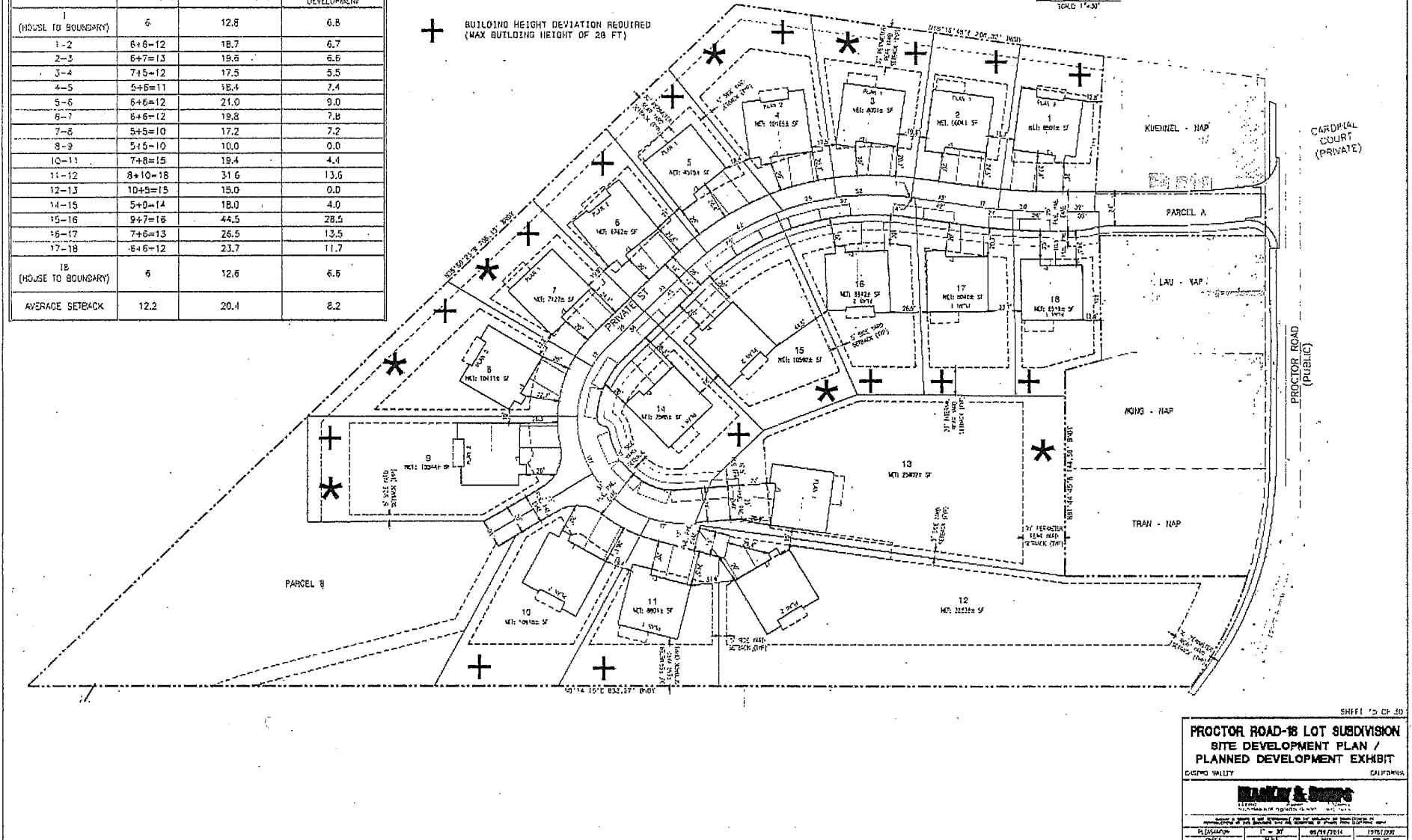
HAZARDOUS VEGETATION AND FUEL MANAGEMENT AREA

SHEET 13 OF 20 AUGUST 2014

AGGREGATE SIDERYARD SETBACKS (HOUSE TO HOUSE)			
LOTS	CURRENT ZONING (FT)	PROPOSED PLANNED DEVELOPMENT (FT)	EXCESS SETBACK PROVIDED BY PLANNED DEVELOPMENT
1 (HOUSE TO BOUNDARY)	6	12.8	6.8
1-2	6+6=12	18.7	6.7
2-3	6+7=13	19.6	6.6
3-4	7+5=12	17.5	5.5
4-5	5+6=11	16.4	7.4
5-6	6+6=12	21.0	9.0
6-7	6+6=12	19.8	7.8
7-8	5+5=10	17.2	7.2
8-9	5+5=10	10.0	0.0
10-11	7+8=15	19.4	4.4
11-12	8+10=18	31.6	13.6
12-13	10+5=15	15.0	0.0
14-15	5+0=14	18.0	4.0
15-16	9+7=16	44.5	28.5
16-17	7+6=13	26.5	13.5
17-18	6+6=12	23.7	11.7
18 (HOUSE TO BOUNDARY)	6	12.6	6.6
AVERAGE SETBACK	12.2	20.1	8.2

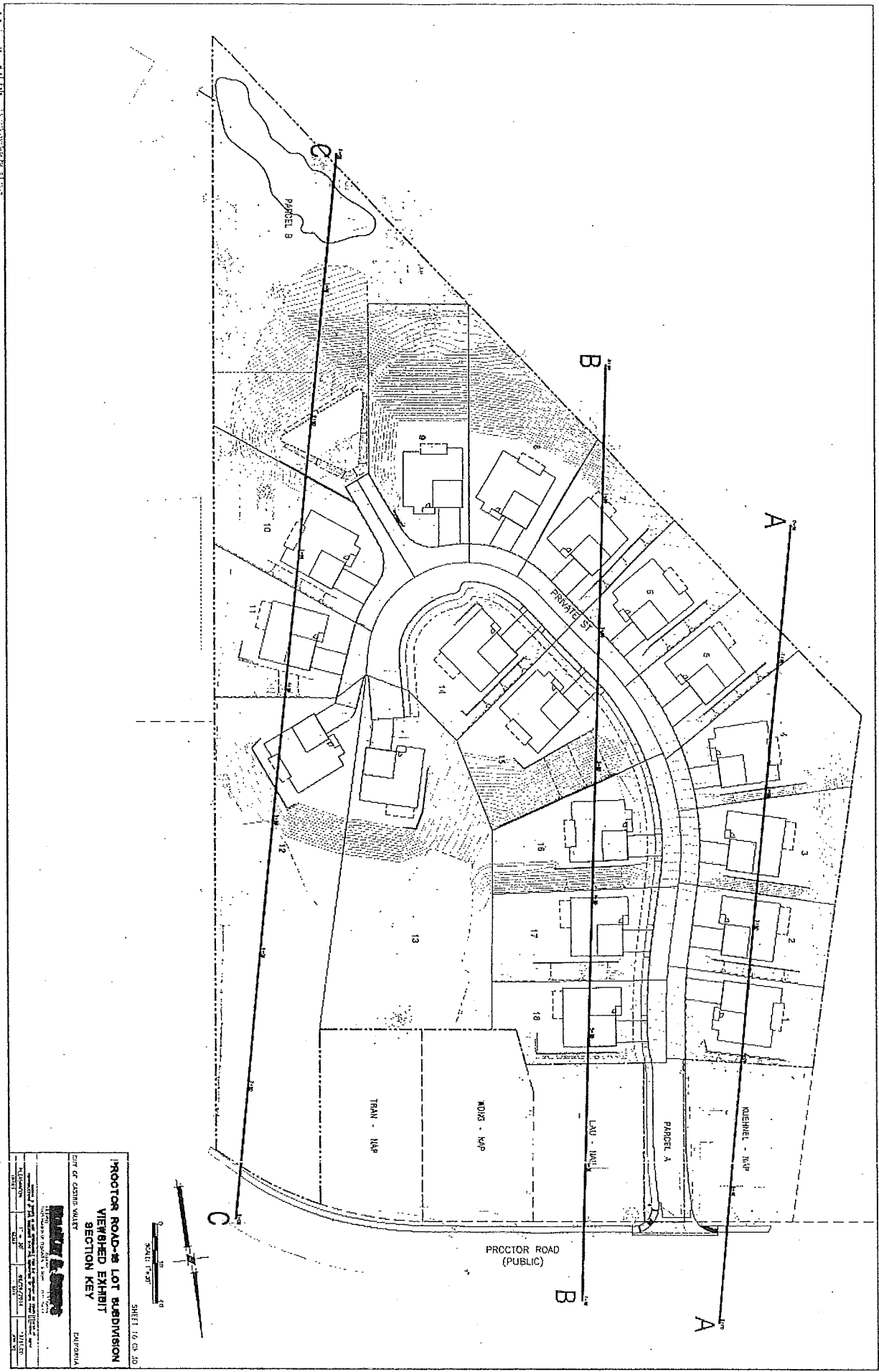
LEGEND

- * SIDE YARD SETBACK DEVIATION REQUIRED (5 FT WITH SIDE YARD SETBACK)
- + BUILDING HEIGHT DEVIATION REQUIRED (MAX BUILDING HEIGHT OF 20 FT)



SHEET 15 OF 10

PROCTOR ROAD-18 LOT SUBDIVISION SITE DEVELOPMENT PLAN / PLANNED DEVELOPMENT EXHIBIT			
DESIGNED BY: [Signature]		DATE: 05/21/2014	
SCALE: 1" = 30'		SHEET 15 OF 10	



PROCTOR ROAD-28 LOT SUBDIVISION
VIEWED EXHIBIT
SECTION KEY

CITY OF GASTON, NORTH CAROLINA

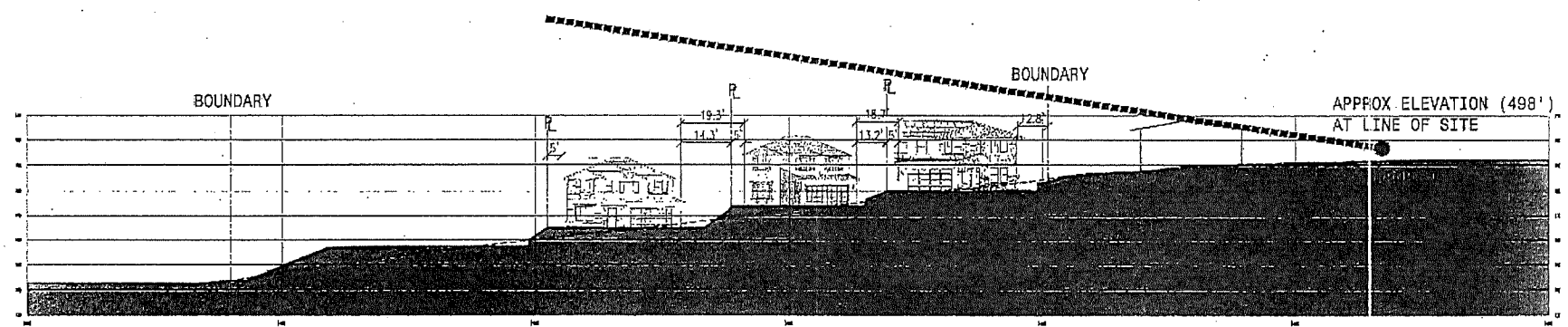
PROCTOR & COMPANY
 ENGINEERS & ARCHITECTS
 1000 PROCTOR ROAD, SUITE 100
 GASTON, NORTH CAROLINA 28053

DATE: 10/1/2011
BY: [Signature]
SCALE: 1" = 40'

SHEET 16 OF 20

LEGEND

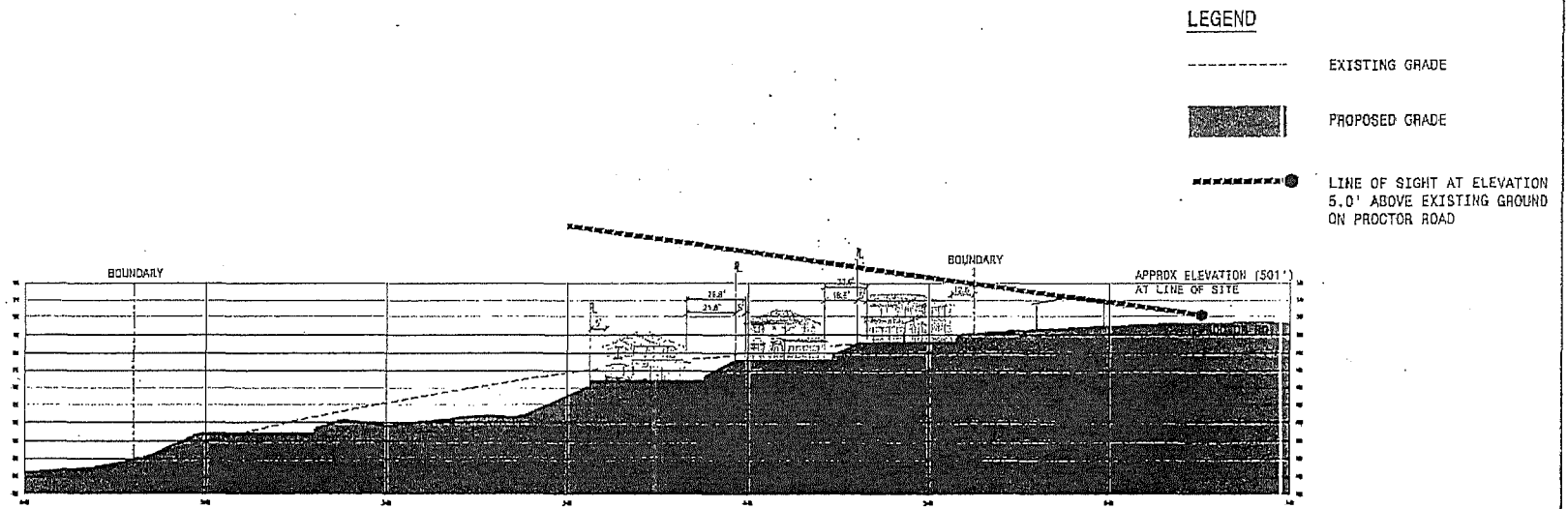
- EXISTING GRADE
- █ PROPOSED GRADE
- LINE OF SIGHT AT ELEVATION 5.0' ABOVE EXISTING GROUND ON PROCTOR ROAD



SECTION A-A
SCALE: 1" = 20' - 0"

SHEET 17 OF 30

PROCTOR ROAD-10 LOT SUBDIVISION			
VIEWSHED EXHIBIT			
SECTIONS			
CITY OF CASTRO VALLEY		CALIFORNIA	
WALKER & STONE			
PLANNING & DESIGN			
1000 S. GATEWAY AVENUE, SUITE 100, SAN JOSE, CA 95128			
TEL: (408) 293-1100 FAX: (408) 293-1101			
WWW.WALKERANDSTONE.COM			
DATE	BY	CHECKED	DATE
01/15/2014	MS	MS	01/15/2014
DRAWN BY		SCALE	
MS		1" = 20'	
DATE		SHEET	
01/15/2014		17 OF 30	



SHEET 16 OF 30

PROCTOR ROAD-16 LOT SUBDIVISION
VIEWSHED EXHIBIT
SECTIONS

CITY OF CASTRO VALLEY CALIFORNIA

Blakely & Samps
CITY ENGINEER

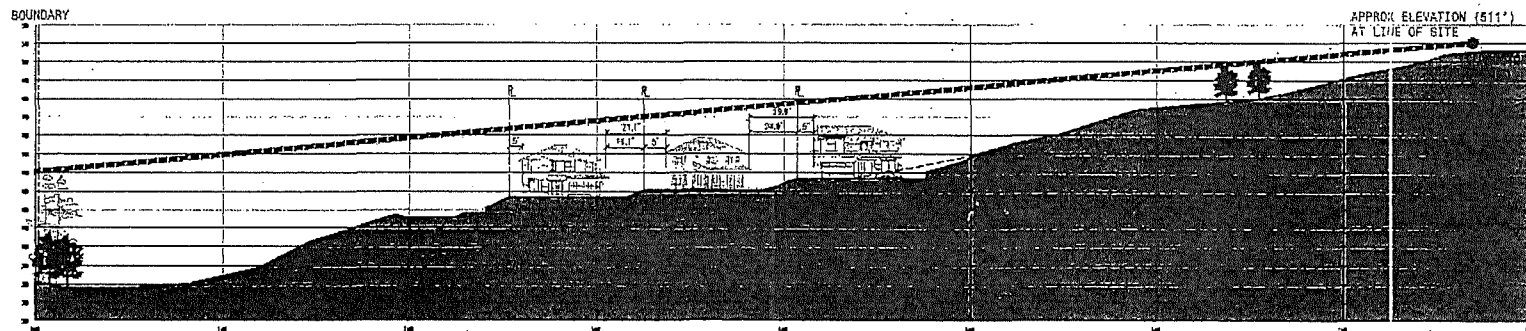
DESCRIPTION	DATE	REVISION/DATE	TOTAL TO
1	1/1/00	2/1/00	2/1/00

LEGEND

----- EXISTING GRADE

██████████ PROPOSED GRADE

----- LINE OF SIGHT AT ELEVATION
5.0' ABOVE EXISTING GROUND
ON PROCTOR ROAD



SECTION C-C
SCALE: 1" = 30' - 0"

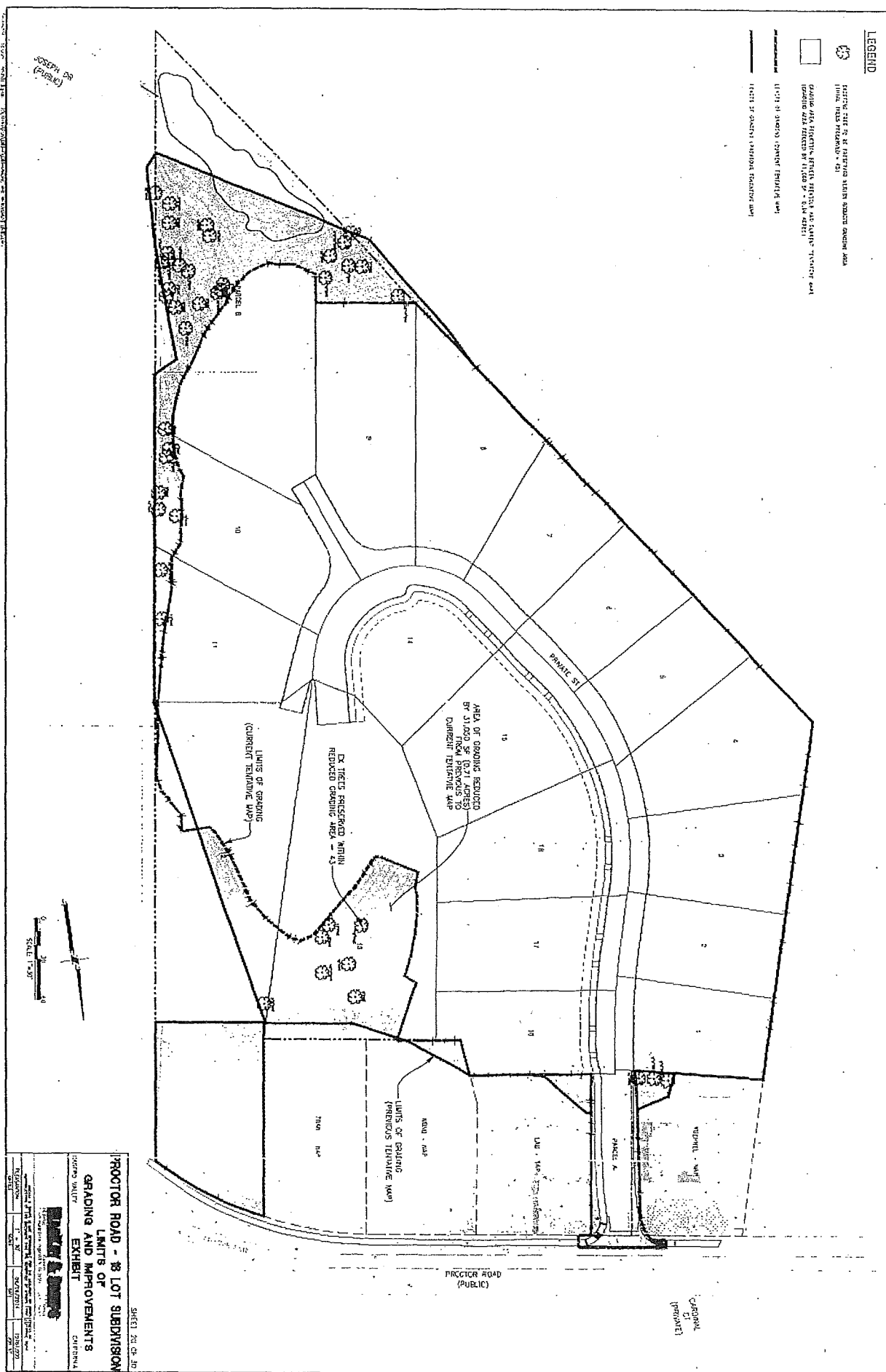
SHEET 19 OF 20

PROCTOR ROAD-18 LOT SUBDIVISION
VIEWSHED EXHIBIT
SECTIONS

CITY OF CASTRO VALLEY CALIFORNIA

ROBERT & SONS

PROJECT	DATE	BY	CHECKED
PROCTOR ROAD-18 LOT SUBDIVISION	06/18/2014	MM	MM





— Expect Excellence —

GEOTECHNICAL
ENVIRONMENTAL
WATER RESOURCES
CONSTRUCTION SERVICES

Project No.
10670.000.000

November 19, 2013

Mr. Andy Byde
Braddock and Logan Services, Inc.
4155 Blackhawk Plaza Circle, Suite 201
Danville, CA 94506

Subject: Tran Property
Castro Valley, California

GEOTECHNICAL FEASIBILITY EVALUATION

Dear Mr. Byde:

As requested and authorized by you, ENGEO has completed a geotechnical feasibility evaluation of the Tran property in Castro Valley, California. The purpose of this study is to describe the site conditions and development constraints from a geotechnical perspective.

SCOPE OF WORK

Our scope of work for this feasibility evaluation included:

- A review of published geologic maps and reports
- A review of preliminary development plans
- Examination of aerial images acquired between 1993 and 2012
- A visual site reconnaissance

SITE DESCRIPTION

The site is currently vacant and covered with a growth of grasses and brush. Site topography consists of an elevated terrace sloping south from Proctor Road, bounded on the east by a drainage swale as shown on Figure 1. Elevations range from about 500 feet along Proctor Road to a low point at about 380 feet at the south tip of the property. There are two existing residences at Proctor Road that will remain. The property is bounded on the east by an existing residence off Proctor Road with a four-to five foot high concrete retaining wall along the property line. Other existing residential lots border the project on the southeast and west sides.

PROPOSED PROJECT

The Tentative Map, dated April 2013 depicts 19 single-family lots accessed via a road from Proctor Road. A detention/water quality basin is proposed at the south tip of the project. The proposed improvements will generally be constructed by making cuts on the eastern terrace area and by placing fills in the adjacent swale.

REGIONAL GEOLOGY AND SEISMICITY

Regional mapping by Graymer (1994) identifies the site bedrock as Cretaceous-age marine sediments of the Panoche Formation as shown on Figure 2. Bedding strikes northwest and dips steeply to the southwest. The site is not located within an Alquist-Priolo Earthquake fault zone. The nearest active faults are the Hayward Fault located about 1.8 miles to the southwest, the Calaveras fault located about 6.8 miles to the northeast.

Regional landslide mapping by Nilsen (1975) did not identify landslide deposits on the property. The seismic hazard map for the Hayward Quadrangle does not identify liquefaction or seismic slope stability hazards in the near site vicinity.

It should be expected that the site will experience strong seismic ground shaking. The Working Group on California Earthquake Probabilities (WGEP) (2007) estimates the 30-year probability of a M6.7 or greater earthquake occurring on the known active fault systems in the Bay Area to be approximately 63 percent.

PREVIOUS EXPLORATION

A previous geotechnical report by Henry Justiniano and Associates (2010) (HJA) included drilling on one boring and excavation of ten test pits across the site the subsurface explorations typically encountered low plasticity clay soils overlying interbedded siltstone and sandstone bedrock. Bedding was typically found to be striking northwest and dipping 30 to 500 degrees southwest, consistent with regional mapping. Locally, layers interpreted to be possible bedding were noted dipping at low inclinations. Soils on the terrace area were typically found to be a few feet thick, while the soils in the swale area locally exceeded ten feet in thickness.

Laboratory testing on site soil and bedrock included measurement of grain size and plasticity index of the surficial soil. Soil plasticity ranged from 12 to 22, which would be considered to be of low to moderate plasticity.

GEOTECHNICAL SITE CONDITIONS.

We made a visual site reconnaissance in October 2013. The site appears to be generally stable, with no visible evidence of landslides along the sloping western perimeter and in the swale area.

We noted evidence of minor filling with soil and concrete debris on the site at the head of the swale near Proctor Road. The adjacent property owner at the east side of the site has apparently been depositing fill along the west side of his property for a number of years. The retaining wall along the common property line (east side of the project) supports a slope that is inclined steeper than 2:1 locally as high as about 20 feet. There is evidence that the neighbor has continued to deposit undocumented fills on the slope and some fresh-appearing debris from the fill has accumulated on the subject property. The retaining wall is cracked and tilted down slope. Based on the visible condition of the fill, it appears to be marginally stable and could be subject to slope failure.

CONCLUSIONS AND RECOMMENDATIONS

Based on our review of published maps, aerial images and on our visual site reconnaissance, it appears that it will be feasible to develop the site for residential construction. Most of the site appears to be underlain by stable and competent siltstone and sandstone bedrock at a relatively shallow depth, with the exception of the swale area. The surficial soils derived from the bedrock appear to be of relatively low plasticity based on visual examination.

According to the HJA report, bedrock layering appears to generally dip at inclinations of 30 degrees or greater to the southwest. This orientation would not generally be considered to be adverse for slopes inclined at 2:1 or flatter; however, locally flatter bedding was inferred in some test pits. If adverse bedding conditions are found to exist, it may be necessary to locally buttress cut slopes.

For preliminary planning purposes, it can be assumed that cut and fill slopes can generally be inclined as steep as 2:1 for slopes up to 15 feet high. Slopes higher than 15 feet should be inclined at 3:1 or flatter.

The principal geotechnical consideration for this site will be the presence of the potentially unstable undocumented fill along the east property line. Depending on the proposed grading on the subject site, it may be necessary to support the existing wall and slope with a properly designed wall with a few feet of freeboard designed to provide debris catchment. Alternatively, the project could be designed with a debris catchment bench along the property line with a minimum width of 30 feet.

Our conclusions are based on a visual reconnaissance and should be confirmed with subsurface investigation and laboratory testing when more detailed project plans are available.

LIMITATIONS AND UNIFORMITY OF CONDITIONS

This report presents preliminary geotechnical recommendations for planning purposes. If changes occur in the nature or design of the project, we should be allowed to review this report and provide additional recommendations, if any. It is the responsibility of the owner to transmit the information and recommendations of this report to the appropriate organizations or people involved in design of the project, including but not limited to developers, owners, buyers, architects, engineers, and designers. The conclusions and recommendations contained in this report are solely professional opinions.


The professional staff of ENGEO strives to perform its services in a proper and professional manner with reasonable care and competence but is not infallible. There are risks of earth movement and property damages inherent in land development. We are unable to eliminate all risks or provide insurance; therefore, we are unable to guarantee or warrant the results of our work.

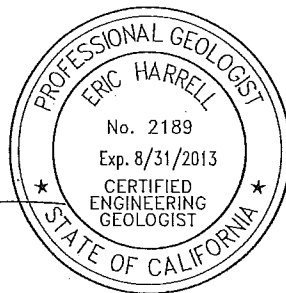
This report is based upon field and other conditions discovered at the time of preparation of ENGEO's services. This document must not be subject to unauthorized reuse, that is, reuse without written authorization of ENGEO. Such authorization is essential because it requires ENGEO to evaluate the document's applicability given new circumstances, not the least of which is passage of time. Actual field or other conditions will necessitate clarifications, adjustments, modifications or other changes to ENGEO's documents. Therefore, ENGEO must be engaged to prepare the necessary clarifications, adjustments, modifications or other changes before construction activities commence or further activity proceeds. If ENGEO's scope of services does not include on-site construction observation, or if other persons or entities are retained to provide such services, ENGEO cannot be held responsible for any or all claims, including, but not limited to claims arising from or resulting from the performance of such services by other persons or entities, and any or all claims arising from or resulting from clarifications, adjustments, modifications, discrepancies or other changes necessary to reflect changed field or other conditions.


We are pleased to be of continued service to you on this project. If you have any questions, please do not hesitate to contact us.

Sincerely,

ENGEO Incorporated


Philip A. Stuecheli, CEG
eh/pcg/cjn



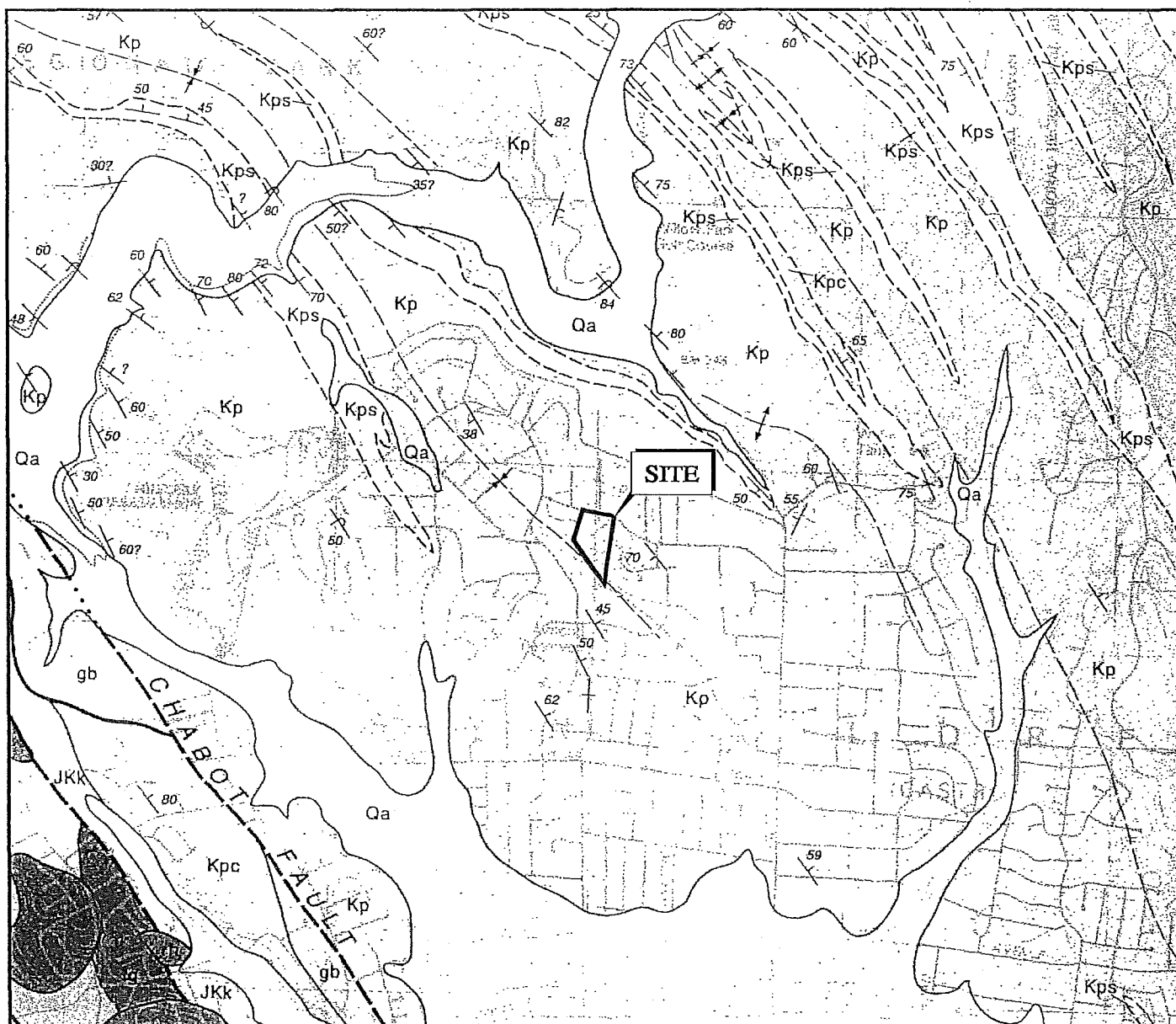

Raymond P. Skinner CEG



Attachments: List of Selected References
Figures

LIST OF SELECTED REFERENCES

1. California Geological Survey Staff, 2003, Seismic Hazard Zone Report for the Hayward 7.5-minute quadrangle, Alameda County, California: California Geological Survey, Seismic Hazard Zone Report 091, scale 1:24,000.
2. Dibblee, T.W. and Minch, J.A., 2005, Geologic map of the Hayward quadrangle, Contra Costa and Alameda Counties, California: Dibblee Geological Foundation, Dibblee Foundation Map DF-163, scale 1:24,000.
3. Graymer, R. W., Jones, D. L. and Brabb, E. E., 1994, Preliminary Geologic Map Emphasizing Bedrock Formations in Contra Costa County, California: OFR 94-622.
4. Google Earth © Historical Imagery, 1939-2012.
5. Henry Justiniano & Associates, 2010, Geotechnical Investigation, Proposed 24 Lot Subdivision Tentative Tract Map 8053, Dated November 4, 2010.
6. Nilsen, T.H., 1975, Preliminary photointerpretation maps of landslide and other surficial deposits of 56 - 7.5 minute quadrangles, Alameda, Contra Costa, and Santa Clara Counties, California: U.S. Geological Survey, Open-File Report OF-75-277, scale 1:24,000.
7. 2007 Working Group on California Earthquake Probabilities, 2008, The Uniform California Earthquake Rupture Forecast, Version 2 (UCERF 2): U.S. Geological Survey Open-File Report 2007-1437 and California Geological Survey Special Report 203 [<http://pubs.usgs.gov/of/2007/143>]



EXPLANATION

----- GEOLOGIC CONTACT-DASHED WHERE GRADATIONAL OR APPROXIMATELY LOCATED

---▲--- FAULT-DASHED WHERE INFERRED, DOTTED WHERE CONCEALED, QUERIED WHERE EXISTENCE IS DOUBTFUL. SAWTEETH ARE ON UPPER PLATE OF LOW ANGLE THRUST FAULT.

AXIS OF FOLD

↕ ANTICLINE ↕ SYNCLINE

STRIKE AND DIP OF STRATA

↗ INCLINED ⊥ VERTICAL ⊘ OVERTURNED

Qa SURFICIAL SEDIMENT
rh LEONA RHYOLITE
fg GREENSTONE
gb GABBRO-DIABASE
Kps SANDSTONE
JKk KNOXVILLE FORMATION
Kpc CONGLOMERATE
kp CLAY SHALE



0 FEET 2000
0 METERS 1000

BASE MAP SOURCE: DIBBLEE, 2005



REGIONAL GEOLOGY
TRACT 8503
CASTRO VALLEY, CALIFORNIA

PROJECT NO.: 10670.000.000

SCALE: AS SHOWN

DRAWN BY: LL

CHECKED BY: AU

FIGURE NO.

2



BASE MAP SOURCE: GOOGLE EARTH PRO



VICINITY MAP
TRACT 8503
CASTRO VALLEY, CALIFORNIA

PROJECT NO.: 10670.000.000

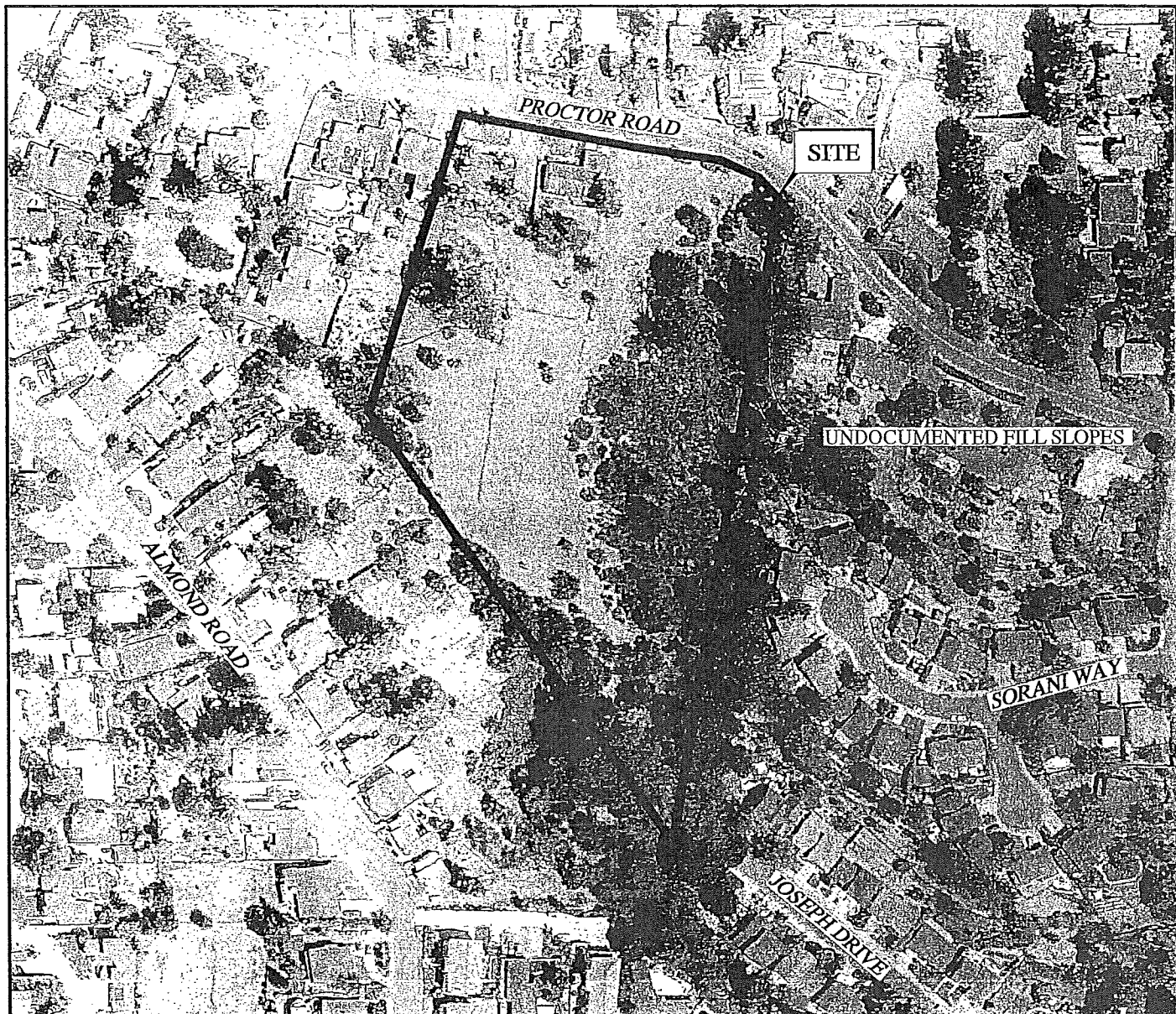
SCALE: AS SHOWN

DRAWN BY: LL

CHECKED BY: AU

FIGURE NO.

1



BASE MAP SOURCE: GOOGLE EARTH PRO



SITE PLAN
TRACT 8503
CASTRO VALLEY, CALIFORNIA

PROJECT NO.: 10670.000.000
SCALE: AS SHOWN
DRAWN BY: LL CHECKED BY: AU

FIGURE NO.
3



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
1455 MARKET STREET, 16TH FLOOR
SAN FRANCISCO, CALIFORNIA 94103-1398

DEC 12 2013

REPLY TO
ATTENTION OF

Regulatory Division

Subject: File No. 2012-00195

Mr. Hue Tran
c/o Mr. Pete Balfour
ECorp Consulting
2525 Warren Drive
Rocklin, California 95677

Dear Mr. Tran:

This correspondence is in reference to the June 27, 2012 submittal from ECorp Consulting, on your behalf, requesting a preliminary jurisdictional determination of the extent of waters of the United States occurring on the 5.85-acre property (APN 84D-1403-14-17) on the south side of Proctor Road, at or near 4651 Proctor Road, in the city of Castro Valley, Alameda County, California.

All proposed discharges of dredged or fill material occurring below the plane of ordinary high water in non-tidal waters of the United States; or below the high tide line in tidal waters of the United States; and within the lateral extent of wetlands adjacent to these waters, typically require Department of the Army authorization and the issuance of a permit under Section 404 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1344 *et seq.*). Waters of the United States generally include the territorial seas; all traditional navigable waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including waters subject to the ebb and flow of the tide; wetlands adjacent to traditional navigable waters; non-navigable tributaries of traditional navigable waters that are relatively permanent, where the tributaries typically flow year-round or have continuous flow at least seasonally; and wetlands directly abutting such tributaries. Where a case-specific analysis determines the existence of a "significant nexus" effect with a traditional navigable water, waters of the United States may also include non-navigable tributaries that are not relatively permanent; wetlands adjacent to non-navigable tributaries that are not relatively permanent; wetlands adjacent to but not directly abutting a relatively permanent non-navigable tributary; and certain ephemeral streams in the arid West.

The enclosed delineation map with Corps label titled "Proctor Road Property", dated 5/15/2013, depicts the extent and location of 0.11 acre of wetlands within the boundary area of the site that **may be** subject to U.S. Army Corps of Engineers' regulatory authority under Section 404 of the Clean Water Act. This preliminary jurisdictional determination is based on the current conditions of the site, as verified during a field investigation of May 8, 2013, and a review of other data included in your submittal. While this preliminary jurisdictional

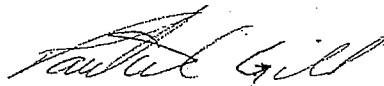
determination was conducted pursuant to Regulatory Guidance Letter No. 08-02, *Jurisdictional Determinations*, it may be subject to future revision if new information or a change in field conditions becomes subsequently apparent. The basis for this preliminary jurisdictional determination is fully explained in the enclosed *Preliminary Jurisdictional Determination Form*, which has been signed and dated by you and this office.

You are advised that the preliminary jurisdictional determination may **not** be appealed through the U.S. Army Corps of Engineers' *Administrative Appeal Process*, as described in 33 C.F.R. Section 331 (65 Fed. Reg. 16,486; Mar. 28, 2000). Under the provisions of 33 C.F.R. Section 331.5(b)(9), non-appealable actions include preliminary jurisdictional determinations since they are considered to be only advisory in nature and make no definitive conclusions on the jurisdictional status of the water bodies in question. However, you may request this office to provide an approved jurisdictional determination that precisely identifies the scope of jurisdictional waters on the site; an approved jurisdictional determination may be appealed through the *Administrative Appeal Process*. If you anticipate requesting an approved jurisdictional determination at some future date, you are advised not to engage in any on-site grading or other construction activity in the interim to avoid potential violations and penalties under Section 404 of the Clean Water Act. Finally, you may provide this office new information for further consideration and request a reevaluation of this preliminary jurisdictional determination.

You may refer any questions on this matter to Greg Brown of my Regulatory staff by telephone at 415-503-6791 or by e-mail at gregory.g.brown@usace.army.mil. All correspondence should be addressed to the Regulatory Division, South Branch, referencing the file number at the head of this letter.

The San Francisco District is committed to improving service to our customers. My Regulatory staff seeks to achieve the goals of the Regulatory Program in an efficient and cooperative manner, while preserving and protecting our nation's aquatic resources. If you would like to provide comments on our Regulatory Program, please complete the Customer Service Survey Form available on our website: <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,



Jane M. Hicks
Chief, Regulatory Division

Enclosures

PRELIMINARY JURISDICTIONAL DETERMINATION FORM

San Francisco District

This Preliminary Jurisdictional Determination finds that there "may be" waters of the United States in the subject review area and identifies all such aquatic features, based on the following information:

Regulatory Division: South Branch

File Number: 2012-00195 S

PJD Completion Date: 5/8/13

Review Area Location

City/County: Castro Valley, Alameda Co. State: California
 Nearest Named Waterbody: San Lorenzo Creek
 Approximate Center Coordinates of Review Area
 Latitude (degree decimal format): 37.71784 °N
 Longitude (degree decimal format): -122.08197 °W
 Approximate Total Acreage of Review Area: 5.85 acres

File Name: Proctor Road property

Applicant or Requestor Information

Name: Pete Balfour
 Company Name: ECorp Consulting
 Street/P.O. Box: 2525 Warren Dr
 City/State/Zip Code: Rocklin, CA 95677

Estimated Total Amount of Waters in Review Area

Non-Wetland Waters: lineal feet feet wide and/or
 acre(s) Flow Regime: Select

Wetlands: lineal feet feet wide and/or
 0.11 acre(s) Cowardin Class: Palustrine-emergent

Name of Section 10 Waters Occurring in Review Area

Tidal:
 Non-Tidal:

☐ Office (Desk) Determination
☒ Field Determination:
 Date(s) of Site Visit(s): 5/8/13

SUPPORTING DATA: Data reviewed for Preliminary JD (check all that apply – checked items should be included in case file and, where checked and requested, appropriately reference sources below)

☒ Maps, Plans, plots or plat submitted by or on behalf of applicant/requestor (specify):
 Figure 3 Wetland Delineation map (ECorp, 27 June 2012)

☒ Data sheets submitted by or on behalf of applicant/requestor (specify):
 Proctor Rd. Property Wetland Delineation Report (ECorp, 27 June 2012)

☒ Corps concurs with data sheets/delineation report.
☐ Corps does not concur with data sheets/delineation report.

☐ Data sheets prepared by the Corps.

☐ Corps navigable waters' study (specify):

☒ U.S. Geological Survey Hydrologic Atlas:

☒ USGS NHD data.

☒ USGS HUC maps.

☒ U.S. Geological Survey map(s) (cite quad name/scale): Hayward, CA 1:24000

☐ USDA Natural Resources Conservation Service Soil Survey.

☐ National wetlands inventory map(s) (specify):

☐ State/Local wetland inventory map(s) (specify):

☐ FEMA/FIRM maps.

☐ 100-year Floodplain Elevation (specify, if known):

☐ Photographs: ☐ Aerial (specify name and date):

☐ Other (specify name and date):

☐ Previous JD determination(s) (specify File No. and date of response letter):

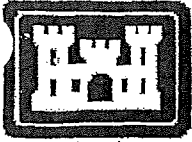
☐ Other information (specify):

IMPORTANT NOTE: If the information recorded on this form has not been verified by the Corps, the form should not be relied upon for later jurisdictional determinations.

Signature and Date of Regulatory Project Manager
 (REQUIRED)

Signature and Date of Person Requesting Preliminary JD
 (REQUIRED, unless obtaining the signature is impracticable)

5-14-13



U.S. Army Corps of Engineers, San Francisco District

MEMORANDUM FOR RECORD

FILE NUMBER: 2012-00195S
PROJECT: Proctor Road property JD
DATE: May 14, 2013
PROJECT MGR: Greg Brown
SUBJECT: Site Visit/JD for delineation of wetlands/waters

Background: Site visit was conducted to confirm the extent of Corps jurisdiction on the 5.85-acre property (APN 84D-1403-14-17) on the south side of Proctor Road, at or near 4651 Proctor Road, in the city of Castro Valley, Alameda County, California. Property is in suburban neighborhood in hills along northern boundary of Castro Valley.

Site Visit: On 5/8/13 Greg Brown met on site with Mr. Hue Tran (property owner) and Pete Balfour (consultant/agent, ECorp consulting) to tour the property and verify the extent of wetlands and waters mapped by ECorp on May 10, 2012. Weather was clear, a month since last significant rainfall, following a drier than normal late winter.

Property is on south facing slope near ridgetop which forms the divide between San Leandro Creek watershed to north and San Lorenzo Creek watershed to south. Property is undeveloped, but surrounded by rural and low density suburban residential development (see attached field map). Upper, northern part of property lies along gently sloping ridgetop along Proctor Road, with lower, southern part of property sloping more steeply down side of ridge. Upper, flatter parts of property consists mostly of disced ruderal grassland dominated by *Avena barbata*, *Bromus diandrus*, and *Brassica nigra* (photo 1), intersected by several old fencelines, with scattered live oak, and some *Eucalyptus* and other non-native trees.

Two swales descend from ridgetop along eastern and western sides of property, converging at the lowest corner of the property. Eastern swale is 20-40 feet deep and ~150 feet wide, originating abruptly near top of ridge, but with no apparent springs, outfalls, or other source of hydrology other than surface runoff. Flat bottom of swale is filled with *Baccharis pilularis* and sides are bordered by live oaks. Much of swale bottom has been disced/mowed, with remaining intact vegetation consisting mostly of *Baccharis pilularis*, *Toxicodendron diversilobum*, *Cirsium vulgare*, and *Avena*, with some *Rubus armeniacus* and scattered sparse *Cyperus eragrostis* (photos 2-3). Soil pit near some *Cyperus* about halfway up swale showed some redox, but soil was dry down to 18", with veg and soil indicators not quite enough to qualify as wetland. Western swale is broader and shallower, running mostly offsite, and contains landscaping & backyards of adjacent properties.

Swales converge at bottom corner of property to form a flat-bottomed valley bordered by live oaks and *Eucalyptus* (photo 4). Valley contains a saturated/ponded area ~ 50 feet wide by 200 feet long, dominated by *Juncus xiphioides*, *Cyperus*, *Mentha suaveolens*, *R. armeniacus*, and *Rumex acetosella* and *crispus* (photo 5). Downstream of property the bottom of the valley is filled by residential development along Joseph Drive, and the wetland drains into small culvert/storm drain inlet under Joseph drive fill. Sides and downstream end of wetland are defined by distinct slope breaks bordered by dense *Baccharis* and *Toxicodendron* (photo 6). Upstream end of wetland has more gradual slope & vegetation transition to adjacent disced ruderal upland. Recovered and confirmed consultant's data point 2 just outside mapped wetland boundary: at this point soil still contained noticeable redox, but *Baccharis* and other upland veg was codominant with hydrophytic veg, and soil was dry, in contrast to water table at 4" at paired data point 3 (photo 7) approximately 10 feet away just inside mapped wetland. Therefore the upstream end of wetland appears to be accurately mapped based on disappearance of hydrology indicators.

Photo 1. Rural grassland along NW part of property, dined in foreground

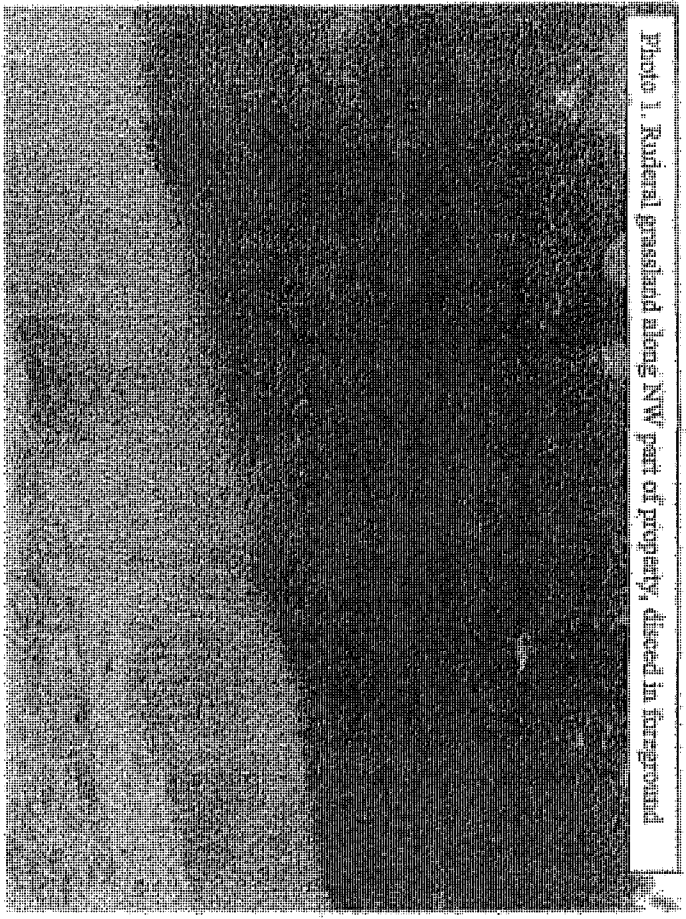


Photo 2. View uphill along eastern slope

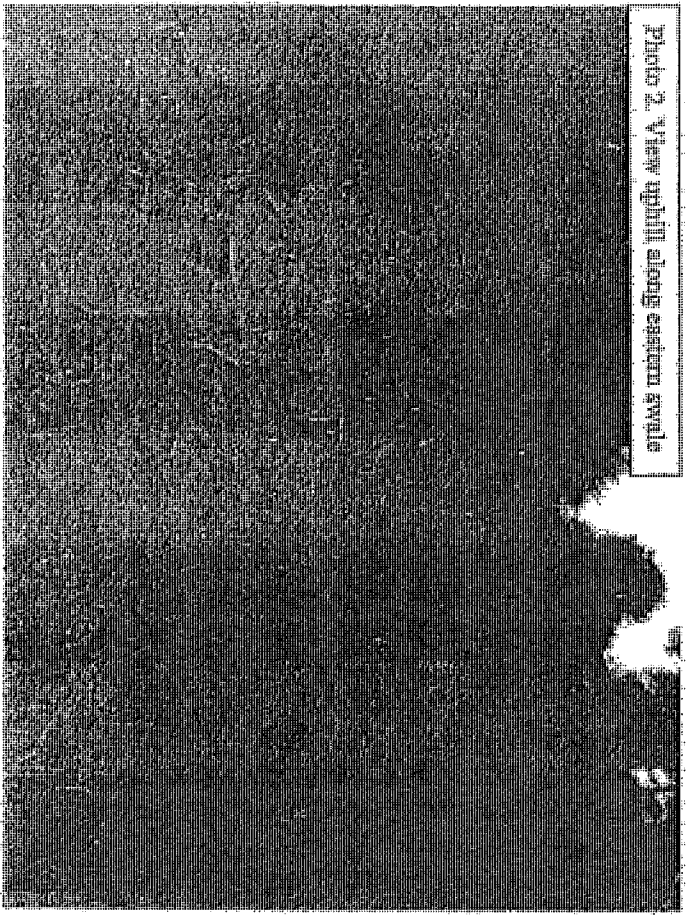
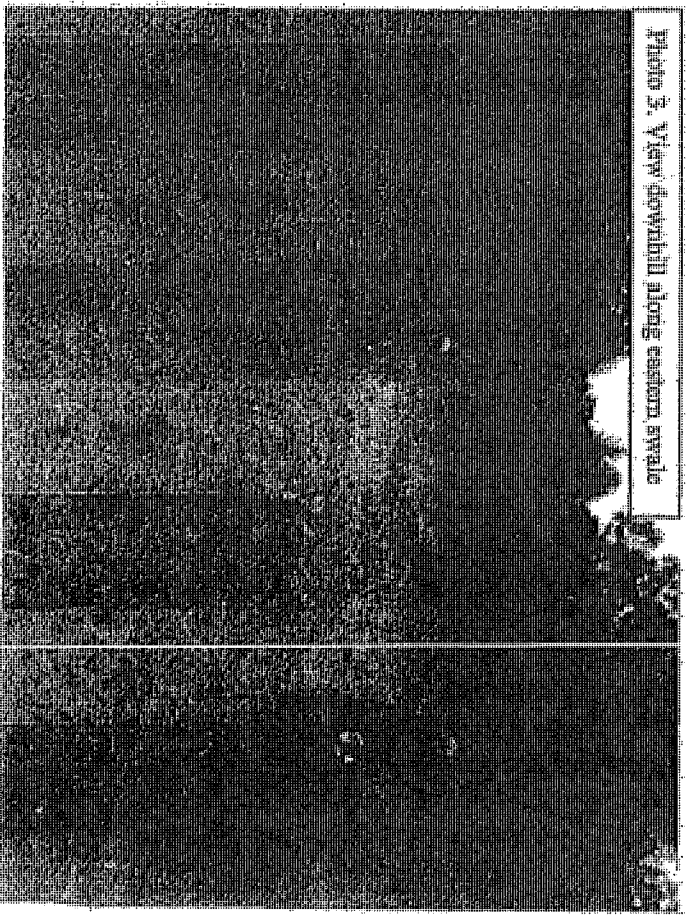


Photo 3. View downhill along eastern slope



1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

[illegible]

Photo 4. View uphill at convergence of E and W swales

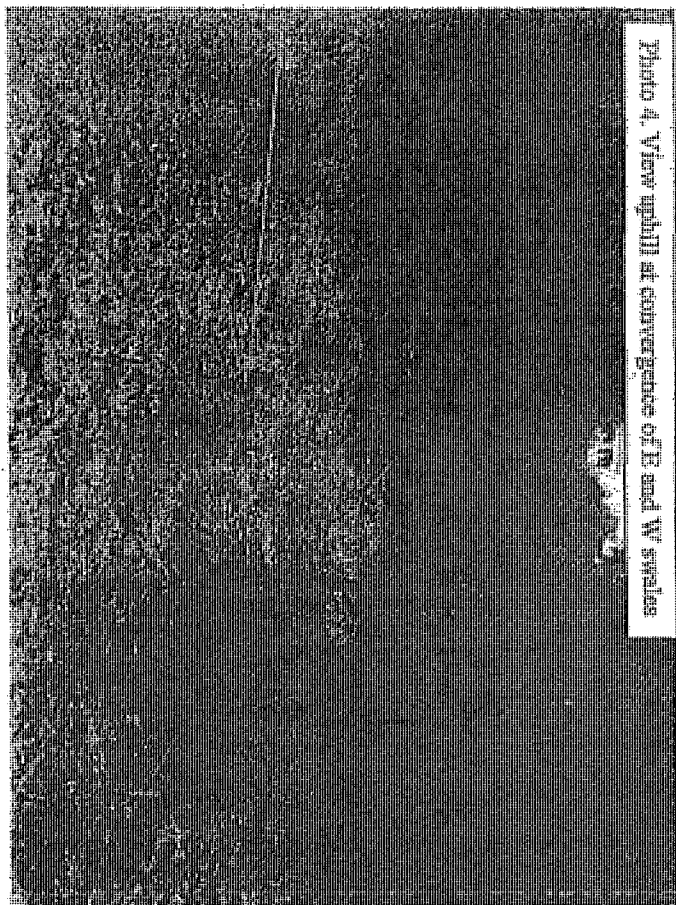


Photo 5. View downstream along wetland

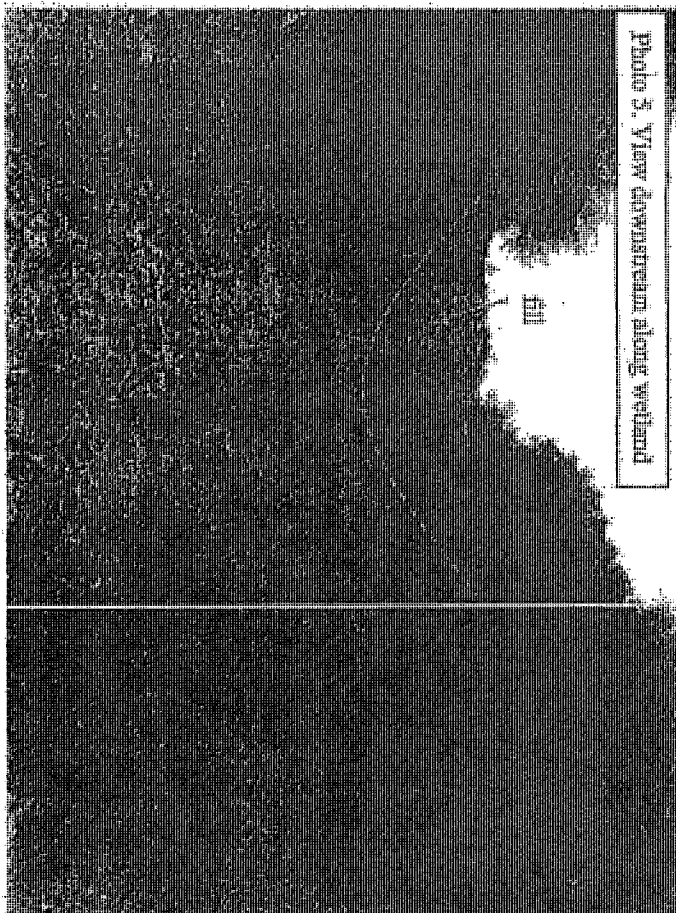


Photo 6. Slope break and veg contrast along sides and downstream wetland boundary

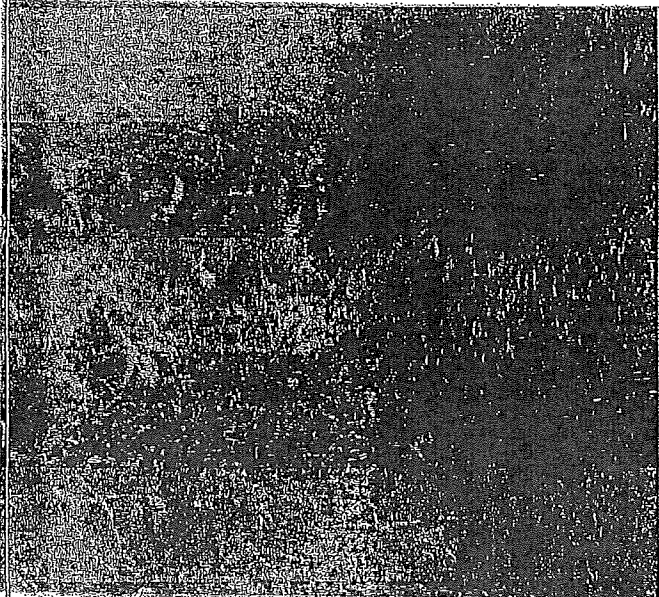
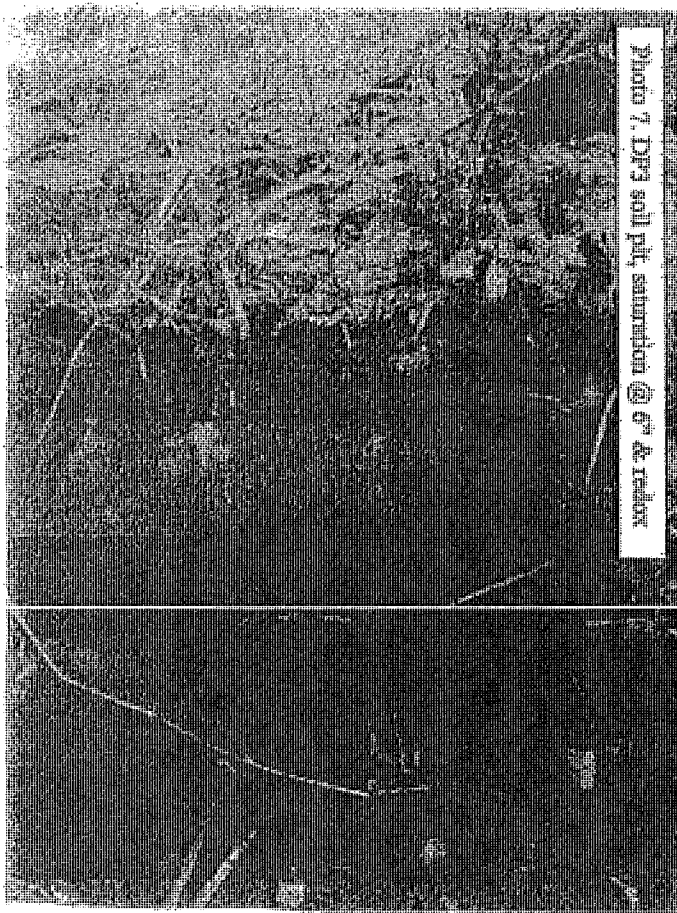


Photo 7. DPF3 soil pit saturation @ 6" & redox



Recommendation/Conclusion: The consultant's delineation map dated 5/25/2012 reflects the correct jurisdictional areas as delineated on 5/10/2012 and confirmed by Corps personnel on 5/8/2013. Wetland feature on the property flows into a storm drain system that follows historic drainage features under Joseph Drive and Redwood Road in Castro Valley. Storm drains eventually empty into Chabot Creek, which discharges to San Lorenzo Creek. A Preliminary JD form was signed by the consultant 5/14/2013. The map should be approved and the applicant should be notified of the preliminary jurisdictional determination.


Greg Brown, Project Manager

12-4-13
Date



N:\2010\2010-061 Proctor Road\MAPS\Soils_and_Geology\Soils\1\PR_Soils.mxd

Map Date: 5/21/2012

Figure 2. Natural Resource Conservation Service Soil Types

2010-061 Proctor Road



Figure 3. Wetland Delineation

SEASONAL WETLAND

ID	Existing Square Feet	Existing Acreage
SW-1	4819	0.111

WATERS OF THE U.S.

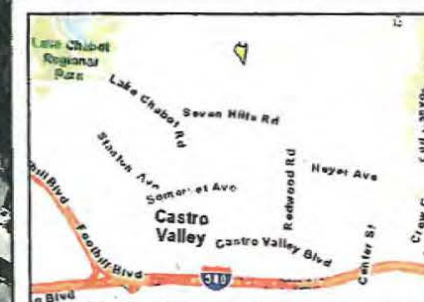
THREE CRITERIA SAMPLE POINT	GPS COORDINATES LAT/LONG
△ 1	37.716760 / -122.081721
△ 3	37.716852 / -122.081832

UPLAND

THREE CRITERIA SAMPLE POINT	GPS COORDINATES LAT/LONG
△ 2N	37.716871 / -122.081847

This exhibit depicts information and data produced in strict accord with the wetland delineation methods described in the 1987 Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region and conforms to Sacramento District specifications. However, wetland boundaries have not been legally surveyed and may be subject to minor adjustments if exact locations are required.

Image Source: 2011 NAIP Imagery



ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

Map Date: 5/25/2012

2010-061 Proctor Road

PRELIMINARY JURISDICTIONAL DETERMINATION FORM

San Francisco District

This Preliminary Jurisdictional Determination finds that there "may be" waters of the United States in the subject review area and identifies all such aquatic features, based on the following information:

Regulatory Division: South Branch

File Number: 2012-00195 S

PJD Completion Date: 5/8/13

Review Area Location

City/County: Castro Valley, Alameda Co. State: California

Nearest Named Waterbody: San Lorenzo Creek

Approximate Center Coordinates of Review Area

Latitude (degree decimal format): 37.71784 °N

Longitude (degree decimal format): -122.08197 °W

Approximate Total Acreage of Review Area: 5.85 acres

File Name: Proctor Road property

Applicant or Requestor Information

Name: Pete Balfour

Company Name: ECorp Consulting

Street/P.O. Box: 2525 Warren Dr

City/State/Zip Code: Rocklin, CA 95677

Estimated Total Amount of Waters in Review Area

Non-Wetland Waters: lineal feet feet wide and/or
acre(s) Flow Regime: Select

Wetlands: lineal feet feet wide and/or
0.11 acre(s) Cowardin Class: Palustrine- emergent

Name of Section 10 Waters Occurring in Review Area

Tidal:

Non-Tidal:

☐ Office (Desk) Determination

☒ Field Determination:

Date(s) of Site Visit(s): 5/8/13

SUPPORTING DATA: Data reviewed for Preliminary JD (check all that apply - checked items should be included in case file and, where checked and requested, appropriately reference sources below)

☒ Maps, Plans, plots or plat submitted by or on behalf of applicant/requestor (specify):
Figure 3 Wetland Delineation map (ECorp, 27 June 2012)

☒ Data sheets submitted by or on behalf of applicant/requestor (specify):
Proctor Rd. Property Wetland Delineation Report (ECorp, 27 June 2012)

☒ Corps concurs with data sheets/delineation report.

☐ Corps does not concur with data sheets/delineation report.

☐ Data sheets prepared by the Corps.

☐ Corps navigable waters' study (specify):

☒ U.S. Geological Survey Hydrologic Atlas:

☒ USGS NHD data.

☒ USGS HUC maps.

☒ U.S. Geological Survey map(s) (cite quad name/scale): Hayward, CA 1:24000

☐ USDA Natural Resources Conservation Service Soil Survey.

☐ National wetlands inventory map(s) (specify):

☐ State/Local wetland inventory map(s) (specify):

☐ FEMA/FIRM maps.

☐ 100-year Floodplain Elevation (specify, if known):

☐ Photographs: ☐ Aerial (specify name and date):

☐ Other (specify name and date):

☐ Previous JD determination(s) (specify File No. and date of response letter):

☐ Other information (specify):

IMPORTANT NOTE: If the information recorded on this form has not been verified by the Corps, the form should not be relied upon for later jurisdictional determinations.

Signature and Date of Regulatory Project Manager
(REQUIRED)

Signature and Date of Person Requesting Preliminary JD
(REQUIRED, unless obtaining the signature is impracticable)

5-14-13

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that having a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either future JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 321, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 321.3(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

[illegible]



Alameda County Fire Department FIRE PREVENTION

www.acgov.org/fire

July 30, 2014

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

DEMETRIOS N. SHAFFER
Fire Chief

COUNTY
FIRE PREVENTION
399 Elmhurst, Room 120
Hayward, CA 94544
tel (510) 670-5853
fax (510) 887-5836

DUBLIN
FIRE PREVENTION
100 Civic Plaza
Dublin, CA 94568
Tel (925) 833-6606
Fax (925) 829-9248

EMERYVILLE
FIRE PREVENTION
1333 Park Avenue
Emeryville, CA 94608
Tel (510) 596-3759
Fax (510) 450-7812

NEWARK
FIRE PREVENTION
37101 Newark Blvd.
Newark, CA 94560
Tel (510) 578-4218
Fax (510) 578-4281

SAN LEANDRO
FIRE PREVENTION
835 E. 14th Street
San Leandro, CA 94577
Tel (510) 577-3317
Fax (510) 577-3419

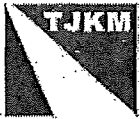
UNION CITY
FIRE PREVENTION
34009 Alvarado-Niles Road
Union City, CA 94587
Tel (510) 675-5470
Fax (510) 441-2943

TO:	Damien Curry	CC	Hue Tran
FROM:	Alameda County Fire Prevention Office		
SUBJECT:	Vesting tentative map 8053, a proposed 18 lot sub-division located at Proctor Road, Castro Valley.		

Conditions of Approval

The following conditions shall be met prior the issuance of a building permit and fire clearance for occupancy.

1. This project is located in a very high hazard fire severity zone. The homes shall comply with CBC chapter 7A.
2. The wording on the plans referencing a fire buffer zone shall be changed to "hazardous vegetation and fuel management area" to be consistent with the California Fire Code. The locations of the vegetation management areas shown on the plan shall be consistent with the revised lot design and shall not be shown extending into the adjacent lot north of lot 1.
3. The hazardous vegetation/fuels shall be designed and maintained per CFC chapter 49.
4. Parking is allowed on only one side of the streets that are 28 feet wide. The other side of the street shall be posted Fire Lane No Parking. Portions of the streets less than 28 feet wide shall be posted Fire Lane No Parking on both sides of the street.
5. Locations on the streets where fire hydrants are located shall have a minimum clearance of 26 feet.



Vision That Moves Your Community

Transportation
Consultants

August 7, 2014

Hue Tran
4584 Ewing Road
Castro Valley, CA 94546

RE: Traffic Concerns regarding 4659 Proctor Road Residential Development

Dear Mr. Tran,

This letter addresses the concerns heard at the July 8, 2013 at the Municipal Advisory Council meeting in Castro Valley regarding the proposed residential development at 4659 Proctor Road. To address the traffic impacts the project is proposing to reduce the total units to 18 residential single family dwelling units.

The public voiced their concerns regarding traffic and parking that they felt may result from the project. The following issues were raised.

1. "Cars are speeding on Proctor and added traffic will make it worse."
2. "Too much traffic generated from the project"
3. "What is the total traffic added onto the street in the day?"
4. "Sight distance looking east from the driveway is limited."
5. "Width of private roadway proposed too narrow with limited or no sidewalk. Make it a public street with parking both sides and sidewalk on both sides."
6. "Parking supply for guests is not sufficient and will overflow onto Proctor."
7. "Provide two access points in and out of the project site. Connect to Joseph Drive."

Regarding the speeding concern, this can be addressed with increased enforcement from Police on Proctor Road. The Police may also have temporary speed feedback trailers which they can install on Proctor Road to make drivers aware of their speed and slow down to the posted speed limit.

The project is proposing 18 residential single family dwelling units, which is a reduction from the 24 units originally proposed. Trip generation for the proposed development was determined using "trip generation per dwelling unit" rates obtained from Trip Generation, 8th edition, published by the Institute of Transportation Engineers (ITE). Table I depicts the anticipated number of trips generated in the AM and PM peak hour. The project is anticipated to generate approximately 15 trips in the AM Peak hour and 14 trips in the PM Peak hour. Table II depicts the anticipated number of trips generated on a weekday.

Table I: Peak Hour Trip Generation for Proposed Development

Project	Land Use (ITE Code)	Size	A.M. Peak Hour					P.M. Peak Hour				
			Rate	%In: Out	In	Out	Total	Rate	%In: Out	In	Out	Total
4659 Proctor Road	Single-Family Detached Housing (210)	18 Units	0.75	25:75	4	11	15	1.01	63:37	9	5	14

Pleasanton
4305 Hacienda Drive
Suite 550
Pleasanton, CA
94588-2798
925.463.0611
925.463.3690 fax

Fresno
516 W. Shaw Avenue
Suite 200
Fresno, CA
93704-2515
559.325.7530
559.221.4940 fax

Sacramento
980 Ninth Street
16th Floor
Sacramento, CA
95814-2736
916.449.9095

Santa Rosa
1400 N. Dutton Avenue
Suite 21
Santa Rosa, CA
95401-4643
707.575.5800
707.575.5888 fax

tjkm@tjkm.com
www.tjkm.com

Table II: Daily Trip Generation for Proposed Development

Project	Land Use (ITE Code)	Size	Daily				
			Rate	%In: Out	In	Out	Total
4659 Proctor Road	Single-Family Detached Housing (210)	18 Units	9.57	50:50	87	87	174

TJKM collected 24 hour Average Daily Traffic machine tube counts along Proctor Road, east of the project location. The total number of vehicles that currently travel on Proctor Road is 2,339 vehicles per day. The proposed project is anticipated to generate approximately 174 vehicles per day. The project generates 56 less daily trips than was originally proposed.

Traffic operations were evaluated for the following two existing and one proposed study intersections that may potentially be impacted by the proposed project:

1. Proctor Road and Redwood Road (Existing)
2. Proctor Road and Walnut Road and Ewing Road (Existing)
3. Proctor Road and the Project Driveway (Proposed)

An intersection level of service (LOS) analysis was performed for the study intersections for the following three scenarios:

1. Existing Conditions (Scenario 1)
 - o This scenario evaluates the existing study intersections based on the existing traffic counts and field surveys.
2. Future Near-term Conditions (Scenario 2)
 - o This scenario is similar to *Existing Conditions* scenario, with the addition of traffic expected from approved developments in the surrounding area of the proposed project.
3. Future Near-term Plus Proposed Project Conditions (Scenario 3)
 - o This scenario is similar to *Future Near-term Conditions* scenario, with the addition of traffic from the proposed residential development at 4659 Proctor Road.

Summary

Under *Existing Conditions (Scenario 1)*, the two existing study intersections operate at acceptable levels of service (LOS A or B).

Under *Future Near-term Conditions (Scenario 2)*, the two existing study intersections continue to operate at acceptable levels of service (LOS B).

Under *Future Near-term Plus Project Conditions (Scenario 3)*, the three study intersections operate at acceptable levels of service (LOS A or B).

TJKM reviewed the project site plan to evaluate on-site traffic circulation and access. Internal traffic circulation within the proposed project site is expected to be adequate and has been approved by the County Fire Department.

Lea & Braze Engineering evaluated the stopping sight distance at the proposed entrance to Proctor Road and they determined the stopping sight distance was adequate in both directions based on the posted speed limit of the roadway.

According to the tentative map, Proctor Court is proposed as a private street and has a proposed roadway width of 28 feet, which is adequate for parking on one side of the street and two-way traffic. Sidewalk is proposed on one side of the street. In order for parking and sidewalk to be installed on both sides of the roadway, the roadway would have to be widened by 8 feet to a total of 36 feet and would impact the layout of the houses on each lot.

Residents are concerned that the proposed parking is inadequate and would overflow onto Proctor Road. The project is proposing 18 guest parking spaces, which meets the minimum requirements of the County of one guest parking stall per house.

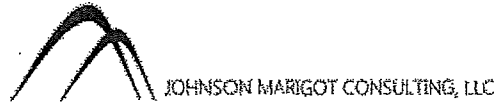
Residents are concerned about one access point in and out of the development with suggestions to connect Proctor Court to Joseph Drive. According to the Civil Engineer at Lea & Braze Engineering, this is not feasible given that the land south of the property boundary is not owned by Mr. Tran, has a height differential of about 22 feet, which makes it impractical to design the roadway connection to in a short distance, and connection to Joseph Drive would impact the existing wetland area, which would create a significant environmental impact.

If you have any questions, feel free to contact me.

Sincerely,



Atul Patel, P.E., P.T.O.E.
Director of Design & ITS



Andy Bye
Braddock & Logan
4155 Blackhawk Plaza Circle, Suite 201
Danville, CA 94506-4613

August 8, 2014

RE: Review of Proctor Road Property (APN 84D-1403-14-17), (Corps of Engineers ID # 2012-00195)

Dear Mr. Bye:

I took a look at the proposed project maps and the letter from the US Army Corps of Engineers (dated December 12, 2013) as requested and have the following analysis for your consideration. Firstly, the Corps found there to be a single jurisdictional feature, consisting of a 0.11-acre seasonal wetland feature, located within the property boundary. This feature appears on both the Preliminary Jurisdictional Determination map (Prepared by ECORP Consulting, and preliminarily verified by Mr. Greg Brown of the SF District of the Corps of Engineers), and also appears as "approximate limits of wetland delineation" on the tentative map sheet (9 of 14), titled *Proctor Road – 18 Lot Subdivision, vesting tentative tract map No. 8059, storm water management plan*, by MaKay & Soms engineering (dated August 2014). Secondly, the proposed project shows the jurisdictional seasonal wetland within a separate parcel described as "Parcel B." The plans show that within parcel B there will be some site grading for stabilization of the existing hill slope and the construction of a "Bio-retention cell." The site grading shown on the plans does not indicate any discharge to- or filling of- the jurisdictional feature. The Bio-retention cell is designed to retain storm water and ensure water quality prior to discharge, and it is my understanding that under some storm situations, the feature will discharge storm water directly to the jurisdictional seasonal wetland. The narrative provided on map sheet 9 indicates that the project proposes to "... utilize the existing pond on site for both hydromodification detention (10% of 2YR storm – 10 YR storm), and 100-YR PRE VS. POST development detention. The project will install an outfall metering device at the outlet of the existing pond to meter the discharge and match post development flows." The attached engineering plans (*Proctor Road – 18 Lot Subdivision, vesting tentative map tract map NO. 8059*, sheets 5 and 9) clearly indicate that the proposed metering device and outfall structure are to be installed outside of the jurisdictional boundary established by the Corps' map.

The May 9, 2002, *Final Revisions to the Clean Water Act Regulatory Definitions of "Fill Material" and "Discharge of Fill Material"* created the Final Rule in creating a common definition between the Environmental Protection Agency and the U.S Army Corps of Engineers regarding what constitutes "fill" of regulated waters of the U.S. (and is therefore regulated pursuant to Section 404 of the Clean Water Act. The Final Rule describes the differences

between the regulation of the discharge of fill material (pursuant to Section 404), and the regulation of "pollutants" (pursuant to Section 402).

"The CWA governs the "discharge" of "pollutants" into "navigable waters," which are defined as "waters of the United States." Specifically, Section 301 of the CWA generally prohibits the discharge of pollutants into waters of the U.S., except in accordance with the requirements of one of the two permitting programs established under the CWA: Section 404, which regulates the discharge of dredged or fill material, or section 402, which regulates all other pollutants under the National Pollutant Discharge Elimination System (NPDES) program. Section 404 is primarily administered by the Corps, or States/Tribes that have assumed the program pursuant to section 404(g), with input and oversight by EPA. In contrast, Section 402 and the remainder of the CWA are administered by EPA or approved States or Tribes." 33 CFR Part 323 (Fed. Reg. Vol 67, No 90, pg 31130)

"The final rule defines "fill material: as material placed in waters of the U.S. where the material has the effect of either replacing any portion of a water of the United States with dry land or changing the bottom elevation of any portion of a water. The examples of "fill material" identified in today's rule include rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities, and materials used to create any structure or infrastructure in waters of the U.S." 33 CFR Part 323 (Fed. Reg. Vol 67, No 90, pg 31132)

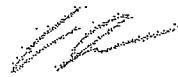
Section 404 of the Clean Water Act generally regulates the discharge of dredged or fill material below the plane of ordinary high water in non-tidal waters of the United States, below the high tide line in tidal waters of the United States, and within the lateral extent of wetlands adjacent to these waters. All proposed discharges of dredged or fill material occurring below the plane of ordinary high water in non-tidal waters of the United States; or below the high tide line in tidal waters of the United States; and within the lateral extent of wetlands adjacent to these waters, typically require Department of the Army authorization and the issuance of a permit under Section 404 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1344 *et seq.*). Waters of the United States generally include the territorial seas; all traditional navigable waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including waters subject to the ebb and flow of the tide; wetlands adjacent to traditional navigable waters; non-navigable tributaries of traditional navigable waters that are relatively permanent, where the tributaries typically flow year-round or have continuous flow at least seasonally; and wetlands directly abutting such tributaries.

The seasonal wetland located on the site should be considered to be a "Water of the United States" per the Preliminary Jurisdictional Determination. As such, it is subject to regulation pursuant to the Clean Water Act. The proposed site development plans do not indicate that the project will discharge "fill material" into the seasonal wetland. Presuming the grading plan does not change and that the proposed "outfall metering device" is outside of the jurisdictional limit of the seasonal wetland, the project does NOT trigger a Clean Water Act, Section 404 permitting requirement. Discharge of storm water however, IS regulated pursuant to Section 402, and the project is therefore subject to all terms and conditions of the NPDES permit. The NPDES permit is administered by- by- and regulated by- Alameda County, under the authority of the Regional and State Water Boards, and Alameda County is therefore responsible for ensuring compliance with the terms of the permit. Implementation of the required NPDES measures / BMPs for

construction and post-construction would typically be required by Alameda County to satisfy the NPDES permit. These measures typically consist of a NOI and SWPPP for construction BMPs and a Storm Water Management Plan that meets the Municipal Regional Permit C.3 Provisions for post-construction BMPs.

Please let me know if you have any additional questions. I can be reached by telephone at (415) 602-2970, or by email at cameron.johnson@johnson-marigot.com.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Cameron Johnson', with a stylized flourish at the end.

Cameron Johnson

Signatures required on back of form. Please print clearly.

Standard Application

Application Received
Date: <u>7-9-10</u>
Application #: _____

PLN 2010-00100

WE WILL NOT ACCEPT INCOMPLETE SUBMITTALS!!

1. Type of application: Check one or more

- ☐ Boundary Adjustment ☒ Subdivision ☐ Conditional Use Permit ☐ Variance ☐ Site Development Review ☐ Rezoning
☐ Administrative Conditional Use Permit ☐ Sign Review ☐ Other:*

2. Brief description of application:*

To Subdivide 6. Acres into
lots Single Residential Subdivision

3. Project site:

Next to 4659 Proctor Rd, Castro Valley CA 94546
Address City State Zip Code

4. Assessor's parcel number(s):

PLN 840-1403-03-07
004-06+004-09
005-00

5. Special instructions to access property (e.g. dogs, gates, alarms, etc.):

6. Land owner:

HUE TRAN
NAME

COMPANY

4584 EWING RD, Castro Valley, CA 94546
Address City State Zip Code

510. 366.6158 / 537-8922
Contact Phone(s) Fax #

hgtian2004@yahoo.com
Email Address

7. Applicant:

Hue TRAN
NAME

COMPANY

(if different from above)

☒ Same as above

Address

City

State

Zip Code

Contact Phone(s)

Fax #

Email Address

8. Primary contact person:

HUE TRAN
NAME

COMPANY

4584 EWING RD, Castro Valley, CA 94546
Address City State Zip Code

☐ Land Owner ☐ Applicant

☐ Other (fill in information)

Address

City

State

Zip Code

510 366.6158
Contact Phone(s)

Fax #

hgtian2004@yahoo.com
Email Address

FOR PLANNING DEPARTMENT USE ONLY

Side S Distance 470 (ft) Direction E

Of Cross Street WALNUT

Uninc. Area/District CN

Zoning R21-BE-CS

ROW 30'

FWL 0

SBL 0

Lot Area: 21576 (sq ft) 5.852 (ac)

History PLN 2009-00149

Alameda County

COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT



Offices: 224 West Winton Avenue, Room 111
Hayward, CA 94544

Permit Center: 399 Elmhurst Street, Room 141
Hayward CA 94544

Ph: (510) 670-5400 Fax: (510) 785-8793

www.acgov.org/cda/planning

November 2009

AFFIDAVIT:

1. I attest under penalty of perjury to the truth and accuracy of all the facts, exhibits, maps, and attachments presented with and made a part of this application.
2. I hereby authorize County staff and members of review bodies, including but not limited to the Castro Valley Municipal Advisory Council, the Board of Zoning Adjustments, the Planning Commission, and the Board of Supervisors, to enter upon my property to verify or obtain information, to view the property, or to photograph the property and the surrounding area as part of the application review process. (Please note any special instructions regarding access to your property such as dogs, gates, alarms, etc.)

I understand that staff will make all efforts to notify me of such site visits, but that this may not always be possible.

3. I understand that unless this is a fixed fee application, the money I have submitted constitutes a deposit and that costs necessary to process the application will be billed against this deposit. The County will bill charges for County staff time spent processing this application at an hourly rate that represents salary plus overhead and will bill consultant charges at actual cost. In addition, the County will bill direct costs, including but not limited to actual costs of mailing or publication of notices or actions, against the deposit.

The deposit is based on the typical time it takes to process an application similar to mine. However, processing time can vary depending on the specifics of an application and it is possible, particularly if my application becomes controversial, that the processing time, and thus the cost, may exceed the estimated time. If this happens, I am responsible for the additional costs. When costs approach the amount of my deposit, the County will notify me and request an additional deposit based on the County's best estimate of the additional time necessary to complete the application review.

It is also possible that the costs to process my application will be less than the deposit. If this happens the County will refund the balance of my deposit, less additional post-approval costs such as landscape inspections, after the appeal period for the approval has passed. Should I withdraw my application, County staff will stop working on it and refund the balance of my deposit less any costs to which the County has committed as of the date of withdrawal, such as costs of publication.

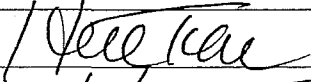
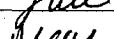
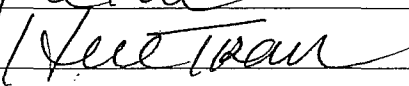
I further understand that I am liable for the cost of processing my application regardless of whether the County approves, approves with modifications, or denies my application, and that all applications approved by the County will be conditioned to require that the County be made whole for any costs of processing the application that may be outstanding.

4. I understand that acceptance of this application and accompanying material does not constitute acceptance of this application as complete. I further understand that although my application may be deemed complete for purposes of initial review, it is possible that I may need to submit additional information as the review proceeds or after final action on my application before I can implement my project, including but not limited to the following:

- Additional information as needed to complete an environmental review under the California Environmental Quality Act;
- Additional information as needed to clarify the application or address questions raised either as a result of responses received from the referral of my application to other public agencies and interested parties or in response to issues raised at public hearings by members of the hearing body or the general public who submit written or oral testimony at the hearings;
- Final information that will be necessary to meet Public Works Agency Stormwater Management requirements;
- Revised plans, elevations, or other material necessary to illustrate or otherwise conform to changes that the final approval body makes to my original submittal;
- Additional material, such as landscape or drainage improvement plans, that may be required under a condition or provision of approval.

I understand that delay of information submittal or submittal of inaccurate information may delay the review process.

5. I understand that if I make changes in proposed plans during the review process or in approved plans before construction permits are issued, during construction, or prior to final inspection and occupancy, such changes will require additional design review by County staff and the advisory and approval bodies. It is my responsibility to submit such revised plans to County staff in a timely manner. This may require four to six or more additional weeks of review and processing time from the time I submit complete plans. Depending on the final outcome of the approval process, I may have to submit revised plans consistent with that action as noted above. In addition, any unauthorized building, demolition, grading, landscaping, or other site plan changes made during the review period will require correction at my expense.
6. I understand that any representations made to me in a pre-application meeting or otherwise prior to or during the application review process regarding cost or timing are best-guess estimates and that I cannot bind or hold the County to them. I understand that factors such as changes to my project or issues raised by approval bodies or members of the public during the review process, including at public hearings, can extend the time necessary to complete the review and reach a decision on my application.
7. Furthermore, I hereby agree to hold the County harmless from all costs and expenses, including attorney's fees, that the County incurs or held to be the liability of the County in connection with the County's defense of its actions in any proceeding brought in any State or Federal Court challenging the County's actions with respect to my project. This includes but is not limited to actions brought pursuant to the California Environmental Quality Act, the Alameda County Zoning Ordinance, or other State and County code and ordinance requirements. If I fail to defend adequately the County, the County may provide its own legal defense and subdivider or its successors shall be responsible for the County's reasonable attorneys' fees. This agreement to hold the County harmless shall extend to any successors in interest to this application. I agree that if this application is signed by more than one person the obligations and liabilities of each person is joint and several, with each person being responsible for the entire obligation.

Applicant Signature: 	Date:  May 29/2010
Landowner Signature: 	Date: 06/29/2010