

# ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY PLANNING DEPARTMENT

Chris Bazar Agency Director

Agenda Item August 7, 2018

Albert Lopez

Planning Director

224 West Winton Ave Room 111

> Hayward California 94544

phone 510.670.5400 fax 510.785.8793

www.acgov.org/cda

July 27, 2018

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

Dear Board Members:

SUBJECT: APPEAL FILED BY RICHARD HANCOCKS, OF THE ALAMEDA

COUNTY PLANNING COMMISSION'S DECISION TO APPROVE SUBDIVISION (TRACT MAP 8405) AND SITE DEVELOPMENT REVIEW APPLICATION, PLN2017-00164, TO ALLOW DEMOLITION OF AN EXISTING INDUSTRIAL BUILDING AND TO CONSTRUCT NINE (9) NEW BUILDINGS CONTAINING A TOTAL OF 45 THREE-STORY TOWNHOMES, 12 APARTMENTS, AND 7,495 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE, AT 20478 MISSION

BLVD, ASSESSOR'S PARCEL NUMBER: 414-0046-058-02.

#### **RECOMMENDATION:**

That the Board of Supervisors deny the appeal and uphold the Planning Commission's decision.

#### **PLANNING COMMISSION:**

On June 4, 2018 the Planning Commission voted 7-0 to approve the requested Subdivision and Site Development Review application for the proposed mixed-use development at 20478 Mission Blvd.

#### APPEAL:

The Planning Commission's decision was appealed on the grounds that the approval was in error because the application is inconsistent with the *Eden Area General Plan* (General Plan), the applicable General Plan for the subject site, and the *Ashland and Cherryland Business District Specific Plan* (Specific Plan), the applicable Specific Plan and Development Code for the subject site.

#### **DISCUSSION:**

The Planning Commission, at their June 4, 2018 regular meeting, voted 7-0 to approve the above referenced application to construct a new mixed-use development with 45 townhomes, 12 apartments and 7,495 square feet of ground floor interior and exterior commercial space. The proposed project is in compliance with applicable development standards, and takes advantage of two allowable exceptions recently approved by the Board of Supervisors to facilitate desired development. A General Plan exception allows for a lower residential density in cases where mixed-use is proposed, and allows one density range lower (in this case, going from 43-86 to 22-

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43 dwelling units per acre). This exception acknowledges the area/space limitations created by mixed-use development (such as having two distinct land use types) and the parking, physical layout and required services associated with each use. Supporting findings were made that "economic, technical, or programmatic reasons" make it "undesirable or unfeasible to develop" the site at a higher intensity, and that the project is in furtherance of General Plan objectives.

In addition, a recently approved Specific Plan exception allows the Planning Commission to approve a project with less non-residential space than required in cases where a mixed-use project furthers Specific Plan goals, provides an amenity to the community, and would act as catalyst for future area development. The subject application contains 7,495 square feet of commercial space when 28,300 square feet is required. The exception approved by the Planning Commission and the Board of Supervisors allows this reduction in non-residential floor area in specific circumstances when special findings can be made. Intended to create flexibility, the change to the Specific Plan recognizes the changing nature of retail and the current market demand, especially in our local economy.

#### **PUBLIC PROCESS:**

During a series of community meetings, there was testimony both for and against the current application. The majority of speakers, including several real estate professionals, the Cherryland Community Association and the Castro Valley/Eden Area Chamber of Commerce, spoke in support of the project. A few community members, including the appellant, raised concerns about project consistency with the General Plan and Specific Plan. The Commission considered the merits of the specific project as it relates to the overall goals and objectives of the applicable Codes and Plans, whether the proposal was suitable for the specific site and community, and whether the findings could be made to grant the requested approvals, including the lower residential density and non-residential space.

The Commission also considered the circumstances of this long vacant site, the pros and cons of the project, the conditions of approval, conformance with the applicable development standards, and the potential for the project to act as a catalyst to spur nearby development. The Commission concluded that the project is consistent with applicable General and Specific Plan objectives and requirements, and that the necessary findings to grant the requested approvals could be made and the application was consequently approved.

In addition to the Hancocks appeal, the Carpenter's Union Local 713 also filed an appeal of the Planning Commission decision, but it was submitted without the required filing fee six (6) days after the appeal period ended. The Union has expressed concern about the lack of union jobs associated with the project and about the adequacy of the environmental review document as it relates to the demolition of the existing building and how hazardous materials would be handled. After discussion, the Commission concluded that the environmental review document, an Addendum to the original Specific Plan EIR, along with applicable safety codes that are in place, would be sufficient to ensure public safety during demolition activities. Since the Hancocks appeal was filed, Staff understands the labor issues have been resolved and that the Union's environmental concerns have been addressed.

#### **CONDITIONS OF APPROVAL:**

The applicant has also used the intervening time since the filing of the appeal to request changes to three conditions of approval: conditions #23, 24 and 25. The originally approved conditions and requested changes are as follows, and the request from the applicant to modify the conditions is attached:

- 23. The Developer shall complete the realignment/improvements of the pedestrian island ("porkchop") in the northwest section of intersection of Mission Blvd. and Mattox Rd., as follows:
  - a. Remove existing curb, gutter and sidewalk.
  - b. Install new curb, gutter and sidewalk along new alignment.
  - c. Install County C.3 measures to treat off-site storm water (and tie-in to Storm Drain system in Mattox Road).
  - d. Install landscaping behind new curb.
  - e. Restripe the project adjacent intersection specifically related to the required curb realignment.
  - f. Grind and overlay asphalt adjacent to project frontage as required.
  - g. Existing utility boxes (located in the current sidewalk alignment) to remain or be relocated at the County's expense.
  - h. Developer shall have the option to combine C.3 areas along Mattox Road and treat County & private water in the same system.
  - i. County shall be responsible for all costs related to relocating the existing traffic signal at such time the permanent improvements are installed. If not completed prior to new street improvements by developer, the County will be responsible for all costs associated with installation of temporary signalization traffic control and all other required improvements.

<u>Proposed Change</u>: The applicant is requesting credit or reimbursement for improvements they complete that are identified in the Capital Improvement Plan.

Staff Response: These changes were forwarded to the Public Works Agency (PWA) for their review and comment, and their staff is currently working with the applicant to determine whether there is a way to modify the condition to meet the County's and the applicant's needs. Due to the limited time between submission of the proposed changes by the applicant and the Board meeting agenda publication deadline, it was not possible to resolve this issue prior to agenda publication. However, staff expects to present PWA's recommendation and to have PWA staff present at the Board meeting, so that this outstanding item can be resolved as expediently as possible.

- 24. Phasing of the Mixed-Use Building: The mixed-use building shall be developed concurrently with the for-sale townhome component of the project. The developer shall seek final building inspection for the for-sale townhome component according to the following milestone schedule:
  - a. Prior to seeking final building inspection for the first townhome unit, the developer shall complete all rough grading necessary to prepare a building pad for the mixed-use building:
  - b. Prior to seeking final building inspection for the 25th townhome unit, the developer shall obtain building permit issuance for the mixed-use building;
  - c. The developer shall obtain final building inspection approval for the mixed-use building prior to seeking final building inspection for the 26th through 45th townhome units.

Proposed Change: Revise condition to read:

24. Phasing of the Mixed-Use Building: The mixed-use building shall be developed concurrently with the for-sale townhome component of the project. The developer shall seek final building inspection for the for-sale townhome component according to the following milestone schedule:

- a) Prior to seeking final building inspection for the 1<sup>st</sup> townhome unit, the developer shall complete all rough grading necessary to prepare a building pad for the mixed-use building;
- b) Prior to seeking final building inspection for the 35<sup>th</sup> townhome unit, the developer shall obtain building permit issuance for the mixed-use building;
- c) Prior to seeking final building inspection for the 41<sup>st</sup> townhome unit, developer shall complete foundation inspection for the mixed-use building; and
- d) The developer shall complete the exterior of the mixed-use building prior to seeking final building inspection for the 45<sup>th</sup> townhome unit.

Staff Response: The Planning Commission was presented with three different project phasing alternatives that were intended to ensure that the commercial component of the project was constructed along the same timeline as the residential buildings. The condition that was adopted by the Commission is the one that provides the most assurance that the project's commercial component, which is required, will be completed in time with the residential buildings, which are optional on the subject site. The other two conditions provided less assurance that the entire project would be completed concurrently. The applicant's proposed condition is most similar to the condition that was presented to the Commission that provided the least assurance that the entire project would be completed concurrently. It is important to note that the commercial component of the project is a mixed-use building which the applicant does not intend to construct themselves, but will likely sell the entitlements to another developer. The risk to the County in not having a closer building schedule between the two projects is that the major commercial piece of the project, which is also the primary use required by the General Plan and Specific Plan, could be delayed, or not completed at all. In order to ensure that the mixed-use building is constructed, staff recommends retaining the original condition of approval that was adopted by the Planning Commission.

25. If any of the above milestone deadlines are not met, or are anticipated by the developer to not be met, the developer shall notify the Planning Director and provide a proposed revised schedule and details concerning the cause of the delay. The Planning Director shall have the authority to review and approve minor schedule deviations, provided that the last milestone deadline is met. Substantial milestone schedule deviations, or deviations from the last milestone deadline, may be referred to the Planning Commission for a hearing regarding any proposed modification to Condition of Approval #24 or other conditions of approval. It is the developer's responsibility to ensure that the project as a whole is developed as a mixed-use project that includes the development of the mixed-use building described above, regardless of whether the developer transfers ownership of the parcel designated for the mixed-use building. The developer shall ensure that any such sale does not prevent developer's compliance with Condition of Approval #24.

<u>Proposed Change</u>: Modify the condition to allow the Planning Director full authority to consider and act on any necessary changes to the schedule described in Condition # 24

<u>Staff Response</u>: Staff crafted the above condition carefully, in order to ensure that any substantial changes to the construction schedule are fully vetted, that the public have the opportunity for involvement if substantial changes are proposed, and that the Commission have the opportunity to weigh in on any significant schedule changes. Since the Commission opted to implement the most rigorous construction phasing schedule, and it is critical to ensure that the required commercial component is constructed in the same timeline with the residential buildings, which are optional, it is appropriate that the Commission have the opportunity to review substantial changes to project phasing. Therefore, staff recommends that this condition remain as adopted by the Commission.

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#### **CONCLUSION:**

Staff believes the Hancocks appeal lacks merit given recent changes made to the County's regulatory documents to encourage projects similar to the current project. Staff recommends that the Board of Supervisors deny the appeal and uphold the Planning Commission approval of PLN2017-00164, as the project is consistent with the provisions of the *Eden Area General Plan* and the *Ashland and Cherryland Business District Specific Plan*, as recently amended, and all of the findings to grant the permit can be made.

In addition, the resolution attached to this approval contains the Conditions of Approval as adopted by the Planning Commission. Staff recommends the County should retain conditions #24 and 25 as is in order to mitigate any risk that the project not meet the requirements of the General Plan, Specific Plan, and community expectations. Concerning the condition related to the Public Works Agency, PWA staff will provide a recommendation, and will provide sample language if a change is recommended, at the Board meeting. If the Board wishes to modify the condition, this can be accomplished at the meeting.

#### **FINANCING:**

There is no additional Net County Cost as a result of this action.

The complete record is attached.

Very truly yours,

Chris Bazar, Director

Community Development Agency

#### **ATTACHMENTS:**

Appeal dated June 11, 2018
Appeal from Carpenter's Union Local 713 (for information only)
June 4, 2018 Planning Commission Staff Report with attachments
June 4, 2018 Planning Commission Resolution
June 4, 2018 Planning Commission Meeting Minutes
July 27, 2018 Letter from MLC

cc: Susan S. Muranishi, County Administrator
Donna R. Ziegler, County Counsel
Steve Manning, Auditor-Controller
Andrea Weddle, Office of the County Counsel
Albert Lopez, CDA Planning Director

## Richard Hancocks 2066 Manchester Road San Leandro, California 94578-1467 (510)278-7842

June 9, 2018

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

Re: Appeal of approval of Site Development Review and Mixed-use Findings for PLN:2017-00164.

Dear Supervisors,

The Planning Commission's approval of Site Development Review and mixed-use Findings for PLN:2017-00164 are in error. The proposed project at 20478 Mission Boulevard, Hayward, is not consistent with the Eden Area General Plan, as is required by state statute, as well as the Ashland and Cherryland Business District Specific Plan's Site Development Review process.

The Land Use Element of the General Plan requires that the primary use of the property be "General Commercial", yet the project has over 100,000 square feet of residential development and under 7,000 square feet of general commercial. Commercial use is clearly not the primary use of this property.

The Land Use Element further places a Goal of economic growth, yet the project reduces commercial activity some 75% below the Specific Plan's minimums.

The Land Use Element also requires the county to create jobs to a rate of 1.5 per household to reduce the area's jobs/housing enbalance. This project makes matters worse.

The Land Use Element places this project within a "District" which calls for vertically mixed-use development. The mix of uses in this project is largely horizontal having about a dozen units over commercial with the remaining forty plus townhomes in single-use buildings spread across the site.

The Housing Element's primary goals is to increase the amount of housing of all types and income levels, yet this project seeks to reduce by about half the amount of housing called for by the Land Use Element at this site.

### Richard Hancocks 2066 Manchester Road San Leandro, California 94578-1467 (510)278-7842

June 11, 2018

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

Re: Appeal of approval of Site Development Review and Mixed-use findings for PIN: 2017-00164.

Dear Supervisors,

The Planning Commission's approval of Site Development Review and Mixed-use findings for PLN: 2017-00164 are in error. The proposed project at 20478 Mission Boulevard, Hayward, is not consistent with either the Eden Area General Plan or the Ashland and Cherryland Business District Specific Plan. I, therefore, appeal the Planning Commission's action of June 4, 2018 on this matter.

Sincerely,

Richard Hancocks

# UNITED BROTHER ROOD OF CARPENTERS & JOINERS OF AMERICA Carpeniers Local 713, Alameda County

Mailir p Address
1050 Matter Pox.3
Howard, Cultivate 94541-1296



Union Meetings: Second and Fourth Unusdays

Peper: 510-581-7817

Tax (510-58) 1267 (F. Meir carp) 126 carpenias 71 Lorg (\*) Disparch Fax: 510-733-2509 (\*) www.carpenias 713 (\*) 64890 (\*)

June 18, 2018

Mailed & Emailed

Attention: Board of Supervisors County of Alameda Administration Building 1221 Oak Street, Suite 555 Oakland, CA 94612

Re: Appealing Planning Commission Approval of MLC Holdings, Inc. Proposed Development (PLN2017-00164; APN 414-0046-058-02)

Dear Honorable Alameda County Board of Supervisors:

The Carpenters Local Union 713 ("Local 713") would like to submit the following letter appealing the Planning Commission's decision to approve the proposed MLC Holdings, Inc. development proposal at 20478 Mission Boulevard in Unincorporated Hayward ("the Project").

Local 713's union hall is situated on Mattox Road immediately next to the subject property associated with this proposed development. Local 713 would like to provide the following concerns and observations in response to the Planning Commission's approval of the proposed MLC Holdings development, for the Board of Supervisors appropriate evaluation before a final decision is reached for this project.

1. Appeal:

Local 713 is deeply concerned about the potential threat to the safety and well-being of its members, staff and visitors posed by the potential for exposure to hazardous materials deriving from the demolition of the buildings as part of the Project. The initial environmental study did not include the age of the buildings that the project would demolish, nor did it include any information on the exposure risks to hazardous lead-based or asbestos-containing materials that could be faced by construction workers, project neighbors, or future project occupants. For this reason, Local 713 would like to appeal to the Board of Supervisors to direct the Planning Department and applicant to prepare a Phase I Environmental Assessment and circulate a Mitigated Negative Declaration document for this project.

#### Rationale:

The developer is proposing to demolish buildings on the property previously used at various points for industrial uses. The buildings' floor area total approximately 60,000 square feet. Building construction at the site occurred in 1948, while commercial real estate market intelligence company CoStar reports that the effective year built of the property was 1952.

Phase I Environmental Site Assessments typically note that on-site structures built prior to 1978 may include asbestos-containing building materials. Lead-based paint may be present both on painted surfaces and on exposed soil surrounding painted structures that are the age of those at the site.

The most recent Planning Staff report states that per CEQA Section 15162 and 15164, an addendum to the Ashland and Cherryland Business District Specific Plan Final EIR was necessary to be in conformance with the statute. Local 713 believes that the sole environmental review document that the project relies upon - First Carbon Solutions' Initial Study dated May 1, 2018 – inadequately addresses the Eden Area General Plan's Policy P6, Goal SAF-4 to "Minimize Eden Area residents' exposure to the harmful effects of hazardous materials and waste." The policy delineates that a project must, as a precondition for receiving planning approvals, conduct environmental investigation "to ensure that soil, groundwater and buildings affected by hazardous material releases from prior land uses and lead or asbestos in building materials will not have a negative impact on the natural environment or health and safety of future property owners or users" (emphasis added). To paraphrase CEQA Section 15162, a subsequent EIR would be necessary if the lead agency identifies, "Significant effects previously examined will be substantially more severe than shown in the previous EIR." Local 713 feels that the safety to the public and our members is warranted of further investigation that adequately addresses these environmental issues.

#### 2. Appeal:

Local 713 appeals to the Board of Supervisor to urge the applicant to collaborate and engage with their direct neighbor as a condition of approval of this proposed development project.

#### Rationale:

Local 713 is concerned with the lack of outreach or collaboration from MLC Holdings, Inc. because as their adjacent neighbors we share a property line with this proposed development. Despite that building demolition at the site could entail encroachment onto the union's property through building materials, workers, and/or equipment, MLC Holdings has yet to contact Local 713 to discuss entering into good faith agreements that would address this concern.

3. Appeal:

Local 713 wishes to raise the failure of this project to contribute to sustaining a skilled and trained construction craft workforce in Alameda County at a time when local contractors and news reports claim that shortages of skilled workers exacerbates the Bay Area's housing shortage. As such, Local 713 appeals to the Board of Supervisors to condition any departure from General Plan policies upon a condition for Project build-out to employ state-registered construction trades apprentices at appropriate ratios for a majority of the apprenticeable craft hours worked on the project.

#### Rationale

It is Local 713's desire to protect the wages, benefits, working conditions and job opportunities for Alameda County-resident construction workers who depend on this work for a livelihood. More than 17,000 Alameda county construction industry employees live within a 10 mile radius of the Cherryland district. This constitutes more than 50 percent of the county's total construction industry workforce. However, Local 713 understands that the developer-applicant has no requirement in place for its contractors or subcontractors to employ local residents, apprentices participating in a Joint Labor-Management State Certified Apprenticeship program or journey-level workers on this project or any of the developer's other projects.

<sup>&</sup>lt;sup>1</sup> See Baldassari, Erin and Marisa Kendall, "Hidden cost of housing: How a shortage of construction workers is making our crisis worse," Bast Bay Times, February 25, 2018, accessed via <a href="https://www.eastbaytimes.com/2018/02/25/hidden-cost-of-housing-how-a-shortage-of-construction-workers-is-making-our-crisis-worse/">https://www.eastbaytimes.com/2018/02/25/hidden-cost-of-housing-how-a-shortage-of-construction-workers-is-making-our-crisis-worse/</a>

It also is the understanding of Local 713 that the applicant and sponsor of the project have made no commitment to require its general contractor or project sub-contractors to pay wages and benefits established by Carpenters on all of their projects all of the time. Through failures to make such commitments, real estate developer-builders finance downward pressure on wages, fringe benefits, and training standards for crafts represented by the Carpenters. The developer-applicant may not intend to have this effect on Carpenter crafts, but this effect is real and has serious consequences for the health of the industry throughout Alameda County and the larger Northern California region.

Local 713 would like to thank the Board of Supervisors for the opportunity to submit this letter. Should you have any questions or require additional information please contact Carpenters Local Union 713 Research Analyst Lorena Guadiana by emailing legadiana e necre.org.

Sincerely,

Eddy Luna

Carpenters Local Union 713

1050 Mattox Rd

Hayward, CA 94541

B-mail: cluna r necre, org

ELL:ans opeu #29 sti-cio

# OWNER/DEVELOPER MLC HOLDINGS, INC

12657 ALCOSTA BOULEVARD, SUITE 175 SAN RAMON, CA 94583 (925) 543-4018 CONTACT: CHRIS ZABALLOS

#### CIVIL ENGINEER

CARLSON, BARBEE & GRSON
2633 CAMENO RAMON, SUITE 350
SAN RAMON, CA 94583
(925) 866-3022
CONTACT: COLT ALYERNAZ

### SOILS ENGINEER

ENGEO INC. CROW CANYON PLACE, SUITE 250 SAN RAMON, CA 94583 (925) 866-9000 CONTACT: ROBERT BOBCHE

#### ARCHITECT

KTGY GROUP, INC 380 SECOND STREET, SUITE 200 OAKLAND CA 94607 (949) 797-8308 CONTACT: DAVID BURTON

#### LANDSCAPE ARCHITECT

VANDERTOOLEN ASSOCIATES 855 BORDEAUX WAY, SUITE 240 NAPA CA, 94558 (707) 224-2299 CONTACT: RACHEL BRINKERHOFF

#### SHEET INDEX

I. COVER SHEET - INDEX SHEET

#### CIVIL SHEETS

2. C.I LOTTING PLAN
3. C.2 LEGEND, ABBREVIATIONS & STREET SECTIONS
4. C.3 EXISTING CONDITIONS PLAN
5. C.4 PRELIMINARY STEP PLAN
7. C.6 PRELIMINARY UTILITY PLAN
8. C.7 PRELIMINARY UTILITY PLAN
8. C.7 PRELIMINARY STORMWATER CONTROL PLAN
9. C.8 FIRE TRUCK ACCESS PLAN

#### LANDSCAPE SHEETS

10. L-1 OVERALL LANDSCAPE PLAN
11. L-2 PLANT PALETTE AND IMAGERY

#### ARCHITECTURAL SHEETS

ARCHITECTURAL SITE PLAN & PROJECT SUMMARY CODE ANALYSIS ALI ALZ ALZ BUILDING COMPLIANCE 16. A2.0 17. A2.1 SUILDING ELEVATIONS - BUILDING AT SUILDING ELEVATIONS - BUILDING A2 BUILDING ELEVATIONS - BUILDING 2A BUILDING ELEVATIONS - BUILDING B2 A7 1 BUILDING ELEVATIONS - BUILDING 2B BUILDING ELEVATIONS - BUILDING CI **BUILDING ELEVATIONS - BUILDING C2** BUILDING ELEVATIONS - BUILDING 2C BUILDING ELEVATIONS - BUILDING D BUILDING ELEVATIONS - BUILDING D SIGNAGE EXHIBIT - BUILDING D SIGNAGE EXHIBIT A2.12 STORAGE SAMBLE MATTOX ENTRY EXHIBIT BUILDING PLAN - BUILDING A! BUILDING PLAN - BUILDING A2 A3.1



APRIL 2018



# MISSION & MATTOX - TRACT 8405

APN: 414-0046-058-02

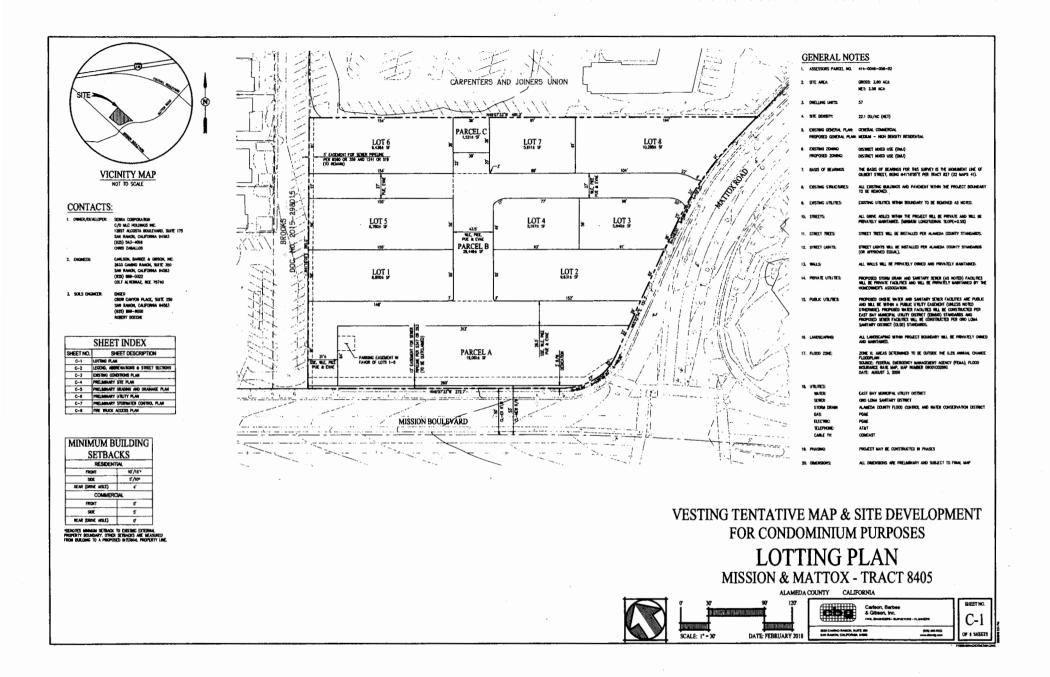
VESTING TENTATIVE MAP & SITE DEVELOPMENT PACKAGE

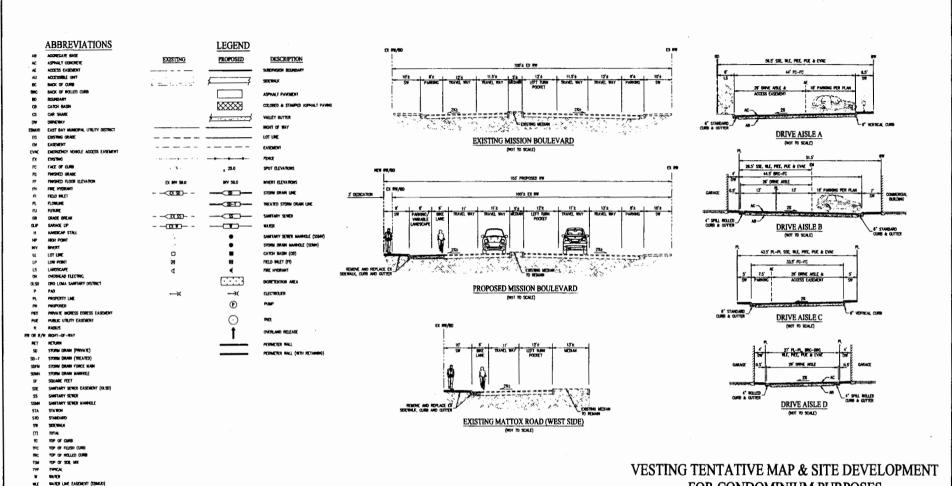
ALAMEDA COUNTY, CALIFORNIA





MLC Holdings, Inc.





FOR CONDOMINIUM PURPOSES

LEGEND, ABBREVIATIONS & STREET SECTIONS

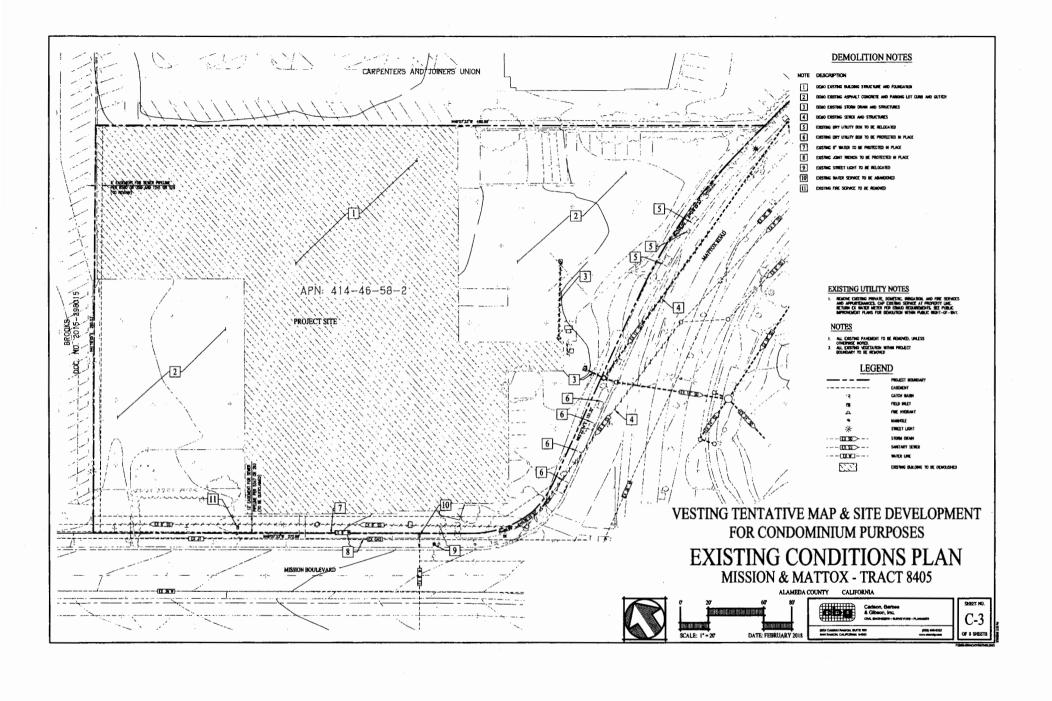
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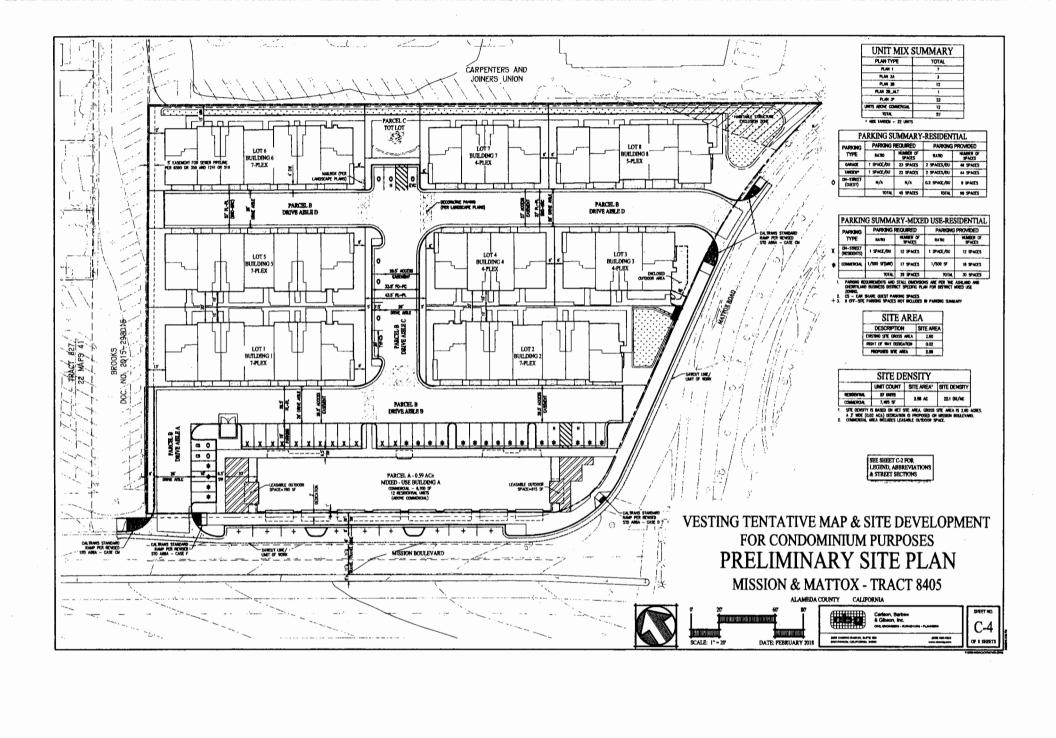


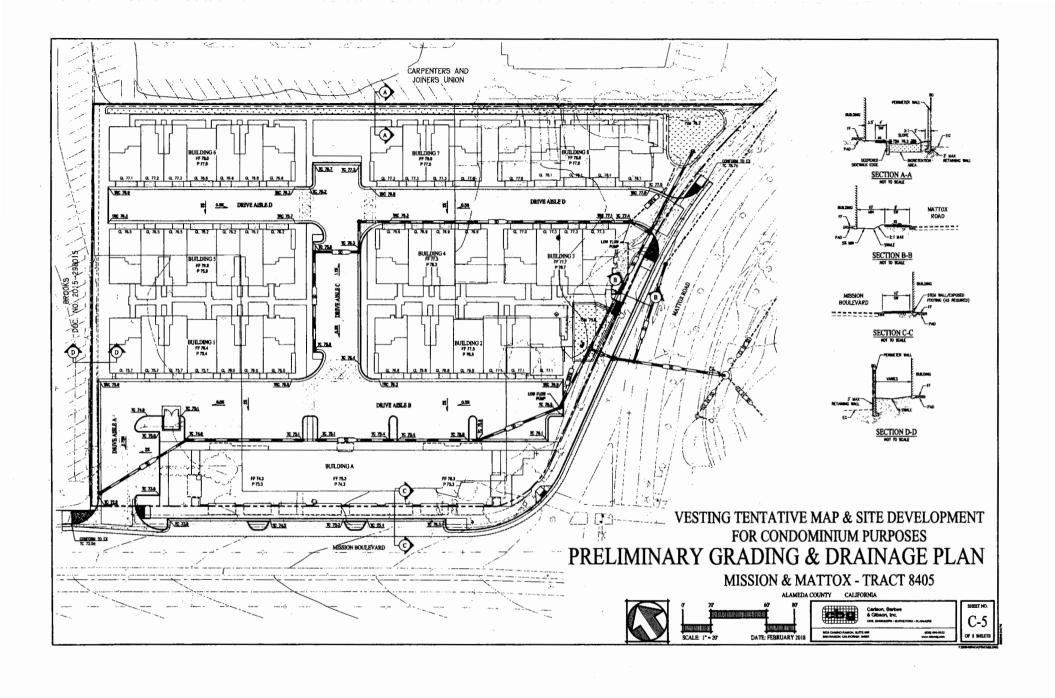


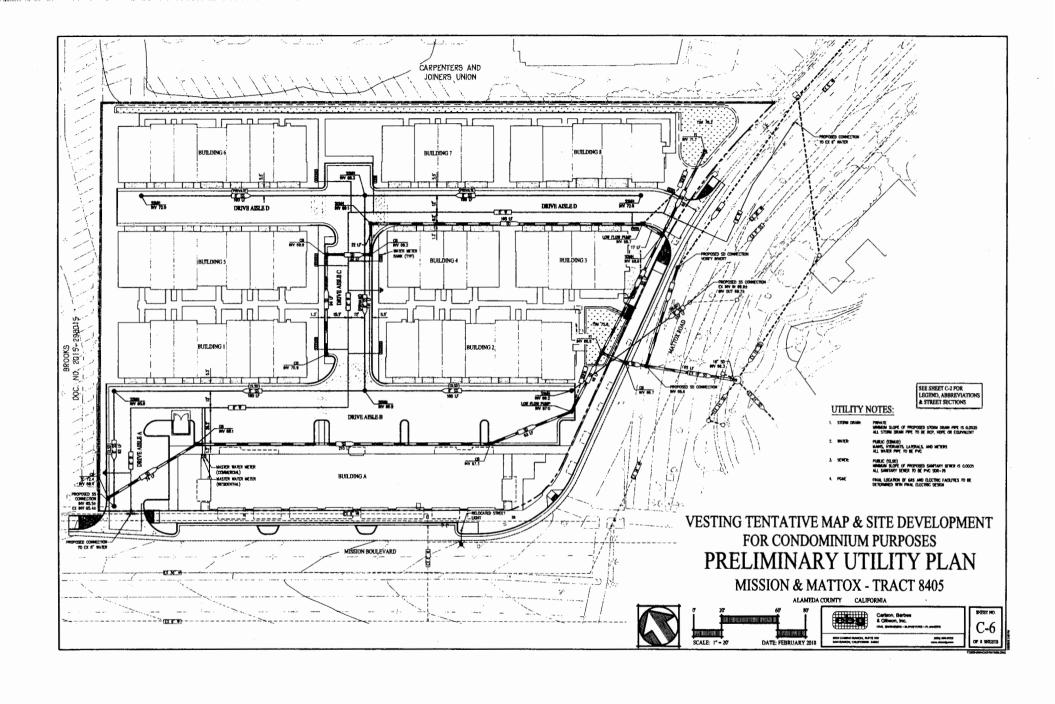


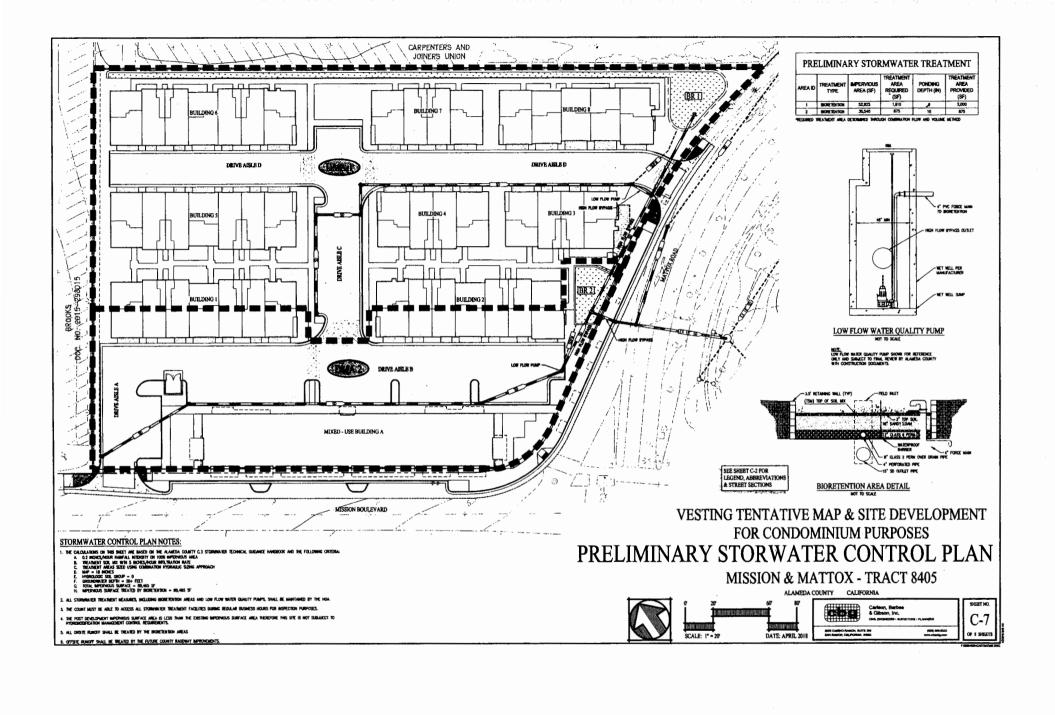


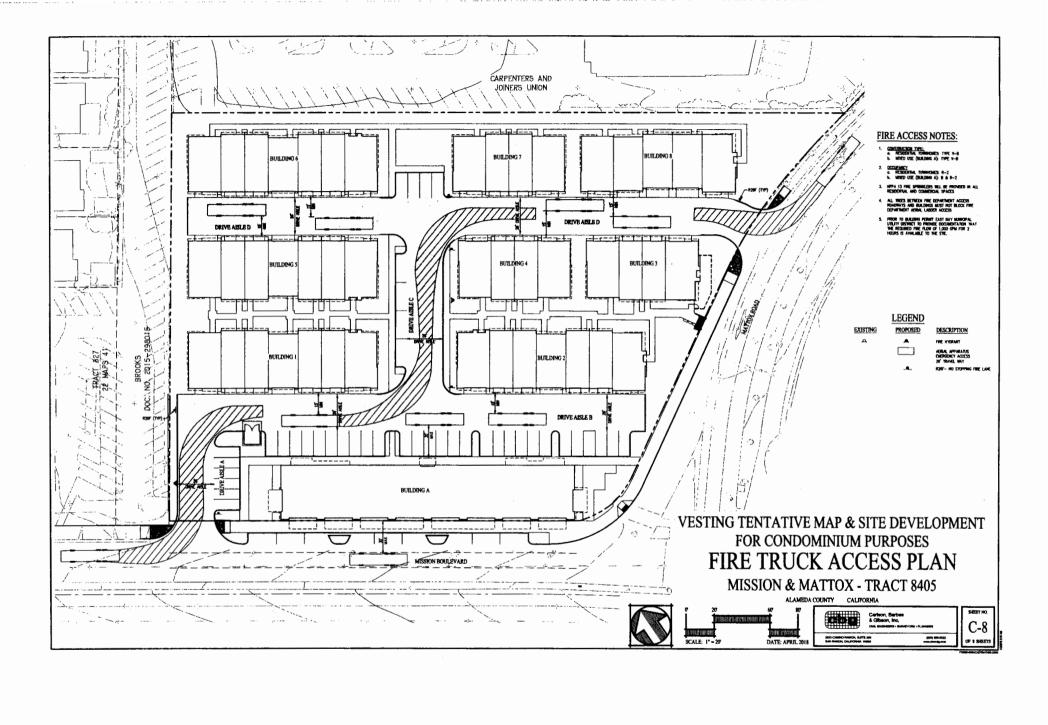


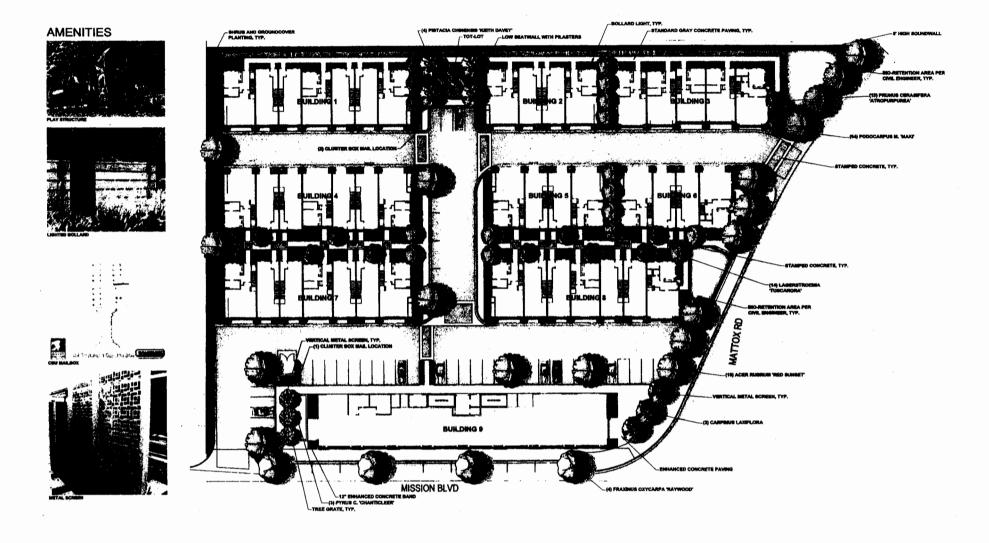












NEC Holdings, Inc. 12607 ALCOSTA ELVD SAN RASCON, CA 94603 925.543.4894 MISSION & MATTOX
Alameda County, California

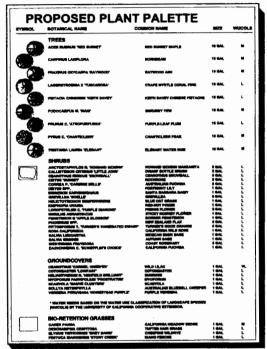
OVERALL LANDSCAPE PLAN
CONCEPTUAL LANDSCAPE PLAN
FEBRUARY 2018

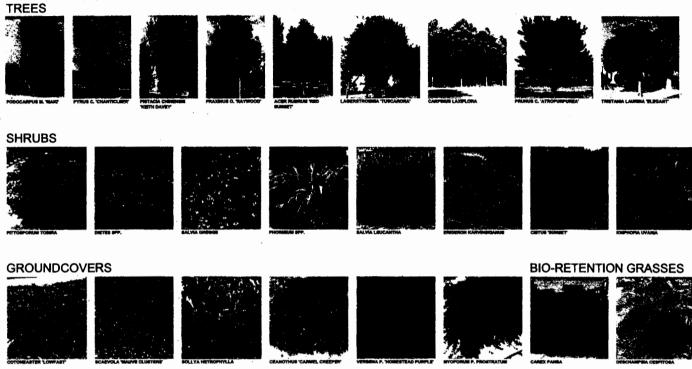






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MLC Holdings, Inc. 12667 ALCOSTA BLVD SAN RAMON, CA 94563 125.843.4604

**MISSION & MATTOX** 

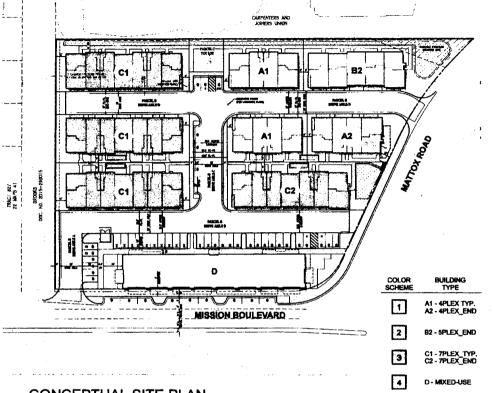
Alameda County, California

PLANT PALETTE AND IMAGERY CONCEPTUAL LANDSCAPE PLAN

FEBRUARY 2018







#### PROJECT SUMMARY

#### Overall Unit Summary

OMERALL ME	AT SUMMERS	
	8 UPINT	× .
TOWN HOUSE	45	78.9%
STACE ED FLATS	12	21,1%
TOTAL	57	100.0%

		TOWN HOUSE	PRIT MEX BURGHARY			
PLAN TYPE		CAMAGE	HE P	# UNIT	×	TOTAL SQ. FT.
FLAN 1	4 BED, 3.5 BATH	5904 x 5406	1,882 SQ,FT.	7	15.6%	19174 50 FT.
PLAN 2A	48ED, 3.5 BATH	SIDE x SIDE	2.007 SO.FT.	3	6.7%	6111 SQ.FT.
PLANT 28	4 MED, 3.5 BATH	SIDE x SIDE	2,126 SQ.FT.	12	24.7%	25512 SQ.FT.
PLAN 25 ALT	4 BED, 1,5 BATH	SICE x SICE	2,126 SQ.FT.	1	2.2%	2129 SQ.FT.
PLAN 3	2000, 2.5 0ATM	TAMDEM	1,367/SQ,FT.	12	4.9%	30074 SQ.FT.
TOTAL				45	100.0%	76867 SQ.FT.

		STACING FLATS	UNIT MEX BURNINGSTY			
PLAN TYPE	LI	PARENT	ide	9 URBT	×	TOTAL SQ. FT.
PLAN 4	1860, 18ATH	OH-STE	882/SQ.FT.	4	31.1%	3328 SQ,FT.
PLAN 5	2 BED, 2 BATH	CRH-SITE	1,043 SQ.FT.	4	33.7%	4172 SQ.FT.
PLAN 6	3 BED, 2 BATH	OH-SITE	1,312 50,FT.		33.7%	\$248 SQ.FT.
TOTAL				73	100.0%	12748 SQ. FT.

	PARAME 3	HARMANT - NEW COLORS	W.		
	PARKING	MEQUIMED	PARKING PROVIDED		
PARIONS TYPE	RATIO	8 OF PARKING	MATIO	# OF PARKING	
GARAGE	1SPACE/DU	23 SPACES	2 SPACE / DU	46 SPACES	
TANDEM	2.5PACE/DU	ZISPACES	3SPACE/OU	44 SPACES	
CN-SITE (GLIEST)	M/A	H/A	0.2 SPACE / DU	9 SPACES	
TOTAL	T	6 SPACES		\$9.5PACES	

	PARIONE SUMM	ATT - MEDICAD USE - NE	SECTION.	
	PARKING	PARKING REQUIRED PARKING PR		
PARKONG TYPE	RATIO	# OF SPACES	RATIO	# OF SPACES
OM-STREET (RESIDENTS)	1 SPACE / DU	12 SPACES	1 SPACE / DU	12 SPACES
COMMERCIAL	1/500 SF(MIN.)	17 SPACES	1/900 SF(MIN.)	18 SPACES
TOTAL		Z9 SPACES		30 SPACES

## **CONCEPTUAL SITE PLAN**

- NOTES:

  1. Refer to Civil sheets for all property lines, easements, site dimensions, etc.

  2. Refer to Landscape Sheets for landscape design, dimensions and detail information.

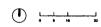
#### **PARKING LEGEND**

- ON-SITE RESIDENTIAL PARKING
- ON-SITE MIXED USE RESIDENTIAL PARKING
- ON-SITE COMMERCIAL PARKING



**MISSION AND MATTOX** 

CONCEPT DESIGN



ARCHITECTURAL SITE PLAN & PROJECT SUMMARY

#### R-2 CONDOMINIUMS & B OCCUPANCY: STACKED FLATS BUILDING D (3-STORY)

#### APPLICABLE CODES:

2016 CALIFORNIA RESIDENTIAL CODE (CRC)

2016 CALIFORNIA BUILDING CODE (CBC)

CHAPTER 11A 11R

2016 CALIFORNIA MECHANICAL CODE

2016 CALIFORNIA PLUMBING CODE

2016 CALIFORNIA FLECTRICAL CODE

2016 CALIFORNIA FIRE CODE

TITLE 24, PART 6, CALIFORNIA ENERGY CODE (2016 EDITION)

OCCUPANCY GROUP: (CRC R302.2)

RESIDENTIAL RUSINESS (IF APPLIES)

OCCUPANCY SEPARATION

PER CBC TABLE 508.4

CONSTRUCTION TYPE:

TYPE V.A

FIRE SPRINKLERS:

NEPA 13 \* FIRE SPRINKLERS ARE REQUIRED IN ALL RESIDENTIAL AND COMMERCIAL SPACES.

ALLOWABLE STORIES:

3-STORIES (CBC TABLE 504.3 & SEC. 504.4)

PROVIDED

BLDG HT: 3 STORIES, AND 050 FEET

ALLOWABLE FLOOR AREA

MITTED-USE OCCUPANCY

MA D TYPE V-8 CONSTRUCTIONS:

WEIGHTED FRONTAGE WIDTH CALCULATION (EDS-6)
W.O. (L1 Owl DL2 DW2 DL3 DW3\_DF
W.O. (214000 D.350000 D.000000 D.314000 (5060)

W 0 (214800 0398000 0048000 21488007804 W 0 30 00 0048048 GALGULATION (EQS-6) ED 807 - 0.2504730 ED 8097806 0.250308508 ED 9.76

N-2 MICED- OCCUPANCY ALLOWABLE AREA (EQS-3)

As () (7,000 ()(7,000 ()0.75(b) As () 12,250

9 MICED-OCCUPANCY ALLONABLE AREA (ECS-3) As () UKCO 695 CIERO As () 27,666 CIE.7906 (05.75G) As () 47,686

101 01000 - S.100 04.17 17 PALT TROTLONS 08.0F (7) PRO STORY: ALE 09.47 (7) FIRE SEPARATION DISTANCE FOR OPENINGS: CCBCI NOT PERMITTED 3'S X < 5' = 15%

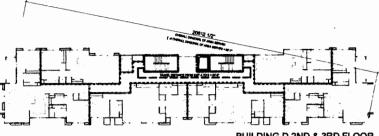
5 \$ 0 0 10 CD 25 C 10' s n n 30m 45n 3000 C GNO LIMIT

EDITS
WHERE A BUILDING IS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM, THE SEPARATION DISTANCE OF THE EIST DOORS OR EIST ACCESS DOORWAYS SMALL NOT BE LESS THAN ONE-THIRD OF THE LENGTH OF THE MACIMUM OVERALL DIAGONAL DIMENSION OF THE AREA SERVED PER CBC1007.1.1.2

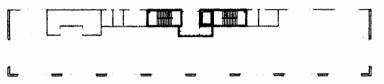
ACCESSIBILITY

ALL RESIDENTIAL UNITS IN ELEVATOR SERVED BUILDINGS ARE REQUIRED TO BE ADAPTABLE PER CBC 11A.

OTHER USES ARE REQUIRED TO SE ADAPTABLE PER CBC 118.



**BUILDING D 2ND & 3RD FLOOR** 



#### **BUILDING D 1ST FLOOR**

#### SECTION 1007 EQIT AND EQIT ACCESS DOORWAY CONFIGURATION

#### 1007,1.1 TWO EDITS OR EDIT ACCESS DOORWAYS

WHERE TWO EUTS, EUT ACCESS DOORWAYS, EUT ACCESS STARWAYS OR RAMP, OR ANY COMBINATION THEREOF, ARE REQUIRED FROM ANY PORTION OF THE EUT ACCESS, THEY SHALL BE PLACED A DISTANCE APART EDUL. TO NOT LESS THAN ONE-HAIF OF THE LEINTH OF THE MADRIAN OVERALL DIAGONAL DIMENSION OF THE BUILDING OR AFEA TO BE SERVED MEASURED IN A STRAIGHT LINE SETWEEN THEIL INTERLOCKING OR SCISSOR STARI WAYS SHALL BE COUNTED AS ONE EUT STARWAY.

#### ECCEPTIONS:

WHERE INTERIOR ELIT STARWAYS OR RAMPS ARE INTERCONNECTED BY A 1 HOUR FIRE-RESISTANCE-PARTED CORRIDOR COMPORISMS TO THE REQUIREMENT OF SECTION 1000, THE REQUIREMENT OF SECTION 1000, OT TRAVEL WITHIN THE CORRISION.

REQUIRED: 20812 1/1/3 (16807"

PROVIDED : 8406\*

## ## ## ## ## ### 2 HOUR FIFE BARRIER FER CHC SECTION 707, REFER TO DETAILS:

Architecture 4 888.456.5649

MLC Holdings, Inc. 12657 Alcosta BICI., SCID: 175 See Person, CA 94563

MISSION AND MATTOX

**CONCEPT DESIGN** 



**CODE ANALYSIS** 

#### R3-TOWNHOUSE CONDOMINIUMS: BUILDING A, B & C (3-STORY)

APPLICABLE CODES:

2018 CALIFORNIA RESIDENTIAL CODE (CRC)

2016 CALIFORNIA BUILDING CODE (CBC)

CHAPTER 11A

2018 CALIFORNIA MECHANICAL CODE 2018 CALIFORNIA PLUMBING CODE

2016 CALIFORNIA FI ECTRICAL CODE

2016 CALIFORNIA FIRE CODE

TITLE 24, PART 6, CALIFORNIA ENERGY CODE (2016 EDITION)

DEFINITIONS [PER CRC R202]

ATTACKED TOWNHOUSE: A SINGLE FAMILY DWELLING UNIT CONSTRUCTED IN A GROUP OF THREE OR MORE ATTACKED UNITS IN WHICH EACH UNIT EXTENDS FROM FOUNDATION TO ROOF AND WITH A YARD OR PUBLIC WAY ON A LEAST TWO SIDES.

OCCUPANCY GROUP

CONSTRUCTION TYPE

FIRE SPRINKLERS:

NFPA 13-D, - AUTOMATIC SPRINKLER SYSTEMS REFER TO CBC CHAPTER 35 FOR ADDITIONAL STANDARDS NOT PROVIDED ON THIS LIST. \* FIRE SERMILLERS ARE REQUIRED IN ALL RESIDENTIAL STRUCTURES.

ALLOWABLE HEIGHT:

3 STORIES, AND < 40 FEET

ALLOWABLE STORIES:

3 STORIES (CBC TABLE 504.3 & SEC. 504.4)

ALLOWABLE FLOOR AREA

R-3= UNLIMITED PER CBC TABLE 508.2 U= 1,000 6.F. PER CBC 406.3.1

PER CRIC R392.2 EACH TOWNHOUSE CONDOMINUM SHALL BE SEPARATED BY A COMMON WALL CONSTRUCTED WITHOUT PLANSING OR MECHANICAL EQUIPMENT, DUCTS OR VENTS RUNNING WERTICALLY BY THE COMMON WALL CANTY, PER CRIC R 302.2 ITEM 7 THE COMMON WALL SHALL SE NOT LESS THAN 1-HOUR FIRE RATED.

EXTERIOR WALL RATING:

FIRE SEPARATION DISTANCE > 3" FOR TYPE VB CONSTRUCTION AND R3 OCCUPANCY SHALL BE ZERO (0) (NON-RATED)

FIRE SEPARATION DISTANCE < 3' FOR TYPE VB CONSTRUCTION AND R3 OCCUPANCY SHALL BE ONE (1) - (1 HOUR)

REFER TO CIVIL SITE PLAN FOR SEPARATION DISTANCES.

MAXIMUM AREA OF EXTERIOR WALL OPENINGS:

FIRE SEPARATION DISTANCE > 3" SHALL BE UNLIMITED (UNRATED)
FIRE SEPARATION DISTANCE < 3" SHALL NOT SE ALLOWED

SEPARATIONS: (CRC TABLE R302.1(2))

REFER TO BITE PLAN FOR FIRE BEPARATION DISTANCES.

FIRE RESISTIVE RATING REQUIREMENTS FOR PROJECTIONS BASED ON FIRE SEPARATION DISTANCE: (PER CRC TABLE R302.1(2))

FIRE SEPARATION DISTANCE > 3" SHALL BE ZERO (I) (NON-RATED)
FIRE SEPARATION DISTANCE 2" < 3" SHALL BE 1-HOUR ON THE UNDERSIDE

REFER TO SITE PLAN FOR FIRE SEPARATION DISTANCES.

UTILITIES / THROUGH PENETRATIONS

ELECTRIC & OAD METIES LOCATED IN COMBION HAN MARTANED CLOSETS AT THE DRUG OF EACH BALDSHA ARE BUILT HOROUGH THE BALDSHA LITERALY IN A REMATTED SOFTIT RECEIVEN LOCATED IN THE OARAGES. ACCESS EASEMENTS DUST FOR USE AND MAINTENANCE OF THE UTILITY RACEWY. THROUGH PERTATIONS OF THE 1-HOUR RATED COMBION WALL SEPARATING URST SET LECTRICA. AND PLASEMED LIKES SHALL SET PROTECTED IN ACCORDANCE WITH CRC R 302.4.1 & R 302.4.1.2 BY PROVIDINGS AT HOROUGH PERTATION PRIESTED OF STITEM.

ACCESSIBILITY:

DWELLING UNITS IN A BUILDING CONSISTING OF FOUR OR MORE CONCOMMUNICATION OF THE REQUIREMENTS OF CAUFFORMA DEPENDENCY OF CAUFFORMA DEPENDENCY OF CAUFFORMA DEPENDENCY OF CAUFFORMAD DEPENDENCY OF CAUFFOR DEPENDENCY OF CAUFFORMAD DEPENDENCY OF CAUFFO

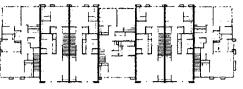


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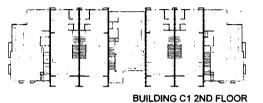
MISSION AND MATTOX ALAMEDA COUNTY, CA # 2016-0445

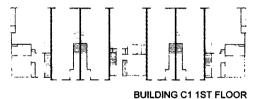
CONCEPT DESIGN FEBRUARY 20, 2018

**CODE ANALYSIS** 



**BUILDING C1 3RD FLOOR** 





1 HOUR FIRE PARTITION PER CRC RECTION 708.

#### STACKED FLATS BUILDING D

		HEIGHT		
	REQUI	REMENT	PROPOSED	NOTES
	MIN	MAX		
STORIES	N/A	5	3	
FEET	25'	75'	± 47'-0"	
GROUND FLOOR HEIGHT	15'	N/A	15'-1"	
UPPER FLOOR(S) HEIGHT	10'	N/A	10'-1"	

	FRONT	AGE & ENCROA	CHMENT	
	REQUIREMENT		PROPOSED	NOTES
	MIN	MAX		
FRONTAGE REQUIREMENT	70%	N/A	72%	
ALLOWED FRONTAGE TYPE	SEE SEC	TON 6.3	SHOPFRONT	
ENCROACHMENT INTO FRONT SETBACK	N/A	2'	O' SETBACK	
ENCROACHMENT INTO SIDE STREET OR REAR SETBACK	N.A	4'	0,	

SHOP FRONT AND AWNING						
	REQUIREMENT	PROPOSED	NOTES			
BUILDING FRONT SETBACK	O FEET MAX	0				
WIDTH OF SHOPFRONT OPENING	8 FEET MIN	19'-0"				
HEIGHT OF SHOPFRONT OPENING	12 FEET MIN	12'-0"				
DEPTH OF RECESSED ENTRY	S FEET MAX	1'-0"				
WIDTH OF RECESSED ENTRY	10% OF BUILDING FAÇADE	23%				
TRANSPARENCY-GROUND FLOOR	70% MIN	72%				
TRANSPARENCY-UPPER FLOORS	30% MIN	30%				
AWNING ENCROACHMENT INTO PUBLIC RIGHT-OF-WAY W/VAILD ENCROACHMENT PERMIT	3 FEET MAX	3 '-0"				
VERTICAL CLEARANCE SIDEWALK TO AWNING	8 FEET MIN	±11'-0"				



PROPOSED BUILDING HEIGHT

PROPOSED TRANSPARENCY

PROPOSED RECESSED ENTRIES

GROUND FLOOR HEIGHT: 15'-1" UPPER FLOOR(S) HEIGHT: 10'-1"

GROUND FLOOR: 152'-0" / 210'-0 = 72% UPPER FLOOR: 614 SQ.FT. / 2049 SQ.FT = 30%

6'-0" X 8 = 48'-0" 48'-0"/210'-0" = 23%

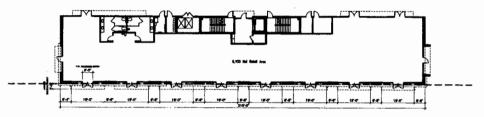


EXHIBIT LEGEND

--- -- BUILDING SETBACK LINE

PROPOSED GROUND FLOOR

PROPOSED FRONT SETBACK: 0
SHOPFRONT OPENING: 19'-0" X 8 OPENINGS = 152' TOTAL OPENING



EXHIBIT LEGEND

STREETWALL

210'-0" / 293'-0" = 72%

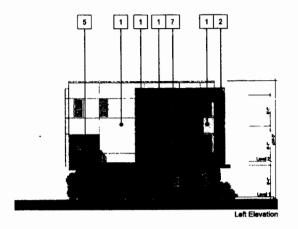
- -- - PROPERTY LINE

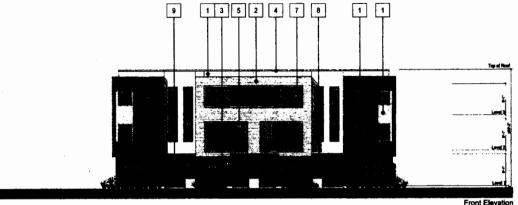
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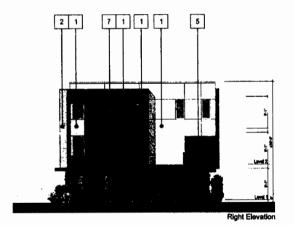
**CONCEPT DESIGN** FEBRUARY 20, 2018

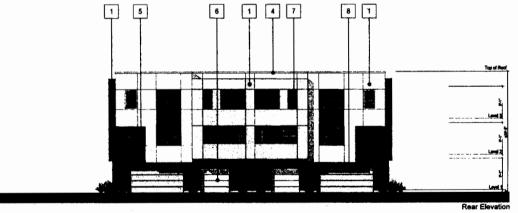
**BUILDING COMPLIANCE** 











# Material Legend 1. Stucco

- Fiber Cement Siding
  Thin Brick Veneer
  Stucco Trim

- Wood Railing Sectional Roll-Up Garage Door

- Vinyl Windows Light Fixture Entry Door Fiber Cement Trim

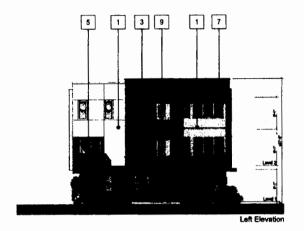


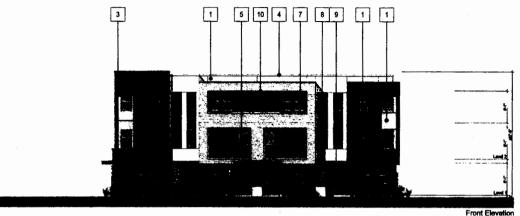
MISSION AND MATTOX

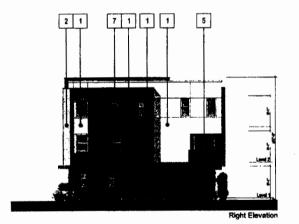
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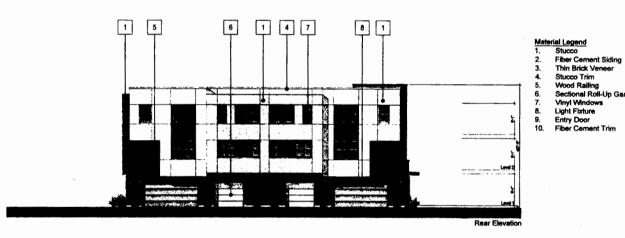
BUILDING ELEVATIONS
BUILDING AT













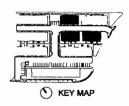
MISSION AND MATTOX

CONCEPT DESIGN

**BUILDING ELEVATIONS** 

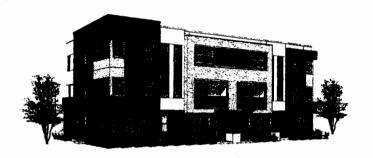
A2.1

Thin Brick Veneer
Stucco Trim
Wood Railing
Sectional Roll-Up Garage Door
Vinyl Windows
Light Fixture
Entry Door
Fiber Cement Trim

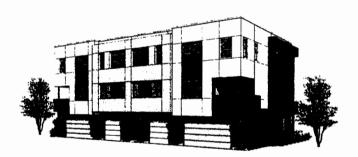




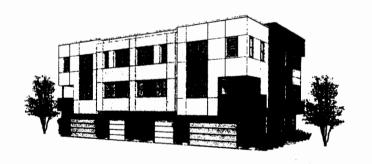




BUILDING A2 FRONT LEFT PERSPECTIVE



BUILDING A1 REAR RIGHT PERSPECTIVE



BUILDING A2 REAR RIGHT PERSPECTIVE

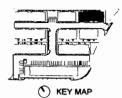


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CONCEPT DESIGN FEBRUARY 20, 2018 0 4 8 16

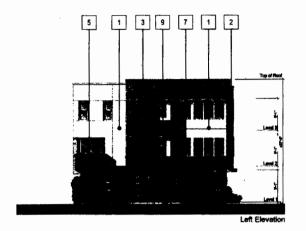
BUILDING ELEVATIONS
BUILDING 2A

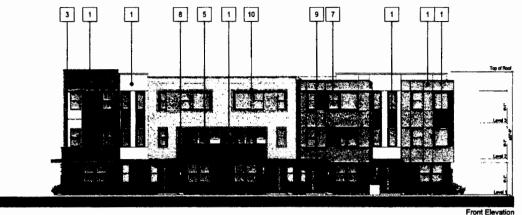


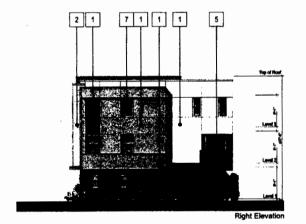
Thin Brick Veneer Stucco Trim

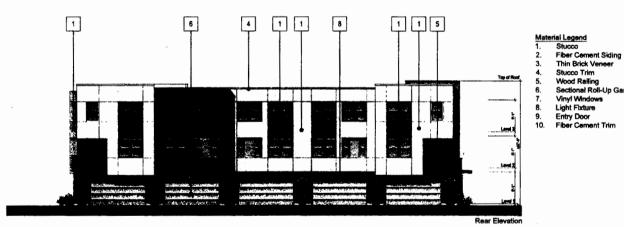
Entry Door Fiber Cement Trim

Wood Reiling Sectional Roll-Up Garage Door Vinyl Windows Light Fixture







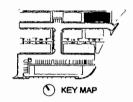




MISSION AND MATTOX

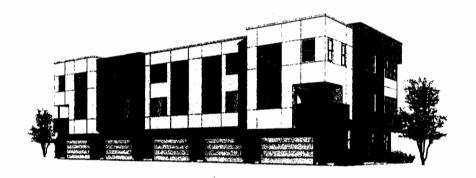
CONCEPT DESIGN

BUILDING ELEVATIONS
SULLING BY





#### **BUILDING B2 FRONT LEFT PERSPECTIVE**



**BUILDING B2 REAR RIGHT PERSPECTIVE** 



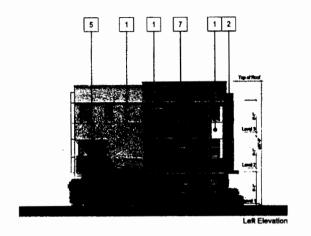
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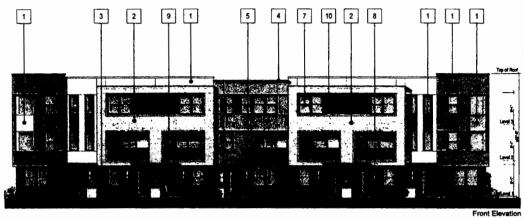
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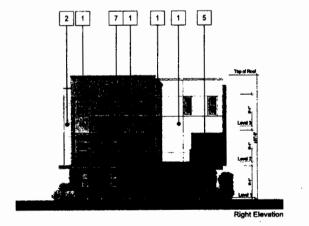
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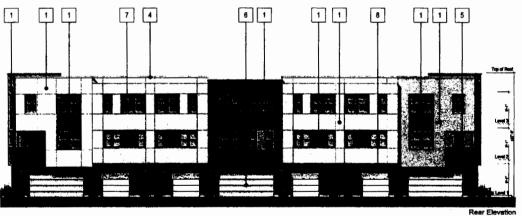
BUILDING ELEVATIONS
BUILDING 2B











- Material Legend

  1. Stucco

  2. Fiber Cement Siding
- Thin Brick Veneer
- Stucco Trim Wood Railing
- Sectional Roll-Up Garage Door Vinyl Windows
- Light Fixture Entry Door
- 10. Fiber Cement Trim

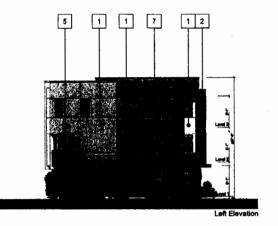
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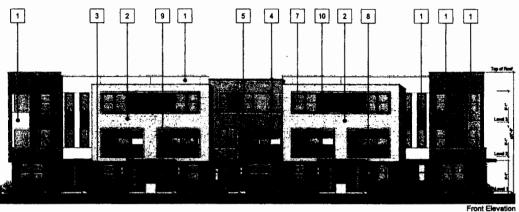
MISSION AND MATTOX

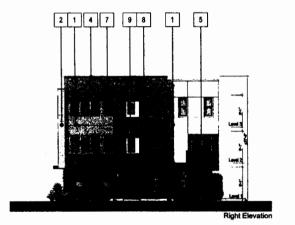
CONCEPT DESIGN FEBRUARY 20, 2018

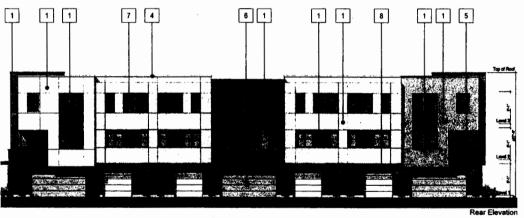
BUILDING ELEVATIONS
BUILDING CT











# Material Legend 1. Stucco

- Fiber Cement Siding Thin Brick Veneer

- 3. Thin Brick Veneer
  4. Stucco Trim
  5. Wood Railling
  6. Sectional Roll-Up Garage Door
  7. Vinyl Windows
  8. Light Froture
  9. Entry Door
  10. Fiber Cement Trim

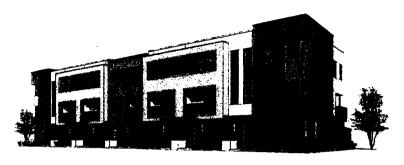


MISSION AND MATTOX

CONCEPT DESIGN FEBRUARY 20, 2018

BUILDING ELEVATIONS

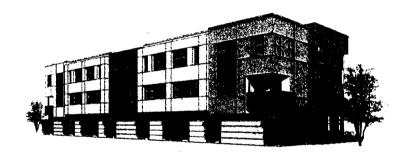




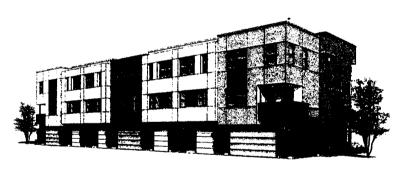


BUILDING C1 FRONT RIGHT PERSPECTIVE

BUILDING C2 FRONT RIGHT PERSPECTIVE







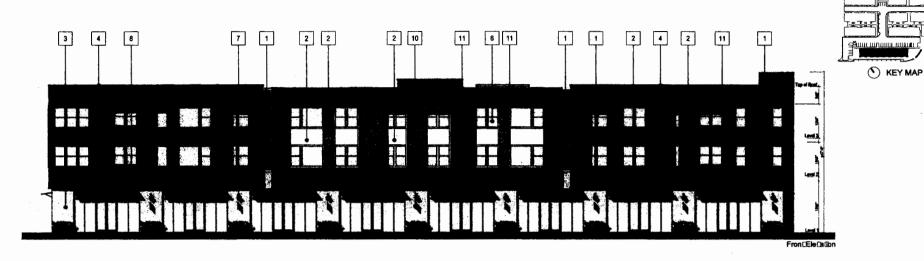
BUILDING C2 REAR RIGHT PERSPECTIVE

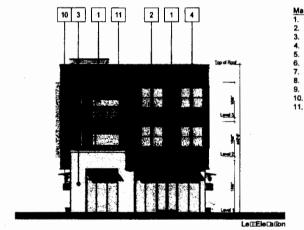


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CONCEPT DESIGN FEBRUARY 20, 2016 . 4 6 16

BUILDING ELEVATIONS
BUILDING 20







- SIllicco
- Fiber Cemen □Siding T⊡n Bric⊡Veneer
- Sillicco Trim
- Me@I Railing Vin⊡ Windows
- Lig CCFi CIII)re
- Awning
- Fiber Cemen □Panel
- 10. Signage 11. Fiber Cemen⊞rim



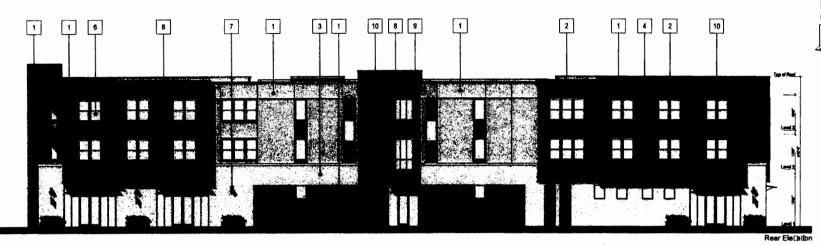


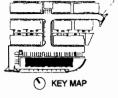


MISSION AND MATTOX

**CONCEPT DESIGN** FEBRUARY 20, 2018

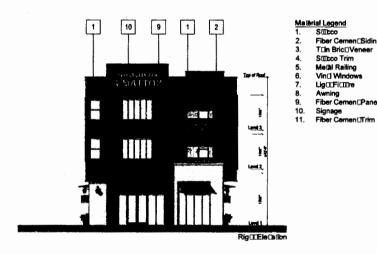
BUILDING ELEVATIONS BUILDING D





SILIcco Fiber Cemen Siding T⊡n Bric⊡Veneer Stillicco Trim Me@I Railing Vin⊡ Windows Ligatiane Awning Fiber Cemen Panel



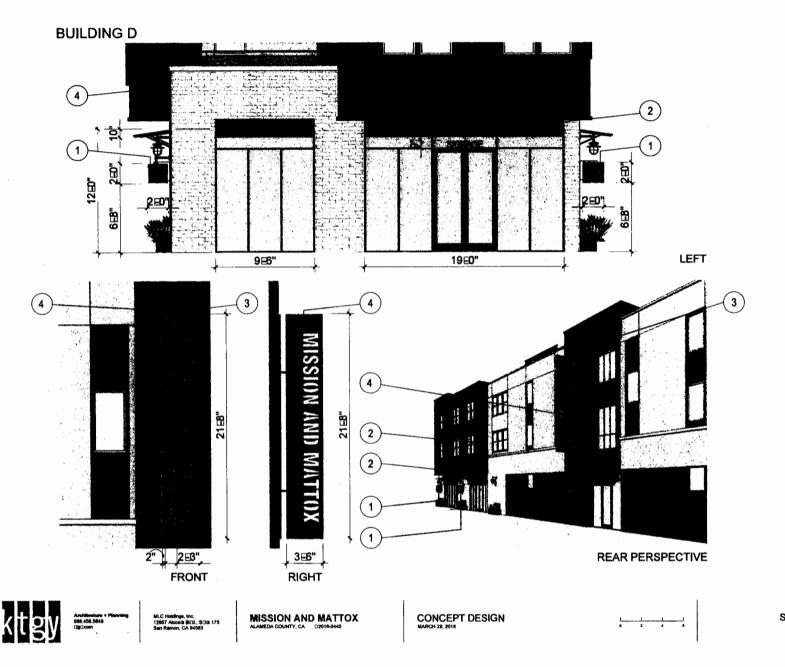




MISSION AND MATTOX

CONCEPT DESIGN FEBRUARY 20, 2016

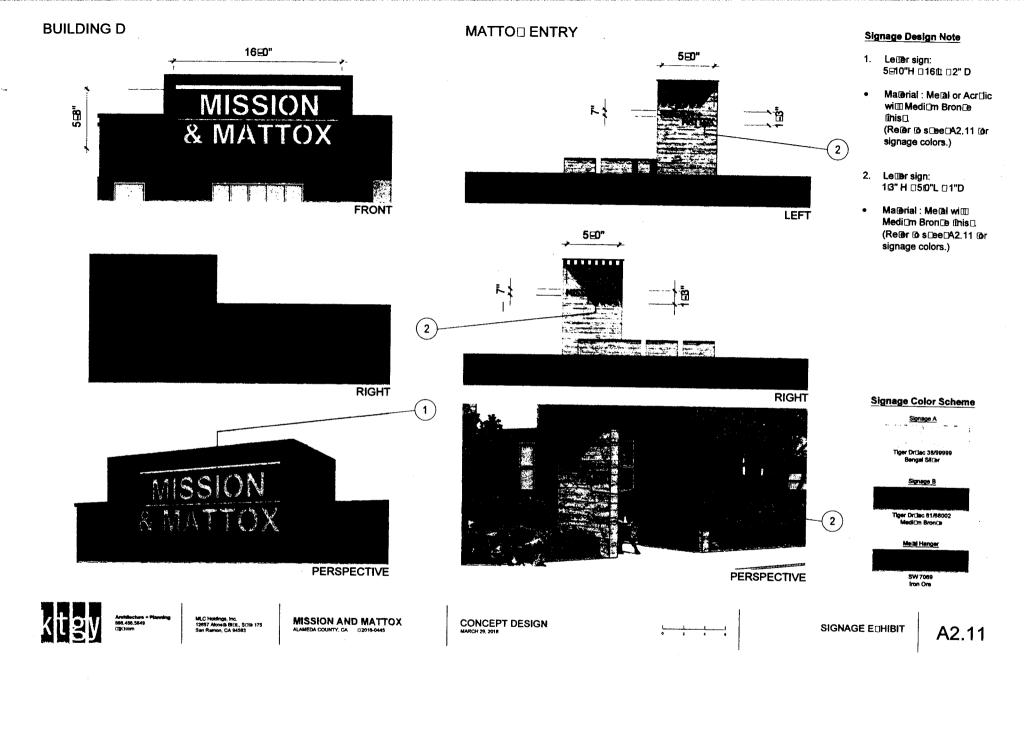
BUILDING ELEVATIONS

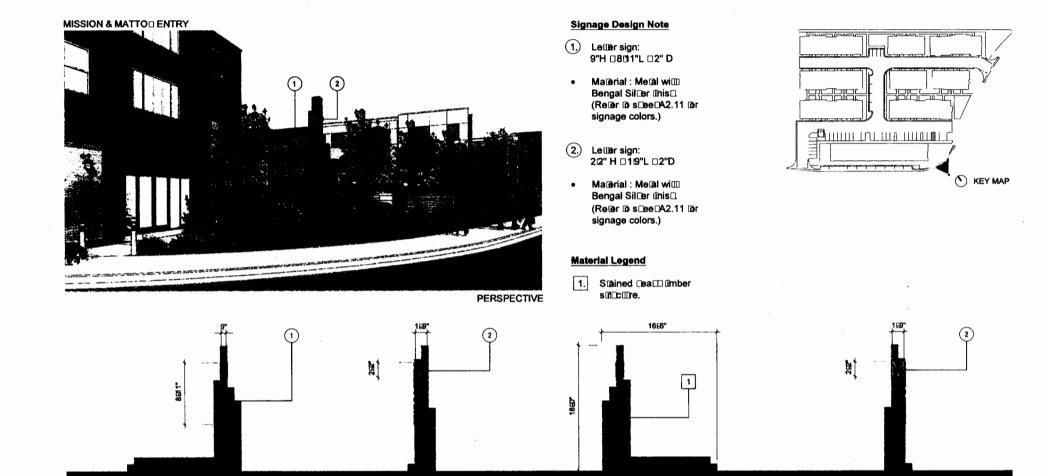


#### Signage Design Note

- 1. Blade sign:
  Min 20H □ 20L □ 2" D
  Ma □ 40V □ 40L □ 6" D
- Material: Metal wi⊞
   Medi⊡m Bron⊡e tinis□
   (Reter to s⊡ee□A2.11 for signage colors.)
- 2. Le⊞r sign: 9" H □316"L □1"D
- Material: Metal or Acr⊡ic wi⊞ Bengal Siller tinis□ (Reter to s⊡ec□A2.11 tor signage colors.)
- Ac⊞al ma@rial @ be de@rmined as ☐ar☐o☐ signage ☐rogram @r indi☐d☐al @nan⑤.
- 3. Blade sign: 218"H □23"L □3" D
- Material : Metal wi⊞
   Medi⊡m Bronte this□
   (Reter to s⊡ee□A2.11 for signage colors.)
- 4. Blade sign: 218"H □23"L □3" D
- Mararial: Meral wi⊞
   Medi⊡m Bron te ribist
   (Rerar roste=A2.11 rorsignage colors.)

SIGNAGE ECHIBIT





ktgy

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**FRONT** 

MISSION AND MATTOX

CONCEPT DESIGN

**RIGHT** 

**REAR** 

SIGNAGE EDHIBIT

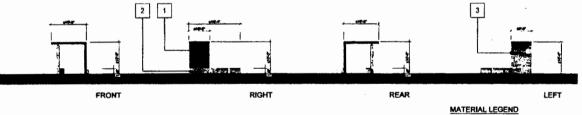
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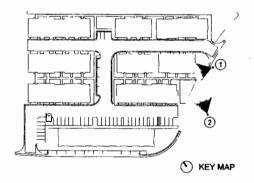




2 FRONT LEFT PERSPECTIVE



- WOOD GATEWAY W/ SOLID STAIN
   BOARD FORM CONCRETE
   SIGNAGE



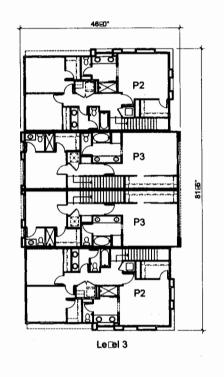


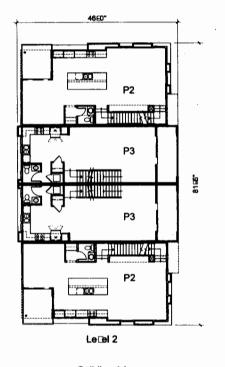
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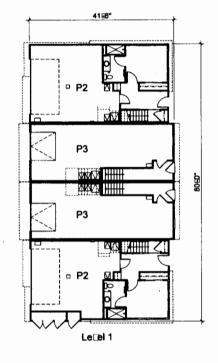
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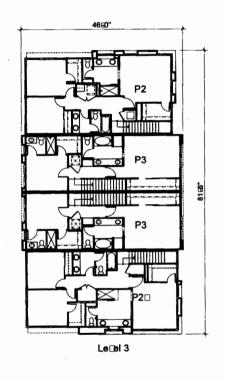


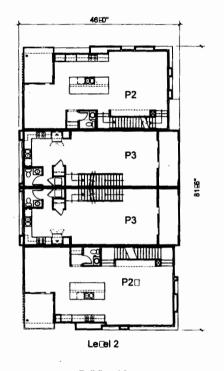
B⊡lding A1 10,071 Gross S□ F□

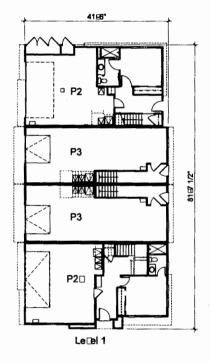


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B⊡lding A2 10,175 Gross S□ F□

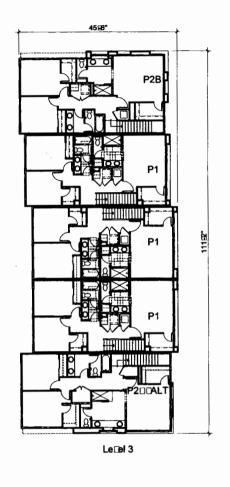


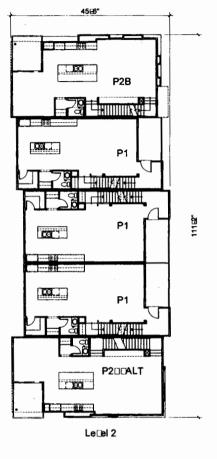
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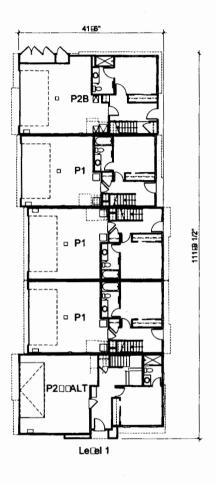
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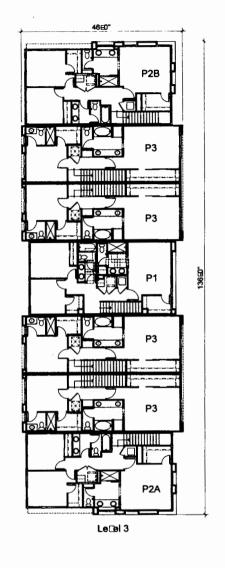


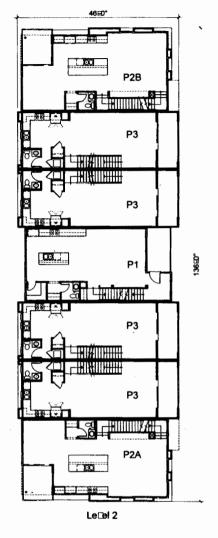
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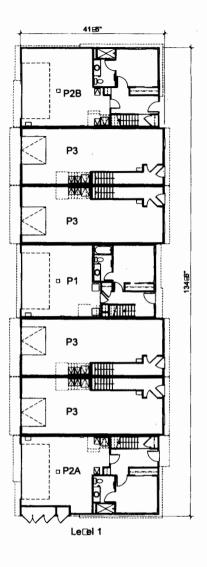
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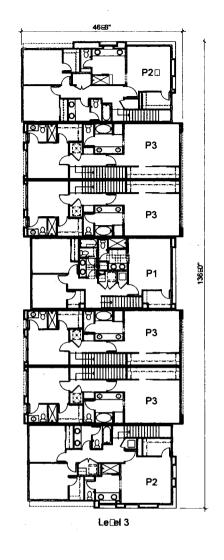


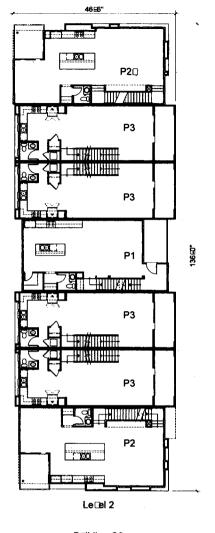
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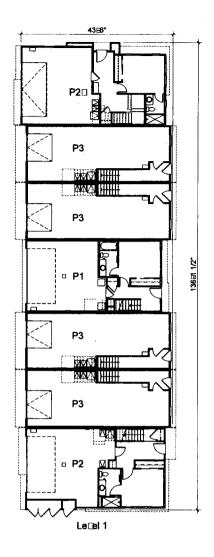
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**CONCEPT DESIGN** 

BUILDING PLAN BUILDING C1







B⊡lding C2 17,151 Gross S⊡ F□

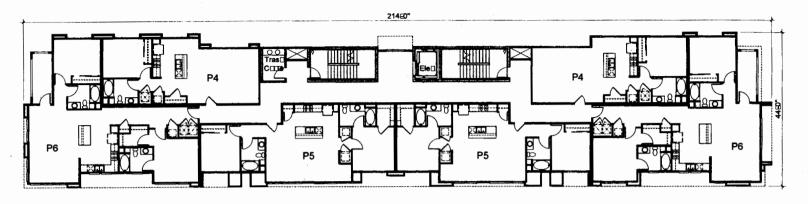


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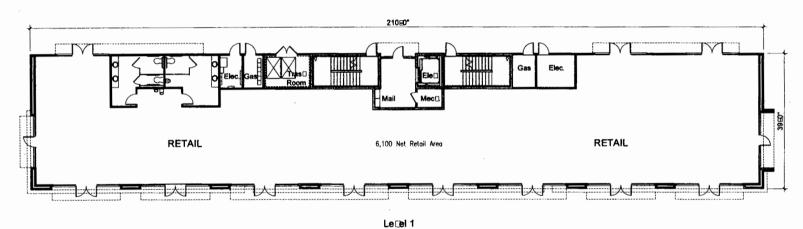
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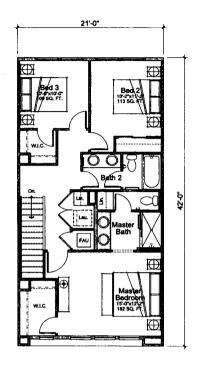
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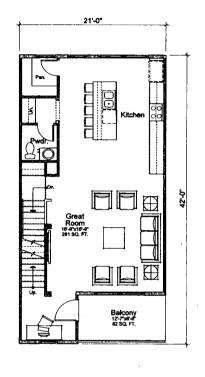


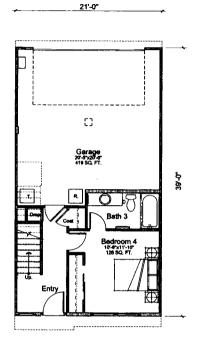
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BUILDING PLAN







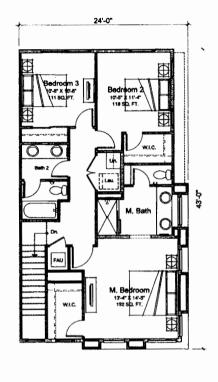
Third Floor 770 SQ. FT. Second Floor 751 SQ. FT.

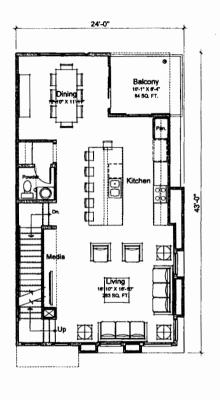
Plan 1 4 Bed, 3.5 Bath 1,882 SQ. FT. Net Area Private Open Space: 82 SQ. FT. First Floor 361 SQ. FT.

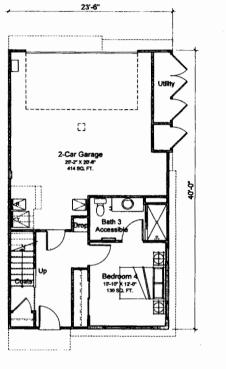


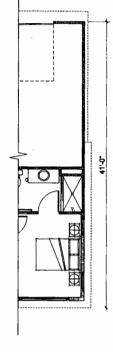
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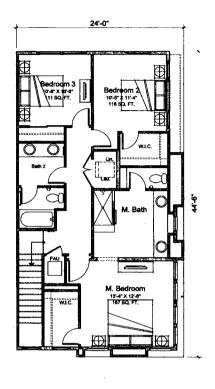


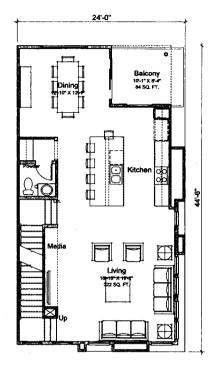
Third Floor 829 SQ. FT. Second Floor 820 SQ. FT. First Floor A 390 SQ. FT. First Floor B 390 SQ. FT.

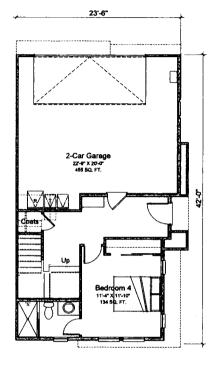
Plan 2 4 Bed, 3.5 Bath 2,039 SQ. FT. Net Area Private Open Space: 84 SQ. FT.



888.456.5849 ktgy.com MLC Holdings, Inc. 12657 Alcosta Blvd., Sulta 175 San Ramori, CA 94583 MISSION AND MATTOX ALAMEDA COUNTY, GA # 2016-0445 CONCEPT DESIGN FEBRUARY 20, 2018 UNIT PLANS







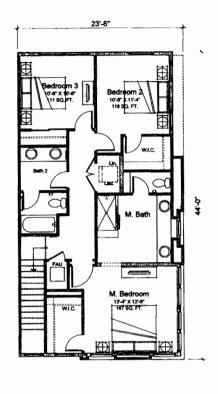
Third Floor 860 SQ. FT.

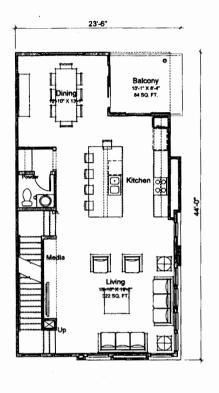
Second Floor 853 SQ. FT. First Floor 413 SQ. FT.

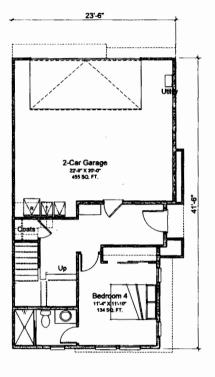
Plan 2X 4 Bed, 3.5 Bath 2,126 SQ. FT. Net Area Private Open Space: 84 SQ. FT.



cture + Planning 1,5849 7 MLC Holdings, Inc. 12657 Alcosta Blvd., Suite 175 Sen Remon, CA 94563 MISSION AND MATTOX ALAMEDA COUNTY, CA # 2016-0445 CONCEPT DESIGN FEBRUARY 20, 2018 UNIT PLANS







Third Floor 858 SQ. FT. Second Floor 854 SQ. FT.

First Floor 413 SQ. FT.

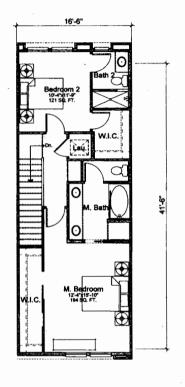
Plan 2X\_ALT 4 Bed, 3.5 Bath 2,126 SQ. FT. Net Area Private Open Space: 84 SQ. FT.



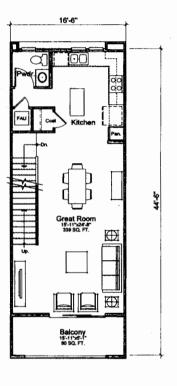
MISSION AND MATTOX

CONCEPT DESIGN FEBRUARY 20, 2016

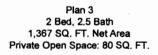
UNIT PLANS

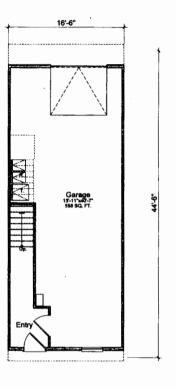






Second Floor 606 SQ. FT.





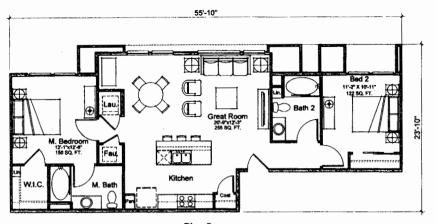
First Floor 122 SQ. FT.



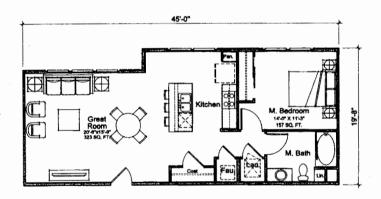
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UNIT PLANS



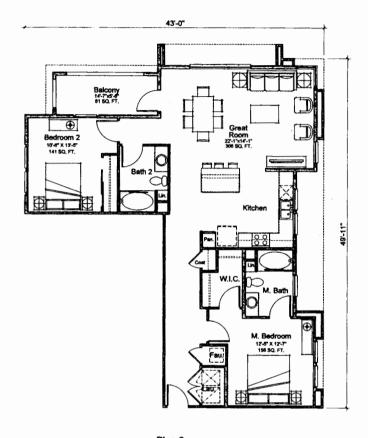
Plan 5 2 Bed, 2 Bath 1043 SQ. FT. Gross Area



Pian 4 1 Bed, 1 Bath 832 SQ. FT. Gross Area

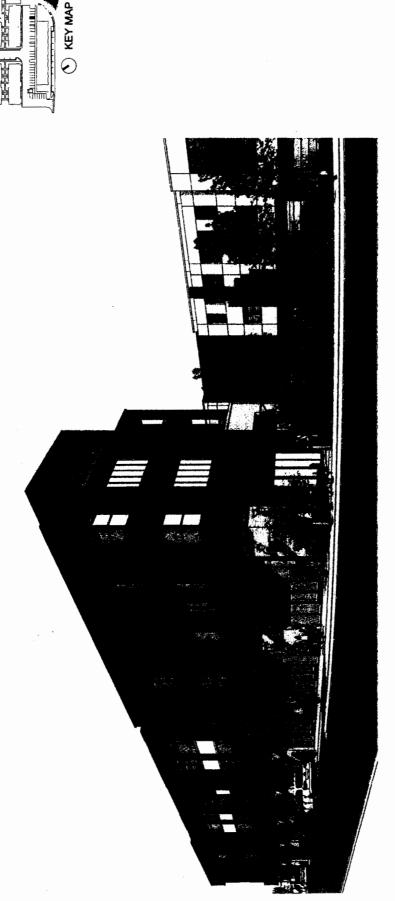


MLC Holdings, Inc. 12857 Alcosta Blvd., Suite 175 San Ramon, CA 94583 MISSION AND MATTOX ALAMEDA COUNTY, CA # 2018-0445 CONCEPT DESIGN FEBRUARY 20, 2018



Plan 6 2 Bed, 2 Bath 1,312 SQ. FT. Gross Area Private Open Space: 81 SQ. FT.

UNIT PLANS

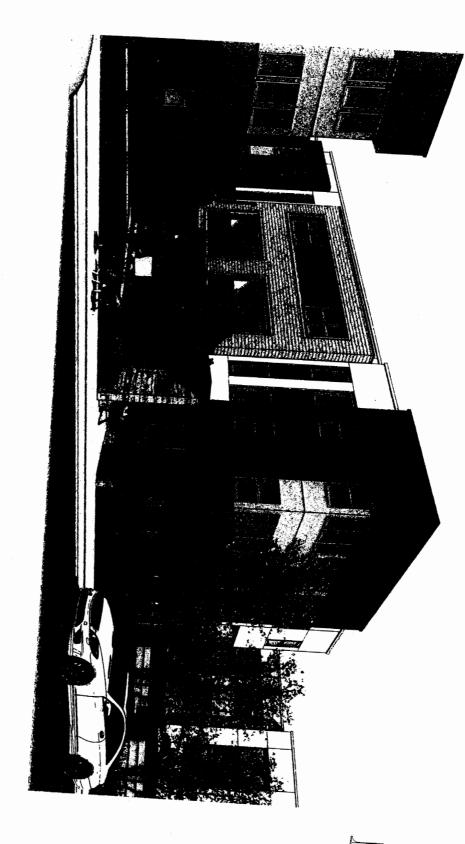


CONCEPT DESIGN FEBRUARY 20, 2018



MISSION AND MATTOX

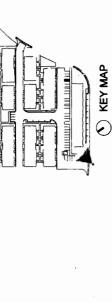
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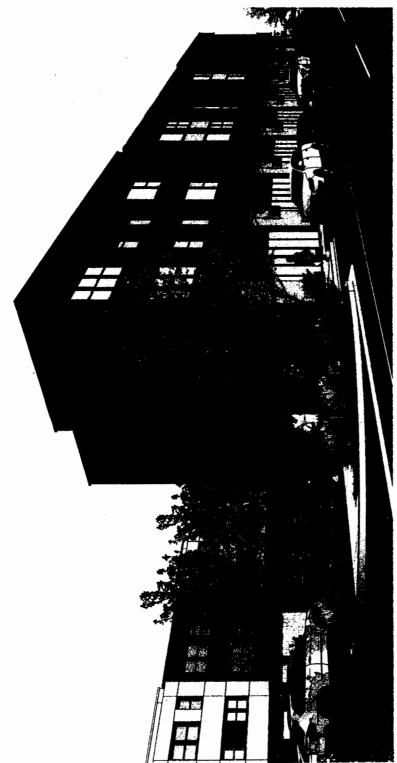


NEY MAP

PERSPECTIVES



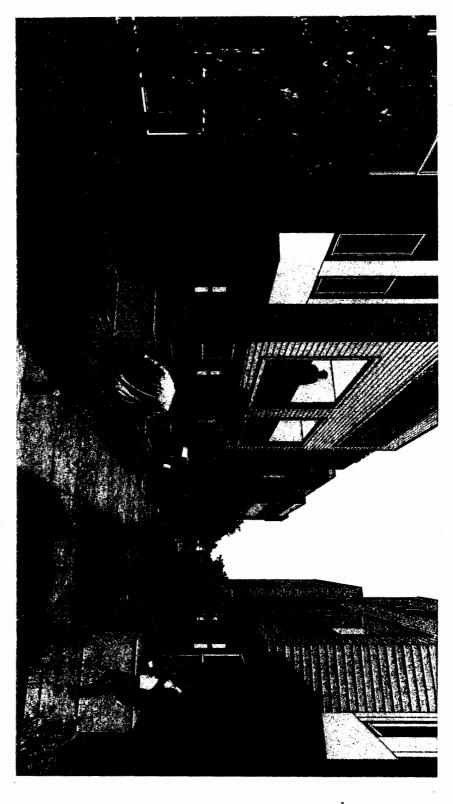


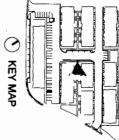




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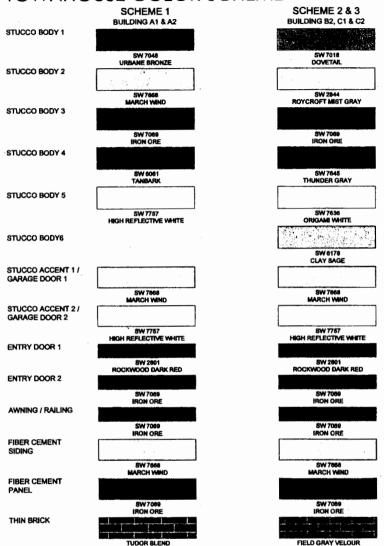
CONCEPT DESIGN





PERSPECTIVES

## TOWNHOUSE COLOR SCHEME



## STACKED FLATS COLOR SCHEME

SCHEME 4

POTOMAC CLEAR 8X

BUILDING D STUCCO BODY 1 SW 7598 SIERRA REDWOOD STUCCO BODY 2 SW 7868 MARCH WIND STUCCO BODY 3 SW 7069 IRON ORE ENTRY DOOR 2 SW 7069 AWNING / RAILING SW 7069 IRON ORE FIBER CEMENT SIDING 1 SW 7668 MARCH WIND FIBER CEMENT SIDING 2 SW 7069 IRON ORE FIBER CEMENT SIDING 3 SW 7018 DOVETAIL FIBER CEMENT SIDING 4 SW 7636 ORIGAMI WHITE THIN BRICK

MANUFACTURERS:

PAINT: SHERWIN WILLIAMS

FIBER CEMENT PANEL/LAP SIDING: HARDIE PANEL

THIN BRICK: BELDON

COLOR SCHEME

A6.0



Architecture + Plenning 565.456,5640 ktgy.com MLC Holdings, Inc. 12657 Alcosts Blvd., Suite 175 Sen Remon, CA 94583 MISSION AND MATTOX

CONCEPT DESIGN

# ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY PLANNING DEPARTMENT



#### STAFF REPORT - ADDENDUM

TO:

PLANNING COMMISSION

**HEARING DATE:** 

June 4, 2018

#### **GENERAL INFORMATION**

APPLICATION NUMBER/TYPE:

PLN2017-00164 (Tentative Tract Subdivision Map TR-8405 and Site

Development Review)

OWNER/
APPLICANT:

Serra Corporation / MLC Holdings, Inc.

PROPOSAL:

Consider an application for the proposed demolition of an existing warehousing and distribution building, and construction of a new mixed-use development of 45 for-sale townhome dwelling units, 12 apartment dwelling units, 6,100 sq. ft. of interior commercial space, and 1,395 sq. ft. of exterior leasable commercial space

on a 2.6-acre parcel

ADDRESS AND SIZE OF PARCEL:

One parcel totaling 2.6 acres, located at 20478 Mission Blvd, east side, northeast corner with Mattox Road, Ashland area of unincorporated Alameda County, designated Assessor's Parcel Number: 414-0046-058-02, owned by the Serra

Corporation

**ZONING:** 

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

GENERAL PLAN DESIGNATION:

GC (General Commercial -1.0 Floor Area Ratio) Primary land use; HDR (High Density Residential: 43 - 86 dwelling units per acre) secondary land use, per the

2010 Eden Area General Plan

ENVIRONMENTAL REVIEW:

An Addendum to the Ashland and Cherryland Business District Specific Plan Final Environmental Impact Report (EIR) has been prepared in conformance with California Environmental Quality Act, Section 15162: "Subsequent EIRs and Negative Declarations", and Section 15164: "Addendum to an EIR or Negative

Declaration"

#### ADDENDUM

Following production of the Planning Commission staff report, staff was informed by the prospective mixeduse building operator mentioned on page 10 of the report that she no longer expects to purchase the subject property. Also following staff report production, a letter (attached) from Carpenters Union 713 (the adjacent neighbor) expressing concerns about the application was submitted staff.

# UNITED BROTHERHOOD OF CARPENTERS JOINERS OF AMERICA Carpenters Local 713, Alameda County

Mailing Address 1050 Mattox Road Hayward, California 94541 1298



Times Media.

Section Costs Carlo

timescope

Phone: 510-581-7817

Eax: 510-581-1267 • E-Mail: carp713@carpenters713.org • Dispatch Fax: 510-733-2509 • www.carpenters713.org

May 25, 2018

Attn: Planning Commission County of Alameda 224 W. Winton Avenue, Room 111 Havward, California 94544

RE: MLC Holdings proposed development at 20478 Mission Boulevard

**Dear Planning Commissioners:** 

Carpenters Local Union 713 ("Local 713") appreciates the opportunity to submit this letter to express our support of the County's goal to redevelop the property located at 20478 Mission Boulevard to "provide a vibrant, walkable urban main street mixed-use commercial environment" (Ashland and Cherryland Business District Specific Plan). Local 713 submits this preliminary comment letter for inclusion in the Planning Commission packet. Local 713 may supplement or amend its comments either in writing or orally before or at the Planning Commission hearing on June 4th.

Local 713's union hall is located on Mattox Road immediately adjacent to the subject property associated with this development. The project applicant did <u>not</u> consult with Local 713 in developing a proposal that deviates in multiple ways from existing, governing community planning goals and policies. The project as proposed falls to advance clearly stated objectives of those plans. Local 713 urges Planning Commissioners to direct the applicant and staff to amend the project in order to bring it into conformance with the spirit and the letter of the applicable plans, and to consult its neighbors in the process of doing so.

The developer proposes a mixed-use development on a 2.6-acre parcel that is comprised of: (a) 45 3-story townhome dwelling units, within 8 buildings; (b) approximately 6,100 SF of commercial space with 12 apartment dwelling units on top of one of the buildings along Mission Boulevard; and (c) approximately 4,400 SF of outdoor leasable commercial space adjacent to the commercial units.

The residential component of the project totals 57 units with an estimated density of 21.9 units/acre. The proposed townhome units range between 1,343 to 2,050 SF; each will include a two-car garage. The project proposes 9 guest parking stalls for the townhomes. The 12 apartment units are 644 SF and 1,219 SF and each have one surface parking stall. The net commercial space of 6,100 SF within a 7,000-ground floor space includes 20 diagonal parking stalls on Mission Blvd.

After our examination of the MLC Holdings development proposal, Local 713 strongly urges the Planning Commission to not approve the project as proposed at this time. We have the following areas of concern:

 The proposed development would provide only half of the minimum residential and commercial density envisioned in to the County's General Plan. MLC Holdings' proposal is inconsistent with the County General Plan designation given that the developer is proposing a 0.05 commercial FAR and 21.9 of residential units/acre.

The 2010 Eden Area General Plan land use designates the site as High Density Residential and General Commercial (GC/HDR) with a 1.0 Floor Area Ratio with High Density Residential of 43 – 86 dwelling units per acre as a secondary use, and also specifies that the site "allowed uses include multi-family residential buildings between three and six stories," and that "the designation is meant to allow for intensification of growth over time along major roadways." The General Plan Indicates that when a site includes a primary and secondary land use designation, the primary use must be located on the site, and that the secondary use is optional.

To support area of concern #1, we cite the pertinent goals and policies in the Eden Area General Plan.

- Goal LU-1: Establish a clearly defined urban form and structure to the Eden Area in order to
  enhance the area's identity and livability.
  - a. New development and redevelopment shall be encouraged to advance a unified and coherent pattern of development, <u>maximize the use of land</u> and fill in gaps in the urban environment.
  - b. The County shall ensure that land is designated to <u>increase economic development</u> opportunities while also providing for future housing needs.
- Goal LU-8: To create Districts that serve as shopping, living, meeting, and gathering places.
  - a. The County should strategically pursue commercial and vertically-mixed use development (i.e. residential uses over commercial uses) in Districts. Such projects should be a priority for the County in terms of permit processing and County financial assistance, where feasible.
- Goal LU-13 Enhance economic development opportunities in the Eden Area.
  - a. The County shall make economic development a priority for the Eden Area.
  - b. The County shall attempt to create and maintain a jobs housing balance of 1.5 jobs for every housing unit.

Local 713 agrees with the assessment of Staff that the project as proposed will do little to catalyze significant economic vitality or jobs growth in the Eden Area within a key district. Local 713's concerns with District-level Issues is discussed immediately below.

 The proposed mixed-use development diverges from the County's Specific Plan. The minimum commercial space requirement is not met by MLC Holdings' project proposal because the development proposes a low density commercial and residential buildout.

The project as proposed falls well short of supporting the vision for the Cherryland District, which the County adopted a mere three years ago. The vision for the Cherryland District, within which the

property lies, is that "The District will become an economic center creating the 'critical mass' needed to draw customers from outside the area."

For example, the residential and commercial buildout of the Serra site will fall well short of providing critical mass that will support increased transit use, per applicable Specific Plan Policy 4.1. As noted by the March 6, 2017 comment letter from the California Department of Transportation, the project's high ratio of residential parking stalls per townhome unit will encourage residents to drive, thereby increasing vehicle miles traveled and impacts to the State Transportation Network, contrary to State and County goals.

Local 713 agrees with the County Staff's assessment that the project as proposed "would not greatly contribute to the district becoming an employment, shopping, dining, and civic activity center. Nor would it prioritize economic investment and public realm improvements, establish civic and community meeting places, and create new commercial and residential centers to attract reinvestment" (Staff Report for May 1, 2017 informational hearing, page 8).

3. The Project does not meet the County's commercial parking standard.

To support area of concern #3, we cite the pertinent policies in the Ashland and Cherryland Business Districts Specific Plan.

- Table 6.4.2: Parking Requirements, and 6.4.1.2 General Parking Standards.
  - Some of the parking stalls for the project's commercial uses, as proposed, are in the public right-of-way, and therefore do not satisfy the parking standards for the District.
  - b. The Plan encourages shared parking initiatives in the area (6.4.1.2.A & 6.4.1.2.C). Nothing in the record to date suggests that the applicant has explored shared parking as an option.
- 4. The proposed development could be in proximity of an active fault. The County must meet the reporting requirements of the Alquist-Priolo Earthquake Fault Zone Act given that the development is in the vicinity of the fault.

To support area of concern #4, we turn to the <u>Alguist-Priolo Earthquake Fault Zoning Act</u>, which prevents construction of new buildings used for human occupancy on the surface of active faults in order to avoid surface fault rupture hazard. If an active fault is identified, construction of structures is generally restricted within 50 feet of the fault. The Act stipulates that when construction of a building for human occupancy is proposed within an earthquake fault zone, the jurisdiction must require a geologic report to demonstrate that the proposed development is not going to be built on an active fault.

In closing, we urge the Planning Commission to direct the applicant to reconsider how its proposed development could more effectively conform with the goals of the County's General Plan and Specific Plan for a vital Eden Area and Cherryland District. We also urge the Applicant to engage in meaningful dialogue with Local 713. If you have any questions or require additional information please contact Carpenters Local 713 Research Analyst Lorena Guadiana by emailing <u>lguadiana@nccrc.org</u>.

Sincerely,

Eddy Luna Carpenters Local Union 713 1050 Mattox Rd Hayward, CA 94541

e-mail: eluna@nccrc.org



# ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY PLANNING DEPARTMENT



#### STAFF REPORT

TO:

PLANNING COMMISSION

**HEARING DATE:** 

June 4, 2018

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An Addendum to the Ashland and Cherryland Business District Specific Plan Final Environmental Impact Report (EIR) has been prepared in conformance with California Environmental Quality Act, Section 15162: "Subsequent EIRs and Negative Declarations", and Section 15164: "Addendum to an EIR or Negative Declaration"

#### RECOMMENDATION

Staff recommends that the Planning Commission approve the application to demolish an existing building and construct a new mixed-use development containing 45 for-sale town homes, 12 apartments and approximately 7,495 sq. ft. of leasable non-residential space, and the associated EIR Addendum, subject to

the recommended conditions.

#### PARCEL ZONING HISTORY

November 14, 1954, the 49th Zoning Unit was approved, establishing "R-1" District zoning for the site and surrounding area.

November 25, 1968, the Planning Commission Recommended the reclassification of the property from the "R-1" District to the "C-1" District, approved later by the Board of Supervisors.

1983 Eden Area General Plan designates the property as Industrial.

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

March, 2010, the most recent *Eden Area General Plan* (General Plan), which establishes the primary and secondary land use designations for the subject property and provides density requirements for the various land use designations contained therein, was adopted.

December, 2015, the updated Ashland and Cherryland Business District Specific Plan was adopted; it took effect in January, 2016, designating the site and surrounding area into the District Mixed Use (DMU) Zoning District, which is intended to provide a vibrant, walkable urban main street mixed-use commercial environment that supports public transportation alternatives and provides locally and regionally-serving commercial, retail, and entertainment uses, as well as a variety of urban housing choices.

October 17, 2016, the Planning Commission reviewed and provided comments on a preliminary proposal to construct 45 townhomes and approximately 4,300 sq. ft. of commercial space. The applicant was advised that more commercial space is desirable in order to meet Specific Plan requirements.

May 1, 2017, the Planning Commission reviewed and provided comments on a preliminary proposal to construct 45 3-story townhome dwelling units within 8 buildings, approximately 6,100 sq. ft. of interior commercial space with 12 apartment dwelling units above in one building along Mission Blvd., and approximately 4,400 sq. ft. of outdoor leasable commercial space along Mission Blvd. The Planning Commission indicated general support of a mixed-use project with less than the amount of non-residential floor area required by the Specific Plan and at a lower residential density range than required by the general Plan, provided there was community support to amend the respective Plans. The Commission also requested that, should the proposal progress to a formal application, a play area ("tot lot") be provided on-site.

April 17, 2018, the *Eden Area General Plan* was amended by the Board of Supervisors to allow Planning Commission approval of mixed-use projects with a lower density than that specified by the Plan, when residential is a secondary, optional, land use, and when the project is in furtherance of the overall Plan objectives.

May 8, 2018, the Ashland and Cherryland Business District Specific Plan was amended by the Board of Supervisors to add a finding allowing Planning Commission approval of mixed-use projects with less than 25% of the lot area as non-residential floor area, on lots over 10,000 sq. ft., when the project is in furtherance of the overall Plan objectives and benefits the community.

#### SITE AND CONTEXT DESCRIPTION

Physical Features: The subject property is one parcel totaling 2.6 acres in size; it is located on Mission

Boulevard, east side, northeast corner with Mattox Road, the parcel is owned by the Serra Corporation. The property is flat, and relatively trapezoidal in shape. The current configuration of the County right-of-way creates a dedicated right-hand-turn lane and a pedestrian refuge island (a.k.a. "pork chop") at the southwest corner of the site, at Mattox Road and Mission Blvd. The property is currently fenced and is occupied by a vacant one-story concrete building that was formerly used for manufacturing/processing and storage. The remainder of the site is mostly paved, with small patches of vegetation.

Surrounding Area: The site is located at a key intersection at the northeast corner of Mattox Road and Mission Blvd. The intersection is considered an entrance to the Cherryland community. The site is located adjacent to the Carpenters' Union, Local 713, to the east, and an empty restaurant, Banchero's Italian Dinners, which is vacant. The site is located along a major commercial "spine" for unincorporated Alameda County (Mission Blvd. / East 14th Street), and two east-west collector streets (Hampton Road and Lewelling Blvd), and near the I-238 off-ramp on Lewelling Blvd and on-ramp further north on E 14th Street. A vacant County-owned property is located directly across the street on Mission Blvd between Hampton Road and Paradise Blvd. The San Lorenzo Creek / Alameda County Flood Control channel is located at the northwest corner of the intersection.

Images showing the property location, street views and 3-D aerial image are provided for context as Figures 1-5 on the last pages of this report.

#### PROJECT BACKGROUND

The applicant, MLC Holdings, Inc., submitted applications for Planning Commission Preliminary Reviews in 2016 and 2017, in order to obtain Planning Commission feedback and direction concerning their willingness to support a mixed-use project not meeting the non-residential floor area and residential density requirements for the subject property. Specifically, the Ashland and Cherryland Business District Specific Plan, at the time of the Preliminary Reviews, required that mixed-use projects on lots over 10,000 sq. ft. in area provide non-residential (e.g. retail, service, civic, etc.) floor area in an amount equal to at least 25% of the lot area. In this case, the property is 113,256 sq. ft. (2.6 ac.) and the non-residential component requirement was 28,314 sq. ft. At the 2016 Preliminary Review hearing, the applicant proposed 4,300 sq. ft. of non-residential space in one building and 45 town home units within eight (8) additional buildings. The Commission was asked whether a variance would be supported for the non-residential floor area component. The applicant was advised by the Commission that more non-residential floor area would be needed in order to for the application to garner Commission support. Following the meeting, the applicant provided several revised project iterations and it was identified by staff during plan reviews that the Specific Plan floor area requirement was contained it its approval findings, rather than within the Development Code, and could not be approved through a Variance process. Rather, an amendment to the Specific Plan would be needed if the project was to proceed toward approval. It was also identified that the non-residential building needed to be enlarged and that additional residential units were needed in order to meet the General Plan minimum density requirement of 43 dwelling units per acre.

The applicant returned in 2017 with a revised proposal that contained 6,100 sq. ft. of non-residential floor area, 4,400 sq. ft. of leasable outdoor space, 45 town homes and 12 apartments. The Commission was asked by the applicant to consider the leasable outdoor space as part of the non-residential floor area component. The Commission indicated general support to consider discrete leasable floor area directly adjacent to, and clearly associated with, an interior commercial unit as non-residential floor area. The Commission also expressed a willingness to consider a project with less than 25% non-residential floor area on the subject property, but did not specify an acceptable amount of floor area. The Commission also expressed a willingness to consider a Specific Plan amendment that would provide flexibility in approving mixed-use projects, if the community was supportive of such an amendment. It was also discussed that a Specific Plan amendment allowing a reduced non-residential floor area would be consistent with economic data related

to the Specific Plan development and to the Plan Area, and with general developer feedback concerning the viability of developing some of the larger properties in the project vicinity. The Commission was also asked to consider whether the residential density was acceptable and, if so, whether they would consider a General Plan Amendment that would allow greater flexibility for mixed-use projects when residential use was secondary, and optional. The version of the General plan used for the review did not make a distinction between the residential densities on properties where residential land use was required versus optional, or when there was another use on the site. The Commission indicated that such an amendment would be appropriate if supported by the community. The Commission also expressed the desire to see a playground as part of the proposal. Neither the Commission, nor Public Works staff was supportive of the proposed angled street parking on Mission Blvd.

Following the May 1, 2017 Planning Commission Preliminary Review hearing, staff conducted two (2) community outreach events (in June and August 2017) to gauge community interest in amending the General and Specific Plan and to present draft amendment language. The community was generally in support of the proposed amendments. The draft language was also presented to the Unincorporated Services Committee (October 11, 2017), to the Planning Commission (February 5, 2018), and to the Transportation and Planning Committee (March 8, 2018). The Planning Commission recommend approval and the Board of Supervisors adopted the amendments in April and May 2018.

In September 2017 the applicant submitted a formal application with a playground, revised outdoor non-residential space plan, and refined building design.

#### PROJECT DESCRIPTION

The applicant proposes to demolish the existing vacant warehousing and distribution "Serra" building, and construct a new mixed-use development of 45, 3-story townhome dwelling units, within 8 buildings; approximately 6,100 sq. ft. of commercial space with 12 apartment dwelling units above, in one building along Mission Blvd.; and, approximately 1,395 sq. ft. of outdoor leasable commercial space adjacent to the commercial units, on a 2.6-acre parcel. Vehicle access would be from both Mission Blvd and Mattox Road, and 130 parking spaces; 90 spaces for the town homes, 9 guest space for the townhomes, 12 spaces for the apartments and 19 spaces for the non-residential space. The property frontage along Mission Blvd. supports nine (9) public parking stalls. The proposed residential density of the project is approximately 22 dwelling units per acre. The 45 townhome units will range in size between approximately 1,300 and 2,100 sq. ft. and the 12 apartment units are approximately 800 sq. ft. to 1,300 sq. ft. The townhomes would each be for sale, and the mixed-use building would also be for sale and would be operated and managed by a single entity separate from the townhomes. Common areas, which include landscaping, driveways, walkways, parking and stalls and a playground, would be jointly maintained by owners of the townhomes and mixed-use building.

#### REFERRALS

The application was routed to other interested County and outside departments/agencies/organizations and each deemed the application complete for their respective purposes. Conditions of approval were submitted by the various departments/agencies and are included in the attached resolution, along with Planning's standard and project-specific conditions of approval.

The application was also referred to the Cherryland Community Association. Their letter indicating project support is attached.

#### STAFF ANALYSIS

The following analysis compares the proposed project to the applicable Eden Area General Plan (General Plan or GP) and Ashland and Cherryland Business District Specific Plan (Specific Plan or SP) provisions:

#### Eden Area General Plan Conformance:

Figures 3-4A General Plan Land Use Designations, and 3-4B General Plan Residential Overlays (pages 3-14 through 3-18): The subject property is designated GC (General Commercial: 1.0 Floor Area Ratio) with HDR (High Density Residential: 43 – 86 dwelling units per acre) allowed as a Secondary (optional) land use. The GC/HDR land designations are defined as follows:

<u>Page 3-26</u>: The General Commercial designation allows for a wide range of commercial uses that encompass small offices, local and regional retail establishments and automobile-oriented uses to meet the needs of Eden Area residents, employees and pass-through travelers. Offices are particularly encouraged in commercially designated areas to enhance the employment base of the area. Allowed uses include the following:

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

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

Page 3-22: When a parcel has a primary and secondary land use designation, the primary use must be located on the site, but the secondary use is optional. On such parcels, development may occur at the maximum commercial FAR and at the maximum residential density. Neighborhood-serving commercial uses are desired on parcels which have a primary and secondary land use designation. On some parcels, where for economic, technical, or programmatic reasons it is undesirable or unfeasible to develop properties to the highest residential densities and non-residential FAR, the Planning Commission may allow a residential density that is one density range below that which is designated for the parcel, if the development is consistent with the intent of the General Plan and any applicable Specific Plan, and is in furtherance of the goals of those plans. For example, if a parcel has a secondary land use designation of High Density Residential, the Medium-High Density Residential requirement may be applied. This provision does not alter the primary or secondary use requirements, but provides flexibility to facilitate and encourage new

development along major corridors.

<u>Page 3-13</u>: The General Plan classifies the different parts of the Eden Area, based on the prevailing land use and development pattern, as either a neighborhood (residential areas with common characteristics), a corridor (linear arrangements on arterial streets, with mixture of and uses) and districts (activity centers for employees, shoppers, residents and visitors). The subject site is located in a District, as described below:

<u>Page 3-41</u>: Districts are intended to be pedestrian- and transit-oriented centers of mixed use development. This section presents the County's vision for creating and redeveloping the locations identified as Districts.

<u>Page 3-42</u>: The General Plan has the following Goals and Policies for the subsequent development of the Districts, as described below:

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

#### Policies:

P1. The County shall pursue the creation of distinct Districts throughout the Eden Area. Districts should be places where residents gather to shop, socialize and eat. They should have ample public spaces such as plazas, wide sidewalks, and outdoor seating for restaurants and cafes. The land use patterns should emphasize human-scale design, streetscape and transit improvements and a lively mix of higher density residential, commercial and public uses.

P2. The County shall pursue redevelopment of the following general areas to create vibrant Districts:

- San Lorenzo Village Center
- East 14th Street at Ashland Avenue
- Mission Boulevard at Mattox Road
- The Four Corners area at the intersection of Hesperian Boulevard and Lewelling Boulevard
- The intersection of Hesperian Boulevard and 'A' Street

P3. The County should strategically pursue commercial and vertically-mixed use development (i.e. residential uses over commercial uses) in Districts. Such projects should be a priority for the County in terms of permit processing and County financial assistance, where feasible.

Discussion: The proposal would be consistent with most of the goals and policies of the General Plan. Specifically, the project would provide outdoor seating areas, has a human-scale design, would redevelop a property at Mission Boulevard and Mattox Road, and would provide a vertical mixed use development. In addition, the proposal would provide approximately 7,495 sq. ft. of commercial space. This floor area ratio (FAR) is approximately 0.07, which is well below the 1.0 maximum allowable FAR (the Eden Area General Plan considers FAR to be a measure of building intensity for non-residential development). FAR means the size of a building in square feet (gross floor area) divided by net land area, expressed as a decimal number. For example, a 60,000 square foot building on a 120,000 square-foot parcel would have a floor area ratio of 0.50. Since the specific commercial users have yet to be identified, a discussion on the particular commercial uses is premature. However, future tenants would need to satisfy the County's land use and permitting requirements, which are consistent with the General Plan.

As part of the May 1, 2017 Planning Commission Preliminary Review, the applicant submitted a financial analysis showing that the low square footage is necessary in order to have a financially viable project. The analysis demonstrated that rents charged for the apartments and commercial space (the townhomes are

not included in the analysis) would need to exceed current market rates in order for the developer to meet profit objectives and be able to proceed with the project. The analysis was peer-reviewed by a County-contracted consultant and the assumptions used to derive the calculations were deemed to be conservative but reasonable. The same consultant, as part of a separate task, studied two properties within the subject intersection, including the subject property. It was concluded that if the site were to provide a substantially higher amount of non-residential space, this could result in "limited to no development feasibility" for the subject site. The related documents are attached.

Concerning the overall ratio of commercial and residential uses, the proposal is at the lower end of the prescriptions listed in the General Plan, which envisions a much higher commercial FAR of up to 1.0 and a higher residential density of 43 – 86 units per acre, as opposed to the proposed 0.07 commercial FAR and 22 dwelling units per acre. However, there is no minimum FAR and the lower residential density would fall within the Medium-High Density Residential range and could be allowed by the Planning Commission, as provided for in the Plan, if it is determined that there are "economic, technical, or programmatic reasons" that make it "undesirable or unfeasible to develop" the site at a higher intensity and if the project is in furtherance of the General Plan and Specific Plan objectives. The Plan encourages vertical mixed use with residential units above commercial space. The proposal includes a vertical mixed use component along Mission Boulevard and provides townhomes throughout the remainder of the parcel.

### Ashland Cherryland Business District Specific Plan (Zoning Ordinance) Conformance:

The Ashland and Cherryland Business District Specific Plan functions as the Zoning Code for properties within its boundaries.

<u>Page 2-5</u>: Like the General Plan, the Specific Plan also classifies properties as being within a district, corridor, or neighborhood. The subject property is located within a District. Districts are defined as:

"As noted in the Eden Area General Plan, Districts are areas of higher intensity development located along, but distinct from, Corridors. The intent for Districts outlined in the Eden Area General Plan is to create places that prioritize economic investment and public realm improvements, establish civic and community meeting places, and create new commercial and residential centers to attract reinvestment. Districts typically serve neighborhood and regional needs, and act as centers of employment, shopping, dining, and civic activity. Because Districts attract visitors from nearby neighborhoods and surrounding communities, pedestrian oriented design and multi-modal transportation is encouraged to balance the needs of pedestrians, bicyclists, public transit, and automobiles. The ACBD Specific Plan identifies three Districts: The Ashland, Cherryland, and Four Corners Districts"

Figure 2-1ACBD Character Areas (page 2-4): The subject parcel is located within the Cherryland District.

Page 2-10: The subject site is identified as one of several underutilized parcels that have "the potential to act as a catalyst for further reinvestment in the Cherryland District." The area is envisioned to "draw visitors from surrounding neighborhoods and cities," to have "improved streetscapes to increase foot traffic and pedestrian comfort," and to "become and economic center creating the "critical mass" needed to draw customers from outside the area. The District is further envisioned as a "multi-cultural destination" with "well-designed buildings, up to five stories where appropriate" to "frame the District and transform the area into a destination, rather than a place to travel through."

<u>Discussion</u>: The 57 residential units and 7,495 sq. ft. non-residential component, based solely on physical proportion, would not greatly contribute to the district becoming an employment, shopping, dining and civic activity center. However, the proposed development is well located and designed, and could attract

more economic investment, which would contribute to public realm improvements and to the establishment of civic and community meeting places. The proposal would itself create a new commercial and residential center. If focus is placed on the type of non-residential use and the prominence and attractiveness of the non-residential space, rather than the quantity of space alone, it is possible that appropriate commercial users, along with the proposed project design, could accomplish the Plan objective and act a catalyst for attracting other development and visitors to the area. The proposal would redevelop an underutilized site, consistent with the Plan, and this in itself could attract people to the area. In particular, the 57 new dwellings will be occupied by people who would use the new non-residential amenities. The new residents would also have visitors who could use the local services and amenities. In addition, the proposed three-story buildings are well designed with use of varied setbacks, appropriate massing and proportion for the site, and with a balanced and attractive use of decorative building features and exterior materials. The non-residential component is prominently located along the Mission Blvd. frontage and the proposal includes attractive project signage, which each add to the image that this development could become a destination.

Page 3-17: Removal of the channelized right turn lane from southbound Mattox Road onto northbound Mission Boulevard, to achieve a 90° right turn, is recommended to vehicle turning speeds.

<u>Discussion</u>: The applicant has had extensive communications with the Alameda County Public Works Agency (PWA) on this issue. The County Public Works Agency does not want the "pork chop" removed. At PWA's direction, the "pork chop" island and channelized right turn lane would undergo improvements, but would not be removed. The improvements would include new curbs, gutters and sidewalks, new landscaping, and storm water treatment for off-site run-off. A condition of approval is included.

Chapter 5 Implementation and Financing: Chapter 5 contains a variety Implementation and Financing goals, policies and programs, which focus on a variety of development and use characteristics. The development and design standards contained in Chapter 6 provide specific standards intended to facilitate developer/user consistency with the goals, policies and programs. One of the salient themes from Chapter 5 is that District development should be high density, promote use of non-personal vehicle transit modes and improve the pedestrian experience by providing connectivity and safe, attractive walking environments.

Discussion: The proposal would provide street and sidewalk improvements, but the site density would be considered medium-high based on the General Plan definition. The mixed commercial (non-residential) and residential land use is conducive to promoting alternate transit modes. Staff has suggested that yard spaces adjacent to neighboring properties be widened to accommodate future pedestrian pathways where there are currently underutilized parking lots. However, the applicant has indicated that reconfiguring the site plan to such a degree would be inconsistent with development objectives. The applicant also indicated that they attempted to purchase adjacent properties but were unsuccessful. Pedestrians may access the site as proposed, but it would not be an obvious pathway, since it is private property and dedicated throughpathways are not provided. However, the project itself would improve the streetscape and enhance the pedestrian experience. The property is close to bus lines, BART, arterial streets and freeway access, and residents of the site would have ready access to various transit options. If the adjacent properties were to be redeveloped in the future, it may be possible to negotiate connectivity through the subject site to the streets.

<u>Chapter 6 Development Code</u>: Chapter 6 provides the Development Code and contains use, physical development and design requirements for all new development and redevelopment within the Plan Area. The applicable requirements are as follows:

Section 6.1.6 (Page 6-10): Approval of a Site Development Review permit is required for the non-exempt new development. The exemptions are for residential development involving four or fewer units,

commercial construction of less than 1,000 sq. ft., fences and walls, and minor façade and site plan improvements. A new mixed-use building would not be exempt from the permit requirement.

<u>Discussion</u>: The proposal would require approval of a Site Development Review Permit, and approval of the proposed Tentative Subdivision Map (TR-8405), pursuant to Code Section 16.04.050, will also be needed to allow for the sale of individual townhomes and the commercial/apartment building. Minor or Conditional Use Permits may be needed by some or all non-residential (commercial) users. This would be evaluated by County staff case by case, as prospective tenants propose to use the non-residential units.

Figure 6.1 ACBD Zoning Map (page 6-6): The subject site is designated into the District Mixed Use (DMU) zoning district.

Table 6.2.1 Zones (page 6-20): The DMU which is intended "to provide a vibrant, walkable urban main street mixed-use commercial environment that supports public transportation alternatives and provides locally and regionally-serving commercial, retail, and entertainment uses, as well as a variety of urban housing choices."

Table 6.2.2 Allowed Uses (page 6-21): Most types of neighborhood and community type commercial uses and civic uses are allowed in the DMU District by right or through issuance of a Minor or Conditional Use Permit. The notable exceptions are adult entertainment, drive-through and auto-related uses (except for parking facilities), bail bonds, and repair shops. The District also allows for residential land uses, as a secondary use, when part of a mixed-use development. Single-family residences are not allowed. Mixed-use developments must include "vertical mixed use, when residential use is located above a ground floor non-residential use..." Horizontal mixed use "when a residential use is located on the ground behind a non-residential use facing a major arterial, is allowed only if there is also vertical mixed use on the site."

Discussion: The proposal includes vertical and horizontal mixed-use, with commercial/non-residential units at street level facing Mission Blyd., and residential units above and behind the commercial space. The commercial component is required and may be permitted by right in the DMU District, while the residential land use is optional. The current proposal includes 6,100 sq. ft. of leasable commercial/non-residential space, 1,395 sq. ft. of adjacent leasable commercial/non-residential space and 57 residential units. The proposal also includes a subdivision in order to create 45 for-sale townhomes and a for-sale mixed-use parcel, with a single home/property owners' association in charge of maintaining all common areas. Since the residences are optional, but would make up a significant portion of the development, and townhome construction is the applicant's primary development objective, it is important to ensure that the mixed-use building is constructed within the same timeframe as the townhomes. The applicant has indicated that they are not likely to construct the mixed-use building themselves, but will sell it off as a separate project to a separate developer. This is somewhat concerning as the mixed-use building is the primary component of the project, and therefore, to ensure accountability, the phasing of the entire project becomes important. Three possible phasing schedules that could provide a reasonable level of assurance that the mixed-use building will be completed have been discussed with the applicant and are included for the Commission's consideration. The first provides the most conservative phasing scenario and is recommended by staff. The first alternative reflects the applicant's proposed schedule and would require only that the mixed-use building be under construction when the last townhome unit is ready for sale. The second alternative provides a compromise and requires that the mixed-use building pass its framing inspection when the last townhome unit is ready for sale. The draft condition (#24), with three possible phasing schedules, is as follows:

24. Phasing of the Mixed-Use Building: The mixed-use building shall be developed concurrently with the for-sale townhome component of the project. The developer shall seek final building inspection for the for-sale townhome component according to the following milestone schedule:

- a. Prior to seeking final building inspection for the first townhome unit, the developer shall complete all rough grading necessary to prepare a building pad for the mixed-use building;
- b. Prior to seeking final building inspection for the 25th townhome unit, the developer shall obtain building permit issuance for the mixed-use building;
- c. The developer shall obtain final building inspection approval for the mixed-use building prior to seeking final building inspection for the 26th through 45th townhome units.

#### (Condition #24 alternatives to be reviewed and decided upon by the Planning Commission:

- a. Prior to seeking final building inspection for the first townhome unit, the developer shall complete all rough grading necessary to prepare a building pad for the mixed-use building;
- b. Prior to seeking final building inspection for the 23rd townhome unit, the developer shall submit plans to the County for the mixed-use building:
- c. Prior to seeking final building inspection for the 37th townhome unit, the developer shall obtain building permit issuance for the mixed-use building;
- d. Prior to seeking final building inspection for the 45th townhome unit, the mixed-use building exterior shall be substantially completed, to the satisfaction of the Planning Director.

#### <u>OR</u>

- a. Prior to seeking final building inspection for the first townhome unit, the developer shall complete all rough grading necessary to prepare a building pad for the mixed-use building;
- b. Prior to seeking final building inspection for the 30th townhome unit, the developer shall obtain building permit issuance for the mixed-use building;
- c. Prior to seeking final building inspection for the 41st townhome unit, the mixed-use building must pass the Foundation Inspection;
- d. Prior to seeking final building inspection for the 45th townhome unit, the mixed-use building must pass the Exterior Framing Inspection.)

If the Commission wishes to grant approval, it should make clear which one of the above phasing schedules is acceptable, or whether an alternative schedule should be required. As noted above, there is a potential buyer/operator for the mixed-use parcel, and this person would construct the mixed-use building. Planning Department staff has discussed the pending application with the prospective purchaser and was informed that should the application be approved, and the sale completed, she intends to immediately prepare plans for permit submittal and complete the building as quickly as possible. She also informed staff that she intends to use the spaces for food related uses such a café, food retail and a commercial kitchen, and already has interested tenants who currently operate successful businesses and are looking for new locations. Nonetheless, it is possible that unplanned events could occur which would prevent construction of the mixed-use building according to the prescribed schedule. A condition of approval which would require that the developer return to the Commission to determine the appropriate remedy if it is anticipated that the phasing schedule will not be met is recommended. One possible remedy that should be considered is that the land be dedicated to the County if the last milestone is not met. This would allow the County to procure another developer and ensure the mixed-use building is completed.

It is possible that a more balanced amount of commercial and residential space would contribute more to achieving a "vibrant, walkable, urban main street, mixed-use commercial environment that supports public transportation alternatives and provides locally and regionally-serving commercial, retail, and entertainment uses." However, economic data provided by the applicant and by an independent consultant indicate that the amount of commercial space that can be supported by the community, under current conditions, is limited. This is discussed in more detail later in this report. Unoccupied ground floor commercial space would have the opposite impact of what is intended by the Specific Plan and would detract from the attractiveness and vibrancy of the area. The proposed project would provide for-sale townhomes and for-rent apartments and would provide a variety of urban housing choices. The specific

commercial users are unknown at this time, but would need to comply with the Specific Plan land use and permitting requirements in order to operate. A related condition of approval is provided.

#### **Development Standards:**

Development Standards	Minimum	Maximum	Proposed
Setbacks:			
-Front	Based on frontage type	Based on frontage type	0'
-Side (street)	n/a	0'	±10'
Side	n/a	n/a	±12'
Rear	5'	n/a	15'
Shopfront/Awning Frontage			
Type (allowed):			
Front setback	n/a	0'	0'
Width (opening)	8'	n/a	19'
Height (opening)	12'	n/a	12'
Depth (recess)	n/a	5,	1'
-Width (recess)	n/a	10% of façade	23%
-Ground Floor Glazing	70%	n/a	72%
Upper floor glazing	30%	11/a	30%
Awning Encroachment into	n/a	3'	3'
ROW			
-Awning Vertical Clearance	8'	n/a	±11'
Lot Coverage	n/a	90%	±40%
Floor Area Ratio	0.5	2.5	0.85
Residential Density	22 du/ac	86 du/ac	22 du/ac
Height			
Stories	n/a	5	3
-Feet	25'	75'	47'
Ground Floor Height	15'	n/a	15'1"
Upper Floor Height	10'	n/a	±10'
Mixed-use Building Frontage			
Width	70% of property	n/a	72%
	frontage		
Parking Stalls			
Multi-family Residential	57 (1 stall per dwelling)	n/a	102
Non-residential	15	25	19
Guest	n/a	n/a	9
Parking Setbacks			
Front	20'	n/a	±10'
Sides	0'	n/a	±10'
Rear	0;	n/a	±40'

<u>Discussion</u>: The proposed project meets all of the above development standards, except for the 20-foot required front setback to parking stalls. The closest parking stall to Mission Blvd. is setback by

approximately 10 feet. However, the proposed on-site parking plan exceeds the minimum number of stalls required by the Specific Plan and removal of one to two stalls would allow the project to meet the required setback and still provide more than the minimum number of required parking stalls. Specifically, 72 stalls are required and 130 are proposed. While several of the stalls are dedicated to the townhomes and are located within the units, 40 are provided as surface parking and could be accessed by patrons, residents and guests of the mixed-use building, as well as by guests associated with the townhomes. Further, on many days, commercial and residential users will likely use the site at different times. Street parking is also available in the project vicinity, the property is near public transit, the applicant will be required to install bicycle racks, and the project itself would encourage pedestrian activity. In short, parking congestion is not an expected issue.

6.2.5.4 Mixed Use Commercial/Residential (page 6-30): This section provides the findings that must be made in order to issue permits for mixed-use projects, and provides building and site design objectives.

#### Required findings

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

- 1. The mixed-use project is consistent with the intent of the applicable zone.
- 2. The mixed-use project is designed so that the non-residential component is the primary use of the property. For purposes of this section and to satisfy the requirements of the Specific Plan, primary use means a non-residential use that is prominently located on the ground floor of the mixed-use buildings, is along a primary street frontage, and is a visual focal point of the development, or provides a major service or amenity to the community. A primary use may also include discrete outdoor dining areas that are adjacent to, and clearly associated with, a leasable interior non-residential space.
- 3. Any residential component of a mixed use project is designed to be a secondary use of the property. For purposes of this section, secondary use means a residential use that is located above or behind a ground floor non-residential use, when the ground floor non-residential use qualifies as a primary use as defined in #2 above, is part of a vertical mixed use project, and fronts on a major arterial street.
- 4. For mixed-use projects on sites greater than 10,000 square feet, the non-residential portion of the project contains a minimum of 25 percent of the lot area (e.g. for a 10,000 s.f. lot the non-residential portion of the project must be at least 2,500 s.f. of the project). Non-residential portions of the project may include floor area devoted to non-residential uses (retail, restaurants, personal services, offices, etc.), and discrete outdoor dining areas that are adjacent to, and clearly associated with, a leasable interior non-residential space.
- 5. The 25% standard contained in #4 above may be reduced upon approval of the Planning Commission if all of the following additional findings can be made:
  - a. The project is in furtherance of the goals in Section 1.4 of this Plan,
  - b. The project meets the intent and criteria for mixed-use development in the Eden Area General Plan.
  - c. The project contains amenities related to the non-residential portions of the project that further the intent of this Plan, and
  - d. The project is a catalyst for additional investment and development within the Plan Area. Factors used to determine catalyst status include, but are not limited to, housing type, uses that can result in further economic development, high quality site planning and architectural design,

and projects that are sizeable and prominent such that they can improve the quality of the immediate and surrounding built environment.

Discussion: The proposal for a mixed-use development is consistent with Plan requirements and the specific proposal meets finding #1-3. Specifically, the residential uses are located and above and behind the commercial component, which is located along the primary property frontage on Mission Blvd. The mixed-use building is prominently located at the property frontage, contains outdoor seating, inviting landscaping and the deign compliments the townhomes buildings but also provides a focal point due to the use of colors, materials, proportion, shopfront frontages and signage. The commercial space, which includes the 1,395 sq. ft. of discrete outdoor dining areas that are adjacent to the leasable interior non-residential space, accounts for  $\pm7\%$  of the lot area when 25% is required and does not meet finding #4. Finding #5 allows the Commission to grant approval of mixed-use projects which provide less commercial/non-residential space, but which further the Specific Plan goals, provide a community amenity, and act as a catalyst for additional area investment. Following is a summary of the Plan goals compared to the proposed project:

- <u>Economic revitalization</u> The project would redevelop a long-vacant, fenced property in poor condition, with a new residential and commercial development that will bring activity, goods and services, jobs and new residents to the community.
- <u>Destination for visitors</u> The development could be a catalyst for other nearby development, which together with the subject development could begin to transform the area into a destination.
- Attractive, high quality public and private improvements The proposal is well designed and
  includes a playground for residents, attractive landscaping and pathways, and would include rightof-way improvements, as coordinated with the Public Works Agency and described in condition of
  approval #23.
- Higher intensity development The project would convert a vacant site into a multi-family residential development with ground floor commercial units, which is a higher intensity use than the previous industrial type use of the site. While the proposed residential density is at the low end of what may be permitted, the residential use itself is not required. The amount of commercial space constructed could be increased to create a higher intensity use, but if more space than is marketable is created, the commercial space would remain vacant and be in conflict with this plan goal.
- <u>Landscaped areas, parks, open space, and trails</u> The proposal includes a playground, sidewalk and bike lane improvements on the right-of-way and on-site landscaping and pathways.
- Increased mixed-use development The proposal is for a mixed-use development.
- <u>Maintain and improve infrastructure</u> The proposal includes utility, roadway, sidewalk and storm water infrastructure improvements.
- Balanced and complete circulation network to promote walking, biking, and transit The proposal
  is near various transit modes, includes on-site pathways, and off-site road, bicycle lane and
  sidewalk improvements. A condition of approval would require on-site bicycle racks.
- Shopping, jobs, housing, infrastructure, and daily services for residents The project would redevelop a long-vacant, fenced property in poor condition, with a new residential and commercial development that will bring goods, services, jobs and new residents to the community

The plan meets the above goals and is consistent with the mixed-use designation and density parameters contained in the General Plan. The project amenities would be provided through the provision of new commercial/non-residential space available for new businesses that will fulfill the community's needs, as additional residences are constructed and demand for local services and goods grows. Providing a well-designed mixed-use development at an easily accessible prominent intersection, with attractive landscaping, outdoor dining areas, pathways and a variety of housing types could provide a catalyst to attract more development and visitors to the area. The development itself would remove an unattractive vacant building at a prominent location, and create a small community of new residents and businesses,

and activate the site to attract more visitors. Staff believes that finding #5 can be met by project concept, and that a reduction in the amount of commercial/non-residential space could be justified, provided the Commission finds that the amount of proposed commercial/non-residential space is appropriate for the site and contributes to the Plan goals.

The proposal would provide commercial/non-residential space equivalent to  $\pm 7\%$  (7,495 sq. ft.) of the lot area, when 25% ( $\pm 28,150$  sq. ft.) is required. According to the applicant, it is not possible to develop the site in conformance with the 25% nonresidential component, and still meet financial objectives for the developer. As mentioned above in this report, the applicant submitted a financial analysis which was peer-reviewed by a consultant contracted by the Alameda County Economic and Civic Development Department. The analysis and peer review memo are attached. The analysis appears to indicate that rents charged for the commercial and apartment units would need to be well above what the market will bear in order for the development to meet profit goals. The peer review notes that while some of the assumptions may be conservative, overall they are not unreasonable. However, the townhome portion of the development was not included in the analysis. Without the townhomes it was not possible to fully evaluate the financial implications of the proposal.

However, a separate financial analysis was completed by the consultant for the subject property and the property across the street at Mission and Hampton. Concerning the subject site, the analysis concludes that meeting the minimum 25% non-residential floor area requirement and providing the associated parking would likely result in a project that cannot meet other Specific Plan requirements. It also concludes that adherence to the 25% rule "could result in limited to no development feasibility," and would "constrain the very residential development that would provide necessary support for the project's commercial space." It was suggested that the 25% requirement be recast as a goal, rather than a requirement, and that each project be reviewed case by case. The Specific Plan was recently amended to reflect the consultant's conclusion, by adding finding #5. It is at the discretion of the Planning Commission to determine whether sufficient commercial/non-residential space is proposed or if more is needed in order to garner Commission support for finding #5.

#### **Building and Site Design Objectives**

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

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

<u>Discussion</u>: The proposed project provides connections between the residential and commercials uses and the street, and the proposed buildings and signage are architecturally compatible with one another. Standard conditions of approval and Code requirements would ensure that nuisance conditions do not arise. There are no adjacent residential land uses, and the proposed residences are designed with a

residential character and are side by side, which promotes privacy. The ground floor townhome unit closest to Mattax Road would include an enclosed front courtyard and the building entry is designed for added privacy. The materials, colors and finishes are appropriately places with heavier, darker materials toward the bottoms of buildings. The buildings have varied setbacks and some have balconies and provided visual variation. The mixed-use building is prominently located and designed to be a focal point, which would enhance the neighborhood character. The proposed signage would identify the development and be compatible with the building design. Pathways, a playground and landscaped areas provide an attractive exterior site design. Replacing the three (3) trees proposed at the intersection with lower growing shrubs may help to visually open the corner, by providing a more gradual visual transition toward the sidewalk. This would still provide adequate screening for users of the outdoor commercial area connected to the interior unit. Trees with adequate vertical clearance between the street and canopy could also create and inviting and feel at the intersection, while providing some screening and shade for the outdoor seating area. The Commission is requested to direct staff as to whether the final landscape plan should be left as is, should include shrubs instead of trees, or should specify that the selected trees will provide at least a 7-10 feet of vertical clearance between the canopy and sidewalk.

#### Supplemental Development Standards for Mixed-Use

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

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

Discussion: The proposed commercial building is 210 feet long and exceeds the maximum allowed length of 150 feet. The building is designed with some variation in setbacks and roof form, but more variation could be provided. Provide more variation would better the requirement but may or may not enhance the building design, which is intended to place the commercial users at the sidewalk and enhance the pedestrian experience. In addition, the apartments above need to be of a marketable size and a reduction in size for the addition of setbacks may not be desirable to the applicant. The building could also be reduced in size or split into to two in order to better the meet the requirement, but that would require an extensive redesign and result in less commercial space. It is staff's opinion that the building is generally well designed, meets the intent of the Supplemental Standards and that it appropriate for the site in terms of scale and proportion. Also, the building would meet the Specific Plan's Shopfront and Awning Frontage development criteria.

#### TENTATIVE MAP

The Alameda County General Ordinance Code provides the following criteria related to approval of subdivisions:

6.08.080 - Action—Subdivision. The advisory agency shall approve, conditionally approve, or disapprove

tentative maps of subdivisions normally within fifty (50) days after filing of a complete application, including completion of environmental review as required under the California Environmental Quality Act. Conditions of approval may include, but are not limited to dedication and improvement of streets; alleys, including access rights and abutters' rights; and drainage, public utility, and other public easements. The advisory agency may require establishment of a maintenance agreement or homeowners' or property owners' association(s) to maintain private streets and other common areas, and may require a minimum deposit to establish an initial or long term reserve fund or both for use by the future property owners.

16.08.090 - Conformance to Alameda County ordinance. No tentative map shall be approved which is not in conformance with the provisions of this chapter, the county zoning ordinance and any other ordinance of this county.

The Subdivision Map Act requires that certain findings be made in order to deny a tentative map:

66474. A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c. That the site is not physically suitable for the type of development.
- d. That the site is not physically suitable for the proposed density of development.
- e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

Discussion: The Planning Commission is the advisory agency for making decisions on subdivisions. In this case, the application was deemed complete on May 3, 2018 and the application and environmental review document are being presented to the Commission well within the 50 days "normal" decisions making standard. The subdivision is consistent with the property zoning, which allows for multi-family residential land use. The recommended conditions of approval, including the condition concerning property owners' association and CC&R will ensure that the entire development is operated and maintained as a single development, and remains a true mixed-use development following the sale of individual units and the mixed-use building. The proposed development is consistent with the applicable General and Specific Plans, is physically suitable to support the proposed structures, the design would not cause damage to the environment or create public health problems, and there is no conflict with existing easements. Therefore, the subdivision could be approved.

#### CEQA

An Addendum to the Specific Plan Final EIR was prepared for this project. This is permitted when some

changes or additions are necessary that will not have significant new impacts or substantially increase previously identified significant impacts. Specifically, the Guidelines state:

- The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred (Section 15164 (a));
- An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration (Section 15164 (c));
- The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project (Section 15164 (d)); and
- A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence (Section 15164 (e)).

Discussion: According to Section 15164 of the CEQA Guidelines, an addendum to a previously certified EIR or Negative Declaration is the appropriate environmental document in instances when "only minor technical changes or additions are necessary" and when the new information does not involve new significant environmental effects beyond those identified in the previous EIR. The subject Addendum (attached) describes the details of the proposed development, and compares the impacts resulting from this project to those identified in the original EIR. The analysis demonstrates that the proposed project, with the implementation of three (3) of the mitigation measures identified in the EIR, is consistent with the original certified EIR and; therefore, no further environmental review is required or necessary. The applicable mitigation measures are related to biological resources and would ensure that nesting birds and roosting bats, which may be present at the site during certain times of the year, are identified and protected prior to construction commencement. One of the mitigation measures requires a biological resources analysis, which has already been completed. A condition of approval ensuring compliance is provided. CEQA does not require that an EIR Addendum be publicly circulated or that an open comment period be provided. Accordingly, there was no open comment period or circulation for the subject addenda. However, notice of the proposed project, including preparation of the addendum, was publicized in the local newspaper on May 23, 2018, and public notices were sent via mail and email to property owners within the Plan areas and to interested members of the public on May 24, 2018. Staff did not receive any related inquiries. A copy of the Specific Plan Final EIR is available for reference online at: https://www.acgov.org/cda/planning/documents/ACBD-Specific-Plan-Final-EIR.pdf

#### CONCLUSION

The proposed mixed-use development would meet the General Plan and Specific Plan objectives and standards. As conditioned, the project would also meet the applicable development standards. The main issues concerning the proposed development are associated with the low commercial square footage and obtaining some assurance that the mixed-use building will be constructed. It appears that findings can be made to support a reduction in commercial/non-residential floor space, but the Commission is requested to determine whether the amount proposed is sufficient. As for assurance that the mixed-use building is constructed, staff has recommend a condition of approval with phasing schedule alternatives and requests that the Commission determine which, if any, alternative provides the necessary assurance.

#### RECOMMENDATION

Staff recommends that the Planning Commission review this staff report and the attached information, discuss the proposal, take public testimony, and approve the application to demolish an existing building and construct a new mixed-use development containing 45 for-sale town homes, 12 spartments and approximately 7,495 sq. ft. of leasable non-residential space, and the associated EIR Addendum, subject to the recommended conditions:

- Approval of PLN2017-00164 authorizes the Site Development Review and Tentative Tract Map Subdivision (TR-8405) associated with the mixed-use development involving 45 townhomes, 12 apartments and 7,495 square feet of non-residential space, at the property located at 20478 Mission Blvd., associated with the current County assessor's parcel number: 414-0046-058-02; subject to all land use limitations and development standards for the DMU (District Mixed-Use) land use designation in the Ashland Cherryland Business District Specific Plan.
- 2. Minor modification(s) to plans marked, PLN2017-00164 Exhibit "B", including the approved Materials and Color Board, as well as to these Conditions of Approval, including the approved Mitigation and Monitoring Reporting Program, may be conducted as an administrative Planning Department staff-level procedure not requiring a public hearing. The determination of minor modification(s) and of the level of staff review necessary shall be subject to the discretion by the Planning Director.
- 3. All necessary permits shall be obtained by the developer prior to commencing any related work.
- 4. All site improvements, including all landscaping, grading, stormwater treatment, drainage control, exterior structures, and buildings, shall be subject to review and approval by Alameda County Planning Department and Public Works Agency (PWA). All site improvements shall be subject to laws, policies, and regulations applicable at the time of application for respective Demolition, Grading, Site, Stormwater, Encroachment, or Building Permits.
- 5. A final landscape plan shall be reviewed and approved by the Planning Director prior to building permit issuance. The plan shall demonstrate compliance with the California State Water Efficiency Landscape Ordinance and with the Alameda Countywide Clean Water Program stormwater treatment and stormwater pollution prevention drainage regulations.
- 6. Prior to issuance of Demolition, Grading, Site, Stormwater, Encroachment, or Building Permits, the project proponent shall provide to the satisfaction of the Alameda County Public Works Agency, and the Alameda County Planning Director, evidence of compliance with all laws, policies, and regulations applicable at the time of application for respective Demolition, Grading, Site, Stormwater, Encroachment, or Building Permits.
- 7. A Stormwater Treatment Measures Maintenance Agreement shall be submitted to the Public Works Agency (PWA) for review and approval. Once approved and prior to approval of Final Map, the Maintenance Agreement shall be recorded with the Alameda County Recorder's Office to ensure that the maintenance is bound to the property in perpetuity.
- 8. The townhouse HOA shall be responsible for maintenance and upkeep of the stormwater treatment measures for the entire site, to the satisfaction of the Public Works Agency.
- 9. A state issued Construction general Permit is required.
- 10. The property owner(s) shall defend, indemnify, and hold harmless Alameda County and 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 PLN2017-00164, the findings of the CEQA determination, 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 of any such challenge.

- 11. The attached approved Mitigation and Monitoring Reporting Program is hereby incorporated into these Conditions of Approval and shall have the same force and effect. Minor modification(s) to the approved Mitigation and Monitoring Reporting Program may be conducted as an administrative Planning Department staff-level procedure not requiring a public hearing. The determination of minor modification(s) and of the level of staff review necessary shall be subject to the discretion by the Planning Director.
- 12. Prior to issuance of a Building Permit for Building D, the plans shall demonstrate that the required Fire Sprinkler (fire alarm) water flow monitoring system will be installed, to the satisfaction of the Alameda County Fire Department.
- 13. New proposed structures shall comply with Alameda County Green Building Ordinance, Construction & Demolishing Debris Management program and California Green Building Code.
- 14. The building permit plans shall include bicycle storage facilities to the satisfaction of the County.
- 15. The building permit plans shall show car-share and electric vehicle parking to the satisfaction of the County.
- 16. Trash enclosures shall be covered and comply with Alameda County clean water requirements set forth in Section 15.08.190 of the Alameda County Ordinance Code.
- 17. All required permits related to the onsite stormwater system, underground utilities, parking lot lighting, and accessible paths of travel, shall be obtained prior to issuance of a Building Permit.
- 18. All Americans with Disabilities Act accessibility requirements shall be met by the project.
- 19. The project shall comply with all applicable building and fire codes and submittal requirements in effect at time of Building Permit application.
- 20. A California licensed architect or engineer shall be designated as the design professional responsible charge for the project submittal for Grading and Building Permits.
- 21. Prior to approval of Improvement Plans and Final Map, the potential fault rupture hazard at the project site must be assessed by a qualified geologist and reviewed and approved by the Alameda County PWA pursuant to the provisions of Alquist-Priolo Earthquake Fault Zoning Act and the Special Publication 42. The developer shall provide the necessary funding for the completion of this review.
- 22. Prior to final building inspection approvals, the applicant shall provide the following security measures for the project, to the satisfaction of the Sheriff's Office:
  - a. Wide angle viewers (180-190 degree "Peep holes") in all residential unit front doors
  - b. Deadbolts with cylinder guard and 1-inch minimum throw on all exterior doors.
  - c. Three-inch (or larger) screws in strike plates anchored into framing studs.
  - Secondary locks which provide both lift and slide protection on all sliding windows and sliding doors.
  - e. Adequate and uniform outdoor security lighting
  - f. Clearly visible unit and building numbers, five inches or larger with contrasting color.
  - g. Provide self-closing/self-locking doors on all entries and exit gates, laundry rooms, community rooms, etc.
  - h. Provide security surveillance cameras with night viewing capabilities.

Figure 1 - Location of Property

*North* C



June 4, 2018

PLANNING COMMISSION STAFF REPORT

PLN2017-00164

Figure 2 - Street View from Mission Boulevard

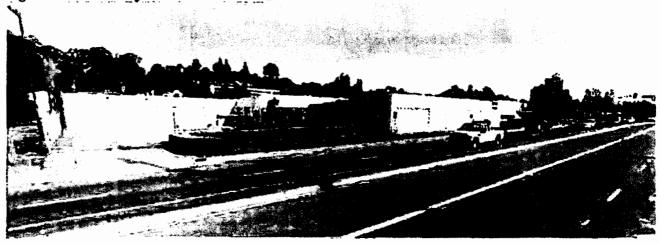


Figure 3 - Street View from intersection of Mission Boulevard and Mattox Road

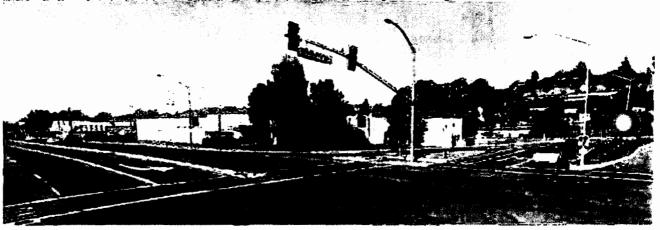


Figure 4 - Street View from Mattox Road



North

Figure 5 - 3-D Aerial Image from intersection of Mission Boulevard and Mattox Road

(Figures 2-5 from Google Maps)

- 25. If any of the above milestone deadlines are not met, or are anticipated by the developer to not be met, the developer shall notify the Planning Director and provide a proposed revised schedule and details concerning the cause of the delay. The Planning Director shall have the authority to review and approve minor schedule deviations, provided that the last milestone deadline is met. Substantial milestone schedule deviations, or deviations from the last milestone deadline, may be referred to the Planning Commission for a hearing regarding any proposed modification to Condition of Approval #24 or other conditions of approval. It is the developer's responsibility to ensure that the project as a whole is developed as a mixed-use project that includes the development of the mixed-use building described above, regardless of whether the developer transfers ownership of the parcel designated for the mixed-use building. The developer shall ensure that any such sale does not prevent developer's compliance with Condition of Approval #24.
- 26. Non-residential uses contained on the ground floor of the mixed-use building shall comply with the permitting requirements of the Ashland and Cherryland Business District Specific Plan.
- 27. Prior to building permit issuance, the site plan shall be revised to demonstrate compliance with the 20-foot required front setback to parking stalls. One to two parking stalls may be eliminated for this purpose.
- 28. The entire 2.6-acre property, as a whole, shall be developed as a single mixed-use development and shall be maintained as a single mixed-use development. A copy of the CC&Rs shall be submitted to the Planning Department for review prior to recordation of the Final Map.
- 29. Secure approval from the Public Works Agency and Planning Director of Draft Covenants, Conditions and Restrictions (CC&R's) for a property owners' association (Association), which shall include all residential property owners and the owner(s) of the mixed-use building, prior to submittal to the Department of Real Estate (DRE). Final CC&R's as approved by the DRE shall be approved by the Planning Director prior to recordation. The CC&Rs shall include private ownership and financial responsibilities of all infrastructure in the subdivision, including but not limited to storm drain facilities, private roadway access, parking areas, common areas including those associated with the mixed-use building, water treatment/bioretention areas, detention structures, and related auxiliary structures. The CC&Rs shall clearly specify an acceptable funding mechanism for maintenance of all onsite common improvements. CC&R's shall be recorded prior to release of improvement guarantees by the Board of Supervisors. Prior to approval of the Final Map, the Subdivider shall grant the Association an irrevocable cash deposit in the amount of \$1,000 per proposed lot for the maintenance of all on-site common improvements. CC&R's shall require the following:
  - a. Payment of dues and assessments shall be both a lien against the assessed land and a personal obligation of each property owner as shown on Exhibit "B".
  - b. The Association shall maintain in good repair all fences, walls, and common areas, including parking bays and vehicle turnarounds, and any common utility services and storm drainage easements serving or crossing more than one parcel.
  - c. The Association shall maintain in perpetuity the bioretention areas, stormwater detention pipes and structures and all pertinent infrastructure installed for the purpose of treating and detaining stormwater runoff.
  - d. The Association shall maintain any pathways required for maintenance access to all bioretention areas shown on Exhibit "B", and related stormwater detention and outflow facilities.
  - e. Parking within the development shall be permitted in designated locations only, and the Association shall enforce parking restrictions.

- f. All garage parking spaces in the townhomes shall be kept accessible for parking purposes as required by Section 17.52.770 of the Alameda County Zoning Ordinance.
- g. No recreational vehicles, as defined by Section 17.04.010 of the Alameda County Zoning Ordinance, or trailer-hauled boats shall be parked or stored within the project boundaries, and vehicles or trailers parked contrary to this provision shall be removed by the association.
- b. Common landscaped areas, project entry, and parking areas shall be maintained consistent with the approved Landscape Plan for the project.
- i. The Association shall review the architecture of any proposed modifications or additions to homes, fences, or other structures within the residential portion of the development, the removal of any trees shown on the approved Landscape Plan, and of any physical modification to the exterior of mixed-use building.
- j. The Association shall be responsible for maintaining common areas, in accordance with the approved Landscape Plan and using Bay-Friendly landscaping principles and guidelines as promulgated by the Alameda County Waste Management Authority to the maximum extent feasible, and to remove any severe hazards.
- k. Where there is a distinction between the obligations of the residential property owners and the owner(s) of the mixed-use building, those distinctions shall be clearly identified and described, and accompanied by an illustrative site map, to the satisfaction of the County.

#### **ATTACHMENTS**

- 1. Resolution
- Description of proposal from MLC Holdings, Inc.
- 3. Referral comments
- 4. Financial analysis from MLC Holdings, Inc.
- Peer Review from ALH Urban and Regional Economics
- 6. Letter from the Cherryland Community Association
- EIR Addendum
- 8. Mitigation and Monitoring Reporting Program
- 9. Link to Ashland and Cherryland Business District Final Environmental Impact Report: https://www.acgov.org/cda/planning/documents/ACBD-Specific-Plan-Final-EIR.pdf
- 10. Plans

PREPARED BY:

Christina Horrisberger, Senior Planner

REVIEWED BY:

Rodrigo Orduña, Assistant Planning Director

# THE PLANNING COMMISSION OF ALAMEDA COUNTY HAYWARD, CALIFORNIA

RESOLUTION NO. 18	<ul> <li>APPROVING PLN2017-00164</li> </ul>	, SITE DEVELOPMENT
REVIEW .	AND TENTATIVE TRACT MAP (T	R-8405)

Introduced by Commissioner	
Seconded by Commissioner	

WHEREAS The Alameda County Planning Commission did receive application PLN2017-00164, Site Development Review and Tentative Tract Map (TR-8405), submitted by the applicant, MLC Holdings, Inc., on behalf of the property owner, the Serra Corporation, for the demolition of an existing vacant commercial building, and construction of a new mixed-use development, consisting of 45 for-sale townhome dwelling units, 12 apartment dwelling units, 6,100 sq. ft. of interior commercial space, and 1,395 sq. ft. of exterior leasable commercial space, on a 2.6-acre parcel, located at 20478 Mission Blvd., northwest intersection with Mattox Road (APN: 414-0046-058-02); and

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

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

WHEREAS the applicant is requesting to develop the subject property with a ±7% commercial/non-residential floor area ratio, where 25% is required by the Specific Plan, and at a residential density of 22 dwellings per acre, which is within the Medium-High-Density Residential density range of 22-43 dwellings per acre; and

WHEREAS the Planning Commission is authorized by the Specific Plan to allow commercial/non-residential floor area ratios lower than the required 25%, and by the General Plan to allow a one-lower residential density range than what is specified in the plan, if the purpose of the allowance is to approve development which is in furtherance of the Plans' goals; and,

WHEREAS the proposed development was reviewed for compliance with the California Environmental Quality Act and an addendum to the to the Ashland and Cherryland Business District Specific Plan Final Subsequent Environmental Impact Report (EIR) was prepared; and,

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

WHEREAS this Commission did hold a public hearing on said proposed amendment at the hour of 6:00 p.m. on Monday, June 4, 2018; and

WHEREAS the Commission does find that the addendum to the to the Ashland and Cherryland Business District Specific Plan Final Subsequent Environmental Impact Report (EIR), is in accordance with California Environmental Quality Act (CEQA) Section 15164, and the addendum adequately

analyzes and evaluates potential impacts related to the proposed project and finds than no impacts that were previously not analyzed will result from the project, and that a subsequent EIR is not required, and

WHEREAS, the Commission finds that the project is in furtherance of the Specific Plan and General Plan goals, and with the needs of the community; and,

WHEREAS the Commission also finds that as proposed and conditioned, the project will meet the applicable Specific Plan requirements, that the findings can be made to grant approval of the Site Development Review and the Tentative Subdivision Map, and that the Specific Plan mixed-use approval findings can be made, as follows:

#### Tentative Tract Map (TR-8405)

- The subdivision application was presented to decision makers within 50 days of its being deemed complete.
- The subdivision is consistent with the property zoning, which allows for multi-family residential
  land use. The recommended conditions of approval, including the condition concerning property
  owners' association and CC&R will ensure that the entire development is operated and
  maintained as a single development, and remains a true mixed-use development following the
  sale of individual units and the mixed-use building.
- The proposed development is consistent with the applicable General and Specific Plans, is physically suitable to support the proposed structures, the design would not cause damage to the environment or create public health problems, and there is no conflict with existing easements.

#### Site Development Review

- The application supports the goals of the applicable Specific and general Plans, and promotes the orderly development of the Specific Plan area.
- The proposed development will protect and enhance property values by providing a high quality, aesthetically pleasing development development.
- The proposed project is respectful of the physical and environmental characteristics of the site because it is in proportion with its surroundings and is designed to avoid.
- The project would provide and enhance pedestrian, bicyclist and motor vehicle safety, by proving right-of way improvements and better connecting the subject site with its surroundings.
- The project implements high quality design and building materials.
- The proposal would provide the necessary identity for each of the structure, through the use of appropriate frontage types, building position and building scale.

#### Mixed-Use Findings

- The mixed-use development is consistent with the intent of the DMU zoning classification.
- The mixed-use building is located along the primary property frontage on Mission Blvd., and would be the primary land use.
- The residential use is located above and behind the commercial component, and would be the secondary land use.
- The commercial/non-residential space accounts for ±7% of the lot area when 25% is required, and would further the Specific Plan goals, provide a community amenity, and act as a catalyst for additional area investment

<b>PLANNING</b>	COMMISSION	RESOLUTION NO.	18
June 4, 2018			
PAGE 3			

#### NOW THEREFORE

ABSTAINED:

BE IT RESOLVED that this Planning Commission does hereby approve PLN2017-00164, Site Development Review and Tentative Tract Map (TR-8405), and the affiliated EIR Addendum, as conditioned and as set forth in Exhibits A (June 4, 2018 Planning Commission staff report) and B (approved plans);

ADOPTED BY THE FOLLOWING VOTE:					
AYES:					
NOES:					
ABSENT:					
EXCUSED:					

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

# MLC HOLDINGS, INC. Project Narrative – Mission & Mattox Site (5/29/18)

#### A. Project Description

The subject site consists of 2.6 acres of land located on Mission Boulevard at the corner of Mattox Road in Hayward, CA. The site is currently improved with several vacant light industrial buildings that will be demolished prior to development. The site is within the Cherryland District of Alameda County and is surrounded by commercial uses and a residential neighborhood consisting of older single-family homes and apartment complexes. MLC's project concept includes a three-story mixed-use building along Mission Blvd that will include approximately 7,495 square feet of non-residential uses on the ground floor and 12 residential units located on two floors above. The balance of the property will include 45 three-story "for sale" townhomes. The development of Mission & Mattox will energize the area with new retail along the street and bring up to 57 new families into the Cherryland neighborhood, potentially acting as a catalyst for additional development in the area.

#### 1. Mixed-Use Program

The mixed-use component of the project will be developed concurrently with the residential townhomes and will activate the entire site by providing retail opportunities to serve the new residents and the local community. Potential commercial uses for the 7,4958 square feet of ground floor retail may include food, food service, café, retail or service commercial. Approximately 1,395 square feet of discreet, adjacent, outdoor leasable space has been incorporated into the design of the building to activate outdoor spaces at the retail level and provide opportunities for potential outdoor dining, café and gathering areas. The second and third floors of the mixed-use building will include a total of 12 residential units ranging in size from approximately 832sf to 1,312sf. With close proximity to BART and AC Transit and the inclusion of bike racks, the residential component truly becomes transit-oriented living and will provide energy and activity to the retail uses below.

#### 2. Townhome Program

The townhome component of the project will include 45 three-story townhomes ranging in size from 1,367 – 2,126 square feet. Five different floorplans have been proposed ranging from 2 bdrm/2.5 bath units to 4 bdrm/3.5 bath units. The proposed townhome buildings are approximately 40' in height and will feature contemporary architectural styling and Meritage's award-winning energy efficiency features and components. Sales prices for the townhomes will start in the high \$500K range with 40% of the project expected to be priced below the FHA loan limit, which will allow first-time buyers a rare opportunity to buy a new home in the core Bay Area with a down payment as low as 3.5%.

#### **B.** Consistency Analysis

The proposed project would develop 57 dwelling units and 7,495 square feet of non-residential uses on a 2.6-acre site designated "District Mixed-Use (DMU)" by the Ashland Cherryland Business District Specific Plan. The proposed project site has two land use designations: a primary land use, which is required, and a secondary land use, which is optional. The primary land use is non-residential and must be at least 25 percent of the lot area per the Specific Plan. The residential zoning for this site (as designated by the General Plan) is High Density Residential (43–86 dwelling units per acre). The recently approved amendment to the Ashland Cherryland Business District Specific Plan allows Planning Commission approval for projects not meeting the 25 percent non-residential requirement, under certain circumstances, when the Specific Plan Goals are met and the community will benefit from the project. The recently approved amendment to the Eden Area General Plan allowing the Planning Commission to permit a lower residential range for mixed-use projects when a project furthers the goals of the General and Specific Plans. The range density could be one lower than would be required if residential were the primary or only land use.

The proposed project strongly supports the goals of both the Eden Area General Plan and the Ashland Cherryland Business District Specific Plan in the following manner:

- (1) The project contributes to the economic revitalization of the Ashland and Cherryland Business District Plan area by developing an underutilized and long vacant industrial site;
- (2) The project provides attractive and high-quality improvements along Mission Boulevard and Mattox Road, which include new street frontage, landscaping, and removal of the existing porkchop/right-hand turn lane;
- (3) The project develops this section of Mission Boulevard into a higher-intensity use by providing new ground floor retail space and discreet, adjacent outdoor space in addition to 57 new residential dwellings, bringing new families to a former industrial site:
- (4) The project activates the street frontage and provides a vibrant, walkable urban main street mixed-use commercial environment along Mission Boulevard that supports public transportation alternatives and provides locally and regionally serving commercial and retail uses as well as a variety of urban housing choices;
- (5) In an area that has seen minimal development in recent years, the project will become a catalyst for additional investment and development within the Plan area; and

(6) The project creates landscaped areas and public open space at the corner of Mission & Mattox because of the redevelopment and realignment of the existing porkchop that will serve to support the public life of the community.

The density and non-residential component of the proposed project would be consistent with the provisions and intent of the 2018 text amendments to the Eden Area General Plan and Ashland and Cherryland Business District Specific Plan, which allow greater flexibility for mixed-use projects. Therefore, the proposed project would not alter the conclusions set forth by the Final EIR.



### **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

04/25/2018

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

То	Christina Horrisberger, Senior Planner	PLN#	2017-00164
Address	Mission at Mattox		
Job Description	Mixed-Use Proposal		
Reviewed By	Cesar Avila, Deputy Fire Marshal	Review 2	

Review of Planning referrals are usually based on information and plans that lack sufficient information and details for specific comments. The primary focus of our review is to assure fire access to the site. Specific fire and building code issues will be addressed during the regular building permit submittal and review process.

#### **Conditions of Approval**

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

1. R-2 Condominium and B Occupancies – Building D. A Fire Sprinkler (fire alarm) water flow monitoring system is required.



#### **BUILDING INSPECTION DEPARTMENT**

(510) 670-5440 • FAX (510) 293-0960

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

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

### Planning Application Review Response

Date: March 19, 2018

Application: PLN2017-00164, Mixed Use with Commercial and Residential Units

Location: Mission and Mattox Tract 8405

Planning Date/Staff: March 5, 2018 Christina Horrisberger

BID Staff: Alan Tam

#### **Project Review Notes**

- 1. Civil, Landscape and Architectural Sheets (7495 SF of commercial spaces and 57 residential units)
- 2. Other Elevations, and Landscape plans are shown.

#### Referral Conclusion

1. Building Division has no objection to proceed with planning process. New buildings will need to comply with the current California Building Codes and County Ordinances.

#### Special Project Conditions for the Building Permit Application:

- 1. Soils report and/or geological study may be required if any geological hazards on the site is identified according to the latest SP117.
- 2. New proposed structures shall comply with Alameda County Green Building Ordinance, Construction & Demolishing Debris Management program and California Green Building Code.
- 3. New trash enclosure shall be covered and comply with Alameda County clean water requirements AC 15.08.190.
- 4. A site permit may be required for onsite stormwater system, underground utilities, parking lot lighting, and accessible path of travel.

#### General Conditions for the Building Permit Application:

- 1. Comply with building codes in effective and submittal requirements at time of submitting for building permits 2016 California Building Codes effective on January 1, 2017.
- 2. A California licensed architect or engineer shall be designated as the design professional in responsible charge for the project submittal.

Notes: 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.

### RE: Mission and Mattox Mixed-Use Application - Revised Plans Recieved



#### Rogers, John

Thu 4/26/2018 1:46 PM

To:Horrisberger, Christina, CDA < Christina.Horrisberger@acgov.org>;

Cc:Gosselin, Sharon <sharon@acpwa.org>; Gonzales, Fernando <fernando@acpwa.org>; Valderrama, Arthur <arthur@acpwa.org>; Lepere, Bill <br/>
Lepere, Bill <br/>
<br/>
Lepere, Bi

#### Christina-

Yes, I'm OK with the current plan – but in the event that the pending PWA plans for the improvement of Mission Bl. and of Mattox Rd. would somehow affect the on-site drainage areas and discharge points, then there should be a re-review.

**JohnR** 

From: Horrisberger, Christina, CDA Sent: Thursday, April 26, 2018 1:22 PM To: Rogers, John < Johnr@acpwa.org>

Cc: Gosselin, Sharon <sharon@acpwa.org>; Gonzales, Fernando <fernando@acpwa.org>; Valderrama, Arthur

<arthur@acpwa.org>; Lepere, Bill <bill@acpwa.org>; Kaufman, Maurice <Maurice@acpwa.org>

Subject: Re: Mission and Mattox Mixed-Use Application - Revised Plans Recieved

Thanks for the response. So, it sounds like you are OK with what was submitted, but would want to revisit this if the plans are revised. Is that correct?

The 2016 Fault Evaluation Report is attached The recommendations are on page 7.

Respectfully,

Christina Horrisberger
Senior Planner
Alameda County
Community Development Agency
510.670.6118

From: Rogers, John

Sent: Thursday, April 26, 2018 11:36 AM

To: Horrisberger, Christina, CDA

Cc: Gosselin, Sharon; Gonzales, Fernando; Valderrama, Arthur; Lepere, Bill; Kaufman, Maurice

Subject: RE: Mission and Mattox Mixed-Use Application - Revised Plans Recieved

Christina-

The responses from the project engineer to my stormwater comments are satisfactory, and I am OK with the preliminary stormwater plan on Sh. C-7. However, I am aware that there could be continuing discussions with regard to possible future redesigns of the overall on-site/off-site stormwater treatment system that would change this plan, so this is a tentative OK.

https://outlook.office365.com/owa/?viewmodel=ReadMessageItem&itemiD=AAMkADV:hNzJjMTY0LTBkMDU:hGMz0C05MjRiLTgwYjRkMTk1MzU4NABGAAAAAAAfi

In a separate matter, do you know if there was a documented resolution of the question possible setback from the earthquake fault zone boundary at the easterly edge of the site? I have a vague recollection of earlier studies, possibly does by Economic Development, that may have pinned this down. I'll check with Elleen to see if she knows the answer.

#### **JohnR**

From: Horrisberger, Christina, CDA
Sent: Thursday, April 26, 2018 10:12 AM
To: Rogers, John <johnr@acpwa.org>

Subject: Re: Mission and Mattox Mixed-Use Application - Revised Plans Recieved

#### Hi John,

I am wondering if you have had a chance to review the revisions. The applicant is anxious to move ahead and is under the impression that the issues identified in your comments have been resolved. I am hoping to determine whether this application can move forward by the end of tomorrow. Thanks!

#### Thanksl

Respectfully,

Christina Horrisberger Senior Planner Alameda County Community Development Agency 510.670.6118

From: Horrisberger, Christina, CDA Sent: Saturday, April 14, 2018 3:21 PM

To: Valderrama, Arthur; Gonzales, Fernando; Kaufman, Maurice; Lo, Amber; Rogers, John; Terra, Bonnie, ACFD; Fluehr,

Yvonne, ACFD; Carrera, Art

Subject: Mission and Mattox Mixed-Use Application - Revised Plans Recieved

#### All-

The applicant has submitted revised plans for the pending application, PLN2017-00164. E-copies of the plans, your most recent comments and the applicant's cover letter are attached. Hard copies have also been routed to you. Please share as needed.

Also, if you haven't already reviewed and commented on the Administrative (internal) Draft CEQA is/Addendum that was routed a few weeks ago, please do so at your earliest opportunity. I have attached a copy for your convenience.

I have not provided a due date, but am hoping that all will provide comments/conditions as soon as possible. We are hoping to schedule the public hearing for this application in May, if all outstanding Fire and PWA issues can be resolved within the next week or so.

#### Thanksi

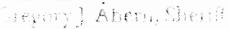
4/26/2018

Respectfully,

Christina Horrisberger
Senior Planner
Alameda County
Community Development Agency
510.670.6118



i crees.



#### Director of Emergency Services Coroner - Marshal

November 2, 2017

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

Attention: Christina Horrisberger

RE: PLN2017-00164

My staff reviewed the attached application and has expressed concern based on the cumulative effect of allowing additional growth with no provision for additional law enforcement resources. If approved, the Sheriff's Office recommends additional security measures be added during the construction phase. My staff also had the following recommendations:

- Wide angle viewers (180-190 degree "Peop holes") in all front doors
- Deadbolts with cylinder guard and 1" minimum throw on all exterior doors
- Three inch (or larger) screws in strike plates anchored into framing stude
- Secondary locks which provide both lift & slide protection on all sliding windows & sliding doors
- Adequate and uniformed outdoor security lighting.
- Clearly visible unit and building numbers, 5" or larger with contrasting color
- Fully gated. Wrought iron type gates are ideal as they both control entry while still allowing excellent visibility/surveillance
- Key pad and code allowing immediate access to ACSO personnel if applicable
- Self closing/self-locking doors on all entry/exit gates, laundry rooms, community rooms, etc.
- Security surveillance cameras with night viewing capabilities

While it would seem each new project does not create a law enforcement problem, the total number of new projects impacts the Sheriff's Office ability to respond to calls for service. This also includes the impact on support staff in records, warrants and dispatch.

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

Gregory J. Abem, Sheriff-Coroner

Colby Staysa, Captain Law Enforcement Services Eden Township Substation

GJA:CDS:sgs

# RE: PLN2017-00164 - Mission and Mattox Proposed Mixed-Use Project Comments - Gate Question

Staysa, Colby, Sheriff

Mon 11/27/2017 3:18 PM

To:Horrisberger, Christina, CDA < Christina.Horrisberger@acgov.org>;

We are flexible

From: Horrisberger, Christina, CDA

Sent: Monday, November 20, 2017 2:07 PM

To: Staysa, Colby, Sheriff

Subject: PLN2017-00164 - Mission and Mattox Proposed Mixed-Use Project Comments - Gate Question

Hi there-

I'm wondering how strongly ACSO's position is on gating this project. According to policies/plans for this property, the development should foster community, connectivity and pedestrian access within/throughout the community. Planning has been asking for connective pathways and inviting building entrances, and a gate would be counter to that. Is this something that we can discuss further or that is flexible?

Thanks!

(By the way, I am here today and tomorrow, then out until 12/6/17.)

Enjoy the holiday!

Respectfully,

Christina Horrisberger Senior Planner Alameda County Community Development Agency 510.670.6118



Fri 5/25/2018 2:02 PM

To: Horrisberger, Christina, CDA < Christina, Horrisberger@acgov.org>; Sweeney, Stephen G., Sheriff < SSweeney@acgov.org>;

The more cameras the better.

Colby Staysa, Division Commander Countywide Services Division 1401 Lakeside Drive, 12<sup>th</sup> Floor Oakland, CA 94612 (510) 272-6871

From: Horrisberger, Christina, CDA Sent: Friday, May 25, 2018 1:51 PM

To: Sweeney, Stephen G., Sheriff <SSweeney@acgov.org>

Cc: Staysa, Colby, Sheriff <CStaysa@acgov.org>

Subject: Re: COA's - Mission & Mattox

Here is the condition we received from Capt. Staysa:

- 1. Prior to final building inspection approvals, the applicant shall provide the following security measures for the project, to the satisfaction of the Sheriff's Office:
- Wide angle viewers (180-190 degree "Peep holes") in all residential unit front doors
- Deadbolts with cylinder guard and 1-inch minimum throw on all exterior doors.
- Three-inch (or larger) screws in strike plates anchored into framing studs.
- Secondary locks which provide both lift and slide protection on all sliding windows and sliding doors.
- Adequate and uniform outdoor security lighting
- Clearly visible unit and building numbers, five Inches or larger with contrasting color.
- Provide self-closing/self-locking doors on all entries and exit gates, laundry rooms, community rooms, etc.
- Provide security surveillance cameras with night viewing capabilities.

I think the applicant is just looking for clarification on the last bullet-does it apply the residences of just the retail?

Thanksl

Respectfully,

Christina Horrisberger Senior Planner Alameda County Community Development Agency 510.670.6118

From: Sweeney, Stephen G., Sheriff Sent: Friday, May 25, 2018 1:38 PM To: Horrisberger, Christina, CDA Subject: RE: COA's - Mission & Mattox

Christina,

It appears the only item for the Sheriff's Office is the mention of security cameras. I am not aware of anything in place that requires cameras but we always make the suggestion for the overall safety and security of any new site.

Deputy Steve Sweeney
Alemeda County Sheriff's Office
Eden Township Substation
15001 Fooihill Boulevard
San Leendro, CA 94578
DESK (510) 667-3620
FAX (510) 667-3963
ssweeney@acgov.org





I think the applicant is just looking for clarification on the last bullet-does it apply the residences of just the retail?

Thanksl

Respectfully,

Christina Horrisberger Senior Planner Alameda County Community Development Agency 510.670.6118

From: Sweeney, Stephen G., Sheriff Sent: Friday, May 25, 2018 1:38 PM To: Horrisberger, Christina, CDA

Subject: RE: COA's - Mission & Mattox

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It appears the only item for the Sheriff's Office is the mention of security cameras. I am not aware of anything in place that requires cameras but we always make the suggestion for the overall safety and security of any new site.

Deputy Steve Sweeney
Alameda County Sheriff's Office
Eden Township Substation
15001 Foothill Boulevard
San Leandro, CA 94578
DESK (510) 667-3620
FAX (510) 667-3963
ssweeney@acgov.org



# RE: DAFT COAs - PLN2017-00164 - MLC Mixe use application, Mission and Mattox



#### Valderrama, Arthur

Wed 5/23/2018 9:09 AM

To:Horrisberger, Christina, CDA <Christina.Horrisberger@acgov.org>; Rogers, John <johnr@acpwa.org>; Staysa, Colby, Sheriff <CStaysa@acgov.org>; Avila, Cesar, ACFD <Cesar, Avila@acgov.org>; Tam, Alan <alant@acpwa.org>; Gonzales, Fernando <fernando@acpwa.org>; Kaufman, Maurice <Maurice@acpwa.org>; Dalton, Eileen, CDA <eileen.dalton@acgov.org>; McCue, Susan, CDA <Susan.McCue@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; Littlejohn, Heather M., County Counsel <Heather.Littlejohn@acgov.org>; Cho, Andy Hyun-Jae <andyhjc@acpwa.org>; Orduna, Rodrigo, CDA <rodrigo.orduna@acgov.org>;

#### Christina,

CGA 23. as written in-your draft, reflects accurately the results of PWA's negotiations with MLC. The possible rewording which JohnR has alluded to will not be necessary.



#### ARTHUR VALDERRAMA, P.E.

Supervising Civil Engineer

Construction & Development Services Department | Alameda County Public Works Agency

951 Turner Court, Room 100 | Hayward, CA 94545

e-mail: arthur@acowa.org : (510) 670-5280 | (510) 67G-5269 Fax

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From: Horrisberger, Christina, CDA

Sent: Wednesday, May 23, 2018 8:57 AM

To: Rogers, John <johnr@acpwa.org>; Staysa, Colby, Sheriff <CStaysa@acgov.org>; Avila, Cesar, ACFD <Cesar.Avila@acgov.org>; Tam, Alan <alant@acpwa.org>; Valderrama, Arthur <arthur@acpwa.org>; Gonzales, Fernando <fernando@acpwa.org>; Kaufman, Maurice <Maurice@acpwa.org>; Dalton, Eileen, CDA <eileen.dalton@acgov.org>; McCue, Susan, CDA <Susan.McCue@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; Littlejohn, Heather M., County Counsel <Heather.Littlejohn@acgov.org>; Cho, Andy Hyun-Jae <andyhjc@acpwa.org>; Orduna, Rodrigo, CDA <rodrigo.orduna@acgov.org> Subject: Re: DRAFT COAs - PLN2017-00164 - MLC Mixed-use application, Mission and Mattox

#### Thanks!

# RE: AFT COAs - PLN2017-00164 - MLC Mixed-use application, Mission and Mattox



### Cho, Andy Hyun-Jae

Wed 5/23/2018 9:45 AM

To:Horrisberger, Christina, CDA <Christina.Horrisberger@acgov.org>;

CcValderrama, Arthur <arthur@acpwa.org>; Rogers, John <johnr@acpwa.org>; Tam, Alan <alant@acpwa.org>; Gonzales, Fernando <fernando@acpwa.org>; Dalton, Eileen, CDA <eileen.dalton@acgov.org>; Staysa, Colby, Sheriff <CStaysa@acgov.org>; Avila, Cesar, ACFD <Cesar.Avila@acgov.org>; Kaufman, Maurice <Maurice@acpwa.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; Littlejohn, Heather M., County Counsel <Heather.Littlejohn@acgov.org>; Orduna, Rodrigo, CDA <rodrigo.orduna@acgov.org>;

HI Christina,

Here is my suggestion regarding COA #21:

 Prior to approval of Improvement Plans and Final Map, the potential fault rupture hazard at the project site must be assessed by a qualified geologist and reviewed and approved by the Alameda County PWA pursuant to the provisions of Alquist-Priolo Earthquake Fault Zoning Act and the Special Publication 42.
 The developer shall provide the necessary funding for the completion of this review.

Thank you,



Andy Cho, P.E.
Assistant Engineer
Construction & Development Services Department
399 Emburst Street, Ecom 141, Hayward, CA 94544
Phone 310.670.6451, Fax 510.670.5787, email: andybjc@scpwa.org

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From: Valderrama, Arthur

Sent: Wednesday, May 23, 2018 9:10 AM

To: Horrisberger, Christina, CDA <Christina.Horrisberger@acgov.org>; Rogers, John < Johnr@acpwa.org>; Staysa, Colby, Sheriff < CStaysa@acgov.org>; Avila, Cesar,

Attachement 4 – Financial Analysis From MLC Holdings, Inc.

MESSION & MATTER MIXED-USE DEVELEPMENT M.C. HOLDINGS, M.C.

LINDERWRITING ASSUMPTIONSDEVELOPMENT COSTR For Sale:

45 townhomes (use current pro forms sesumptions) 7,000sf @ \$195sf construction cost (+fees)

12 Apartments 970sf each @ \$50se construction cost (+ free) \$4M for 26 acres (based upon addeing purchase contract in place); 90% applied to mixad-use \$18Means (based upon addeing development setimates)

Apartment Lend Cost She Dev Cost

Blanded CAP based upon ratell + residential rental development Manual 50% 200% Em X 400% 150% Entertial Burg \$25(000 \$167,000 Sharted Bate \$2.50 STORES \$1.75 I BENTAL ASSUMPTIONS Cembined Arrual NO: IL VALIATION Apartment Rent Heal Part TOTALB

040,005 040,005 040,005

5.5X \$4.515.846 Cap Rate: Asset Value:

MERSITIN & MATTITIX: MERCI-LIFE VALLATION
Total value needed to bresh ever: 65,504,900
Total value needed to reach 10% margin 65,807,400

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ALH Urban - Regional Economics

2239 Oregon Street Berkeley, CA 94705 510,704,1599

aherman@alhecon.com

#### MEMORANDUM

To: Christina Horrisberger and Rodrigo Orduna, County of Alameda Planning Department; and Eileen Dalton, County of Alameda Community Development Agency

From: Amy L. Herman and Mary A. Smitheram-Sheldon, ALH Urban & Regional Economics

Re: Limited Review of Financial Analysis for Proposed Mission & Mattox Mixed-Use Development Project

Date: April 18, 2017

As requested, ALH Urban & Regional Economics (ALH Economics) has reviewed a partial financial analysis of the proposed Mission & Mattax Mixed-Use Development. This pro forms was provided to us on Thursday, April 13, 2017 with the filename of Financial Analysis – Submittal.xlsx, and was prepared by MLC Holdings, the project applicant.

Please note that the pro forma we were asked to review does not match our understanding of the full development program as currently proposed. We understand that the complete proposed development comprises 45 townhouses, 7,000 square feet of retail space in a building fronting Mission Boulevard, and 12 residential apartments located above the retail building. The provided proforma omitted the 45 townhouses.

ALH Economics believes that a side-by-side review of financial pro formas for both the submitted pro forma and a more comprehensive pro forma inclusive of the townhomes should be conducted in order to render an effective evaluation of the project's projected financial performance.

Our comments on the submitted financial pro forma are as follows:

- ALH Economics believes that some of the assumptions are conservative, e.g., 40% apartment expense ratio, 15% retail expense ratio, and apartment rents at \$2.50/sq. ft. ALH Economics would use a 30% apartment expense ratio, 5% retail expenses, and apartment rents at \$2.60/sq. ft. Note that these latter assumptions would be consistent with the planned Cherryland Place public/private project across the street.
- ALH Economics believes the retail vacancy is high at 20%, but could be reasonable if the large quantity of retail space does not meet with market acceptance.
- ALH Economics also believes the capitalization rate for the project might be high as well, at 6.5%.
- 4) Assuming that the Mission & Mattox Mixed-Use Development project breakeven of \$5.534 million is correct, as represented by the developer, and making the changes in #2 above, ALH Economics gets to \$5.45 million in estimated development value, which is close to the

ALH Urban - Regional Economics

developer's identified breakeven point. Moving the retail vacancy to 10% results in an estimated value of \$5.67 million (over the breakeven). Similarly, independently adjusting the capitalization rate down to 6.25% gets us to the same value.

We would find it more meaningful to review a paired pro forma analysis as mentioned above, inclusive of the comprehensive development program with the 45 townhouse units. Without this paired analysis our conclusions are somewhat limited, but we hope they are of use to the County of Alameda Planning Department.

This memorandum is subject to the following Assumptions and General Limiting Conditions.

#### ASSUMPTIONS AND GENERAL LIMITING CONDITIONS

ALH Urban & Regional Economics has made extensive efforts to confirm the accuracy and timeliness of the information contained in this study. Such information was compiled from a variety of sources, including interviews with government officials, review of City and County documents, and other third parties deemed to be reliable. Although ALH Urban & Regional Economics believes all information in this study is correct, it does not warrant the accuracy of such information and assumes no responsibility for inaccuracies in the information by third parties. We have no responsibility to update this report for events and circumstances occurring after the date of this report. Further, no guarantee is made as to the possible effect on development of present or future federal, state or local legislation, including any regarding environmental or ecological matters.

The accompanying projections and analyses are based on estimates and assumptions developed in connection with the study. In turn, these assumptions, and their relation to the projections, were developed using currently available economic data and other relevant information. It is the nature of forecasting, however, that some assumptions may not materialize, and unanticipated events and circumstances may occur. Therefore, actual results achieved during the projection period will likely vary from the projections, and some of the variations may be material to the conclusions of the analysis.

Contractual obligations do not include access to or ownership transfer of any electronic data processing files, programs or models completed directly for or as by-products of this research effort, unless explicitly so agreed as part of the contract.

# Cherryland Community Association



PO Box 272 San Lorenzo, CA 74580 510.763.1455 CCA.BOD@gmail.com Members of the Alameda County Planning Commission
Alameda County Community Development Agency
Planning Department
224 W. Winton Avenue, Rm 111
Hayward, CA 94544

Mary 22, 2018

RE: "Mission & Mattox" - 20478 Mission Boulevard (PLN2017-00164)

Dear Planning Commissioners and County Planning Staff,

The Cherryland Community Association (CCA) Board has reviewed the above referenced project that will appear before the Planning Commission on June 4th, 2018. The developer, MLC Holdings, met with our board on several occasions to present their plans for the site and to solicit feedback from our group. On behalf of the CCA Board, 1 am writing in support of the proposed Mission & Mattax project proposed for the existing vacant site at the corner of Mission Boulevard and Mattax Road. Not only does the project clean up a long derelict site that negatively impacts the Cherryland neighborhood, but it provides a mixed-use development that balances commercial uses with for-sale and rental housing.

The proposed development will potentially bring approximately 57 new families into the Cherryland area and will provide new retall along a pedestrian-oriented streetscape. The site has the potential to be a catalyst for additional development along this corridor which has been needed for many years.

Sincerely.

**Cindy Towles** 

ginera Harles

President, Board of Directors

Cherryland Community Association
iHeartCherryland@gmail.com

# FIRSTCARBON O TONS

Initial Study/Addendum Mission & Mattox Project Alameda County, California

State Clearinghouse No. 2015042047

Prepared for:
County of Alameda
Community Development Agency
224 W. Winton Avenue, Room 111
Hayward, CA 94544
510.670.6118

Contact: Christina Horrisberger, Senior Planner

Prepared by: FirstCzrbon Solutions 1350 Treat Boulevard, Suite 380 Walnut Creek, CA 94597 925.357.2562

Contact: Jason Brandman, Project Director Grant Gruber, Project Manager

Report Date: May 1, 2018



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## **SECTION 1: INTRODUCTION**

This Addendum, checklist, and attached supporting documents have been prepared to determine whether and to what extent the 2015 Ashland and Cherryland Business District Specific Plan Environmental Impact Report (EIR) (State Clearinghouse No. 2015042047) remains sufficient to address the potential impacts of the proposed Mission & Mattox Project (proposed project), or whether additional documentation is required under the California Environmental Quality Act (CEQA) (Pub. Resources Code, Section 21000, et seq.).

# 1.1 - Initial Study/Environmental Checklist

Pursuant to Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164, subd. (a), the attached Initial study/checklist has been prepared to evaluate the proposed project. The attached Initial study/checklist uses the standard environmental checklist categories provided in Appendix G of the CEQA Guidelines, but provides answer columns for evaluation consistent with the considerations listed under CEQA Guidelines Section 15162, subd. (a).

## 1.2 - Environmental Analysis and Conclusions

CEQA Guidelines Section 15164, subd. (a) provides that the lead agency or a responsible agency shall prepare an addendum to a previously certified Environmental Impact Report or Negative Declaration (ND) if some changes or additions are necessary but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR or ND have occurred (CEQA Guidelines, Section 15164, subd. (a).

An addendum need not be circulated for public review but can be included in or attached to the Final EiR or ND (CEQA Guidelines Section 15164, subd (c). The decision-making body shall consider the addendum to the Final EiR prior to making a decision on the project (CEQA Guidelines Section 15164, subd. (d). An agency must also include a brief explanation of the decision not to prepare a subsequent EIR or ND pursuant to Section 15162 (CEQA Guidelines Section 15164, subd. (e)).

Consequently, once an EIR or ND has been certified for a project, no subsequent EIR or ND is required under CEQA unless, based on substantial evidence:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or ND... due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects:
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or ND... due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

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CEQA Guidelines Section 15382 defines "significant effect on the environment" as "... a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance ..." (see also Public Resources Code, Section 21068).

- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the ND was adopted. . . shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR (or ND);
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR [or ND] would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative (CEQA Guidelines, Section 15162, subd. (a); see also Pub. Resources Code, Section 21166).

This addendum, checklist and attached documents constitute substantial evidence supporting the conclusion that preparation of a supplemental or subsequent EIR or ND is not required prior to approval of the necessary permits for the proposed project by responsible and trustee agencies, and provides the required documentation under CEQA.

This addendum addresses the conclusions of the 2015 Ashland and Cherryland Business District Specific Plan EIR.

## 1.2.1 - Findings

There are no substantial changes proposed by the Mission & Mattox Project or in the circumstances in which the project will be undertaken that require major revisions of the Final EIR, or preparation of a new subsequent or supplemental EIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. As illustrated herein, the project is consistent with the analysis contained within the Final EIR.

#### 1.2.2 - Condusions

The County of Alameda may approve the Mission & Mattox Project based on this Addendum. The impacts of the proposed project remain within the impacts previously analyzed in the EIR (CEQA Guidelines Section 15164).

#### 1.3 - Mitigation Monitoring Program

As required by Public Resources Code Section 21081.6, subd. (a)(1), a mitigation monitoring and reporting program has been prepared for the project in order to monitor the implementation of the mitigation measures that have been adopted for the project. Any long-term monitoring of mitigation measures imposed on the overall development will be implemented through the Mitigation Monitoring and Reporting Program.

## SECTION 2: PROJECT DESCRIPTION

#### 2.1 - Location and Setting

#### 2.1.1 - Location

The project site is located at 20478 Mission Boulevard (at the intersection of Mission Boulevard/Mattox Road) in the unincorporated community of Cherryland, Alameda County, California (Exhibit 1). The 2.6-acre project site is bounded by Mission Boulevard (west), a vacant commercial building and single-family residential development (north), Carpenters Union Local 713 Hall (east), and Mattox Road (south) (Exhibit 2). The project site is located on the Hayward, California United States Geological Survey 7.5-Minute Historical Topographic Map, Range 2 West, Township 3 South, Section (Latitude 37° 41′ 11″ North; Longitude 122° 6′ 3″ West).

#### 2.1.2 - Environmental Setting

The project site contains a vacant commercial building, paved parking areas, and small areas of ornamental landscaping.

The building consists of a single-story, off-white, concrete block structure. The building has large, blank walls along the Mission Boulevard and Mattox Road street frontages. A below-grade dock is located in the eastern portion of the structure facing Mattox Road; several at-grade roll-up doors are located in the northern portion of the structure facing Mission Boulevard.

Vehicular access is taken from a right-in, right out driveway on Mission Boulevard and a right-in, right out driveway on Mattox Road. Because of the configuration of the building, vehicles can only enter and exit at the same access point.

Ornamental landscaping consisting of small areas of mature trees, hedges, and shrubs are located along the western and southern sides of the building.

A chain-link fence topped with razor wire surrounds the project site.

The project site was previously occupied by Peterson Metal Fabrication. An 8,000-gallon underground storage tank (UST) was removed from the site in June 1990. Post-removal soil and groundwater testing revealed that the UST's dispenser had been leaking gasoline. Approximately 5 cubic yards of impacted soil were removed and disposed of at the Vasco Road Landfill near Livermore. The Alameda County Health Care Services Agency issued a "Case Closed" letter on July 14, 1995, signifying that the site had been remediated to its satisfaction.

## 2.1.3 - General Plan and Zoning

The project site is designated "General Commercial" by the Eden Area General Plan (part of the Alameda County General Plan) and zoned "District Mbæd-Use (DMU)" by the Ashland and Cherryland Business District Specific Plan.

The Ashland and Cherryland Business District Specific Plan describes the "Cherryland area" as being bounded by Montgomery Avenue (west), Paradise Bouleverd (north), San Lorenzo Creek (east), and St. James Court (south).

## 2.2 - Project Background

#### 2.2.1 - Ashland and Cherryland Business District Specific Plan

The project site is within the larger 246-acre Ashland and Cherryland Business District Specific Plan that was first adopted by the Alameda County Board of Supervisors in 1995 and amended in 2015. The Specific Plan contemplates the development of 167 single-family dwelling units, 771 multi-family dwelling units, and 570,000 square feet of non-residential uses within the plan area. The Specific Plan establishes that the DMU zoning district is intended to support "locally- and regionally-serving commercial, retail, and entertainment uses, as well as a variety of urban housing choices" and allows buildings up to 75 feet in height, a Floor Area Ratio of up to 2.5, and a maximum density of 86 dwelling units per acre.

In 2018, the County of Alameda amended both the Eden Area General Plan and the Ashland and Cherryland Business District Specific Plan to provide greater flexibility for mixed-use projects. The text amendment to the Eden Area General Plan allows the Planning Commission to permit a lower residential range for mixed-use projects when a project furthers the goals of the General and Specific Plan. The range density could be one lower than would be required if residential were the only land use. The text amendment to the Specific Plan would modify the existing mixed-use approval findings to:

- Clarify the meaning of primary and secondary land uses.
- Better define what is counted as non-residential space.
- Add findings allowing Planning Commission approval of projects not meeting the 25% nonresidential component requirement on properties >10,000 square feet, under certain circumstances, when the Specific Plan Goals are met and the community will benefit from the project.

## 2.3 - Project Characteristics

#### 2.3.1 - Project Summary

The project applicant is proposing to develop 57 dwelling units and 7,495 square feet of nonresidential uses on the project site (6,100 square feet of net leasable interior space plus 1,395 square feet of discrete, adjacent outdoor leasable space). The dwelling units would consist of threestory townhomes allocated among eight buildings and 12 apartments on two floors above the ground floor non-residential space within the ninth building. Residential density would be 22.1 dwelling units/acre. The 7,495 square feet of non-residential uses would be contained in a threestory building along the Mission Boulevard frontage, with ground floor commercial uses and upper floor residential uses. The existing ACBD SP required mixed-use sites to include 25 percent nonresidential uses as part of the project. The recently approved amendment to the Ashland Cherryland Business District Specific Plan allows Planning Commission approval for projects not meeting the 25 percent non-residential requirement, under certain circumstances, when the Specific Plan Goals are met and the community will benefit from the project. The project includes a centrally located tot

lot, paseos, landscaping throughout the project and community open space at the corner of Mission & Mattox. Exhibit 3 depicts the conceptual site plan. Error! Reference source not found. summarizes the proposed project.

Table 1: Mission & Mattox Project Summary

Use	Description
Residential	57 dwelling units (45 townhomes [3 stories] and 12 apartments); 22.1 dwelling units/acre
Non-Residential	7,495 square feet on the ground floor (consisting of 6,100 square feet of net leasable interior space plus 1,395 square feet of discreet, adjacent, outdoor leasable space). End uses may include food, food service, café, retail, or service commercial.
Open Space (Landscaping)	12,200 square feet; includes tot lot and landscaping
Open Space (Private Balconies)	3,758 square feet
Impervious Surface	88,465 square feet
Bioretention Stormwater Basin	2,875 square feet provided (2,485 square feet required)
Parking	129 on-site perking spaces
Source: MLC Holdings, Inc., 2017.	

#### Landscaping and Stormwater Management

Two bioretention stormwater basins totaling 3,950 square feet would be provided along Mattox Road. A total of 12,200 square feet of open space (landscaping) would also be provided.

A total of 3,950 square feet of bioretention stormwater basins would be provided.

#### **Vehicular Access and Parking**

Vehicular access would be taken from a right-in, right out driveway on Mission Boulevard and a right-in, right out driveway on Mattox Road. An internal roadway network of 24-foot to 26-foot-wide drive aisles would connect the Mission Boulevard and Mattox Road driveways.

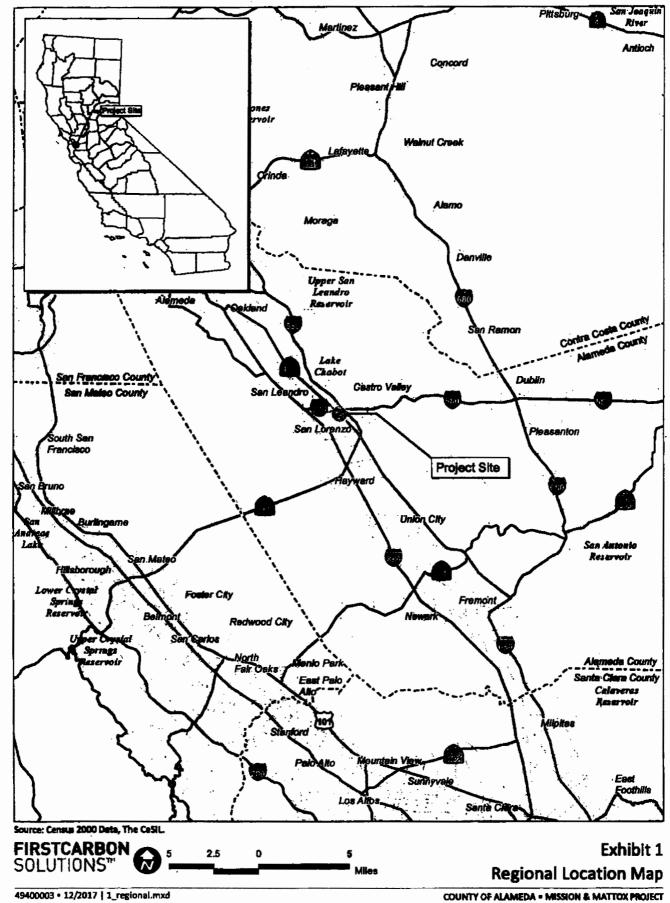
The project would provide 129 on-site parking spaces, with 111 spaces assigned to the residential uses and 18 spaces assigned to the commercial uses. Additionally, nine on-street parking spaces would be provided along the project's Mission Boulevard frontage.

# 2.4 - Discretionary Approvals

The proposed project requires the following discretionary approvals from the County of Alameda:

- Tentative Subdivision Map
- Site Development Review

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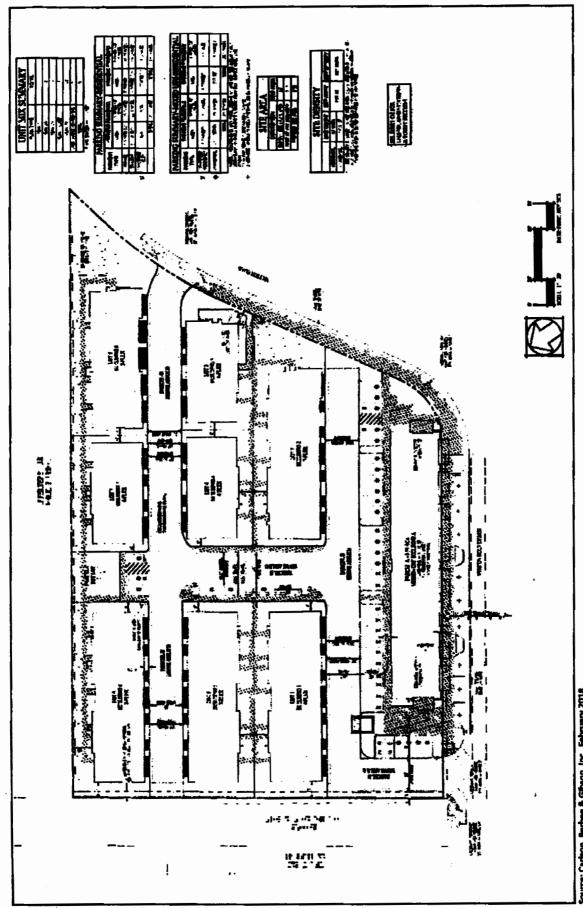
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Exhibit 2 **Local Vicinity Map Aerial Base**  THIS PAGE INTENTIONALLY LEFT BLANK



Source: Carlson, Barbee & Gibson, Inc., February 2018

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## SECTION 3: CEQA CHECKLIST

The purpose of the checklist is to evaluate the categories in terms of any changed condition (e.g., changed circumstances, project changes, or new information of substantial importance) that may result in a changed environmental result (e.g., a new significant impact or substantial increase in the severity of a previously identified significant effect) (CEQA Guidelines Section 15162).

The questions posed in the checklist come from Appendix G of the CEQA Guidelines. A "no" answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact since it was analyzed and addressed with mitigation measures in the Final EIR. These environmental categories might be answered with a "no" in the checklist, since the proposed project does not introduce changes that would result in a modification to the conclusion of the previously approved CEQA document.

This addendum addresses the conclusions of the 2015 Ashland and Cherryland Business District Specific Plan EIR.

## 3.1 - Explanation of Checklist Evaluation Categories

#### (1) Conclusion in Prior EIR and Related Documents

This column summarizes the conclusion of the EIR relative to the environmental issue listed under each topic.

## (2) Do the Proposed Changes Involve New or More Severe Impacts?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(1), this column indicates whether the changes represented by the revised project will result in new significant environmental impacts not previously identified or mitigated by the EIR, or whether the changes will result in a substantial increase in the severity of a previously identified significant impact.

#### (3) New Circumstances involving New or More Severe impacts?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(2), this column indicates whether there have been substantial changes with respect to the circumstances under which the project is undertaken that will require major revisions to the EIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

## (4) New Information Requiring New Analysis or Verification?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(3)(A-D), this column indicates whether new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was adopted as complete, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If the additional analysis completed as part of this environmental review were to find that the conclusions of the EIR remain the same and no new significant impacts are identified, or identified impacts are not found to be substantially more severe, or additional mitigation is not necessary, then the question would be answered "no" and no additional environmental document would be required.

## (5) Mitigation Measures Implemented or Address Impacts

Pursuant to CEQA Guidelines Section 15162, subd. (a)(3), this column indicates whether the EIR provides mitigation measures to address effects in the related impact category. These mitigation measures will be implemented with the construction of the project, as applicable.

# 3.2 - Discussion and Mitigation Sections

#### (1) Discussion

A discussion of the elements of the checklist is provided under each environmental category in order to clarify the answers. The discussion provides information about the particular environmental issue, how the project relates to the issue, and the status of any mitigation that may be required or that has already been implemented.

#### (2) Mitigation Measures

Applicable mitigation measures from the EIR that apply to the proposed project are listed under each environmental category.

#### (3) Conclusions

A discussion of the conclusion relating to the analysis is contained in each section.

1.	Environmental issue Area Aesthetics	Conclusion in EIR	Do the Proposed Changes involve New or More Severe impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
	Would the project:					
a)	Have a substantial adverse effect on a scenic vista?	No impact	No. The proposed project does not involve changes that would result in new or more severe impacts on a scenic vista.	No. There are no new circumstances that would result in new or more severe impacts on a scenic vista.	No. No new Information of substantial Importance indicates the need for additional analysis of scenic vistas.	None
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on State Scenic Highways.	No. There are no new circumstances that would result in new or more severe impacts on State Scenic Highways.	No. No new information of substantial importance indicates the need for additional analysis of State Scenic Highways.	None
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on visual character.	No. There are no new circumstances that would result in new or more severe impacts on visual character.	No. No new information of substantial importance indicates the need for additional analysis of visual character.	None
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on light and glare.	that would result in new or more severe impacts on light	need for	None

#### Discussion

- The EIR concluded that the Specific Plan area contains urban development and does contain a) any visual resources that would be considered a scenic vista. The EIR concluded that impacts would be less than significant.
  - The proposed project would involve the redevelopment of existing developed property to support residential and non-residential uses. The project site does not serve as a scenic vista, nor are there any scenic resources within the site boundaries. As such, the proposed project would not alter any conclusions set forth in the EIR.
- b) The EIR indicated that State Route 238 (SR-238) was a County-designated scenic freeway and that the intensity and visibility of urban development in the Plan Area would not affect scenic views from the freeway of the East Bay hills and San Francisco Bay. The EIR also noted that the Plan Area was outside the scenic corridor of I-580, a State-designated scenic highway. The EIR concluded that impacts would be less than significant.
  - The project site is not visible from either SR-238 or I-580, due to the presence of intervening visual obstructions including freeway soundwalls, aerial structures, vegetation, and topography. Furthermore, the project is located to the south of SR-238 or I-580 and thus would not have the potential to obstruct views of the East Bay hills or San Francisco Bay. As such, the proposed project would not after any conclusions set forth in the EIR.
- The EIR indicated that the proposed Specific Plan would guide the development of c) approximately 167 single-family dwelling units, 771 multi-family dwelling units, and 570,000 square feet of non-residential uses within the Plan Area. The EIR noted that the Specific Plan sets forth design standards to keep development proportionate and in-scale with the surrounding area and requires that projects over 1,000 square feet undergo Site Development Review to determine the visual compatibility of the proposed development. The EIR concluded that buildout of the Specific Plan would not degrade the visual character of the project site or its surroundings.

The proposed project would develop 57 dwelling units and 7,495 square feet of nonresidential uses on the project site. The dwelling units would consist of 45 three story townhomes and 12 apartment units. The 7,495 square feet of non-residential uses and the 12 apartment units would be located in a three-story building along the Mission Boulevard frontage. Commercial and residential uses are allowable uses within the District Mixed Use zone and, therefore, would be consistent with the visual character contemplated by the Eden Area General Plan and the Ashland Cherryland Business District Specific Plan. Furthermore, the facility would comply with all Specific Plan development standards that concern setbacks, building height, Floor Area Ratio, and landscaping. As such, the proposed project would not alter any conclusions set forth in the EIR.

d) The EIR indicated that the Plan Area was urbanized and contained existing sources of light and glare, including outdoor security lighting, lighted signs, and streetlights. New development also could produce glare from sunlight reflecting off reflective structures and motor vehicles, or by vehicle headlamps. The Specific Plan would guide the development of approximately

167 single-family dwelling units, 771 multi-family dwelling units, and 570,000 square feet of non-residential uses within the Pian Area. The EIR noted that future development proposals would undergo site-specific environmental review, which would consider light and glare impacts. The EIR concluded that buildout of the Specific Pian would not introduce substantial new sources of light and glare to the project site or its surroundings.

The proposed project would develop 57 dwelling units and 7,495 square feet of non-residential uses on the project site. Forty-five of the 57 dwelling units would consist of three-story townhomes. The remaining 12 dwelling units would consist of apartments. The 7,495 square feet of non-residential uses along with the 12 apartment units would be located in a three-story building along the Mission Boulevard frontage. Exterior lighting associated with the proposed project would be limited to the amount necessary to provide adequate safety and security during the nighttime hours and, possibly, illuminated signage for the non-residential uses depending on the end user. This level of light and glare would not represent a substantial increase relative to existing levels of illumination in the project vicinity. As such, the proposed project would not alter any conclusions set forth in the EIR.

## Mitigation Measures

None.

#### Conclusion

The conclusions from the EIR remain unchanged when considering the development of the proposed project.

	Environmental Issue Area	Conclusion in Elit	Do the Proposed Changes involve New or More Severe impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
2.	Agricultural Resourc	ces	·			
	Would the project:					
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	No impact	No. The proposed project does not involve changes that would result in new or more severe impacts on important Farmland.	No. There are no new circumstances that would result in new or more severe impacts on important Farmland.	No. No new information of substantial importance indicates the need for additional analysis of important Farmland.	None
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No impact	No. The proposed project does not involve changes that would result in new or more severe impacts on agricultural zoning or Williamson Act contracts.	No. There are no new circumstances that would result in new or more severe impacts on agricultural zoning or Williamson Act contracts	No. No new Information of substantial Importance Indicates the need for additional analysis of agricultural zoning or Williamson Act contracts.	Ņone
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No impact	No. The proposed project does not involve changes that would result in new or more severe impacts on conflicts with forest zoning.	No. There are no new circumstances that would result in new or more severe impacts on conflicts with forest zoning.	No. No new information of substantial importance indicates the need for additional analysis of conflicts with forest zoning.	None

	Environmental issue Ares	Conclusion in EIR	Do the Proposed Changes Involve Nam or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New information Requiring New Analysis or Verification?	EIR Mitigation Measures
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	No impact	No. The proposed project does not involve changes that would result in new or more severe impacts on loss of forest land.	No. There are no new circumstances that would result in new or more severe impacts on loss of forest land.	No: No new information of substantial importance indicates the need for additional analysis of loss of forest land.	None
<b>e</b> }	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?	No impact	No. The proposed project does not involve changes that would result in new or more severe impacts on surrounding agricultural uses.	No. There are no new circumstances that would result in new or more severe impacts on surrounding agricultural uses.	No. No new information of substantial importance indicates the need for additional analysis of surrounding agricultural uses.	None

#### Discussion

- a) The EIR indicated that the Plan Area was designated "Urban and Built-Up" land by the California Department of Conservation Farmland Mapping and Monitoring Program. This condition precludes the possibility of buildout of the Specific Plan converting Important Farmland to non-agricultural use. As such, the proposed project would not alter any conclusions set forth in the EIR.
- b) The EIR indicated that the Plan Area had a mix of urban zoning designations, none of which were agricultural in nature, a condition that precluded the possibility of conflicts with agricultural zoning. Additionally, the EIR indicated that the Plan Area did not contain any agricultural land, a condition that precluded the possibility of conflicts with a Williamson Act contract. As such, the proposed project would not alter any conclusions set forth in the EIR.
- c) The EIR indicated that the Plan Area had a mix of urban zoning designations, none of which were forest in nature, a condition that precluded the possibility of conflicts with forest zoning. As such, the proposed project would not alter any conclusions set forth in the EIR.
- d) The EIR indicated that the Plan Area was designated "Urban and Built-Up" land by the California Department of Conservation Farmland Mapping and Monitoring Program. This condition precludes the possibility of buildout of the Specific Plan converting forestland to non-forest use. As such, the proposed project would not alter any conclusions set forth in the EIR.

e) The EIR indicated that the Plan Area was surrounded by land mapped as "Urban and Built-Up" land by the California Department of Conservation Farmland Mapping and Monitoring Program. This condition precludes the possibility of buildout of the Specific Plan creating pressures to convert farmland to non-agricultural use or converting forestland to non-forest use. As such, the proposed project would not alter any conclusions set forth in the EIR.

# Mitigation Measures

None.

#### Conclusion

The conclusions from the EIR remain unchanged when considering the development of the proposed project.

	Endroumental Issue Area	Conclusion in EIR	Do the Proposed Changes involve New or More Severe impacts?	New Circumstences Involving New or More Severe Impects?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
3.	Air Quality Would the project:					
a)	Conflict with or obstruct implementation of the applicable air quality plan?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on an applicable air quality plan.	No. There are no new circumstances that would result in new or more severe impacts on an applicable air quality plan.	No. No new information of substantial importance indicates the need for additional analysis of an applicable air quality plan.	None
b)	Violate any air quality. standard or contribute substantially to an existing or projected air quality violation?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts associated with violation of an air quality standard.	No. There are no new circumstances that would result in new or more severe impacts associated with violation of an air quality standard.	No. No new information of substantial importance indicates the need for additional analysis of violations of air quality standards.	None
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	Less than significant impact	associated with	pollutant for which the project region is nonattainment under an applicable federal or state	No. No new information of substantial importance indicates the need for additional analysis of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.	None

	Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?		New Information Requiring New Analysis or Verdication?	EiR Mitigation Measures
d)	Expose sensitive receptors to substantial pollutant concentrations?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on sensitive receptors.	No. There are no new dreumstances that would result in new or more severe impacts on sensitive receptors.	No. No new information of substantial importance indicates the need for additional analysis of sensitive receptors.	None
e)	Create objectionable odors affecting a substantial number of people?	Less than significant Impact	No. The proposed project does not involve changes that would result in new or more severe impacts associated with objectionable odors.	No. There are no new circumstances that would result in new or more severe impacts associated with objectionable odors.	No. No new information of substantial importance indicates the need for additional analysis of objectionable odors.	None

#### Discussion

The Final EIR indicated that the development and land use activities contemplated by the a) Specific Plan would be consistent with the growth assumptions in the 2010 Bay Area Clean Air Plan. The Specific Plan would facilitate the development of 167 single-family dwelling units, 771 multi-family dwelling units, and 570,000 square feet of non-residential development, which would translate to 2,768 new residents and 1,900 new jobs. This projected growth is consistent with population and employment growth that is expected to occur within Ashland and Cherryland by 2040. Furthermore, the Specific Plan is consistent with the Transportation Control Measures set forth in the 2010 Bay Area Clean Air Plan, including improved bus service and provision of bicycle and pedestrian facilities. The Final EIR concluded that impacts would be less than significant.

The proposed project would develop 57 dwelling units and 7,495 square feet of nonresidential uses on a 2.6-acre site within the Specific Plan boundaries. This would be expected to result in 133 new residents and 20 new jobs. Thus, the growth attributable to the proposed project would be consistent with the projections contained within the 2010 Bay Area Clean Air Plan. Additionally, the project would include the installation of new sidewalks, curb, and gutter along the property frontages, and new landscaping along the frontage and throughout the project; and it would maintain the existing bicycle facilities on Mission Boulevard and Mattox Road. As such, the proposed project would not alter any conclusions set forth in the EIR.

b) The Final EIR indicated that development activities that occur pursuant to the Specific Plan would emit criteria air pollutants, including PM<sub>10</sub>. Compliance with Eden Area General Plan Mitigation Measure AIR-3, which requires watering of exposed ground areas twice a day during construction, covering haul trucks, suspending grading activities when winds exceed 25 miles per hour, and limiting area subject to excavation, grading or other construction activities at any one time. State and local regulations require dust abatement measures to be implemented during construction. Individual development projects would be required to adhere to these regulations. The Final EIR concluded that impacts would be less than significant.

The proposed project's development activities would emit criteria air pollutants, including PM<sub>10</sub>. As such, construction activities involving these pieces of equipment would be subject to the provisions of Eden Area General Plan Mitigation Measure AIR-3. Compliance would be required as a standard Condition of Approval. The proposed project would not alter any conclusions set forth by the Final EIR.

c) The Final EIR indicated that operational activities that occur pursuant to the Specific Plan would emit criteria air pollutants including ozone precursors. New development contemplated by the Specific Plan is expected to result in a substantial reduction in trip generation because it promotes high-density, infill development on transit corridors. The Final EIR concluded that impacts would be less than significant.

The proposed project's operational activities would generate 787 new daily vehicle trips that would emit criteria air pollutants including ozone precursors. The proposed project would promote trip reduction by redeveloping an underutilized property on a transit corridor such that a substantial net increase in air pollution would not result. The project would promote walkability by providing a mixed-use setting where local residents have easy and fast pedestrian access to the services and goods to be provided in the non-residential building. As such, the proposed project would not alter any conclusions set forth in the EIR.

d) The EIR indicated that development contemplated by the Specific Plan would not increase traffic congestion such that it would create localized carbon monoxide (CO) hotspots. As such, Specific Plan buildout activities would not have the potential to expose sensitive receptors to unhealthful levels of air pollution. The Final EIR concluded that impacts would be less than significant.

The proposed project's operational activities would generate 787 new daily vehicle trips. The proposed project would not cause any intersections to deteriorate from acceptable to unacceptable levels and thus would not have the potential to create localized CO hotspots. As such, the proposed project would not alter any conclusions set forth in the EIR.

e) The EIR indicated that the Specific Plan does not contemplate uses that would emit objectionable odors (agricultural uses, wastewater treatment plants, food processing plants,

chemical plants, compositing, refineries, landfills, etc.). The EIR concluded that impacts would be less than significant.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on the project site. Residential uses would not emit objectionable odors. The 7,495 square feet of non-residential uses may have end users such as service commercial, restaurants, and retail; none of these end uses require additional evaluation for objectionable odors. As such, the proposed project would not alter any conclusions set forth in the EIR.

## **Mitigation Measures**

None.

#### Condusion

The conclusions from the EIR remain unchanged when considering the development of the proposed project.

	Environmental issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or Mare Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
4.	Biological Resource: Would the project:	<b>5</b>				
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less than significant impact with mitigation	No. The proposed project does not involve changes that would result in new or more severe impacts on special-status species.	No. There are no new circumstances that would result in new or more severe impacts on special-status species.	No. No new information of substantial importance indicates the need for additional analysis of special-status species.	Mitigation Measures B-1a, B-1b, B-1c, B-1d, B-1e, B-1f, B-1g, B-1h, B-1l, and B-1j
ь)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	Less than significant impact with mitigation	No. The proposed project does not involve changes that would result in new or more severe impacts on riparian habitart.	No. There are no new circumstances that would result in new or more severe impacts on riparian habitat.	No. No new information of substantial importance indicates the need for additional analysis of riparian habitat.	Mitigation Measures B-1a, B-1b, B-1c, and B-1d
<b>c)</b>	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (Including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant Impact with mitigation	No. The proposed project does not involve changes that would result in new or more severe impacts on Section 404 wetlands.	No. There are no new circumstances that would result in new or more severe impacts on Section 404 wetlands.	No. No new information of substantial importance indicates the need for additional analysis of Section 404 wetlands.	Mitigation Measures B-1a, B-1b, B-1c, and B-1d

	Environmental lesus Area	Conclusion in EIR	Do the Proposed Changes involve New or More Severe impacts?	New Circumstences Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on fish or wildlife movement.	No. There are no new circumstances that would-result in new or more severe impacts on fish or wildlife movement	No. No new information of substantial importance indicates the need for additional analysis of fish or wildlife movement.	None
<b>e</b> }	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on local biological policies or ordinances.	No. There are no new circumstances that would result in new or more severe impacts on local biological policies or ordinances.	No. No new information of substantial importance indicates the need for additional analysis of local biological policies or ordinances.	None
.ŋ	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No impact	No. The proposed project does not involve changes that would result in new or more severe impacts on an adopted Habitat Conservation Plan or Natural Community Conservation Plan.	No. There are no new circumstances that would result in new or more severe impacts on an adopted Habitat Conservation Plan or Natural Community Conservation Plan.	No. No new information of substantial importance indicates the need for additional analysis of an adopted Habitat Conservation Plan or Natural Community Conservation Plan.	None

# Discussion

The analysis is this section is supported by a Biological Preliminary Screening prepared by FCS. The preliminary screening is provided in Appendix A.

a) The EIR indicated that 49 special-status plant and wildlife species have the potential to occur within the Specific Plan boundaries; however, the EIR noted that most of the species have very limited ranges and have specific habitat requirements that may not be present within the Specific Plan boundaries. The EIR noted that projects that occur over or within the vicinity of San Lorenzo Creek may coincide with suitable habitat for Santa Cruz tarplant, Congdon's tarplant, California red-legged frog, California least tern, and steelhead trout. The EIR set forth Mitigation Measure B-1a requiring a preliminary screening of potential biological resources, and Mitigation Measures B-1b through B-1j requiring mitigation for impacts to special-status species. The EIR concluded that the implementation of these mitigation measures would reduce impacts to a level of less than significant.

The project site is mostly hardscaped with small areas of ornamental vegetation (trees and shrubs). An FCS biologist conducted a preliminary screening in accordance with Mitigation Measure B-1a and found that the project site had the potential to support habitat for nesting birds and roosting bats; refer to Appendix A. Thus, Mitigation Measures B-1g and B-1h would apply, which require pre-construction surveys for special status species (including nesting birds and roosting bats). The other mitigation measures would not apply. As such, the proposed project would not alter any conclusions set forth in the EIR.

b) The EIR indicated that development that occurs pursuant to the Specific Plan near San Lorenzo Creek has the potential to impact riparian habitat. The EIR set forth Mitigation Measure Measures B-2a through B-2d requiring mitigation for impacts to riparian habitat. The EIR concluded that the implementation of these mitigation measures would reduce impacts to a level of less than significant.

The project site is located approximately 150 feet north of San Lorenzo Creek, with Mattox Road located in between. The reach of San Lorenzo Creek near the project site is concrete-lined and is fenced to prevent public access; no riparian habitat is present. Furthermore, the proposed project does not propose any work within the creek corridor. Thus, there is no potential for impacts to riparian habitat, and, therefore, Mitigation Measure Measures B-2a through B-2d would not apply. As such, the proposed project would not alter any conclusions set forth in the EIR.

c) The EIR indicated that development that occurs pursuant to the Specific Plan near San Lorenzo Creek has the potential to impact federally protected wetlands and jurisdictional features. The EIR set forth Mitigation Measure Measures B-2a through B-2d requiring mitigation for impacts to wetlands and jurisdictional features. The EIR concluded that the implementation of these mitigation measures would reduce impacts to a level of less than significant.

The project site is located approximately 150 feet north of San Lorenzo Creek, with Mattox Road located in between. The proposed project does not propose any work within the creek corridor. Thus, there is no potential for impacts to wetlands or jurisdictional features and, therefore, Mitigation Measure Measures B-2a through B-2d would not apply. As such, the proposed project would not alter any conclusions set forth in the EIR.

- d) The EIR indicated that San Lorenzo Creek provides local-scale opportunities for wildlife movement. Additionally, the EIR noted that a regional wildlife movement corridor exists in the foothills north of the Plan Area. The EIR concluded that impacts would be less than significant.
  - The project site is mostly hardscaped, enclosed with a chain link fence, and surrounded by urban development and infrastructure. Therefore, there are no existing opportunities for fish or wildlife movement. Furthermore, the project site is approximately 150 feet from San Lorenzo Creek and the proposed project would not involve any work in the waterway. Thus, the proposed project would not impair any local wildlife movement. As such, the proposed project would not after any conclusions set forth in the EIR.
- e) The EIR indicated that development that occurs pursuant to the Specific Plan would be required to comply with applicable county policies and ordinances. For example, projects that would alter trees planted in County rights-of-way are subject to compliance with Alameda County Code of Ordinances Chapter 12.11, which includes obtaining a permit. The EIR concluded that impacts would be less than significant.
  - All of the trees planted on-site are within the project site boundaries; there are no trees planted in County rights-of-way. Therefore, no conflicts with Chapter 12.11 would occur. As such, the proposed project would not alter any conclusions set forth in the EIR.
- f) The EIR indicated that the Specific Plan boundaries do not overlap with the boundaries of an adopted Habitat Conservation Plan or Natural Community Conservation Plan. This condition precludes the possibility with conservation plans. As such, the proposed project would not alter any conclusions set forth in the EIR.

#### Mitigation Measures

MM B-1a

Biological Resources Screening and Assessment. For projects associated with the proposed Specific Plan, the project applicant shall hire a County-approved biologist to perform a preliminary biological resource screening as part of the environmental review process to determine whether the project has any potential to impact biological resources. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, a County-approved biologist shall conduct a biological resources assessment (BRA) or similar type of study to document the existing biological resources within the project footprint plus a buffer and to determine the potential impacts to those resources. The BRA shall evaluate the potential for impacts to all biological resources including, but not fimited to special status species, nesting birds, wildlife movement, sensitive plant communities, critical habitats, and other resources judged to be sensitive by local, state, and/or federal agencies. Pending the results of the BRA, design alterations, further technical studies (e.g., protocol surveys) and/or consultations with the USFWS, NMFS, CDFW and/or other local, state, and federal agencies may be required. The following mitigation measures [B-1(b) through B-1(k)] shall be incorporated, only as applicable, into the BRA for projects where specific resources are present or may be present and impacted by the project. Note that specific

surveys described in the mitigation measures below may be completed as part of the BRA where suitable habitat is present.

#### MM B-1g

Non-Listed Special Status Species Avoidance and Minimization. Several State Species of Special Concern may be impacted by development facilitated by the Specific Plan. The ecological requirements and potential for impacts is highly variable among these species. Depending on the species identified in the BRA, several of the measures identified under B-1(f) shall be applicable to the project. In addition, the County shall select measures from among the following to be implemented by the project applicant to reduce the potential for impacts to non-listed special status animal species:

- For non-listed special status terrestrial amphibians and reptiles, coverboard surveys shall be completed within three months of the start of construction. The coverboards shall be at least four feet by four feet and constructed of untreated plywood placed flat on the ground. The coverboards shall be checked by a County-approved biologist once per week for each week after placement up until the start of vegetation removal. All non-listed special status and common animals found under the coverboards shall be captured and placed in five-gallon buckets for transportation to relocation sites. All relocation sites shall be reviewed by the project applicant and shall consist of suitable habitat. Relocation sites shall be as close to the capture site as possible but far enough away to ensure the animal(s) is not harmed by construction of the project. Relocation shall occur on the same day as capture. CNDDB Field Survey Forms shall be submitted to the CFDW for all special status animal species observed.
- Pre-construction clearance surveys shall be conducted within 14 days of the start
  of construction (including staging and mobilization). The surveys shall cover the
  entire disturbance footprint plus a minimum 200-foot buffer, if feasible, and shall
  identify all special status animal species that may occur on-site. All non-listed
  special status species shall be relocated from the site either through direct
  capture or through passive exclusion (e.g., burrowing owl). A report of the preconstruction survey shall be submitted to the County for their review and
  approval prior to the start of construction.
- A County-approved biologist shall be present during all initial ground disturbing activities, including vegetation removal to recover special status animal species unearthed by construction activities.
- Upon completion of the project, a County approved biologist shall prepare a Final Compliance Report documenting all compliance activities implemented for the project, including the pre-construction survey results. The report shall be submitted within 30 days of completion of the project.
- If special status bat species may be present and impacted by the project, a
   County-approved biologist shall conduct within 30 days of the start of
   construction presence/absence surveys for special status bats in consultation with
   the CDFW where suitable roosting habitat is present. Surveys shall be conducted

using acoustic detectors and by searching tree cavities, crevices, and other areas where bats may roost. If active roosts are located, exclusion devices such as netting shall be installed to discourage bats from occupying the site. If a roost is determined by a County-approved biologist to be used by a large number of bats (large hibernaculum), bat boxes shall be installed near the project site. The number of bat boxes installed will depend on the size of the hibernaculum and shall be determined through consultations with the CDFW. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a County-approved biologist that the young have dispersed. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately.

MM B-1h

Pre-construction Surveys for Nesting Birds for Construction Occurring within Nesting Season. For projects that may result in tree felling or removal of trees or vegetation that may contain a nesting bird, if feasible, construction activities should occur generally between September 16 to January 31 (thus outside of the nesting season). However, if construction activities must during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a Countyapproved biologist no more than 14 days prior to vegetation removal. The surveys shall include the entire segment disturbance area plus a 200-foot buffer around the site. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the County-approved biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Large buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A County-approved biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. A report of these preconstruction nesting bird surveys shall be submitted by the project applicant to the County to document compliance.

#### Conclusion

The conclusions from the EIR remain unchanged when considering the development of the proposed project.

	Environmental Issue Ares	Conclusion in	Do the Proposed Changes Involve New or More Severs Impacts?	New Circumstances Involving New or More Severe Impects?	New information Requiring New Analysis or Verification?	EIR Mitigation Measures
5.	Cultural Resources Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on historic resources.	No. There are no new circumstances that would result in new or more severe impacts on historic resources.	No. No new information of substantial importance indicates the need for additional analysis of historic resources.	None
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on archaeological resources.	No. There are no new circumstances that would result in new or more severe impacts on archaeological resources.	No. No new information of substantial importance indicates the need for additional analysis of archaeological resources.	None
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than significant impact with mitigation	No. The proposed project does not involve changes that would result in new or more severe impacts on paleontological resources.	No. There are no new circumstances that would result in new or more severe impacts on paleontological resources.	No. No new information of substantial importance indicates the need for additional analysis of paleontological resources.	Mitigation Measure CR-3
d)	Disturb any human remains, including those interred outside of formal carneteries?	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on burial sites.	No. There are no new circumstances that would result in new or more severe impacts on burial sites.	No. No new information of substantial importance indicates the need for additional analysis of burial sites.	None

#### Discussion

a) The EIR indicated that there were two resources within the Specific Plan boundaries that are listed on historic registers: the Meek Estate and San Lorenzo Cernetery. The EIR indicated there are several potential historic resources within the Specific Plan boundaries: the Juan Bautista DeAnza Trail, San Lorenzo Four Corners, San Lorenzo Community Church, San Lorenzo Village, 2033 Miramonte (residential structure), Eden Congregational Church, Christian Union Society Church, and Portuguese IDES Hall. The Specific Plan noted that the Eden Area General Plan requires that potentially historic structures be assessed for historic significance. The EIR indicated that impacts would be less than significant.

The only potential historic resource near the project site is the Juan Bautista DeAnza Trail, a recognized National Recreational Trail, which EIR Figure 4.4-1 Indicates followed the present-day alignments of Mattox Road and Mission Boulevard. The DeAnza Expedition traveled through the Cherryland area in 1776 at a time when the area was undeveloped. The cultural landscape of the area has changed substantially since 1776; it is implicitly recognized that the trail designation does not confer any restrictions on development and land use activities along the route. Thus, the development of the proposed project would not impact this potentially historic resource.

Furthermore, the existing structure on the project site does not have any historic significance. The building is a one-story, flat-roofed, concrete block, 1960s-era structure that appears to have been substantially modified over time. It is not associated with a historic person or event, and does not display any unique architectural attributes. Thus, the building would not be considered to have historic significance. As such, the proposed project would not alter any conclusions set forth in the EIR.

b) The EIR indicated that the Plan Area may contain prehistoric and historic archaeological resources and ground-disturbing activities associated with buildout would have the potential to uncover previously undiscovered resources. Compliance with adopted County policies and existing regulations would reduce impacts to a level of less than significant.

The proposed project would involve ground-distributing activities within the project site and, therefore, would have the potential to uncover previously undiscovered resources. Compliance with adopted County policies and existing regulations would reduce impacts to a level of less than significant. As such, the proposed project would not alter any conclusions set forth in the EIR.

c) The EIR indicated that the Plan Area contains known paleontological resources and ground-disturbing activities associated with buildout would have the potential to uncover previously undiscovered resources. The EIR set forth Mitigation Measure CR-3, which requires paleontological monitoring for excavations that occur along Mission Boulevard between 163rd Avenue and Paradise Boulevard. The implementation of this mitigation measure would reduce impacts to a level of less than significant.

The project site is outside the area identified by Mitigation Measure CR-3 for paleontological monitoring and thus is located in an area of low paleontological sensitivity. Moreover, deep

- excavations are not contemplated by the project, as all construction would be slab-on-grade and no subsurface levels are proposed. Therefore, Mitigation Measure CR-3 would not apply. As such, the proposed project would not alter any conclusions set forth in the EIR.
- d) The EIR Indicated that the Plan Area may contain burial sites and that ground-disturbing activities associated with buildout would have the potential to uncover previously undiscovered human remains. Compliance with adopted County policies and existing regulations would reduce impacts to a level of less than significant.

The proposed project would involve ground-disturbing activities within the project site and therefore would have the potential to uncover previously undiscovered human remains. Compliance with adopted County policies and existing regulations would reduce impacts to a level of less than significant. As such, the proposed project would not after any conclusions set forth in the EIR.

## **Mitigation Measures**

None.

### Conclusion

	Environmental Issue Area	Conclusion in	Do the Proposed Chainges Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New information Requiring New Analysis or Verification?	EIR Mitigation Measures
6.	Geology and Soils					
	Would the project:					
a)	Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:					
1)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe fault rupture impacts.	No. There are no new circumstances that would result in new or more severa fault rupture impacts.	No. No new information of substantial importance indicates the need for additional analysis of fault rupture.	None
IT)	Strong seismic ground shaking?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on strong seismic ground shaking.	No. There are no new circumstances that would result in new or more severe impacts on strong seismic ground shaking.	No. No new information of substantial importance indicates the need for additional analysis of strong seismic ground shaking.	None
III)	Seismic-related ground failure, including liquefaction?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on seismic-related ground failure, including liquefaction.	No. There are no new circumstances that would result in new or more severe impacts on seismic-related ground failure, including liquefaction.	No. No new information of substantial importance indicates the need for additional analysis of selsmic-related ground failure, including liquefaction.	None

			Do the Proposed	New Chromotopeos	New Information	
	Environmental (ssue Area	Conclusion in EIR	Changes Involve New or More Severe Impacts?	Involving How or More Sovere Impacts?	Requiring New Analysis or Verification?	EIR Mitigation Measures
iv)	Landslides?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on landslides.	No. There are no new circumstances that would result in new or more severe impacts on landslides.	No. No new information of substantial importance indicates the need for additional analysis of landslides.	None
b)	Result in substantial soil erosion or the loss of topsoil?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on soil erosion.	No. There are no new circumstances that would result in new or more severe impacts on soil erosion.	No. No new information of substantial importance indicates the need for additional analysis of soil erosion.	None
c)	Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on unstable geologic units or soils.	No. There are no new circumstances that would result in new or more severe impacts on unstable geologic units or soils.	No. No new information of substantial importance indicates the need for additional analysis of unstable geologic units or soils.	None
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on expansive soils.	No. There are no new circumstances that would result in new or more severe impacts on expansive soils.	No. No new information of substantial importance indicates the need for additional analysis of expansive soils.	None

	Environmental Issue	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or Infore Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
<b>e</b> )	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.	No impact	No. The proposed project does not involve changes that would result in new or more severe impacts on septic systems.	No. There are no new circumstances that would result in new or more severe impacts on septic systems.	No. No new information of substantial importance indicates the need for additional analysis of septic systems.	None

a) The Final EIR indicated that a portion of the Plan Area is located within an Alquist-Priolo Earthquake Fault Zone associated with the Hayward Fault. Additionally, the Final EIR indicated that the Plan Area may be susceptible to strong ground shaking during a seismic event. The Final EIR indicated that the Plan Area spans an area of "low" to "moderate" liquefaction potential, as defined by the United States Geological Survey. The Final EIR indicated that most of the Plan Area is generally flat and not subject to landslide hazards. The Final EIR indicated that implementation of State-mandated building standards and compliance with the Earthquake Fault Zoning Act and the Eden Area General Plan policies would reduce the impacts to a level of less than significant.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on a 2.6-acre site that has supported development for more than 50 years. The northeastern corner of the project site is within a habitable structure exclusion zone of the Hayward Fault, and, therefore, no structures are proposed within this area. Additionally, the project site has been previously graded and soil engineered for urban development and does not contain any slopes susceptible to landsliding during an earthquake. Lastly, the proposed project would be required to comply with State-mandated building standards. For these reasons, the proposed project would not alter any conclusions set forth in the Final EIR.

b) The Final EIR Indicated that the majority of the Plan Area has a low potential for erosion-related hazards because it supports urban development, and concluded that no impacts would occur.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on a site that has supported development for more than 50 years. As such, the site has been previously graded and soil engineered for urban development.

Therefore, substantial erosion or loss of topsoil is not foreseeable. For these reasons, the proposed project would not alter any conclusions set forth in the Final EIR.

c) The Final EIR indicated that localized areas of instability exist along San Lorenzo Creek, which are designated a "Landslide Hazard Zone." Unstable soils may include materials not capable of supporting a selected land use. However, full buildout of the Plan Area would increase structural development and infrastructure, which would increase the possibility of being exposed to hazards that stem from unstable soils. The Final EIR indicated that implementation of State-mandated building standards would reduce the impacts to a level of less than significant.

The project site is more than 150 feet from the nearest reach of San Lorenzo Creek, which is contained in a concrete-lined channel. Moreover, the project site has been previously graded and soll engineered for urban development, and has supported development for more than 50 years. Therefore, based on the characteristics of the creek and the project site, the proposed project would not be developed on a site underlain by unstable geologic units or soils. The proposed project would not alter any conclusions set forth in the Final EIR.

d) The Final EIR indicated that all Plan Area soils are characterized with moderate to high potential for shrink swell. The volume changes associated with these soils may result cracks in structures built on expansive soils. The Final EIR indicated that future developments in the Plan Area would be required to conduct a site-specific evaluation of soil conditions, as required by the Building Code, and follow proper soil engineering practices. These practices include soil replacement, grouting, compaction/re-compaction, and drainage control. The Final EIR indicated that compliance with these requirements would reduce impacts to a level of less than significant.

The project site has been previously graded and soil engineered for urban development, and has supported development for more than 50 years. To the extent the underlying native soils possessed expansive attributes, those were previously abated. New development that occurs on-site would be required to comply with Building Code requirements for foundations. For these reasons, the proposed project would not alter any conclusions set forth in the Final EIR.

e) The Final EIR indicated that the Plan Area is currently served by sanitary sewer service provided by the Oro Loma Sanitary District; no new septic or alternative wastewater disposal systems would be used. The Final EIR concluded that no impacts would occur.

The project site is currently served with sewer service. The proposed project would continue to be served with sewer service. No septic or alternative wastewater disposal systems would be used. For these reasons, the proposed project would not alter any conclusions set forth in the Final EIR.

#### **Mitigation Measures**

None.

# Conclusion

	Environmental Issues Area	Conclusion in Final EIR	Do the Proposed Changes involve New or More Severe impacts?	New Circumstances Involving New or More Severe impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
7.	Greenhouse Gas Em	issions				
	Would the project:					
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than significant impact	The proposed project does not involve changes that would result in new or more severe impacts associated with greenhouse gas emissions.	There are no new circumstances that would result in new or more severe impacts associated with greenhouse gas emissions.	No new information of substantial importance indicates the need for additional analysis of greenhouse gas emissions.	None
b)	Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	Less than significant impact	The proposed project does not involve changes that would result in new or more severe impacts associated with conflicts with greenhouse gas reduction plans.	There are no new circumstances that would result in new or more severe impacts associated with conflicts with greenhouse gas reduction plans.	No new information of substantial importance indicates the need for additional analysis of conflicts with greenhouse gas reduction plans.	None

a-b) The Final EIR indicated that buildout of the Specific Plan would emit combined annual construction and operational emissions of 25,581 metric tons of carbon dioxide equivalents (MTCO<sub>2</sub>e). This yields a per capita service population ratio of 5.5 CO<sub>2</sub>e/service population/year, which is below the BAAQMD's threshold of 6.6 CO<sub>2</sub>e/service population/year. The Specific Plan furthers the greenhouse gas reduction objectives of the Alameda County Community Climate Action Plan by promoting building energy efficiency, alternatives to single-occupant driving, and sequestering CO<sub>2</sub> via planting of trees. The Final EIR concluded that impacts would be less than significant.

The proposed project would develop 57 dwelling units and 7,495 square feet of non-residential uses on a 2.6-acre site on the Mission Boulevard corridor. The proposed project's population and employment growth are within the projections of the Specific Plan, and, thus, the project's greenhouse gas emissions would be consistent with the ratio of 5.5 CO<sub>2</sub>e/service population/year. Furthermore, the proposed project furthers the greenhouse gas reduction objectives of the Alameda County Community Climate Action Plan by developing high-density

infill residential and non-residential uses on a transit corridor. For these reasons, the proposed project would not alter any conclusions set forth in the Final EIR.

# **Mitigation Measures**

None.

# Conclusion

	Environmental issue Area	Conclusion in EIR	Do the Proposed Changes involve New or More Severe impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
8.	Hazards and Hazard	ous Materials				
	Would the project:					
<b>a)</b>	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less then significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on routine transport, use, or disposal of hazardous materials.	No. There are no new circumstances that would result in new or more severe impacts on routine transport, use, or disposal of hazardous materials.	No. No new information of substantial importance indicates the need for additional analysis of routine transport, use, or disposal of hazardous materials.	None
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on reasonably foreseeable upset and accident conditions involving the release of hazardous materials.	No. There are no new circumstances that would result in new or more severe impacts on reasonably foreseable upset and accident conditions involving the release of hazardous materials.	No. No new information of substantial importance indicates the need for additional analysis of reasonably foreseeable upset and accident conditions involving the release of hazardous materials.	None
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on hazardous materials near schools.	No. There are no new circumstances that would result in new or more severe impacts on hazardous materials near schools.	No. No new information of substantial importance indicates the need for additional analysis of hazardous materials near schools.	None

	Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes involve New or More Severe impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
d) <sup>;</sup>	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on hazardous materials sites listed pursuant to Government Code Section 65962.5.	No. There are no new circumstances that would result in new or more severe impacts on hazardous materials sites listed pursuant to Government Code Section 65962.5.	No. No new information of substantial importance indicates the need for additional analysis of hazardous materials sites listed pursuant to Government Code Section 65962.5.	None
e)	Be located within two miles of a public airport or private use airport and result in a safety hazard for people residing or working in the project area?	significant Impact	No. The proposed project does not involve changes that would result in new or more severe impacts on airports.	No. There are no new circumstances that would result in new or more severe impacts on airports.	No. No new information of substantial importance indicates the need for additional analysis of airports.	None
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on private airstrips.	No. There are no new circumstances that would result in new or more severe impacts on private airstrips.	No. No new information of substantial importance indicates the need for additional analysis of private airstrips.	None
<b>(8)</b>	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on emergency response or evacuation.	No. There are no new circumstances that would result in new or more severe impacts on emergency response or evacuation.	No. No new information of substantial importance indicates the need for additional analysis of emergency response or evacuation.	None

	Empironmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	Circumstances Involving New or More Severe Impects?	Information Requiring New Analysis or Verification?	EIR Mitigation Measures
h)	Be located in an area designated as having a high, extreme, or severe fire hazard, or otherwise expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on wildland fires.	No. There are no new circumstances that would result in new or more severe impacts on wildland fires.	No. No new information of substantial importance indicates the need for additional analysis of wildland fires.	None

a-b) The Final EIR indicated that the Specific Plan would facilitate the construction of residential or non-residential uses that could involve the use, storage, or transportation of hazardous materials. There are no areas within the Plan Area for industrial uses and residential and most non-residential uses do not generally involve significant quantities of hazardous materials. Construction may include the temporary transport, storage and use of hazardous materials; however, those materials would be subject to federal, state, and local regulations, which would minimize the risks. Compliance with these requirements would keep the public and the environment from being exposed to hazardous materials. The Final EIR concluded that the impacts would be less than significant.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses along the Mission Boulevard frontage that may include food, food service, café, retail, or service commercial. Most residential and non-residential uses do not involve the use of significant quantities of hazardous materials. The hazardous materials used during construction are subject to federal, state, and local regulations. For these reasons, the proposed project would not alter any conclusions set forth in the Final EIR.

c) The Final EIR indicated that San Lorenzo High School and St. John Elementary School are located within the Plan Area. The proposed Specific Plan does not contemplate any end uses that would involve activities that would produce or emit hazardous materials near any school. The Final EIR concluded that the impacts would be less than significant. There are no existing or proposed schools located within 0.25 mile of the project site. The proposed project would not alter any hazards or hazardous material conclusions set forth by the Final EIR.

d) The Final EIR indicated that there are many properties within the Plan Area where past uses could have produced localized contamination or concentrations of hazardous substances. Developers must conduct the necessary level of environmental investigation to ensure hazardous material releases from prior land uses would not have a negative impact on the natural environment or health and safety of the public. The Final EIR indicated that compliance with these regulations would reduce the impact to less than significant.

The project site was previously occupied by Peterson Metal Fabrication. An 8,000-gallon UST was removed from the site in June 1990. Post-removal soll and groundwater testing revealed that the UST's dispenser had been leaking gasoline. Approximately 5 cubic yards of impacted soil were removed and disposed of at the Vasco Road Landfill near Livermore. The Alameda County Health Care Services Agency Issued a "Case Closed" letter on July 14, 1995, signifying that the site had been remediated to its satisfaction. For these reasons, the proposed project would not alter any conclusions set forth in the Final EIR.

e) The Final EIR indicated that there are no airports within 2 miles of the Plan Area. This condition precludes the possibility of related impacts. The Final EIR concluded that no impact would occur.

The closest airport to the project site is Hayward Executive Airport, which is approximately 2.18 miles away. As such, the proposed project would not alter any conclusions set forth in the Final EIR.

f) The Final EIR indicated that there are no private airstrips located in the vicinity of the Plan Area. This condition precludes the possibility of related impacts. The Final EIR concluded that no impact would occur.

There are no private airstrips located in the vicinity of the project site. As such, the proposed project would not alter the conclusions set forth by the Final EIR.

g) The Final EIR indicated that buildout of the Specific Plan would not create any conflicts with an adopted emergency response plan or evacuation plan. The Final EIR concluded that no impact would occur.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses. It would provide two points of access. As such, the proposed project would not alter the conclusions set forth by the Final EIR.

h) The Final EIR indicated that the Plan Area is urban in nature and is not within a wildland fire zone. Thus, it would not be susceptible to wildland fires. The Final EIR concluded that no impact would occur.

The project site is surrounded by urban development on all sides. As such, the proposed project would not alter the conclusions set forth by the Final EIR.

# Mitigation Measures

None.

## Conclusion

	Environmental issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
9.	Hydrology and Wat	ter Quality				
	Would the project:					
a)	Violate any water quality standards or waste discharge requirements?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on water quality standards or waste discharge requirements.	No. There are no new circumstances that would result in new or more severe impacts on water quality standards or waste discharge requirements.	No. No new information of substantial importance indicates the need for additional analysis of water quality standards or waste discharge requirements.	None
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.	that would result in new or more severe impacts on groundwater recharge such that there	No. No new information of substantial importance indicates the need for additional analysis of groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.	None

c)	Environmental Issue Area  Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	•	Do the Proposed Changes involve New or More Severe impacts? No. The proposed project does not involve changes that would result in new or more severe impacts on the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.	circumstances that would result in new or more severe impacts on the existing drainage pattern of the site or area, including	drainage pattern of the site or area, including	EIR Mitigation Measures None
ď)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	•	No. The proposed project does not involve changes that would result in new or more severe impacts on flooding.	No. There are no new circumstances that would result in new or more severe impacts on flooding.	off-site.  No. No new information of substantial importance indicates the need for additional analysis of flooding.	None
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on runoff.	No. There are no new circumstances that would result in new or more severe impacts on runoff.	No. No new information of substantial importance indicates the need for additional analysis of runoff.	None

	Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes involve New or More Severe impacts?	New Circumstances involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Miligation Measures
f)	Otherwise substantially degrade water quality	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on water quality.	No. There are no new circumstances that would result in new or more severe impacts on water quality.	No. No new information of substantial importance indicates the need for additional analysis of water quality.	None
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood insurance Rate Map or other flood hazard delineation map?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on housing in 100-year flood hazard areas.	No. There are no new circumstances that would result in new or more severe impacts on housing in 100-year flood hazard areas.	No. No new information of substantial importance indicates the need for additional analysis of housing in 100-year flood hazard areas.	None
h)	Place within a 100- year flood hazard structures which would impede or redirect flood flows?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on 100-year flood hazard areas.	No. There are no new circumstances that would result in new or more severe impacts on 100-year flood hazard areas.	No. No new information of substantial importance indicates the need for additional analysis of 100-year flood hazard areas.	None
1)	Expose people or structures to significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on dams and levee failures.	No. There are no new circumstances that would result in new or more severe impacts on dams and levee fallures.	No. No new information of substantial importance indicates the need for additional analysis of dams and levee failures.	None

	Environmental irsue Area	Conclusion in Elik	Do the Proposed Changes Involve New or More Severe Impects?	New Circumstances involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
D	Inundation of by seiche, tsunami, or mudflow?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on seiches, tsunamis, or mudflows.	No. There are no new circumstances that would result in new or more severe impacts on seiches, tsunamis, or mudflows.	No. No new information of substantial importance indicates the need for additional analysis of seiches, tsunamis, or mudflows.	None

- a) The Final EIR indicated that the construction and operational activities associated with developments under the Specific Plan had the potential to result in pollution entering downstream waters. However, the Final EIR indicated the implementation of Best Management Practices within the Specific Plan would reduce the impacts to a level of less than significant.
  - The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on a site that has supported development for more than 50 years. As such, the site would not result in any activities that could create new or more severe hydrology or water impacts. The project would implement Best Management Practices as described in the Specific Plan. For these reasons, the proposed project would not alter any conclusions set forth in the Final EIR.
- b) The Final EIR indicates that the Plan Area is underlain by an upper and lower zone of water bearing sand and gravel. There are two major aquifers in the upper zone and one in at the lower zone. Conjunctive use programs and water quality programs are in place to optimize the use of groundwater while monitoring and protecting groundwater quality. Thus, the level of impact would be less than significant.
  - The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on a site that has supported development for more than 50 years. As such, the project would not require an increased depletion of groundwater supplies or interfere substantially with ground water recharge. There would not be a substantial deficit in aquifer volume. The proposed project would not alter any conclusions set forth in the Final EIR.
- c) The Final EIR indicates that the primary drainage within the Plan Area is San Lorenzo Creek, which meanders from east-to-west through the Plan Area before discharging into San Francisco Bay. Developments within the Plan Area will be consistent with the Best

Management Practices required by the Municipal Regional Permit to ensure reduced erosion. The level of impact would be less than significant.

The project site is within 150 feet of San Lorenzo Creek. Development activities would involve activities that have the potential to result in polluted runoff entering the waterway. The project would be required to implement the Best Management Practices required by the Municipal Regional Permit, including structure and non-structural controls with ongoing inspections and monitoring. For these reasons, the proposed project would not alter any conclusions set forth in the Final EIR.

d) The Final EIR indicated that the Plan Area served with an existing municipal stormwater drainage system that is owned and maintained by the County of Alameda, Caltrans, and the City of San Leandro. Most of the stormwater eventually enters San Lorenzo Creek. The Final EIR concluded that the impacts would be less than significant.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on a site that has supported development for more than 50 years. The project would increase the amount of pervious surface coverage (landscaping, stormwater treatment controls, etc.) on the project site relative to existing conditions and thus would result in a net decrease in surface runoff. Thus, the project would not alter any conclusions set forth in the Final EIR.

e) The Final EIR indicated that the Plan Area is served with an existing municipal stormwater drainage system. The Specific Plan will implement alterations to the existing stormwater drainage systems so hazardous materials would not be directly discharged and wastewater would be appropriately treated. Developments must be in compliance with existing programs and permits. The construction must be consistent with federal, state, and local policies and regulations and must include standard Best Management Practices. The Final EIR concluded that the impacts would be less than significant.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on a site that has supported development for more than 50 years. The construction and operation of the project would be required to be consistent with federal, state, and local policies and regulations. The project must be consistent with standard Best Management Practices. The project would increase the amount of pervious surface coverage (landscaping, stormwater treatment controls, etc.) on the project site relative to existing conditions and thus would result in a net decrease in surface runoff. Thus, the project would not alter any conclusions set forth in the Final EIR.

f) The Final EIR indicated that construction and operational activities within the Plan Area could result in the release of hazardous materials and potentially contaminated wastewater, both of which could substantially degrade water quality. However, compliance with permits and regulations and implementation of Best Management Practices would ensure that the impacts on water quality would be less than significant.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on a site that has supported development for more than 50 years.

The construction and operation of the project would be required to be consistent with

federal, state, and local policies and regulations. The project must be consistent with standard Best Management Practices. Thus, the project would not alter any conclusions set forth in the Final EIR.

g) The Final EIR indicated that there are a few locations within the Plan Area that are designated as 100-year flood areas by the 2009 FEMA Flood Insurance Study. These areas are located adjacent to San Lorenzo Creek near the project site and southwest of East 14<sup>th</sup> Street between 159<sup>th</sup> and Ashland Avenue. The County requires new residential units within the Flood Hazard Area to be designed in accordance with the flood-resistant standards of Alameda County Building Code, Title 15. For these reasons, the impact would be less than significant.

The project site is not within a flood hazard area on the Flood Insurance Rate Map. As such, the proposed project would not alter the conclusions set forth by the Final EIR.

h) The Final EIR indicated that there are a few locations within the Plan Area that are designated as 100-year flood areas by the 2009 FEMA Flood Insurance Study. Developments are required to be consistent with the Alameda County Building Code, Title 15, specifies permit standards for construction in floodplains and Flood Hazard Areas. Furthermore, developments are required to be consistent with policies set forth by the Alameda County General Plan. The Final EIR concluded that the impacts be less than significant.

The project site is not within a flood hazard area on the Flood Insurance Rate Map. As such, the proposed project would not alter the conclusions set forth by the Final EIR

i) The Final EIR indicated that there are no dams within the Plan Area. South Reservoir Dam, Almond Reservoir Dam, San Lorenzo Creek Dam, and Cull Creek Dam may pose inundation threat to the Plan Area. The Plan Area is already urbanized. The Impact caused by the Specific Plan would be less than significant.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on a site that has supported development for more than 50 years. The project site is approximately 0.76 mile from the closest dam, which is the South Reservoir Dam on Grove Way. The proposed project would not alter the conclusions set forth by the Final EIR.

j) The Final EIR Indicated that the communities of Ashland and Cherryland would not be affected by a tsunami or a seiche. Although the San Francisco Bay is at risk of a tsunami, the Plan Area is far enough inland that it would not be at risk. There are no steep slopes or volcanic features that could produce mudflow within the Plan Area. As such, no impact would occur.

The proposed project would not change the nature of the Plan Area or its surroundings. The proposed project would not alter the conclusions set forth by the Final EIR.

### **Mitigation Measures**

None.

# Conclusion

	Environmental Itsue Ares	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
10.						
	Would the project:					
a)	Physically divide an established community?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on division of an established community.	No. There are no new circumstances that would result in new or more severe impacts on division of an established community.	No. No new Information of substantial Importance Indicates the need for additional analysis of division of an established community.	None
<b>b</b> )	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on conflicts with any applicable land use plan, policy or regulation.	No. There are no new circumstances that would result in new or more severe impacts on conflicts with any applicable land use plan, policy or regulation.	No. No new information of substantial importance indicates the need for additional analysis of conflicts with any applicable land use plan, policy or regulation.	None
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on habitat conservation plans or natural community conservation plans.	No. There are no new circumstances that would result in new or more severe impacts on habitat conservation plans or natural community conservation plans.	No. No new information of substantial importance indicates the need for additional analysis of habitat conservation plans or natural community conservation plans.	None

a) The Final EIR indicated that the Specific Plan would not physically divide an established community because it would promote high-density, infill development on existing transit corridors within the Ashland and Cherryland areas. Such development would occur mostly on existing developed properties. Therefore, no impact would occur.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on a site that has supported development for more than 50 years. The proposed project is consistent with the Eden Area General Plan and the Ashland Cherryland Business District Specific Plan land use designations for this site. There is no potential for the proposed project to divide an established community. The proposed project would not alter the conclusions set forth by the Final EIR.

b) The Final EiR indicated that the Specific Plan is consistent with the goals, policies, and objectives of the Alameda County General Plan, the Eden Area General Plan, and the Hayward Executive Airport Land Use Compatibility Plan. The Specific Plan established a new, form-based zoning code in the Plan area that allows a wide range of commercial, civic, and residential development. The Specific Plan would facilitate an increase in density and intensity but would be consistent with requirements in the Eden Area General Plan's land use designation. The determination of whether the Specific Plan is consistent with design and development guidance with the Alameda County General Plan and the Eden Area General Plan lies with the Planning Commission and Board of Supervisors.

The Plan Area is within the Airport influence Area of the Hayward Executive Airport. The Plan Area is located outside of Safety Compatibility Zones Associated with the Hayward Executive Airport; therefore, development under the Specific Plan would not be subject to safety standards in the ALUCP. The Specific Plan, with the implementation of mitigation measures included in Section 4.3, Biological Resources, would reduce the associated environmental impact to less than significant. Furthermore, the Specific Plan would allow for new development that may be incompatible with surrounding residential land uses and the existing pattern of development in the Plan Area. However, the design review process would ensure that compatibility issues are addressed on a project-specific basis, thereby reducing the impacts to less than significant.

The proposed project would develop 57 dwelling units and 7,495 square feet of non-residential uses on a 2.6-acre site designated "District Mixed-Use (DMU)" by the Ashland Cherryland Business District Specific Plan. The proposed project site has two land use designations: a primary land use, which is required, and a secondary land use, which is optional. The primary land use is non-residential and must be at least 25 percent of the lot area per the Specific Plan. The residential zoning for this site (as designated by the General Plan) is High Density Residential (43–86 dwelling units per acre). The recently approved amendment to the Ashland Cherryland Business District Specific Plan allows Planning Commission approval for projects not meeting the 25 percent non-residential requirement, under certain circumstances, when the Specific Plan Goals are met and the community will benefit from the project. The recently approved amendment to the Eden Area General Plan

allowing the Planning Commission to permit a lower residential range for mixed-use projects when a project furthers the goals of the General and Specific Plans. The range density could be one lower than would be required if residential were the primary or only land use.

The proposed project strongly supports the goals of both the Eden Area General Plan and the Ashland Cherryland Business District Specific Plan in the following manner:

- (1) The project contributes to the economic revitalization of the Ashland and Cherryland Business District Plan area by developing an underutilized and long vacant industrial site;
- (2) The project provides attractive and high-quality improvements along Mission Boulevard and Mattox Road, which include new street frontage, landscaping, and removal of the existing porkchop/right-hand turn lane;
- (3) The project develops this section of Mission Boulevard into a higher-intensity use by providing new ground floor retail space and discreet, adjacent outdoor space in addition to 57 new residential dwellings, bringing new families to a former industrial site;
- (4) The project activates the street frontage and provides a vibrant, walkable urban main street mixed-use commercial environment along Mission Boulevard that supports public transportation alternatives and provides locally and regionally serving commercial and retail uses as well as a variety of urban housing choices;
- (5) In an area that has seen minimal development in recent years, the project will become a catalyst for additional investment and development within the Plan area; and
- (6) The project creates landscaped areas and public open space at the corner of Mission & Mattox because of the redevelopment and realignment of the existing porkchop that will serve to support the public life of the community.

The density and non-residential component of the proposed project would be consistent with the provisions and intent of the 2018 text amendments to the Eden Area General Plan and Ashland and Cherryland Business District Specific Plan, which allow greater flexibility for mixed-use projects. Therefore, the proposed project would not alter the conclusions set forth by the Final EIR.

c) The Final EIR indicated that the Plan Area was not within the boundaries of an adopted conservation plan or natural community conservation plan. No conflicts with adopted conservation plans would occur. Therefore, no impact would occur.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on a site that has supported development for more than 50 years. The project site is within the Plan Area and thus is not within the boundaries of an adopted conservation plan or natural community conservation plan. The proposed project would not after the conclusions set forth by the Final EIR.

## **Mitigation Measures**

None.

# Conclusion

11.	Emironmental issue Area Mineral Resources	Conclusion in EIR	Do the Proposed Changes involve New or More Severe impacts?	Kew Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
_	Would the project:					
<b>a)</b>	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No Impact	No. The proposed project does not involve changes that would result in new or more severe impacts on loss of known mineral resources of statewide importance.	No. There are no new circumstances that would result in new or more severe impacts on loss of known mineral resources of statewide importance.	No. No new information of substantial importance indicates the need for additional analysis of loss of known mineral resources of statewide importance.	None
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No impact	No. The proposed project does not involve changes that would result in new or more severe impacts on loss of known mineral resources of local importance.	No. There are no new circumstances that would result in new or more severe impacts on loss of known mineral resources of local importance.	No. No new information of substantial importance indicates the need for additional analysis of loss of known mineral resources of local importance.	None

a-b) The Final EIR indicated that the Plan Area contains developed and urbanized land which does not support mineral extraction operation. The Final EIR concluded that there would be no impact.

The project site has supported development for more than 50 years. It does not support mineral extraction operation. The proposed project would not alter any mineral resources conclusions set forth by the Final EIR.

# **Mitigation Measures**

None.

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# **Conclusion**

12.	Emiroemental issue Area Noise Would the project:	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on	No. There are no new circumstances that would result in new or more severe impacts on loss of	No. No new information of substantial importance indicates the need for additional analysis of	None
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on	No. There are no new circumstances that would result in new or more severe impacts on loss of	No. No new information of substantial importance indicates the need for additional analysis of	None
c)	A substantial permanent increase in embient noise levels in the project vicinity above levels existing without the project?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on	No. There are no new circumstances that would result in new or more severe impacts on loss of	No. No new Information of substantial importance indicates the need for additional analysis of	None
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on	No. There are no new circumstances that would result in new or more severe impacts on loss of	No. No new information of substantial importance indicates the need for additional analysis of	None

	Environmental tasue Area	Condusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New information Requiring New Analysis or Verification?	EIR Mitigation Measures
e)	For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on exposure to aviation noise.	No. There are no new circumstances that would result in new or more severe impacts on exposure to aviation noise.	No. No new information of substantial importance indicates the need for additional analysis of exposure to aviation noise.	Nòne
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on exposure to aviation noise.	No. There are no new circumstances that would result in new or more severe impacts on exposure to aviation noise.	No. No new information of substantial importance indicates the need for additional analysis of exposure to aviation noise.	None

a) The Final EIR indicated that development associated with the proposed Specific Plan would be subject to Eden Area General Plan policies and would be required to comply with its Land Use and Noise Compatibility Guidelines. New development in areas that exceed 60 dBA L<sub>in</sub> would be required to demonstrate that acceptable interior noise levels can be achieved within residences. The Final EIR concluded that impacts related to exposing people or generating noise levels in excess of standards would be less than significant.

The proposed project would develop 57 dwelling units and 7,495 square feet of non-residential uses on a site at the intersection of Mission Boulevard and Mattox Road. Specific Plan EIR Figure 4.10-2 indicates that a 70–75 dBA roadway noise contour extends 50 feet from the edge of Mission Boulevard and a 60–64 dBA roadway noise contour extends 50 feet from the edge Mattox Road. The nearest residential structure would be set back a minimum of 85 feet from Mission Boulevard and 20 feet from Mattox Road. Thus, residential structures would be outside of the 70–75 dBA noise contour but within the 60–64 dBA noise contour. The California Code of Regulations, Title 24 (known as the Building Standards

Administrative Code), Part 2 (known as the California Building Code), Appendix Chapters 12 and 12A require the construction of new hotels, motels, apartment houses, and dwellings other than detached single-family dwellings to meet an interior noise standard of 45 dBA L<sub>dn</sub> in habitable spaces with all doors and windows closed. As such, proposed dwelling units within the 60–64 dBA noise contour would be required to implement standard Building Code required sound attenuation measures such as Sound Transmission Class rated door and window assemblies to achieve the interior noise standard of 45 dBA. Compliance would be required as a standard Condition of Approval. The proposed project would not alter any conclusions set forth by the Final EIR.

The Final EIR indicated that development contemplated by the proposed Specific Plan may Intermittently generate groundborne vibration that is noticeable at surrounding land uses. Compliance with Eden Area General Plan Policy P4 of Goal N-5, which limits construction in the vicinity of sensitive land uses to daylight hours or 7:00 a.m. to 7:00 p.m., would not occur at noise sensitive times. The Final EIR concluded that impacts would be less than significant.

The proposed project would involve the use of heavy construction equipment such as buildozers and rollers that have the potential to emit groundborne vibration. As such, construction activities involving these pieces of equipment would be subject to the provisions of Eden Area General Plan Policy P4 of Goal N-5. Compliance would be required as a standard Condition of Approval. The proposed project would not alter any conclusions set forth by the Final EIR.

c) The Final EIR indicated that development associated with the proposed Specific Plan would generate additional traffic that would incrementally increase ambient noise levels. The Final EIR found that the increase of up to 1.5 dBA would not exceed the 3 dBA threshold for determining whether a noise increase is substantial and therefore concluded that impacts would be less than significant.

The proposed project would result in a net increase of 51 AM peak-hour trips and 60 PM peak-hour trips. In order for a project to cause 3 dBA increase or more in ambient roadway noise, it would have to double roadway volumes during these periods. The proposed project's trips would represent less than 1 percent of peak-period trips that travel through the intersection of Mission Boulevard/Mattox Road during the AM and PM peak hours. Thus, it would have not cause a substantial permanent increase in ambient roadway noise. The proposed project would not alter any conclusions set forth by the Final EIR.

d) The Final EIR indicated that development contemplated by the proposed Specific Plan may intermittently generate maximum construction noise levels that range up to 90 dBA L<sub>max</sub> as measured at 50 feet from multiple pieces of equipment operating simultaneously. Compliance with Eden Area General Plan Policy P4 of Goal N-5, which limits construction in the vicinity of sensitive land uses to daylight hours or 7:00 am to 7:00 pm, would not occur at noise sensitive times. The Final EIR concluded that Impacts would be less than significant.

The proposed project would involve the use of heavy construction equipment such as backhoes, buildozers, excavators, graders, and rollers that have the potential to generate

intermittent construction noise in excess of 90 dB. As such, construction activities involving these pieces of equipment would be subject to the provisions of Eden Area General Plan Policy P4 of Goal N-5. Compliance would be required as a standard Condition of Approval. The proposed project would not alter any conclusions set forth by the Final EIR.

- e) The Final EIR indicated that the aviation noise contours associated with Hayward Executive Airport do not overlap with the Plan Area. This condition precludes the possibility of Specific Plan buildout exposing persons to excessive aviation noise. The Final EIR concluded that no impact would occur.
  - The aviation noise contours associated with Hayward Executive Airport do not overlap with the project site. As such, the proposed project would not after any conclusions set forth in the Final EIR.
- f) The Final EIR Indicated that there are no private airstrips located in the vicinity of the Plan Area. This condition precludes the possibility of Specific Plan buildout exposing persons to excessive aviation noise. The Final EIR concluded that no impact would occur.

There are no private airstrips located in the vicinity of the project site. As such, the proposed project would not alter the conclusions set forth by the Final EIR.

## **Mitigation Measures**

None.

#### Conclusion

	Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
13.	Population and Hou	sing				
	Would the project:					
<b>a)</b>	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts associated with growth inducement.	No. There are no new circumstances that would result in new or more severe impacts on associated with growth inducement.	No. No new information of substantial importance indicates the need for additional analysis associated with growth inducement.	None
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts associated with displacement of housing.	No. There are no new circumstances that would result in new or more severe impacts associated with displacement of housing.	No. No new information of substantial importance indicates the need for additional analysis associated with displacement of housing.	None
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts associated with displacement of persons.	No. There are no new circumstances that would result in new or more severe impacts associated with displacement of persons.	No. No new information of substantial importance indicates the need for additional analysis associated with displacement of persons.	None

a) The Final EIR indicated that the Specific plan would encourage growth along the East 14<sup>th</sup> Street/Mission Boulevard and Lewelling/East Lewelling Boulevard corridors. Full implementation of the proposed Specific Plan would encourage increased density and intensity of existing land uses, potentially adding 167 single-family units, 771 multi-family units, and 570,000 square feet of non-residential developments. However, these increases

are within Association of Bay Area Governments and Eden Area General Plan projections, and are not considered significant.

The project applicant is proposing to develop 57 dwelling units and 7,495 square feet of nonresidential uses on the project site. Using unincorporated Alameda County's average household size of 2.95 persons per household, the proposed project's 57 dwelling units would add 168 persons to the County's population. The Specific Plan contemplates future residential development on the project site, and, therefore, the population growth associated with the project is "planned growth." Furthermore, the project site is located within an urbanized area that is served with infrastructure, including potable water, sewer, storm drainage, electricity, and natural gas. Thus, the proposed project would not require the extension of infrastructure into unserved areas. The proposed project would not alter any conclusions set forth in the Final EIR.

The Final EIR indicated that the Specific Plan would encourage high-density, infill b-c) development within the Ashland and Cherryland areas of Alameda County. The Specific Plan has a buildout potential of 167 single-family units, 771 multi-family units, and 570,000 square feet of non-residential developments. To the extent that existing dwelling units are displaced to make way for new development contemplated by the Specific Plan, it would be expected that a net increase in dwelling units would result. For these reasons, the impacts associated with displacement of housing would be less than significant.

The project applicant is proposing to develop 57 dwelling units and 7,495 square feet of nonresidential uses on the project site. The project site was previously occupied by Peterson Metal Fabrication, a non-residential use. The project would not result in removal of any existing dwelling units. The proposed project would not alter any conclusions set forth by the Final EIR.

### Mitigation Measures

None.

#### Conclusion

			New		
		Do the Proposed	Circumstances	New Information	
		Changes involve	laveleing How or	Requiring New	
<b>Emironmental Issue</b>	Condusion in	New or More	More Severe	Analysis or	<b>EIR Mitigation</b>
Area	EIR	Severe Impacts?	Impacts?	Verification?	Measures

## 14. Public Services

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

a)	Fire protection?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on fire protection.	No. There are no new circumstances that would result in new or more severe impacts on fire protection.	No. No new information of substantial importance indicates the need for additional analysis of fire protection.	None
ь)	Police protection?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on police protection.	No. There are no new circumstances that would result in new or more severe impacts on police protection.	No. No new information of substantial importance indicates the need for additional analysis of police protection.	None
c)	Schools?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on schools.	No. There are no new circumstances that would result in new or more severe impacts on schools.	No. No new Information of substantial importance Indicates the need for additional analysis of schools.	None
d)	Parks?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on parks.	No. There are no new circumstances that would result in new or more severe impacts on parks.	No. No new Information of substantial importance indicates the need for additional analysis of parks.	None

Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes involve New or More Sovere Impacts?	New Circumstances Involving New or Friore Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
Other public facilities?	Less than significant impact	Np. The proposed project does not involve changes that would result in new or more severe impacts on other public facilities.	No. There are no new circumstances that would result in new or more severe impacts on other public facilities.	No. No new information of substantial importance indicates the need for additional analysis of other public facilities.	None

- a) The Final EIR indicated that the Alameda County Fire Department would provide fire protection and emergency medical services to the Plan area. The Fire Department currently provides sufficient coverage and response times to the Plan area. The Final EIR indicated that buildout of the plan would not cause degradation in service delivery such that new or expanded fire protection facilities would be required. Impacts would be less than significant.
  - The proposed project is a use contemplated by the Specific Plan and would occur within the Specific Plan boundaries. The proposed project would be required to comply with all applicable fire safety standards including emergency access, sprinklers, and alarms. As such, the proposed project would not alter the conclusions of the Final EIR.
- b) The Final EIR indicated the Alameda County Sheriff's Office would provide law enforcement services to the Plan area. The Sheriff's Office currently provides sufficient coverage and response times to the Plan area. The Final EIR indicated that buildout of the plan would not cause degradation in service delivery such that new or expanded law enforcement facilities would be required. The Final EIR concluded that impacts would be less than significant.
  - The proposed project is a use contemplated by the Specific Plan and would occur within the Specific Plan boundaries. The proposed project would include crime deterrence and prevention design measures such as fencing and outdoor lighting. As such, the proposed project would not alter the conclusions of the EIR.
- c) The Final EIR indicated that the Specific Plan would facilitate the development of 167 single-family units and 771 multi-family units within the Plan area. This would result in a net increase in enrollment in K–12 schools. Future residential developers would be required to pay school development fees in accordance with latest adopted fee schedules. The Final EIR concluded that impacts would be less than significant.
  - The proposed project would develop 57 dwelling units and 7,495 square feet of nonresidential uses. The applicant will be required to provide school development fees at the

- time building permits are sought. As such, the proposed project would not after the conclusions of the Final EIR.
- d) The Final EIR indicated that the Specific Plan would facilitate the development of 167 single-family units and 771 multi-family units within the Plan area. This would result in new demand for parks. Future residential developers would be required to either provide on-site amenities or pay park development fees in accordance with latest adopted fee schedules. The Final EIR concluded that impacts would be less than significant.
  - The proposed project is a use contemplated by the Specific Plan and would occur within the Plan area. As such, the proposed project would not alter the conclusions of the Final EIR.
- e) The Final EIR indicated that the Specific Plan would facilitate the development of 167 single-family units and 771 multi-family units within the Plan area. This would result in new demand for other public facilities such as libraries. Future residential developers would be required to either provide on-site amenities or pay development fees in accordance with latest adopted fee schedules. The Final EIR concluded that impacts would be less than significant.

The proposed project is a use contemplated by the Specific Plan and would occur within the Plan area. As such, the proposed project would not alter the conclusions of the Final EIR.

## **Mitigation Measures**

None.

#### Conclusion

	Em/Ironmental Issue Area	Conclusion in	Do the Proposed Changes involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigatio Measures
15.	Recreation					
	Would the project:					
2)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on recreational facilities.	No. There are no new circumstances that would result in new or more severe impacts on recreational facilities.	No. No new Information of substantial importance indicates the need for additional analysis of recreational facilities.	None.
b)	Does the project Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts on recreational facilities.	No. There are no new circumstances that would result in new or more severa impacts on recreational facilities.	No. No new information of substantial importance indicates the need for additional analysis of recreational facilities.	None.

a—b) The Final EIR indicated that the Specific Plan would facilitate the development of 167 single-family units and 771 multi-family units within the Plan area. This would result in new demand for recreational facilities. Future residential developers would be required to either provide on-site amenities or pay development fees in accordance with latest adopted fee schedules. The Final EIR concluded that impacts would be less than significant.

The proposed project is a use contemplated by the Specific Plan and would occur within the Plan area. The project will include a centrally located tot lot and community open space at the corner of Mission & Mattox. Additionally, park in-lieu fees shall be paid at the scheduled rates in effect when said fees are paid. As such, the proposed project would not alter the conclusions of the Final EIR.

## **Mitigation Measures**

None.

## Conclusion

The conclusions from the EIR remain unchanged when considering the development of the proposed project.

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				New		
	Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes involve New or More Severe impacts?	Circumstances involving New or More Severe impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
16.	Transportation					
	Would the project:					
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	Less than significant impact (2020). Significant unavoidable impact (2040)	No. The proposed project does not involve changes that would result in new or more severe impacts on measures of effectiveness.	No. There are no new circumstances that would result in new or more severe impacts on measures of effectiveness.	No. No new information of substantial importance indicates the need for additional analysis of measures of effectiveness.	None.
ь)	Conflict with an applicable congestion management program, including but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for the designated roads or highways?	Impact (2020). Significant unavoidable	No. The proposed project does not involve changes that would result in new or more severe impacts on conflicts with a congestion management program.	No. There are no new circumstances that would result in new or more severe impacts on conflicts with a congestion management program:	No. No new information of substantial importance indicates the need for additional analysis of conflicts with a congestion management program.	None.

	Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring Hear Analysis or Verification?	EIR Minigation Measures
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on changes in air traffic patterns.	No. There are no new circumstances that would result in new or more severe impacts on changes in air traffic patterns.	No. No new information of substantial importance indicates the need for additional analysis of changes in air traffic patterns.	None.
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompetible uses (e.g., farm equipment)?	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on increases in hazards.	No. There are no new circumstances that would result in new or more severe impacts on increases in hazards.	No. No new Information of substantial importance indicates the need for additional analysis of increases in hazards.	None.
e)	Result in inadequate emergency access?	i.ess than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on emergency access.	No. There are no new circumstances that would result in new or more severe impacts on emergency access.	No. No new Information of substantial Importance indicates the need for additional analysis of emergency access.	None,
f)	Conflict with adopted policies, plans, or program regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on public transit, bicycle, or pedestrian facilities.	No. There are no new circumstances that would result in new or more severe impacts on public transit, bicycle, or pedestrian facilities.	No. No new information of substantial importance indicates the need for additional analysis of public transit, bicycle, or pedestrian facilities.	None.

#### Discussion

The analysis is this section is supported by a Traffic Memorandum prepared by Kittelson & Associates, Inc. The memo is provided in Appendix B.

a) The Final EIR indicated that new development contemplated by the Specific Plan would increase traffic levels along E. 14th/Mission Boulevard and Lewelling/E. Lewelling Boulevard under Existing (2013) conditions, but would maintain acceptable levels of service. The Final EIR indicated that new development contemplated by the Specific Plan would increase traffic levels along E. 14th/Mission Boulevard and Lewelling/E. Lewelling Boulevard under Cumulative (2040) conditions and would cause certain segments to operate an unacceptable levels of service. The Final EIR concluded that the Specific Plan's impacts under Existing (2013) conditions were less than significant, but significant and unavoidable under Cumulative (2040) conditions.

The proposed project would remove an existing light industrial building and replace it with 57 dwelling units and 7,495 square feet of non-residential uses. Kittelson & Associates, Inc. evaluated the change in end uses and determined it would result in a net increase of 51 AM peak-hour trips and 60 PM peak-hour trips relative to the existing trip generation potential of the project site. Table 2 compares the "no project" with the "plus project" scenario. As shown in the table, the project would cause a 2.0-second net increase in delay during the AM peak hour. However, because the intersection would operate at unacceptable LOS E under the "no project" scenario, an increase of 5.0 seconds or more would be required to cause a significant impact. Thus, the 2.0-second increase would not be a significant increase. Moreover, acceptable LOS D would be maintained during the PM peak hour and two driveways would operate at acceptable LOS B under all scenarios, and no significant intersection operations impacts would occur. As such, the proposed project would not alter any conclusions set forth in the Final EIR.

**Table 2: Intersection Level of Service Summary** 

Intersection	Peak Hour	No Project Delay	LOS	Plus Project Delay	LOS	Change
Mission Boulevard/Mattox Road	AM	69.0	E	71.0	E	2.0
	PM	40.1	Đ	41.2	D	1.0
Mission Boulevard/North Project	AM	****	-	11.0	8	_
Driveway	PM		_	11.9	В	_
Mattox Boulevard/South Project	AM			12.9	В	-
Driveway	PM	THE RESERVE WHEN THE RESERVE T	-	11.9	В	_

Note:

The North and South Driveways do not exist under existing (No Project) conditions; thus, a null value is shown. Source: Kittelson & Associates, Inc., 2018.

Kittelson & Associates, inc. also evaluated queueing. The 95<sup>th</sup> percentile queue lengths for the westbound right-turn lane at the intersection of Mission Boulevard & Mattox Road and for the outbound right-turn lanes at the two proposed project driveways are shown in Table 3. As shown, the Project would not significantly affect westbound right-turn queues at Mission Boulevard & Mattox Road since project trips are not expected to make a westbound right-turn lane at the intersection or add any volumes to that movement. The 95<sup>th</sup> percentile queue lengths for outbound right-turning vehicles at the two proposed project driveways are also shown in Table 3. Outbound queues would remain internal to the project site; because of a lack of spillover onto Mission Boulevard or Mattox Road, an impact on surrounding roadways is not expected. As such, the proposed project would not after any conclusions set forth in the Final EIR.

**Table 3: Queuing Summary** 

Intersection	Movement	Peak Hour	Na Project Queve Length	Plus Project Queue Length
Mission Boulevard/Mattox Road	Frank a and Blaks	AM	147	147
	Eastbound Right	PM	89	90
Mission Boulevard/North Project	Santa and Make	AM		<25
Driveway	Eastbound Right	PM	_	<25
Mattox Boulevard/South Project	Southbound	AM	AM -	
Driveway	Right	PM	*****	<25

Note:

The North and South Driveways do not exist under existing (No Project) conditions; thus, a null value is shown. Source: Kittelson & Associates, Inc., 2018.

- b) The Final EIR Indicated that E. 14<sup>th</sup>/Mission Boulevard and Lewelling/E. Lewelling Boulevard, which are designated Congestion Management Plan (CMP) facilities, would operate at acceptable levels under Existing (2013) conditions and at unacceptable levels under Cumulative (2040) conditions. The latter impact determines that CMP facility impacts would be significant and unavoidable.
  - The proposed project would generate a net increase of 61 PM peak-hour trips relative to existing conditions. Alameda County Transportation Commission guidance indicates that projects that generate fewer than 100 PM peak-hour trips are not required to conduct CMP analysis because this volume would not have the potential to have a substantial impact. Thus, the proposed project would have a *de minimis* impact on CMP facilities. As such, the proposed project would not alter any conclusions set forth in the Final EIR.
- c) The Final EIR indicated that the Plan area is not within the overflight patterns of the Hayward Executive Airport. This condition precludes the possibility of Specific Plan buildout causing a change in air traffic patterns. The Final EIR concluded that no impact would occur.

The project site is not under any overflight patterns of Hayward Executive Airport. This condition precludes the possibility of the project altering air traffic patterns. As such, the proposed project would not alter any conclusions set forth in the Final EIR.

d) The Final EIR identified a number of transportation improvements on Figure 4.14-9 intended to improve safety for roadway users. Improvements including eliminating "pork-chop" islands and channelized right-turn lanes, and providing landscaped medians, bulb-outs at crosswalks and advanced stop bars. The Final EIR indicated that these improvements would ensure compatibility between the new development contemplated by the Specific Plan and the circulation network. Impacts were found to be less than significant.

The proposed project would remove the existing right turn ("porkchop") concrete island from westbound Mattox Road and install new curb/gutter/sidewalk along a new alignment. Removal of the porkchop and realignment of that portion of the intersection was anticipated in the Ashland Cherryland Business District Specific Plan (Chapter 3—Traffic & Mobility) to reduce vehicle speed, improve interactions between vehicles and bicycles at this intersection, and shorten crossing distances for pedestrians. As such, the proposed project would not alter any conclusions set forth in the Final EIR.

e) The Final EIR indicated that future development that occurs pursuant to the Specific Plan would be required to comply with all applicable provisions of the Fire Code, including providing two points of vehicular access. Compliance with adopted standards would ensure that impacts would be less than significant.

The proposed project would be served by two points of vehicular access: a right-in, right-out point on Mission Boulevard and a right-in, right-out point on Mattox Road. Thus, two points of emergency access would be provided in accordance with Fire Code requirements. As such, the proposed project would not alter any conclusions set forth in the Final EIR.

f) The Final EIR identified a number of public transit, bicycle, and pedestrian improvements on Figure 4.14-9 intended to improve safety and mobility for these modes of transportation. Improvements include installing new bicycle routes on streets, relocating bus stops to make them more convenient, eliminating "pork-chop" islands and channelized right-turn lanes, and providing landscaped medians, bulb-outs at crosswalks, and advanced stop bars. The Final EIR indicated that these improvements would ensure compatibility between the new development contemplated by the Specific Plan and public transit, bicycle, and pedestrian modes of transportation. Impacts were found to be less than significant.

The proposed project would maintain the existing Class II bicycle lanes on Mattox Road. Upon completion of the Phase III portion of the streetscape improvements to be completed by PWA, Class III bicycle lanes are contemplated for the Mission Boulevard frontage. The proposed project fully anticipates this modification to the project frontage. Overall, these project features are consistent with those shown on Final EIR Figure 4.14-9. As such, the proposed project would not alter any conclusions set forth in the Final EIR.

### Mitigation Measures

None.

## Conclusion

The conclusions from the EIR remain unchanged when considering the development of the proposed project.

New

	Environmental Issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	Circumstances Involving New or More Severe Impacts?	Information Requiring New Analysis or Verification?	EIR Mitigation Measures
17.	Tribal Cultural Reso Would the project cau defined in Public Reso geographically defined cultural value to a Cal	se a substantio urces Code sect I in terms of th	ion 21074 as either e size and scope oj	er a site, feature, p f the landscape, so	olace, cultural land	scape that is
2)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on historical resources.	No. There are no new circumstances that would result in new or more severe impacts on historical resources.	No. No new information of substantial importance indicates the need for additional analysis of historical resources.	None.
b)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on tribal cultural resources.	No. There are no new circumstances that would result in new or more severe impacts on tribal cultural resources.	No. No new information of substantial importance indicates the need for additional analysis of tribal cultural resources.	None.

## Discussion

a) The EIR indicated that the Plan Area may contain historic archaeological resources and that ground-disturbing activities associated with buildout would have the potential to uncover previously undiscovered resources. Compliance with adopted County policies and existing regulations would reduce impacts to a level of less than significant.

The proposed project would involve ground-disturbing activities within the project site and, therefore, would have the potential to uncover previously undiscovered resources. Compilance with adopted County policies and existing regulations would reduce impacts to a level of less than significant. As such, the proposed project would not alter any conclusions set forth in the EIR.

b) The EIR indicated that the Plan Area may contain tribal cultural resources and ground-disturbing activities associated with buildout would have the potential to uncover previously undiscovered resources. Compliance with adopted County policies and existing regulations would reduce impacts to a level of less than significant.

The proposed project would involve ground-disturbing activities within the project site and, therefore, would have the potential to uncover previously undiscovered resources. Compliance with adopted County policies and existing regulations would reduce impacts to a level of less than significant. As such, the proposed project would not alter any conclusions set forth in the EIR.

## **Mitigation Measures**

None.

#### Conclusion

The conclusions from the EIR remain unchanged when considering the development of the proposed project.

	Environmental issue Area	Conclusion in EIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances involving New or More Severe impacts?	New information Requiring New Analysis or Verification?	EIR-Mitigation Measures
18.	Utilities and Service	Systems				
,	Would the project:					
a) <sub>.</sub>	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on wastewater treatment requirements.	No. There are no new circumstances that would result in new or more severe impacts on wastewater treatment requirements.	No. No new information of substantial importance indicates the need for additional analysis of wastewater treatment requirements.	None
ь)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Less then significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts associated with new water or wastewater treatment facilities.	No. There are no new circumstances that would result in new or more severe impacts associated with new water or wastewater treatment facilities.	No. No new information of substantial importance indicates the need for additional analysis associated with new water or wastewater treatment facilities.	None
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on stormwater drainage facilities.	No. There are no new circumstances that would result in new or more severe impacts on stormwater drainage facilities.	No. No new information of substantial importance indicates the need for additional analysis of stormwater drainage facilities.	None
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on water supply.	No. There are no new circumstances that would result in new or more severe impacts on water supply.	No. No new Information of substantial importance indicates the need for additional analysis of water supply.	None

	Emironmental (ssue	Conclusion in EIR	Po the Proposed Changes involve New or More Severe impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
<b>e</b> )	Result in inadequate wastewater treatment capacity to serve the project's projected demand in addition to the provider's existing commitments?	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on wastewater treatment capacity.	No. There are no new circumstances that would result in new or more severe impacts on wastewater treatment capacity.	No. No new information of substantial importance indicates the need for additional analysis of wastewater treatment capacity.	None
Ŋ	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on landfill capacity.	No. There are no new circumstances that would result in new or more severe impacts on landfill capacity.	No. No new information of substantial importance indicates the need for additional analysis of landfill capacity.	None
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	Less than significant impact.	No. The proposed project does not involve changes that would result in new or more severe impacts on statutes and regulations related to solid waste.	No. There are no new circumstances that would result in new or more severe impacts on statutes s and regulations related to solid waste.	No. No new information of substantial importance indicates the need for additional analysis of statutes and regulations related to solid waste.	None

#### Discussion

a, e) The Final EIR indicated that the estimated wastewater flow generated by the proposed Specific Plan area would be 129,945 gallons per day. The Final EIR noted that the Oro Loma Sanitary District Treatment Plant has a treatment capacity of 20 million gallons per day (mgd) and treated an average 15 mgd as of 2015. The Specific Plan area would represent 0.65 percent of existing capacity at the Treatment Plant. The Final EIR concluded that adequate capacity would be available at the treatment plant and impacts would be less than significant.

The proposed project site has supported development for more than 50 years and is currently served with sewer service. The project site would continue to be served by the Oro Loma Sanitary District. Using wastewater generation rates published in the Final EIR, the proposed project would generate 5,985 gallons per day. (It should be noted that this value does not "net out" existing wastewater generation at the project site and, therefore, provides a conservative estimate of effluent generation.) The total wastewater flow generated (0.006 million gallons per day), would represent less than 0.01 percent of the Oro Loma Sanitary District Treatment Plant's treatment capacity. The proposed project would not alter any conclusions set forth by the Final EIR.

b) The Final EIR indicated that the Plan area is served by East Bay Municipal Utility District (EBMUD) for potable water service and Oro Loma Sanitary District for wastewater service. The Final EIR estimated water demand to be 264,370 gallons per day and wastewater effluent generation to be 129,945 gallons per day at buildout. The Final EIR noted that the Oro Loma Sanitary District Treatment Plant has treatment capacity of 20 mgd. The Final EIR noted that EBMUD anticipates 2020 annual system-wide potable water demand to be 242,960 acre-feet and 2040 annual system-wide potable water demand to be 257,508 acrefeet. Both water and wastewater treatment capacity would be sufficient to accommodate project development and would be consistent with the 2010 Eden Area General Plan. The projected growth and anticipated types of development would result in impacts that are less than significant.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on a site that has supported development for more than 50 years and Is currently served by both EBMUD and Oro Loma Sanitary District. The project site would continue to be served by EBMUD and the Oro Loma Sanitary District. The proposed project would demand 12,255 gallons per day of water and generate 5,985 gallons of effluent per day. (It should be noted that these values do not "net out" existing water consumption wastewater generation at the project site and, therefore, provide a conservative estimate.) Both values represent less than 0.01 percent of the water supply and sewage treatment capacity. Therefore, expansion of existing water and wastewater treatment facilities would not be required. The proposed project would not alter any conclusions set forth by the Final EIR.

The Final EIR indicated that stormwater runoff that does not infiltrate into the subsurface is c) directed into a constructed stormwater drainage system. The Plan Area is located in the Alameda County Water Conservation District. Most of the stormwater flows into the San Lorenzo Creek. Some stormwater in the Plan Area is drained by the Estudillio Canal. The Final EIR concluded that the impacts would be less than significant.

The project site is mostly hardscaped and is served by the municipal storm drainage system. The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses. The project would be required to comply with adopted storm drainage standards, including those that require no net increase in surface runoff leaving the site. Thus, the project would not alter any conclusions set forth in the Final EIR.

d) The Final EIR indicated that water supply is provided by EBMUD within the Plan Area.

Demand for water supply would increase when full buildout of developments under the Specific Plan are constructed. EBMUD anticipates 2020 annual system-wide demand to be 242,960 acre-feet and 2040 annual system-wide demand to be 257,508 acre-feet. Projected water supply would be adequate to serve the Plan Area through the Year 2040. The Final EIR concluded that the impacts would be less than significant.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses on a site that has supported development for more than 50 years and is served by EBMUD. Using water demand rates published in the Final EIR, the proposed project would generate 12,255 gallons per day (13.7 acre-feet annually). (It should be noted that this value does not "net out" existing usage and, therefore, provides a conservative estimate of future water demand.) EBMUD anticipates 2020 annual system-wide demand to be 242,960 acre-feet and 2040 annual system-wide demand to be 257,508 acre-feet. Thus, the proposed project's annual water demand of 13.7 acre-feet would represent less than 0.01 percent of annual demand under 2020 and 2040 conditions. Furthermore, these estimates overstate the actual net increase in water consumption that will occur at the project site, as water use associated with the existing uses was not factored in. For these reasons, the project would not alter any conclusions set forth in the Final EIR.

f, g) The Final EIR indicated that a full buildout of the proposed Specific Plan would generate up to 12.1 tons of solid waste per day, due to an estimated increase of 2,798 new residents and additional commercial activities. The Final EIR noted that the Altamont Landfill and Resource Recovery Facility has 45.7 million cubic yards of remaining capacity and the Vasco Road Sanitary Landfill has 7.9 million cubic yards of remaining capacity. Solid waste generated by buildout of the Specific Plan would represent 0.16 percent of the combined remaining capacity at the two facilities. The Final EIR concluded that impacts would be less than significant.

The proposed project consists of the development of 57 dwelling units and 7,495 square feet of non-residential uses. Standard waste generation rate for residential uses is 4.38 pounds per square foot. Using an average dwelling unit size of 1,500 square feet, the construction activities are expected to generate 174 cubic yards of waste. Standard waste generation rate for non-residential uses is 3.89 pounds per square foot. Construction of the 7,495 square feet of non-residential uses would generate 13.8 cubic yards of waste. Total construction waste generated would be 187.8 cubic yards. This value would represent less than 0.001 percent of the remaining capacity at the Altamont and Vasco Road landfills.

Using standard residential waste generation rate of 1.5 pounds per resident per day and 10.53 pounds per employee per day, the proposed project's residential and commercial uses would generate 105 cubic yards of solid waste on an annual basis. This value would represent less than 0.001 percent of the remaining capacity at the Altamont and Vasco Road landfills. The proposed project would not alter any conclusions set forth in the Final EIR.

#### **Mitigation Measures**

None.

## **Condusion**

The conclusions from the EIR remain unchanged when considering the development of the proposed project.

New Do the Proposed Involving New or Changes Involve Requiring Nam New or More Analysis or **EIR Mitigation** actusion in More Severe **Vertication?** FIR Severe impacts? impacts? Measures Area **Mandatory Findings of Significance** Would the project: No. No new Mitigation a) Does the project Less than No. The No. There are Information of have the potential to significant proposed no new Measures project does substantial BIO-1a, BIOdegrade the quality impact with drcumstances : **Importance** 1g, and BIOnot involve that would of the environment, mitigation indicates the substantially reduce changes that result in new 1h the habitat of a fish would result in or more severe need for or wildlife species, new or more **Impacts** additional cause a fish or associated analysis of severe impacts wildlife population associated with degrading the degrading the to drop below selfdegrading the quality of the quality of the sustaining levels, quality of the environment, environment, threaten to environment, substantially substantially eliminate a plant or substantially reducing the reducing the habitat of a habitat of a animal community, reducing the reduce the number habitat of a fish or wiidlife fish or wildlife or restrict the range fish or wildlife species. species. of a rare or species, causing a fish causing a fish or wildlife endangered plant or causing a fish or wildlife animal, or eliminate or wildlife population to population to population to drop below drop below important examples of the major periods drop below self-sustaining self-sustaining of California history self-sustaining levels. levels, or prehistory? levels. threatening to threatening to threatening to eliminate a eliminate a eliminate a plant or animal plant or animal plant or animal community, community. reducing the community, reducing the reducing the number or number or number or restrict the restrict the restrict the range of a rare range of a rare range of a rare or endangered or endangered plant or or endangered plant or plant or animal, or animal, or animal, or eliminating eliminating eliminating Important important **Important** examples of examples of examples of the major the major the major periods of periods of periods of California California California history or history or history or prehistory. prehistory. prehistory.

	Environmental tesue Area	Conclusion in ETR	Do the Proposed Changes involve New or More Severe impacts?	New Circumstances Involving New or More Severa Impacts?	New Information Requiring New Analysis or Verification?	EIR Mitigation Measures
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts associated with cumulatively considerable impacts.	No. There are no new circumstances that would result in new or more severe impacts associated with cumulatively considerable impacts	No. No new information of substantial importance indicates the need for additional analysis of cumulatively considerable impacts	None
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings?	Less than significant impact	No. The proposed project does not involve changes that would result in new or more severe impacts associated with environmental effects that will cause substantial adverse effects on human beings.	No. There are no new circumstances that would result in new or more severe impacts associated with environmental effects that will cause substantial adverse effects on human beings.	No. No new information of substantial importance indicates the need for additional analysis of environmental effects that will cause substantial adverse effects on human beings.	None

## Discussion

a) As discussed in Section 3, Biological Resources, the proposed project would have a less than significant impact on listed species, migratory species, or riparian habitat. The proposed project would implement Mitigation Measures B-1a, B-1g, and B-1h, which requires that precautions be taken prior to construction to ensure that protected bird and bat species would not be disturbed. As discussed in Section 4, Cultural Resources, construction activities

- would not involve deep excavations and would be outside the area of high paleontological resource sensitivity; therefore, Mitigation Measure CR-3 would not apply.
- b) As discussed in the preceding sections, many of the potential impacts of the proposed project's impacts would occur during construction, with a few lasting operational effects. With regard to remaining areas of analysis, cumulatively, the proposed project would not result in significant long-term impacts that would substantially combine with impacts of other current or probable future impacts. The proposed project would not create impacts that are cumulatively considerable.
- c) The preceding sections of this addendum discuss various types of impacts that could have adverse effects on human beings, including:
  - Dust and air pollutants during project construction activities (Section 3, Air Quality)
  - Operational emissions (Section 3, Air Quality)

Each type of impact with the potential to cause substantial adverse effects on human beings has been evaluated, and this addendum concludes that these potential impacts would not substantially increase with development of the proposed project, and would be consistent with the results concluded in the EIR. Therefore, the proposed project would have a less than significant impact on environmental effects.

## **Mitigation Measures**

Implement Mitigation Measure B-1a, BIO-1g, and BIO-1h.

#### Conclusion

The conclusions from the EIR remain unchanged when considering the development of the proposed project.

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Appendix A: Biological Preliminary Screening

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## **FIRSTCARBON**

## Memo

Date:

February 7, 2018

To:

County of Alameda

Community Development Agency

From:

Robert Carroll, Associate Biologist

**Subject:** 

Preliminary Biological Screening Memo for the Redevelopment of 20478 Mission

**Boulevard in Alameda County, California** 

#### introduction

FirstCarbon Solutions (FCS) conducted a preliminary biological screening on February 1, 2018 to document the existing biological conditions and analyze potential impacts to biological resources within the project site. This memo report evaluates the existing biological resources found on-site.

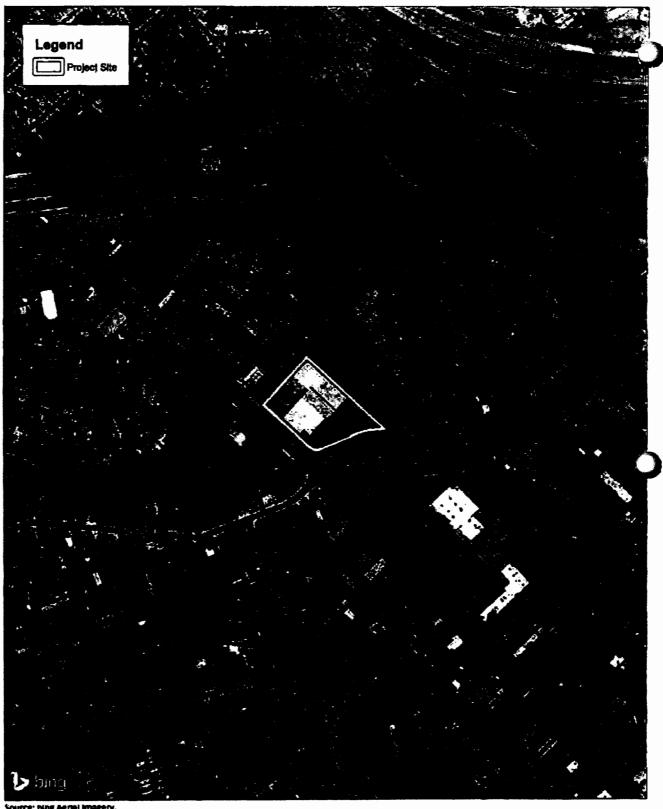
## **Project Location and Description**

The project site is located within the Ashland and Cherryland Business District Specific Plan (ACBD SP). The ACBD SP is designed to guide initiatives to support regional and local commercial, retail, and entertainment uses, as well as urban housing.

The project site is located at 20478 Mission Boulevard in the unincorporated community of Cherryland, Alameda County, California (Exhibit 1). The property is approximately 2.6 acres and contains a vacant commercial building with large amounts of impervious surfaces and chain link fencing surrounding the site. The applicant proposes to redevelop the project site with 45 residential units and 6,000 square feet of non-residential uses.

#### Methodology

Prior to conducting a field survey, a literature and database review was conducted. Also reviewed were the project site plans and project description; aerial photos and topographic maps; the California Department of Fish and Wildlife's (CDFW's) California Natural Diversity Database (CNDDB) (CDFW 2018; the California Native Plant Society's (CNPS's) Inventory of Rare and Endangered Plants (CNPS 2018); the Hayward USGS 7.5-minute quadrangle map (1980); the National Wetland Inventory (NWI; USFWS 2018); and other technical databases and resource agency reports, in order to assess the current distribution of special-status species and habitats in the vicinity of the proposed project site (e.g., streams, riparian habitat, ponds).



FIRSTCARBON SOLUTIONS"

Exhibit 1 **Local Vicinity Map** Aerial Bas

On February 1, 2018, FCS biologist Robert Carroll conducted a preliminary biological screening of the project site, the purpose of which was to obtain an overview of the existing habitat conditions within the project site and the site's potential to support special-status wildlife and plant species, wetlands, critical habitat, wildlife movement, and other potentially jurisdictional features. The survey area for this review included the proposed development area.

#### Site Assessment

#### **On-site Conditions**

The project site is a developed area with impervious surfaces containing a vacant building (formerly occupied by Peterson Metal Fabrication) and parking lot. The project site is located in a developed urbanized area within Alameda County and is surrounded by residential and commercial developments. High levels of human activity have been present on-site, resulting in significant disturbance.

#### Vegetation

The entire site is composed of urban/developed land that is classified as areas that have been constructed upon or otherwise physically altered to an extent that native vegetation is no longer supported and retains no soil substrate. On-site vegetation entails non-native grasses, weeds, mature trees, and landscaped vegetation.

#### Wildlife

Wildlife activity during the survey was low and observations included American crow (Corvus brochyrhynchos).

#### Special-Status Species Database Search

FCS Biologist Robert Carroll compiled a list of threatened, endangered, and otherwise special-status species previously recorded within the general project vicinity. The list was based on a search of the CDFW's CNDDB (2018), special-status species and plant communities account database, and the CNPS's Electronic inventory (CNPSEI) for the Hayward quadrangle for Alameda County.

Results of the CNDDB search returned 26 special-status species that have been previously recorded to occur in the Hayward quadrangle. Results of the CNPS search returned one special-status species that have been previously recorded to occur in the Hayward quadrangle. No sensitive plant or wildlife species were observed during the preliminary biological screening.

#### Special-status Wildlife

The habitat requirements for each special-status species were reviewed and considered in the context of the project area and its vicinity. Five special-status species—the pallid bat (Antrozous pallidus), Crotch bumble bee (Bombus crotchii), western bumble bee (Bombus occidentalis), western mastiff bat (Eumops perotis californicus), and hoary bat (Laslurus cinereus)—have had known recorded occurrences within 1 mile of the project site, although these species are unlikely to be found on-site.

Because of the lack of suitable habitats observed on-site, no special-status wildlife species are expected to occur. However, the trees on the site and vicinity of the project contain marginal nesting habitat for raptors and birds. In addition, the currently vacant building may contain potential roosting habitat for special-status bat species.

#### **Special-status Plants**

No suitable habitat occurs for special-status plant species within the project site, due to lack of proper soils and hydraulic features. No native species were observed on-site during the field survey. There are no known recorded occurrences of special-status plants within 1 mile of the site.

#### **Conclusion and Recommendations**

As a result of the site survey, literature review, and special-status species search, FCS concludes that no special-status species, habitat, or wildlife corridors are expected to occur at the project site. However, the project site provides marginal habitat for raptors and birds. Removal of trees or shrubs could disrupt or destroy bird nests if development occurs during the nesting season. Most native, breeding birds are protected under Section 3503 of the California Fish and Game Code (FGC), and raptors specifically are protected under Section 3503.5 of the FGC. Additionally, both Section 3513 of the FGC and the federal Migratory Bird Treaty Act (MBTA) prohibit the killing, possession, or trading of migratory birds. Section 3800 of the FGC prohibits the taking of nongame birds and state Fully Protected species. In addition, the demolition of the vacant building on-site may have potential impacts to special-status resident bat populations. The following recommendations shall mitigate any impacts to avian species and/or special-status bat species potentially utilizing the site.

Removal of trees and shrubs shall be conducted outside of the avian nesting season (February through August). If construction must occur during the avian nesting season, a pre-construction bird survey shall be conducted no more than 14 days prior to any ground-disturbing activities. If at any time birds are found to be nesting inside or within 250 feet (500 feet for raptors) of the impact area, construction activities within 250 feet of the nest shall cease until it is determined by a qualified biologist that the nest is no longer active (MBTA; FGC).

Not more than 2 weeks prior to building demolition, the County shall ensure that a qualified biologist (i.e., one familiar with the identification of bats and signs of bats) survey buildings proposed for demolition for the presence of roosting bats or evidence of bats. Survey methodology may include visual surveys of bats (e.g., observation of bats during foraging period), inspection for suitable habitat, bat sign (e.g., guano), or use of ultrasonic detectors (Anabat, etc.). If no roosting bats or evidence of bats are found in the structure, demolition may proceed. If the biologist determines or presumes bats are present, the biologist shall exclude the bats from suitable spaces by installing one-way exclusion devices. After the bats vacate the space, the biologist shall close off the space to prevent recolonization. Building demolition shall commence only after the biologist verifies 7 to 10 days later that the exclusion methods have successfully prevented bats

County of Alameda February 7, 2018 Page 5

from returning. To avoid impacts on non-volant (non-flying) bats, the biologist shall only conduct bat exclusion and eviction from May 1 through October 1. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young).

#### **Trees**

The project will necessitate the removal of trees and other ornamental vegetation found on-site. As noted above, trees observed on-site are within the project boundaries and are not located within the County right-of-way; as such, they would not conflict with Alameda County Code of Ordinances Chapter 12.11. Adherence to Alameda County Code of Ordinances Chapter 12.11 and ACBD SP policies and guidelines would not result in alternative conclusions set forth in the ACBD SP EIR.

#### Summary

FCS determined that no biological resources that would be considered sensitive under CEQA, other than potential impacts to nesting birds and special-status bat species, were found on the project site. Furthermore, no jurisdictional waters, habitats, or wildlife movement corridors were observed or are expected to occur on-site. Trees observed on-site are within the project boundaries and are not located within the County right-of-way and, as such, would not conflict with Alameda County Code of Ordinances Chapter 12.11.

#### References

- California Department of Fish and Wildlife (CDFW). 2018. Biogeographic Information and Observation System (BiOS 5). Website: https://map.dfg.ca.gov/bios/. Accessed February 2, 2018.
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Attachment A: Site Photos



Photograph 1: Looking south on Mission Blvd



Photograph 3: Potential habitat for nesting birds on corner of Mission and Mattex



Photograph 2: Looking north on Mission Blvd

Attachment B: CNDDB and CNPS Inventory Search Results



# Selected Elements by Scientific Name California Department of Fish and Wildlife California Natural Diversity Database



Query Criteria: Quad<span style='color:Red'> IS </span>(Hayward (3712261))

_						Rare Plant Rank/CDFW
Species	Element Code	Federal Status	State Status	Global Rank	State Rank	88C or FP
Accipiter striatus	ABNKC12020	None	None	G5	S4	. WL
sharp-shinned hawk						
Antrozous pallidus	AMACC10010	None	None	G5	S3	SSC
pellid bet						_
l <i>quille chryseetos</i> golden eagle	ABNKC22010	None	None	G5	S3	FP
irdae herodias	1010101010	None	Nana	05	04	
great blue heron	ABNGA04010	None	None	G5	<b>S4</b>	
Astragalus tener var. tener	PDFAB0F8R1	None	Mana	Catta	S2	1B.2
alkali milk-verch	PUPABUPOR	HOIRE	None	G2T2	32	10.2
elsamorhiza macrolepis	PDAST11061	None	None	G2	S2	1B.2
big-scale balsamroot	PDASTITUDI	HOIS	NUR	G2	32	10.2
lombus croichli	IIHYM24480	None	None	G3G4	S1S2	
Crotch bumble bee	Will ME 1700	140110	140110	3004	0.02	
Sombus occidentalis	III-IYM24250	None	None	G2G3	S1	
western bumble bee					-	
Centromedia parryi sap. congdonii	PDAST4R0P1	None	None	G3T2	S2	1B.1
Congdon's tarplant						. )
eneus piexippus pop. 1	IILEPP2012	None	None	G4T2T3	S2S3	
monarch - California overwintering population						
Eryngium jepeonii	PDAPI0Z130	None	None	G2	<b>S2</b>	1B.2
Jepson's coyote-thistie						
umops perotis celifornicus	AMACD02011	None	None	G5T4	S3S4	SSC
western mastiff bat						
ritillaria illiacea	PMLIL0V0C0	None	None	G2	<b>S2</b>	1B.2
fragrant fritillary						
lelianthella castanes	PDAST4M020	None	None	G2	\$2	1B.2
Diablo helianthella						
iolta strobilina	PDFAB5Z030	None	None	G2	82	18.1
Loma Prieta holta						
lolocarpha macradenia	PDAST4X020	Threatened	Endangered	G1	81	1B.1
Santa Cruz terplant						
asiurus cinereus	AMACC05030	None	None	G5	S4	
hoery bet						
lasticophis lateralis euryxanthus	ARADB21031	Threatened	Threatened	G4T2	82	
Alameda whipsnake						
licrocine lumi	ILARA47050	None	None	G1	<b>S1</b>	
Lum's micro-blind harvestman					•	
fonolopia gracilens	PDAST6G010	None	None	G3	<b>S3</b>	1B.2
woodland woollythreads						•



## Selected Elements by Scientific Name California Department of Fish and Wildlife California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Giobal Rank	State Rank	Rare Plant Rank/CDFW 88C or FP
Nectoma fuscipes annectens	AMAFF06062	None	None	G5T2T3	S2\$3	SSC
San Francisco dusky-footed woodrat						
Plagiobothrys glaber	PDBOR0V0B0	None	None	GH	SH	1A
fiairless popcomflower						
Rene dreytonli	AAABH01022	Threatened	None	G2G3	S2S3	SSC
California red-legged frog						
Setophege petechia	ABPBX03010	None	None	G5	8384	SSC
yellow warbler						
Streptanthus albidus ssp. peramoenus	PDBRA2G012	None	None	G2T2	\$2	1B.2
most besutiful jewelflower						
Valley Needlegress Grassland	CTT42110CA	None	None	G3	S3.1	
Valley Needlegrass Grassland						



## **Plant List**

Hardwell y M. Ray . J. S.

1 matches found. Click on scientific name for details

#### Search Criteria

California Rare Plant Rank is one of [1A, 1B, 2A, 2B], FESA is one of [Endangered, Threatened], CESA is one of [Endangered, Threatened], Found in Contra Costa County, Found in Quad 3712261

Q Modify Search Criteria Export to Excel Modify Columns 21 Modify Sort Remove Photos

Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plan Rank	tState Rank	Giobal Rank	Photo
Holocarpha macradenia	Santa Cruz tarplant	Asteraceae	ennual herb	Jun-Oct	1B.1	<b>S</b> 1	G1	

## 2009 Zoya Akulova

#### **Suggested Citation**

California Native Plant Society, Rare Plant Program. 2018. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org [accessed 02 February 2018].

Search the inventory	Information	Contributors
Simple Search	About the Inventory	The Califora Database
Advanced Search	About the Rare Plant Program	The California Lichen Society
Glossary	CNPS Home Page	California Natural Diversity Database
	About CNPS	The Jepson Flora Project
	Join CNPS	The Consortium of California Herbaria
		CalPhotos

Questions and Comments rareolanis@cnos.org

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Appendix B: Traffic Memorandum THIS PAGE INTENTIONALLY LEFT BLANK



155 GRAND AVENUE, SUITE 900 OAKLAND, CA 94612 510,839,1742 F 510,839,0871

#### **MEMORANDUM**

Date:

February 22, 2018

Project #: 21122

To:

Jason Brandman, FirstCarbon Solutions

From:

Damian Stefanakis and Michael Sahimi

Project:

Mission & Mattox Residential Development

Subject:

Transportation Impact Memo - Draft

This memorandum summarizes the transportation assessment for the proposed Mission & Mattox Residential Development ("Project") at Tract 8405 and APN 414-0046-058-02 in unincorporated Alameda County. The purpose of this memorandum is to:

- Assess Impacts to traffic operations at the intersection of Mission Boulevard & Mattox Road
- Evaluate potential access and circulation impacts to people driving, bicycling, walking, or taking transit to, from, or near the Project
- Provide Project VMT for Informational purposes

#### PROJECT DESCRIPTION AND LOCATION

MLC Holdings, Inc. is proposing to entitle 57 multifamily housing units and 7,200 square feet of non-residential uses (split between specialty retail and high-turnover restaurant) on a 2.6-acre site at the northeast corner of Mission Boulevard & Mattox Road in unincorporated Alameda County north of the city of Hayward, CA. Project site access will be provided by two right-in/right-out driveways, one located on Mission Boulevard and one on Mattox Road. The Project also includes the installation of a bicycle lane northbound along Mission Boulevard. The Project site plan is shown on Figure 1.

The Project site is located along the east side of Mission Boulevard and north of Mattox Road. Mission Boulevard, also known as State Route 185, is a California Department of Transportation (Caltrans) facility and runs in the north-south direction west of the Project site. SR 185 connects this part of Alameda County to San Leandro and Oakland to the north with Hayward to the south. Mattox Road runs in the east-west direction south of the Project site. Mattox Road turns into Hampton Road west of Mission Boulevard. Mattox Road provides a connection from Castro Valley in the east to the Cherryland and San Lorenzo communities of Alameda County in the west.

The project is located less than a quarter mile from the I-238 and I-580 freeways, the primary routes leading to the Bay Area's major employment centers in San Francisco, Silicon Valley, the Peninsula, and

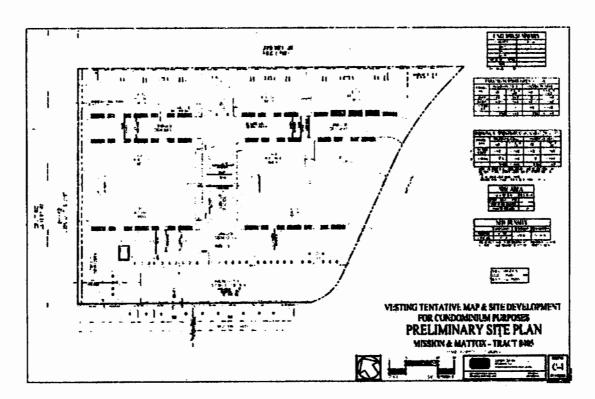


the Tri-Valley. The site currently has several vacant light industrial buildings that will be demolished prior to development. The site is within the Cherryland District of Alameda County and is surrounded by commercial uses and a residential neighborhood consisting of single-family homes and apartment complexes. The Cherryland Business District is in the midst of a significant redevelopment effort that will, when complete, include nearly \$10 million in streetscape improvements and a number of residential and commercial projects that are currently in the planning process.

The Property is currently zoned District Mixed-Use under the County's Ashland and Cherryland Business District Specific Plan ("ACBD Specific Plan"), which emphasizes a mix of residential and commercial uses. Consistent with the ACBD Specific Plan, MLC's initial project concept includes a combination of 45 three-story townhomes and a single commercial/residential mixed use building located along the site frontage at Mission Boulevard.

The Project location is shown on Figure 2.

Figure 1 Project Site Plan



Source: MLC Holdings, October 2017

Oakland, California

# Figure 2 Project Location and Study Area



Source: Kittelson and Associates, Inc., 2018

# INTERSECTION OPERATIONAL ANALYSIS

The intersection of Mission Boulevard & Mattox Road was analyzed using Synchro intersection analysis software. The intersection was assessed using the Highway Capacity (HCM) methodology<sup>1</sup>. The HCM methodology assigns a level of service (LOS) grade (from A to F) to an intersection based on the average control delay for vehicles at the intersection. LOS D is the maximum acceptable level of service for intersections in unincorporated Alameda County before an impact is assessed. LOS grades and corresponding delay values under the HCM methodology are provided in Table 1.

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<sup>&</sup>lt;sup>1</sup> The HCM 2010 methodology was used for stop controlled driveways in this study. For the intersection of Mission Boulevard & Mattox Road, the HCM 2000 methodology was used due that methodology's more accurate estimate of delay at signalized intersections with shared turn-through lanes.

In addition, 95<sup>th</sup> percentile queue lengths at the westbound right-turn at the intersection were assessed to determine whether the queues would back up onto Mattox Road. These 95<sup>th</sup> percentile queue lengths determine the theoretical "maximum" queue.

Table 1 Intersection Level of Service and Delay Thresholds (HCM Methodology)

tos	Average Control Delay	Per Vehicle (Seconds)
103	Signalized	Unsignalized
Α	<10.0	<10.0
В	>10.0 and <20.0	>10.0 and <15.0
C· ·	>20.0 and <35.0	>15.0 and <25.0
D	>35.0 and <55.0	>25.0 and <35.0
E	>55.0 and <80.0	>35.0 and <50.0
F .	>80.0	>50.0

Source: Highway Capacity Manual

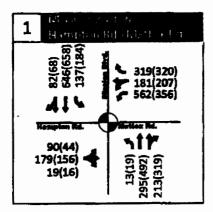
# **Existing Conditions**

This section documents the results of the analysis during Existing Conditions (No Project).

# **Existing Traffic Volumes**

Turning movement counts were collected on Tuesday, November 14, 2017, which represents a typical weekday. Turning movement counts were collected during the AM peak period (7:00 AM to 9:00 AM) and PM peak period (4:00 PM to 6:00 PM). The AM and PM peak hour volumes, lane configurations, and intersection control are shown on Figure 3. The detailed intersection count sheets are attached to this memorandum.

Figure 3 Existing Traffic Volumes



AM(PM) - Traffic Volume

Stop Sign

- Traffic Signal

Source: Kittelson and Associates, Inc., 2018

## **Existing Level of Service**

Existing LOS for the intersection of Mission Boulevard & Mattox Road is shown in Table 2. As shown in the table, the intersection already operates at an unacceptable level of service (LOS E) in the AM peak hour and an acceptable level of service (LOS D) in the PM peak hour.

Table 2 Level of Service - Existing Conditions

Intersection	Peak Hour	Delay	tos
1 Adjuster Physics Burgers Bd /Marthau Bd	АМ	69.0	E
1.Mission Blvd. & Hampton Rd./Mattox Rd.	РМ	40.1	D

Source: Kittelson & Associates, Inc., 2018
Bold indicates unacceptable LOS.

## **Existing Queuing**

The 95<sup>th</sup> percentile queue lengths for the westbound right-turn lane at the intersection of Mission Boulevard & Mattox Road is shown in Table 3. The storage length (consisting of a channelized right-turn lane and a shared right-turn/bicycle lane) is approximately 200 feet. As shown, the westbound right-turn lane has a 147-foot queue during the AM peak hour and an 89-foot queue during the PM peak hour. It should be noted that the AM peak hour westbound right-turn volumes exceed the turn lane's capacity so a longer queue may be possible. However, given the 200 feet of available storage, the westbound

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right-turn queue length is not anticipated to exceed the storage on a typical day and traffic does not back up onto Mattox Road.

Table 3 Queuing - Existing Conditions

Intersection	Movement	Peak Hour	Queue
Mission Blvd. & Hampton Rd./Mattox Rd.	Eastbound	АМ	147*
 Wission Bivu, & Hampton Ru./Wattox Ru.	Right	PM	89

Notes:

All queues are 95th percentile lengths and are presented in feet.

Asterisk (\*) denotes that 95th percentile volume exceeds capacity, queue may be longer.

Source: Kittelson & Associates, Inc., 2018

## **Project Trips**

This section presents the estimated number of vehicle trips expected to be generated by the Project. The project is proposing:

- 57 multifamily (mid-rise) units
- 7,200 square feet of retail, split into:
  - o 3,600 square feet of specialty retail
  - o 3,600 square feet of high-turnover restaurant
- Installation of a bicycle lane northbound along Mission Boulevard

#### Trip Generation

The number of vehicle trips expected to be generated by the Project were estimated using rates published in the Institute of Transportation Engineers (ITE) Trip Generation Manual 9<sup>th</sup> and 10<sup>th</sup> Editions. In order to accurately estimate the net vehicle trips that would be generated by this Project, a reduction was applied to the Project trip generation estimate to account for internalization and pass-by trips. A pass-by trip is made as an intermediate stop on the way to a primary destination, attracted from traffic passing the site on an adjacent roadway and without a route diversion. Thus, pass-by trips are not new traffic that is added to the roadway network and should be reduced from the trip generation estimate accordingly. In addition, given the Project's mix of residential and commercial uses, it can be assumed that a portion of trips will remain internal to the Project site.

The resulting trip generation estimates are shown in Table 4. As shown, the Project is expected to generate 51 trips during the AM peak hour (30 inbound and 21 outbound) and 60 trips in the PM peak hour (25 inbound and 35 outbound).

## **Table 4 Project Trip Generation Estimates**

			Trip Ge	neration R	ates					
Land Use	Ra	~	Daily	A	M Peak Ho	ur	PM Peak Hour			
LIZIO USE	nu.	LE ,	Dony	In	Out	Total	İn	Out	Total	
Specialty Retail Center (ITE Code 826)	per 1,0	000 sf	44.32		-	-	31%	69%	[a]	
High-Turnover (Sit-Down) Restaurant (ITE Code 932)	per 1,0	per 1,000 sf		77%	23%	9.94	31%	69%	9.77	
luktifamily Housing (Mid- ise) (ITE Code 221)					74%	0.36	61%	39%	0.44	
			Trip Gene	ration Esti	male:					
Land Use	Siz	<u> </u>	Dally	A	M Peak Họ	W.		PM Peak Ho	ur	
		•		ln	Out	Total	In	Out	Total	
Specialty Retail Center (ITE Code 826)	3,600	sf	160		-	-	9	21	30	
High-Turnover (Sit-Down) Restaurant (ITE Code 932)	3,600	sf	404	28	8	36	11	24	35	
Multifamily Housing (Mid- Rise) (ITE Code 221)	57	DU	310	5	16	21	15	10	25	
TOTAL	- PROPOSE	D USES	874	33	24	57	35	55	90	
INTERNALIZATION	REDUCTION	(-10%)	-87	-3	-3	-6	-4	-5	-9	
PASS-	BY REDUCT	ЮN [Ь]	-			-	-6	-15	-21	
701	AL PROJECT	T TRIPS	787	30	21	51	25	35	60	

Source: ITE Trip Generation Manual, 9th and 10th Editions

Notes:

sf - square feet

du - dwelling units

[a] PM peak hour trip generation for Specialty Retail Center is calculated using the equation T=2.40(X)+21.48

[b] The following peak hour pass-by reductions were applied after applying internalization reductions:

Specialty Retail Center: -94%

High-Turnover (Sit-Down) Restaurant: -38%

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# Trip Distribution and Assignment

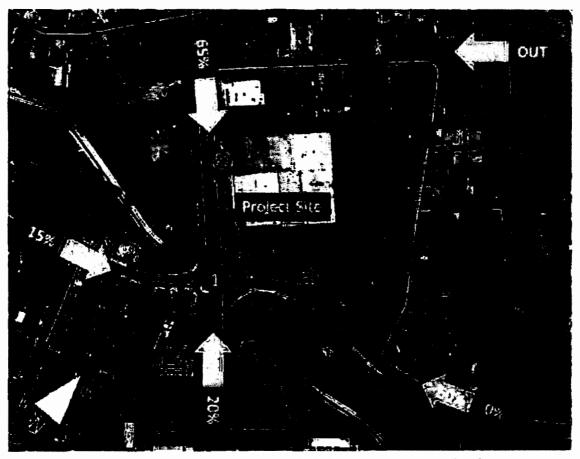
The trip distribution for the Project was developed based on trip distribution for the area included in the Ashland and Cherryland Business District Specific Plan (2015) and finetuned based on the traffic counts and driveway access from/to the site. The trip distribution for the Project is as follows and is displayed in Figure 4:

- Inbound
  - o 25% from the north on Mission Boulevard
  - o 20% from the south on Mission Boulevard
  - o 50% from the east on Mattox Road

- o 5% from the west on Hampton Road
- Outbound
  - o 65% to the north on Mission Boulevard
  - o 20% to the south on Mission Boulevard
  - o 0% to the east on Mission Road
  - o 15% to the west on Hampton Road

It should be noted that inbound and outbound distribution differs due to a number of factor such as right-in/right-out restrictions at Project driveways, U-turn restrictions at surrounding intersections, and the locations of freeway on- and off-ramps around the Project site.

**Figure 4 Project Trip Distribution** 



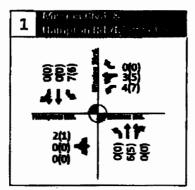
Source: Kittelson and Associates, Inc., 2018 & Ashland and Cherryland Business District Specific Plan (2015)

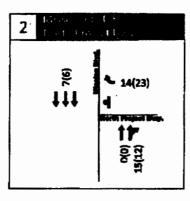
The trip distribution was applied to the Project trip generation from Table 4. The resulting Project-only trips at the driveways and study intersection are presented on Figure 5. Detailed Project trip assignment paths for inbound and outbound and for AM and PM peaks, are provided in the appendices.

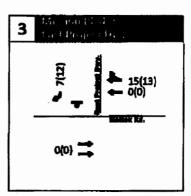
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# Figure 5 Project-Only Traffic Volumes







AM(PM) - Traffic Volume

Stop Sign

- Traffic Signal

Source: Kittelson and Associates, Inc., 2018

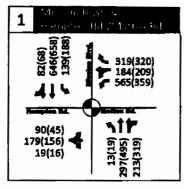
# **Existing Plus Project Conditions**

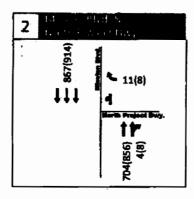
This section documents the results of the analysis during Existing Plus Project Conditions.

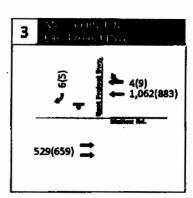
## Existing Plus Project Traffic Volumes

The Project-only traffic volumes from Figure 5 and pass-by trip adjustments in the PM peak hour were added to the Existing traffic volumes in Figure 3. The resulting Existing Plus Project traffic volumes, lane configurations, and intersection controls are shown on Figure 6.

Figure 6 Existing Plus Project Traffic Volumes







AM(PM) - Traffic Volume

🐣 - Stop Sign

- Traffic Signal

Source: Kittelson and Associates, Inc., 2018

## Existing Plus Project Level of Service

Existing Plus Project LOS for the Intersection of Mission Boulevard & Mattox Road and the two proposed Project driveways are shown in Table 5. As shown in the table, the intersection of Mission Boulevard & Mattox Road operates at an unacceptable level of service (LOS E) in the AM peak hour and an acceptable level of service (LOS D) in the PM peak hour. Both proposed Project driveways perform acceptably (LOS B) during both the AM and PM peak hours.

Intersection impact thresholds in unincorporated Alameda County consist of the following:

- A Project degrades level of service from acceptable (LOS D) to unacceptable, or
- A Project increases delay by more than 5 seconds at an intersection already operating unacceptably.

As shown in Table 5, the Project would not result in a significant impact at the intersection of Mission Boulevard & Mattox Road since the project does not add more than 5.0 seconds of delay to the intersection already operating at LOS of E without the project in the AM peak.

Table 5 Level of Service - Existing Plus Project Conditions

	Peak	No P	roject	Plus P	roject	r.h
Intersection	Hour Delay		LOS	Delay	102	Change
1. Mission Blvd. &	AM	69.0	E	71.0	E	+2.0
Hampton Rd./Mattox Rd.	PM	40.1	D	41.2	D	+1.1

	Peak	No P	roject	Plus	Change	
Intersection	Hour	Delay	LOS	Delay	1.05	Change
2. Mission Blvd. &	AM		••	11.0	В	
North Project Dwy.	PM	_		11.9	В	
3. Mission Blvd. &	AM	-		12.9	В	
East Project Dwy.	PM	-	<b>24</b> ,	11.9	В	

Source: Kittelson & Associates, inc., 2018 Bold indicates unacceptable LOS. Shading indicates a significant impact

## **Existing Plus Project Queuing**

The 95th percentile queue lengths for the westbound right-turn lane at the intersection of Mission Boulevard & Mattox Road and for the outbound right-turn lanes at the two proposed Project driveways are shown in Table 6.

As shown, the Project would not significantly affect westbound right-turn queues at Mission Boulévard & Mattox Road since Project trips are not expected to make a westbound right-turn lane at the intersection nor add any volumes to that movement.

The 95<sup>th</sup> percentile queue lengths for outbound right-turning vehicles at the two proposed Project driveways are also shown in Table 6. Outbound queues would remain internal to the Project site; due to a lack of spillover onto Mission Boulevard or Mattox Road, an impact on surrounding roadways is not expected.

**Table 6 Queuing -- Existing Plus Project Conditions** 

	Intersection	Movement	Peak Hour	No Project Queue	Plus Project Queue
1.	Mission Blvd. &	Eastbound	AM	147*	147*
	Hampton Rd./Mattox Rd.	Right	PM	89	90
2.	Mission Blvd. &	Eastbound	AM	,	<25
	North Project Dwy.	Right	PM	**	<25
3.	Mattox Rd. &	Southbound	AM		<25
	East Project Dwy.	Right	PM		<25

Notes:

All queues are 95th percentile lengths and are presented in feet.

Asterisk (\*) denotes that 95th percentile volume exceeds capacity, queue may be longer.

Source: Kittelson & Associates, Inc., 2018

# SITE ACCESS, CIRCULATION, AND MULTIMODAL ANALYSIS

This section documents access and circulation at the Project site and conditions for people driving, biking, walking, or taking transit.

## Vehicular Access

Vehicular access to and from the Project site is provided by two right-in/right-out driveways adjacent to the intersection of Mission Boulevard and Mattox Road. The Project provides one driveway on Mission Boulevard (approximately 300 feet north of the intersection) and one driveway on Mattox Road (approximately 235 feet east of the intersection).

As shown on Table 5, the Project driveways are expected to operate at acceptable levels of service. Both driveways are expected to operate at an acceptable LOS B in both the AM and PM peak periods. In addition, Table 6 shows expected outbound right-turn queue lengths for both driveways. As discussed, outbound queues would remain internal to the Project site; additionally, queues are not expected for inbound right-turning vehicles since that movement would be unrestricted and uncontrolled. Due to a lack of spillover onto Mission Boulevard or Mattox Road, an impact on surrounding roadways is not expected.

Table 6 also displays the 95<sup>th</sup> percentile queue lengths with project implementation for the westbound right turn lane at the intersection of Mission Boulevard and Mattox Road. As shown in the table, the projected queue length is 147 feet in the AM peak hour and 90 feet in the PM peak hour. Given that the Project's southeastern driveway on Mattox Road is approximately 235 feet east of the intersection, the driveway would not impact westbound right-turning vehicles.

### **Driveway Sight Distance**

As part of this assessment, the line of sight at the Project driveways were analyzed to ensure that adequate sight distances are provided for vehicles to see both pedestrians in sidewalk areas and vehicles approaching the driveways. Line of sight was analyzed using standards and methodologies described in the American Association of State Highway and Transportation Officials (AASHTO) Geometric Design of Highways and Streets. AASHTO standards were used to develop a departure sight triangle at each intersection that should be unobstructed for vehicles leaving the Project site to provide sufficient view of approaching vehicles and pedestrians from the left.

AASHTO recommends that the driver decision point of the sight triangle (the short side) should be 14.5 feet from the major road traveled way (in the Project's case, between the bicycle lane and the outer vehicle lane). However, where practical, AASHTO recommends increasing the distance to 18 feet. Given the presence of sidewalks and pedestrians around the Project site, this analysis assumed a decision point of 18 feet from the major road traveled way.

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The following formula was used to calculate the necessary intersection sight distance along the major road for each driveway:

where:

ISD = intersection sight distance (length of the leg of sight distance triangle along the major road) (f)

V<sub>major</sub> = design speed of major road (mph)

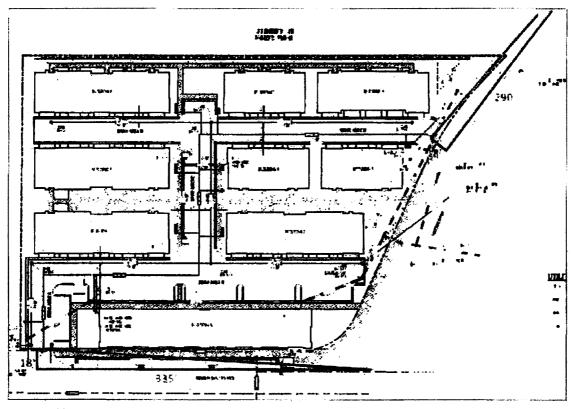
t<sub>e</sub> = time gap for minor road vehicle to enter the major road (s)

Assuming a passenger car time gap of 6.5 seconds (based on AASHTO) and utilizing the posted speed limits (35 mph on Mission Boulevard and 30 mph on Mattox Road) resulted in the following intersection sight distances:

- Mission Boulevard driveway: 334.4 feet, rounded to 335 feet
- Mattox Road driveway: 286.7 feet, rounded to 290 feet

The recommended departure sight triangles for each Project driveway are shown on Figure 7. As shown, the sight triangles are free of obstructions and adequate sight distance is provided.

**Figure 7 Project Driveway Sight Triangles** 



Source: MLC Holdings, October 2017 & Kittelson and Associates, Inc., 2018

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## On-Site Truck Circulation

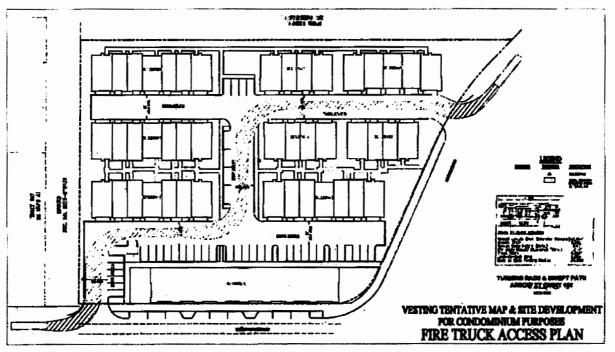
A fire truck turning template was used to ensure the Project site plan provides adequate circulation options. The fire truck turning template represents a conservative wheelbase for the type of vehicles that would be expected to visit the project site. The dimensions for the vehicle are as follows:

Overall length: 41.15 feet
Overall width: 8.00 feet
Track width: 9.05 feet

• Curb to curb turning radius: 35.25 feet

As shown on Figure 8, the Project site plan provides the necessary internal roadway and driveway geometries to accommodate a fire truck driving into, through, and off the Project site. However, U-turns cannot be accommodated and would require backing up. It should be noted that the template used for this analysis is a conservative measurement since other trucks (e.g. garbage trucks) and passenger vehicles would have shorter wheelbases and tighter turn radii.

Figure 8 Fire Truck Turning Analysis



Source: MLC Holdings, October 2017

# **Bicycle Access**

Low levels of bicycle activity were observed during weekday data collection at the intersection of Mission Boulevard and Mattox Road. Two bicycles were observed during the AM peak hour and three bicycles were observed during the PM peak hour.

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Currently, bicyclists accessing the Project site can utilize bicycle lanes on Mattox Road, which terminate at Mission Boulevard. In addition, the Project proposes installing northbound bicycle lanes on Mission Boulevard fronting the project site which would also facilitate access to the site. Bicycle access points at the Project site include the two driveways as well as sidewalk-adjacent Project frontage along Mission Boulevard and Mattox Road, including directly at the intersection of Mission Boulevard & Mattox Road.

The two Project driveways present a potential conflict between bicyclists and vehicles. Vehicles making a right turn into the Project or a right out of the Project must enter the bicycle lane and cross a potential bicyclist's path. The potential for such conflicts can be reduced with treatments such as carrying the bike lane across the driveway and including green conflict zone markings across the driveway. In addition, it is important to ensure (with signage) that exiting vehicles stop before the bicycle lane.

The westbound right turn lane at the intersection of Mission Boulevard & Mattox Road also presents a potential conflict between bicyclists and vehicles. Specifically, bicyclists and right-turning vehicles must cross paths. Currently, the intersection consists of a channelized right turn lane in which the bicycle lane is carried through the right turn lane.

### **Pedestrian Access**

Low levels of pedestrian activity were observed during weekday data collection at the intersection of Mission Boulevard and Mattox Road. Pedestrian counts are shown in Table 7.

Table 7 Existing Pedestrian Counts (Mission Blvd. & Mattox Rd.)

Intersection Leg	AM Peak Hour	PM Peak Hour
West Leg	8	5
East Leg	7	3
South Leg	4	3
North Leg	0	· 0

Source: Kittelson & Associates, Inc., 2018

Currently, pedestrians accessing the Project site can utilize sidewalks along Mission Boulevard & Mattox Road. Sidewalks are provided in all directions around the Project site and are in generally good physical condition. Pedestrian access to the Project site is also accommodated by marked crosswalks at the intersection of Mission Boulevard & Mattox Road. Pedestrian access points at the Project site include sidewalk-adjacent Project frontage along Mission Boulevard and Mattox Road, including directly at the intersection of Mission Boulevard & Mattox Road.

The two Project driveways present a potential conflict between pedestrians and vehicles which parallel potential issues between bicyclists and vehicles at the driveways. Vehicles making a right turn into the Project or a right turn out of the Project could conflict with pedestrians crossing the driveways. The potential for such conflicts can be reduced by providing marked crosswalks at the driveways and signage

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warning drivers to be aware of pedestrians. In addition, it is important to ensure (with signage and stop bars) that exiting vehicles stop behind the path of crossing pedestrians.

### **Transit Access**

Transit service near the Project consists of local bus service provided by AC Transit:

- AC Route 10 (San Leandro BART to Hayward BART)
- AC Route 93 (Loop between Hayward BART, Bay Fair BART, and San Lorenzo)
- AC Route 801 (Fremont BART to Oakland 12<sup>th</sup> St. BART)

Nearby bus stops include two stops at the intersection of Mission Boulevard & Lewelling Boulevard (approximately 1000 feet north of the Project site) and two stops at the intersection of Mission Boulevard & Medford Avenue (approximately 700 feet south of the Project site). Of these four bus stops, three provide benches; none provide a bus shelter. Access to the Project site from these bus stops consists of sidewalks which are provided consistently on both sides of Mission Boulevard.

Given that transit users must bike or walk to and from nearby bus stops, potential conflicts and solutions for transit users at the Project site mirror those addressed for bicyclists and pedestrians. Furthermore, the Project would not affect transit service since the two Project driveways would not interfere with boardings and alightings at bus stops on Mission Boulevard.

## **VEHICLE MILES TRAVELED**

Daily vehicle miles traveled (VMT) for the Project was estimated using the daily trip generation and the Alameda County Transportation Commission (CTC) Countywide Travel Demand Model. The daily trip generation (787 trips) was multiplied by the average trip length (6.14 miles) obtained from the model for the specific traffic analysis zone (TAZ) that the project is located in. This resulted in a daily Project VMT of 4,832 VMT.

### SUMMARY AND CONCLUSIONS

The Project is proposing to build 57 multifamily housing units and 7,200 square feet of non-residential uses (split between specialty retail and high-turnover restaurant) at the northeast corner of Mission Boulevard & Mattox Road. The anticipated trip generation is 787 daily trips, 51 trips during the AM peak hour (30 inbound and 21 outbound) and 60 trips in the PM peak hour (25 inbound and 35 outbound). The findings documented in this memorandum are as follows:

 The Project will not result in a significant impact at the intersection of Mission Boulevard & Mattox Road. The intersection operates at LOS E in the AM peak hour in both Existing and Existing Plus Project conditions, but the project is forecast to add less than 5.0 seconds of delay.

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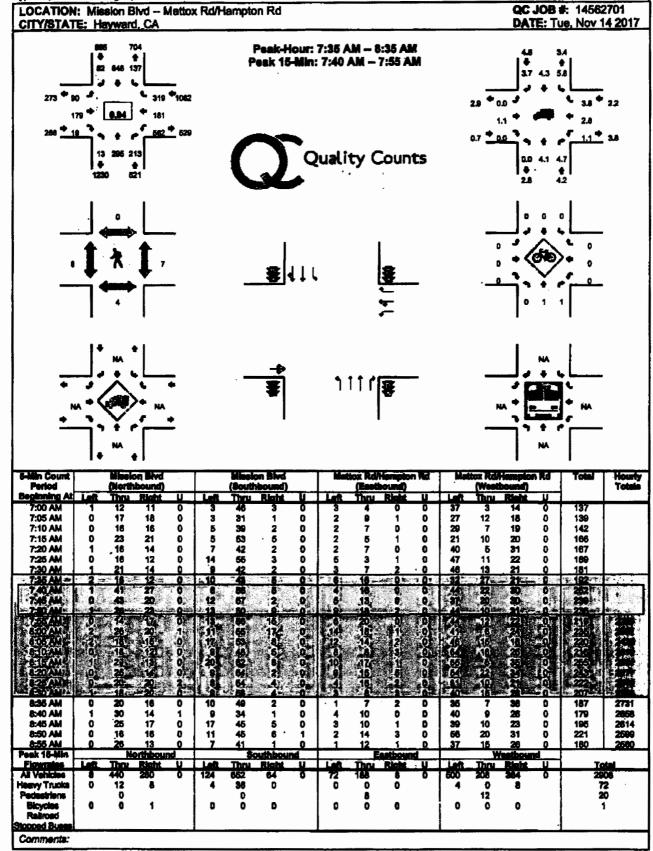


- The project would not substantially increase westbound right-turning queues at the intersection of Mission Boulevard & Mattox Road. In addition, the Project's Mattox Road driveway location does not conflict with the intersection's westbound right-turning queue.
- Both Project driveways operate at acceptable LOS in the AM and PM peak hours. Queuing is expected to be minimal and limited to the project site with no spillover onto Mission Boulevard or Mattox Road.
- The Project site plan provides appropriate driveway sight distance.
- The Project site plan provides the necessary internal roadway and driveway geometries to accommodate a fire truck.
- The Project driveways are potential conflict points for vehicles, bicyclists, pedestrians, and transit users which can be addressed with treatments.
- The Project is estimated to generate 4,832 daily VMT.

#### Attachments:

- A. Traffic Counts
- **B. Existing Conditions Synchro Output Sheets**
- C. Trip Assignment Paths
- D. Existing Plus Project Conditions Synchro Output Sheets

**Attachment A: Traffic Counts** 



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4:05 PM 4:10 PM 4:15 PM 4:15 PM 4:26 PM 4:20 PM 4:25 PM 4:30 PM 4:30 PM 4:46 PM 4:46 PM 4:46 PM 4:46 PM 5:50 PM 5:50 PM 5:50 PM 5:50 PM 5:50 PM 5:50 PM	2 26 1 33 1 31 2 45 1 49 0 45 0 31 4 39	31 22 25 25 24 32 20	0 1 1 0 2 1 1 0 0 1 1 1 1 1 1 1 1 1 1 1	8 61 1 56 8 50 4 56	4 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	5 5 3 3 4 6 9 KG G Y KG	13 12 8 18 14 5 10 12 12 13 15		26 30 26 33 31 38	16 21 13 14 14 19 19 10 19 10 19 10 19 10 19 10 19 10 19 10 10 10 10 10 10 10 10 10 10 10 10 10	33 0 19 0 20 0 17 0 22 0 17 0 22 0 10 0 10 0 10 0 10 0 10 0 10 0 10	237 249 226 224 217 225 217 207 207 217 227 227	2716 281 2710 - 282 2710 2710 2710
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**Attachment B: Existing Conditions Synchro Output Sheets** 

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Movement	EBE	BT	EBR	WBL	WBT	_WBR	LABL.	. NBT.	NBR.	SEE		SBR
Lane Configurations		4		7	ď	<b>E</b>	*5	<b>4</b> %		7	43	
Traffic Volume (vph)	90	179	19	562	4 181	319	13	295	213	137	846	82
Future Volume (vph)	90	179	19	562	181	319	13	295	213	137	646	82
ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		3.7		3.7	3.7	3.7	<b>3.7</b>	4.1		3.7	4.1	•••
Lane UEL Factor		1.00		0.95	0.95	1.00	1.00	0.95		1.00	0.95	
Frpb, ped/bikes		1.00		1.00	1.00	1.00	1.00	0.98		1.00	1.00	
Flpb, pedibites		1.00		1.00	1.00	1.00	1.00	1.00		1.00	1,00	
Frt		0.99		1.00°	1.00	0.85	1.00	0.94		1.00	0.98	
Fit Protected		0.98		0.96	0.97	1.00	0.95	1.00		0.95	1.00	
Satd. Flow (prof)		1798		1665	1708	1568	1752	3234		1752	3431	
Fit Permitted		0.96		Õ. <b>9</b> 5	0.87	1.00	0.96	1.00		0,95	1.00	
Satd, Flow (perm)		1798		1665	1708	1568	1752	3234		1752	3431	
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	96	190	20	598	193	339	14	314	227	148	687	87
RTOR Reduction (vph)	0	2		Ô	0	102	0	118	0	Ó	8	. 0
Lane Group Flow (vph)	0	304	Ĉ.	389	402	237	14	425	0	146	786	Ö
Confl. Peds. (#/hr)			4		•		•		7			8
Confl. Bikes (#/hr)									- 4			
Heavy Vehicles (%)	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%
Turn Type	Split	NA		Split	.NA	Perm	Prot	NA		Prot	NA	
Protected Phases	4	4		8	8		5	2		1.1.5	6	
Permitted Phases	•	•		•	•	8	•	-		•	•	
Actuated Green, G (s)		22.9		21.7	21.7	21.7	3.3	36.1		14.1	46.9	
Effective Green, g (s)		22.9		21.7	21.7	21,7	3.3	36.1		14.1	46.9	
Actuated g/C Ratio		0.21		0.20	0.20	0.20	0.03	0.33		0.13	0.43	
Clearance Time (s)		3.7		3.7	3.7	3.7	3.7	4.1		3.7	4.1	
Vehicle Extension (s)		2.0		2.0	2.0	2.0	2.5	4.0		2.5	4.0	
Lane Grp Cap (vph)		374		328	336	309	52	1061		224	1462	
v/s Ratio Prot		c0.17		0.23	c0.24	7,	0.01	0.13		c0.08	c0.22	
v/s Ratio Perm		يا يوت				0.15	<b>,</b> ,	<b>-</b> ,,,,-				
vic Ratio		0.81		1.19	1.20	0.77	0.27	0.40		0,65	0,52	
Uniform Delay, d1		41.5		44.1	44.1	41.8	52.2	28.6		45.6	·23.3	
Progression Factor		1.00		1.00	1,00	1,00	1,00	1.00		1.00	1.00	
Incremental Delay, d2		12.0		110.3	113.7	9.8	2.0	1.1		5.9	1.3	
Delay (s)		53.5		154.4	157.9	51,6	54.2	29.7		51.8	24.7	
Lavel of Service		Ď		F	F	Ö.Ö	D	C		D	C	
Approach Delay (s)		53.5		•	124.8	-	- 10 to 10 t	30.3			28.9	
Approach LOS		D			F			C			C	
incredition survey.	5051 e	a	4	(8-6) × 8	No.							
HCM 2000 Control Delay			69.0	H	CM 2000	Level of	Service		E		1 has not a 11	
HCM 2000 Volume to Cape	city ratio		0.78	. "				.srsmale			668E	
Actuated Cycle Langth (s)	بجهه بي		110.0	ė	um of los	time (e)			15.2		under on the contract of the c	
Intersection Capacity Utiliza	500		81.7%			of Service	dyr e			S. Oppos	And part of the second	
Analysis Period (min)	<del>100</del> 1		15	^	en marini	~ ~~			<b>.</b>	· · · · · · · · · · · · · · · · · · ·	magazine a secondo secreta	
c Critical Line Group			10		1,6					sand, maj	Apple of	
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SOUTH CONTRACTOR		. Yel		WH.	<b>建</b> . 用 L L	A LET		. een	
Lane Group Flow (vph)	306	389	402	339	14	541	146	774	
we Rate	0.81	1,19	1.19	0.63	0,11	0,46	0.85	0.50	
Control Delay	57.7	149.8	152.2	14.8	49.5	21.1	<b>59.6</b>	23.8	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	57.7	149,8	152.2	14.8	49.5	21.1	<b>59.6</b>	23.8	
Queue Length 50th (E)	205	~349	-363	31	9	104	100	179	
Queue Length 95th (ft)	282	#635	#652	#147	30	161	165	285	
Internal Link Diet (R)	317		434			721		840	
Turn Bay Length (ft)				200	200				
Base Capacity (vph)	497	328	337	539	132	1178	259	1530	
Starvation Cap Reductn	0	0	0	0	0	0	0	0	
Spillback Cap Reductn	Ō	Ō	Ō	0	Ō	0	Ō	0	
Storage Cap Reductn	Ō	ō	ŏ	Ŏ	Ō	Ö	Ō	Ō	
Reduced v/c Railo	0.62	1.19	1.19	0.63	0,11	0.46	0.56	0.50	

Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

<sup># 95</sup>th percentile volume exceeds expecity, queue may be longer.

Queue shown is maximum after two cycles.

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Parameter	JEE .	****E:		- Wills	W.F	· (United		mile of the		m (S:1)	chif(S)	SBR
Lane Configurations		4		**	<b>&amp;</b>	<b>F</b>	**	46		7	11	
Traffic Volume (vph)	44	156	16	356	207	320	19	492	319	184	658	68
Future Volume (vph)	44	156	16	356	207	320	19	492	319	184	658	68
ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		3.7		3.7	3.7	3.7	3.7	4.1		3.7	4.1	73.7.7
Lane Util. Fector		1.00		0.95	0.95	1.00	1.00	0.95		1.00	0.95	
Frpb, ped/bikes		1.00		1.00	1.00	0.99	1.00	0.99		1.00	1.00	
Flipb, ped/bites		1.00		1.00	1.00	1.00	1.00	1.00		1,00	1.00	
Frt		0.99		1.00	1.00	0.85	1.00	0.94		1.00	0.99	
Fit Protected		0.99		0.95	0.29	1.00	0.95	1,00		0.95	1.00	
Said. Flow (prot)		1806		1665	1729	1546	1752	3262		1752	3446	
Fit Permitted		0.99		0.95	0.99	1,00	0.95	1.00		0.95	1.00	4
Satd. Flow (perm)		1806		1665	1729	1546	1752	3262		1752	3446	
Peak-hour factor, PHF	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)		161			213	330		507				
noj, riow (vpii)	45		16	367 0			20		329	190	678	70
RTOR Reduction (uph)	Ŭ.	2	0	<b>-</b> 1.		128	0	. 91	0	<b>.</b>	740	. 0
Lane Group Flow (vph)	Ū	220	0	286	294	204	20	745	0	190	742	Ō
Confl. Peds. (fiftr)			3			1.4.2	e Contractor		: 3	· · · · · · · · · · · · · · · · · · ·	19864.5-	. 5
Confl. Bikes (#/hr)		aike.	***	<b></b>	aine	2	-44	المطلعات الم	1			
leavy Vehicles (%)	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%
Turn Type	Spilit	NA.		Split	NA	Perm -	Prot	NA <sub>.</sub>		Prot	NA	
Protected Phases	4	4		8	8		6	2		1	6	
Permitted Phases						. 8						
Actuated Green, G (s)		19.5		25.1	25.1	25.1	5.7	40.0		15.2	49.5	
Effective Green, g (s)		19.5		25.1	25.1	25.1	5.7	40.0		15,2	49.5	
Actuated g/C Ratio		0.17		0.22	0.22	0.22	0.05	0.35		0.13	0.43	
Clearance Time (s)		3.7		3.7	3.7	3.7	3.7	4.1		3.7	4.1	
Vehicle Extension (s)		2.0		2.0	2.0	2.0	2.5	4.0	76.4	2.5	. 746A . 4.0	
Lane Grp Cap (vph)	•	306		363	377	337	86	1134		231	1483	
vis Ralio Prot		c0.12		c0.17	0.17	**	0.01	c0.23		c0.11	0.22	
vis Ratio Perm		•••		44717	<b>U</b> - <b>U</b> -	0.13	0,00	y Torit			-	
de Rado		0.72		0.79	0.78	0.61	0.23	0.65		0.82	0.50	
Uniform Delay, d1		45.1		42.4	42.3	40,5	52.5	31.7		48.6	23.8	
Progression Factor		1.00		1.00	1,00	1.00	1.00	1.00		1.00	1.00	
Incremental Delay, d2		6.5		10.0	9.0	2.1	1.0	3.0		20.1	1.2	
Delay (8)		51.7		52.4	51.3	42.6	53.8	34.7		68.7	25.0	
		-		new.	D D		55.0	أبنده		-	200	
Level of Service Approach Delay (s)		51.7		,	46 8	D.	, J.	35.1	e de la composición	· room 25mm	33.6	er :
Approach LOS		D Sin			<b>70.0</b>			D	- Who Je		C	
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HCM 2000 Control Delay			40.1	H	CM 2000	Level of S	Service		D			
HCM 2000 Volume to Capacity	ratio .		0.73	7				diam'r	<sub>p</sub> Miosim ne II.		ABRITATION OF	
Actuated Cycle Length (s)			115.0	St	ım of lost	time (s)			15.2			
Mersecton Capacity Utilizatio	n		76.1%			e Service			D	- 10-W/G	alling for the first Talk does not	190
Analysis Period (min)			15	3.								
c Critical Lane Group									1 5 6		Control of the Contro	

		1	•	•	•	†	<b>\</b>	Ţ	
	Bl.	WE.	YEL	WER	. NBL	_186 <u>1</u> _	Set.	: E31	
Lane Group Flow (vph)	222	286	294	330	20	836	190	748	
v/c Ratio	0.72	0.79	0.78	0.55	0,11	88.0	0.82	0.48	
Control Delay	58.9	60.5	59.4	8.8	46.9	30.0	75.5	24,9	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	56.9	60.5	59.4	8.8	46.9	30.0	75.5	24.9	
Queue Length 50th (fl)	157	200	214	D	14	235	137	172	
Queue Length 95th (ft)	213	#477	#486	89	37	309	#248	300	
nternal Link Dist (ft)	317		434		•	721		840	
Turn Bay Length (ft)				200	200				
Base Capacity (vph)	478	363	376	595	217	1225	248	1554	
Starvation Cap Reductn	0	0	0	0	0	0	- 10	0	
Spillback Cap Reductn	Ŏ	8	ŏ	Ŏ	Õ	ŏ	Ŏ	Õ	
Storage Cap Reductn	Ŏ	ō	Õ	ŏ	ŏ	ŏ	ŏ	õ	
Reduced wic Ratio	0.46	0.79	0.78	0.55	0.09	0.68	0,77	0.48	

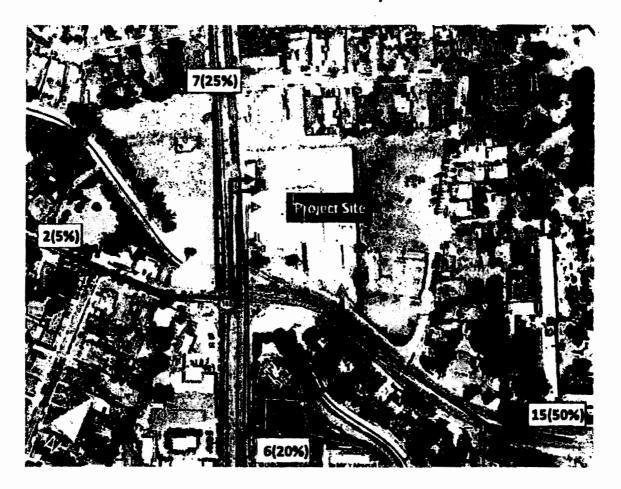
<sup># 95</sup>th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

**Attachment C: Trip Assignment Paths** 

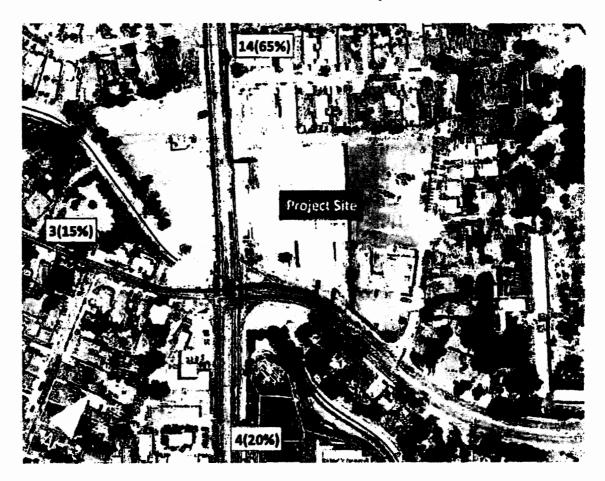
Kittelson & Associates, Inc.

# **AM Inbound Trips**



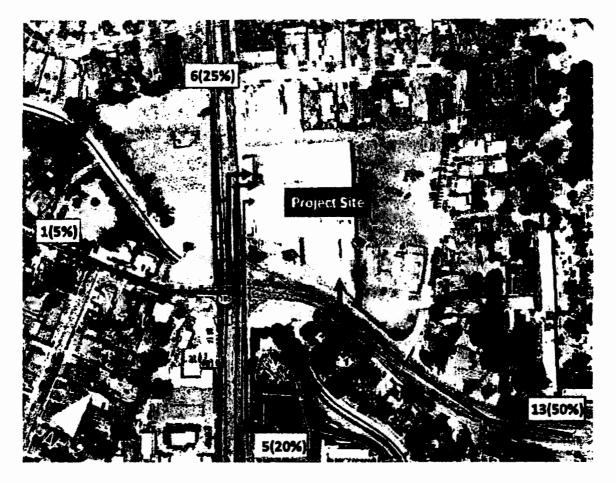
## (##) = Trips (Percent of Total)

# **AM Outbound Trips**



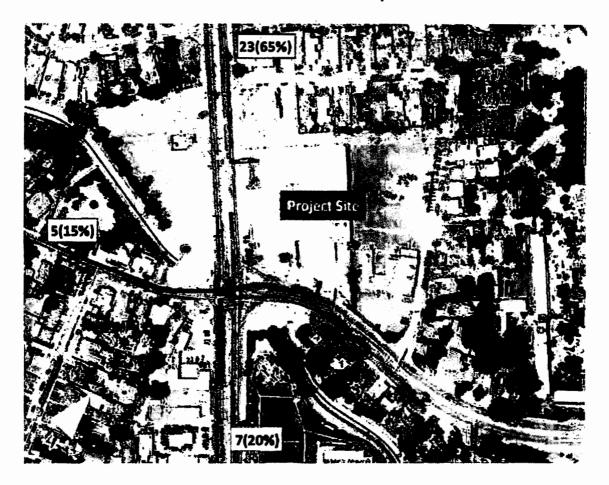
## (##) = Trips (Percent of Total)

# **PM Inbound Trips**



## (##) = Trips (Percent of Total)

# **PM Outbound Trips**



## (##) = Trips (Percent of Total)

**Attachment D: Existing Plus Project Conditions Synchro Output Sheets** 

	•	<b>→</b>	•	1	<b>—</b>	•	1	†	1	-	ţ	1
(Agrement	EBL	_EBT	EBR	Mar	. PRI	WER	NB(C		NBR.	Sec	<b>SE</b>	SBR
Lane Configurations		4			4	F.	A	fR	÷	4	14	
Traffic Volume (vph)	92	170	19	566	184	319	13	301	213	144	646	82
Future Volume (vph)	92	179	19	566	184	319	13	<b>3</b> 01	213	144	646	82
ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	• .	3.7	•	3.7	3.7	3.7	3.7	4.1		3.7	4.1	
Lane Uli. Factor		1.00		0.95	0.95	1.00	1.00	0.95		1.00	0.95	
Frpb, ped/bikes		1.00		1.00	1.00	1.00	1.00	0.98		1.00	1.00	
Flob, peditilies		1.00		1.00	1.00	1.00	1.00	1.00		1.00	1.00	
Frt		0.99		1.00	1.00	0.85	1.00	0.94		1.00	0.98	
Fit Protected		0.98		0.95	0.98	1.00	0.95	1.00		0.95	1.00	
Said. Flow (prot)		1798		1665	1709	1568	1752	3237		1752	3431	
Fit Permitted		0,98		0.95	0.96	1.00	0.95	1.00		0.95	1.00	
Satd. Flow (perm)		1798		1665	1709	1568	1752	3237		1752	3431	
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	98	190	20	602	196	339	14	320	227	153	687	87
RTOR Reduction (vph)		2	Õ	, , , , , , , , , , , , , , , , , , ,	0	102	Ö	113	0	Ö		Ö
Lane Group Flow (vph)	0	308	0	397	401	237	14	434	Ö	153	766	ŏ
Confl. Peds. (#hr)	.*	050.	Ä	٠,٠	401		::	10,7	7	.,,,		Š
Confl. Bikes (#/hr)			7						- 1			•
Heavy Vehicles (%)	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%
Turn Type	Split	NA		Split	NA.	Perm	Prot	NA		Prot	NA	
Protected Phases	Cymi.	4		9 <b>9</b> 40.	8	renin	5	2		,iu		
Permitted Phases	7	7		۰	•	8		2		•	U	
Actuated Green, G (s)		23.0		21.6	21.6	21.5	3.3	36.0		14.2	46,9	
Effective Green, g (8)		23.0		21.6	21.6	21,6	3.3	36.0		14.2	46.9	
		23.0 0.21		0.20	0.20	0.20	0.08	0.33		0.13	0.43	
Actuated g/C Ratio					بم. <del>ں</del> 3.7	لطين 3.7	3.7					
Clearance Time (s)		3.7 2.0		3.7 2.0	2.0	2.0		4.1		3.7 2.5	4.1 4.0	
Vehicle Edension (s)							25	4.0				
Lane Grp Cap (vph)		375		326	335	307	52	1059		226	1462	
via Ratio Prot		c0.17		00.24	0.23	- i-	0.01	0.13		c0.09	60.22	
v/s Ratio Perm		1444		. نمخ م	متنه	0.15	<u>خ</u> م ج				75.44	
wic Radio		0.82		1.22	1.20	0.77	0.27	0.41		0,68	0,62	
Uniform Delay, d1		41.5		44.2	44.2	41.9	52.2	28.7		45.7	23.3	
Progression Factor		1.00		1.00	1.00	1.00	1.00	1.00		1.00	1,00	
Incremental Delay, d2		12.1		122.7	114.0	10.4	2.0	1.2		7.1	1.3	
Daley (s)		53.6		166.9	158,2	52.3	54.2	29.9		52.8	24.7	
Level of Service		D		F	F	Þ	, D	C		D	C	
Approach Delay (s)		53.6			129.7	*.		30.5		445,143	29,3	
Approach LOS		D			F			С			С	
Marakan Pananga		7 3	i e e e		S		<i>i</i> -		***************************************			
HCM 2000 Control Delay	er in german in desire and the		71.0	Н	CM 2000	Level of	Service		E			
HCM 2000 Volume to Capac	iv milio		0.79	. 1 · , etge	An Salaha	7-148 B. S. S.	New April 1			- 146-56	<b>的第三元</b>	
Actuated Cycle Length (s)	(A) a deligent		110.0	Š	um of los				15.2	7.40-		
Intersection Capacity Utilizati	on the same		82.0%			of Service	Part of the	Karle V	Ē	1,00000	AND THE SECOND	
Analysis Period (min)			15			end Service & London			•			
c Cattical Lame Group			. ••					ii		3.055.80	Maria and	

While the second	WP.	WAR:	. NETT	NRR	- SB)	ZSET.			The second secon
ne Configurations		e de la compansión de l	11		and the same of th	<del>111</del>	the property and a second districts of the second s	A processor of College (1) - 1 college physicistry (see Section 1)	to another section of an internal control of the section of the se
affic Vol, veh/h	0	14	704	15	0	872			
uture Val, veh/h	Õ	14	704	15	ŏ	872			
onficing Peds, #hr	Ğ	0	0	Ď	ŏ	0,2			
ign Control	Stop	Stop	Free	Free	Free	Free			
T Channelized	-	None		None		None			
lorage Length		0							
sh in Median Storage,	# C	-	0	-		0			
rade, %	Ō		ō			ō			
nak Hour Fector	94	94	94	<b>M</b> .	94	94			
nevy Vehicles, %	3	3	3	3	3	3			
vint Flow	ŏ	15	740	16	Õ	928			
	•				•				
THE IN COMME		The state of					The second second	ing of the same	Ngramma Ngraman
onflicting Flow All		363	0	0	-	-			
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Stage 2	-		_	-	-				
<b>Sicel Howy</b>	. •	6.96	~	•	•				
fical Howy Stg 1		-		-	-	•			
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ollow-up Hdwy	-	3.33	_	_	-	-			
ot Cap-1 Manauver	0	612		-	0	•			1 KO
Stage 1	0	-	-	-	0	_			
Stage 2	0		•		Ō	<b>6</b>			
atoon blocked, %				-					
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ov Cap-2 Maneuver	-		-		-	-			
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int Delay, a/veh	0.1					7.11 <b>21 21 21</b> 21				Access of the second	
(Manuficular)	EBE	EBJ	wer.	<b>(VB3</b> )	SRI	n Sili	e was over			18 V 1//	
Lane Configurations	<u>.</u> .	4	41			ľ					
<b>Frailic Vol, veh/h Future Vol, veh/h</b>	0	529 529	1062 1062	15 15	0	7					
Conficting Pade, #Ar	Ö	328 0	1002	. 13.	Ö						Salah Salah
Sign Control	Free	Free	Free	Free	Stop	Stop					
RT Channelized	•	None		None	•	None					
Storage Length	_ :	-	-	<del></del> .	á	0					
<b>Veh in Medien Storage,</b> Grade, %	<del>,</del> -	0	<b>9</b> 0	-	0	-					
Peak Hour Factor	94	َ عُن	<u> </u>	ú	94						
leavy Vehicles, %	3	3	3	3	3	94					
<b>Vivint Flow</b>	0	563	1130	16	.0	7					April 18 18 18
leditor 20 at 1	Die.		(177)		1111		Radio Maria			and the second	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
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Critical Holyy Stg 2	-	-	-	٠	. •	-					
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May Cap-1 Manager	e.i	÷		-1		461				1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	n and the state of
Mov Cap-2 Maneuver	-	-	-	-	-						
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Stage 2			• 6 5 6 1 - 100	• *** * *	•	e Santa da Ak	es com com film in the experior design.	SIGN SIGNS	n r . n 、こ <b>な</b> 的で	r sane touris for concurs.	
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				k-G	pr 1 2 1 8 5	one of the	1、一世神の心臓の心や	keren <sup>aar</sup> in tra-	The second		
	14. 14. 15. 15. 15. 15. 15. 15. 15. 15. 15. 15	No more designation	507 C 20 W								
Capacity (veh/h) HCM Lane V/C Ratio	rac a Ard		ine i - de P		0.016	gration ex	and the second s	and the	a and the Assessment	45 To 100 107 Sp. 646	
HCM Control Delay (a)	g= 1930.	기원 기월	***********		12.0	Bassie Historia		<b>Mar</b> and Comments	811 - Branco		
HCM Lane LOS		- 1 / AT. -	7.	. 47	В	Market Commence (1988)	The source of the broken in the second of th	. 25494 - 1807 N.T. <u>C.</u> 5	an an tradició Patriagense	The second of the second secon	AN ONLE PER METERS AND
HCM 95th Wille O(veh)	Y., 187	() + (a); -2		. 4	. jō	Marie de la company	A CONTRACTOR OF THE STATE OF TH	Constant Extension	oct tij jogsprage Latt var til til God	A TOMAS SANS	and the second second

	-	1	<b>4</b>	•	1	<b>†</b>	-	<b>↓</b>	
	84 3:4			H.		11.2			
Lane Group Flow (vph)	308	397	401	339	14	547	153	774	
vic Radio	0.82	1.21	1.19	0.63	0.11	0.47	0,68	0.50	
Control Delay	58.0	160.5	152.8	14,8	49.5	21.7	8.08	23.8	
Queue Delay	0.0	0.0	0,0	0.0	0.0	0.0	0,0	0.0	
Total Delay	58.0	160.5	152.8	14,8	49.5	21.7	60.8	23.8	
Queue Length 50th (ft)	207	~363	~363	32	8	109	104	179	
Queue Length 95th (ft)	284	#649	#849	#147	30	165	171	285	
Internal Link Diet (fit)	317		196			721		311	
Turn Bay Length (ft)				200	200				
Base Capacity (vph)	497	327	336	538	132	1173	250	1539	
Starvation Cap Reducts	0	0	0	0	0	0	0	0	
Spillback Cap Reductn	0	0	0	0	0	Ò	0	0	
Storage Cap Reductin	Ō	0	Ō	Ò	0	0	0	0	
Reduced vic Reflo	0,62	1.21	1.19	0.63	0.11	0.47	0.59	0.50	

Volume exceeds capacity, queue is theoretically irifinite.

Queue shown is maximum after two cycles.

<sup># 95</sup>th percentile volume exceeds capacity, queue may be longer. Queue shown is maximum after two cycles.

	۶	-	•	1	<b>←</b>	•	1	1	~	<b>&gt;</b>	ţ	1
Motomer	EE EE	<b>2001</b>	EBR	WHE	WEI	and III		* (C)	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	SEL SE	100 Jack 1983	SBR
Lane Configurations				9	Ø.	Ţ.	<b>.</b> •	44		*	44	The state of the s
Traffic Volume (vph)	45	156	16	368	212	318	19	497	319	192	656	68
Future Volume (vph)	45	156	16	368	212	318	19	497	319	192	656	68
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		3.7		3.7	3.7	3.7	3.7	4.1		3.7	4,1	
Lane Uill. Factor		1.00	•	0.95	0.95	1.00	1.00	0.95		1.00	0.95	
Frpb, ped/bikes		1.00	•	1.00	1.00	0.99	1.00	0.99		1.00	1.00	
Fipb, ped/bikes		1.00		1.00	1.00	1.00	1.00	1,00		1.00	- 1.00	
Frt		0.99		1.00	1.00	0.85	1.00	0.94		1.00	0.99	
Fit Protected		0,99		0.95	0.99	1.00	0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1806		1665	1729	1546	1752	3263		1752	3445	
Fit Permitted		0.99		0.95	0.99	1.00	0.95	1.00		0.96	1.00	
Satd. Flow (perm)		1806		1665	1729	1546	1752	3263		1752	3445	
Peak-hour factor, PHF	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)	46	161	16	379	219	328	20	512	329	198	676	70
RTOR Reduction (vph)	0	2	0	0.0	Ò	121	0	90	D	Ů		0
Lane Group Flow (vph)	0	221		296	302	207	20	751	Ô	198	740	0
Confl. Peds. (fifthr)	_	:	0 3			9029.	, <del>, , , ,</del> , ,	TANK TELEVISION	3	polinterarii in	a a San	5
Confl. Bikes (#/hr)			-			2		* *	1	and the second of the second o	i igenerii	•
Heavy Vehicles (%)	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%
Tum Type	Split	· NA		Split	NA	Perm	Prot	NA		Prot	NA	
Protected Phases	4	4		8	8		5	2		1	8	
Permitted Phases	•	•		•	•	8	•	_		•	•	
Actuated Green, G (s)		19.6		26.0	25.0	25.0	5.7	39.8		15,4	49.5	
Effective Green, g (s)		19.6		25.0	25.0	25.0	5.7	39.8		15,4	49.5	
Actuated g/C Ratio		0.17		0.22	0,22	0.22	0.05	0.35		0.13	0.43	
Clearance Time (s)		3.7		3.7	3.7	3.7	3.7	4.1		3.7	4.1	
Vehicle Extension (s)		2.0		2.0	2.0	2.0	2.5	4.0		2.5	4.0	
Lane Grp Cap (vph)		307		361	375	336	86	1129		234	1482	
wis Ratio Prot		c0.12		cQ.18	0.17	330	0.01	o0.23		c0.11	0.21	
v/s Ratio Perm		W. 12		or in	6, 17	0,13	9.01	An Tin		CO, 11	041	
vic Ratio		0.72		0.82	0.81	0.62	0.23	0.67		0.85	0.50	
Uniform Delay, d1		45.1		42.9	42.7	40.7	52.5	31.9		48.6	23.8	
Progression Factor		1.00		1,00	1.00	1,00	1.00	1.00		1.00	1.00	
Incremental Delay, d2		6.5		12.9	11.3	2.3	1.0	3.1		23.2	1.2	
		51.6		55.7	54.0	43.0	53.6	35.1		71.8	25.0	
Delay (a)				_	_			· <u>· ·</u>				
Level of Service Approach Delay (s)		51.8		E	D <b>50.6</b>	D	. ,,D	35.5		E	C 34,8	
Approach LOS		D			D			D			C C	
		المتعادد	,	**:								
HCM 2000 Control Delay		بي معادد سالمانيي	41.2	14	CM 2000	Level of S	Service		D	ery in the second second		
HCM 2000 Volume to Capacit	-		0.74	u	1 3860	design of the second	Sign Alba	en en e	· (Y)	1134,67		
Actuated Cycle Length (s)	, 1 <del>111</del> 1		115.0	C.	on of loc	time (s)			15.2			
Intersection Capacity Utilizatio			77.2%	<u> </u>	المالية المالية والشنيخ إلى الم	of Service	\$ 8.50 Mg	Wallet Marie		Tegral logical	1.00 mm 1.50	Sales and
Analysis Period (min)	<b>0</b> 1		15	<b>Ņ</b>	A CARGO		·		U		147 M	
c Citical Lane Group			10			- Janga 😁				. * Sept. *	Year 1	v

### Vol, vehish	had a data from a selent forbette, degrap diference y martin is in resistant to a resistant					Marie Control		and the second second	Commence of the state of	
uture Vol, veh/h  officing Peda, #/hr  0  0  0  0  0  0  0  0  0  0  0  0  0	ne Configurations		1	44		_	444			•
Conflicting Pede, #Arr 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0						-				
Stop   Stop   Stop   Free   Free   Free   Free   Free   Free   Free   T Chamelzed	uture Vol, vehih	0								
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sek Hour Factor 97 97 97 97 97 97 97 97 97 97 97 97 97			•		-	•	Ī			
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Stage 2	onflicting Flow All		448	0	0	-				
Stage 2	Stage 1	<u>.</u>			-	4	<b>4</b>			
Itical Howy Stg 1		•	-	-	-	-	-			
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elo Ratio	0.72	0.82	0.80	0.55	0.11	0.69	0.85	0.48	
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Vesting Tentative Tract Map 8405 and SDR / PLN2017-0014 Mitigation Monitoring and Reporting Program							
	Timing	Implementation Responsibility	Verification				
Commitments and Mitigation Measures			Monitoring Action	Monitoring Responsibility	Date/Initial		
Biological Resources							
Mitigation Measure B-1a; Biological Resources Screening and Assessment. For projects associated with the proposed Specific Plan, the project applicant shall hire a County-approved biologist to perform a preliminary biological resource screening as part of the environmental review process to determine whether the project has any potential to impact biological resources. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, a County-approved biologist shall conduct a biological resources assessment (BRA) or similar type of study to document the existing biological resources within the project footprint plus a buffer and to determine the potential impacts to those resources. The BRA shall evaluate the potential for impacts to all biological resources including, but not limited to special status species, nesting birds, wildlife movement, sensitive plant communities, critical habitats, and other resources judged to be sensitive by local, state, and/or federal agencies. Pending the results of the BRA, design alterations, further technical studies (e.g., protocol surveys) and/or consultations with the USFWS, NMFS, CDFW and/or other local, state, and federal agencies may be required. The following mitigation measures [B-1(b) through B-1(k)] shall be incorporated, only as applicable, into the BRA for projects where specific resources are present or may be present and impacted by the project. Note that specific surveys described in the	During project- specific environmental review process, and pre-construction.	Project Applicant through Consultant biologist	Verify study was performed and any related action items are performed	County Planning Department staff			

Vesting Tentative Tract Map 8405 and SDR / PLN2017-0014 Mitigation Monitoring and Reporting Program						
Timing	Implementation	Verification				
	Responsibility	Monitoring Action	Monitoring Responsibility	Date/Initial		
Pre-construction and during construction, as applicable	Project Applicant through consultant biologist	Verify study was performed and, if applicable, verify that protective measures are implemented	County Planning Department Staff, the Building Inspector and Project Applicant's biologist			
	Timing  Pre-construction and during construction, as	Timing Implementation Responsibility  Pre-construction and during construction, as	Timing Implementation Responsibility Monitoring Action  Pre-construction and during construction, as applicable  Project Applicant through consultant biologist performed and, if applicable, verify that protective measures are	Timing Implementation Responsibility Monitoring Action Monitoring Responsibility  Pre-construction and during construction, as applicable  Project Applicant through consultant biologist		

### Vesting Tentative Tract Map 8405 and SDR / PLN2017-0014 Mitigation Monitoring and Reporting Program

		Implementation Responsibility	Verification			
Commitments and Mitigation Measures	Timing		Monitoring Action	Monitoring Responsibility	Date/Initials	
animal species observed.						
• Pre-construction clearance surveys shall be conducted within 14 days of the start of construction (including staging and mobilization). The surveys shall cover the entire disturbance footprint plus a minimum 200-foot buffer, if feasible, and shall identify all special status animal species that may occur on-site. All non-listed special status species shall be relocated from the site either through direct capture or through passive exclusion (e.g., burrowing owl). A report of the preconstruction survey shall be submitted to the County for their review and approval prior to the start of construction.						
• A County-approved biologist shall be present during all initial ground disturbing activities, including vegetation removal to recover special status animal species unearthed by construction activities.						
• Upon completion of the project, a County approved biologist shall prepare a Final Compliance Report documenting all compliance activities implemented for the project, including the pre-construction survey results. The report shall be submitted within 30 days of completion of the project.						
• If special status bat species may be present and impacted by the project, a County-approved biologist shall conduct within 30 days of the start of construction presence/absence surveys for special status bats in consultation with the CDFW where suitable roosting habitat is present. Surveys shall be conducted.						

### Vesting Tentative Tract Map 8405 and SDR / PLN2017-0014 Mitigation Monitoring and Reporting Program

	Timing	Tambamaman dan	Verification			
Commitments and Mitigation Measures		Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date/Initials	
Mitigation Measure B-1h: Pre-construction Surveys for Nesting Birds for Construction Occurring within Nesting Season. For projects that may result in tree felling or removal of trees or vegetation that may contain a nesting bird, if feasible, construction activities should occur generally between September 16 to January 31 (thus outside of the nesting season). However, if construction activities must during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a County approved biologist no more than 14 days prior to vegetation removal. The surveys shall include the entire segment disturbance area plus a 200-foot buffer around the site. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the County-approved biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Large buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A County-approved biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. A report of these preconstruction nesting bird surveys shall be submitted by the project applicant to the County to document compliance.	Prior to construction activities, if construction is between February 1 to September 15, and no more than 14 days prior to vegetation removal.	Project Applicant through consultant biologist.	Verify survey was performed and, nests are reported, and that appropriate disturbance buffers are implemented.	County Planning Department staff, the Building Inspector and Project Applicant's biologist		

## THE PLANNING COMMISSION OF ALAMEDA COUNTY HAYWARD, CALIFORNIA

## RESOLUTION NO. 18-08 APPROVING PLN2017-00164, SITE DEVELOPMENT REVIEW AND TENTATIVE TRACT MAP (TR-8405)

## Introduced by Commissioner Moore Seconded by Commissioner Gin

WHEREAS The Alameda County Planning Commission did receive application PLN2017-00164, Site Development Review and Tentative Tract Map (TR-8405), submitted by the applicant, MLC Holdings, Inc., on behalf of the property owner, the Serra Corporation, for the demolition of an existing vacant commercial building, and construction of a new mixed-use development, consisting of 45 for-sale townhome dwelling units, 12 apartment dwelling units, 6,100 sq. ft. of interior commercial space, and 1,395 sq. ft. of exterior leasable commercial space, on a 2.6-acre parcel, located at 20478 Mission Blvd., northwest intersection with Mattox Road (APN: 414-0046-058-02); and

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

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

WHEREAS the applicant is requesting to develop the subject property with a ±7% commercial/non-residential floor area ratio, where 25% is required by the Specific Plan, and at a residential density of 22 dwellings per acre, which is within the Medium-High-Density Residential density range of 22-43 dwellings per acre; and

WHEREAS the Planning Commission is authorized by the Specific Plan to allow commercial/non-residential floor area ratios lower than the required 25%, and by the General Plan to allow a one-lower residential density range than what is specified in the plan, if the purpose of the allowance is to approve development which is in furtherance of the Plans' goals; and,

WHEREAS the proposed development was reviewed for compliance with the California Environmental Quality Act and an addendum to the to the Ashland and Cherryland Business District Specific Plan Final Subsequent Environmental Impact Report (EIR) was prepared; and,

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

WHEREAS this Commission did hold a public hearing on said proposed amendment at the hour of 6:00 p.m. on Monday, June 4, 2018; and

WHEREAS the Commission does find that the addendum to the to the Ashland and Cherryland Business District Specific Plan Final Subsequent Environmental Impact Report (EIR), is in accordance with California Environmental Quality Act (CEQA) Section 15164, and the addendum adequately

#### PLANNING COMMISSION RESOLUTION NO. 18-08 June 4, 2018 PAGE 2

analyzes and evaluates potential impacts related to the proposed project and finds than no impacts that were previously not analyzed will result from the project, and that a subsequent EIR is not required, and

WHEREAS, the Commission finds that the project is in furtherance of the Specific Plan and General Plan goals, and with the needs of the community; and,

WHEREAS the Commission also finds that as proposed and conditioned, the project will meet the applicable Specific Plan requirements, that the findings can be made to grant approval of the Site Development Review and the Tentative Subdivision Map, and that the Specific Plan mixed-use approval findings can be made, as follows:

#### Tentative Tract Map (TR-8405)

- The subdivision application was presented to decision makers within 50 days of its being deemed complete.
- The subdivision is consistent with the property zoning, which allows for multi-family residential land use. The recommended conditions of approval, including the condition concerning property owners' association and CC&R will ensure that the entire development is operated and maintained as a single development, and remains a true mixed-use development following the sale of individual units and the mixed-use building.
- The proposed development is consistent with the applicable General and Specific Plans, is physically suitable to support the proposed structures, the design would not cause damage to the environment or create public health problems, and there is no conflict with existing easements.

#### Site Development Review

- The application supports the goals of the applicable Specific and general Plans, and promotes the orderly development of the Specific Plan area.
- The proposed development will protect and enhance property values by providing a high quality, aesthetically pleasing development development.
- The proposed project is respectful of the physical and environmental characteristics of the site because it is in proportion with its surroundings and is designed to avoid.
- The project would provide and enhance pedestrian, bicyclist and motor vehicle safety, by proving right-of way improvements and better connecting the subject site with its surroundings.
- The project implements high quality design and building materials.
- The proposal would provide the necessary identity for each of the structure, through the use of appropriate frontage types, building position and building scale.

#### Mixed-Use Findings

- The mixed-use development is consistent with the intent of the DMU zoning classification.
- The mixed-use building is located along the primary property frontage on Mission Blvd., and would be the primary land use.
- The residential use is located above and behind the commercial component, and would be the secondary land use.
- The commercial/non-residential space accounts for ±7% of the lot area when 25% is required, and would further the Specific Plan goals, provide a community amenity, and act as a catalyst for additional area investment

PLANNING COMMISSION RESOLUTION NO. 18-08 June 4, 2018 PAGE 3

#### NOW THEREFORE

BE IT RESOLVED that this Planning Commission does hereby approve PLN2017-00164, Site Development Review and Tentative Tract Map (TR-8405), the Initial Study/Addendum: Mission & Mattox Project (State Clearinghouse No. 2015042047), dated May 1, 2018, conditions of approval (below), and as set forth in Exhibits A, June 4, 2018 Planning Commission staff report, and B, the approved plans;

#### ADOPTED BY THE FOLLOWING VOTE:

AYES: Gin, Goff, Kastriotis, Kelley, Moore, Rhodes, Ratto

NOES: None

ABSENT: None

**EXCUSED:** None

ABSTAINED: None

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

### CONDITIONS OF APPROVAL PLN2017-00164

- Approval of PLN2017-00164 authorizes the Site Development Review and Tentative Tract Map Subdivision (TR-8405) associated with the mixed-use development involving 45 townhomes, 12 apartments and 7,495 square feet of non-residential space, at the property located at 20478 Mission Blvd., associated with the current County assessor's parcel number: 414-0046-058-02; subject to all land use limitations and development standards for the DMU (District Mixed-Use) land use designation in the Ashland Cherryland Business District Specific Plan.
- 2. Minor modification(s) to plans marked, PLN2017-00164 Exhibit "B", including the approved Materials and Color Board, as well as to these Conditions of Approval, including the approved Mitigation and Monitoring Reporting Program, may be conducted as an administrative Planning Department staff-level procedure not requiring a public hearing. The determination of minor modification(s) and of the level of staff review necessary shall be subject to the discretion by the Planning Director.
- 3. All necessary permits shall be obtained by the developer prior to commencing any related work.
- 4. All site improvements, including all landscaping, grading, stormwater treatment, drainage control, exterior structures, and buildings, shall be subject to review and approval by Alameda County Planning Department and Public Works Agency (PWA). All site improvements shall be subject to laws, policies, and regulations applicable at the time of application for respective Demolition, Grading, Site, Stormwater, Encroachment, or Building Permits.
- 5. A final landscape plan shall be reviewed and approved by the Planning Director prior to building permit issuance. The plan shall demonstrate compliance with the California State Water Efficiency Landscape Ordinance and with the Alameda Countywide Clean Water Program stormwater treatment and stormwater pollution prevention drainage regulations.
- 6. Prior to issuance of Demolition, Grading, Site, Stormwater, Encroachment, or Building Permits, the project proponent shall provide to the satisfaction of the Alameda County Public Works Agency, and the Alameda County Planning Director, evidence of compliance with all laws, policies, and regulations applicable at the time of application for respective Demolition, Grading, Site, Stormwater, Encroachment, or Building Permits.
- 7. A Stormwater Treatment Measures Maintenance Agreement shall be submitted to the Public Works Agency (PWA) for review and approval. Once approved and prior to approval of Final Map, the Maintenance Agreement shall be recorded with the Alameda County Recorder's Office to ensure that the maintenance is bound to the property in perpetuity.
- 8. The townhouse HOA shall be responsible for maintenance and upkeep of the stormwater treatment measures for the entire site, to the satisfaction of the Public Works Agency.
- 9. A state issued Construction general Permit is required.
- 10. The property owner(s) shall defend, indemnify, and hold harmless Alameda County and 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 PLN2017-00164, the CEQA determination, 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 of any such challenge.

- 11. The attached approved Mitigation and Monitoring Reporting Program is hereby incorporated into these Conditions of Approval and shall have the same force and effect. Minor modification(s) to the approved Mitigation and Monitoring Reporting Program may be conducted as an administrative Planning Department staff-level procedure not requiring a public hearing. The determination of minor modification(s) and of the level of staff review necessary shall be subject to the discretion by the Planning Director.
- 12. Prior to issuance of a Building Permit for Building D, the plans shall demonstrate that the required Fire Sprinkler (fire alarm) water flow monitoring system will be installed, to the satisfaction of the Alameda County Fire Department.
- 13. New proposed structures shall comply with Alameda County Green Building Ordinance, Construction & Demolishing Debris Management program and California Green Building Code.
- 14. The building permit plans shall include bicycle storage facilities to the satisfaction of the County.
- 15. The building permit plans shall show car-share and electric vehicle parking to the satisfaction of the County.
- 16. Trash enclosures shall be covered and comply with Alameda County clean water requirements set forth in Section 15.08.190 of the Alameda County Ordinance Code.
- 17. All required permits related to the onsite stormwater system, underground utilities, parking lot lighting, and accessible paths of travel, shall be obtained prior to issuance of a Building Permit.
- 18. All Americans with Disabilities Act accessibility requirements shall be met by the project.
- 19. The project shall comply with all applicable building and fire codes and submittal requirements in effect at time of Building Permit application.
- 20. A California licensed architect or engineer shall be designated as the design professional responsible charge for the project submittal for Grading and Building Permits.
- 21. Prior to approval of Improvement Plans and Final Map, the potential fault rupture hazard at the project site must be assessed by a qualified geologist and reviewed and approved by the Alameda County PWA pursuant to the provisions of Alquist-Priolo Earthquake Fault Zoning Act and the Special Publication 42. The developer shall provide the necessary funding for the completion of this review.
- 22. Prior to final building inspection approvals, the applicant shall provide the following security measures for the project, to the satisfaction of the Sheriff's Office:
  - a. Wide angle viewers (180-190 degree "Peep holes") in all residential unit front doors
  - b. Deadbolts with cylinder guard and 1-inch minimum throw on all exterior doors.
  - c. Three-inch (or larger) screws in strike plates anchored into framing studs.

## PLANNING COMMISSION RESOLUTION NO. 18-08 June 4, 2018

PAGE 6

- d. Secondary locks which provide both lift and slide protection on all sliding windows and sliding doors.
- e. Adequate and uniform outdoor security lighting
- f. Clearly visible unit and building numbers, five inches or larger with contrasting color.
- g. Provide self-closing/self-locking doors on all entries and exit gates, laundry rooms, community rooms, etc.
- h. Provide security surveillance cameras with night viewing capabilities.
- 23. The Developer shall complete the realignment/improvements of the pedestrian island ("porkchop") in the northwest section of intersection of Mission Blvd. and Mattox Rd., as follows:
  - a. Remove existing curb, gutter and sidewalk.
  - b. Install new curb, gutter and sidewalk along new alignment.
  - c. Install County C.3 measures to treat off-site storm water (and tie-in to Storm Drain system in Mattox Road).
  - d. Install landscaping behind new curb.
  - e. Restripe the project adjacent intersection specifically related to the required curb realignment.
  - f. Grind and overlay asphalt adjacent to project frontage as required.
  - g. Existing utility boxes (located in the current sidewalk alignment) to remain or be relocated at the County's expense.
  - h. Developer shall have the option to combine C.3 areas along Mattox Road and treat County & private water in the same system.
  - i. County shall be responsible for all costs related to relocating the existing traffic signal at such time the permanent improvements are installed. If not completed prior to new street improvements by developer, the County will be responsible for all costs associated with installation of temporary signalization traffic control and all other required improvements.
- 24. Phasing of the Mixed-Use Building: The mixed-use building shall be developed concurrently with the for-sale townhome component of the project. The developer shall seek final building inspection for the for-sale townhome component according to the following milestone schedule:
  - a. Prior to seeking final building inspection for the first townhome unit, the developer shall complete all rough grading necessary to prepare a building pad for the mixed-use building:
  - b. Prior to seeking final building inspection for the 25th townhome unit, the developer shall obtain building permit issuance for the mixed-use building;
  - c. The developer shall obtain final building inspection approval for the mixed-use building prior to seeking final building inspection for the 26th through 45th townhome units.
- 25. If any of the above milestone deadlines are not met, or are anticipated by the developer to not be met, the developer shall notify the Planning Director and provide a proposed revised schedule and details concerning the cause of the delay. The Planning Director shall have the authority to review and approve minor schedule deviations, provided that the last milestone deadline is met. Substantial milestone schedule deviations, or deviations from the last milestone deadline, may be referred to the Planning Commission for a hearing regarding any proposed modification to Condition of Approval #24 or other conditions of approval. It is the developer's responsibility to ensure that the project as a whole is developed as a mixed-use project that includes the development of the mixed-use building described above, regardless of whether the developer

#### PLANNING COMMISSION RESOLUTION NO. 18-08 June 4, 2018 PAGE 7

transfers ownership of the parcel designated for the mixed-use building. The developer shall ensure that any such sale does not prevent developer's compliance with Condition of Approval #24.

- 26. Non-residential uses contained on the ground floor of the mixed-use building shall comply with the permitting requirements of the Ashland and Cherryland Business District Specific Plan.
- 27. Prior to building permit issuance, the site plan shall be revised to demonstrate compliance with the 20-foot required front setback to parking stalls. One to two parking stalls may be eliminated for this purpose.
- 28. The entire 2.6-acre property, as a whole, shall be developed as a single mixed-use development and shall be maintained as a single mixed-use development. A copy of the CC&Rs shall be submitted to the Planning Department for review prior to recordation of the Final Map.
- 29. Secure approval from the Public Works Agency and Planning Director of Draft Covenants, Conditions and Restrictions (CC&R's) for a property owners' association (Association), which shall include all residential property owners and the owner(s) of the mixed-use building, prior to submittal to the Department of Real Estate (DRE). Final CC&R's as approved by the DRE shall be approved by the Planning Director prior to recordation. The CC&Rs shall include private ownership and financial responsibilities of all infrastructure in the subdivision, including but not limited to storm drain facilities, private roadway access, parking areas, common areas including those associated with the mixed-use building, water treatment/bioretention areas, detention structures, and related auxiliary structures. The CC&Rs shall clearly specify an acceptable funding mechanism for maintenance of all onsite common improvements. CC&R's shall be recorded prior to release of improvement guarantees by the Board of Supervisors. Prior to approval of the Final Map, the Subdivider shall grant the Association an irrevocable cash deposit in the amount of \$1,000 per proposed lot for the maintenance of all on-site common improvements. CC&R's shall require the following:
  - a. Payment of dues and assessments shall be both a lien against the assessed land and a personal obligation of each property owner as shown on Exhibit "B".
  - b. The Association shall maintain in good repair all fences, walls, and common areas, including parking bays and vehicle turnarounds, and any common utility services and storm drainage easements serving or crossing more than one parcel.
  - c. The Association shall maintain in perpetuity the bioretention areas, stormwater detention pipes and structures and all pertinent infrastructure installed for the purpose of treating and detaining stormwater runoff.
  - d. The Association shall maintain any pathways required for maintenance access to all bioretention areas shown on Exhibit "B", and related stormwater detention and outflow facilities.
  - e. Parking within the development shall be permitted in designated locations only, and the Association shall enforce parking restrictions.
  - f. All garage parking spaces in the townhomes shall be kept accessible for parking purposes as required by Section 17.52.770 of the Alameda County Zoning Ordinance.
  - g. No recreational vehicles, as defined by Section 17.04.010 of the Alameda County Zoning Ordinance, or trailer-hauled boats shall be parked or stored within the project boundaries, and vehicles or trailers parked contrary to this provision shall be removed by the association.

#### PLANNING COMMISSION RESOLUTION NO. 18-08 June 4, 2018 PAGE 8

- h. Common landscaped areas, project entry, and parking areas shall be maintained consistent with the approved Landscape Plan for the project.
- i. The Association shall review the architecture of any proposed modifications or additions to homes, fences, or other structures within the residential portion of the development, the removal of any trees shown on the approved Landscape Plan, and of any physical modification to the exterior of mixed-use building.
- j. The Association shall be responsible for maintaining common areas, in accordance with the approved Landscape Plan and using Bay-Friendly landscaping principles and guidelines as promulgated by the Alameda County Waste Management Authority to the maximum extent feasible, and to remove any severe hazards.
- k. Where there is a distinction between the obligations of the residential property owners and the owner(s) of the mixed-use building, those distinctions shall be clearly identified and described, and accompanied by an illustrative site map, to the satisfaction of the County.

### MINUTES OF MEETING ALAMEDA COUNTY PLANNING COMMISSION JUNE 4, 2018 (DRAFT)

#### FIELD TRIP - Cancelled

#### TRANSPORTATION COMMITTEE MEETING

Time: 5:00 p.m.

Place: Planning Department Conference Room

224 W. Winton Avenue, Room 111, Hayward

#### REGULAR MEETING

**CALL TO ORDER:** The Chair called the meeting to order at 6:00 p.m.

MEMBERS PRESENT: Commissioners Hal Gin; Jim Goff; Dimitris Kastriotis; Andy Kelley; Jeff Moore, Vice-Chair; Richard Rhodes, Chair and Larry Ratto.

OTHERS PRESENT: Albert Lopez, Planning Director; Rodrigo Orduña; Christina Horrisberger, Senior Planner; Heather Littlejohn, County Counsel's Office; Nilma Singh, Recording Secretary.

There were approximately fifty-three people in the audience.

#### PLEDGE OF ALLEGIANCE

#### **ELECTION OF OFFICERS FOR THE YEAR 2018-2019**

Commissioner Ratto made the motion to nominate Jeff Moore as the new Chair and Commissioner Kastriotis seconded. Motion carried unanimously.

Commissioner Moore made the motion to nominate Commissioner Gin as the new Vice-Chair. Commissioner Gin declined and made a motion to nominate Commissioner Rhodes as the new Vice-Chair. Commissioner Rhodes respectfully declined also. Commissioner Moore made the motion to nominate Commissioner Goff and Commissioner Gin seconded. Motion carried unanimously.

#### **ANNOUNCEMENTS BY THE CHAIR: None**

**OPEN FORUM:** Open forum is provided for any members of the public wishing to speak on an item not listed on the agenda. Each speaker is limited to three (3) minutes.

Kelly Abreu announced that the Microbrewery Ordinance is now undergoing revision; and, Code Enforcement has issued a report today re dirt import and excavation on agricultural lands with nineteen sites identified. BOS will take action tomorrow on a 45-day Emergency Moratorium followed by a review by the Agricultural Committee. He submitted copies of the Board letter.

**COMMITTEE REPORT:** Transportation Committee

Commissioner Kelley reported on the Committee's first meeting (today) – initial discussions retrends in traffic demands and further discussions to follow with staff.

#### APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

1. **APPROVAL OF COMMISSION MINUTES** ~ April 16, 2018

Commissioner Ratto made the motion to approve the April 16<sup>th</sup> Minutes and Commissioner Kelley seconded. Motion carried unanimously, 6/0.

**CONSENT CALENDAR:** There were no items

#### **REGULAR CALENDAR:**

2. PROPOSED GENERAL PLAN AMENDMENT AND ZONING ORDINANCE AMENDMENT, BED AND BREAKFAST ESTABLISHMENTS ~ Modify the East County Area Plan (ECAP) and the Alameda County Zoning Ordinance (ACZO) to enhance opportunities and expand potential for Bed and Breakfast Establishments in the South Livermore Valley Area, "CA - Cultivated Agriculture" Combining District.

Staff Planner: Bruce Jensen

Informational Item Only - No Action Required

Bruce Jensen, with a powerpoint, discussed the following: Background – County Policy; South Livermore Policies – SLVAP/ECAP; Policies and Programs; Zoning Ordinance; CA District Overlay; Measure D; ECAP; Present Conditions; Demand for small lodging in the Tri-Valley; Proposed Policy changes; Proposed ZO change; Other possible Amendments to ECAP and ZO not currently recommended by staff; and Next Steps. The Commission requested clarification re FAR (staff report, page 2) and possible safeguards re conversions to rentals/Air BnBs. No public testimony was submitted. *No action was taken*.

3. MLC HOLDINGS, INC.,/SERRA CORPORATION (TRACT MAP 8405 AND SITE DEVELOPMENT REVIEW) PLN2017-00164 ~ Subdivision (Tract Map 8405) and Site Development Review application, PLN2017-00164, to allow the demolition of an existing 59,646 square foot, single-story, concrete, industrial building, constructed in 1948, and to construct nine (9) new buildings, consisting of eight (8) buildings containing a total of 45 three-story townhomes and one (1) building containing 12 two-story apartments above 6,100 square feet of interior commercial space, and 1,395 square feet of adjacent exterior leasable commercial space (which is less than the ±28,300 square foot minimum commercial space requirement for this property), on a 2.6-acre parcel located at 20478 Mission Blvd, northeast corner with Mattox Road, Cherryland area of unincorporated Alameda County, designated Assessor's Parcel Number: 414-0046-058-02.

Staff Planner: Christina Horrisberger

Action Item

Ms. Horrisberger, with a powerpoint discussed Location; Street View; Background; Proposal; Site Plan, Landscape Plan, Typical residential building; Mixed Use building; Land use; General Plan objectives; Specific Plan Objectives; Project Conformance; Discussions, Financial Analysis; CEQA and Recommendation to PC. The Commission requested clarification re phasing,

Public testimony was called for. Lester Tucker, Vice President, provided background information re MLC Holdings Inc and introduced Chris Zaballos.

Chris Zaballos, with a powerpoint, showed an aerial view site; existing site views (from Mission, Mattox); and, discussed the following: some ACBD Specific Plan Goals; Eden Area General Plan (EAGP) Goals; site plan, new intersection improvements and Public Plaza; Community Outreach; Community Benefits; and, implements the vision for Mission and Mattox.

Daniel Greg representing Carpenters Local 713, in opposition, stated the following: adjacent neighbor sharing the largest property line; no contact with the applicant; project will not maximize the whole area; lack of labor standards/agreement; and recommended a continuance.

Peter Garza Sr., Financial Secretary, Carpenters Local 713, noted submittal of two letters; IS does not comply with EAGP goals, P6 Goal SAF-4, urged the Commission to direct preparation/circulation of a Mitigated Neg Declaration; and further summarized their June 4<sup>th</sup> letter. He also requested a continuance to allow discussions with the applicant re COA in reference to property rights and health/safety protections.

Khin Lau, resident at 1201 Sandy Bridges Lane and a member of Carpenters Local 713, spoke in support of more union jobs for this project.

Cathy Lonsdale, local realtor, in support, described the difficulty of first time home buyers in this area.

Martha Mehuron, President of Serra Corporation and property owner, indicated that upon a denial, the site situation will only worsen adding that there has been no interest from any retail developers.

Randy Waage, a San Lorenzo resident, supported an approval as this is a blight and depressing area.

Ingrid Moller, a Cherryland Community Association Boardmember, in support, noted that applicant has made many modifications to accommodate the Board, the project is a new beginning/a catalyst for this area and urged an approval.

Stuart Rickard, project developer at Mission/Hampton also spoke in support including support for additional parking vs. setback, residential and retail density.

Richard Hancocks, in opposition, noted the number of exceptions to the Plan-housing reduced by 50% and commercial by 75% to accommodate developer. He further read goals of the Plan which speak to the public interest.

Howard Beckman, a San Lorenzo resident, discussed two procedural points: 1) project should be discussed under topics; and 2) request the Commission to disclose whether they had any ex parte meeting with Sup Miley's office. His also noted concerns re Sheriff Departments recommendation of a gated community; new definition of mixed use (page 12 of staff report); and dedication to the County if construction of non-residential component is not completed.

Bill Espinola, Bay East Association of Realtors, urged an approval as this project will revitalize the area and provide much-needed housing.

Juan Jose Cervantes, a Caldwell Bank real estate agent and a Cherryland resident, urged an approval noting viable affordable housing need in this area.

Ashley Strasburg, Executive Director, CVEA Chamber of Commerce, also spoke in support—project will re-activate this corner and a catalyst.

Hugh O'Donnell, Cherryland Community Association, in support, noted that the two projects are complimentary.

Cindy Towles, President, Cherryland Community Association, and also as a resident, in support, said that the project meets the vision/spirit of the Plan.

Bernadette Jurich, 1025 Mattox Road, said she lives across the building and expressed concerns re lack of adequate outreach and parking; and asked if noise was incorporated into the wall design.

Mr. Tucker, in rebuttal, pointed out that no testimony was submitted re lack of retail space; noted several meetings with Carpenters Local 713 re hiring of a union general contractor.

Grant Gribber, CEQA consultant, stated that this project falls within the perimeters of the Specific Plan environmental review. There has been no evidence of asbestos/lead; Demolition Permit application will also cover this; and further discussed noise mitigation methods.

In response to the Commission, Mr. Tucker indicated that there is no common wall and staff confirmed.

Public testimony was closed. Commissioners Rhodes, Moore, Goff and Ratto confirmed that they had no contact with Sup Miley or any of his representatives. Commissioner Ratto indicated that he had met with Mr. Zaballos as he had some questions. Commission discussed ensued re 7% vs. 25% commercial component; goals of Specific Plan and General Plan including amendments (staff report, page 12); hazardous issues/process; density; the need for housing; catalyst site; support for the project; project feasibility; Findings (staff report page 12, #4); compelling economic report; and, Phasing Options – Option 1 (staff report, page 9).

Mr. Tucker discussed and urged the consideration of the economic vitality of the residential component.

County Counsel outlined modification to Condition #10, Line 3 (page 18) deleting the words "...the findings of..."; and Draft Resolution page 3 last paragraph to include details—full name of CEQA documents/date, name of Exhibits A and Conditions of Approval attached. Commissioner Moore made the motion to move staff recommendation for an approval of the SDR and Tract Map with modifications to Condition #10, the last paragraph of the Resolution, Phasing Option 1 and the adoption of the EIR Addendum. Commissioner Gin seconded and the motion carried unanimously, 7/0.

STAFF COMMENTS & CORRESPONDENCE: None

CHAIRS REPORT: The Chair announced his unavailability for the month of July. In response to the Chair, Mr. Lopez said that the Center Street project will be agendized for the June 18<sup>th</sup> hearing.

COMMISSION ANNOUNCEMENT, COMMENTS AND REPORTS: Commissioner Ratto announced that the Fairview Sidewalk Committee will have a progress report in the near future.

**ADJOURNMENT:** There being no further business, Commissioner Gin moved to adjourn the meeting at 8:47 p.m. Commissioner Goff seconded the motion. The motion was carried 7/0.

ALBERT LOPEZ, SECRETARY
COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY

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

#### **RESOLUTION NUMBER R-2018-** 259

A RESOLUTION IN THE MATTER OF MLC HOLDINGS, INC./SERRA CORPORATION (TRACT MAP 8405 AND SITE DEVELOPMENT REVIEW) PLN2017-00164, DENYING THE APPEAL OF RICHARD HANCOCKS FROM THE DECISION OF THE PLANNING COMMISSION TO APPROVE THE SUBDIVISION (TRACT MAP 8405) AND SITE DEVELOPMENT REVIEW APPLICATION, PLN2017-00164, TO ALLOW THE DEMOLITION OF AN EXISTING 59,646 SQUARE FOOT, SINGLE-STORY, CONCRETE, INDUSTRIAL BUILDING, CONSTRUCTED IN 1948, AND TO CONSTRUCT NINE (9) NEW BUILDINGS, CONSISTING OF EIGHT (8) BUILDINGS CONTAINING A TOTAL OF 45 THREE-STORY TOWNHOMES AND ONE (1) BUILDING CONTAINING 12 TWO-STORY APARTMENTS ABOVE 6,100 SQUARE FEET OF INTERIOR COMMERCIAL SPACE, AND 1,395 SQUARE FEET OF ADJACENT EXTERIOR LEASABLE COMMERCIAL, ON A 2.6-ACRE PARCEL LOCATED AT 20478 MISSION BOULEVARD, NORTHEAST CORNER WITH MATTOX ROAD, CHERRYLAND AREA OF UNINCORPORATED ALAMEDA COUNTY, DESIGNATED ASSESSOR'S PARCEL NUMBER: 414-0046-058-02.

WHEREAS, MLC Holdings, Inc. / Serra Corporation filed for Tract Map (TR-8405) and Site Development Review PLN2017-00164, to allow the demolition of an existing 59,646 square foot, single-story, concrete, industrial building, constructed in 1948, and to construct nine (9) new buildings, consisting of eight (8) buildings containing a total of 45 three-story townhomes and one (1) building containing 12 two-story apartments above 6,100 square feet of interior commercial space, and 1,395 square feet of adjacent exterior leasable commercial, on a 2.6-acre parcel located at 20478 Mission Boulevard, northeast corner with Mattox Road, Cherryland area of unincorporated Alameda County, designated Assessor's Parcel Number: 414-0046-058-02; and

WHEREAS, the Alameda County Planning Commission did consider the application in a public hearing at the hour of 6:00 p.m. on Monday, June 4, 2018; and

WHEREAS, the Alameda County Planning Commission, by a vote of seven in favor and none opposed, did approve application PLN2017-00164, Site Development Review and Tentative Tract Map (TR-8405), and adopted the Initial Study/Addendum: Mission & Mattox Project (State Clearinghouse No. 2015042047), dated May 1, 2018; and

WHEREAS, Appellant Richard Hancocks did file a timely appeal from the decision of the Alameda County Planning Commission; and

WHEREAS, it appears from documents in the public record that the appeal was submitted to the County and received as required by the Alameda County General Ordinance Code; and

WHEREAS, it satisfactorily appears from documents in the public record that proper notice of said public hearing at the Board of Supervisors was given in all respects as required by law; and

WHEREAS, the Board of Supervisors did hold a public hearing on August 7, 2018 to consider the appeal; and

WHEREAS, the proposed development was reviewed for compliance with the California Environmental Quality Act and an addendum to the *Ashland and Cherryland Business District Specific Plan* Final Subsequent Environmental Impact Report (EIR) was prepared; and,

WHEREAS, the Board of Supervisors does find that the addendum to the Ashland and Cherryland Business District Specific Plan Final Subsequent Environmental Impact Report (EIR), is in accordance with California Environmental Quality Act (CEQA) Section 15164, and the addendum adequately analyzes and evaluates potential impacts related to the proposed project and finds than no impacts that were previously not analyzed will result from the project, and that a subsequent EIR is not required, and

WHEREAS, the Board did hear and consider all reports, recommendations and testimony as hereinabove set forth; and

WHEREAS, the Appellant was present at the public hearing and presented testimony in support of the appeal; and

WHEREAS, the Board finds that the project is in furtherance of the Specific Plan and General Plan goals, and with the needs of the community; and,

WHEREAS, the Board also finds that as proposed and conditioned, the project will meet the applicable Specific Plan requirements, that the findings can be made to grant approval of the Site Development Review and the Tentative Subdivision Map, and that the Specific Plan mixed-use approval findings can be made, as follows:

#### Tentative Tract Map (TR-8405)

- The subdivision application was presented to decision makers within 50 days of its being deemed complete.
- The subdivision is consistent with the property zoning, which allows for multi-family residential land use. The recommended conditions of approval, including the condition concerning property owners' association and CC&R will ensure that the entire development is operated and maintained as a single development, and remains a true mixed-use development following the sale of individual units and the mixed-use building.
- The proposed development is consistent with the applicable General and Specific Plans, is physically suitable to support the proposed structures, the design would not cause damage to the environment or create public health problems, and there is no conflict with existing easements.

#### Site Development Review

- The application supports the goals of the applicable Specific and General Plans, and promotes the orderly development of the Specific Plan area.
- The proposed development will protect and enhance property values by providing a high quality, aesthetically pleasing development.
- The proposed project is respectful of the physical and environmental characteristics of the site because it is in proportion with its surroundings.
- The project would provide and enhance pedestrian, bicyclist and motor vehicle safety, by providing right-of-way improvements and better connecting the subject site with its surroundings.
- The project implements high quality design and building materials.

• The proposal would provide the necessary identity for each of the structures, through the use of appropriate frontage types, building position and building scale.

#### Mixed-Use Findings

- The mixed-use development is consistent with the intent of the DMU zoning classification.
- The mixed-use building is located along the primary property frontage on Mission Boulevard, and would be the primary land use.
- The residential use is located above and behind the commercial component, and would be the secondary land use.
- The commercial/non-residential space accounts for ±7% of the lot area when 25% is required, and would further the Specific Plan goals, provide a community amenity, and act as a catalyst for additional area investment

**NOW THEREFORE BE IT RESOLVED** that the Board of Supervisors does deny the appeal and uphold the decision of the Alameda County Planning Commission, approving PLN2017-00164, Site Development Review and Tentative Tract Map (TR-8405), and adopting the Initial Study/Addendum: Mission & Mattox Project (State Clearinghouse No. 2015042047), dated May 1, 2018, based on the above findings for Tentative Tract Map (TR-8405), Site Development Review, and Mixed-Use Findings;

**BE IT FURTHER RESOLVED** that the Board does hereby approve the application as shown by conditions of approval (below), and as set forth in Exhibit A, June 4, 2018 Planning Commission staff report, and Exhibit B, the approved plans:

#### CONDITIONS OF APPROVAL PLN2017-00164

- 1. Approval of PLN2017-00164 authorizes the Site Development Review and Tentative Tract Map Subdivision (TR-8405) associated with the mixed-use development involving 45 townhomes, 12 apartments, and 7,495 square feet of non-residential space, at the property located at 20478 Mission Boulevard, associated with the current County assessor's parcel number: 414-0046-058-02; subject to all land use limitations and development standards for the DMU (District Mixed-Use) land use designation in the Ashland Cherryland Business District Specific Plan.
- 2. Minor modification(s) to plans marked PLN2017-00164 Exhibit "B", including the approved Materials and Color Board, as well as to these Conditions of Approval, including the approved Mitigation and Monitoring Reporting Program, may be conducted as an administrative Planning Department staff-level procedure not requiring a public hearing. The determination of minor modification(s) and of the level of staff review necessary shall be subject to the discretion of the Planning Director.
- 3. All necessary permits shall be obtained by the developer prior to commencing any related work.
- 4. All site improvements, including all landscaping, grading, stormwater treatment, drainage control, exterior structures, and buildings, shall be subject to review and approval by Alameda County Planning Department and Public Works Agency (PWA). All site improvements shall be subject to laws, policies, and regulations applicable at the time of application for respective Demolition, Grading, Site, Stormwater, Encroachment, or Building Permits.

- 5. A final landscape plan shall be reviewed and approved by the Planning Director prior to building permit issuance. The landscape plan shall demonstrate compliance with the California State Water Efficiency Landscape Ordinance and with the Alameda Countywide Clean Water Program stormwater treatment and stormwater pollution prevention drainage regulations.
- 6. Prior to issuance of Demolition, Grading, Site, Stormwater, Encroachment, or Building Permits, the project proponent shall provide to the satisfaction of the Alameda County Public Works Agency, and the Alameda County Planning Director, evidence of compliance with all laws, policies, and regulations applicable at the time of application for respective Demolition, Grading, Site, Stormwater, Encroachment, or Building Permits.
- 7. A Stormwater Treatment Measures Maintenance Agreement shall be submitted to the Public Works Agency (PWA) for review and approval. Once approved and prior to approval of Final Map, the Maintenance Agreement shall be recorded with the Alameda County Recorder's Office to ensure that the maintenance is bound to the property in perpetuity.
- 8. The townhouse home owners association (HOA) shall be responsible for maintenance and upkeep of the stormwater treatment measures for the entire site, to the satisfaction of the Public Works Agency.
- 9. A state issued Construction general Permit is required.
- 10. The property owner(s) shall defend, indemnify, and hold harmless the County of Alameda and its agents, officers, and employees from any claim, action, or proceeding against the County of Alameda or its, agents, officers or employees to attack, set aside, void, or annul PLN2017-00164, the CEQA determination, or any combination thereof. Such indemnification shall include, but not be limited to, an award of costs and attorney's fees incurred by the County of Alameda in its defense. The County shall promptly notify applicant of any such challenge.
- 11. The attached approved Mitigation and Monitoring Reporting Program is hereby incorporated into these Conditions of Approval and shall have the same force and effect. Minor modification(s) to the approved Mitigation and Monitoring Reporting Program may be conducted as an administrative Planning Department staff-level procedure not requiring a public hearing. The determination of minor modification(s) and of the level of staff review necessary shall be subject to the discretion of the Planning Director.
- 12. Prior to issuance of a Building Permit for Building D, the plans shall demonstrate that the required Fire Sprinkler (fire alarm) water flow monitoring system will be installed, to the satisfaction of the Alameda County Fire Department.
- 13. New proposed structures shall comply with Alameda County Green Building Ordinance, Construction & Demolishing Debris Management program and California Green Building Code.
- 14. The building permit plans shall include bicycle storage facilities to the satisfaction of the County.
- 15. The building permit plans shall show car-share and electric vehicle parking to the satisfaction of the County.
- 16. Trash enclosures shall be covered and comply with Alameda County clean water requirements set forth in Section 15.08.190 of the Alameda County Ordinance Code.

- 17. All required permits related to the onsite stormwater system, underground utilities, parking lot lighting, and accessible paths of travel, shall be obtained prior to issuance of a Building Permit.
- 18. All Americans with Disabilities Act accessibility requirements shall be met by the project.
- 19. The project shall comply with all applicable building and fire codes and submittal requirements in effect at time of Building Permit application.
- 20. A California licensed architect or engineer shall be designated as the design professional responsible charge for the project submittal for Grading and Building Permits.
- 21. Prior to approval of Improvement Plans and Final Map, the potential fault rupture hazard at the project site must be assessed by a qualified geologist and reviewed and approved by the Alameda County PWA pursuant to the provisions of Alquist-Priolo Earthquake Fault Zoning Act and the Special Publication 42. The developer shall provide the necessary funding for the completion of this review.
- 22. Prior to final building inspection approvals, the applicant shall provide the following security measures for the project, to the satisfaction of the Alameda County Sheriff's Office:
  - a. Wide angle viewers (180-190 degree "Peep holes") in all residential unit front doors
  - b. Deadbolts with cylinder guard and 1-inch minimum throw on all exterior doors.
  - c. Three-inch (or larger) screws in strike plates anchored into framing studs.
  - d. Secondary locks which provide both lift and slide protection on all sliding windows and sliding doors.
  - e. Adequate and uniform outdoor security lighting.
  - f. Clearly visible unit and building numbers, five inches or larger with contrasting color.
  - g. Provide self-closing/self-locking doors on all entries and exit gates, laundry rooms, community rooms, etc.
  - h. Provide security surveillance cameras with night viewing capabilities.
- 23. The Developer shall complete the realignment/improvements of the pedestrian island ("porkchop") in the northwest section of intersection of Mission Boulevard and Mattox Road, as follows:
  - a. Remove existing curb, gutter and sidewalk.
  - b. Install new curb, gutter and sidewalk along new alignment.
  - c. Install County C.3 measures to treat off-site storm water (and tie-in to Storm Drain system in Mattox Road).
  - d. Install landscaping behind new curb.
  - e. Restripe the project adjacent intersection specifically related to the required curb realignment.
  - f. Grind and overlay asphalt adjacent to project frontage as required.
  - g. Existing utility boxes (located in the current sidewalk alignment) to remain or be relocated at the County's expense.
  - h. Developer shall have the option to combine C.3 areas along Mattox Road and treat County & private water in the same system.
  - i. County shall be responsible for all costs related to relocating the existing traffic signal at such time the permanent improvements are installed. If not completed prior to new street improvements by developer, the County will be responsible for all costs associated with installation of temporary signalization traffic control and all other required improvements.

- 24. Phasing of the Mixed-Use Building: The mixed-use building shall be developed concurrently with the for-sale townhome component of the project. The developer shall seek final building inspection for the for-sale townhome component according to the following milestone schedule:
  - a. Prior to seeking final building inspection for the first (1<sup>st</sup>) townhome unit, the developer shall complete all rough grading necessary to prepare a building pad for the mixed-use building;
  - b. Prior to seeking final building inspection for the 35th townhome unit, the developer shall obtain building permit issuance for the mixed-use building;
  - c. Prior to seeking final building inspection for the 41st townhome unit, the developer shall complete foundation inspection for the mixed-use building; and
  - d. The developer shall complete the exterior of the mixed-use building prior to seeking final building inspection for the 45th townhome units.
- 25. If any of the above milestone deadlines are not met, or are anticipated by the developer to not be met, the developer shall notify the Planning Director and provide a proposed revised schedule and details concerning the cause of the delay. The Planning Director shall have the authority to review and approve schedule deviations, provided that the last milestone deadline is met. It is the developer's responsibility to ensure that the project as a whole is developed as a mixed-use project that includes the development of the mixed-use building described above, regardless of whether the developer transfers ownership of the parcel designated for the mixed-use building. The developer shall ensure that any such sale does not prevent developer's compliance with Condition of Approval #24.
- 26. Non-residential uses contained on the ground floor of the mixed-use building shall comply with the permitting requirements of the Ashland and Cherryland Business District Specific Plan.
- 27. Prior to building permit issuance, the site plan shall be revised to demonstrate compliance with the 20-foot required front setback to parking stalls. One to two parking stalls may be eliminated for this purpose.
- 28. The entire 2.6-acre property, as a whole, shall be developed as a single mixed-use development and shall be maintained as a single mixed-use development. A copy of the CC&Rs shall be submitted to the Planning Department for review prior to recordation of the Final Map.
- 29. Secure approval from the Public Works Agency and Planning Director of Draft Covenants, Conditions and Restrictions (CC&R's) for a property owners' association (Association), which shall include all residential property owners and the owner(s) of the mixed-use building, prior to submittal to the Department of Real Estate (DRE). Final CC&R's as approved by the DRE shall be approved by the Planning Director prior to recordation. The CC&Rs shall include private ownership and financial responsibilities of all infrastructure in the subdivision, including but not limited to storm drain facilities, private roadway access, parking areas, common areas including those associated with the mixed-use building, water treatment/bioretention areas, detention structures, and related auxiliary structures. The CC&Rs shall clearly specify an acceptable funding mechanism for maintenance of all onsite common improvements. CC&R's shall be recorded prior to release of improvement guarantees by the Board of Supervisors. Prior to approval of the Final Map, the Subdivider shall grant the Association an irrevocable cash deposit in the amount of \$1,000 per proposed lot for the maintenance of all on-site common improvements. CC&R's shall require the following:

- a. Payment of dues and assessments shall be both a lien against the assessed land and a personal obligation of each property owner as shown on Exhibit "B".
- b. The Association shall maintain in good repair all fences, walls, and common areas, including parking bays and vehicle turnarounds, and any common utility services and storm drainage easements serving or crossing more than one parcel.
- c. The Association shall maintain in perpetuity the bioretention areas, stormwater detention pipes and structures and all pertinent infrastructure installed for the purpose of treating and detaining stormwater runoff.
- d. The Association shall maintain any pathways required for maintenance access to all bioretention areas shown on Exhibit "B", and related stormwater detention and outflow facilities.
- e. Parking within the development shall be permitted in designated locations only, and the Association shall enforce parking restrictions.
- f. All garage parking spaces in the townhomes shall be kept accessible for parking purposes as required by Section 17.52.770 of the Alameda County Zoning Ordinance.
- g. No recreational vehicles, as defined by Section 17.04.010 of the Alameda County Zoning Ordinance, or trailer-hauled boats shall be parked or stored within the project boundaries, and vehicles or trailers parked contrary to this provision shall be removed by the association.
- h. Common landscaped areas, project entry, and parking areas shall be maintained consistent with the approved Landscape Plan for the project.
- i. The Association shall review the architecture of any proposed modifications or additions to homes, fences, or other structures within the residential portion of the development, the removal of any trees shown on the approved Landscape Plan, and of any physical modification to the exterior of mixed-use building.
- j. The Association shall be responsible for maintaining common areas, in accordance with the approved Landscape Plan and using Bay-Friendly landscaping principles and guidelines as promulgated by the Alameda County Waste Management Authority to the maximum extent feasible, and to remove any severe hazards.
- k. Where there is a distinction between the obligations of the residential property owners and the owner(s) of the mixed-use building, those distinctions shall be clearly identified and described, and accompanied by an illustrative site map, to the satisfaction of the County.

**BE IT FURTHER RESOLVED** that the Board of Supervisors does adopt and affirm the findings of the Alameda County Planning Commission and incorporates them herein in full.

THE FOREGOING was PASSED and ADOPTED by a majority vote of the County of Alameda Board of Supervisors this <u>7th</u> day of <u>August</u>, <u>2018</u> to wit:

**AYES:** 

Supervisors Miley, Valle & President Chan -3

NOES:

None

EXCUSED: Supervisors Haggerty & Carson -2

PRESIDENT, BOARD OF SUPERVISORS

PLN2017-00164 – MLC Holdings, Inc./Serra Corporation August 7, 2018 Page 8

#### ATTEST:

Anika Campbell-Belton, Clerk

Board of Supervisors

Deputy

File:

30167

Agenda No: 80

Document No: R-2018-259

CALIFORNIE

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

APPROVED AS TO FORM:

DONNA R. ZIEGLER, COUNTY COUNSEL

Rv.

Andrea L. Weddle

**Chief Assistant County Counsel** 



July 27, 2018

Albert Lopez Planning Director County of Alameda 224 W. Winton Ave., Rm. 111 Hayward, CA 94544

Re: Mixed-Use Project at Mission & Mattox (PLN2017-00164)

Dear Mr. Lopez:

As you know, MLC Holdings has been working to resolve various issues and concerns raised by Carpenters Union Local 713 in connection with the Planning Commission's approval of the Mission and Mattox project. Over the past few days we have come to an agreement with the Carpenters that will result in MLC employing sub-contractors who are signatory to the Carpenters Union for the construction of the project. While we are pleased to have resolved the Union's concerns, the additional cost of building with union labor could threaten the economic viability of the project if not mitigated in some fashion. We are writing to seek the County's assistance in mitigating a small portion of the significant cost burden we now face by way of modifying certain Conditions of Approval that accompanied the County's original approval of the project. Specifically, we are requesting modification the following Conditions:

Condition of Approval # 23: Condition # 23 requires that developer complete a series of public improvements at the intersection of Mission and Mattox (including realignment of the so-called "Porkchop" pedestrian island) that were previously identified and included in a capital improvement plan adopted by the County long before MLC sought to develop the Mission/Mattox project. During discussions with County Staff in the months leading up to project approval, MLC agreed to install the improvements identified in Condition 23, provided the County would provide reimbursement (or traffic fee credits) to the extent the improvements were part of the original capital improvement plan. At the time, Staff was disinclined to work with us on a reimbursement or credit. We now renew that request and look forward to discussing this with the Board of Supervisors at the upcoming appeal hearing.

Condition of Approval # 24: Condition # 24 imposes a phasing regime that makes it extremely difficult to finance the development and construction of the project. This was a significant issue for MLC prior to the original approval of the project. The severity of the phasing program has grown exponentially with the addition of union labor. In its current form, Condition # 24 requires completion of the mixed-use portion of the project prior seeking final inspection of the 26<sup>th</sup> townhome unit in the project. The challenge we face is that a significant portion of the capital needed to finance the construction of the mixed-use building (which is the more speculative and costly of the two project features) will be generated by the sale and closing of the townhome units. If we are allowed to close the sale of only 25 townhomes prior to completing the mixed-use building, then we face a very serious problem because we will not have generated sufficient free cash flow to support the cost of building the mixed-use structure. That problem

has now grown more severe with the addition of union labor because the cost of developing both components has gone up dramatically, which means even more up-front capital will be required to get the project built. To help mitigate this problem and ensure that the project is economically viable, we strongly urge Staff to consider modifying Condition # 24 to read as follows:

The mixed-use building shall be developed concurrently with the for-sale townhome component of the project. The developer shall seek final building inspection for the for-sale townhome component according to the following milestone schedule:

- a) Prior to seeking final building inspection for the 1<sup>st</sup> townhome unit, the developer shall complete all rough grading necessary to prepare a building pad for the mixed-use building;
- b) Prior to seeking final building inspection for the 35<sup>th</sup> townhome unit, the developer shall obtain building permit issuance for the mixed-use building;
- c) Prior to seeking final building inspection for the 41<sup>st</sup> townhome unit, developer shall complete foundation inspection for the mixed-use building; and
- d) The developer shall complete the exterior of the mixed-use building prior to seeking final building inspection for the 45<sup>th</sup> townhome unit.

The proposed modification will allow much-need flexibility in the implementation of the two project components, while still ensuring that the mixed-use building comes to fruition along with the townhomes.

Condition of Approal # 25: Condition # 25 mandates Planning Commission review and approval of any substantial deviations from the phasing schedule set forth in Condition # 24. While we appreciate the County's desire to ensure the construction of both project components, we believe it is important to allow the developer and Staff reasonable latitude to work together to implement the project in the most efficient manner possible. This is a modest but complex project that (as with most development projects) may encounter any number of unforeseen challenges during the financing and construction process. We feel confident that County Staff has the expertise to work with us efficiently and effectively to ensure that the project is delivered as envisioned. Should we encounter difficulties along the way, it seems unnecessarily burdensome on both the project and the Planning Commission to impose the additional oversight reflected in Condition # 25. For that reason, we respectfully request that Condition # 25 be modified to allow the Planning Director full authority to consider and act on any necessary changes to the schedule described in Condition # 24.

We greatly appreciate Staff's willingness to consider the foregoing requests. Please do not hesitate to contact us should you have any questions or concerns so that we may address them prior to the appeal hearing on August 7.

Respectfully submitted,

Charles H. McKeag

President

MLC Holdings, Inc.

Cc: Supervisor Nate Miley (via electronic mail)
Eileen Dalton (via electronic mail)
Daniel Woldesenbet (via electronic mail)

# UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA Carpenters Local 713, Alameda County

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June 4, 2018

Attn: Planning Commission County of Alameda 224 W. Winton Avenue, Room 111 Hayward, California 94544

RE: Asbestos or lead-based paint at 20478 Mission Boulevard

**Dear Planning Commissioners:** 

Carpenters Local Union 713 ("Local 713") appreciates the opportunity to submit this addendum to our prior letter regarding the above-referenced property & related development application.

Local 713's union hall is located on Mattox Road immediately adjacent to the subject property associated with this development. The sole environmental review document that the project relies upon is the Initial Study prepared May 1, 2018. The Initial Study does not comply with the Eden Area General Plan's Policy P6, Goal SAF-4 ("Minimize Eden Area residents' exposure to the harmful effects of hazardous materials and waste"). Specifically, the project must, as a pre-condition for receiving planning approvals, conduct environmental investigation "to ensure that soil, groundwater and buildings affected by hazardous material releases from prior land uses and <u>lead or asbestos in building materials</u> will not have a negative impact on the natural environment or health and safety of future property owners or users." Public review documents for this project should summarize and attach any investigative reports, including, but not limited to, a Phase I Environmental Site Assessment. Local 713 urges Planning Commissioners to direct the applicant and staff to prepare and circulate a Mitigated Negative Declaration document for the project.

The developer proposes to demolish buildings used during its past at various points for industrial uses. The buildings' floor areas total approximately 60,000 square feet. Building construction at the project site occurred in 1948. Commercial real estate market intelligence company CoStar reports that the effective year built of the property was 1952. Phase I Environmental Site Assessments typically note that on-site structures constructed prior to 1980 may include asbestos-containing building materials. Lead-based paint may be present both on painted surfaced and on exposed soil surrounding painted structures that are the age of those at 20478 Mission Boulevard.

Please see the following reference material and summary points below.

The Ashland and Cherryland Business District Specific Plan final EIR's review of potential impact HAZ-2 (at page 4.7-10) relies in part upon Eden Area General Plan Public Safety Element Policy P6 of Goal SAF-4 with respect to addressing hazards from asbestos-containing materials and lead-based paint. The Initial Study/Addendum for the Project fails to address the requirements of the referenced policy.

The 2010 Eden Area General Plan Public Safety Element Policy P6 is excerpted below:

Goal SAF-4 Minimize Eden Area residents' exposure to the harmful effects of hazardous materials and waste.

P6. Developers shall be required to conduct the necessary level of environmental investigation to ensure that soil, ground-care and building affected by hazardous material releases from prior land uses and lead or absence in building materials will not have a negative impact on the natural environment or health and safety of future property owners or users. This shall occur as a presentation to receiving building permits or planning approvals for development on historically commercial or industrial parcels.

Local 713 notes that no reference is made in any document included with the Staff Report for the project at 20478 Mission Boulevard that substantiates compliance with Eden Area General Plan Goal SAF-4 Policy P6. In fact, neither the word "lead" nor the word "asbestos" appear in the Initial Study/Addendum that accompanies the packet for the June 4<sup>th</sup>, 2018 approval hearing before the Planning Commission.

The sole references to hazardous materials in the Initial Study/Addendum document pertains to an underground storage tank that was removed in 1990 (see page 44). The Initial Study/Addendum does not include any information that can be reviewed by the Planning Commission, the Board of Supervisors or the public regarding the age of the buildings that the project would demolish, nor does it include any information on the exposure risks to hazardous lead-based or asbestos-containing materials faced by construction workers, project neighbors, or future project occupants. Local 713 believes that these omissions render the environmental review for the project inadequate.

Local 713 notes that walls of the existing buildings that likely contain lead-based paint and/or asbestos-containing building materials are on top of or immediately next to the existing lot line that separates the Project from the union hall property at 1050 Mattox Road (See figure 1 on page 3 below). Local 713 is concerned that demolition at 20478 Mission Boulevard could entail encroachment onto the union's property by demolished building materials, workers, or equipment. As a result of these aforementioned Issues, Local 713 is troubled by the lack of plans to mitigate any hazards posed to the property, members, and users of the abutting Carpenters Local Union 713 union hall on Mattox Road.

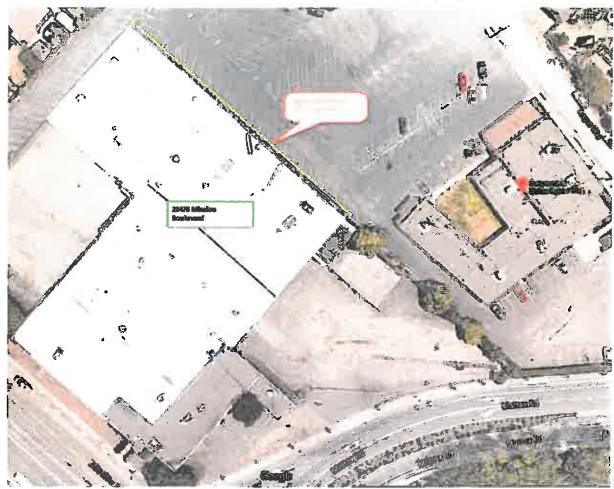


Figure 1. Satellite aerial view of the Project property and Local 713's property

In closing, we urge the Planning Commission to (a) postpone approvals at tonight's meeting tonight in order to permit the Applicant and Local 713 time to discuss and negotiate Conditions of Approval that will ensure that the property rights and health and safety of Local 713, its members and visitors are protected; (b) direct staff to recirculate environmental review documents to the Commission and the public. If you have any questions or require additional information please contact Carpenters Local 713 Research Analyst Lorena Guadiana by emailing |guadiana@nccrc.org.

Sincerely,

Eddy Luna Carpenters Local Union 713 1050 Mattox Rd Hayward, CA 94541

e-mail: eluna@nccrc.org