

HAYWARD REDEVELOPMENT AREA COMMITTEE

SPECIAL MEETING

Wednesday, July 6, 2005 7:00 p.m.

**Room 1C
Hayward City Hall
777 B Street
Hayward, CA 94541**

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

AGENDA

- I. Call to Order
- II. Public Comments
- III. Approval of Minutes – January 12, 2005
- IV. Review of South Hayward BART Plan
- V. Review of Replacement Housing Plan for the Cannery Area
- VI. New/General Business
- VII. Adjournment

Summary Notes
Hayward Redevelopment Area Committee (HRAC)
Annual Meeting

January 12, 2005

Present: David Long, Rosemarie Ramos, Carol Heard, Sheila Junge, Richard Ogle, Joseph Oberman, Joe Connell, Suzanne Cox, Dan Olson

Absent: Bill Vandenburg, Michael Aahl, Rick Tipton

Staff: Maret Bartlett, Redevelopment Director; Gary Calame, Sr. Planner; Cecelia Cooke, Secretary (Minutes)

**Members of
The Public:** Mike Cox, Resident

I. Call to Order

David Long called the meeting to order at 7:09 p.m.

II. Public Comments

Dan Olson discussed the Cannabis Club at the corner of Mission Boulevard and Sunset. It is next to his business, and he is concerned about all the activity there and the type of people it draws. There is also a problem with the parking lot being full from the comings and goings, and there is only room for 10 cars. He has called the Police and reported it; they say they cannot do anything about it because if the people frequenting the business have a medical card, they can go in there and smoke.

Maret Bartlett suggested that Community Preservation might be able to take a look at the parking situation. Mr. Olson will contact them.

III. Approval of the Minutes

Sheila Junge moved to approve the October 13, 2004 Minutes; Rosemarie Ramos seconded; Minutes approved by Committee.

IV. Election of Chair and Vice Chair

Sheila Junge nominated David Long to continue as Chair; Joe Connell seconded; the Committee unanimously approved David Long as Chair.

David Long nominated Sheila Junge as Vice Chair; Carol Heard seconded; the Committee unanimously approved Sheila Junge as Vice Chair.

V. South Hayward BART/Mission Boulevard Plan

Maret Bartlett introduced Gary Calame, Sr. Planner at the City Of Hayward, who made the presentation.

Mr. Calame said that the City is conducting a land use study of the needs and opportunities for public facilities, and housing and commercial development in the South Hayward BART Station area. BART is part of the study group. Mr. Calame showed the Committee a map of the study area.

The first Community Meeting is scheduled for January 19, 2005 from 7:00 – 9:00 p.m. at Treeview School. About 3,600 meeting notifications were sent out to individuals in the study area.

There are two objectives to this study. One is to look at Mission Boulevard, especially the commercial areas from Harder Road south to Industrial Boulevard, and the second is to look at it from BART's perspective as to development around the BART station. A Conceptual Design Plan is being prepared to help guide future proposals and public improvements. Zoning changes might be recommended. An outside Consultant has been hired to assist with the plan. The planning process should take at least 10 months. This study will also require an environmental impact report. Strategic Economics is doing a market analysis and physical impact study. The Hayward School District is separately evaluating all of its school sites, and this process should take about a year. A company called Nelson\Nygaard will do a study of making BART more accessible with AC Transit or other shuttles.

The question was asked as to why some of the Redevelopment area was not included in the map displayed. Mr. Calame explained that existing single family home neighborhoods were not included in this area because it was felt that these do not require land use planning at this time.

Joe Oberman asked about the inclusion of the housing area where he lives, in front of Bowman School. He mentioned the vacant lot from Mission Boulevard and that it could be developed as a new drive into the school and divert traffic away from Jefferson.

David Long asked how Route 238 affects the planning process. Gary Calame said hopefully this planning process will propose what to do with Cal Trans properties.

Joe Connell asked about the underground of utilities. Maret Bartlett said this program is funded by PG&E, and she will check into this. He said Moreau High School is interested in transit/BART shuttle service and would like to work cooperatively with Cal State Hayward as they are interested in a shuttle service also from BART to their site.

Joe Connell wants Minutes to reflect that the HRAC Committee urges the City of Hayward to speed up the decommission of a State Highway, and that it would be better if the City controls Mission Boulevard.

VI. New/General Business

Rosemarie Ramos asked for an update on the Cinema Place project. Maret Bartlett responded that it is still moving ahead and since construction costs are going up, the numbers are being looked at. Demolition is expected to begin toward the end of August 2005.

Suzanne Cox said that it looks like Honda is open for business. They are parking on O'Neil.

There was miscellaneous discussion about the Cannery Area and Burbank School. There will not be a fence between the school and park. It will be accessible. HUSD and HARD are still working together on this project.

Offers are out on the C Street properties. There is a relocation consultant assisting the families in their moves.

The April 13th HRAC meeting was changed to April 20th, and the July 13th meeting was changed to July 27th.

VII. Adjournment

Suzanne Cox made motion to adjourn; Sheila Long seconded; all approved. Meeting adjourned at 8:41 p.m.



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 06/21/05

AGENDA ITEM _____

WORK SESSION ITEM WS 2

TO: Mayor and City Council
Planning Commission

FROM: Director of Community and Economic Development

SUBJECT: South Hayward BART/Mission Boulevard Concept Plan

RECOMMENDATION:

It is recommended that the City Council and Planning Commission review and comment on this report.

BACKGROUND:

In October of 2004, the City Council authorized the preparation of a conceptual design plan for the South Hayward BART/Mission Boulevard area. The proposed Concept Plan is focusing primarily on two areas: the immediate area surrounding the BART station and an expanded area extending both north and south along Mission Boulevard. This study is very timely in that opportunities still exist within walking distance of the BART station to encourage transit-oriented development, particularly on vacant and underutilized properties.

The purpose of this study is to develop a conceptual design for the study area that illustrates how future redevelopment of the area could be compatible with the surrounding neighborhoods. In addition, the conceptual design will articulate an overall circulation pattern and transportation linkages for the South Hayward BART Station. It is anticipated that the concept plan will be sufficiently detailed so as to provide a framework for reviewing private sector development proposals and public agency capital improvements and related activities.

The study area comprises approximately 240 acres, including streets (see Exhibit A). The study area is bordered by the BART tracks on the west (excluding the residential neighborhoods west of East 12th Street and north of Sorensen Road), Industrial Parkway on the south (including the triangular area on the south side), Harder Road on the north, and Mission Boulevard on the east (including commercial properties along the east side of Mission Boulevard between Garin Avenue and Calhoun Street).

At the initial community workshop held on January 19, 2005, meeting participants identified issues and concerns that need to be addressed during the study. In addition, staff consulted with staff at other local agencies and institutions, including the Hayward Unified School District, Hayward Area Recreation and Park District, California State University, and Moreau High

School. Over the course of the past five months, the study area was evaluated in terms of the opportunities and constraints for future development and redevelopment as well as its relationship to major activity centers such as the South Hayward BART Station. Background information and significant findings were included in four technical assessments prepared by the team of consultants.

The Land Use and Urban Form Assessment provided an overview of the existing land use pattern in the study area and also identified opportunities and constraints for future development within each subarea. The Transportation Access Assessment addressed the existing circulation pattern and traffic conditions in the study area, and specifically focused on transit and pedestrian access. The Retail and Residential Market Assessment provided an overview of the current economic conditions affecting commercial and residential development in the study area. The Fiscal Overview provided an overview of the study area's current contribution to the General Fund and identified potential implications for future development and reinvestment in the study area.

On March 15, 2005, the four preliminary assessments prepared by the consultants were reviewed at a joint work session with the City Council and Planning Commission. Based on the discussion at the work session and additional research by the consultants, preliminary alternatives were developed for each of the subareas within the study area. Further review of these alternatives by city staff and the consultant team led to the development of two alternative concepts for the study area.

DISCUSSION:

The two alternative concepts are presented in the attachments (see Exhibit B: Suburban Concept and Exhibit C: Urban Concept). The development potential associated with these concepts (see Exhibit D) represents a bracketing of the range of possibilities for the study area. In summary, both concepts encourage mixed-use development along Mission Boulevard and call for transit-oriented development around the South Hayward BART Station. However, the two concepts differ significantly in the amount and intensity of residential development. Both concepts call for additional commercial development and encourage the inclusion of retail and office space in mixed-use projects; however, the net change in square footage varies depending on the extent to which redevelopment of existing properties occurs and the maximum development potential is realized. These distinctions are further described below.

The **Suburban Concept** designates relatively less land for residential development and primarily at densities consistent with existing General Plan land use designations. Several parcels, including the South Hayward BART Station site, are assigned higher residential densities (these are further described under the Urban Concept below). Overall, the Suburban Concept provides for approximately 1,200 to 2,600 additional dwelling units. By way of comparison, the residential development potential under the existing General Plan is approximately 700 to 1,400 dwelling units. In the Suburban Concept, the net change in the amount of commercial development ranges from an overall reduction of approximately 145,000 square feet to a net gain of over 50,000 square feet.

The **Urban Concept** designates considerably more land for residential development and at significantly higher densities than currently permitted by the General Plan. It is important to remember that while the densities proposed are higher than found in existing developments, careful attention to the design of new projects and incorporation of amenities can ensure that the projects are compatible with and contribute to the surrounding neighborhoods. Two new residential density categories are proposed. The Mission Boulevard Residential designation would allow densities of 35 to 75 dwelling units per net acre, and 3 to 5 stories in height. The Station Area Residential designation would allow densities of 75 to 100 dwelling units per net acre, and 5 to 7 stories in height. In comparison, the existing High Density Residential designation allows 17 to 34 dwelling units per net acre and development is typically three stories in height. Consequently, the Urban Concept provides for approximately 2,400 to 5,000 additional dwelling units. In the Urban Concept, the net change in the amount of commercial development ranges from a reduction of approximately 72,000 square feet to a net gain of almost 200,000 square feet.

There are other significant differences that distinguish these two concepts. These differences are highlighted by subarea in the following sections (see Exhibit A for subarea locations).

Subarea 1. This subarea includes the two parcels on the southwest corner of the Mission Boulevard/Harder Road intersection. The size, visibility, and accessibility of the two parcels in this subarea (primarily the Kmart site) could accommodate more intensive uses, whether commercial, residential, or a mixed-use project. Development could possibly be structured on a finer-grain circulation pattern. In the Suburban Concept, this subarea is shown for more intense retail commercial development, or alternatively, as a southern gateway to Auto Row with space for two new auto dealerships. In the Urban Concept, this subarea is proposed for residential development and related open space, with mixed-use development along the Mission Boulevard frontage.

Subarea 2. This subarea includes all parcels from the Kmart site south to Jefferson Street. North of Sorenson Road, the Suburban Concept proposes residential development while the Urban Concept proposes mixed-use development. Parcel depths in this segment are sufficient to accommodate a double row of parking behind new development that would directly front Mission Boulevard; however, parking along the frontage is also possible by the use of a local access lane similar to the site's existing parking configuration, but with a more clearly defined public sidewalk. South of Sorenson Road, both concepts recognize the existing Mission Plaza Shopping Center. Both concepts call for improvements to the pedestrian/bicycle overpass at the end of Sorenson Road.

The major difference is found on the Bowman School site and adjacent parcels fronting on Mission Boulevard. The Suburban Concept envisions an expanded school site totaling 12 acres with a new building along the Mission Boulevard frontage and playfields in the western portion. This concept calls for improvements to the existing pedestrian/bicycle underpass at the BART tracks. The Urban Concept proposes redevelopment of these properties with residential development and related open space, and possibly commercial development along Mission Boulevard. Pedestrian and bicycle linkages would be provided between the Mission Plaza

Shopping Center, the new neighborhood park, and the Nuestro Parquecito, which connects to the existing neighborhood and the BART station. Of course, the most significant challenge posed in this concept is to identify a new school site, perhaps outside the study area, to replace Bowman School.

Subarea 3. This subarea includes all parcels fronting Mission Boulevard (both sides) between Jefferson Street and Tennyson Road. The Suburban Concept proposes commercial and/or residential development along the west side of Mission Boulevard, but calls for mixed-use development at the intersection with Tennyson Road. Access issues remain a concern for parcels between Jefferson Street and Hancock Street; however, a possibility may exist to introduce a local access road fronting the west side of Mission Boulevard (in a configuration similar to that described in Subarea 2) that services commercial strip uses within the segment, and provides parking. East of Mission Boulevard, the Suburban Concept proposes residential development with commercial development shown at the intersection with Tennyson Road. The Urban Concept calls for similar types of development; however, these uses are proposed in different locations within the subarea.

Subarea 4. This subarea includes the BART station, intermodal access facilities, BART parking lots, and all other parcels between Tennyson Road and Valle Vista Avenue. Both concepts recognize the potential to create a transit village of mixed-use development on BART property and other surrounding parcels in private ownership. The most intensive residential development, both in terms of density and height, is focused in this subarea. Both concepts also recognize that development of the BART property will require replacement of surface parking with structured parking. In the Suburban Concept, structured parking is depicted on the existing north parking lot with residential development south and east of the station. In the Urban Concept, a mix of office, retail and residential uses is shown on the existing north parking lot, while the structured parking is depicted on the overflow lot east of Dixon Street. In both concepts, incorporation of some type of public plaza is envisioned between the BART station and Dixon Street.

BART staff believes that reorganizing the existing intermodal access facilities (e.g., bus transfer bays) will optimize opportunities for transit-oriented development. As part of a separate study, BART staff is evaluating possible alternatives for reconfiguration of the intermodal access facilities as well as the location and type of structured parking. The range of possibilities in the preliminary alternatives include: retaining the existing bus transfer facility and providing structured parking on both the north and south parking lots; shifting the bus transfer facility eastward and adjacent to Dixon Street and providing structured parking on the north parking lot; reorienting the bus transfer facility perpendicular to Dixon Street and providing structured parking on the north parking lot; and relocating and reconfiguring the bus transfer facility along Dixon Street with a turnaround and providing underground parking over much of the site. Note that none of these preliminary alternatives envision structured parking on the existing overflow lot east of Dixon Street. It should also be noted that while these are preliminary alternatives, City staff has indicated that the alternative featuring the bus transfer facility and turnaround along Dixon Street would not be acceptable.

In the remainder of this subarea, both concepts show higher density residential development south and east of the station. The major difference is that the Urban Concept designates a site for a major grocery store and associated retail uses at the northwest corner of Mission Boulevard and Valle Vista Avenue. East of Mission Boulevard, the Suburban Concept shows a mix of commercial and residential development, while the Urban Concept calls for more residential development at higher densities.

Subarea 5. This subarea includes all parcels west of Mission Boulevard between Valle Vista Avenue and Industrial Parkway. The vacant Caltrans parcels on either side of Dixon Street have prime development potential. In both concepts, additions to the internal street network are proposed in order to optimize access to these parcels. Additional pedestrian/bicycle linkages are also shown in both concepts. In the Suburban Concept, the emphasis is on residential development with a more centrally located neighborhood park. In the Urban Concept, a new community center is proposed in conjunction with expansion of the existing Valle Vista Park site, which is opposite the proposed grocery store previously mentioned under Subarea 4. Also, higher density residential development is shown on parcels to the south fronting Mission Boulevard. The location of the community center west of Mission Boulevard would be able to serve this already densely populated area as well as future residents of the proposed higher density developments in this area.

Subarea 6. This subarea includes all properties east of Mission Boulevard between Valle Vista Avenue and Industrial Parkway. In the Suburban Concept, medium density residential development is shown on the parcels north and south of the existing mosque. The Urban Concept calls for commercial and/or residential development along Mission Boulevard, with higher density residential uses to the east. Both concepts recognize the proposed senior housing project planned for the former roller rink site.

Subarea 7. This subarea is comprised of the Holiday Bowl site, the adjacent multi-family apartments, and the parcels across Mission Boulevard north of Garin Avenue. The Suburban Concept calls for more intensive retail commercial development on the triangle site. The Urban Concept envisions the possibility of a conference/hotel facility on the triangle site, with more intensive retail commercial uses east of Mission Boulevard. While initial consideration was given to the possibility of a recreation/entertainment complex on this site, it appears that land costs create financial pressure points that undermine the feasibility of such a facility.

NEXT STEPS:

The purpose of this work session is to provide a preview of the concepts that will be presented at the next community meeting and invite any comments or concerns you may have at this time. The next community workshop is scheduled in early July, at which time these alternative development concepts will be presented for public discussion. Participation by study area residents, landowners and businesses will be solicited in exploring and understanding the implications of the alternatives. Comments from that meeting will assist staff and consultants in the formulation of a preferred concept. Preparation of a Program Environmental Impact Report (EIR) will take place during the summer months. It is anticipated that the draft Concept Plan

and Draft EIR will be presented for public review at a third community meeting in the fall, followed by public hearings before the Planning Commission and the City Council.

Prepared by:



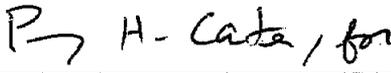
Gary Calame, Senior Planner

Recommended by:



Sylvia Ehrental
Director of Community and Economic Development

Approved by:



Jesús Armas, City Manager

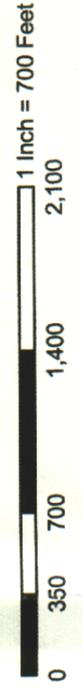
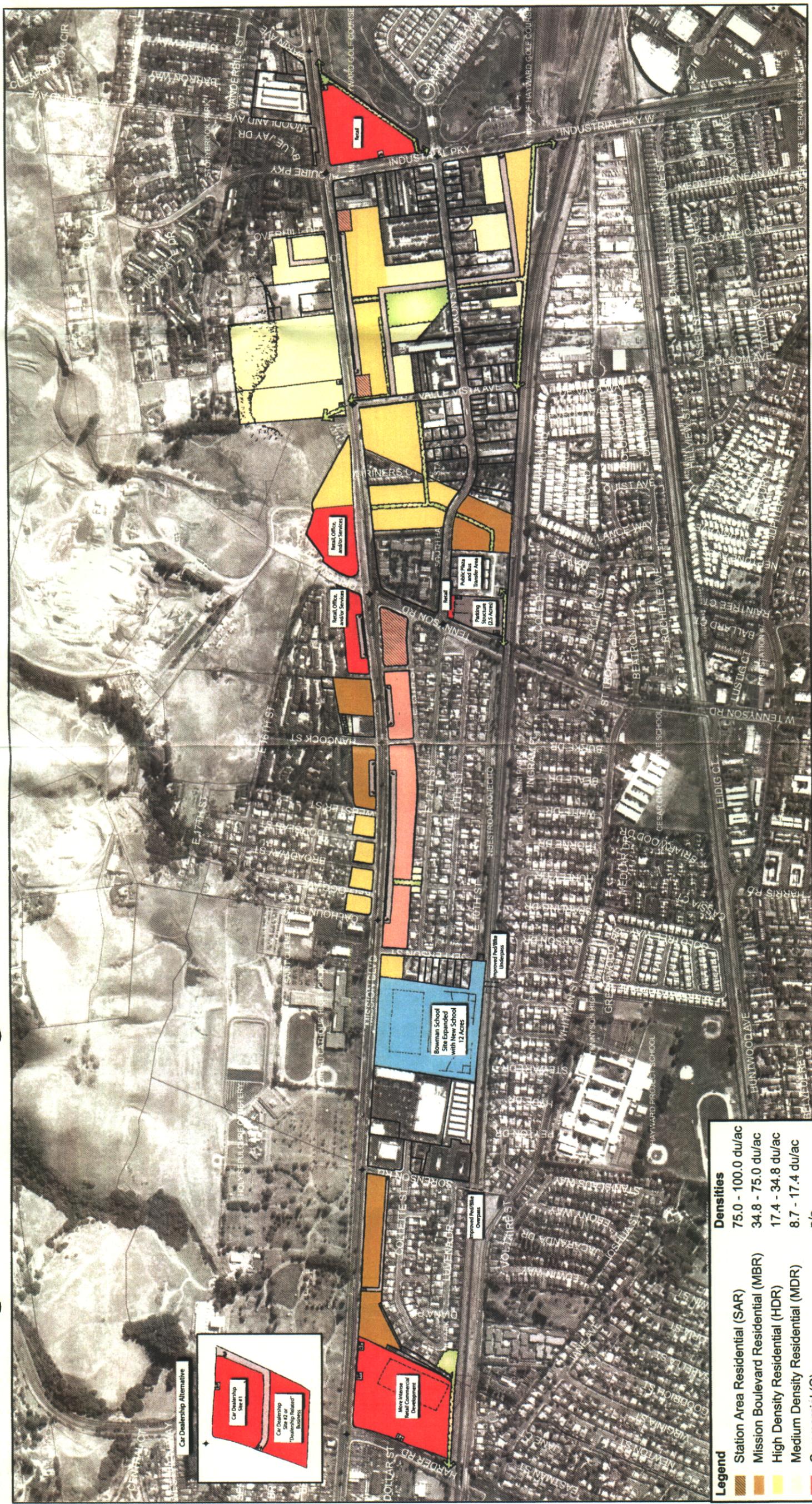
Attachments:

- Exhibit A. Concept Plan Study Area with Subareas
- Exhibit B. Suburban Concept (Figure 1)
- Exhibit C. Urban Concept (Figure 2)
- Exhibit D. Development Program Summary

6.16.05

South Hayward BART/
Mission Boulevard Concept Plan Subareas



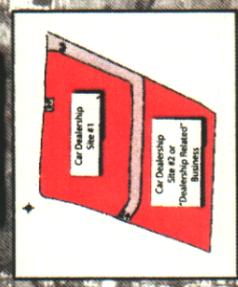


1 Inch = 700 Feet
 0 350 700 1,400 2,100
 COMMUNITY DESIGN + ARCHITECTURE
 Architects • Planners • Engineers • Interior Designers

Figure 1
“Suburban” Concept
 South Hayward BART/Mission Boulevard Concept Plan
 June 15, 2005

Legend	Densities
Station Area Residential (SAR)	75.0 - 100.0 du/ac
Mission Boulevard Residential (MBR)	34.8 - 75.0 du/ac
High Density Residential (HDR)	17.4 - 34.8 du/ac
Medium Density Residential (MDR)	8.7 - 17.4 du/ac
Commercial (C)	n/a
Commercial and/or Residential (C/R)	30.0 - 75.0 du/ac
Mixed Use (MU)*	27.0 - 75.0 du/ac
Public Facilities (PF)	n/a
Open Space/Multi-Purpose Trail (OS)	n/a

* Densities apply to Mixed Use outside Station Area. For Mixed Use within Station Area the density is 55.0 - 100.0 du/ac.



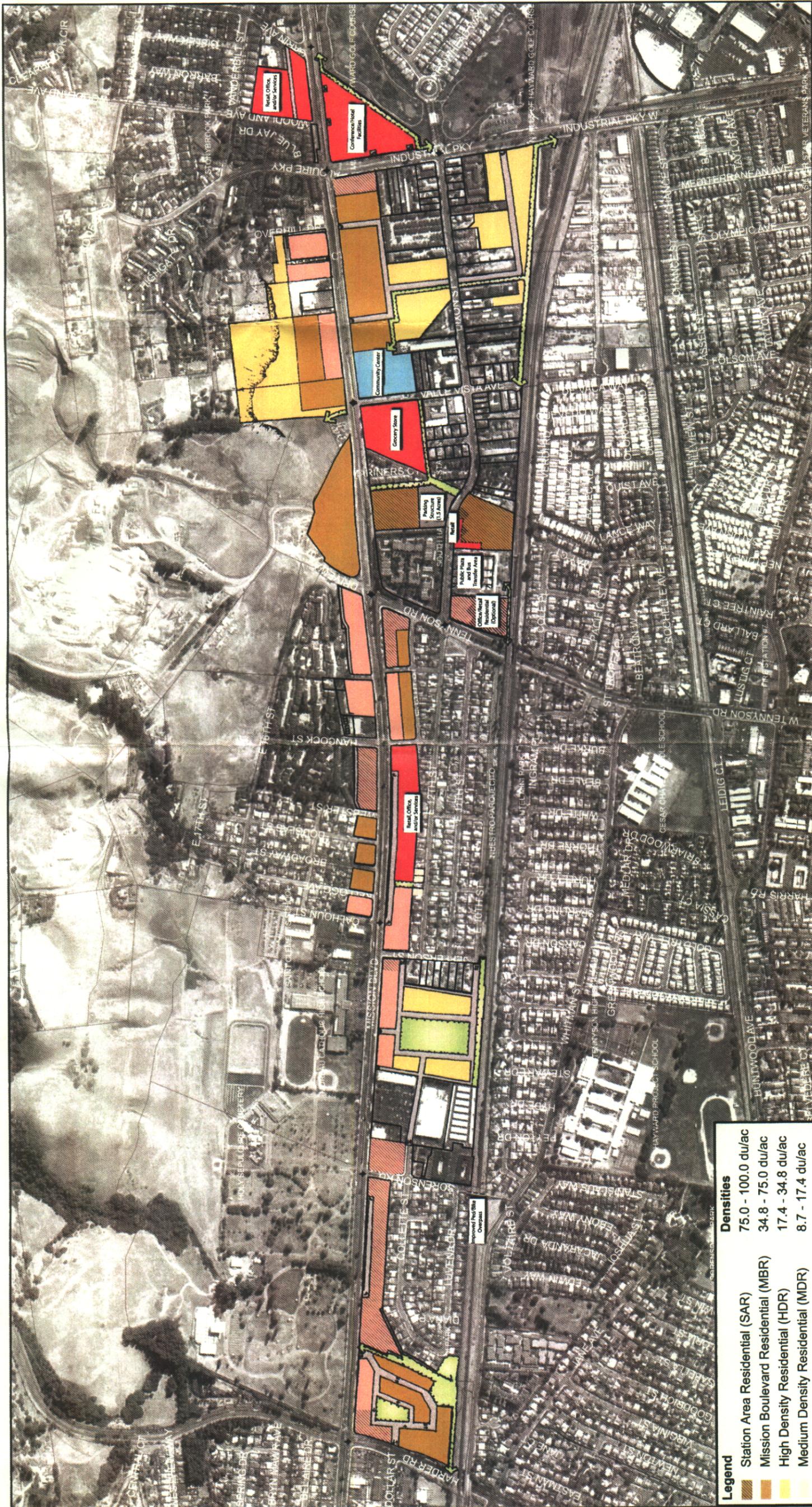


Figure 2
“Urban” Concept
 South Hayward BART/Mission Boulevard Concept Plan
 June 15, 2005

Legend	Densities
	75.0 - 100.0 du/ac
	34.8 - 75.0 du/ac
	17.4 - 34.8 du/ac
	8.7 - 17.4 du/ac
	-
	30.0 - 75.0 du/ac
	27.0 - 75.0 du/ac
	n/a
	n/a

* Densities apply to Mixed Use outside Station Area. For Mixed Use within Station Area the density is 55.0 - 100.0 du/ac.

Note: This scenario would require identification of a new school site outside the Study Area, to replace Bowman School.

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South Hayward BART/Mission Boulevard Concept Plan

Table 1. Suburban Concept

	Subarea						Study Area Total		
	1	2	3	4	5	6		7	
Dwelling Unit Count	Min 0	Min 167	Min 397	Min 274	Min 267	Min 134	Min 0	Min 1238	Max 2680
Total Units	0	359	942	563	548	268	0	Total Units 1238	Max 2680
Current Units	0	0	12	2	7	6	46	Current Units 73	Max 73
Net Additional Units	0	359	930	561	541	262	-46	Additional Units 1165	Max 2607
Commercial Square Footage	Min 91,476	Min 87,966	Min 91,182	Min 87,494	Min 6,970	Min 35,569	Min 9,848	Min 264,409	Max 461,083
Total Square Feet	160,083	0	176,854	32,670	12,197	0	79,279	Total Sq Ft 264,409	Max 461,083
Current Square Feet	97,605	87,966	91,182	87,494	0	35,569	9,848	Current Sq Ft 409,664	Max 409,664
Net Change	(6,129)	(87,966)	(85,672)	(54,824)	12,197	(35,569)	35,454	Change -145,255	Max 51,419

Table 2. Urban Concept

	Subarea						Study Area Total		
	1	2	3	4	5	6		7	
Dwelling Unit Count	Min 256	Min 306	Min 347	Min 679	Min 481	Min 378	Min 0	Min 2,448	Max 5,112
Total Units	574	760	852	1084	1022	820	0	Total Units 2,448	Max 5,112
Current Units	0	0	12	2	7	6	46	Current Units 73	Max 73
Net Additional Units	574	760	840	1082	1015	814	-46	Additional Units 2,375	Max 5,039
Commercial Square Footage	Min 17,424	Min 78,408	Min 126,324	Min 67,518	Min 8,712	Min 32,234	Min 33,977	Min 364,597	Max 633,961
Total Square Feet	30,492	137,214	221,067	114,073	15,246	56,410	59,459	Total Sq Ft 364,597	Max 633,961
Current Square Feet	97,605	103,015	91,182	87,494	0	42,893	14,678	Current Sq Ft 436,867	Max 436,867
Net Change	(80,181)	(24,607)	(29,885)	(19,976)	15,246	(10,659)	19,299	Change -72,270	Max 197,094



CITY OF HAYWARD
STAFF REPORT

AGENDA DATE 07/06/05

AGENDA ITEM _____

WORK SESSION ITEM _____

TO: Hayward Redevelopment Area Committee
FROM: Redevelopment Director
SUBJECT: Replacement Housing Plan for Proposed Hayward Cannery Area New School

RECOMMENDATION:

It is recommended that the Committee review and comment on this report.

BACKGROUND:

In April 2005 the Agency approved the acquisition of the last two of seven residential properties included within the proposed Cannery Area new school site. All occupants have been relocated from the site, and the Agency Board is scheduled to consider approval of a contract for the deconstruction of the structures. The site contains eight legal dwelling units. Of the eight units, seven were occupied, and of these, three were occupied by low to moderate-income households. In addition, the Agency previously acquired a house on Myrtle Street that is proposed under the Cannery Area Design Plan to be used for roadway or open space. Prior to the Agency's acquisition that house had been occupied by a moderate-income tenant household. In summary, the Agency has acquired nine housing units in the Cannery Area to date, and four of these were occupied by moderate-income households prior to acquisition.

Prior to removing the acquired residential units, California Redevelopment Law requires that the Agency adopt a Replacement Housing Plan ("Plan") for the low and moderate-income housing units to be removed. The Agency is required to replace all units occupied by low to moderate-income households that are removed as a result of a redevelopment project within a four year period. All of the replacement units must be available at affordable housing cost to, and occupied by, persons in the same or a lower income category as the persons displaced from the destroyed or removed units. In addition, the replacement units must be of equal or greater size in terms of bedroom count. The Plan may also state that the Agency has met its replacement-housing requirement as a result of providing assistance in developing specific affordable housing developments.

Over the past 14 years the City and the Redevelopment Agency have used the Low and Moderate Income Housing Fund to assist with the development of approximately 122 new affordable housing units. Projects funded by the Low and Moderate Income Housing Fund include the E.C. Magnolia Court development on Watkins Street, the Glen Eden Apartments

on A Street, and the Glen Berry Apartments on Berry Avenue. Recently, the Renaissance Walk Condominiums on Watkins Street were completed and 22 of these units have been sold to moderate-income households. In addition, the 57 unit Sara Conner Court apartment development on Mission Boulevard is now under construction, and all of those housing units will be available to low-income households. The investment in these units can be taken into account when analyzing future replacement housing obligations. As a result, the Agency has already met its responsibility for replacement housing with regards to this project. The Agency has other affordable housing production obligations in addition to its replacement-housing requirement. These additional responsibilities will be considered in conjunction with a proposed new development for this site.

Prepared by:



Maret Bartlett, Redevelopment Director

Attachments: Replacement Housing Plan

REPLACEMENT HOUSING PLAN FOR HAYWARD CANNERY AREA

INTRODUCTION

Legal Requirements

In 1998, the Burbank-Cannery Sub-area was added to the Downtown Hayward Redevelopment Project by an adopted amendment to the Redevelopment Plan. One of the goals of the first Five Year Implementation Plan for this area was to develop re-use strategies and plans for industrial sites. Subsequently, the Hunt-Wesson Cannery closed its facility. As a consequence of the Cannery closure and in keeping with its goals for the area, the City of Hayward adopted the Cannery Area Design Plan in 2001. The Cannery Area Plan calls for the redevelopment of the area as a new neighborhood with a mix of higher density, transit-oriented housing and new, expanded public facilities. In order to achieve these goals, the Hayward Redevelopment Agency ("Agency") has been working with the Hayward Unified School District (HUSD) and with the Hayward Area Recreation District (HARD) to build a new, larger school to replace Burbank Elementary School, and to expand and connect Cannery Park to the school. The proposed new school is to be located adjacent to the existing school in the area bound by C Street, Burbank Street, Filbert, and B Street.

The new school site includes land which is currently within the existing Burbank School site, as well as a portion of Burbank Street and a block of seven residential properties on the south side of C Street, extending from the former Cannery gates to Filbert Street. The Agency has acquired these seven properties over the past three years and recently relocated the remaining occupants. There were eight dwelling units on the property, and of these, seven were occupied at the time of acquisition.

In addition to the properties acquired for the new school site, the Agency purchased a residential property located at 24083 Myrtle Street, in the Cannery Area, for the purpose of building a new connecting road (Martin Luther King, Jr. Way) and providing open space at the southern end of the Cannery Area. The house had been occupied by a tenant immediately prior to the Agency purchasing it, and the Agency provided relocation benefits to the household; therefore, the house is being considered as occupied at the time the Agency bought it.

Pursuant to the California Community Redevelopment Law (the "Redevelopment Law"), Health and Safety Code Section 33413, when residential units housing persons of low or moderate-income are removed from the housing market or are destroyed as part of a redevelopment project, the Agency is required to rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, an equal number of replacement housing units within a period of four years. Section 33413(a) requires that one hundred percent (100%) of these replacement dwellings shall be available for sale or rent at a cost affordable to households of the same or lower income category as those households

displaced from the destroyed or removed units. This Plan addresses the replacement housing requirements for the proposed project.

Existing Housing Units on the Proposed Site

Of the total eight formerly-occupied dwelling units that are the subject of this Replacement Housing Plan, six are single family homes and two units are cottages configured in a courtyard arrangement on one property. Of the eight units, three housed renters and five units were occupied by owners. Three units were occupied by households with income at 100% or more of the area median income, and one housed tenants with income at 90% of the median income. The remaining four units were occupied by owners at greater than 120% of the area median income level. This information was derived from the Relocation files developed by the Agency's Relocation Advisor.

DESCRIPTION OF AND LOCATION OF REPLACEMENT HOUSING

Legal Requirements

In accordance with Section 33413.5 of the Health and Safe Code, the Plan must be adopted not less than 30 days prior to execution of an agreement for the disposition and development of the property and must include the following:

- (1) The general location of housing to be rehabilitated, developed, or constructed pursuant to Section 33413 of Redevelopment Law;
- (2) An adequate means of financing such rehabilitation, development, or construction;
- (3) A finding that the replacement housing does not require the approval of voters pursuant to Article XXXIV of the California Constitution, or that such approval has been obtained;
- (4) The number of dwelling units housing persons and families of low to moderate-income planned for construction or rehabilitation; and
- (5) The timetable for meeting the Plan's relocation, rehabilitation, and replacement housing objectives.

The Development Site

As previously noted, eight occupied dwelling units in total were removed from the proposed development site. The mix of sizes, income levels, and unit types are as follows:

- 1 One-Bedroom Unit
occupied by a moderate-income household

- 4 Two-Bedroom Units
3 occupied by moderate-income households
1 occupied by an above-moderate income household
- 3 Three-Bedroom Units
3 occupied by above-moderate income households

This Replacement Housing Plan addresses the requirement to replace the four units that were occupied by moderate-income households. In accordance with the Redevelopment Law, all replacement housings units will have an equal or greater number of bedrooms as those removed.

Renaissance Walk Condominiums

In order to mitigate the removal of this housing stock, the following activities have been undertaken. Prior to the removal of any housing stock affordable to moderate-income households, the Agency assembled land using funds from the Low and Moderate Income Housing Fund and “wrote down” the cost of that land to The Olson Company, a private for-profit housing developer, to build 46 units, of which 22 are designated as affordable for moderate-income homeowners, called Renaissance Walk on Watkins at C Street in Hayward. The development was recently completed and is sold out. All of the affordable units are two-bedroom units, and are restricted to eligible moderate-income households at affordable prices by the terms of an Affordable Housing Covenant and Re-sale Deed Restriction which specifies the exact terms of the affordability component for 45 years, which is not less than the period of the land use controls established in the Redevelopment Plan for the geographic area in which the replacement units are located. The Agency expects to monitor the ongoing affordability of these units to Moderate-income households as they are re-sold over the next 45 years.

AFFORDABILITY

Legal Requirements

Health and Safety Code Sections 50052.5 and 50053 define affordable housing of owner-occupied and rental units. Income categories are generally defined as follows: very low-income, up to 50% of area median income; low-income, up to 80% of area median income; and moderate income, up to 120% of area median income, with each category adjusted for household size. In general affordable housing costs are defined as 30% of the gross monthly household income.

Renaissance Walk

At the Renaissance Walk Condominiums all of the four replacement units for the site are affordable at income levels equal to or lower than those units removed from the housing stock and they have an equal or greater number of bedrooms, as follows:

- 4 two-bedroom units are designated for occupancy and occupied by moderate-income households

ARTICLE XXXIV FINDING

Article XXXIV of the California Constitution provides that no low rent housing project shall be developed, constructed, or acquired in any manner by any state public body until approved by a majority of the qualified voters in the affected city, town, or country. Sections 37001 and 37001.5 of the Health and Safety Code set forth exclusions from the application of Article XXXIV. The provision of replacement housing pursuant to the Plan did not require the approval of the voters pursuant to Article XXXIV of the California Constitution because these units were developed by a private for-profit developer and the development is owned by private individuals. Governmental entities acted only in the capacity of lenders providing financing for the Renaissance Walk Condominiums.

RELOCATION TIMETABLE

The Agency initiated a voluntary acquisition program in the Cannery Area beginning in 2002. The initial four acquisitions were either of vacant property, or were completed prior to the establishment of a project; however, relocation benefits were provided to unit occupants. The Agency accelerated its efforts to acquire properties in fiscal year 2004, and a Relocation Plan was prepared by Real Property Services, in accordance with the provisions of the California Relocation Assistance Act. The relocation of remaining households from the project site was completed in June 2005. All households were relocated in compliance with the Relocation Assistance Act and state relocation regulations.