



**ALAMEDA COUNTY CDA  
PLANNING DEPARTMENT**

**STAFF REPORT**

**TO: CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL  
HEARING DATE: SEPTEMBER 11, 2017**

**GENERAL INFORMATION**

**APPLICATION: Vesting Tentative Tract Map & Site Development Review, PLN2017-00067**

**OWNER/APPLICANT: Todd Deutscher/Catalyst Development Partners**

**PROPOSAL:** Construction of 20 three-story townhomes and corresponding subdivision into four (4) building lots and three (3) common lots by Vesting Tentative Tract Map 8408, with a gross density of 17.9 units per acre. The townhomes would be 35 feet in height, with two-car garages in each, plus 15 off-street guest parking spaces (including one handicapped-accessible space) and up to six on-street guest parking spaces, and would result in a total lot coverage of 42 percent.

**ADDRESS, PARCEL NUMBER AND SIZE:** 20785 and 20985 Baker Road, Assessor's Parcel Numbers 84A-0016-005-09 & 84A-0016-006-04. Combined area of parcels: 1.12 acres (48,932 sq. ft.).

**ZONING:** Sub-Area 11 (*Castro Valley Central Business District Specific Plan*, allowing High Density Residential as established in the Specific Plan for properties within 760' of Castro Valley Boulevard, allowing 20 to 40 dwelling units per acre.

**GENERAL PLAN DESIGNATION:** *Castro Valley General Plan*, adopted March 2012: Residential – Downtown Medium Density (CBD-RMX) allowing 8 to 29 dwelling units per acre. The designation is for existing residential areas close to Castro Valley Boulevard commercial areas and the BART station. Housing types include townhouses, condominiums and apartments. Actual residential densities allowed depend on lot size and width.

**ENVIRONMENTAL REVIEW:** The project is subject to the requirements of the California Environmental Quality Act (CEQA, 1970 as amended). An Environmental Checklist/Initial Study and proposed Mitigated Negative Declaration (IS/MND) has been prepared for the project pursuant to State and County CEQA Guidelines, to evaluate the environmental effects of the development. The IS/MND identifies potential impacts on air quality, cultural resources, seismic safety, water quality and management of urban stormwater runoff, flooding, construction noise and traffic, and lists mitigation measures needed to reduce each *significant* impact to a *less than significant* level. The IS/MND will be subject to at least 30 days of public review, between August 21 and September 20, 2017.

**RECOMMENDATION:**

The Council should review the staff report and Initial Study/Mitigated Negative Declaration (IS/MND), take public comment on the IS/MND, deliberate as to the merits of the Project, and recommend approval of Vesting Tentative Tract Map 8408 by the Planning Commission and approval of the Site Development Review by the Planning Director.

## **PARCEL ZONING HISTORY**

June 21, 1951, the 12th Zoning Unit designated properties in the Castro Valley area to various Zoning Districts, including the subject site which was designated C-2-S (General Commercial – Sign Control regulations).

July 18, 1973, Conditional Use Permit C-2645 approved for operation of a recreational vehicle and boat storage yard at 20957 Baker Road (the southern three-quarters of the site), expiration in three years. Two subsequent Use Permits were obtained (C-3128, August 25, 1976; and C-3681, December 5, 1979) for three-year terms, the latter of which expired without being renewed on December 5, 1982.

1983, adopted the Castro Valley Central Business District Specific Plan, and reclassified the majority of the site and commercial land uses along Castro Valley Boulevard to intensive commercial uses.

January 7, 1993, County Board of Supervisors adopted an update to the Specific Plan, which established the current Subarea-11, Land Use Group D Land Use Designation and Zoning District.

## **SITE AND CONTEXT DESCRIPTION**

Project Site: The project site is composed of two parcels that have a combined frontage along Baker Road of 163.79' and a depth of 300.11', forming a large rectangular site that is level and mostly vacant, but presently contains two small, century-old homes near the middle of the northern one-quarter of the site. A foundation of another small house is evident at the northwest corner of the site. The northern parcel contains a few trees around the homes, one large, mature and attractive fir pine, but is otherwise essentially barren, with almost no landscaping. The northwest corner of the site, a roughly estimated 7,500 square feet of the total 48,932 square-foot site is within a 100-year flood zone boundary. The site has a very slight slope downward from Baker Road, by roughly one-and-a-half feet.

As indicated in the Initial Study (page 5), the site was formerly used as a corporation yard/storage area for heavy equipment (up until about 1989), and contained two 1,000-gallon underground storage tanks (USTs) for fuel that were removed in 2004 from the site. The property owner completed a program to test the soils beneath the USTs for leaked petroleum hydrocarbons (gasoline, diesel, lead and other related compounds), and additional borings were subsequently drilled to test the groundwater for these contaminants. Although detectable levels of petroleum hydrocarbons were detected in the soil underneath the former USTs, they were not detected in the groundwater and the Alameda County Department of Public Health – Department of Environmental Health (ACDEH) closed the investigation in 2009. However, in reviewing the case files in 2016 for the current Project proposal, the applicant and their engineering and consulting firm ENGEO determined that a test of the soil for gas vapor had not been completed, and the soils throughout the site needed to be investigated in relation to the past history of the site for agricultural uses and the potential for residual pesticides in the soil. A new Phase I Environmental Site Assessment (ESA) was conducted, followed by a Phase II ESA, the latter of which included the additional soil testing. The investigation identified residual pesticides in the soils and a remediation/removal program has been developed for review by the ACDEH.

The draft Remedial Action Plan makes a conservative (i.e., highly cautious) recommendation to remove an estimated 1,750 cubic yards of soil suspected of contamination over the course of about two to three weeks, and to import an estimated 2,510 cubic yards of clean fill to backfill the excavation. In a subsequent phase to prepare the site for construction, another 685 cubic yards of clean fill would be required to be imported into the site, in part to elevate the western edge of the site and establish a positive drainage pattern from the western boundary to the eastern edge of the site and the stormwater systems planned for the site bordering Baker Road.

Surrounding Context: The site is bordered on the north by a 21-unit apartment building which is set back to the rear of its lot, behind its parking area (with carports), built in 1990 at a density of about 37.5 units per acre. Northwest of the site is a bar and lounge, and ten small single-story detached homes built in the 1950s. A single-story office building and parking lot are directly to the east, and a mixture of duplexes and apartment buildings are to the south and southeast of the site. Immediately south of the eastern half of the site is a small four-unit apartment building, south of which is a single-family home and a large three-story, 40-unit condominium building built in 2013. A residence and plumbing contractor's yard occupies an 18,000 square-foot site south of the western half of the project site, accessed from Rutledge Road. Rutledge Road is a private street on the western border of the project site, and does not provide access to the site or most lots along its east side, with the exception of the contractor's yard and residence. An area of roughly 1,300 square feet on the southwest corner of the project site is used for parking by five or six cars, for either the plumbing contractor's yard or the Moose Lodge, presumably with permission of the project site owner.

Across Rutledge Road to the west is the Hayward-Castro Valley Moose Lodge on a nearly one-acre site, at the rear of which is the concrete-lined Chabot Creek channel. Five single-family homes are to the south of the Lodge, and to the north (and west and northwest of the north half of the project site) is a small shopping center with a furniture store, office supplies and two fast-food chain stores near Castro Valley Boulevard. North of the site, beyond the apartment building and along Castro Valley Boulevard is a mix of small single-story buildings, some of which were converted from residential buildings over time. A two-story office and mixed retail-tenant building facing Castro Valley Boulevard is to the northeast of the project site, and further east (about 200' from Baker Road), the historic Chabot Theater.

## **PROJECT DESCRIPTION**

The proposed project is to clear the two residential buildings and the small quantity of trees and vegetation from the site, re-grade it to provide for storm drainage to Baker Road, install utilities (including bio-retention structures) and construct 20 new three-story townhome residences for condominium purposes, in four separate buildings, separated on an east-west axis by a driveway aisle through the center of the site and by open space. The proposed density would be 17.9 units per acre and provide 2,446 square feet of building site area per dwelling unit. A hammerhead turnaround is planned at the west end, bordering Rutledge Road, which is intended for garbage trucks and service vehicles, but not as a fire truck turnaround (Fire Department standards for access would be met, however). Open space would be placed between the buildings on a north-south access, bordered by three general-use visitor parking spaces (including the one required accessible parking space). In addition to these 3 visitor parking spaces there would be another 12 guest parking spaces in the form of one-car, covered driveway aprons for 12 of the 20 townhomes. The plans assume another 6 guest parking spaces would be available on the street for guest parking, based on 65' of frontage on each side of the driveway, and allowing for 33' for the driveway entry and curb returns (20' plus two 6½'-wide driveway flares). The proposal therefore anticipates providing a total of 21 guest parking spaces. All 20 townhomes would have two resident parking spaces, but as noted above, 12 of the townhomes would have one space behind the driveway apron, while the other would be directly accessible from the alleyway. The other 8 townhomes would have two resident parking spaces bordering the alleyway itself. This parking configuration is discussed below (see Staff Analysis below).

The rows of townhomes would be oriented primarily toward the north and south, although the two end units nearest Baker Road would have design features oriented also towards Baker Road. Private common walkways would border the north and south sides of the site, and each townhome would have a private open space and a porch facing these walkways. Second story decks facing the alleyway are also proposed for all units. Storage and a study/third bedroom would complement the first floor along with two-car garages.

Four floor plans are proposed, fairly similar in floor area and configuration, based on a three-bedroom, three-and-a-half bath, two-car garage concept, with between 1,936 and 2,162 square feet of conditioned

space per unit. Private yard areas would typically vary between 314 and 330 square feet, including porches of 66 to 78 square feet, except for the Baker Road-facing units that would have some additional area on their sides. In total, the 20 townhomes represent approximately 48,400 square feet of three-story, 36'-6"-tall residential construction, of which 36,120 (about 75%) would be habitable space. The townhomes would occupy 41% of the total site area, and have a total floor area ratio of almost exactly 1.0 (or 0.99, based on 48,400 square feet of building area on a 48,932 square-foot site).

The townhomes would have a 20' setback from the Baker Road property line, and a minimum 11.9' to each side property line and 26.8' at the rear towards Rutledge Road. The buildings would be separated by 29' to 30' at the middle axis, and 30' apart across the alley. Each end-of-row townhome would step back partly for its deck on the second floor; all middle-of-building townhomes would have decks across their entire width on the second floor. The second and third floors would also step back from the side property lines an additional 8'. Each townhome would have at least 150 square feet of front, private 'yard' area, in addition to a roughly 55 square-foot porch. The second-story decks would be either 77 or 125 square feet in area (end and middle units, respectively). Common open space would be generally passive in nature, with landscaping between the buildings, in each of the four corners, screening trees along the north and south sides, street trees and various other plantings. The site survey indicates that a narrow strip of land (about 1.25'-wide) would need to be dedicated to Baker Road to provide the required Baker Road right-of-way (50'). The 20'-front setback is based on the post-dedication, future front property line.

The Baker Road front setback areas (or building front yards) would be primarily used for bioretention basins to capture, treat and gradually release stormwater flows from the site. In order to obtain positive drainage toward Baker Road, fill would be added to most of the western half of the site and a retaining wall constructed around the fill. The maximum height of the retaining wall, primarily along Rutledge Road, would be 3.5', and would slope downwards to the east and front of the site.

The subdivision by Vesting Tentative Tract Map 8408 would create four lots for each of the five-unit buildings, with less than 50 square feet of difference in lot area (7,892 to 7,940 square feet). The three common lots would be the property of a homeowners' association, and includes the central driveway/alley, the exterior walkways around the perimeter, and the front and rear yards. Each building lot would be further subdivided into condominium "air" space as part of the project.

## **RESPONSE TO REFERRALS**

Public Works Agency, Permits Section: In an e-mail response dated May 5, 2017, Permit staff requested a correction to note no. 6 on the cover sheet (sheet 1 of 7) which describes the flood hazard zone as in the *northeastern* corner when in fact (and as shown on sheet 2), it is in the *northwestern* corner. On the same subject, Permit staff provided some clarification on the specific procedures needed to meet federal (FEMA) requirements, which are for an amendment to the Flood Insurance Rate Map (FIRM) to remove the hazard zone from the FIRM, by an application for a "Conditional Letter of Map". Other remarks noted the strategy and evident need to pump post-treatment stormwater up to the curb on Baker Road, due to the absence of an in-street storm drainage conduit, and commented on the design for drainage through private yards and how overhead utility lines would be undergrounded. These concerns will be addressed in the final improvement plans.

Public Works Agency, Construction and Development Services Division. The response to the referral from the Public Works Agency, dated May 11, 2017, addressed various topics, and incorporates comments from the Permits Section described above. The comments are generally typical for any subdivision or development, with requirements specified for roadway and storm drain facilities that comply with County Subdivision Design Guidelines, other ordinances, guidelines and permit requirements. Other requirements noted include: a) property dedication to the County as needed in a manner accepted by the County; b) a

driveway entrance meeting the latest Caltrans standard (RSP A87A); c) establishment of a Homeowner's Association with approved conditions, covenants and restrictions (CC&Rs); d) acquisition of required encroachment permits for work done in the right-of-way – such as the required cement sidewalk, curb and gutter along the street frontage; e) Fire Department approval of the driveway design; f) assuring that runoff to or from adjacent properties is not augmented, concentrated or diverted; and g) obtaining a County Stormwater Permit based on provision of a design solution that meets current C.3 Technical Guidance standards for stormwater treatment and management.

Public Works Agency, Traffic Engineering. Comments submitted by the Traffic Engineering Section dated May 22, 2017 indicated that using on-street parking as a portion of guest parking was not allowed, since all on-street parking is public parking and cannot be reserved for private use. The type of driveway connecting to Baker Road was not clearly specified, but it was recommended to use “Case A” (which is consistent with the specification of Caltrans standard RSP A87A noted above by Construction and Development Services). Adequate sight-distance will be required, and the Traffic Engineering Section will analyze sight distance and evaluate the need for parking restrictions when it is advised that site construction is anticipated to be complete within 30 days.

Public Works Agency, Building Inspection Department (BID): The Building Inspection Department noted in its comments, dated May 12, 2017 that a complete soils report and geotechnical analysis will be required, and that the new structures will be subject to the County's Green Building and Construction and Development Ordinances. A new address assignment for the site is required. The construction documents must be submitted with a soils report and/or geological study to address any geological hazards, and separate building permits are required for the demolition of existing buildings, subject to the County's Construction & Demolishing Debris Management program. The remarks also noted the need for an accessible path of travel for ADA compliance. Independent trash bins kept within the private garages was indicated to be compliant with code requirements. Lastly, the project must comply with building codes and submittal requirements that are in effect at the time the building permit application is submitted, currently the 2016 California Building Code (in effect since January 2017).

Public Works Agency, Grading Division: The response on May 22, 2017 noted that because the site is located in a designated zone in which investigation of potential liquefaction hazard is required, a geotechnical investigation prepared by a registered geotechnical engineer or geologist, and reviewed by the County, in compliance with state guidelines (State Publication 117A). The County will retain a consulting geotechnical firm for the review and the applicant must provide an initial deposit of \$4,000 to cover such review, along with three copies of the geotechnical investigation. Various recommended conditions of approval included a requirement for a grading plan, and erosion and sedimentation control plans submitted for review and approved by the County, and a specification that grading work is not normally allowed in the rainy season, between October 1 and April 30. Furthermore, the project size over an acre requires that a Notice of Intent and Storm Water Pollution Prevention Plan (SWPPP) be submitted to the State Water Board and the Grading Department under the provisions of the State construction general permit, prior to land disturbing activities.

Alameda County Fire Department: The Fire Department initially prepared a response dated May 12, 2017 that requested the applicant address various issues including fire access, placement of fire-suppression sprinklers in the structures, information regarding existing and new fire hydrants, and demonstration of accessibility to each unit. After resubmittal of information and revised plans, the Fire Department provided a new response dated June 12, 2017 that identified two requirements that it indicated could be resolved at the time that the building permit application is submitted and reviewed, related to roof design due to the three-story Project design, and the proposal for emergency access with 200 feet of distance from the end of Fire apparatus (i.e., fire trucks) access.

Castro Valley Sanitary District (CVSD): The Sanitary District provided a response on May 22, 2017 to the referral, stating that the project would require installation of a new 8" mainline sewer on the property, to connect to existing sewer mains in Baker Road. However, it was noted that Baker Road sewer mains are up to 70 years old, and connecting 20 condominiums to it could require repair or replacement of existing sewer mains to manage the increased demand for capacity of the wastewater system. In accordance with the District's Sanitary Code, Section 4300(c), the cost of such repairs or replacement may be passed on to the developer. Further determinations will be made when the developer provides detailed plans to the District and identifies its expected flow and capacity needs.

Castro Valley Unified School District: No response was received from the School District; however, it is likely that the District would wish it to be known by prospective residents that students may not be able to attend the nearest schools due to excessive demand at certain of the District schools. It is well known that the applicant will be obligated to pay certain mitigation fees to the School District.

Public Comment: Neighborhood notices of the prior and current hearings were mailed respectively on May 30, 2017 and again on September 1, 2017. At a public hearing on June 12, 2017 held by the Castro Valley Municipal Advisory Council, no public comments were submitted, or later to Planning staff.

## **GENERAL PLAN**

The site is subject to the *Castro Valley Plan*, adopted in 2012, and which designates the site as "Residential – Downtown Medium Density (CBD-RMX) allowing 8 to 29 dwelling units per acre. The designation is for "existing residential areas close to Castro Valley Boulevard commercial areas and the BART station. Housing types include townhouses, condominiums and apartments. Residential densities [actually allowed within this] range [is] dependent on lot size and width." The project proposal is for approximately 19.7 dwelling units per acre, and therefore would be consistent with the CBD-RMX land use designation. The wide density range provided and the proviso that the actual allowed density depends on lot size and width appears to be as a deference to the *Castro Valley Central Business District Specific Plan (CVCBD SP)*, which provides detailed guidelines on density based on lot size and width. The Specific Plan limitations and guidelines are discussed below.

Applicable Goals, Policies and Actions for Residential Development in the *Castro Valley Plan* include:

Goal 4.2-1 Promote a sustainable land use pattern that responds to existing and future needs of the Castro Valley community.

Policy 4.2-1 *Comprehensive Land Use Regulatory System*. Prepare a comprehensive regulatory system of land uses with standards that achieve the desired vision for the community while respecting the existing conditions and environmentally sensitive areas.

Action 4.2-3 *Development Standards*. In order to achieve the desired character and variety of development, amend the County subdivision and zoning ordinances to be consistent with the General Plan land use classifications and adopted design policies.

Goal 4.3-1: Provide for a variety of housing types that will meet anticipated needs while preserving and enhancing the livability and character of Castro Valley's neighborhoods.

Policy 4.3-1 *Infill Housing and Mixed-Use*. Designate areas for infill housing and mixed-use development to meet a wide range of housing needs.

Action 4.3-1 *Maximum Density*. Zoning designations shall establish the maximum density allowed on individual properties.

Goal 4.2-1 would appear to be served by the project, as it would serve demand for new housing in an area that is designated for such a use; its subsidiary Policy 4.2-1 and Action 4.2-3 were effectively satisfied, at least for the purpose of regulating residential development after the Castro Valley Plan was adopted, by the adoption and implementation of the *2014 Residential Design Standards and Guidelines*, which apply to the current project proposal. Figure 4-4 in the General Plan, titled *Substantive Zoning Changes*, serves to designate areas for zoning changes to allow new residential development; however, the project site is not shown among those parcels permitted by the General Plan to have a higher density. The Sub-Area 11 of the CVCBD SP serves to define the maximum density allowable on the project site.

In addition to the above policies and actions, the General Plan incorporates the Redevelopment Strategic Plan developed in 2006, which was primarily aimed at streetscape improvements along the Boulevard, catalyst projects, and promoting the core of the District. The Redevelopment Strategic Plan established five targeted districts including the Theatre District, which extends between Baker Road and Nunes Avenue and encompasses commercial uses facing the Boulevard. The concept is described as follows (p. 4-44 in the Castro Valley Plan):

The Redevelopment Strategic Plan proposes a catalyst site near the Chabot Theater. Development opportunities include expanding the theater, and adding restaurants, cafes, and music clubs to develop the area as an entertainment destination district. The area would feature sidewalk dining and consolidated parking behind the buildings.

Central Business District goals of the Castro Valley Plan that may be applicable to the project, or which the project would serve, include:

- Policy 4.7-6 *Housing Downtown*. Additional residents in downtown will support businesses and services there, take advantage of BART and bus transit service, and reduce the demand for development in outlying areas of the community with environmental or other development constraints.
- Create additional housing, including apartments, condominiums, and live-work units, in and within walking distance of the Central Business District.

All other Goals, Policies and Actions relate to the commercial uses in the Central Business District; however, it is clear that the project would serve Policy 4.7-6.

## **SPECIFIC PLAN**

The Castro Valley Central Business District Specific Plan (January 7, 1993) designates the site as within Sub-Area 11, which encompasses one of the largest subareas in the Plan area, and is referred to as “North of Freeway – Residential.” The sub-area is split into two portions, east and west, the latter (which includes the project site) being the largest, and which is nearly evenly split between conventional single-family homes, mostly closer to the freeway, and multiple family residential uses, generally closer to Castro Valley Boulevard. The Development Objectives of the sub-area is “bipartite” or split between maintaining the integrity of the single-family home areas “so long as feasible and appropriate, but to provide for orderly development at higher densities if and when there is demand to do so.” The Plan indicates that higher density residential development “must be designed to protect the remaining single-family areas to the maximum extent possible until the majority of the owners in an area wish to convert to higher densities.” (p. 69, CVCBD SP). It also specifies that lots need to be large enough to accommodate the higher density in an efficient manner, and likely to require parcel consolidation. It is also stated that “To the extent possible, new higher density development must be designed to complement and be compatible with adjacent development of any type.” (p. 70, CVCBD SP).

The allowed uses in Sub-area 11 include retaining the single-family home areas under comparable zoning

regulations (R-1, or Single Family Residential), duplexes on specified streets, and *Land Use Group D, High Density Residential*, specifically for properties along Baker Road and other named streets, and where the property is within 760 feet of Castro Valley Boulevard. The Sub-area regulations also stipulate a series of conditions, including: a) the property proposed for development is contiguous for at least 75% of at least one contiguous major property line, representing at least 25% of the total circumference of the property, or has at least two adjacent street frontages and is contiguous or directly across the street from high density residential, commercial development, or the BART station; b) the property is generally rectangular with a low width to depth ratio (1:2 or lower); c) the property is at least 20,000 square feet in area; d) does not create an isolated parcel that cannot meet these requirements; and e) an Initial Study has been prepared to show that there will be no adverse impacts on surrounding development including but not limited to traffic, visual, noise, privacy or other concerns, and that any such impacts can be mitigated to acceptable levels with mitigation measures adopted through the CEQA process.

The actual allowed density is determined through the Site Development Review process, and several *Design Policies* are also cited, including: a) the design is practical and reasonable for the site; b) if single family residences are adjacent, minimizes impacts with setbacks, step-backs or height limitations; and c) allows for expansion onto or coordination with development of adjacent properties. Under *Land Use Group Definitions*, the Specific Plan (pp. 76-77) defines Land Use Group D (High Density Residential) as generally allowing a density of between twenty and forty units per acre, but allows the density to be increased or lowered “where there is justification.” (p. 76) Encouragement is given for sites located directly adjacent to the commercial core, so that basic commercial and service needs can be met within walking distance. Due to the proximity of such services, transit and for other reasons, the Site Development Review may allow for the Zoning Ordinance’s parking requirements to be lowered. Smaller units serving the elderly, lower income households and households without children are encouraged or emphasized, but conventional unit sizes are not discouraged. Other uses are allowed such as daycare, congregate care or other housing targeted at elderly households, and the highest densities are allowed when the units are targeted towards the elderly or the handicapped (i.e., when one-bedroom or studio units would be predominant).

Allowable density is also specifically limited by the *Land Use Group D* provision that a minimum building site area of 2,000 square feet per unit is required for lots that are larger than 20,000 square feet, which equates to 21.8 units per acre. Smaller lots, down to 10,000 square feet or larger, require 2,500 square feet of building site area per unit, and lots under 10,000 square feet are limited to two units only. However, *Land Use Group D* also includes a provision that “Development at densities significantly lower than these must be found to be consistent with the development objectives and design policies of the specific subarea.” (p. 77). In this case, due to the larger unit sizes and private garage parking, the proposed project would be modestly below 20 units per acre (17.9 per acre, or about 10% lower in density than the low end). Adjacent and nearby examples of higher density are based on smaller units, presumably with some single bedroom units and primarily two-bedroom-only units; the current proposal is for larger residences of four bedrooms and three-and-a-half bathrooms.

## **STAFF ANALYSIS**

With respect to the General Plan, the Zoning Ordinance requirements and the *Residential Design Standards and Guidelines* adopted by the County in 2014 (effective January 1, 2015, hereafter referred to as the *Design Guidelines*), the proposed project would be conforming with extremely few exceptions. Although the site is designated by the CVCBD SP as Land Use Group D, which allows up to 40 units per acre, the *Design Guidelines* acknowledges the minimum building site area provision, and identifies the maximum density of Land Use Group D as 21.8 units per acre, and as suitable for Multi-Family Residential Medium Density (Table 2.1-1, Residential Maximum Densities and Appropriate Zones). Therefore, although the *Design Guidelines*’ Multi-Family Residential Medium Density set of standards (Table 2.5-1) would apply to the

project, the proposal for three-story townhomes is best evaluated with regard to the guidelines for Two- and Three-Story Townhomes (Table 2.4-1).

A staff assessment of the project is provided first in a four-page table attached at the end of this staff report, based on selected, applicable sections of Table 2.4-1 of the *Design Standards and Guidelines*. The assessment finds that the project fully meets all “development intensity and neighborhood compatibility” standards such as site size and width and unit width, all “building height and form” standards, and all “building relationship to the street” requirements. A second Table, *Design Guidelines for Residential Projects – Project Evaluation Guide* provides a preliminary overview of how the project would conform to Chapter 3 of the *Design Guidelines*. The plan sets also included, on the Tract Map (sheet four of seven civil drawings) a table showing “Zoning Conformity”. Planning staff has evaluated the analysis as follows.

<b>Zoning Compliance Table – per Applicant</b>			<b>Staff Assessment</b>
ALAMEDA COUNTY TOWNHOME STANDARDS	REQUIRED/ALLOWED	PROPOSED	VERIFICATION OF STANDARD & DETERMINATION OF COMPLIANCE
Minimum front setback	20'	20'	20' required; complies.
Minimum rear setback	20'	25.8'	20' required; complies.
Minimum side setback	10'	11.9' 16.9'	Larger setback (16.9') provided to indoor space; smaller to covered porch; complies.
Maximum building length	150'	110'	150' max. length required; 88' max. proposed.
Min. private usable open space	75 s.f./unit	336 s.f./unit	300 s.f. required under <i>Townhome Standards</i> ; 75 s.f. under <i>Multi-Family Standards</i> . Compliant.
Min. total open space	300 s.f.	484	600 s.f. required under <i>Townhome Standards</i> ; 300 s.f. only under <i>Multi-Family Standards</i> and for CVCBD/Sub-area 11. Deemed compliant
Max. building height	35'	36'-6"	35'; 36'-6" proposed; deemed compliant under <i>Multi-Family Standards</i> and for CVCBD/Sub-area 11.
Min. parking requirement	2/unit (1 covered)	2/unit (2 covered)	2 spaces required; 2 spaces provided in each garage.
Accessible guest parking space	1	1	1 accessible parking space; complies.
Min. Site landscaping	Min. 35%	39%	35% required; 35% site is landscaped.
Max. Condo air-space density	22 units/ac.	17.7	21.8 units/ac. allowed; 17.9/ac. proposed
Max. Building coverage	Max.55-60%	42%	55% max. applies; 39% proposed.

In addition to the *Design Standards and Guidelines* requirements as stated in Table 2.4-1 and shown in the attached table of selected and applicable requirements, Chapter 3 of the *Guidelines - Design Guidelines for Residential Projects* – provides specific recommendations for residential design, addressing all of the topics considered in Table 2.4-1, but stated in broader, more general terms of design objectives (i.e., less quantitative and more qualitative). Planning staff has completed an assessment of the proposed project with respect to applicable guidelines from Chapter 3, and have prepared paraphrased and summarized statements of the Chapter 3 guidelines (see *Design Guidelines for Residential Projects – Project Evaluation*), with simple coded assessments of the project’s relative conformity to each. The overall result of the analysis is that the project would be in substantial conformity with the Chapter 3 guidelines for townhome projects. However, in a few instances, it conflicts with the *Townhome Standards*, but conforms completely with the *Multi-Family Standards* (and typically by wide margins).

*Parking.* As noted in the Project description, the majority of required guest parking spaces (12 of 20) is proposed as single-wide, recessed garage aprons on each of 12 townhomes; only three spaces are open or disassociated from individual units. Although it is recognized that guest parking might more ideally be provided as a pool of parking spaces that have no direct association with individual dwelling units, so that users do not encroach into seemingly private spaces, the *Design Guidelines* in fact specifically allow guest parking to be provided on garage aprons. The *Design Guidelines* states the following about guest parking:

Space along the public street frontage of a building site can be counted towards guest parking requirements. However, guest spaces may be required to be on the building site if there is existing parking congestion, as defined by the Planning Director, on the street. A parking study may be required to determine existing parking congestion. Driveway aprons may be counted for the required guest parking.

Although the Public Works Agency Traffic Section in its response to the referral noted objections to counting on-street parking as providing for guest parking, it has been a long-standing planning principle that on-street parking may be counted toward meeting guest parking requirements, and which is clearly incorporated into the *Design Guidelines*. Furthermore, the specific requirements for guest parking in the CVCBD Sub-area 11 (or for Multi-Family Residential uses) in the *Design Guidelines* is only 0.5 per unit, regardless of unit size. It is also noted that Multi-Family Residential Standards for parking requirements provide exceptions for being a half-mile from a BART station or a quarter-mile from a transit corridor. Provisions for guest parking is therefore deemed adequate by Planning staff.

No recommendation was made for red curb painting of Baker Road adjacent to the Project driveway by either the traffic study (for the environmental analysis, discussed below) or by the Traffic Section, for the purpose of safe sight distance between the Project driveway and southbound Baker Road vehicles. However, Planning staff recommend 6' to 10' of curb directly north of the entry driveway be kept clear by red curb painting for sight-distance purposes. The relatively light volume of traffic on Baker Road (under 115 southbound vehicles in the peak hour) does not appear to warrant a longer section of red curb.

Baker Road has complete sidewalks on both sides, and sidewalks on nearby Castro Valley Boulevard are generously wide. Although the sidewalk on the Project side of Baker Road is narrow (about three feet) and there are two utility poles would block wheelchair access north of the site, better access is provided on the opposite side of Baker Road, with similar width but no obstacles.

## **ENVIRONMENTAL REVIEW**

The Project is subject to the California Environmental Quality Act (CEQA, 1970 as amended), and an Initial Study – Mitigated Negative Declaration (IS-MND), including an environmental checklist was prepared to evaluate the potential for the Project to have significant adverse environmental impacts. The IS-MND has found that all potentially significant impacts can be avoided or reduced to less than significant impacts with the adoption of specifically identified mitigation measures, and the applicant has agreed to implement those measures, and they now represent part of the Project and are included in its conditions of approval. Issues that were addressed in the Initial Study in more detail included biological, historic, cultural and tribal resources, hazardous materials, flooding, noise (including vibration), air quality (including greenhouse gas emissions), geotechnical considerations and traffic. No historic resources were determined to be affected, in that although there are two small cottages on the northern parcel, recorded as built in 1925, they were built in a vernacular style with no distinctive characteristics that are represented elsewhere in Castro Valley. Previous residents on the site were not known to have contributed substantially to the history of California. However, the IS-MND provides mitigation measures for the potential of unanticipated discovery of cultural resources, as well as protocols for treatment of human remains that could be discovered during grading. A separate mitigation measure is also identified that is focused directly on the potential for unanticipated discoveries of Native American tribal cultural resources, with protocols established by state guidelines.

While the site itself has only minor amounts of trees and vegetation, the parcels on its north and south sides contain several trees that could provide nesting habitat for protected bird species. For this reason, a mitigation measure was defined simply to avoid the nesting season for major site disturbing activities such as the grading and excavation involved in the site remediation or the demolition of the residences on the site, which extends between February 1 and August 30, or if necessary, to conduct a pre-construction survey by a qualified biologist. If construction is necessary during the nesting period, and an active nest is identified (either on site or off-site), then a buffer zone would be required within which no construction would be allowed. This protocol would ensure protection of avian wildlife.

The IS-MND identified specific hazardous material concerns, due to residual agricultural pesticides in the soil, and potential hydrocarbon vapor in the soil related to two former underground storage tanks. The soil beneath the storage tanks was investigated upon their removal in 2004, which detected the presence of petroleum hydrocarbons. The findings led to additional soil testing and borings to see if groundwater had been contaminated; laboratory testing of those deeper borings did not find any detectable traces of petroleum hydrocarbons, and the case was closed in 2009 by the ACDEH. In 2016, the new owner (the current applicant) and their geotechnical and engineering consulting firm ENGEO recognized that soil vapor testing had not been conducted and recommended such an analysis as well as investigation of the potential for contamination by pesticides on the Project site. Based on their subsequent findings in 2016, an estimated 1,770 cubic yards of soil, roughly equivalent to the entire 1.12-acre site to a depth of one-foot, is expected to be removed from the site, with 2,510 cubic yards of imported replacement soil, thus involving an estimated 420 total truck trips to remove and import soil, or 28 truck trips per day, to and from the site over the course of a two- to three-week period, or conservatively, up to four weeks. This truck traffic was evaluated for effects on air quality, greenhouse gas emissions and traffic congestion, and was determined to have only temporary and less than significant impacts.

The flooding concern is simply that the northwestern corner of the site, around 10 percent of the site and bordering Rutledge Road, is designated within the 100-year flood zone of the Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency (FEMA). As a result, the Project would involve placing housing in a federally-established hazard zone, which the design would eliminate by grading that would elevate the western portion of the site (bordering Rutledge Road) above the flood hazard elevation. Because the Project would in effect cause all of its site drainage to flow to Baker Road and its gutter and downstream storm drainage system, and eliminate any drainage to Rutledge Road, there would be no impact of concentrating 100-year flood flows along Rutledge Road or downstream from the site. The change in elevation within the special flood hazard zone area, however, requires that the applicant apply to FEMA for a change in the FIRM, with a request referred to as a Conditional Letter of Map Revision based on Fill (CLOMR-F). Upon completion of the Project and submittal of as-built plans, it is expected that FEMA will revise the FIRM to show the site is no longer within the hazard zone. Rutledge Road is a private road with drainage to the adjacent channelized Chabot Creek.

The traffic analysis for the Project did not identify any adverse effects on circulation in the vicinity. The nearest primary intersection that Project residents would use is a stop-sign-only intersection of Baker Road with Castro Valley Boulevard, which the traffic analysis (Traffic Impact Study or TIS) found to be only moderately congested (“Level of Service” or LOS C). Existing PM peak hour delays at this intersection were calculated to be an average of 24.3 seconds per vehicle including Castro Valley Boulevard vehicles but mostly experienced by vehicles turning left from Baker Road or from the Boulevard to Baker Road. The addition of peak hour trips by Project residents (16 trips, mostly ‘inbound’) would increase the delay by about 5.4 seconds to a calculated average of 29.7 seconds, but which is still within the range of acceptable LOS for a stop-sign controlled intersection. The increased delay and the low volume of traffic does not meet the warrant standards for signaling the intersection. The signalized intersections east and west of Baker Road on Castro Valley Boulevard, at Wisteria Street and Anita Avenue, serve to create traffic breaks for vehicles using the Baker Road intersection. There is no marked pedestrian crossing of Castro Valley

Boulevard at Baker Road, but the Wisteria Street intersection with crosswalks and pedestrian signals is less than 200' from Baker Road.

Construction noise impacts were determined to be potentially significant due to the residential uses that border the Project site. Best management practices for controlling both vibration and noise impacts are described in detail in the IS-MND, ranging from controls on the type of equipment used near shared property lines, to surveys of adjacent structures, use of sound mufflers, noise control blanket buffers, and notification of neighbors for the most intensive noise-generating events such as major grading activities.

The air quality and greenhouse gas emission analysis resulted in determinations that the Project would have no adverse effects on such considerations. Detailed modeling of the construction and operational phases of the Project, as well as in relation to the County's Community Climate Action Plan (CCAP) and state and regional plans and strategies to reduce emissions, found that the air quality effects of the Project would by itself be far below any threshold of significance, and that the Project would also be consistent with local and regional policies to minimize growth in pollutant emissions or generation of greenhouse gases, due in large part to its proximity to local and regional transit services (AC Transit and BART, in particular). It is assumed that standard construction practices to control dust would be carried out, thereby avoiding adverse effects on adjacent residential uses. Such conditions are included in the proposed conditions of approval.

The Initial Study/Mitigated Negative Declaration (IS/MND) began circulation to public agencies and the public for comment and consideration by the Municipal Advisory Council and the Planning Commission on September 1, 2017. The IS/MND addresses potential impacts on visual and aesthetic considerations, air quality, cultural resources, seismic safety, flooding, water quality and management of urban stormwater runoff, construction noise and traffic, as well as a number of other considerations. The Council and the public may comment at the current hearing on the IS/MND and may request staff to provide supplemental analyses of environmental topics. The IS/MND has incorporated materials provided by the applicant such as the preliminary grading and drainage plan and geotechnical analyses. The IS/MND will have had 30 days of public review between September 1 and October 2, 2017. The Planning Commission would be expected to consider recommendations from the CVMAC and Planning staff to adopt the MND after the public review period is complete. To date, no public comment has been received, and Planning staff has not been contacted by any member of the public since the first notice of the Project proposal was made for preliminary review by the CVMAC in June 2017.

## RECOMMENDATION

The Council should review the staff report and Initial Study/Mitigated Negative Declaration (IS/MND), take public comment on the IS/MND, deliberate as to the merits of the Project, and recommend approval of Vesting Tentative Tract Map 8408 by the Planning Commission and approval of the Site Development Review by the Planning Director.

### Attachments

- Staff Assessment – using Table 2.4-1 of the *Design Guidelines*, and Chapter 3 of the *Design Guidelines*
- Report Graphics
- Draft Planning Commission Resolution with conditions of approval
- Vesting Tentative Tract Map 8408 (reductions; full-size plans provided at the June 12, 2017 hearing)
- Architectural Plans (reduction - 11" by 17")

PREPARED BY: Andrew Young	SENIOR PLANNER
REVIEWED BY: Rodrigo Orduña	ASSISTANT PLANNING DIRECTOR

**STAFF ASSESSMENT – 20785 & 20957 BAKER ROAD, PROPOSED 3-STORY TOWNHOMES  
USING 2014 RESIDENTIAL DESIGN STANDARDS AND GUIDELINES, TABLE 2.4-1**

<b>Standard</b>	<b>R-S-D-20*</b>	<b>Additional Standards</b>	<b>Staff Assessment</b>
<b>Development Intensity and Neighborhood Compatibility</b>			
Minimum Building Site Size (sq. ft.)	5,000		Site is 48,932 square feet; compliant.
Minimum Area per Dwelling Unit (sq. ft.) R-S-D20	2,000	Appropriate for three-story townhomes.	Over 2,400 square feet of building site area provided per dwelling unit; compliant.
Minimum Building Site Width (ft)			
Two-Story Townhomes	65		N.A. (Not Applicable). Three-story.
Three-Story Townhomes	75		Lot width is 163'; compliant
Minimum Lot Width (ft)	25	A minimum lot width of 30 to 40 feet may be necessary for two story townhomes with double-loaded attached garages in front, and to comply with Parking Location and Design requirements. Minimum lot width may be reduced to 20 feet if garages are single-car wide, detached and/or accessed from an alley.	Minimum unit width is 21'; however, access is from an alley, not the front of the unit, and is therefore deemed compliant.
<b>Building Height and Form</b>			
Maximum Height (ft)		See Figure 2.4-4.	
Three-Story Townhomes	30		
Three-Story Exception	35	Provided that roof is pitched and the portion of the roof over 25 feet in height is at least 25 feet away from building site property lines.	36'-6" height proposed. Slightly higher than the <i>Townhome</i> standard, but see below.
<b>Multi-Family Residential Standard</b>	<b>45</b>	In CVCBD, buildings with heights greater than two stories or thirty feet must demonstrate through Site Development Review that they frame or complement and not block view corridors, and enhance adjacent development.	Project proposes three-story townhomes, and steps back further from side property lines. The project will enhance development of the area and would not block or affect a view corridor.
Maximum Stories	2 - 3		Three-story; complies.
Maximum Floor Area (Percentage of First Story Building Footprint) – Second Story	80	The second story shall not exceed 80 percent of the first story building footprint area.	Second stories are between 73.5 and 79.1% of the first-floor footprint; compliant.
Third Story	70	The third story shall not exceed 70 percent of the first story building footprint area.	Third stories are between 60.0 and 69.8% of the first-floor footprint; compliant.
Maximum Building Length (ft)	150	Exceptions may be approved by Staff if buildings are designed with many different setbacks (instead of a long flat wall), [etc.]	Maximum building length is 110', compliant.
<b>Building Relationship to the Street</b>			
Maximum Front Yard Paving (%)	50		Front yards paved only with sidewalks, and a 20' wide entry driveway; compliant.
Street Facing Façade Design		Required. Street facing facades must be designed to orient towards the public street, or private street if lot does not abut a public street. Windows, entry door, and other elements must be incorporated to create an attractive street appearance that is compatible with the surrounding neighborhood.	Townhomes bordering Baker Road are oriented towards the public street. Other units oriented to side walkways.
Building Entrances on Streets		Required. The principal entry shall be located in a visible location facing the public street, or private street if lot does not abut a public street.	End of buildings bordering Baker Road have porch and entry facing the street. Other unit entries and porches face the side walkways.
Covered Front Porch/Recessed Entry	Required		
Minimum Depth (ft)	5		5' depth provided.
Minimum Area of Porch or Recessed Area (sq ft)		5 percent of the first story building footprint area; up to a maximum of 75 square feet	Each entry porch provides a minimum of 70 sq. ft., or about 5.5% of the first story footprint.

\* Closest match to townhome project proposal.

**STAFF ASSESSMENT – 20785 & 20957 BAKER ROAD, PROPOSED 3-STORY TOWNHOMES (Continued)**  
**USING 2014 RESIDENTIAL DESIGN STANDARDS AND GUIDELINES, TABLE 2.4-1**

<b>Standard</b>	<b>R-S-D-20*</b>	<b>Additional Standards</b>	<b>Staff Assessment</b>
<b>Setbacks for Light, Air, and Privacy</b>			
Minimum Setbacks (ft)		Building setbacks apply along the perimeter of a building site and lot setbacks apply to individual lots [or townhome units] within a building site. In the event of conflict between building setback requirements and lot setback requirements, the project must comply with whichever standard results in the greater setback	
<b>Building Site</b>			
Front (Facing Public Street)	20		20' provided facing Baker Road.
Side (Facing Adjacent Neighboring Properties)	5	A minimum of 50 percent of the required bulk reduction shall occur along the building site side property line.  If a building is within 5 feet of this property line, a minimum of 50 percent of the second story facade shall be stepped back a minimum of 5 feet from the first story facade and a minimum of half of that required amount shall occur along this side setback.	11.9' provided on each side. No bulk reduction is required, although the second story steps back further from the side property lines of the site.
Side Exception	10	The building site side setback shall be a minimum of 10 feet if the project consists of three-story townhomes.	11.9' provided; compliant for proposed three-story townhomes.
Rear (Facing Neighboring Properties)	20		27.2' minimum provided to Rutledge Road (or deemed N.A.; no property to rear).
Lot/Unit Front	10		11.9' minimum provided.
Lot/Unit Side	5	Required setbacks apply to the ends of rows of attached single-unit dwellings.	29' minimum provided between sides of buildings.
Lot/Unit Rear	15		No 'rear' setbacks provided, or required with alley access. Deemed compliant.
Minimum Distance Between Buildings (ft)	Front is considered any wall with windows into the primary living area of the unit.		
Front to Front or Rear	40		N.A.; no front to front or front to rear building relationship.
Rear to Rear	30		30' provided across access alleys.
Side to Front or Rear	20	If windows are clear and eye-level, they must be offset by at least 5 feet.	N.A.; no side to front or rear building relationship.
Side to Side	10	If windows are clear and eye level, they must be offset by at least 5 feet.	29' provided side to side. Architectural plans identify offset (see Sheet A3.1).
Minimum Setback from Access Driveway (ft)	10	Must be landscaped.	N.A. Driveway only serves alleyway. No capacity for landscaping.
Setback from Access Driveway Exception (ft)	7.5	The minimum setback from access driveway shall be 7.5 feet if building site width is less than 70 feet and greater than or equal to 6 feet; must be landscaped.	N.A. Site is 163' in width. Driveway aligned centrally on site to serve single alley only, with at least 70' from side property lines.

\* Closest match to townhome project proposal.

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**STAFF ASSESSMENT – 20785 & 20957 BAKER ROAD, PROPOSED 3-STORY TOWNHOMES (Continued)  
USING 2014 RESIDENTIAL DESIGN STANDARDS AND GUIDELINES, TABLE 2.4-1**

<b>Standard</b>	<b>R-S-D20*</b>	<b>Additional Standards</b>	<b>Staff Assessment</b>
<b>Auto Circulation: Site Access and Driveways</b>			
Minimum Access Driveway/Private Street Width (ft)	20		20' wide driveway/alleyway provides access to all units/garages.
Minimum Access Driveway/Private Street Width Exception	12	Minimum 12' if lots are narrow and driveways serve fewer than 5 units. Fire Department may consider this exception if the rear-most corner of the rear-most building is within 150' of the curb and alternative means and methods are incorporated to meet Fire Code safety objectives.	N.A. Lot is wide (163.4') and driveway serves 20 townhome units.
Maximum Curb Cuts (number per building site)	1	Exception may be granted by Staff if building site exceeds one acre, building site frontage exceeds 200 feet, or through lot.	Only one curb cut proposed; compliant.
Minimum Driveway Gates Setback (ft)	20	Gates across driveways shall be set back a minimum of 20 feet behind the property line, or greater depending on location in State Responsibility Fire Area and street travel speed.	N.A. No gates proposed.
<b>Parking Location and Design</b>			
Maximum Garage Width (ft)	20		Garage doors are 16' wide, within 21'-wide unit façades.
Facing Public Street (%)		Where garage doors face a public street, garage width shall not exceed 50 percent of the width of the front facade of the building unit.	N.A. Garage doors only face alleyway.
Facing Access Driveway/Private Street (%)		Where garage doors face a private street or access driveway, garage width for two-story townhomes shall not exceed 60 percent and three-story townhomes shall not exceed 70 percent of the width of the front facade of the building unit.	N.A. Garage doors are between 64% and 76% of each unit's width – 16' of 21' to 25'; however, units also 'face' opposite side from the access alley. Deemed compliant.
Facing Access Driveway/Private Street Exception (%)		Where garage doors face a private street or access driveway, garage width for two-story townhomes shall not exceed 70 percent and three-story townhomes shall not exceed 80 percent of the width of the front facade of the building if the garage (wall to wall) is set at least four feet behind the front door or a second story above the garage projects at least two feet forward in front of the garage.	N.A. Standard applies only to townhomes with garages and front facing features on the same façade.
Maximum Driveway Apron Width (ft)		Driveway apron widths shall not exceed the garage door width by more than one foot in either direction. See Figure 2.4-12.	16'-wide garage doors set within 17'-wide and 1'-deep 'aprons'; compliant.
Unit parking (space per unit)	2	Minimum of one space must be covered. Tandem parking allowed for up to 25 percent of the units.	2 side-by-side parking spaces provided per unit; compliant.
Guest Parking (space per unit)		Space along the public street frontage of a building site can be counted toward guest parking requirements. However, guest spaces may be required to be on the building site if there is existing parking congestion, as defined by the Planning Director, on the street. A parking study may be required to determine existing parking congestion. Driveway aprons may be counted for the required guest parking.	
Units ≤ 1,000 sq. ft.	0.5		N.A. All units exceed 1,000 sq. ft. in area.
Units > 1,000 sq. ft.	1		Project includes 15 off-street guest parking spaces, and assumes six on-street spaces. However, sight distance concerns and minimum 22' standard parallel space length may yield only four on-street spaces.

\* Closest match to townhome project proposal.

**STAFF ASSESSMENT – 20785 & 20957 BAKER ROAD, PROPOSED 3-STORY TOWNHOMES (Continued)  
USING 2014 RESIDENTIAL DESIGN STANDARDS AND GUIDELINES, TABLE 2.4-1**

<b>Facilities for Pedestrian, Bicycles and Transit</b>			
Minimum Decorative Driveway Paving (% of Driveway and Parking Area)	10	Locate at driveway entrance, driveway aprons and in areas that can be used as open space.	Will be required as a condition of approval.
Minimum Decorative Driveway Paving Exception (% of Driveway and Parking Area)	25	Required if there is no pedestrian walkway/sidewalk provided along the access driveway/private street. A minimum 4-foot-wide walkway consisting of decorative paving should also be provided.	N.A.; pedestrian walkways provided on both sides as perimeter walkway.
Pedestrian Walkway Next to Driveway/Private Street		Required for 5 units or more; for fewer than 5 units, may have no sidewalk if driveway pavement has differentiated pedestrian paving.	Walkway provided next to driveway; compliant
Minimum Width of Pedestrian Walkway (ft)	4		4' wide sidewalk provided.
<b>Site Landscaping</b>			
Minimum Site Landscaping (%)	35		39%
Minimum Width of Landscaped Buffer Between Pedestrian Walkway and Access Driveway/Private Street (ft)	3		N.A. Pedestrian walkway does not abut any driveway, but is only adjacent to buildings (and separated by 5' minimum).
Minimum Width of Side Landscaping for Driveway/Private Street/Parking Area (ft)	5	Applies between the driveway/private street/parking areas and the side and rear property lines.	Minimum 70' between side property lines and central driveway/alleyway; compliant.
Minimum Side Landscaping Exception (ft)	0 - 3	The minimum driveway side landscaping shall be 3 feet when building site width is less than 75 feet and greater or equal to 60 feet. The minimum driveway side landscaping shall be 0 feet when the building site width is less than 60 feet. Staff may approve a minimum side landscaping of 3 feet for building sites that are 75 feet or wider if vertical landscaping (e.g. trees, shrubs, bushes) is planted along this side landscaping area.	N.A.; building site width is 163.4'. See also above.
<b>Useable Open Space</b>			
Minimum Total Usable Open Space (sq. ft. per unit) (private and common)	600 (or 300, per MF stds.)	Common usable open space is not required for projects with four units or fewer, provided that each small-lot single-family unit has a minimum of 500 square feet of private open space.	484 sq. ft. proposed. Multi-Family Residential Standard, applicable to CVCBD/Sub-Area 11, is 300 s.f. only. Compliant.
Minimum Common Usable Open Space (sq. ft.)	1,000 s.f.; 200 s.f./unit	Common space buildings or covered structures cannot occupy more than 20 percent of common open space.	Common open space includes four separate areas with a combined area of 4,698 s.f. No common space buildings. Complies.
Minimum Dimension (ft)	25		29' minimum wide central and corner open space areas meets minimum standards.
Minimum Private Usable Open Space (sq. ft. per unit)	300	Private open space must be open air, not fully enclosed with walls. Private open space cannot be covered by a roof by more than 50 percent of the area; however, balconies can have up to 100 percent ceiling coverage.	347 sq. ft. minimum in combined private yards, porches and 2 <sup>nd</sup> story balcony/deck areas proposed. Compliant.

\* Closest match to townhome project proposal.

Continues on following page

Design Guidelines for Residential Projects (Chapter 3) – Project Evaluation  
20-Unit/3-Story Townhome Project, 20785 & 20957 Baker Road, PLN2017-00067

*Scoring system –*

- ✓ = fully compliant
- ÷ = mostly compliant
- ⊙ = partial, but insufficient
- = not compliant
- +/- = neutral - pluses and negatives
- = indeterminate
- N = not applicable
- ? = no information to assess

A. Development Intensity and Neighborhood Compatibility

- ✓ A-1: Respect the development pattern of the neighborhood and complement its character.
- ✓ A-2: Enhance appearance and contribute to existing visual context of the neighborhood.
- ✓ A-3: Site buildings to respect privacy, light, and air for surrounding buildings.

B. Building Height

- ✓ B-1: Respect adjacent buildings, and create transition by height and scale.
- ✓ B-2: Position higher masses away from adjoining properties to promote transitions.
- ✓ B-3: In low and medium density zones, reduce visual and shadow impacts by positioning upper stories towards center of site, , step back upper stories, and/or use pitched roofs & dormers for upper stories (aimed at three- or more-story-buildings).
- ✓ B-4: Respect single-story development along public streets with stepbacks of second story mass.
- N B-5: On hillside lots, step buildings down, step back upper stories.

Building Form and Bulk

- ✓ B-6: Avoid boxy forms and large unrelieved surfaces.
- ✓ B-7: Articulate surfaces on public, private frontages.
- ✓ B-8: Use horizontal and vertical stepbacks to break apart long building walls and deviate in roof form and height.
- N B-9: Continuous ground-level parking podiums and lobbies are acceptable if Guidelines B-6 through B-8 are met.

C. Building Relationship to the Street

- ✓ C-1: Provide front setbacks that match other buildings on the block.
- ✓ C-2: Maximize landscaping of front yards and minimize unnecessary paving.
- ✓ C-3: Orient entry features toward the street, including front porch, entry door, major living room windows, etc.
- ✓ C-4: Primary entry to face public street or highlight entry with landscaping or structures.
- N C-5: In a prevailing single family neighborhood, distinguish attached units by varying design treatment.

D. Building Design

- ✓ D-1: Provide design integrity throughout components.
- ✓ D-2: Avoid using different architectural styles
- ? D-3: Use high-quality, durable materials resistant to deterioration
- ? D-4: Use highest quality and most durable materials at the base
- ✓ D-5: Use stucco, wood siding, masonry, tile, wood shingles, metal and glass panels for siding; avoid scored plywood and aluminum
- ? D-6: Use complementary and high quality material on all sides
- ✓ D-7: Place changes in materials at interior corners or at least six feet from exterior corners, or other logical terminations
- ✓ D-8: Use coordinated not competing color schemes
- ✓ D-9: Use bright and dark colors only as accents and trim colors
- ✓ D-10: Exclude any fluorescent or neon colors
- ✓ D-11: Use colors compatible with the surrounding neighborhood as visible from the property
- ✓ D-12: Provide depth to architectural elements through decorative trim, varied roof forms, 18" roof overhangs, railings,
- ✓ D-13: Provide projections and recesses across façade
- ✓ D-14: Use projections to enhance and articulate the design
- ✓ D-15: Vary roof forms to avoid large, boxy, unrelieved masses and façades and parapets
- ✓ D-16: Vary roof forms among building or unit sections (*primarily related to attached/multi-family projects*)
- ✓ D-17: Design window features to enhance and add interest, and vary according to building or room parts
- ✓ D-18: Provide window recesses or decorative trim to create shadows and interest

Design Guidelines for Residential Projects (Chapter 3) – Project Evaluation  
20-Unit/3-Story Townhome Project, 20785 & 20957 Baker Road, PLN2017-00067

- ✓ D-19: Highlight building entrances with architectural or landscape features
- ✓ D-20: Scale building entrances to be appropriate to the structure

*Scoring system –*

- ✓ = fully compliant
- ÷ = mostly compliant
- ⊙ = partial, but insufficient
- = not compliant
- +/- = neutral - pluses and negatives
- = indeterminate
- N = not applicable
- ? = no information to assess

E. Building Setbacks for Light, Air and Privacy

- ✓ E-1: Provide adequate light, air, and privacy
- ✓ E-2: Provide rear setbacks that have sufficient depth
- ✓ E-3: Combine or use lower building heights and increased side and rear setbacks when adjacent to lower density areas
- ✓ E-4: Separate buildings on single sites to ensure privacy and minimize shadows on open space
- ⊙ E-5: Use design to protect privacy such as off-setting side-yard facing windows, placing minor windows above eye level

F. Auto Circulation: Site Access, Streets and Driveways

- ✓ F-1 Minimize number of curb cuts, to maximize sidewalk continuity and increase front yard landscaping.
- ✓ F-2 Align curb cuts to optimize on-street parking and minimize paving.
- N F-3 Maximize shared driveways when less than 50 feet apart, and provide minimum 5-foot wide landscaped buffer for any adjacent access driveways.
- ✓ F-4 Design driveways and public and private streets to meet Engineering Design Guidelines.
- ✓ F-5 Avoid gates unless strongly justified.

G. Parking Location and Design

- ✓ G-1 Locate parking to the side, rear or beneath buildings.
- ✓ G-2 Do not locate parking between the building and the street or access driveway; maximize front yard landscaping.
- N G-3 For ACBD RC (Res-Comm) Districts only, place resident parking at rear or out of sight from street unless limited to one garage door. Exposed parking spaces under apartments/residential units.
- ✓ G-4 Minimize prominence of driveways and parking garages within the street/front façade and front yard.
- G-5 Place driveways to side of properties and avoid central placement.
- ✓ G-6 Disperse parking areas throughout a project instead of concentrating them in large lots.
- ✓ G-7 Reduce prominence of garage doors by placing behind porch, living spaces, cantilever upper story over garage, etc.

H. Facilities For Walking, Bicycle, Transit

- ✓ H-1 Provide new or repaired sidewalk, curb, gutter and street trees along project frontage, using applicable guidelines.
- ✓ H-2 Provide interior sidewalks connecting the street and or driveway to the building or unit entries.
- N H-3 Provide walkways using decorative paving where sidewalks are not required (e.g., for projects with four or fewer units).
- ✓ H-4 Use decorative, pervious paving in paved and landscaped areas as a design enhancement and for traffic calming.
- ✓ H-5 Place decorative paving in priority areas, including the first 20' of a driveway from the street, as a pedestrian path if not otherwise required to be raised and separate, areas for parking maneuvering, garage aprons, or other parking areas.
- ÷ H-6 Provide accessible and secure on-site bicycle parking or storage facilities.
- N H-7 Provide transit shelters where required, and that provide adequate seating, shade and streetscape enhancement.

I. Site Landscaping

- ✓ I-1 Include landscaping in projects to create attractive visual scenes for residential units, create useable open space, maximize stormwater infiltration and provide privacy for adjacent residential uses and units.
- ✓ I-2 Design landscaping features for attractiveness and design integrity throughout a project.
- ✓ I-3 Design front yard landscape elements for compatibility with streetscape improvements on adjacent public right-of-way.
- ✓ I-4 Use live plant materials for front and side yards, and minimize use of rock or other inorganic material.
- ✓ I-5 Place landscaping in key priority areas, including edges of streets and driveways, property perimeter, between buildings and driveways or parking areas, within common open space areas.
- ✓ I-6 Do not reduce amount of existing landscaping on a site.

Design Guidelines for Residential Projects (Chapter 3) – Project Evaluation  
20-Unit/3-Story Townhome Project, 20785 & 20957 Baker Road, PLN2017-00067

Site Landscaping Materials

- ✓ I-7 Provide landscaping that complies with the State and County’s Water Efficiency Landscape Ordinance.
- ✓ I-8 Select landscaping materials that can withstand pedestrian and vehicle contact, take root and thrive into maturity, and are not classed as invasive species by the Invasive Species Council of California (ICSS).
- ✓ I-9 Place landscape materials with higher water needs in small courtyards and other intensively used areas.

Parking Area Landscaping

- ✓ I-10 Provide landscaping of parking lots, driveways, and other auto circulation areas in a way that improves their appearance from residential units, from common areas and adjacent properties.
- ✓ I-11 Incorporate trees, landscape islands, shrubs, and groundcover in parking areas, and meet applicable standards.
- ✓ I-12 Provide for shade of paved surfaces to the maximum extent feasible in order to reduce heat gain and related effects.

Stormwater Management

- ✓ I-13 Utilize best management practices for stormwater management, per County requirements and guidelines.
- ✓ I-14 Design landscaped areas to function as stormwater management or treatment areas as well as visual amenities.
- ÷ I-15 Integrate landscaping with innovative stormwater management practices and combine site design, treatment, source control, Hydromodification Management measures, Low Impact Development strategies, & avoid mechanical systems.

J. Usable Open Space

- ✓ J-1: Provide both common and private open space, for the sake of interaction, fresh air, gardening, grilling and dining.
- ✓ J-2: Usable open space may have stormwater treatment functions (grassy swales, flow-through planters, rain gardens, etc.).
- ✓ J-3: Design common open space(s) to be a shared open space for use by all residents.
- ✓ J-4: Include seating areas and other passive recreation facilities.
- ✓ J-5: Locate common space centrally for all units, not at extreme site edges; may be on ground level or in upper story courtyards.
- ✓ J-6: Combine trees, shrubs, and groundcover in landscaping; upper story space should include potted plants and planter boxes for trees, shrubs, and groundcover. See also Guidelines I-7, I-8 & I-9 under Site Landscaping Materials.
- J-7: Include children’s play areas, unless the project is clearly intended for empty-nesters, singles, and seniors.

Private Open Space: Yards, Patios and Balconies

- ✓ J-8: Design private open space to be used by a single dwelling unit.
- ✓ J-9: Locate private open space in patios, balconies, decks, or other outdoor spaces attached to the individual unit.
- ✓ J-10: Provide adequate dimensions in private open space for a table and chairs.
- ✓ J-11: Provide landscaped or soil areas suitable for private gardening.

K. Fences and Walls

- ✓ K-1: Design fences and walls to be attractive project feature, compatible and integral with exterior building materials & design.
- ✓ K-2: Place fences or walls so as to define private and common open space areas, provide privacy and buffer against noise.
- ✓ K-3 Use masonry materials for sound reduction purposes.
- ✓ K-4 Do not use gates for townhouse housing or for single family detached developments (no “gated communities”).

L. Services

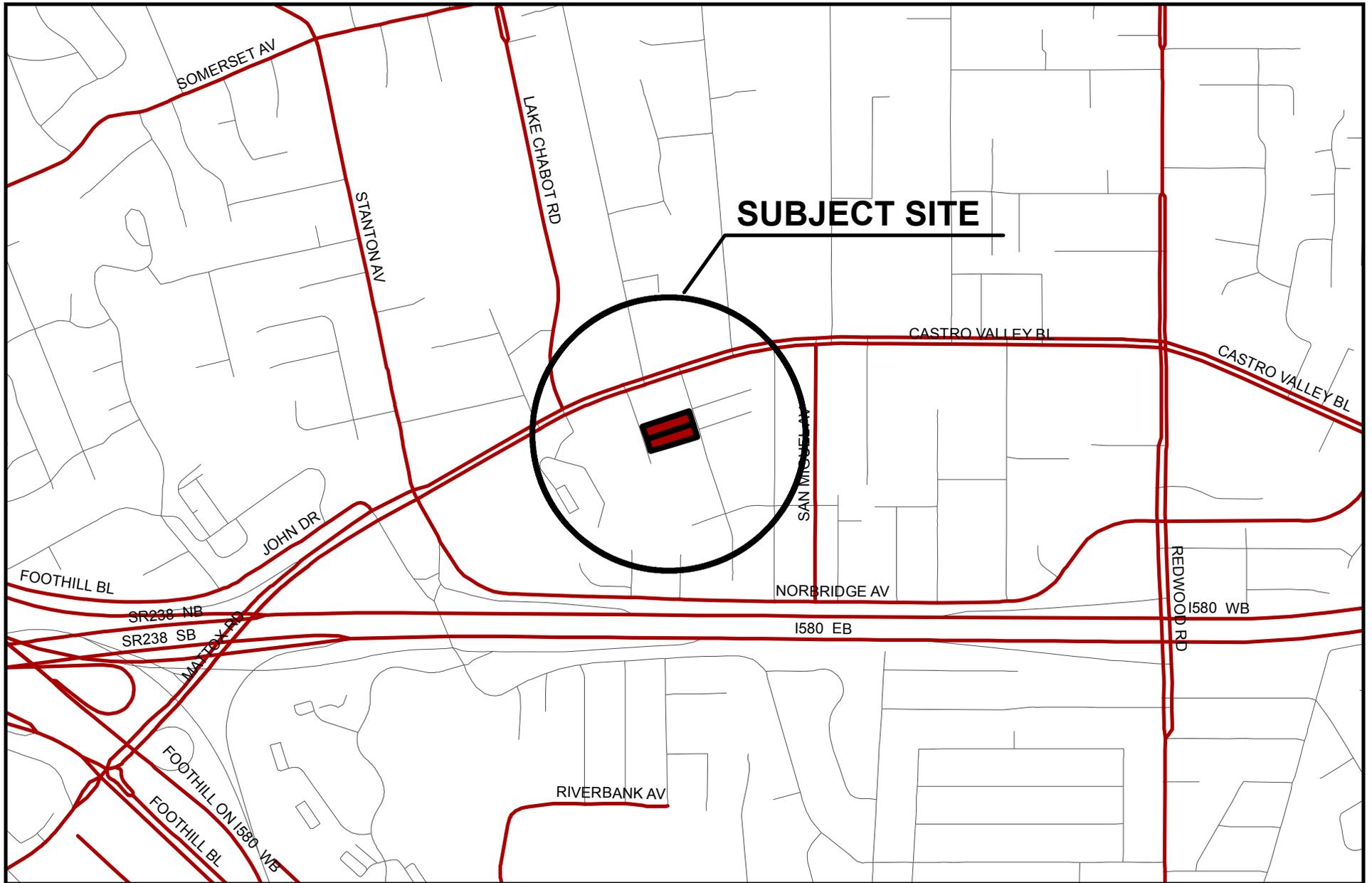
- N L-1: For Multi-Family use buildings (with ‘flats’), place trash receptacles, utility meters and other ancillary facilities inside, or in free-standing enclosed buildings that are architecturally compatible with the remainder of the project.

Loading Areas and Trash

- L-2: Design streets and driveways to accommodate vehicles commonly used for moving residents’ belongings.
- N L-3 Minimize the visibility of loading areas with screen walls, landscaping, and other measures.

Trash Collection (note: L-6 & L-7 are not applicable – for Multi-Family developments only, with ‘flats’)

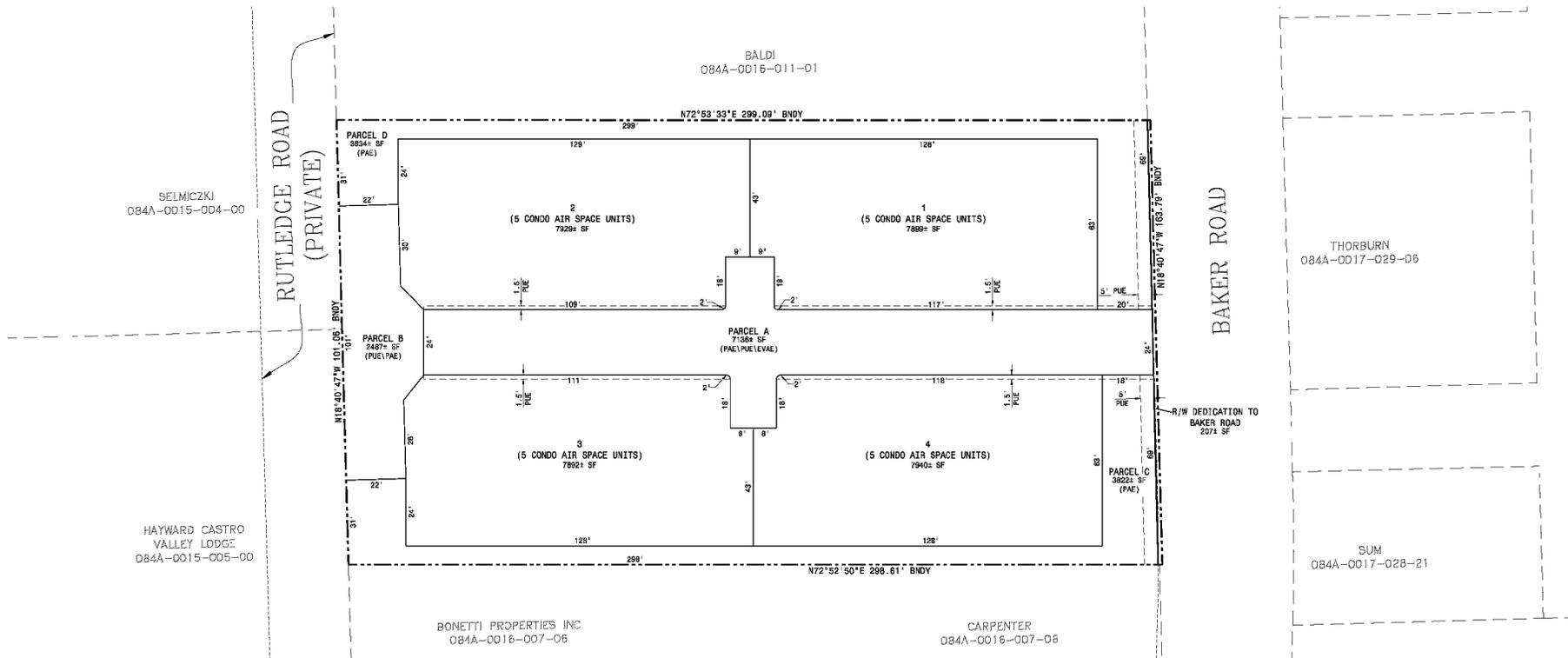
- ✓ L-4 Provide on-site facilities for trash storage and for recyclable materials.
- ✓ L-5 Provide independent bins for single family and townhome units, and central enclosures for multi-family projects.
- ✓ L-8 Place decentralized garbage, recycling, and/or compost bins behind fences or otherwise not visible from the public or private roadway.



**PLN2017-00067**  
**VICINITY MAP**

Alameda County CDA - Planning Department





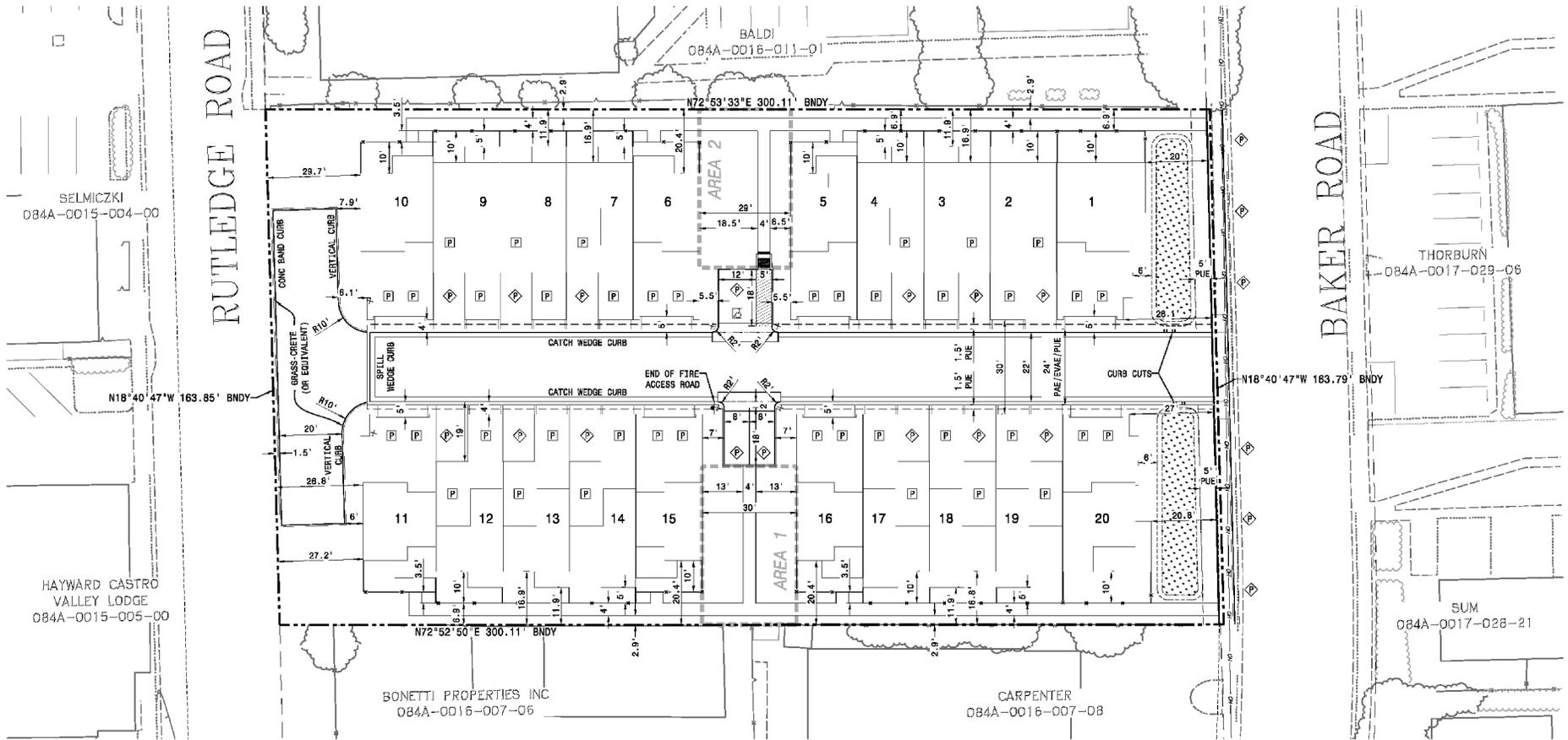
**LEGEND**

- SUBDIVISION BOUNDARY
- LOT LINES
- EXISTING LOT LINES
- PROPOSED RIGHT-OF-WAY
- PUBLIC SERVICE EASEMENT
- EXISTING SERVICE EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PAE PRIVATE ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT



**PLN2017-00067**  
**BAKER ROAD TENTATIVE MAP**

Alameda County CDA - Planning Department



**PLN2017-00067**

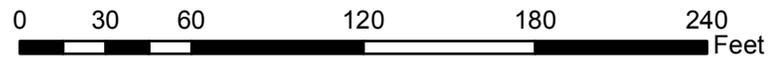
**DIMENSIONED SITE PLAN**

*Alameda County CDA - Planning Department*



**PLN2017-00067**  
**AERIAL PHOTO**

*Alameda County CDA - Planning Department*



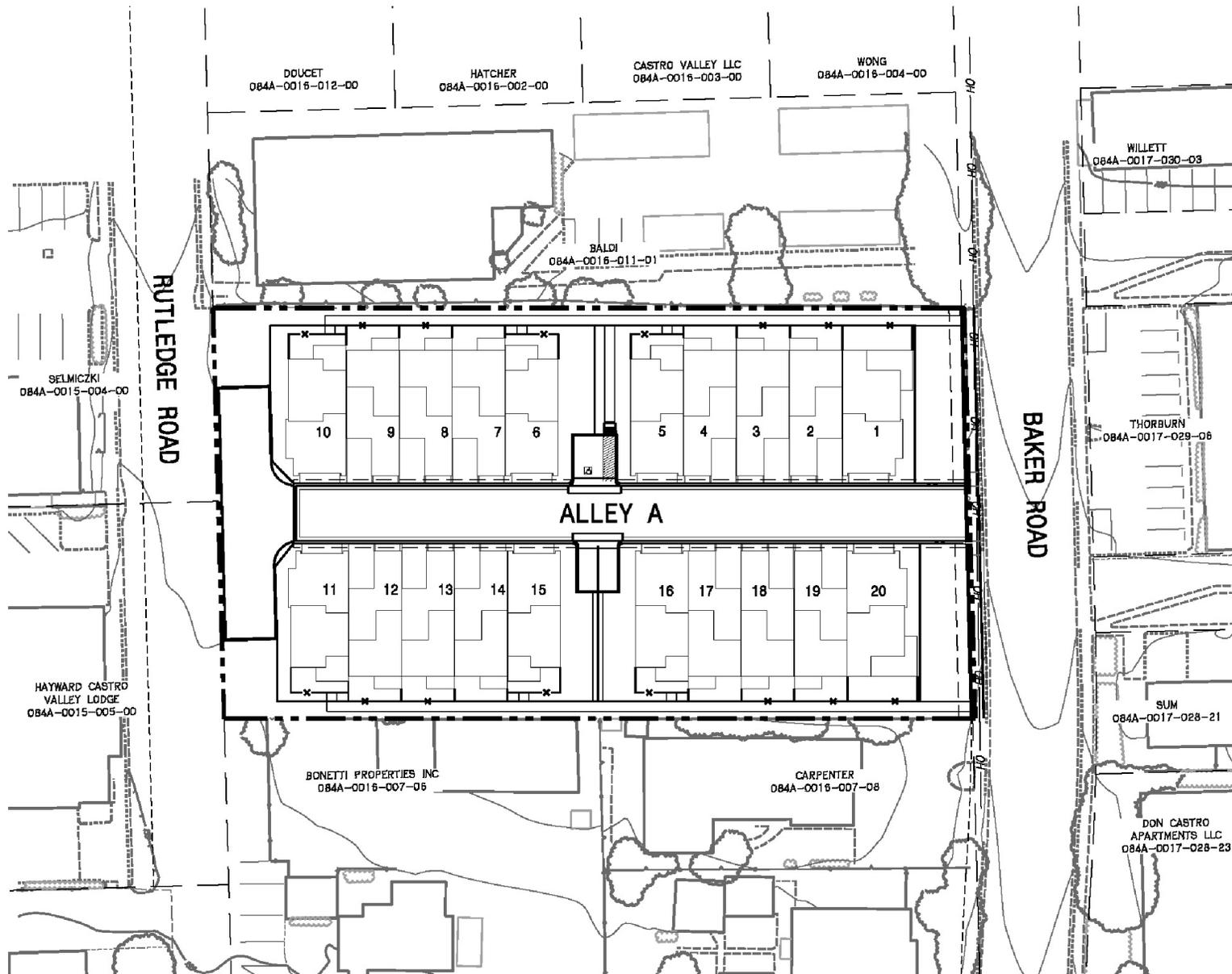


**PLN2017-00067**

**OBLIQUE AERIAL PHOTO**

*Alameda County CDA - Planning Department*





**PLN2017-00067**

**BAKER ROAD COVER SHEET**

*Alameda County CDA - Planning Department*

## MEMORANDUM

**DATE:** May 11, 2017  
**TO:** Albert Lopez, Planning Director  
**ATTENTION:** Andrew Young, Development Planning Division  
**FROM:** Rosemarie De Leon, Construction and Development Services  
**SUBJECT:** PLN2016-00067, TTM 8408

We received and reviewed your exhibit and transmittal letter dated May 1, 2017, regarding the above subject application for 20 residential townhomes as airspace condominiums, located at 20957 Baker Road in unincorporated area of Castro Valley.

Due to the limited information provided, we completed only the preliminary review. When grading, drainage, and improvement plans are submitted, the detailed review can begin.

Should this application receive favorable consideration by the Planning Department, please consider the following recommendations in establishing the conditions of approval:

### SPECIFIC COMMENTS

1. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map for Alameda County (Panel 06001C0279G) shows the project site to be partially located within a special flood hazard area.
2. If the developer intends to remove the property from the hazard by re-grading the site and elevating the area that would otherwise be flooded, the document that must be "filed with" (actually requested from) FEMA is called a CLOMR-F (Conditional Letter of Map Revision Based on Fill). This is a letter written by FEMA in response to a "MT-1" submittal stating that if the project is constructed as shown on the submitted plans, the site will be officially removed from the hazard area shown on the FEMA map (Flood Insurance Rate Map). However, the applicant must request a County review prior to submitting the MT-1 to FEMA; we will verify design compliance with FEMA Technical Bulletin 10 and complete the community advisory form that has to accompany the MT-1. This whole process should be completed prior to approval of the tentative map.
3. It is not clear how all of the on-site impervious surfaces are going to drain to the bioretention areas next to Baker Rd.

4. The preliminary improvement plans do not identify storm drainage system. Please ensure that the project proponent provides design details for the storm drainage and stormwater treatment systems at the site.
5. All roadway and storm drain facilities are to conform to Alameda County's Subdivision Design Guidelines and Hydrology and Hydraulics Criteria Summary. All work must be in compliance with Alameda County ordinances, guidelines, and permit requirements.
6. All property dedication to the County will be done in a form and a manner acceptable to the Real Estate Division, Public Works Agency. Dedications of right-of-way shown on Tract Map are by separate instrument.
7. The proposed driveway entrance shall conform to the latest Caltrans Revised Standard Plan, RSP A87A.
8. On Sheet 1 of the civil plans, note 6 should be corrected to indicate that the flood hazard area is on the northwesterly portion of the site, not the northeastern corner. The floodwaters would be coming from Chabot Creek, to the west.
9. Sheet 2 of the civil plans describes an undergrounding of the utility lines in the roadway right of way, but it is unclear how this will be transitioned to the adjacent frontages.
10. Developer shall establish a Homeowners' Association (HOA), and record CC&Rs containing specific language which defines private ownership and financial responsibility of the proposed private street, common improvements and stormwater treatment facilities. The CC&Rs shall clearly specify an acceptable funding mechanism for all onsite common improvements.

#### GENERAL COMMENTS

11. Any right-of-way dedication, road improvements, and any necessary relocation of utility facilities shall be at no cost to the County.
12. Acquire an encroachment permit from Alameda County for all work within the roadway right-of-way.
13. Parking space sizes should conform to the County minimum of 9' x 18' for compact vehicles, 9' x 20' for standard vehicles, and 14' x 20' for handicapped parking.
14. Provide our office with hydrology and hydraulic calculations accompanied by a drainage area map that should show, other than on and off site topography, points of concentration and drainage sub-areas with designations that area matched with the hydrology calculations. The drainage area map must show at scale, all areas tributary to the project site.

15. Design of driveway should be approved by the Fire Department.
16. Acquire an encroachment permit from Alameda County for all work within the roadway right-of-way.
17. Provide our office with hydrology and hydraulic calculations accompanied by a drainage area map that should show, other than on and off site topography, points of concentration and drainage sub-areas with designations that area matched with the hydrology calculations. The drainage area map must show at scale, all areas tributary to the project site.
18. It is not clear how the rear yard areas will drain. Do not block the runoff from nor augment, concentrate or divert runoff to the adjacent properties.
19. The Subdivider shall obtain a County Stormwater Permit and provide for stormwater protection design solution which conform to the current version of the C.3 Technical Guidance as published by the Alameda County Clean Water Program.

If you have any questions, please call Rosemarie De Leon at 670-5209.

COUNTY OF ALAMEDA  
PUBLIC WORKS AGENCY  
INTER-OFFICE COMMUNICATION

DATE : May 22, 2017  
TO : Andrew Young, Development Planning Division  
FROM : Andy Cho, Grading Section  
SUBJECT: Tentative Map, Tract No. 8408, PLN2017-00067



We received your transmittal dated May 22, 2017 along with an Exhibit A for the subject application for review and comment. This application is to allow 20 residential townhomes at 20957 Baker Road, west side, Castro Valley area of unincorporated Alameda County, bearing Assessor's Parcel Number 084A-0016-006-04 & -005-09.

The following comment needs to be addressed prior to approval of the tentative map:

1. The portion of the proposed project site is located within a designated zone of required investigation for **liquefaction** hazard according to the Seismic Hazards Maps for Hayward Quadrangle published by the *California Geologic Survey*. Prior to approval of the subdivision, a geotechnical investigation report assessing such potential hazardous condition must be prepared by a registered geotechnical engineer/geologist, and reviewed and approved by the county in compliance with the State Publication 117A (SP117A), "*Guideline for Evaluating and Mitigating of the Seismic Hazards in California*".

Pursuant to the SP117A, an independent review of the submitted geotechnical report by one of the county's consulting geotechnical consultant firm will be required. To initiate this geotechnical review service, an initial review deposit of \$ 4,000.00 along with three (3) copies of the geotechnical report must be submitted to this office.

In addition, please consider the following recommendations in establishing the conditions of approval:

1. No grading shall be permitted on this site until a grading plan and an erosion and sedimentation control plan have been reviewed by the County and a Grading Permit is issued in accordance with the Alameda County Grading Ordinance.
2. The tentative map exhibit shows retaining wall to be constructed along the tract boundary line. The entire construction, including footings and associated sub-drain systems shall be located within the property line. A Building Permit shall be secured from the Building Inspection Department for the proposed retaining walls.
3. Sites with land disturbances greater than one acre must file a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) with the State Water Resources Control Board (SWRCB) per the regulations of the General Construction Activities NPDES permit prior to land disturbance activities. Copies of the NOI & the SWPPP must be submitted to the Grading Department prior to issuance of a grading permit.

*May. 22, 17*

*Page 2 of 2*

4. Any proposed improvements within the mapped floodplain per the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map must comply with the FEMA regulations and requirements.

Should you have any question, please contact me at x56451.

/AC

c: Rosemarie DeLeon, Land Development  
Applicant: Todd Deutscher, 822 Hartz Way, Danville, CA 94526



May 22, 2017

Todd Deutscher  
822 Hartz Way, Suite 200  
Danville, CA 94526

Melody Appleton  
*President*

**Subject: TR 8408 Condominiums, 20785 & 20957 Baker Road**

Timothy McGowan  
*President Pro Tem*

Dear Mr. Deutscher:

Daniel M. Akagi  
*Secretary*

Alameda County Community Development Agency has informed Castro Valley Sanitary District (CVSan) of your proposed development at 20957 Baker Road. The proposed development of 20 condominiums will require the installation of a new sanitary sewer mainline on the property. To meet the CVSan construction standards for new pipe the sewer mainline will be a minimum eight (8) inches in diameter.

Dave Sadoff  
*Secretary Pro Tem*

Ralph Johnson  
*Board Member*

Roland P. Williams, Jr.  
*General Manager*

The information provided for the new development does not indicate the location of proposed sanitary sewer mains or connections. Please be advised the public sewer mains in Rutledge Road and Baker Road are up to 70 years old. The connection of 20 condominiums could require repair or replacement of existing sewer mains to manage the increased capacity to the wastewater system. The cost of such repairs or replacement may be passed on to the developer per CVSan Code Section 4300(c). A further determination will be made once the expected flow and capacity needs are submitted to CVSan for review.

If you have any questions, please do not hesitate to contact me. I can be reached at (510) 537-0757 ext. 127 or via email at [melody@cvsan.org](mailto:melody@cvsan.org).

Kind regards,

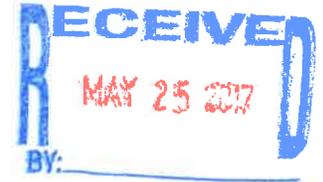
A handwritten signature in black ink that reads 'Melody Knapp'.

Melody Knapp  
Engineering Technician

Cc: Natale & Darlene Piazza, 7613 Peppertree Rd., Dublin, CA 94568-2243  
Andrew Young, Alameda County Community Development, 224 West Winton, Hayward, CA 94544

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COUNTY OF ALAMEDA  
PUBLIC WORKS AGENCY

INTER-DEPARTMENT COMMUNICATION

DATE: May 22, 2017  
TO: ARTHUR VALDERRAMA, DEVELOPMENT SERVICES  
FROM: TAM T. NGUYEN, TRAFFIC ENGINEERING  
SUBJECT: TRACT MAP REVIEW, TR-8408 – 20957 - 20785 BAKER ROAD

We have reviewed the Tract Map, TR-8408, dated April 24, 2017, for 20 residential townhomes as airspace condominiums located at 20957 Baker Road. The following comments are presented after reviewing the plan:

1. Note that on-street parking is public parking and can't be designated as guest parking for private development or use.
2. It is unclear if there will be a driveway accessing Baker Road. If so, please specify the width and type of the proposed driveway. To facilitate pedestrian access, it is recommended that driveway, Case A, be installed. Additional right-of-way dedication may be required at the driveway. Also, to ensure adequate sight distance at the driveway entrance, on-street parking restriction may be necessary in the vicinity of the driveway on Baker Road. Please notify Traffic Engineering Section 30 days prior to completion of the site construction, so our office can conduct sight distance studies and evaluate parking restrictions along the property frontage on Baker Road.



# 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

6/12/2017

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

<b>To</b>	Andrew Young	<b>PLN #</b>	2017-00067
<b>Address</b>	20957 Baker Road		
<b>Job Description</b>	20 Residential Town Homes as Airspace Condominiums		
<b>Reviewed By</b>	Monica Jackson, Deputy Fire Marshal		

**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. Structure height approved conditionally only. Additional details about structure height and roof configuration required at the Building Permit phase.**
  - Roof must be traversable by fire suppression personnel for the 30' eave and 36' pitch height.**
- 2. 200' access is approved as shown. Any minor changes with landscape or other design may affect the 200' access. This will be re-assessed at Building Permit phase.**

June 12, 2017

**Monica Jackson**  
**Deputy Fire Marshal**  
Alameda County Fire Department  
399 Elmhurst Street, Room 120, Hayward, CA 94544

**Subject:** Maximum Height at Eave Clarification

Monica,

The dimensions on the architectural elevations show the maximum height of 30' from grade to the top of eave. We leave the dimension of the floor joist height off until we prepare the construction drawings and confirm with the Structural Engineer what the floor joist dimension needs to be. Once the floor joist height is calculated the wall/plate heights will be adjusted as necessary to maintain a 30' maximum height to the top of eave. The eave height will not exceed 30'.

Sincerely,



**Adam Gardner**  
Principal, Architect



# 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

6/6/2017

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

<b>To</b>	Andrew Young	<b>PLN #</b>	2017-00067
<b>Address</b>	20957 Baker Road		
<b>Job Description</b>	20 Residential Town Homes as Airspace Condominiums		
<b>Reviewed By</b>	Monica Jackson, Deputy Fire Marshal		

#### **APPLICATION NOT COMPLETE FOR FIRE REQUIREMENTS - WITH CUSTOMER FOR RESPONSE**

**Fire Staff does not recommend that discretionary approval be given until the following issues are addressed and Fire Conditions are issued.**

**Re-submittal Required.** A re-submittal is required for this project. Submit the revised plan along with a copy of any necessary reference materials, cut-sheets, listing sheets and calculations. Include a written itemized response to each comment and where in the re-submittal the specific change or information requested can be found.

**Errors & Omissions.** The purpose of code enforcement is to provide a means to help ensure projects are built to the codes, regulations and standards applicable to the project. Two methods are used towards this goal. First, is the review of the plans, second, are field inspections associated with the work. Between these two methods, it is hoped that all code deficiencies are discovered and corrected.

It is important to note that approval of the plan does not constitute permission to deviate from any code requirement and shall not be construed to be a permit for, or an approval of, any violation of the applicable statute, regulation, code or standard. Approval of a plan or permit presuming to give authority to violate or cancel the provision of any applicable statute, regulation, code or standard shall not be valid.

**Alternate Means.** Any alternate means or equivalences shall be submitted in writing explaining the code provision that will be deviated from, the justification for such deviation, and an explanation on how this deviation meets the intent of the code and the equivalent level of safety intended by the code. This letter and supporting documents must be reviewed and approved for the deviation to be considered acceptable.

#### **Items to be addressed with required re-submittal**

1. It does not appear that fire department access requirements to Buildings 2 and 3 as per Section 503.1.1 of the 2016 California Fire Code has been met. Fire apparatus access road shall extend to within 200 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. If Rutledge road is to be utilized for access, indicate this on plans.

2. More height detail required on sheets A3.3 and A3.4 required. Provide distances between F.F/T.O.C and F.F/T.O.P. It appears as though the eave height is greater than 30 feet. If Eave height exceeds 30 feet the buildings will need to comply with Appendix D, Sections D105.1 through D105.4 of the 2016 California Fire Code.

**Informational Only:**

1. On sheet 4 where the end of Fire Access Road is shown, the distance is greater than 150 feet. Placement of end of Fire Access Road sign should be at approximately 135'-140'. This sign is contingent on response to comment #1 above.
2. Locations of emergency escape/rescue windows and how fire department is to access them can be assess during Building Permit phase. The climbing angle for the ladder is 65 degrees for rescue purposes. There needs to be 3 foot clearance around the butt of the ladder. On the current landscaping plans it appears access is blocked. Landscaping plans may need to change during Building Permit phase.
3. All structures required to be equipped with fire sprinklers.
4. Fire hydrant fire flow will be determined once construction type and total square footage of the buildings is provided.

## Young, Andrew, CDA

---

**Subject:** FW: Baker Road Project

**From:** DeLeon, Rosemarie L.

**Sent:** Monday, July 17, 2017 9:58 AM

**To:** Young, Andrew, CDA <andrew.young@acgov.org>

**Cc:** Rogers, John <johnr@acpwa.org>; Nguyen, Tam <tam@acpwa.org>; Carrera, Art <artc@acpwa.org>; Valderrama, Arthur <arthur@acpwa.org>

**Subject:** RE: Baker Road Project

Hi Andy,

Below are Traffic Comments per the attached IS/MND Master Document:

- Page 3- On street parking along Baker Rd. is public parking and made available to the general public on a first come/ first serve basis and cannot be reserved for private use.  
-The roadway width is inconsistent with the Vesting Tentative Tract Map dated April 24, 2017. As shown on Sheet 1 and 4 of the tentative map, the width of the private road would be 22 feet with no parking on either side.
- Page 18- Maintain visibility/line of sight at the driveway entrance.

Also, please refer to the email of Mr. John Rogers dated July 17, 2017 for additional comments.

Best regards,



Rosemarie L. De Leon

Assistant Engineer

Construction & Development Services Department | Alameda County Public Works Agency

951 Turner Court, Room 100 | Hayward, CA 94545

e-mail: [roseld@acpwa.org](mailto:roseld@acpwa.org) | (510) 670-5209 | (510) 670-5269 Fax

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## Young, Andrew, CDA

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**From:** Rogers, John  
**Sent:** Monday, July 17, 2017 8:31 AM  
**To:** Young, Andrew, CDA; Nguyen, Tam; DeLeon, Rosemarie L.  
**Cc:** Valderrama, Arthur  
**Subject:** RE: Baker Road Project

Andy-

Couple of comments:

- I searched in vain for a mention of the planned re-grading of the site, which I believe is intended to 1) elevate the entire property out of the FEMA-designated Special Flood Hazard Area; and 2) establish a surface drainage pattern of west to east, so that the stormwater runoff will be conveyed to the BRA's in the Baker Rd. frontage.
- The elevation of the property out of the SFHA must be approved by FEMA via a CLOMR-F (with a County endorsement), prior to approval of the Tentative Map. No COA!
- The statement on P. 4 in the "Utilities" section that "stormwater drainage flowing off-site is managed by the Alameda County Flood Control and Water Conservation District" is erroneous. The drainage conductor in Baker Rd. is part of the roadway, and is not a District facility.
- The listing of "Required Approvals" on P.6 is a mixture of tentative and final approvals, and is confusing.
  - There won't be a BID "site permit." There will be an Improvement Plan, inspected by PWA Construction Inspection, for the on-site improvements (driveways, curbs, stormdrains, etc.)
  - There will be a Stormwater Permit (C.6 and C.3)
  - There will not be a Flood District Encroachment Permit.
  - There will be a Roadway Encroachment Permit.
  - There will be a Street Tree Permit for the planned trees in the Baker Rd. ROW.
  - None of the above will be issued prior to the approval of the Final Map by the BOS, except for the C.6 permit (which must be issued prior to the start of any work, including demolition).
  - Obvious omission; FEMA approval of a CLOMR-F.

JohnR

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**From:** Young, Andrew, CDA  
**Sent:** Tuesday, July 11, 2017 10:55 AM  
**To:** Rogers, John <johnr@acpwa.org>; Nguyen, Tam <tam@acpwa.org>; DeLeon, Rosemarie L. <Roseld@acpwa.org>  
**Subject:** Baker Road Project

John, Tam and Rosemary –

Can you please provide comment on this Initial Study/Draft Mitigated Negative Declaration? Just review a) the Project description (first 4-5 pages) and your relevant, respective areas of interest – Stormwater (Hydrology), Traffic and Public Services – or whatever takes your interest.

If you can respond by the end of this week it would be strongly preferred. Also be advised that I have reviewed and revised the Introduction portion, but have not made any changes to the body of the document (checklist portion).

Thanks,

ANDY YOUNG

ALAMEDA COUNTY PLANNING DEPARTMENT, COMMUNITY DEVELOPMENT AGENCY  
224 WEST WINTON AVE. RM. 111, HAYWARD, CA 94544-1215  
PHONE 510-670-5400 FAX 510-785-8793

WEBSITE: <http://www.acgov.org/cda/planning/index.htm>

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