



CITY OF HAYWARD AGENDA REPORT

AGENDA DATE April 21, 1998

AGENDA ITEM 3

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: USE PERMIT APPLICATION NO. 98-160-02 - REQUEST TO CONSTRUCT A MUNICIPAL PARKING GARAGE AND AN ABUTTING RETAIL/COMMERCIAL CENTER. THE PROJECT APPLICANT IS THE CITY OF HAYWARD AND THE PROPERTY OWNER IS THE CITY OF HAYWARD REDEVELOPMENT AGENCY. THE PROPERTY IS LOCATED ON THE NORTHERLY PORTION OF THE BLOCK BOUNDED BY WATKINS STREET, B STREET, AND MISSION BOULEVARD (STATE HIGHWAY 185).

RECOMMENDATION:

The Planning Commission recommends approval (5:2). Staff also recommends approval.

DISCUSSION:

The "Downtown Hayward Design Plan", adopted by the City in 1992, recognizes the Downtown Plaza provides an anchor and visual terminus to B Street as Hayward's downtown focal point. The Plan also called for a new mid-block parking structure, and ground floor retail on the frontage of B Street.

On January 13, 1998, Jeffery Heller, the architect for the civic plaza, reviewed the conceptual approach to the design of the retail/parking mixed-use facility with City Council. The input provided by City Council included a general concurrence on the design approach. Mr. Heller was asked to consider a mid-block entry into the garage between the retail along B Street and to consider how the retail façade might be addressed to provide greater variation in the storefronts.

On February 19, 1998, a community meeting was held, which included members of the Planning Commission, wherein staff and Mr. Heller reviewed the conceptual approach and shared the Council comments received from the January 13 City Council work session. During the community meeting there seemed to be general consensus on the conceptual design of the retail façade and the garage. Comments shared include:

- A suggestion to restrict access to the parking structure from Mission Boulevard, e.g., prohibiting access or limiting access to right turn in only.
- A suggestion to provide an attractive streetscape as seen from Mission Boulevard, e.g., a mini-plaza with street furniture, telephones and kiosks.

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- A recommendation to incorporate an existing parking lot at Mission Boulevard and C Street into the design of the parking structure.
- A desire for a light and airy parking structure.
- Consideration of safety measures relating to the garage, particularly with regard to access into the garage at a mid-block location between the proposed retail and the parking structure.
- A concern that the number of parking stalls within the parking structure would not be adequate to meet the needs of commercial endeavors in the area.

At a follow-up City Council work session on March 3, 1998, consensus was reached that the architecture of the retail portion of the project should be traditional and incorporate flat roofs in the design scheme.

On April 2, 1998, the project was reviewed by the Downtown Citizens Advisory Board (CAB). The CAB voted 4-0 to support the project, and recommended that the following be incorporated into the final design:

1. Recessed entries should be used to better reflect the character of B Street.
2. The design of the parking structure along Watkins, Mission, and the rear should be open and airy to reduce the impact of a bulky structure and to increase security.
3. Lighting along B Street should be the same historical ornamental style fixtures found around City Hall.
4. Tree selection along the B Street retail frontage is very important and should enhance the pedestrian/retail space streetscape.

In addition to these design concerns, the CAB supported the idea of retail along B Street to set back the parking structure and preserve the view corridor of City Hall along B Street. They concurred that a 10-foot ceiling would be adequate for the retail shops and that a sign program should address the use of awnings to display retail identification.

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A use permit is required for a parking structure in the downtown area and a site plan review is required for the commercial portion of the project. Accordingly, the application was reviewed by the Planning Commission at their April 9, 1998, meeting. Given that the project has citywide interest and the involvement of the Redevelopment Agency (City Council), the Planning Commission's action was to refer the application to the City Council with a recommendation to approve the project.

In their referral action, the Planning Commission suggested:

- featuring an animated design (e.g., a pictorial of downtown) on the Mission Boulevard elevation,
- providing pedestrian interest on Mission Boulevard (e.g., kiosks, benches, telephones), and
- modifying the design of the retail structure near the intersection of B and Watkins Streets by including a rounded corner treatment to create a visual transition between the retail aspects of the project and city hall.

No one from the public spoke on the matter. A letter was received from Caltrans (see Exhibit F) correcting the highway number of Mission Boulevard, indicating that an encroachment permit is required for work (driveways, curbs, etc.) on Mission Boulevard, and suggesting a design that would prevent vehicles from stacking in Mission Boulevard while trying to access the garage.

Project Description

The project consists of two components -- a municipal parking garage of two levels (ground level and second story span) which is designed to accommodate about 320 vehicles and 2 retail buildings totaling approximately 13,000 square feet, of which about 10,000 square feet will be usable retail space. The buildings are centrally divided in order to provide a mid-block pedestrian access to the parking structure.

The parking and circulation pattern of the parking structure conforms to the City's "uni-stall" standards for parking structures. A local parking structure with similar-sized parking stalls can be found at Kaiser Permanente on Hesperian Boulevard. The number of parking stalls provided is intended to accommodate City vehicles, employee vehicles, some city hall visitors, and downtown customers. Additional parking is available to visitors of City Hall in the city hall basement garage.

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The design of the parking structure is meant to give a light and airy impression. This would be accomplished by minimizing the number of heavy structural elements and by separating parked vehicles from the sidewalk by something like a low wall and landscaping, rather than fencing or other barriers which would add an appearance of weight or density. Where shear walls are necessary, creative landscaping such as topiary would be used to enliven and soften the impact of the wall on the streetscape. The structural materials of the parking garage as viewed from the streets, consist of cast concrete columns and shear walls. On the second level, the barrier between perimeter columns that is necessary to provide protection for vehicles would consist of a colored 14-inch steel tube rail, with pre-stressed post tension steel cables above and below the rail. The color of the rail would be used as an accent color that would also be applied to other architectural elements, such as stairways. Staff and the architect are exploring opportunities to situate planters on the perimeter of the second level to soften the appearance of the structure with vines that would cascade over the edge of the structure. The parking structure is to be set back 5 feet from Mission Boulevard and 5 feet from Watkins Street. The Downtown Hayward Design Plan calls for a 4-foot setback. Dense shrubs and creative topiary within this setback and existing trees along the street will contribute to an attractive streetscape.

Vehicle access to the garage will be from Mission Boulevard and Watkins Street. The Mission Boulevard access will be limited to a right turn in and right turn out only to avoid traffic conflicts on the heavily traveled Mission Boulevard.

Pedestrian access to the garage will be provided at street level from Mission Boulevard and Watkins Street near the corners of the garage. Pedestrian access from B Street will be from a walkway located at the midpoint of the retail shops. A glass elevator and open stairs will provide access to the second level.

Other provisions of the project to enliven the streetscape include newspaper kiosks, and street furniture. In front of the shops, B Street will be modified to complement the B Street design pattern to the east, including diagonal parking and landscaped sidewalk extensions to create a pedestrian friendly street. Public toilets are being considered on the first level of the B Street pedestrian entry to the garage.

MINUTES

DRAFT

**REGULAR MEETING OF THE PLANNING
COMMISSION, CITY OF HAYWARD, Council
Chambers, Thursday, April 9, 1998,
7:30 p.m. 777 "B" Street, Hayward, CA 94541**

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chairperson Bennett, followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS Caveglia, Dowling, Fish, Halliday, Kirby, Williams
CHAIRPERSON Bennett
Absent: COMMISSIONER None

Staff Members Present: Anderly, Anderson, Bartlett, Fontes, Looney, Penick,
Woodbury

General Public Present: Approximately 14

PUBLIC COMMENT

Sheila Junge, 22741 Souza Court #4, asked for notification regarding any action taken on the redevelopment areas. She had previously made the request and wondered why she had not been notified

AGENDA

1. ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER) - Request to change zoning from RH/SD-2 (High Density Residential/Special Design District) to CG/SD-2 (General Commercial/Special Design District), and a use permit to construct a three-story, 70-unit hotel with associated parking. The property is located at 24135 Mission Boulevard.
2. USE PERMIT APPLICATION NO. 98-160-01 - LINCOLN PROPERTY COMPANY c/o JEFF LOGAN (APPLICANT/OWNER) - Request for a research and development use adjacent to a residential district, and for parking within a residentially zoned land. The property is located at 24500 Clawiter Road, easterly side, at the intersection of Clawiter Road and Industrial Boulevard, in an Industrial (I) district.
(TO BE CONTINUED TO APRIL 23, 1998 AT THE REQUEST OF THE APPLICANT.)
3. USE PERMIT APPLICATION 98-160-02 - Request to construct a municipal parking garage and abutting retail/commercial structure. The project applicant is the City of Hayward and the property owner is the City of Hayward Redevelopment Agency. The project location is within the block bounded by Watkins Street, B Street, and Mission Boulevard (State Highway).

4. **CONSIDERATION OF THE AMENDED PRELIMINARY PLAN FOR THE DOWNTOWN HAYWARD REDEVELOPMENT PROJECT** - The Preliminary Plan outlines the initial basic parameters for redevelopment within the amended redevelopment project area. The Preliminary Plan describes the boundaries of the project and contains a general statement of land uses, the layout of principal streets, population densities, building intensities, and standards proposed as the basis for the redevelopment of the proposed amended project area.

PUBLIC HEARINGS

1. **ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)** - Request to change zoning from RH/SD-2 (High Density Residential/Special Design District) to CG/SD-2 (General Commercial/Special Design District), and a use permit to construct a three-story, 70-unit hotel with associated parking. The property is located at 24135 Mission Boulevard.

Landscape Architect/Senior Planner Woodbury explained that the applicant had just informed staff that they would like a continuance on the item to redesign the project. The Commission agreed.

5. **USE PERMIT APPLICATION NO. 98-160-01 - LINCOLN PROPERTY COMPANY c/o JEFF LOGAN (APPLICANT/OWNER)** - Request for a research and development use adjacent to a residential district, and for parking within a residentially zoned land. The property is located at 24500 Clawiter Road, easterly side, at the intersection of Clawiter Road and Industrial Boulevard, in an Industrial (I) district.
(TO BE CONTINUED TO APRIL 23, 1998 AT THE REQUEST OF THE APPLICANT.)
6. **USE PERMIT APPLICATION 98-160-02** - Request to construct a municipal parking garage and abutting retail/commercial structure. The project applicant is the City of Hayward and the property owner is the City of Hayward Redevelopment Agency. The project location is within the block bounded by Watkins Street, B Street, and Mission Boulevard (State Highway).

Development Review Services Administrator Anderly briefly described the item and added that the California Department of Transportation has indicated that an encroachment permit would be needed for ingress and egress on Mission Boulevard.

Assistant City Manager Anderson added more details to the proposal giving the history of the project up to this point and introducing the architect for the design. He said that the present design is based on comments and suggestions made at a number of hearings with the City Council, community, and Downtown Citizens Advisory Board. A more traditional façade to incorporate elements of the downtown "B" street retail shops was based on suggestions from both the City Council and members of the Advisory Board. The structure should be completed in December at the same time the lease for BART property presently in use for City parking expires.

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Jeffery Heller, Heller Manus Architects, 221 Main Street, Suite 940, San Francisco, architect of the project, described in detail various aspects of the retail and parking garage structure and then answered questions from Commissioners regarding the design and elements of the building.

Assistant City Manager Anderson responded to Commissioner Kirby's questions regarding the limited amount of retail space built into the structure by saying the primary concern of the City Council was not to over-saturate the City Hall end of the downtown. With the Lucky's development also under consideration, it was felt that the flow toward Foothill should be continued for a more successful downtown area. The design of the structure was meant to create a more low-profile parking structure.

Commissioner Halliday suggested that one major element for good urban design is creating interest for pedestrians. She was particularly concerned at the lack of street-front interest along Mission Boulevard. She suggested the possibility of a pictorial map of the downtown area, perhaps information of the multi-screen theatre offerings, a newspaper kiosk, telephones, or benches; some element to attract pedestrians. She said she was disappointed that more attention was not paid to this side of the structure and urged stronger consideration in the design.

Public Hearing Opened/Closed at 8:34 p.m. with no comments from the public.

Commissioner Halliday moved, seconded by Commissioner Williams, to refer the application to the City Council with a positive recommendation for the Negative Declaration and the project.

Commissioner Williams commented that this is a step in the right direction for the downtown but cautioned about being mindful of the present struggle of the merchants in the area.

Commissioner Dowling complimented staff on the design and for incorporating comments from citizens into the design. He did ask for a friendly amendment to add additional suggestions into the motion. Specifically, that City should not run the retail portion of the project, that consideration be made for a second story, that elements from City Hall complex be considered for a smoother transition toward the downtown area, and that elements for pedestrian interest on Mission be added. This was accepted.

Commissioner Kirby said he had struggled with this issue since he first heard of the plan to build a parking structure in this area. His main concern was that the project has been designed and presented as a parking garage with retail as an amenity. He would have preferred that the business portion be emphasized as opposed to the automobiles. It just does not go far enough.

Commissioner Fish also expressed reservations with the approach. He said the original concept of mixed use with homes, businesses and parking was a concept he could support. He added that in some ways this might be over-designed since often shopkeepers prefer to have

some say in the design and improvements of their stores. He also shared Commissioner Kirby's concern that there was too much emphasis on the garage portion of the project since this site is important to the downtown area.

Commissioner Bennett said she would support the motion with reservations. She was pleased with the amendment asking for further design to incorporate elements of the City Hall structure as well as possible second-story office space. The site is convenient for public transportation and could well offer a number of advantages for offices in this location. She added that she would also like to see more attention paid to those areas of the building without retail space.

Commissioner Caveglia said he was concerned about the emphasis on the automobile in the downtown area. It is not at all looking toward the future but he said he would support the motion since it seems to be what makes most people comfortable.

The motion carried by the following vote:

AYES:	COMMISSIONERS	Caveglia, Dowling, Halliday, Williams
	CHAIRPERSON	Bennett
NOES:	COMMISSIONER	Fish, Kirby
ABSENT:	COMMISSIONER	None
ABSTAIN:	COMMISSIONER	None

7. CONSIDERATION OF THE AMENDED PRELIMINARY PLAN FOR THE DOWNTOWN HAYWARD REDEVELOPMENT PROJECT - The

Preliminary Plan outlines the initial basic parameters for redevelopment within the amended redevelopment project area. The Preliminary Plan describes the boundaries of the project and contains a general statement of land uses, the layout of principal streets, population densities, building intensities, and standards proposed as the basis for the redevelopment of the proposed amended project area.

Redevelopment Director Bartlett introduced herself to the Commission and said she would be available for questions.

Redevelopment Project Manager Fontes explained the Preliminary Plan Amendment and the process for further expansion of the Downtown Redevelopment Project Area. He said the Planning Commission had the task of looking at the plan for conformance with the General Plan and the Neighborhood Plans. The Planning Commission's recommendation would be forwarded to the Redevelopment Agency for consideration. If accepted, all other taxing agencies would be notified of the Intent to Proceed and at that point, they would they get involved in the action. He indicated that the process takes quite awhile and involves a number of various agencies as well as merchants and residents in the area. He then answered questions from the Commission.

Public Hearing Opened at 9:13 p.m.

Ed Bogue, 729 Poinciana, asked for further delineation of the planned area for the television audience since the map shown was indistinct.

DEPARTMENT OF TRANSPORTATION

BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

RECEIVED

APR 10 1998

DEVELOPMENT REVIEW SERVICES



April 8, 1998

ALA-185-0.38
ALA185029
SCH#98031025

Ms. Dyana Anderly
City of Hayward
Development Review Services Division
777 B Street
Hayward, CA 94541

Dear Ms. Anderly:

**Re: Use Permit application No. 98-16-02-City of Hayward Municipal Parking
Structure-Negative Declaration**

Thank you for continuing to include the California State Department of Transportation (Caltrans) in the environmental review process for the above-referenced proposal. We have reviewed the Negative Declaration forward the following comments:

1. The proposed accesses on Mission Boulevard shall be via driveway.
2. Please change State Highway 238 to State Highway 185. State Highway 238 is Foothill Boulevard from I-580 to the Junction of State Highway 92 (Jackson Street) Street, where (Mission Boulevard) becomes State Highway 238 to I-680 in San Jose.

State Highway 185 commences at the junction of State Highway 238 (Mission Boulevard) and State Highway 92 (Jackson Street) and terminates just beyond High Street in Oakland.

3. Please provide sufficient distance from garage entrance to any gates or parking stalls so that entering vehicles do not back up onto (Mission Boulevard).
4. With the information provided, Caltrans Office of Transportation Planning, District 4 has determined that this project will infringe on the State Right of Way. Any work or traffic control done within the State right of way will require an encroachment permit during the permit phase, details concerning driveway design will be addressed. Any plans submitted to Caltrans before 7/1/98 must be in the English Measuring System. After 7/1/98, new plans for review must be in the Metric Units entirely as required by federal law.

April 8, 1998

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To apply for an encroachment permit, please submit a completed application, environmental documentation and five sets of plans to the following address:

G.J Battaglini, District Office Chief
Caltrans, District 4
Office of Maintenance Services and Permits
P. O. 23660
Oakland, CA 94623-0660

If you have any questions or concerns, please feel free to call Anthony Lee of my staff at 510-286-5583.

Sincerely,

HARRY Y. YAHATA
District Director

By: *Phillip Badal*

PHILLIP BADAL
District Branch Chief
IGR/CEQA

DRAFT

*APC
4/15/98*

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

*DA
A-16-98*

Introduced by Council Member _____

**RESOLUTION APPROVING USE PERMIT APPLICATION
NO. 98-160-02 TO CONSTRUCT A MUNICIPAL PARKING
GARAGE AND AN ABUTTING RETAIL/COMMERCIAL
CENTER**

WHEREAS, Use Permit Application No.98-160-02 (City of Hayward, Applicant; Hayward Redevelopment Agency, Owner) concerns a request to construct a municipal parking garage and an abutting retail/commercial center on property located on the northerly portion of the block bounded by Watkins Street, B Street, and Mission Boulevard; and

WHEREAS, the Planning Commission recommended approval of the use permit at its meeting on April 9, 1998, and the record of its action is on file in the office of the City Clerk for further particulars; and

WHEREAS, the City Council of the City of Hayward hereby finds and determines that the City Council has independently reviewed and considered the information contained in the initial study upon which the negative declaration is based, and finds that the negative declaration reflects the independent judgment of the City Council; and

WHEREAS, the City Council hereby finds and determines that:

1. Approval of the use permit will have no significant impact on the area's resources, cumulative or otherwise, and the Negative Declaration prepared for this project is complete and final in accordance with the California Environmental Quality Act;
2. The proposed municipal parking structure is desirable for the public convenience or welfare in that it will provide parking for persons working in and visiting city hall and the downtown commercial area;
3. The proposed municipal parking structure will not impair the character and integrity of the zoning district and surrounding area in that retail shops are incorporated into the design so that the project will complement the design theme of the downtown area and the parking structure will enhance the viability of the downtown by providing parking for customers;

4. The proposed municipal parking structure will not be detrimental to the public health, safety, or general welfare in that all building, fire, and seismic safety issues will be met in accordance with the Uniform Building and Fire Codes;
5. The proposed municipal parking structure is in harmony with applicable City policies, including the City of Hayward Design Guidelines, the Downtown Hayward Design Plan, and the Hayward Downtown Historic Rehabilitation District Commercial Design Manual, as well as the intent and purpose of the Central City Commercial zoning district, which is to promote the development of the downtown area as the central area of the City for business, government, cultural, financial, residential, office and entertainment uses;
6. The proposed structures are compatible with surrounding structures in that the retail shops mimic the bulk and form of other downtown shops and the parking structure complements the city hall and provides a transitional form of architecture between the downtown commercial buildings and downtown residences;
7. The development takes into consideration physical and environmental constraints, in that the garage is designed so as to not conflict or impair the Sulfur Creek containment structure that traverses the project site.
8. That the development will be operated in a manner determined to be acceptable and compatible with surrounding development in that all applicable Zoning Ordinance performance standards are required to be met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that based on the foregoing findings, Use Permit Application No. 98-160-02 is hereby approved subject to the attached conditions.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 1998

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward