



CITY OF HAYWARD AGENDA REPORT

AGENDA DATE 12/08/98

AGENDA ITEM _____

WORK SESSION ITEM _____

7

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: General Policies Plan Amendment 98-110-03, Zone Change 98-190-06, Vesting Tentative Map Tracts 7037 and 7069, and Variance to lot depth - Summerhill Homes (Applicant), Multiple Property Owners – The project is located east of Huntwood Avenue, west of Taylor Avenue, and south of Olympic Avenue

Request to vacate excess right-of-way and sell excess real property on Olympic Avenue between Taylor and Huntwood, and alongside Huntwood Avenue between Industrial Boulevard and Olympic Avenue.

RECOMMENDATION

The Planning Commission (6:0) and staff recommend the City Council:

1. Approve the Mitigated Negative Declaration;
2. Approve the General Policies Plan Map amendment;
3. Approve the zone change;
4. Approve Vesting Tentative Map Tracts 7037 & 7069, subject to the attached conditions;
5. Approve the variance request for an exception to the 80-foot minimum lot depth for Lots 24, 34 and 35 of Tract 7037, and deny the variance request for Lot 19 of Tract 7069; and
6. Vacate excess right-of-way and authorize the City Manager to execute the sale of excess real property.

DISCUSSION

The *Tennyson-Alquire Neighborhood Plan*, adopted July 18, 1989, supports retaining the areas of industrial zoning except in the Olympic Avenue area to provide a buffer between residential land uses and Industrial Parkway traffic. It also supports a residential density that allows minimum lot sizes of 4,000 square feet and recommends that Olympic Avenue be aligned with New England Village Drive at the Huntwood Avenue intersection.

Summerhill Homes, the developer/applicant, proposes development of a subdivision with 84 single-family homes on lots ranging in size from 4,000 to 11,000± square feet. The developer requests approval of two tentative tract maps for the project, one of which is dependent upon the approval of a General Plan amendment and zone change, as illustrated on Attachment A.

The subdivision design is consistent with the surrounding development of 4,000 and 5,000 square-foot lots. Access is available from Taylor, Olympic and Huntwood Avenues. Consistent with the *Tennyson-Alquire Neighborhood Plan*, Olympic Avenue will be realigned with New

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England Village Drive at Huntwood Avenue. An analysis of traffic operations at the intersection of Olympic and Huntwood concluded that a traffic signal is not warranted.

The project incorporates excess City-owned real property and right-of-way on Olympic Avenue and along Huntwood Avenue, which staff recommends be sold to the developer. Upon its sale, this land will be used in conjunction with the adjoining property.

At the time of tract improvements, a 20-foot wide pedestrian/bicycle access and buffer at the southeast boundary, and a 15-foot-wide landscaped buffer along Huntwood, north and south of Olympic Avenue will be landscaped with trees, shrubs and groundcover.

The Planning Commission reviewed the applications at their October 22, 1998, meeting and voted unanimously to recommend approval of the project with staff's alternate cul-de-sac layouts for Courts "B" and "C". However, as staff recommended, they denied the lot depth variances for Lots 36 and 59 of Tract 7037, and Lot 19 of Tract 7069.

Summerhill has since reconsidered the layout of the two cul-de-sacs and has revised the tentative map as proposed by staff and supported by the Planning Commission. The new lot configuration eliminates the need for variances for lots 36 and 59, but Summerhill maintains their request for a variance from the minimum lot depth for Lot 19 of Tract 7069, located adjacent to Olympic Avenue.

Subsequent approvals are required for the Final Map and house designs. However, preliminary site and landscape plans, and conceptual home designs have been provided to illustrate the character of the proposed development.

General Plan Amendment and Zone Change

The change in land use designation from Industrial Corridor to Residential - Limited Medium Density is consistent with the Housing, Urban Design and Land Use Elements of the *General Policies Plan* and the policies in the *Tennyson-Alquire Neighborhood Plan*.

School Capacity: Based upon Hayward Unified School District 1998 figures, the proposed 84 new residences will result in an estimated 32 school-age children. HUSD has indicated that there is sufficient capacity at Ruus Elementary, Peixoto Elementary, César Chavez Intermediate, and Tennyson High School to accommodate the additional students. A letter from the school district, which discusses the opening of Peixoto School to alleviate over-crowding at Ruus Elementary School, is attached. Summerhill has voluntarily agreed with HUSD to pay school taxes at a rate of \$2.09 per square foot for all units in the project. This average is based upon \$2.70 per square foot for the units in the industrially zoned portion and \$1.93 for units in the residentially zoned portion of the site.

Parks: The project would result in a demand for an additional 1.2 acres of park land. The Hayward Area Park and Recreation District owns a vacant 4.7-acre site adjacent to the project on the south, which when improved, will provide sufficient park facilities to meet the demands of the neighborhood, including residents of the proposed project.

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Urban Design: The proposed residential land use will improve the integrity of the surrounding residential neighborhood by providing the opportunity to develop housing in place of the deteriorating, vacant structures and non-conforming RV storage lots. The proposed development will protect the character of the residential area by providing streetscape improvements along Huntwood Avenue and a landscaped buffer between the residences and adjacent industrial buildings.

Variances

A minimum lot depth of 80 feet is required by the *Zoning Ordinance* to ensure usable rear yards for dwellings. Given the triangular shape of the property east of Olympic Avenue, staff finds that the irregularly shaped lots (34 and 35) on "A" Court and on the elbow of "A" Street (lot 24) that require variances can be supported based on the irregular shape of the site and the knowledge that homes can be constructed within the required setback requirements.

The realignment of Olympic Avenue creates an odd-shaped shallow lot, (Lot 19, Tract 7069) next to the Palmira Property. A variance to lot depth is required in order to develop this lot. The Planning Commission and staff recommend denial of the variance because it would result in an inadequate yard area to buffer a house on this lot from the adjacent industrial use on the Palmira Property. However, a condition is included that requires the lot to remain as "open space" until such time as it may be developed in conjunction with the Palmira Property.

Vacation and Sale of Excess Right-of-Way

Approximately 11,183 square feet of excess real property and right-of-way along Huntwood Avenue were created when Huntwood was improved as part of the Tennyson/Alquire Assessment District. In addition, the realignment of Olympic Avenue will create 708 square feet of excess right of way, which will become part of Lot 19, Tract 7069, if approved. Finally, a 1-foot-wide excess strip of right-of-way will be created along Olympic Avenue because it will be constructed as a standard 46-foot-wide street rather than the current 48 foot width. The three parcels are shown on Attachment "C." The City has no need for the property and staff recommends that the City Council sell the land to the developer for \$28,000. In addition, with the approval of this development, Olympic Avenue will become a dedicated street and the City will no longer need and will quit claim its rights in the existing 50-foot driveway easement over Olympic Avenue.

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The sales price includes \$25,000 for the Huntwood Avenue parcel and \$3,000 for the small Olympic Avenue parcels. The Huntwood Avenue parcel was offered to the previous abutting property owners during construction of the Tennyson/Alquire Assessment District, but the offer was declined. Staff established the price based on the limitations of this narrow strip, which cannot be developed independently and which can be used only by the abutting property owner. Similarly, staff established the \$3,000 price for the small parcels on Olympic Avenue based on their limited potential use, which is to incorporate them with the abutting parcels. Also, the sale of these two parcels would eliminate the City's responsibility for maintaining small strips of land behind sidewalk areas. The sale of the Huntwood Avenue parcel would include a prohibition of access directly onto Huntwood.

CONCLUSION

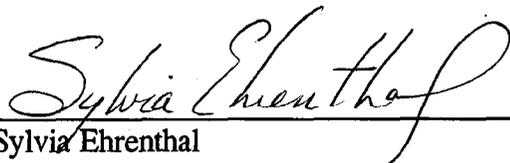
Approval of the change in land use designation and zoning, together with the tentative tract maps, as conditioned, is consistent with the City's goals and policies to: ensure an adequate supply of land for residential development, maintain a cohesive land use pattern, protect areas of a desired character from incompatible development, and create home ownership opportunities.

Prepared by:



Cathy Woodbury, ASLA/AICP
Landscape Architect/Senior Planner

Recommended by:



Sylvia Ehrental
Director of Community and Economic Development

Approved by:



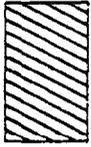
Jesús Armas
City Manager

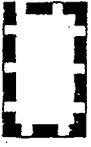
**Mayor and City Council
Meeting of December 8, 1998**

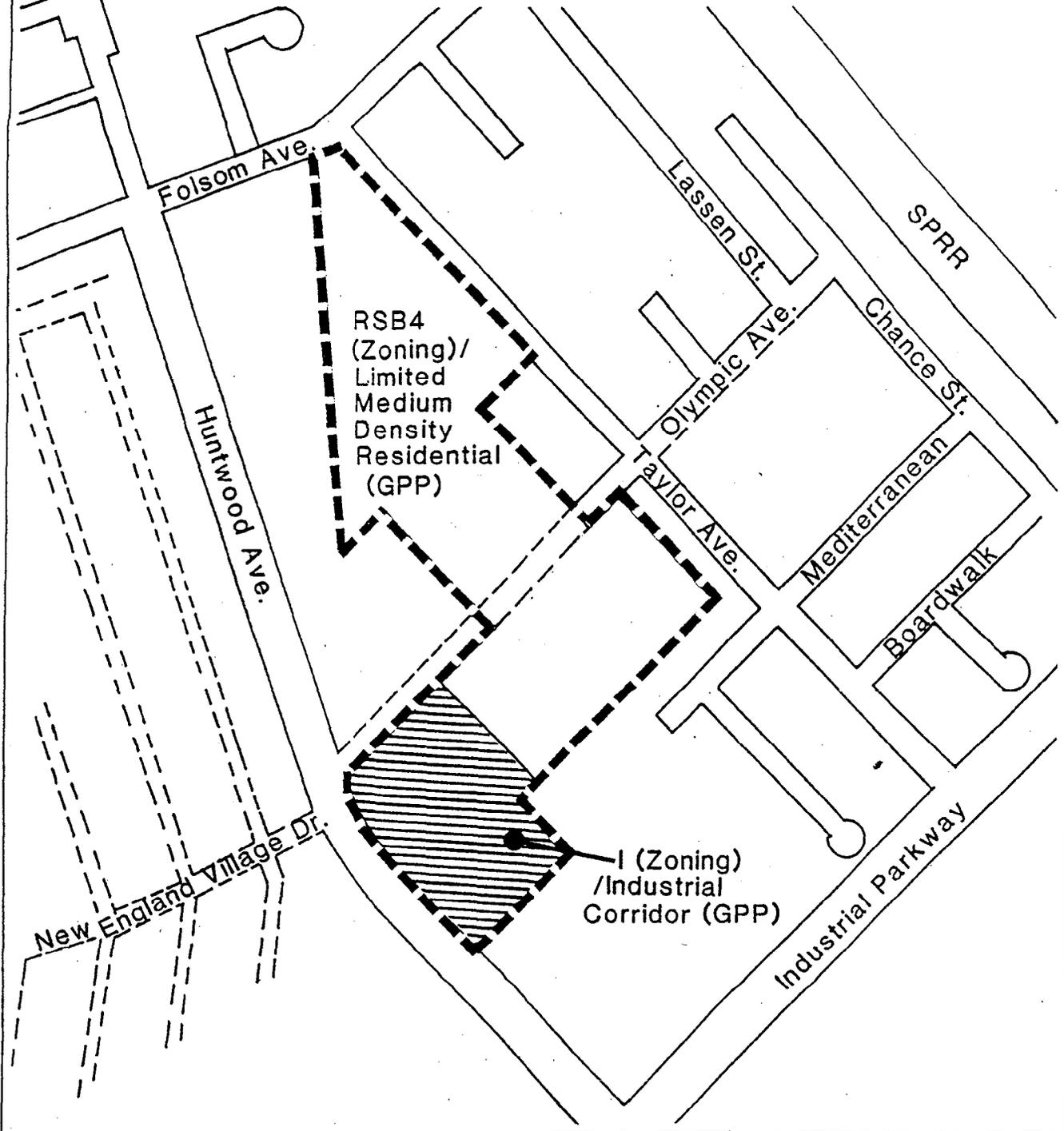
Attachments:

- A. Area Map
- B. Zoning Map
- C. Right-of-Way Vacation and Surplus Property
- D. Draft Planning Commission Minutes and Staff Report, dated October 22, 1998
Development Plans
Draft Resolutions

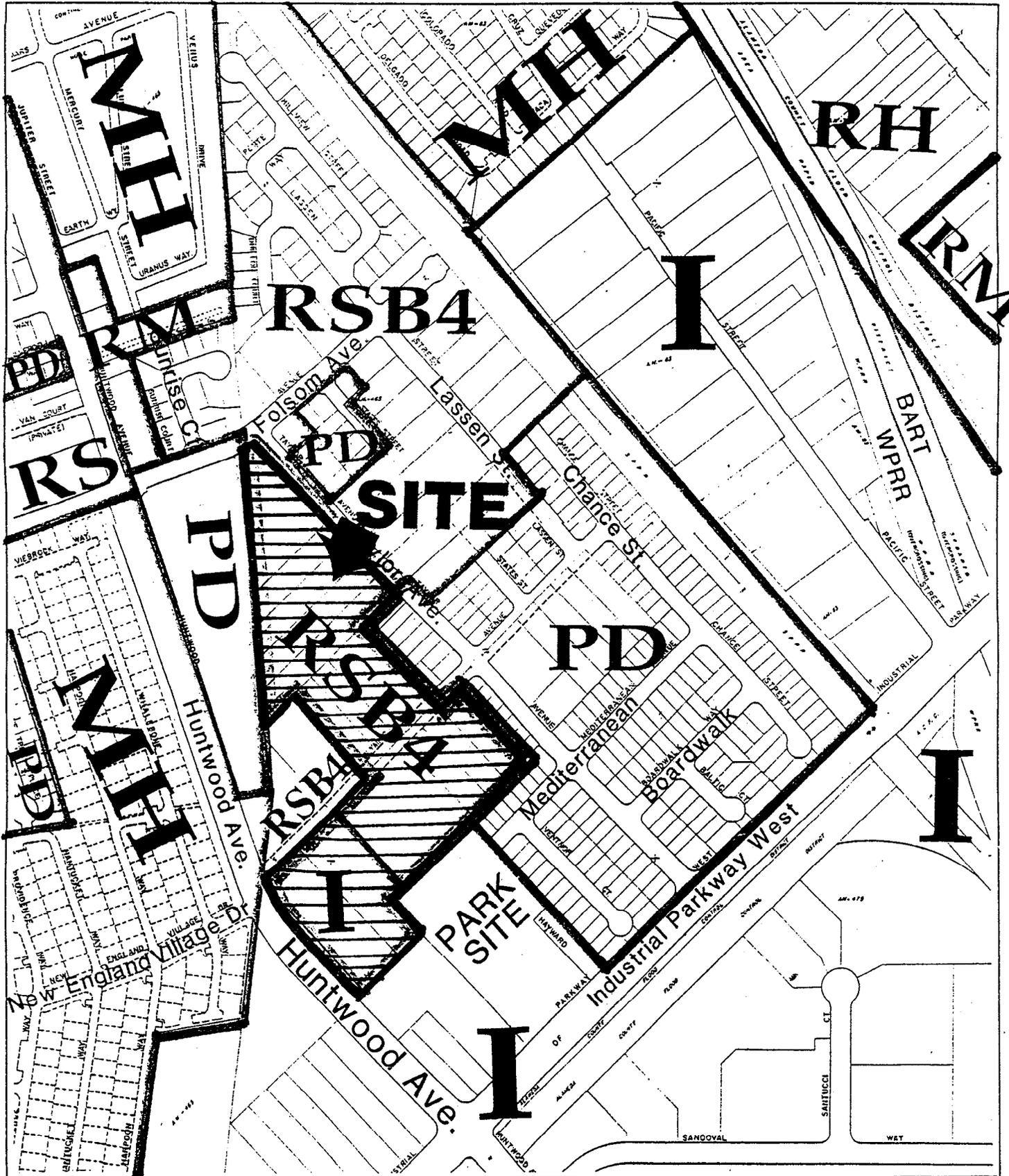
12/02/98

 ZC 98-190-06/GPA 98-110-03
and Vesting Tentative Map Tract 7069
Craig Champion/Summerhill Homes (Applicants),
Branough Family Trust/Ruth Morelli (Owners)

 Vesting Tentative Map Tract 7037
Summerhill Homes (Applicant),
Morelli, Padilla, Gerard, Dahan, Westervelt, Thomas,
Jones, Barnes, Lee, Tsai, and Buna (Owners)

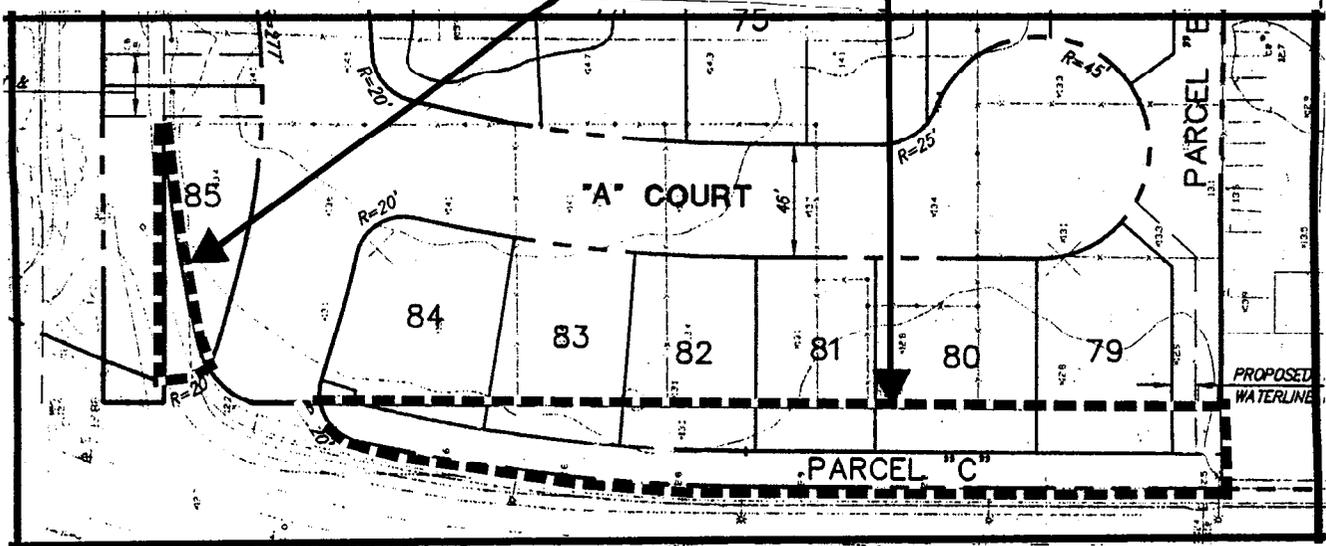
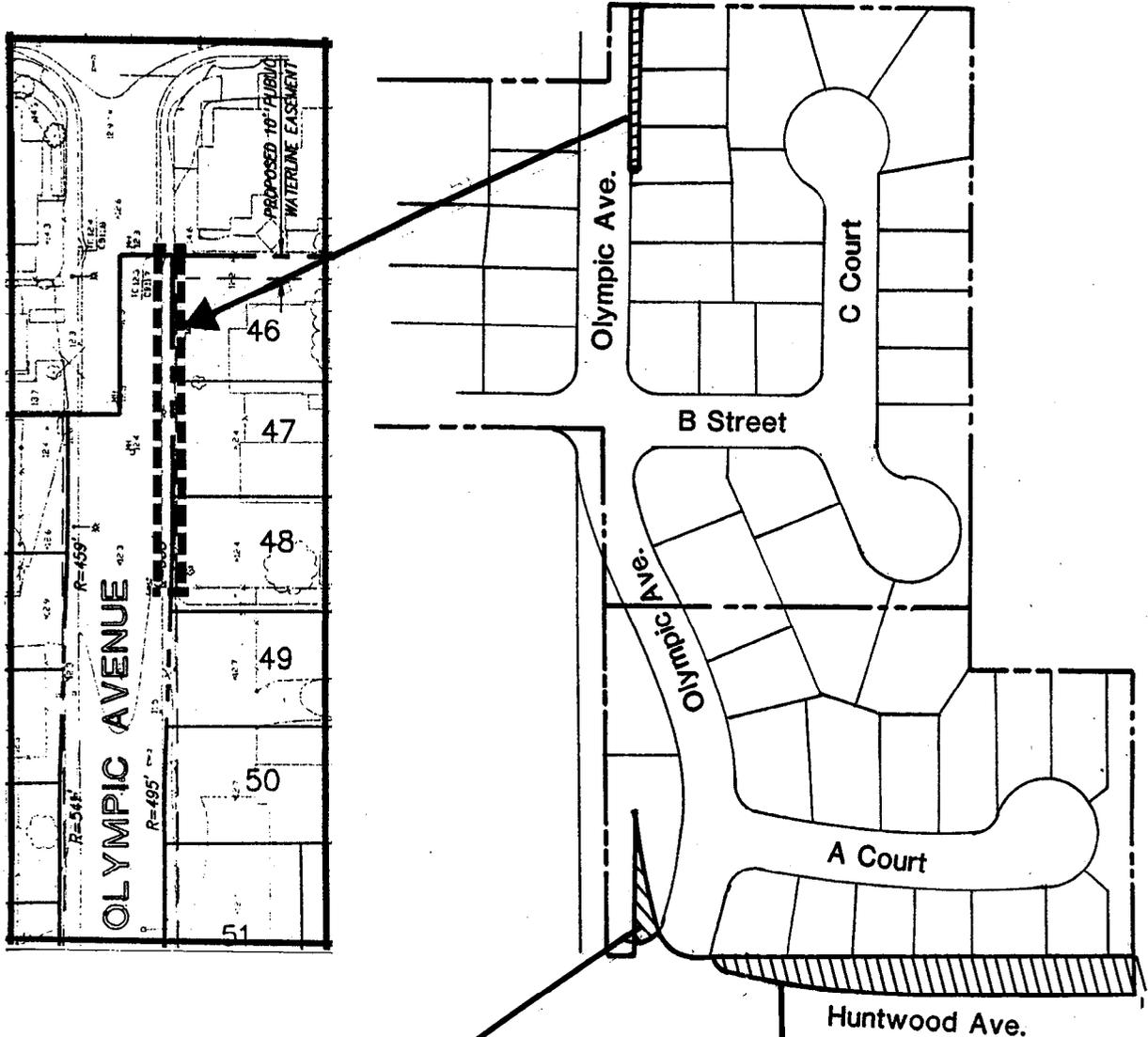


AREA MAP



ZONING MAP ■ VESTING TENTATIVE TRACT MAP 7037

Summerhill Homes (Appl.) ■ Morelli, Padilla, Gerard, Dahan, Westervelt,
Thomas, Jones, Barnes, Lee, Tsai, & Buna (Owners)
North and South of Olympic Ave., West of Taylor Ave.



**RIGHT-OF-WAY VACATION AND SURPLUS PROPERTY
TRACTS 7037 AND 7069**

(RSB4), 4,000 square-foot minimum lot size, and an Industrial District (I).

2. TENTATIVE MAP TRACT 6992, SITE PLAN REVIEW NO. 97-130-16 and VARIANCE APPLICATION NO. 98-180-07 - PAUL WONG (APPLICANT), MBR CORPORATION (OWNER) - Request to subdivide a 0.64± acre parcel into 5 condominium units; approval of site and architectural plans; and approval of variances to allow parking stalls within 3.9 feet of the property line, and private open space within 3 feet of the property line along "D" Street where 10 feet is required.

The property is located on the northeast corner of Winton Avenue and "D" Street in a Medium-Density Residential (RM) District.

PUBLIC HEARINGS

1. GENERAL POLICIES PLAN MAP AMENDMENT 98-110-03 - SUMMERHILL HOMES (APPLICANT), MULTIPLE PROPERTY OWNERS (OWNERS) - Request to amend the General Policies Plan Map to change the land use from Industrial Corridor to Residential - Limited Medium Density;

ZONE CHANGE APPLICATION 98-190-06 - SUMMERHILL HOMES (APPLICANT), MULTIPLE PROPERTY OWNERS (OWNERS) - Request to change the zoning from Industrial (I) to Single Family Residential, 4,000 square-foot minimum lot size (RSB4);

TENTATIVE MAP TRACT 7037 - SUMMERHILL HOMES (APPLICANT), MULTIPLE PROPERTY OWNERS (OWNERS) - Request to subdivide 15 parcels totaling 13.49+ acres into 68 single-family residential parcels. Request approval of an exception to the 80-foot minimum lot depth for Lots 34, 35, 36, 59, and Parcel B (lot depths proposed are between 36± feet to 63± feet);

TENTATIVE MAP TRACT 7069 - SUMMERHILL HOMES (APPLICANT), MULTIPLE PROPERTY OWNERS (OWNERS) - Request to subdivide 2 industrial parcels totaling 2.95+ acres into 20 single-family residential parcels.

REQUEST to vacate right-of-way and sell excess real property alongside Huntwood Avenue between Industrial Boulevard and Olympic Avenue.

The proposed project is located east of Huntwood Avenue, west of Taylor Avenue, north and south of Olympic Avenue, within a Single-Family Residential District (RSB4), 4,000 square-foot minimum lot size, and an Industrial District (I).

Planner Woodbury presented the staff report and explained the recommendation which included denial of the variance request for Lots 36, 59, and Parcel "B," Lot 85. She explained that the General Plan amendment is consistent with the General Plan and that the Hayward Unified School District has indicated that, with the opening of Peixoto School, they will have space available for the project. She introduced Planning Engineer Anastas who explained that the design is consistent with the surrounding area. He indicated that staff was asking for a

denial of the variance request in courts "B" and "C" since the cul-de-sacs can be redesigned to a pattern to create a more appealing design that conforms to City policies and standards, and provide greater privacy to those who reside in the adjacent subdivision. He also said that there would be bike and pedestrian access (8 feet for two-way bicycle traffic) through the subdivision to the HARD park area. Engineer Anastas also indicated that Lot 36 on Court "B" would require granting an additional variance for the front yard set-back which staff supports.

Public Hearing Opened at 7:59 p.m.

Craig Champion, 777 California Avenue, Palo Alto, developer of the project, introduced the members of the design team. He explained that there are a few issues of disagreement with the City. Lots 36 and 59 are designed with much larger homes and will be very desirable properties. He said they are in compliance with the neighborhood plan and not inconsistent with other homes in the plan. He said he thinks what they have presented is consistent and merits approval. He indicated that he did not agree with the requirement to acquire the triangular piece of property which is already a part of Olympic Avenue since it is already used by the public for public purposes. He said the developers have already had two meetings with the neighborhood and they all agree the improvements will be an enhancement to the area. In response to questions, he indicated that the house on Lot 85 would be designed with adequate windows and insulation to protect it from the impact of the trucking business next door. He said they would have a driveway turnout to save backing out onto Olympic.

Ruth Alexander, 965 Northfield Drive, member of the New England Village Board, said the mobile home park owners are excited about the project. This is so much nicer than an apartment complex.

Nancy Lowerre, 29030 Sunrise, said she is concerned about the traffic generated by the development.

Public Hearing Closed at 8:31 p.m.

In response to Commissioners questions, Deputy Director of Public Works Bauman said that as a result of traffic studies, a traffic signal is not warranted on Huntwood. There is presently a four-way stop at the intersection of Huntwood, Olympic and Nevada. He maintained that this development would not negatively impact existing circulation in the area.

Commissioner Kirby moved, seconded by Commissioner Caveglia, to approve the staff recommendations on the project. He indicated that there should be some way to save one of the lots on Court "C" and hoped staff would work with the developer to recover one lot.

Commissioner Bogue asked for a friendly amendment to exclude the rezoning of the 20-foot buffer from Industrial. He said when the property next to it is developed; they will also be required to include a 20-foot buffer on their property.

Commissioner Kirby said he was not comfortable with the friendly amendment since there is no way of knowing what use will be applied to that property. When a proposal is made, consideration might be given to a variance.

Commissioner Bennett said she had been struggling with this application since she generally has an adverse reaction to 4,000 square foot lots. It is compatible with the area and the neighborhood plan, however. She agreed with staff's proposal of a reconfiguration of the cul de sac for more desirability. She said she would support the motion because it will benefit the area.

Commissioner Caveglia said he would like to amend the motion to change Condition 40 from a masonry wall to a wood fence because of the prospect of graffiti on masonry walls. There was no second.

Planner Woodbury said the masonry wall would only be on the border of the Industrial property.

Chairperson Williams said he felt it was a good product for the area. He said he hoped there would be some way of saving one of the houses on the cul de sac in Court "C".

The motion passed, 6:0:1, with Commissioner Halliday absent.

2. TENTATIVE MAP TRACT 6992, SITE PLAN REVIEW NO. 97-130-16 and VARIANCE APPLICATION NO. 98-180-07 - PAUL WONG (APPLICANT), MBR CORPORATION (OWNER) - Request to subdivide a 0.64± acre parcel into 5 condominium units; approval of site and architectural plans; and approval of variances to allow parking stalls within 3.9 feet of the property line, and private open space within 3 feet of the property line along "D" Street where 10 feet is required.

The property is located on the northeast corner of Winton Avenue and "D" Street in a Medium-Density Residential (RM) District.

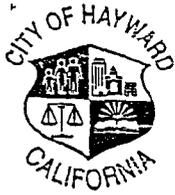
Planner Woodbury described the project saying the parcel was created because of the realignment of "D" Street. The soundwall is already in place so the courtyard will not be on the street. She indicated that staff supports the requests for variances. She explained that the project does meet the parking requirement for this type of project.

Public Hearing Opened at 8:59 p.m.

Paul Wong, 2401 Park Boulevard, #1, developer of the project said this type of condo project is unique. There is more support for detached housing and the density is below the maximum allowable. The land use is the same for townhomes but this eliminates the problems of common party walls. He indicated that the rights of the homeowners are better protected and it is a better value for the homeowner.

Bill Poon, 1250 Addison Street, Suite 210, Berkeley, architect for the project, described the differences between townhomes and condominiums. The condominium owners will have an association to maintain the character and commonality of the environment. It is a more positive way of keeping the property attractive over the long term. He said they recognized that it would be difficult to subdivide the property into single family lots.

Jerry Gonzales, 587 Orchard Avenue, Sonoma, civil engineer, said this is an innovative project and properly provides infill for this odd shaped lot.



ITEM NO: 1

AGENDA REPORT
PLANNING COMMISSION ■ CITY OF HAYWARD

MEETING OF:
October 22, 1998

TO: Planning Commission

FROM: Cathy Woodbury, Landscape Architect/Senior Planner
Bashir Y. Anastas, Development Services Engineer

SUBJECT: **GENERAL POLICIES PLAN MAP ADMENDMENT 98-110-03-
SUMMERHILL HOMES (APPLICANT), MULTIPLE PROPERTY
OWNERS (OWNERS) - Request to amend the General Policies Plan Map
to change the land use from Industrial Corridor to Residential-Limited
Medium Density;**

**ZONE CHANGE APPLICATION 98-190-06 - SUMMERHILL HOMES
(APPLICANT), MULTIPLE PROPERTY OWNERS (OWNERS) -
Request to change the zoning from Industrial (I) to Single-Family
Residential, 4,000 square-foot minimum lot size (RSB4);**

**VESTING TENTATIVE MAP TRACT 7037 - SUMMERHILL
HOMES (APPLICANT), MULTIPLE PROPERTY OWNERS
(OWNERS)-Request to subdivide 15 parcels totaling 13.49+ acres into 68
single-family residential parcels. Request approval of an exception to the
80-foot minimum lot depth for Lots 34, 35, 36, 59, and Parcel B (lot depths
proposed are between 36± feet to 63± feet);**

**VESTING TENTATIVE MAP TRACT 7069 - SUMMERHILL
HOMES (APPLICANT), MULTIPLE PROPERTY OWNERS
(OWNERS)-Request to subdivide 2 industrial parcels totaling 2.95+ acres
into 20 single-family residential parcels; and**

**REQUEST TO VACATE RIGHT-OF-WAY AND SELL EXCESS
REAL PROPERTY alongside Huntwood Avenue between Industrial
Boulevard and Olympic Avenue.**

The proposed project is located east of Huntwood Avenue, west of Taylor Avenue, north and south of Olympic Avenue, within a Single-Family Residential District, 4,000 square-foot minimum lot size (RSB4), and an Industrial District (I).

RECOMMENDATION

That the Planning Commission recommend that the City Council:

1. Approve the Mitigated Negative Declaration;
2. Approve the General Policies Plan Map amendment;
3. Approve the zone change;
4. Approve Vesting Tentative Map Tracts 7037 & 7069, subject to the attached conditions;
5. Approve the variance request for an exception to the 80-foot minimum lot depth for Lots 34, and 35, and deny the variance request for Lots 36, 59, and Parcel "B"; and
6. Find that the conveyance of excess right-of-way along Huntwood Avenue is categorically exempt from CEQA, and is consistent with the General Policies Plan.

DISCUSSION

Background

The *Tennyson-Alquire Neighborhood Plan*, adopted July 18, 1989, provided citizens in the area an opportunity to review and refine General Plan policies for their neighborhood, including the project site. The neighborhood plan supports retaining the areas of industrial designation except in the Olympic Avenue area to provide a buffer from Industrial Parkway traffic. The neighborhood plan supports residential density that allows minimum lot sizes of 4,000 square feet and recommends that Olympic Avenue be aligned with New England Village Drive at the Huntwood Avenue intersection.

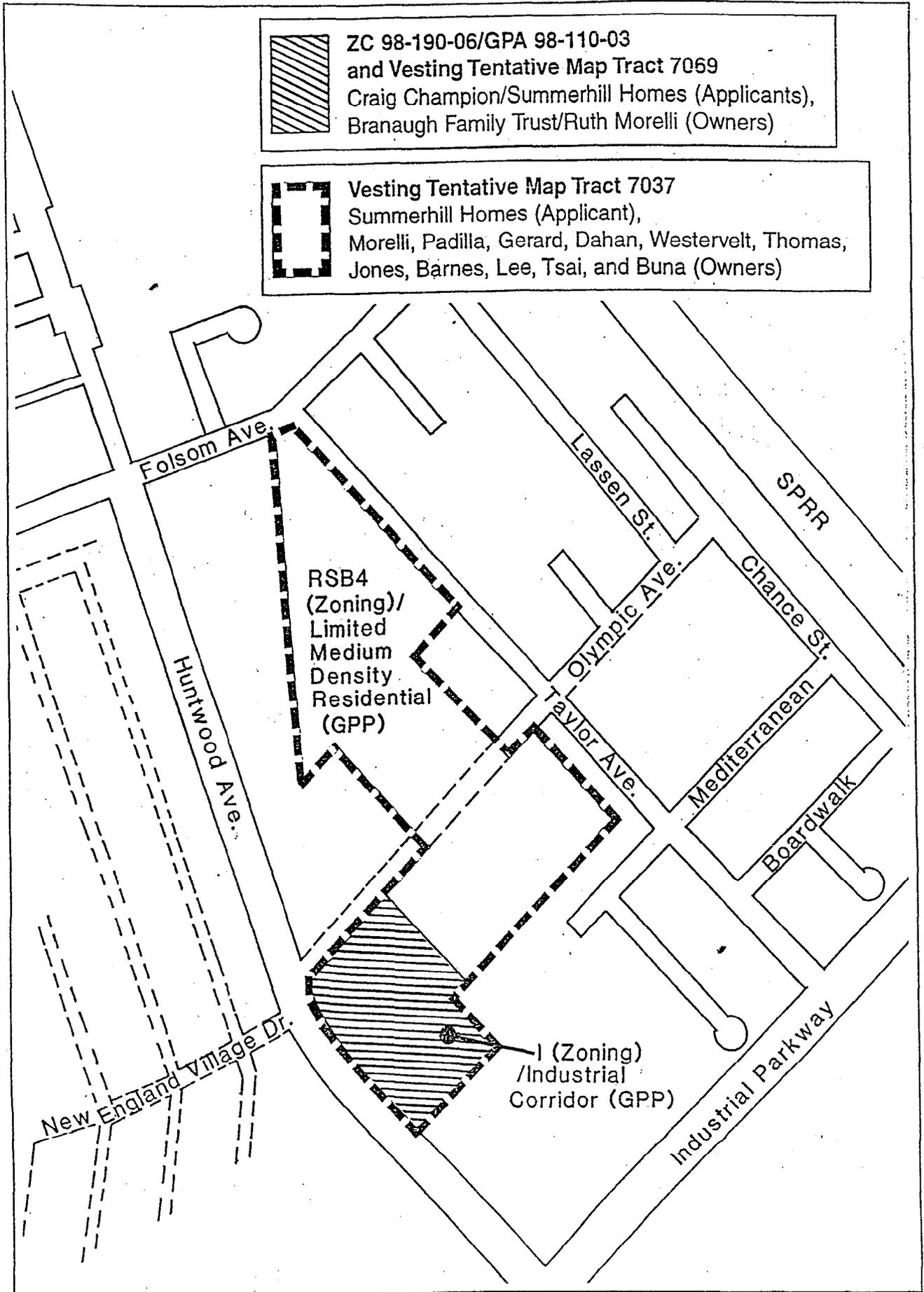
Summerhill Homes, the developer/applicant, proposes to create a subdivision for the development of single-family homes. The developer requests approval of two tract maps for the project, one of which is dependent upon the approval of a General Plan amendment and zone change.

The project incorporates excess right-of-way along Huntwood Avenue, which the City intends to sell to the developer. Upon its sale, this land will be used in conjunction with the adjoining property. If the General Plan Amendment from industrial to residential is approved, a residential land use on the property will conform with the *General Policies Plan*.

Due to the request for a General Plan amendment, zone change, and sale of excess right-of-way associated with the project, this application will be heard before the City Council for a final decision. Subsequent approvals are required for the Final Map and house designs. Preliminary site and landscape plans, and conceptual home designs have been provided to illustrate the proposed development.

Property/Project Description

The subject property includes a total of 13.49 acres. The site has a number of uninhabited structures, open fields, recreational vehicle storage lots and four occupied houses. With the exception of one residence, all the structures will be demolished. The site spans two zoning districts and land use designations, as shown on the map below. The 9.92 acres in the eastern portion of the site is zoned RSB4 (Single-Family Residential 4,000 square-foot lot size) with a



land use designation of Residential-Limited Medium Density. The remainder of the site, 3.57 acres, is zoned I (Industrial) with a land use designation of Industrial Corridor.

The project, received as two separate applications, is to subdivide the property into 86 single-family lots ranging in size from 4,000 to 11,000+ square feet. Vesting Tentative Map Tract 7037 includes the entire 13.49-acre site, subdivided into 68 single-family lots, and two industrial parcels. This application includes a request for a variance for lot depth on five lots, and vacation of excess right-of-way along Huntwood Avenue.

Vesting Tentative Map Tract 7069 is an application to further subdivide the 3.57-acre industrial portion of the site into 18 single-family lots. Because this area is designated Industrial Corridor on the General Policies Plan Map and zoned I (Industrial), Summerhill is requesting approval of a General Plan amendment to Residential-Limited Medium Density, and a zone change to RSB4 (Single-Family Residential 4,000 square-foot lot size). The proposed land use designation and zoning are consistent with that of the remainder of the site.

Surrounding Land Uses

The project site is bounded on the east side by single-family homes fronting on Taylor Avenue zoned RSB4 (Single-Family Residential 4,000 square-foot minimum lot size), and single- and multi-family residences zoned PD (Planned Development). The westerly side abuts apartments, zoned PD (Planned Development), and the Palmira property zoned RSB4. The truck storage business on the Palmira site is a non-conforming use in this district. The New England Village Mobile Home Park is located to the west across Huntwood Avenue. An undeveloped park site, single-family homes zoned RSB4, and warehouses on land zoned Industrial border the site on the south. Across from Folsom Avenue to the north are single-family homes zoned RSB4.

GENERAL PLAN AMENDMENT AND ZONE CHANGE

The change in land use designation from Industrial Corridor to Residential - Limited Medium Density is consistent with the Housing, Urban Design and Land Use Elements of the *General Policies Plan*.

Housing Element: To ensure an adequate supply of land available for development of housing, the City will encourage and be receptive to private proposals to redesignate non-residential (e.g. industrial) land to residential uses, where there are adequate support facilities (e.g. transportation, schools, parks) and where otherwise appropriate.

Transportation: Alameda County Transit provides bus service along Huntwood Avenue with a stop near the south end of the project where a pedestrian access is proposed. The site is approximately 2 miles from the South Hayward BART Station. Huntwood Avenue is identified on the Recommended Bikeways Map in the *Tennyson-Alquire Neighborhood Plan* and the City's *Bicycle Master Plan*.

Schools: Based upon Hayward Unified School District 1998 figures, the proposed 86 new residences will result in an estimated 32 school-age children (ten K-3rd grade, nine 4th-6th grade, five 7th-8th grade, and eight 9th-12th grade students). HUSD has indicated that there is sufficient capacity at Ruus Elementary, Peixoto Elementary, César Chavez Intermediate, and Tennyson High School to accommodate the additional students. A letter from the school district, which discusses the opening of Peixoto School to alleviate over-crowding at Ruus Elementary School is attached as Exhibit "E."

The developer will be required to pay school taxes when the new homes are constructed. In conjunction with a legislative act, which includes zone changes and general plan amendments, the City Council is able to mitigate impacts on schools over and above the standard \$1.93 per square foot fee, if data indicate a greater amount is necessary to effectively accommodate the additional students generated by housing on land currently designated for industrial use. Summerhill has discussed a fee with HUSD of \$2.09 per square foot for all units in the project. This average is based upon \$2.70 per square foot for the units in the industrially zoned portion and \$1.93 for units in the residentially zoned portion of the site.

Parks: The *Tennyson-Alquire Neighborhood Plan* concludes that there is a deficiency of 3.2 acres in parks to serve the neighborhood. The project would result in a demand for an additional 1.2 acres of park land. The Hayward Area Park and Recreation District owns a vacant 4.7-acre site adjacent to the project on the south, which when improved, will provide sufficient park facilities to meet the demands of the neighborhood, including residents of the proposed project.

Based upon current park improvement costs of approximately \$100,000 per acre, development of this park site is estimated to be \$470,000. Summerhill Homes has offered to construct park improvements at the site equal in value to the \$258,000 in park dedication in-lieu fees associated with the project. To date, HARD has declined this offer, opting instead for the City to collect park fees and develop the entire park when additional funds become available.

Employment and Revenue: The industrially designated parcels are currently used for truck parking and, therefore, generate very little employment and revenue. The small size of the industrial parcel, 3.57+ acres, limits its potential for more intense industrial development. A conversion to residential use will increase revenue from property taxes due to the construction of new housing.

Urban Design Element: Utilize zoning and other development controls to protect areas of desired character from incompatible development and to channel development to areas where intensification of use is desired.

The proposed residential land use will improve the integrity of the surrounding residential neighborhood by providing the opportunity to develop housing in place of the deteriorating, vacant structures and non-conforming RV storage lots. The proposed development will protect the character of the residential area by providing streetscape improvements along Huntwood Avenue and a landscaped buffer between the residences and adjacent industrial buildings.

Land Use Element: Use the General Policies Plan to guide the extent and density of development into a cohesive pattern. Seek zoning consistency...

The proposed residential land use and zoning are compatible with the surrounding development of 4,000 to 5,000 square-foot lots, multi-family housing and mobile home parks. Staff recommends that in the future, consideration be given to amending the General Policies Plan Map for the industrial land to the south to include commercial uses at the corner of Industrial and Huntwood and residential uses between Huntwood and the park site.

Conformance with the Neighborhood Plan

The General Plan amendment and rezoning are consistent with the following policies in the *Tennyson-Alquire Neighborhood Plan*:

Policy I.b.: Restrict density in the Taylor-Lassen-Olympic area to minimum lot sizes of 4,000 square feet in order to provide a variety of lot sizes in the neighborhood.

Policy V.a.: Retain existing areas of industrial designation except for the Olympic Road Area in order to provide a buffer from Industrial Parkway traffic.

Policy VII.c.: Align Olympic Avenue with New England Village Drive at the Huntwood Avenue intersection.

Conformance with the Zoning Ordinance

The proposed zone change from I (Industrial) to RSB4 (Single-Family Residential 4,000 square foot minimum lot size) is consistent with the proposed Residential-Limited Medium Density General Plan Map designation. The proposed development, with variances supported by staff, is consistent with the requirements of the RSB4 zoning district.

DESCRIPTION OF VESTING TENTATIVE MAPS

Subdivision Layout

The subdivision design is consistent with the surrounding area. The proposed street pattern provides an additional connecting street between Taylor and Olympic, while the remaining interior streets are all cul-de-sacs. Given the triangular shape of the property east of Olympic Avenue, staff finds that the irregularly shaped lots on "A" Court and on the elbow of "A" Street that require variances can be supported based on the irregular shape of the site and the knowledge that homes can be constructed on them and setback requirements can be met. *In the instance of "B" and "C" courts however, staff recommends that the applicant be required to reconfigure the lots to remove the negative view corridor, enhance lot privacy, and mitigate potential impacts on abutting existing residents.* This can be accomplished by shortening the courts and reconfiguring the lot layout as shown in staff's Exhibits "F" and "G," respectively.

Variances

A minimum lot depth of 80 feet is required by the Zoning Ordinance to ensure usable rear yards for dwellings. Three out of the five lots that do not meet this standard are located at a cul-de-sac bulb. The required diameter of the bulb and the limited property depth of this in-fill parcel make compliance with this standard difficult. The applicant has designed these parcels to be larger (between 6,600± square feet and 7,270± square feet) to compensate for the reduced depth, allow a dwelling to be constructed without any variances, and provide a large private open space.

Consistent with the above discussion regarding courts "B" and "C," *staff recommends that the variance for Lots 36 and 59 be denied.* The cul-de-sacs can be redesigned to a fan-shaped pattern (as shown by Exhibits "F" and "G") to create a more appealing design that conforms to City policies and standards, and provide greater privacy to those who reside in the adjacent subdivision.

The realignment of Olympic Avenue creates an odd-shaped shallow lot (lot 85) next to the

Palmira property. This lot would require a variance to lot depth. There would be an inadequate buffer (yard area) between a house on this lot and the adjacent nonconforming industrial use. Given the need to realign Olympic Avenue, staff supports the creation of this lot. However, a condition is included that requires the lot to remain as "open space" until developed with the adjacent parcel.

Circulation and Traffic

Access to the site is available from Taylor and Olympic Avenues for Tract 7037, and from Olympic and Huntwood Avenues for Tract 7069. These roadways can adequately handle traffic from the proposed project. Olympic Avenue will however need to be realigned to better serve the intersection traffic at Olympic and Huntwood.

Pedestrian and bicycle access is provided to the HARD park site (to the southeast of the subject site) at two locations. "D" Court on Tract 7037 connects directly to the park at its termination point, and Parcel "A" on Tract 7069 (approximately 280' long and 21' wide), provides public access to the park from Huntwood Avenue. Parcel "A" will accommodate an 8' wide meandering pedestrian and bike path with landscaping on either side.

Huntwood Avenue

Huntwood Avenue in the project vicinity is designated as a four lane principal arterial. City policy limits direct access to arterials, and the project is consistent with that policy. Huntwood Avenue is fully improved and has a recently installed bike lane, consistent with the adopted Bikeway Master Plan.

A strip of excess right-of-way along Huntwood Avenue, shown as Parcel "C" on Tract 7069, was created when Huntwood Avenue was fully improved by the Tennyson-Alquire Assessment District. The City has no need for the property and has agreed to sell it to the developer, contingent on City Council approval. Rights of access onto Huntwood Avenue will be ceded to the City with the sale.

Olympic Avenue

As part of the project, Olympic Avenue will be modified to align with New England Village Drive and dedicated as a public street. The realignment is necessary to improve traffic operations at the intersection, and is consistent with the Tennyson-Alquire Neighborhood Plan policies (see *Conformance with the Neighborhood Plan*, below). The realignment was also anticipated with the Tennyson-Alquire Assessment District, which installed only temporary asphalt sidewalks and curbs in Olympic Avenue.

The realigned section of Olympic Avenue will be fully improved to a 46-foot public standard, matching the existing roadway. Abandoned portions of the existing Olympic Avenue will revert back to abutting properties that own it to the centerline.

Access to the Palmira Property

The project will retain the current Palmira property driveway on Olympic Avenue, as requested by the Palmira owner. The applicant will construct a driveway to a 30-foot-wide standard to meet the realigned Olympic Avenue; extending the driveway from its current location.

Signal Warrant Analysis for the Intersection of Huntwood and Olympic

The need for installing a traffic signal at the intersection of Huntwood and Olympic was analyzed by a consultant. The intersection was analyzed as a four-legged

intersection including the New England Village Drive, consistent with the required realignment of Olympic. The consultant's report includes several warrant analyses for existing and existing plus project conditions. The report indicates that none of the signal warrants is satisfied under any of the scenarios analyzed.

Interior Streets

The project will construct several residential streets to a 46-foot public street standard, which includes parking and sidewalks on both sides of the street.

One of the proposed streets next to the Palmira Properties truck parking lot (labeled "A" Street on Tract 7037) is proposed as a 30-foot wide right-of-way. The proposed width is sufficient for two travel lanes, parking and sidewalk on the north side only, as an interim measure pending development of the Palmira property.

Utilities & Engineering-related Services

No major issues related to utilities and engineering-related services are identified for this project. The respective service providers indicate that adequate capacity is available to serve the project subject to standard improvement requirements.

Water

Water service to the project will be provided through existing 12-inch water mains in Taylor and Huntwood Avenues. The project water mains will be public, designed and constructed to City standards.

Sanitary Sewer

Sanitary sewer service is available to the project from existing 8-inch sewers in Olympic and Taylor Avenues. The project sanitary sewer system will be public, designed and constructed to City standards.

Storm Drainage

Drainage from the site will be joined to an existing storm drainage system in Taylor and Huntwood Avenues. These systems have been designed to adequately handle drainage from the project site. The project's storm drain system will be public, designed and constructed to City standards.

Grading

Only minor, balanced grading is anticipated to be required for development of the property. The grading proposed in conjunction with the subdivision will not interfere with existing drainage patterns, nor will it increase drainage to the surrounding area.

Soils and Geology

The geotechnical report for the site indicates that the property is not within an active fault area, and that the site is physically suitable for the type of development proposed. No significant soil problems are found by the report, and the liquefaction potential of near-surface soils is considered nil.

Environmental Site Assessment

The environmental site assessment report indicates that no significant environmental or

health risk from pollutants and contaminants was identified. Specifically, the assessment study investigated the presence of certain pollutants including hydrocarbons, metals, and pesticides, none of which was detected in the groundwater beneath the site. In some areas of the site, the report found insignificant amounts of petroleum hydrocarbons (underneath a parking lot), and residue amounts of a pesticide in some superficial soils samples. The report states that these do not appear to pose a significant environmental or health risk, and therefore, further investigation of the site is not warranted. Final clearance from the Alameda County Health Care Service Agency and the City of Hayward Fire Department will be required prior to any construction activity.

Trees and Landscaping

The site lacks significant landscaping. A survey of the site identified a total of 28 trees, primarily ornamental or fruiting species, between 10 and 30 inches in diameter. All of the trees are in fair to good condition. The *Eucalyptus* trees along Olympic Avenue will not be impacted by the project. When the street is realigned these trees will become a part of the Palmira property. Other trees on the property include Cottonwoods, Palms, Monterey Pines, Ash and a variety of fruiting trees. With the exception of five trees in the northeast corner of the property, these trees will be removed to accommodate site grading and construction of new streets. Additional trees will be planted on site, or the size of new street trees will be upgraded to mitigate the loss of tree canopy.

At the time of tract improvements, the 20-foot wide pedestrian/bicycle access and buffer at the southeast boundary, and a 15-foot-wide landscaped buffer along Huntwood, north and south of Olympic Avenue will be landscaped with trees, shrubs and groundcover.

Phasing

With the approval of both tentative maps, the General Plan amendment and zone change, Summerhill intends to file a single Final Map for both tentative map applications. Development of the property is anticipated to begin near Taylor and Folsom Avenues.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration was prepared and distributed for a period of 20 days beginning on September 25, 1998, in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. A notice of its availability for review and notice of this hearing were sent to all property owners and occupants within 300 feet of the perimeter of the property and to other interested parties. The environmental review concluded that the project, with the recommended mitigation measures, would not have a significant effect on the environment.

PUBLIC NOTICE

On October 12, 1998, a notice of the Planning Commission public hearing was mailed to all property owners and occupants within 300 feet of the property, other interested parties, and former members of the Tennyson-Alquire Neighborhood Task Force. On this same date, a public hearing notice was published in the Daily Review.

The neighborhood responded with a petition signed by 174 citizens who support the project, the *General Policies Plan Map* amendment and zone change.

One citizen asked what would happen to the recreational vehicles stored on a portion of the

property. The RV storage business is a non-conforming use in the residential district and will be required to relocate to an appropriately zoned property such as, industrial land.

PRELIMINARY MEETINGS

Two preliminary meetings were held; one for each of the tract maps. Many of the New England Village mobile home park residents attended the meetings and were generally (in some instances enthusiastically) supportive of the project. Some of the residents inquired about installing a signal at the future Huntwood/Olympic intersection, while others indicated that access from the village drive onto Huntwood has become much easier with the installation of the all-way stop control at the intersection.

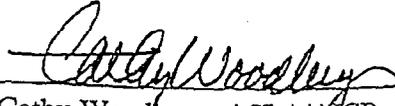
The owners of the Palmira property attended the meetings and had concerns about the applicant's initial proposal to relocate the access to their property. Staff encouraged the two parties to work out a mutually agreeable arrangement, and the developer appears to have satisfied Palmira's concerns by retaining and extending the property's current access on Olympic Avenue.

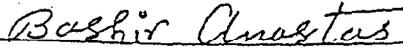
The Palmira owners also raised issues about the noise impact their truck storage operation may have on the proposed residences. The *Environmental Noise Study* prepared for the project, concluded that the existing exterior noise level on the project site from trucks on the Palmira property, and traffic activity on local roads, is at or below 60 dB, the maximum acceptable level identified in the City's Noise Element. Assuming typical residential construction, the interior noise levels of residences near this location can be maintained at or below 45 dB.

CONCLUSION

Approval of the change in land use designation and zoning, together with the tentative tract maps, as conditioned, is consistent with the City's goals and policies to: ensure an adequate supply of land for residential development, maintain a cohesive land use pattern, protect areas of a desired character from incompatible development, and create home ownership opportunities.

Prepared by:


Cathy Woodbury, ASLA/AICP
Landscape Architect/Senior Planner

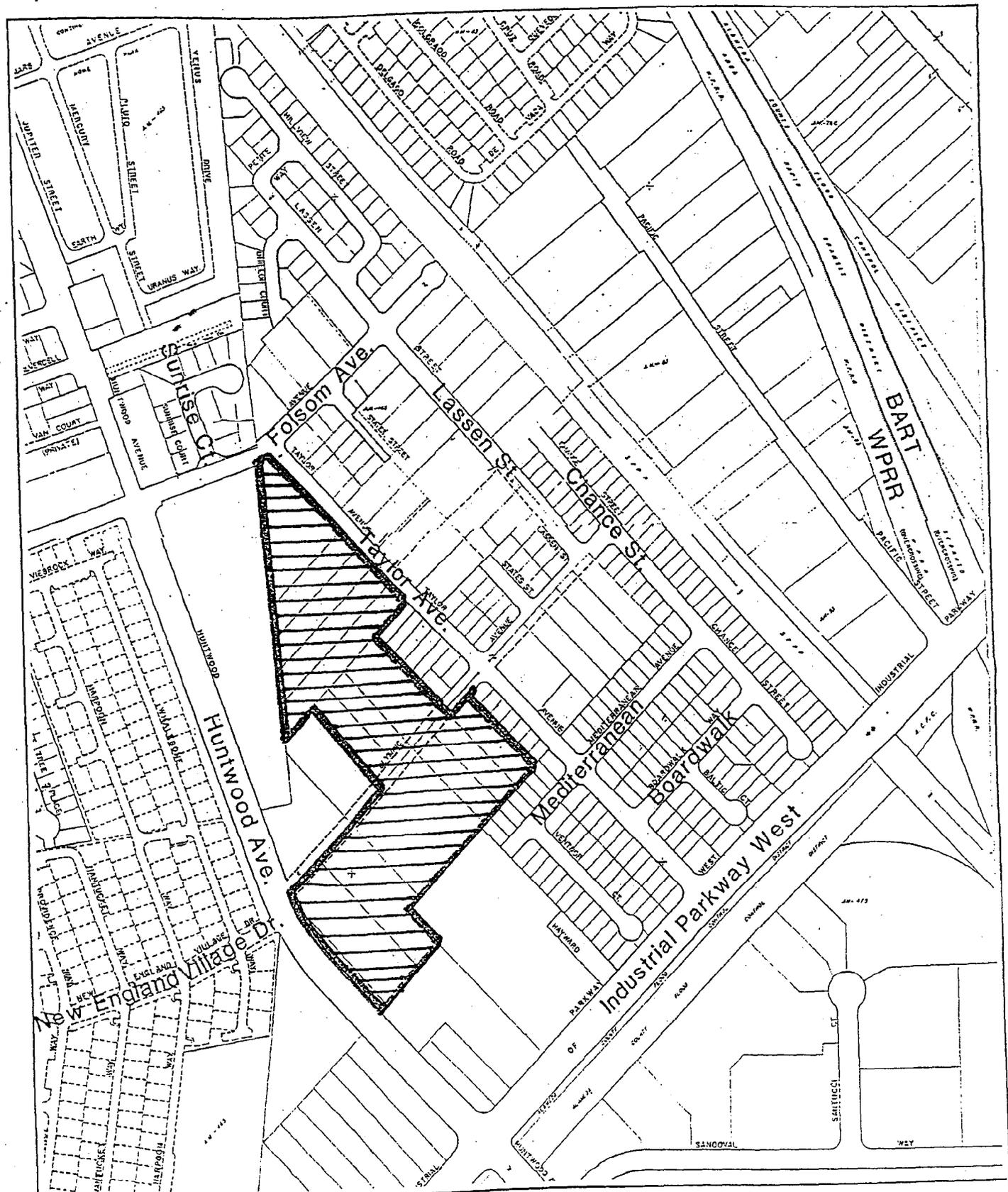

Bashir Y. Anastas, P.E.
Development Services Engineer

Approved by:


Dyana Anderly, AICP
Development Review Services Administrator

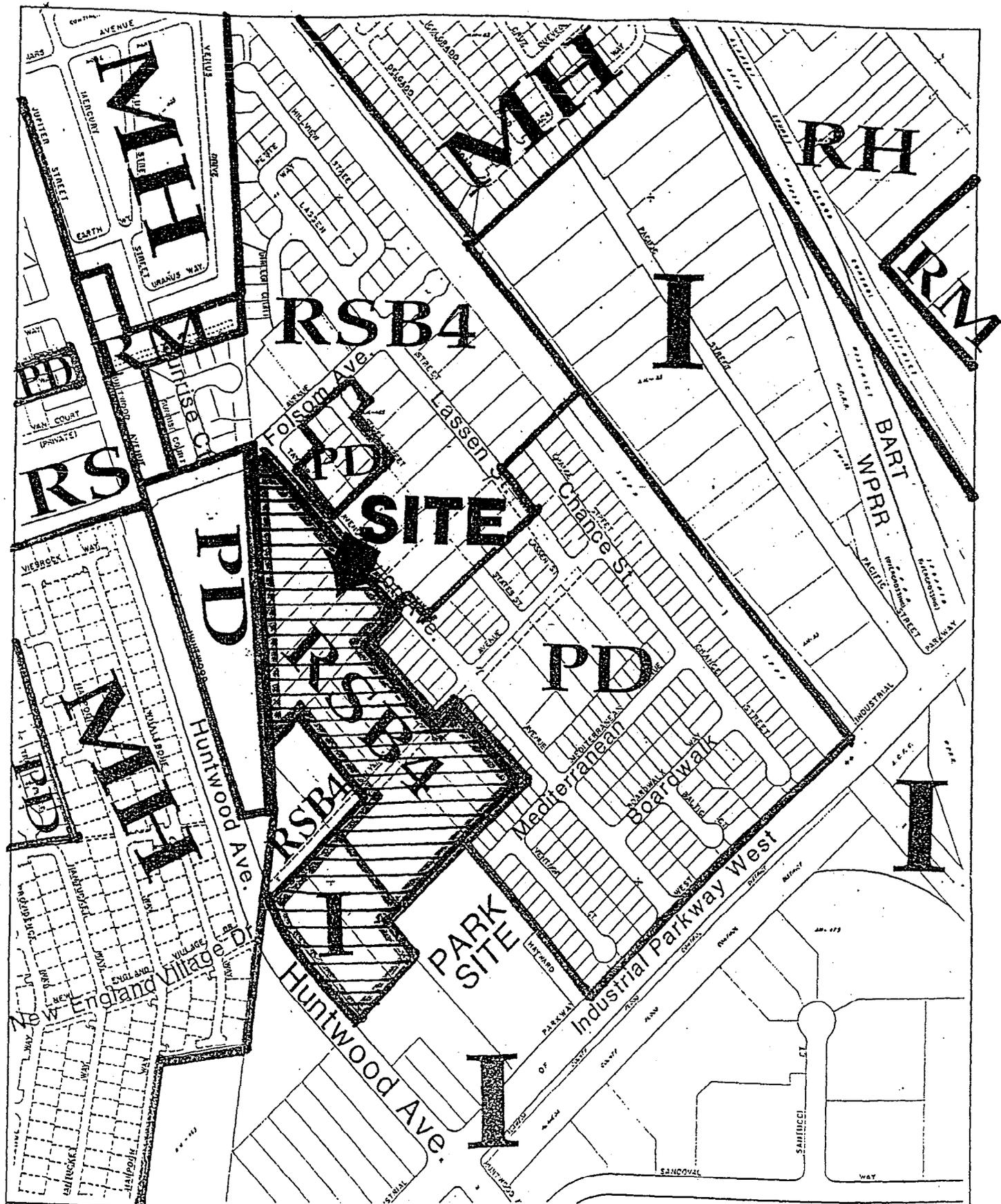
Attachments:

- A. Area and Zoning Maps
- B. Findings for Approval
- C. Conditions of Approval
- D. Mitigated Negative Declaration & Initial Study
- E. Correspondence
- F. Alternative Layout for Court "B"
- G. Alternative Layout for Court "C"
- H. Tract Maps and Exhibits:
 - Vesting Tentative Map Tract 7037
 - Vesting Tentative Map Tract 7069
 - Combined Map Tracts 7037 & 7069
 - Preliminary Site Plan
 - Preliminary Building Plans & Elevations



AREA MAP ■ VESTING TENTATIVE TRACT MAP 7037

Summerhill Homes (Appl.) ■ Morelli, Padilla, Gerard, Dahan, Westervelt,
Thomas, Jones, Barnes, Lee, Tsai, & Buna (Owners)
North and South of Olympic Ave., West of Taylor Ave.



ZONING MAP ■ VESTING TENTATIVE TRACT MAP 7037
 Summerhill Homes (Appl.) ■ Morelli, Padilla, Gerard, Dahan, Westervelt,
 Thomas, Jones, Barnes, Lee, Tsai, & Buna (Owners)
 North and South of Olympic Ave., West of Taylor Ave.

FINDINGS FOR APPROVAL
General Plan Amendment 98-110-03/Zone Change Application 98-190-06
Huntwood and Olympic Avenues

Based on the staff report and the public hearing record, the Planning Commission finds:

- A. That the Negative Declaration is complete and final in accordance with the California Environmental Quality Act and reflects the independent judgement of the Planning Commission, based on the fact that the project could not have a significant environmental impact subject;
- B. That the proposed land use and zone change will promote the public health, safety, convenience, and general welfare of the residents of Hayward in that the extent and density of development will be guided into a cohesive pattern that maintains zoning consistency;
- C. That the proposed land use and zone change is in conformance with the City's General Policies Plan, the Tennyson-Alquire Neighborhood Plan and the Zoning Ordinance;
- D. That the streets and public facilities existing or proposed are adequate to serve all uses permitted when the property is reclassified; and
- E. That the proposed land use and zone change are compatible with surrounding residential land uses and zoning, and furthers the City's goal to provide ownership housing opportunities as expressed in the Housing Element.

FINDINGS FOR APPROVAL
Vesting Tentative Tract Map 7037

Based on the public hearing record, the Planning Commission finds as follows:

- A. The vesting tentative tract map, for 68 single-family residential lots as conditioned, has been found to be in substantial conformance with the project reviewed under the attached Mitigated Negative Declaration, which reflects the independent judgment of the Planning Commission.
- B. The proposed subdivision is consistent with the General Policies Plan and the City's Subdivision Regulations, in that it is compatible with the objectives, policies, and the general land use and programs specified in the General Plan.
- C. The land being subdivided is for residential use and the drainage from such a use does not violate the requirements prescribed by the Regional Water Quality Control Board.
- D. The layout, lot size, and configuration is such that future building(s) could be oriented for the purpose of providing an opportunity for future passive solar heating and cooling.
- E. None of the findings set forth in Section 66474 of the Subdivision Map Act¹ have been made, and the approval of the vesting tentative map is granted subject to the recommended conditions of approval.
- F. Development of the lots in conformance with the proposed conditions of approval and in compliance with City codes will mitigate any significant environmental or other impacts, i.e., drainage, soils instability, noise, or traffic problems.
- G. Upon completion and implementation of the required mitigation measures and proposed conditions of approval, the streets and utilities would be adequate to serve the development.

¹ The findings of Section 66474 set forth the grounds for denial of a tentative map which are as follows:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property with the proposed subdivision.

FINDINGS FOR APPROVAL
Vesting Tentative Tract Map 7069

Based on the public hearing record, the Planning Commission finds as follows:

- A. The vesting tentative tract map, for 18 single-family residential lots as conditioned, has been found to be in substantial conformance with the project reviewed under the attached Mitigated Negative Declaration, which reflects the independent judgment of the Planning Commission.
- B. The proposed subdivision is consistent with the General Policies Plan and the City's Subdivision Regulations, in that it is compatible with the objectives, policies, and the general land use and programs specified in the General Plan.
- C. The land being subdivided is for residential use and the drainage from such a use does not violate the requirements prescribed by the Regional Water Quality Control Board.
- D. The layout, lot size, and configuration is such that future building(s) could be oriented for the purpose of providing an opportunity for future passive solar heating and cooling.
- E. None of the findings set forth in Section 66474¹ of the Subdivision Map Act have been made, and the approval of the vesting tentative map is granted subject to the recommended conditions of approval.
- F. Development of the lots in conformance with the proposed conditions of approval and in compliance with City codes will mitigate any significant environmental or other impacts, i.e., drainage, soils instability, noise, or traffic problems.
- G. Upon completion and implementation of the required mitigation measures and proposed conditions of approval, the streets and utilities would be adequate to serve the development.

FINDING REGARDING VACATION AND SALE OF RIGHT-OF WAY

- H. That the vacation and sale of excess right-of-way along Huntwood Avenue is consistent with the General Plan, in that Huntwood Avenue is fully improved consistent with the General Plan Policies, and the vacation and sale of excess right-of-way will not conflict with any of the circulation element goals.

¹ The findings of Section 66474 set forth the grounds for denial of a tentative map which are as follows:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property with the proposed subdivision.

**CITY OF HAYWARD
FINDINGS FOR APPROVAL OF VARIANCE
Vesting Tract Maps 7037 and 7069
Lots 34 and 35 on EXHIBIT "F.3"**

Based on the staff report and the public hearing record:

1. There are special circumstances applicable to the property, in that its triangular shape, presents physical constraints for its development;
2. Strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity under the same zoning classification;
3. The variance does not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated, in that all setback requirements can be met, adequate open space is provided, and there will be no adverse impacts on surrounding uses.

**FINDINGS FOR DENIAL OF VARIANCE
Vesting Tract Maps 7037 and 7069
Lots 36, 59, and 85 on EXHIBIT "F.3"**

1. The lots for which variance is sought do not have unusual topography, would be incompatible with surrounding development, and denial of the variance will not result in unnecessary or unusual hardship.

CONDITIONS OF APPROVAL

These Conditions of Approval Apply to both
Vesting Tract Map 7037 and Vesting Tract Map 7069

Unless otherwise stated, all necessary easements and street rights-of-way shall be dedicated, and all improvements shall be designed and installed at no cost to the City of Hayward.

All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code (Chapter 10, Article 3, and Standard Specifications and Details) unless otherwise indicated.

In addition to the City of Hayward Standard Specifications and Details, the following requirements and conditions apply:

I. PRIOR TO THE RECORDATION OF THE FINAL MAP

Public Streets

1. Realign Olympic Avenue to intersect Huntwood Avenue at a 90 degree angle, and align with the access driveway serving the New England Village mobile home park. Street alignment and transition shall be as approved by the City Engineer. The roadway cross section shall conform to City of Hayward Standard Street Sections for a 46-foot residential street per Standard Detail SD-102.

Existing Olympic Avenue pavement shall be removed, and natural ground restored to a distance of at least 15 feet from back of walk, at both ends of the abandoned section of Olympic Avenue. At the intersection of Olympic and Huntwood, Curb, gutter, and sidewalk improvements shall extend north to meet and match existing improvements approximately 160 feet to the north. *All utilities (including water, sewer, and storm drain) in the segment of Olympic Avenue to be abandoned shall be relocated to the realigned section of Olympic, per the Tennyson-Alquire Assessment District Plan, as approved by the City Engineer. The developer is responsible for relocation of all existing utility services to the satisfaction of the City Engineer.*

City Engineer may require that a standard gaurdrail be installed to block the abandoned segment of Olympic, if it is deemed necessary to prevent possible unauthorized access to Huntwood.

2. All tie-in pavement along Huntwood Avenue, Folsom Avenue and Taylor Avenue shall be in conformance with City Standard Detail SD-113. Additional existing pavement abutting the tract boundary shall be overlaid or rebuilt to conform to the new grade at the centerline.
3. All Interior streets shall conform to a 46-foot-wide right-of-way public standard, in conformance with City Standard Detail SD-102.
4. All curb returns shall have a 30-foot radius at the curb face.
5. Construct a driveway to the Palmira property to a 30-foot-wide standard between its current termination point on Olympic and the realigned Olympic Avenue.

Storm Drainage

6. The subdivision storm drain system shall be public, designed in accordance with the City of Hayward standard details.
7. A detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be approved by the Alameda County Flood Control and Water Conservation District. The proposed curb elevations are not to be less than 1.25 feet above the hydraulic grade line, as shown in Figure 14 of the Hydrology and Hydraulics Criteria Summary, and at no point shall the curb grade be below the energy grade line. The storm drain system shall be approved by the Alameda County Flood Control and Water Conservation District and the City Engineer.
8. A Storm Water Pollution Prevention Plan (SWPPP), showing how storm water quality will be protected during and after the construction phase, shall be submitted for review and approval of the City Engineer. The plan shall also reflect the Best Management Practices Handbook for Construction Activities. It is the responsibility of the developer to comply with Federal, State and local water quality standards and regulations.
9. The Hydrology and Hydraulics Criteria Summary, Alameda County Flood Control and Water Conservation District, latest edition shall be used to determine storm drainage runoff:
10. All on-site storm drain inlets must be labeled "No Dumping - Drains to Bay" using City approved methods.
11. The project plans shall include storm water measures for the operation and maintenance of the project to be approved by the City Engineer. The project plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prevent the entry of pollutants into storm water runoff.
12. The project plan measures shall also include erosion control measures to prevent soil, dirt, debris and contaminated materials from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
13. This project is subject to a National Pollutant Discharge Elimination System (NPDES) permit. A "Notice of Intent" shall be filed with the State Regional Water Quality Control Board.
14. The applicant/developer is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
15. The project shall not block runoff from, or augment runoff to adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all the areas tributary to the project area. Developer will required to mitigate augmented runoffs with off-site and/or on-site improvements.
16. An encroachment permit shall be obtained from Alameda County Flood Control and Water Conservation District prior to commencement of any work within their right-of-way and for construction, modification, or connection to District maintained facilities. The contractor shall contact the District Inspector to survey staking any outfall structures. All workmanship, equipment and materials shall conform to District Standards and Specifications and to the satisfaction of the District Inspector.

Sanitary Sewer

17. The sanitary sewer system shall be public, designed in accordance with the City of Hayward standard details.

Water System

18. The water supply system shall be public, designed in accordance with the City of Hayward standard details.
19. The water main system shall be a looped system design with no mains terminating at a dead end. Any water main easement shall be a minimum width of 10 feet.
20. Any dwelling that cannot maintain 20 psi residual pressure shall be required to install a backflow prevention device.
21. The property owner shall provide keys/access codes to the Hayward Utilities Division for all meters enclosed by a fence or gate per the Hayward Municipal Code Section 11-2.07.

Fire Protection

22. The type and spacing of fire hydrants shall be subject to review and approval by the City of Hayward Fire Chief.

Utilities

23. The developer shall underground all new and existing on-site utility lines and transformers, to include all utilities on Olympic Avenue south of Taylor Avenue. All utility services shall be "underground services," and shall comply with the requirements and standards of the utility service provider.
24. All surface-mounted utility hardware (fire hydrants, electroliers, etc.) along the proposed streets shall be located outside of the sidewalk within the 6-foot-wide Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Fire Chief.

Subdivision Agreement

25. The applicant/developer shall enter into a subdivision agreement and post bonds with the City that shall secure the construction of the public improvements per Section 10-3.332, Security for Installation of Improvements, of the Municipal Code.
26. The applicant/developer shall provide liability insurance per Section 7-2.41, Responsibility for Accidents, Liability Insurance, of the Municipal Code.

Conditions, Covenants And Restrictions

27. The applicant/developer shall establish a Homeowners' Association, or some alternate mechanism acceptable to the City, and prepare project CC&R's for the entire development which shall be reviewed and approved by the Director of Community and Economic Development/Planning Director.
28. Individual homeowners' shall be responsible for maintaining any private open space within

each lot, with enforcement authority provided to the homeowners' association.

29. The homeowners' association shall be authorized to enforce the individual covenants requiring the property owners to properly maintain front and street side yard landscaping.
30. The homeowners' association shall be responsible for maintaining all sound walls within the tract.
31. The City will have the ability to place liens on all properties within the subdivision if the homeowners association fails to fulfill its maintenance obligations related to all common area landscaping, including all street trees, related irrigation systems, and soundwalls.

Dedications And Easements

32. The final map shall include an irrevocable offer of dedication to the City of Hayward, for all designated public streets within the subdivision.
33. Property owner shall provide the City Engineer with a quitclaim to the portions of Olympic Avenue that are not subject to realignment.
34. The final map shall include an irrevocable offer of dedication to the City of Hayward, for a 6-foot-wide public utility easement, parallel to and abutting the public street right-of-way.
35. A 10-foot-wide water main easement shall be dedicated to the City of Hayward at any location where the public water main is outside of the public street right-of-way.
36. Pursuant to Section 66462.5 of the State Map Act, there shall be an agreement executed by the City and the subdivider whereby:
 - a. The City will acquire any right-of-way for the existing Olympic Avenue outside the tract's boundary;
 - b. The subdivider shall be responsible for all City costs incurred in the acquisition of the right-of-way, including cost of experts, attorneys fees and the amount of damages incurred for the taking of property; and
 - c. The City will not have any obligation to provide funds for the acquisition, severance, or miscellaneous expenses associated with the acquisition of the subject right-of-way.

Prior to the approval of the final map, all documents that need to be recorded with the final map shall have been approved by the City Engineer, and all outstanding charges accrued to the City for the processing of the subdivision application shall be paid.

Landscaping

37. A 15-foot wide landscaped buffer shall be provided along the Huntwood Avenue frontage.
38. A 20' wide landscaped buffer with an 8-foot-wide meandering public pedestrian/bicycle access shall be provided along the south property line between Huntwood Avenue and the future park site, as indicated on the tract map.

Walls

39. All proposed retaining walls shall be reinforced concrete.
40. Install a minimum 6-foot-high decorative masonry wall on all property lines separating residential zoning from industrial zoning.

II. PRIOR TO ISSUANCE OF A GRADING PERMIT

41. The applicant/developer shall submit a construction Best Management Practice (BMP) program for review and approval by the City prior to the issuance of any building or grading permits. These BMPs shall be implemented by the general contractor and all subcontractors and suppliers of material and equipment. Construction site cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop work order.
42. The applicant/developer shall provide evidence that a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) was filed and received by the State Water Resources Control Board (SWRCB). The SWPPP shall be submitted to the City of Hayward for review.
43. The applicant/developer shall submit a Storm Water Quality Plan (SWQP) for review and approval of the City Engineer. The plan shall include sufficient details to show how storm water quality shall be protected during construction and post-construction phase of the project.
44. Grading, erosion and sedimentation control plans, which include adequate provisions for silt and erosion control in both construction and post construction phases of development, shall be submitted for review and approval by the City Engineer.

Tree Removal and Preservation:

45. Prior to issuance of a grading permit, a tree removal permit shall be obtained from the City before removing any live tree 10" or larger in diameter. Mitigation will be as determined by the City and may include planting additional trees on-site and/or upgrading the size of new street trees.
46. Grading and improvement plans shall include tree protection and preservation measures as approved by the City's Landscape Architect, including installation of a fence at the dripline of the trees during the construction period. Any canopy or root pruning shall only be performed under the supervision of a certified arborist.
47. Prior to issuance of a grading or building permit, a tree preservation bond, surety, or security deposit shall be submitted to the City equal to the value of all preserved trees located within 50 feet of grading. The value of the trees shall be determined by a certified arborist according to the "Trunk Appraisal Method" contained in the Guide for Plant Appraisal (1992) published by the International Society of Arboriculture. The bond, surety, or deposit shall be maintained for a minimum of one year following tract acceptance, and will be returned or terminated at the end of this period if trees are found to be healthy, thriving, and undamaged. City reserves the right to require an arborist to monitor or evaluate the condition of the trees during and after construction at the expense of the applicant/developer.

III. PRIOR TO THE ISSUANCE OF BUILDING PERMITS

48. A Site Plan Review application shall be submitted for the proposed residential grading and building designs. Said submittal shall adhere to the City of Hayward Design Guidelines and Design and Performance Standards for single-family housing.

49. Final environmental clearance from the Alameda County Health Care Service Agency, California Regional Water Quality Control Board (San Francisco Bay Region) and the City of Hayward Fire Department will be required prior to any construction activity.

IV. DURING CONSTRUCTION

50. Access requirements shall meet City standards. All fire equipment turning areas shall be posted as such, and no parking will be allowed in fire equipment turning areas.
51. Approved Hayward Fire Department access and water supply shall be available for fire equipment prior to the start of construction and during construction. Access shall be all-weather surface designed to support fire equipment of 50,000 GVW. Access shall be available to within 150 feet of the most remote point of each structure; and
52. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Director of Community and Economic Development/Planning Director:
- a. Grading and construction activities shall be limited to the hours 8:00 AM to 5:00 PM on weekdays; there shall be no grading or construction activities on the weekend or National holidays;
 - b. Grading and construction equipment shall be properly muffled, and unnecessary idling shall be prohibited;
 - c. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units;
 - d. Applicant/developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise;
 - e. Daily clean up of trash and debris shall occur on Huntwood Avenue, Taylor Avenue, Folsom Avenue and Olympic Avenue;
 - f. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions;
 - g. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site;
 - h. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
 - i. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
 - j. Sweep adjacent streets daily (with water sweepers) if visible soil material is carried onto adjacent streets;
 - k. Apply (non-toxic) soil stabilizers or hydroseed to inactive construction areas (previously graded areas inactive for 10-days or more);
 - l. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.); and
 - m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.

53. The following shall be conditions of the Building Permit:

- a. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution;
- b. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work;
- c. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping;
- d. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season (October 15); 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or in order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash;
- e. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill;
- f. Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See "*Building Maintenance/Remodeling*" flyer for more information;
- g. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge washwater into street gutters or drains; and
- h. Minimize the removal of natural vegetation or ground cover from the site in order to minimize the potential for erosion and sedimentation problems. All cut and fill slopes shall be stabilized as soon as possible after completion of grading. No site grading shall occur between October 15 and April 15 unless approved erosion control measures are in place.
- i. The applicant/developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.
- j. A representative of the soils engineer shall be on the site during grading operations and shall perform such testing as deemed necessary by the City Engineer. The representative of the soils engineer shall observe grading operations with recommended corrective measures given to the contractor and the City Engineer.
- k. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The subdivider shall require the soils engineer to submit daily all testing and sampling and reports to the City Engineer.

V. PRIOR TO CONNECTION OF UTILITIES AND ISSUANCE OF CERTIFICATES OF OCCUPANCY

54. The applicant/developer shall pay the following fees;
 - a. Water Facilities Fee for each dwelling unit at the rate in effect when the utility service permit for the dwelling unit is issued;
 - b. Sewer Connection Fee for each dwelling unit at the rate in effect when utility service permit for the dwelling unit is issued;
 - c. Park Dedication in-lieu fee for each unit. As per the City's Parkland Dedication Ordinance, the amount of the fee shall be in accordance with the fee schedule in effect at the time of issuance of the building permits; and
 - d. Supplemental Building Construction and Improvement Tax for each unit. The amount of the tax shall be in accordance with the City's Fee Schedule in effect at the time of issuance of the building permits.
55. A covenant shall be recorded with each lot requiring property owner to properly maintain street trees (where located in the front and side street yards) and rear yard trees and provide replacements where necessary.
56. Landscaping and irrigation shall be completed for each lot.
57. Prior to certificates of occupancy, the street light electroliers shall be in operating condition and approved by the City Engineer.

VI. PRIOR TO CITY ACCEPTANCE OF TRACT IMPROVEMENTS

58. All tract improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and the completion attested to by the City Engineer before approval of occupancy of any unit within the relevant phase. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
59. An AC overlay along Huntwood Avenue, Taylor Avenue, and Folsom Avenue frontage will be required by the City Engineer to repair any pavement damage resulting from construction traffic.
60. The subdivider shall submit an "as built" plan showing all underground facilities and site improvements.
61. The soils engineer shall supply the City with "as built" drawings and reports of soil and underdrain conditions to assure proper documentation of the situation after completion.
62. Prior to the City setting the water meters, the subdivider shall provide the Water Department with certified costs covering the installation of the public water mains and appurtenances.
63. All common area landscaping and associated improvements shall be installed in accordance with the approved phasing plan for the tract. A Certificate of Substantial Completion and an Irrigation Schedule shall also be submitted with completion of each phase of the landscaping.

CONDITIONS OF APPROVAL
Specific to Vesting Tract Map 7037

PRIOR TO THE RECORDATION OF THE FINAL MAP:

1. Court "B" shall be shortened, and surrounding lots reconfigured, in substantial compliance with staff Exhibit "F"
2. Court "C" shall be shortened, and surrounding lots reconfigured, in substantial compliance with staff Exhibit "G"
3. The owner shall relinquish all abutters' rights along the Folsom Avenue to the City of Hayward.
4. The property owner shall provide the City Engineer with a quitclaim to Taylor Avenue.
5. Across the property frontages of Parcels 33, 40 and 41, as identified on the tentative Map for Tract 7037, the street identified as "A" Street, on said map, shall have a 30-foot-wide right-of-way. A 4.5-foot-wide sidewalk abutting the curb and a 6-foot-wide Public Utility Easement behind the sidewalk, shall be installed on the north side of street. Adequate fencing and landscaping shall be provided on the south side of the street, to the satisfaction of the City Engineer. "A" Street fencing and landscaping shall extend to the southwest side of Olympic Avenue where it abuts the Palmira property.

64. For the installation of common area landscaping, the developer shall maintain the landscaping for a minimum of one year following acceptance of tract improvements. The City may require a security deposit, bond, or surety to guarantee the maintenance of the landscaping.
65. Landscaping shall be maintained in a healthy, weed-free, condition at all times, with replacement plants provided where necessary. Required street and on-site trees that are severely topped or pruned shall be immediately replaced, as determined by the City Landscape Architect.

CONDITIONS OF APPROVAL
Specific to Vesting Tract Map 7069

PRIOR TO THE RECORDATION OF THE FINAL MAP:

1. The homeowners' association shall be responsible for maintaining the landscaped buffer along Huntwood Avenue, 20' landscaped park access and pedestrian path, and all common open space.
2. Landscaping along Huntwood Avenue shall include trees, shrubs and vines. One 24" box tree shall be provided for every 30 feet of frontage.
3. A landscape buffer including shrubs, vines and one 15-gallon tree for every 20 lineal feet of property line shall be planted along all masonry walls facing the industrially zoned property.
4. Lot 85 and Parcel "D" are non-conforming lots upon which development will not be allowed. Owner is required to maintain the lots as landscaped open space to the satisfaction of the City's Landscape Architect.
5. Windows facing Huntwood Avenue shall have a Sound Transmission Class rating of at least 30, for all lots along Huntwood Avenue.
6. Install an 8 foot soundwall along Huntwood Avenue, pursuant to City Standards.
7. Install fencing and landscaping alongside the Palmira truck storage property, to the satisfaction of the City Engineer.



DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT
Development Review Services Division

MITIGATED NEGATIVE DECLARATION

Revised 10/13/98

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

GENERAL PLAN AMENDMENT 98-110-03, ZONE CHANGE 98-190-06, VESTING TENTATIVE MAP TRACT 7037, and VESTING TENTATIVE MAP TRACT 7069 - SUMMERHILL HOMES (APPLICANT), MULTIPLE PROPERTY OWNERS (OWNERS). Request to subdivide fifteen parcels totaling 13.49 acres into 68 single-family residential units, and two industrial parcels, one parcel of 2.28 acres and one parcel of .37 acres (Vesting Tentative Map Tract 7037). Further requests are made in order to develop the two industrial parcels as single-family lots: request to amend the General Policies Plan Map to change the land use from Industrial Corridor to Limited Medium Density Residential, change the zoning from Industrial (I) to Single Family, 4,000 square foot minimum lot size, and subdivide into 18 single-family lots (Vesting Tentative Map Tract 7069).

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

The proposed project, as conditioned, will have no significant effect on the area's resources, cumulative or otherwise.

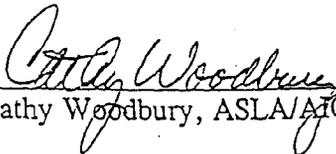
III. FINDINGS SUPPORTING DECLARATION:

1. The project application has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project, with the recommended mitigation measures, could not result in significant effects on the environment.
2. The project is in conformance with the General Policies Plan Map designation of Limited Medium Density Residential in that single family homes are proposed at a density of 6.4 dwelling units per acre, and the General Policies Plan Map is requested to be amended to Limited Medium Density Residential for that portion of the property designated as Industrial.
3. The project is in conformance with the intent and purpose of the Zoning Ordinance designation of Single Family Residential District, 4,000 square foot minimum lot size

(RSB4), for the property in that it consists of residential lots that are consistent with the regulations for the district, and a change of zoning to Single Family Residential District, 4,000 square foot minimum lot size (RSB4) has been requested for that portion of the property that is zoned Industrial (I).

4. The project will not result in an increase in population which exceeds official regional or local population projections in that the entire site will be developed at a lower use and intensity than proposed by the land use designation for the 9.92 acre portion.
5. The project would not result in increased traffic congestion in that a *Traffic Signal Warrant Analysis*, prepared by Pang Engineers, Inc., May 6, 1998, revealed that although the project is expected to generate 922 daily trips, a traffic signal is not warranted at the intersection of Huntwood and Olympic Avenues.
6. The project will not create a potential health hazard in that the Initial Surface and Subsurface Environmental Site Assessment Report, prepared by Terrasearch, Inc., March 9, 1998, concluded that the residues found do not appear to pose a significant environmental risk. A condition of approval will require that the environmental assessment be completed and all contamination issues related to the proposal be resolved to the satisfaction of the Alameda County Health Care Service Agency, California Regional Water Quality Control Board (San Francisco Bay Region) and the City of Hayward Fire Department prior to any construction activities.
7. With the implementation of the mitigation measures, as described in the *Environmental Noise Study* prepared by Charles M. Salter Associates, Inc., July 7, 1998, and amended September 30, 1998, residents of the project will not be exposed to severe noise levels.
8. According to the Hayward Unified School District, there is sufficient classroom capacity at the surrounding neighborhood schools to accommodate the estimated addition of 32 in school-age population resulting from the project.
9. The payment of fees, dedication of park land, or construction of park improvements in the neighborhood will reduce the impact of the proposed project recreation resources to a level of insignificance.

IV. PERSON WHO PREPARED INITIAL STUDY:


Cathy Woodbury, ASLA/AICP, Landscape Architect/Senior Planner

Dated: October 13, 1998

V. *COPY OF INITIAL STUDY IS ATTACHED*

For additional information, please contact the City of Hayward Development Review Services Division, 777 B Street, Hayward, CA 94541-5007 or telephone (510) 583-4210

DISTRIBUTION/POSTING

Provide copies to project applicants and all organizations and individuals requesting it in writing. Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.

Project file.

Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.

INITIAL STUDY CHECKLIST FORM

Project title: General Plan Amendment 98-110-03, Zone Change 98-190-06, Vesting Tentative Map Tract 7037, and Vesting Tentative Map Tract 7069

Lead agency name and address: City of Hayward, 777 B Street., Hayward, CA 94541-5007

Contact persons and phone number: Cathy Woodbury, ASLA/AICP, (510) 583-4210

Project location: easterly of Huntwood Avenue, westerly of Taylor Avenue, and northerly and southerly of Olympic Avenue

Project sponsor's name and address:
Summerhill Homes, 777 California Avenue, Palo Alto, CA 94304

General plan designation Industrial Corridor and Limited Medium Density Residential (8.7-120 dwelling units per acre)

Zoning: Industrial (I) and Single-Family Residential, 4,000-minimum-square-foot lot size (RSB4)

Description of project: Request to subdivide fifteen parcels totaling 13.49 acres into 68 single-family residential lots, and two industrial parcels, one parcel of 2.28 acres and one parcel of .37 acres (Vesting Tentative Map Tract 7037). Further requests are made in order to develop the two industrial parcels as single-family lots: request to amend the General Policies Plan Map to change the land use from Industrial Corridor to Limited Medium Density Residential, change the zoning from Industrial (I) to Single Family, 4,000 square foot minimum lot size (RSB4), and subdivide into 18 single-family lots (Vesting Tentative Map Tract 7069).

Surrounding land uses and setting:

The site is bounded on the easterly side by Taylor Avenue. Across Taylor Avenue are single-family residences. On the westerly side by the Palmira Apartments and the Palmira property used for truck storage. On the south by single-family homes and undeveloped Hayward Area Recreation and park District property and on the northerly side by Folsom Avenue. The industrial parcel is bounded on the west by Huntwood Avenue and on the south by industrial property.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Land Use and Planning | <input checked="" type="checkbox"/> Transportation/Circulation | <input checked="" type="checkbox"/> Public Services |
| <input checked="" type="checkbox"/> Population and Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input checked="" type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Recreation |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Cathy Woodbury
Signature

Cathy Woodbury, ASLA/AICP
Printed name

October 13, 1998
Date

City of Hayward
For

ENVIRONMENTAL IMPACTS:

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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I. LAND USE AND PLANNING. *Would the proposal:*

- a) Conflict with general plan designation or zoning?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: A 9.92+ acre portion of the property is designated as Limited-Medium Density Residential (8.7 to 12.0 dwelling units per acre) on the General Policies Plan Map with Single Family Residential zoning, 4,000 square foot minimum lot size (RSB4). The remainder of the site, approximately 3.57+ acres, is designated Industrial Corridor on the General Policies Plan Map with an underlying zoning of Industrial (I). This request includes a General Plan Amendment and rezoning of the industrial parcels to that of the remainder of the property. The proposed project is consistent with the Limited-Medium Density Residential designation and the RSB4 zoning.

The project is consistent with the Tennyson-Alquire Neighborhood Plan Policy I.b. in that it supports a minimum 4,000-square-foot lot size in this area, Policy VII.c. in that Olympic Avenue will be realigned with New England Village Drive at the Huntwood Avenue intersection, and Policy V.a. in that the Olympic Road area will be rezoned to residential thus providing a buffer from Industrial Parkway traffic.

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- c) Be incompatible with existing land use in the vicinity?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project is consistent with other single-family projects in the area, although many existing homes are on smaller lots.

- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: There are no agricultural resources or operations within this area of the City.

- | | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comment: The project site consists mainly of underutilized boat and recreational vehicle storage lots.

II. POPULATION AND HOUSING. *Would the proposal:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cumulatively exceed official regional or local population projections? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: Population projections for the 9.92+ acre portion of the site were based on the same use and density proposed. The increase in population resulting from the creation of 18 single-family lots on the 3.57+ acre portion will not exceed local population projections.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The surrounding area is developed, and therefore, the development of the subject site will not necessarily induce similar or larger projects in the area since vacant land is not available.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace existing housing, especially affordable housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The site is mostly vacant and only four older single-family dwellings are being removed for the construction of 85 units. One existing single-family home will remain. These four units are not significant in consideration of the number of housing units in the area and the number of residential lots created by the project.

III. GEOLOGIC PROBLEMS. *Would the proposal result in or expose people to potential impacts involving:*

- | | | | | |
|-------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fault rupture? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The property is not within an active fault area.

General Plan Amendment 98-110-03, Zone Change 98-190-06, Vesting Tentative Map Tract 7037, and Vesting Tentative Map Tract 7069 – Summerhill Homes (Applicant), Multiple Property Owners (Owners).

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Seismic ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Seiche, tsunami, or volcanic hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Landslides or mudflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> The site is not in a hill area or subject to mudflows.				
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> The site is being retained as a flat site and grading will be minimal.				
g) Subsidence of land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> The <i>Geotechnical Investigation</i> , conducted by Terrasearch, Inc., April 25, 1998, revealed that soil conditions are generally dark gray black silty clay over olive brown silty clay. The report does not reflect any significant soil problems, and contains recommendations for grading and foundation design. These recommendations will become a guideline in the formulation of procedures for site preparation and the design of foundations.				
i) Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. WATER. <i>Would the proposal result in:</i>				
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p>Comment: The development of the site is not anticipated to significantly change the absorption rate of the previous residential development and parking on the site. Minimal grading will be done in conjunction with the subdivision, which will not interfere with the existing drainage patterns on adjacent properties.</p>				
b) Exposure of people or property to water related hazards such as flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments: The site is not known to be subject to flooding. The site is not within a 100-year flood zone.</p>				
c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Altered direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comment: Storm drain lines will collect drainage at several locations within the subdivision and convey storm water to the existing storm drain system in Taylor and Huntwood Avenues.</p>				
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
V. AIR QUALITY. <i>Would the proposal:</i>				
a) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Expose sensitive receptors to pollutants?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Alter air movement, moisture, or temperature, or cause any change in climate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: The proposed project will be required to comply with all applicable requirements of the *Bay Area Quality Management District*. The developer will be required to develop and implement appropriate dust control measures during construction. The project is not likely to create objectionable odors, or alter air movements, moisture, and temperature or cause any change in climate. Implementation of the required conditions of approval will reduce any identified impacts to a non-significant level.

d) Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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VI. TRANSPORTATION/CIRCULATION. *Would the proposal result in:*

a) Increased vehicle trips or traffic congestion?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: The *Traffic Signal Warrant Analysis*, prepared by Pang Engineers, Inc., May 6, 1998, revealed that the net project is expected to generate 922 daily trips. The analysis concluded that a traffic signal is not warranted at the intersection of Olympic and Huntwood Avenues either as it is presently developed or with the proposed project.

b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> The Fire Department has reviewed the project plans and finds the project, as conditioned, acceptable to Fire Department requirements and standards. Proposed roadways are of sufficient width to provide access to their emergency vehicles.</p>				
d) Insufficient parking capacity onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> The lot sizes and street layout provide for sufficient parking for the single family residential development proposed.</p>				
e) Hazards or barriers for pedestrians or bicyclists?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Rail, waterborne or air traffic impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. BIOLOGICAL RESOURCES. *Would the proposal result in impacts to*

a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> The site is mostly vacant and no known endangered, threatened or rare species or their habitats is known to exist on the property.</p>				
b) Locally designated species (e.g., heritage trees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: The site is vacant of any significant landscaping. A *Tree Survey*, conducted by Ralph Osterling Consultants, Inc., June 12, 1998, identified a total of 28 trees ranging in size from 10 to 30 inches in diameter. All trees, primarily ornamental or fruiting species, are in fair to good condition. Additional trees will be planted throughout

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
the site to mitigate any loss of tree canopy. No native, unique or special trees were found on the site.				
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Wildlife dispersal or migration corridors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. ENERGY AND MINERAL RESOURCES.

Would the proposal:

a) Conflict with adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Use nonrenewable resources in a wasteful and inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HAZARDS. *Would the proposal involve:*

a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Possible interference with an emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The creation of any health hazard or potential health hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comment: The *Initial Surface and Subsurface Environmental Site Assessment Report* prepared by Terrasearch, Inc., March 9, 1998, concluded that the soil beneath the parking lot immediately south-southwest of the building at 670 Olympic Avenue appears to have been slightly impacted by petroleum hydrocarbons. However, the groundwater beneath the parking lot and remainder of the site has not been impacted. Residues of organochloride pesticides were detected in some surficial soil samples.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
--	---	---	---	------------------

However, these residues do not appear to pose a significant environmental risk to the subject site. Conditions of approval of the project would require that the *Environmental Assessment* be completed and all contamination issues related to the proposal be resolved to the satisfaction of the Alameda county Health Care Service Agency, California Regional Water Quality Control Board (San Francisco Bay Region) and the City of Hayward Fire Department prior to any construction activities.

d) Increased fire hazard in areas with flammable brush, grass, or trees?

X. **NOISE.** *Would the proposal result in:*

a) Increases in existing noise levels?

b) Exposure of people to severe noise levels?

Comment: The *Environmental Noise Study* prepared by Robert P. Alvarado and Alan T. Rosen, July 7, 1998, amended September 30, 1998, concluded that the existing exterior noise level of 59 dB on the project site from trucks on the adjacent property and traffic activity on local roads is considered "normally acceptable" for residences according to the City of Hayward Noise Element. Assuming typical residential construction, the interior noise levels of residences near this location can be maintained at or below 45 dB. The study also concluded that an 8' sound wall along Huntwood Avenue would reduce the exterior noise level of residences to 60 dB, consistent with the City's Noise Element and sound-rated windows and walls at the second floor will reduce the interior noise level to 45 dB or less. Construction of the sound wall and provision of sound-rated windows and walls will be conditions of project approval.

XI. PUBLIC SERVICES. *Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:*

- | | <i>Potentially Significant Impact</i> | <i>Potentially Significant Unless Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> |
|-----------------------|---------------------------------------|---|-------------------------------------|-------------------------------------|
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comment: Based on Hayward Unified School District, 1998 figures, the project will net 86 new housing units resulting in an estimated increase of 32 in school-age population (ten K-3rd grade, nine 4th-6th grade, five 7th-8th grade, and eight 9th-12th grade students). HUSD has indicated that there is sufficient classroom capacity at Ruus Elementary, Peixoto Elementary, Caesar Chavez Intermediate, and Tennyson High School to accommodate the additional students. Payment of School Taxes will be required at the time of construction of the new units.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other government services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XII. UTILITIES AND SERVICE SYSTEMS. *Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities?*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Communications systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Local or regional water treatment or distribution facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Sewer or septic tanks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Storm water drainage? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | | | | |
|--------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Solid waste disposal? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Local or regional water supplies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIII. AESTHETICS. *Would the proposal?*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Affect a scenic vista or scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a demonstrable negative aesthetic effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Create light or glare? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIV. CULTURAL RESOURCES. *Would the proposal:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Disturb paleontological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Disturb archaeological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have the potential to cause a physical change which would affect unique cultural values? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Restrict existing religious or sacred uses within the potential impact area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XV. RECREATION. *Would the proposal:*

- | | <i>Potentially Significant Impact</i> | <i>Potentially Significant Unless Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> |
|---|---------------------------------------|---|-------------------------------------|--------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comment: This project would result in a demand for 48,676 square feet of additional park land. Prior to occupancy, the project sponsor will be required to pay fees for park site acquisition and development, provide improvements on the adjacent park site or dedicate park land.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Affect existing recreational opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comment: This project would result in an increase in the usage of the existing recreational opportunities in the neighborhood: Weekes Park, Tennyson Park and Ruus Park. The dedication of park land, park improvements or payment of in-lieu fees associated with the project will offset the increased demand for recreational facilities.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?

c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)

d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

XVII. EARLIER ANALYSES.

- a) Earlier analyses used. None
- b) Impacts adequately addressed. Yes
- c) Mitigation measures. Conditions of approval.



DATE: October 9, 1998
TO: Dyana Anderly
FROM: *FK* Fran Krug/Larry Lepore
SUBJECT: OLYMPIC AT TAYLOR AND HUNTWOOD PROJECT

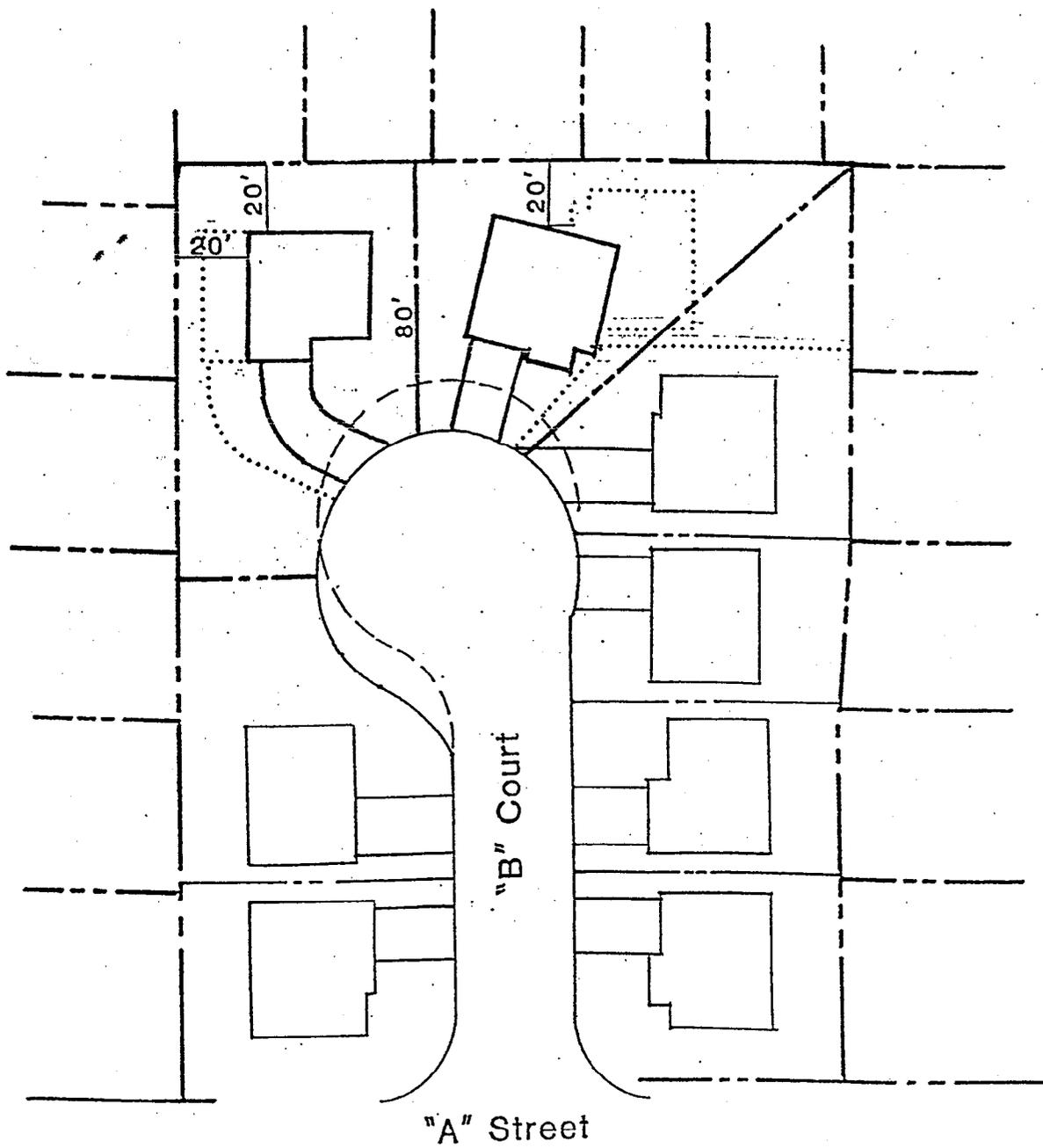
Elementary students in this residential project would attend Ruus (Grades K-4) and Peixoto (Grades 5 & 6). Ruus School was built for 570 students. The current enrollment is 586. Eight portables have been placed on the campus to accommodate the additional enrollment. (NOTE: Last year, the enrollment at Ruus reached 843 and the projections for 1998-99 were even higher, so the District opened the Peixoto Campus of Ruus School to house all the fifth and sixth grade students.) Peixoto School was built to house up to 330 students. The current enrollment is 263 and there are no portables on the site.

The State's Class Size Reduction program reduces the K-3 class size to 20:1. At Ruus, the implementation of the 20:1 program requires nine additional classrooms over the number that would have been needed if the student teacher ratio were 30:1. When Peixoto opened enough classes were available to expand the 20:1 program through grade 3 at Ruus.

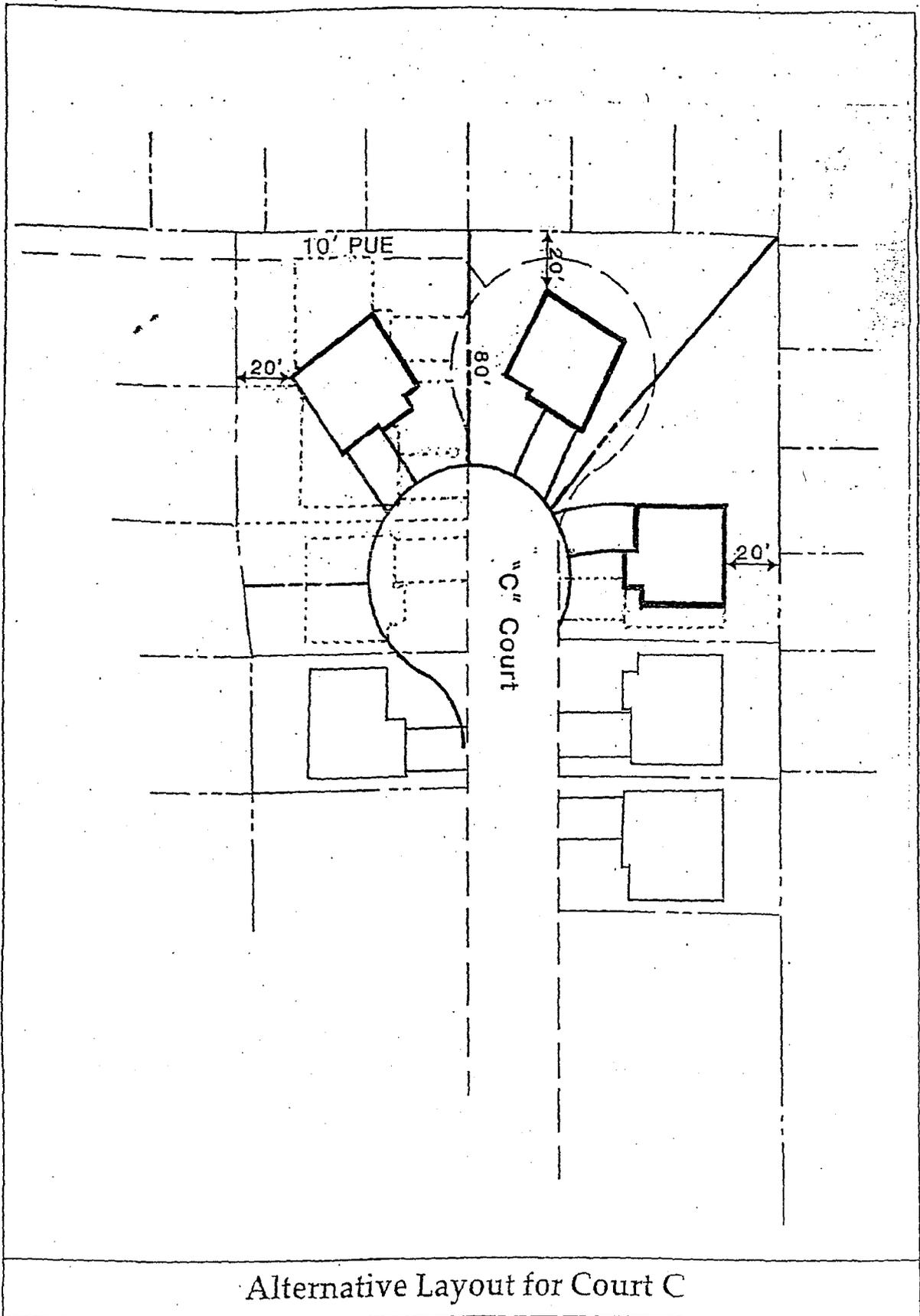
This proposed development would generate 18 additional students in grades K-6. These students could be accommodated within the existing staffing level and classroom allocation.

FSK/LL:ha

cc: Marlin Foxworth
Ira Carter



Alternative Layout for Court B



Alternative Layout for Court C

DRAFT

HB 12/3/98

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 10-1.157 OF
CHAPTER 10, ARTICLE 1 OF THE HAYWARD MUNICIPAL
CODE BY REZONING CERTAIN PROPERTY LOCATED
EAST OF HUNTWOOD AVENUE, WEST OF TAYLOR
AVENUE AND NORTH AND SOUTH OF OLYMPIC
AVENUE, PURSUANT TO ZONE CHANGE APPLICATION
98-190-06

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS
FOLLOWS:

Section 1. Section 10-1.157 of Chapter 10, Article 1 of the Hayward Municipal Code is hereby amended by rezoning the property designated in Zone Change Application No. 98-190-06, as set forth in Exhibit A attached hereto and made a part hereof, from Industrial (I) to Single-Family Residential, 4,000 minimum lot size (RSB4)

Section 2. In accordance with the provisions of section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of
Hayward, held the ____ day of _____, 1998, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward
held the ____ day of _____, 1998, by the following votes of members of said City
Council.

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

DRAFT

HB 12|3|98

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION CERTIFYING THAT THE MITIGATED
NEGATIVE DECLARATION FOR VESTING TENTATIVE
MAP 7069 HAS BEEN COMPLETED IN COMPLIANCE
WITH THE CALIFORNIA ENVIRONMENTAL QUALITY
ACT AND APPROVING THE VESTING TENTATIVE MAP
FOR TRACT 7069, AND DENYING THE VARIANCE
REQUEST FOR LOT 19 OF TRACT 7069

WHEREAS, there has been presented to the City Council of the City of Hayward a vesting tentative map for Tract 7069 to subdivide 3.56+ acres (subdividing parcels A and B of Tract Map 7037, and resubdividing lots 64 and 67 of Tract Map 7037) into 19 single-family residential lots and in connection therewith a variance request to make an exception to the 80-foot minimum lot depth for Lot 19 of Tract 7069; and

WHEREAS, a mitigated negative declaration has been prepared and processed for this subdivision in accordance with City and state CEQA guidelines; and

WHEREAS, the Planning Commission considered the matter and its action thereon is on file in the office of the City Clerk and is hereby referred to 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, certifies that the mitigated negative declaration has been completed in compliance with the requirements of the California Environmental Quality Act, and finds that the mitigated negative declaration reflects the independent judgment of the City of Hayward; and

WHEREAS, the City Council hereby finds and determines that:

1. The vesting tentative tract map, as conditioned, has been found to be in substantial conformance with the project reviewed under the attached Mitigated Negative Declaration, which reflects the independent judgment of the City Council.

2. The proposed subdivision is consistent with the General Policies Plan and the City's Subdivision Regulations, in that it is compatible with the objectives, policies, and the general land use and programs specified in the General Plan.
3. The land being subdivided is for residential use and the drainage from such a use does not violate the requirements prescribed by the Regional Water Quality Control Board.
4. The layout, lot size, and configuration is such that future building(s) could be oriented for the purpose of providing an opportunity for future passive solar heating and cooling.
5. None of the findings set forth in Section 66474 of the Subdivision Map Act have been made, and the approval of the vesting tentative map is granted subject to the recommended conditions of approval.
6. Development of the lots in conformance with the proposed conditions of approval and in compliance with City codes will mitigate any significant environmental or other impacts, i.e., drainage, soils instability, noise, or traffic problems.
7. Upon completion and implementation of the required mitigation measures and proposed conditions of approval, the streets and utilities would be adequate to serve the development; and

WHEREAS, the City Council hereby further finds and determines with respect to the denial of the Variance request for Lot 19 of Tract 7069 that:

8. Lot 19 of Tract 7069 is not suitable for development because it has a very shallow lot depth and would not provide an adequate buffer between a house and the adjacent industrial use. There are no circumstances which would support granting a variance for this lot.

NOW, THEREFORE, BE IT RESOLVED that the Council hereby approves the tentative map for Tract 7069, subject to the conditions of approval attached hereto as Exhibit "A".

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the variance request for an exception to 80-foot minimum lot depth for Lot 19 of Tract 7069 is hereby denied.

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

DRAFT 12/1/98

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION APPROVING GENERAL POLICIES PLAN
AMENDMENT APPLICATION NO. 98-110-03, AND
AMENDING GENERAL POLICIES PLAN MAP IN
CONNECTION WITH ZONE CHANGE APPLICATION
NO. 98-190-06

WHEREAS, Zone Change Application No. 98-190-06 concerns a request to rezone property from Industrial (I) to Single-Family Residential, 4000 square-foot minimum (RSB4), requiring an amendment of the General Policies Plan Map (General Policies Plan Amendment Application No. 98-110-03) to change the land use designation from Industrial Corridor to Residential-Limited Medium Density, as set forth in Exhibit A attached hereto and made a part hereof; and

WHEREAS, the Planning Commission conducted a public hearing on the proposed amendment on October 22, 1998 and recommended approval by the City Council; and

WHEREAS, Tuesday, December 8, 1998, at the hour of 8:00 p.m., in the Council Chambers, 777 'B' Street, Hayward, California, was fixed as the date, time, and place for holding a public hearing on the proposed amendment; and

WHEREAS, notice of the hearing was published in the manner required by law and the hearing was duly held; and

WHEREAS, a mitigated negative declaration has been prepared and processed in accordance with the City and state CEQA Guidelines; 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 mitigated negative declaration is based, certifies that the mitigated negative declaration has been completed in compliance with the requirements of the California Environmental Quality Act, and finds that the mitigated negative declaration reflects the independent judgment of the City of Hayward.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the General Policies Plan Amendment Application No. 98-110-03 is hereby approved and is to be incorporated into the City of Hayward General Policies Plan Map.

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

DRAFT JB 12/3/98

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

**RESOLUTION APPROVING ZONE CHANGE
APPLICATION NO. 98-190-05, AND THE NEGATIVE
DECLARATION THEREFOR**

WHEREAS, Zone Change Application No. 98-190-06 concerns a proposal to rezone properties located east of Huntwood Avenue, west of Taylor Avenue and north and south of Olympic Avenue from Industrial (I) to Single-Family Residential, 4,000 square foot minimum lot size (RSB4); and

WHEREAS, the Planning Commission considered the matter and its action thereon is on file in the office of the City Clerk and is hereby referred to for further particulars; and

WHEREAS, a mitigated negative declaration has been prepared and processed in accordance with City and CEQA guidelines; 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 mitigated negative declaration is based, certifies that the mitigated negative declaration has been completed in compliance with the requirements of the California Environmental Quality Act, and finds that the mitigated negative declaration reflects the independent judgment of the City of Hayward.

WHEREAS, the City Council hereby finds and determines:

1. That the mitigated negative declaration is complete and final in accordance with the California Environmental Quality Act and reflects the independent judgment of the City Council, based on the fact that the project could not have a significant environmental impact;
2. That the proposed land use and zone change will promote the public health, safety, convenience, and general welfare of the residents of Hayward because it is consistent with the City's goals and policies to ensure an adequate supply of land for residential development, maintain a cohesive land use pattern, and create home ownership opportunities.

3. That the proposed land use and zone change is in conformance with the City's General Policies Plan, the Tennyson-Alquire Neighborhood Plan and the Zoning Ordinance.
4. That the streets and public facilities existing or proposed are adequate to serve all uses permitted when the property is reclassified; and
5. That the proposed land use and zone change is compatible with surrounding residential land uses and zoning, and furthers the City's goal to provide ownership housing opportunities as expressed in the Housing Element.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that Zone Change Application No. 98-190-06 is hereby approved.

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

DRAFT JB 12/31/98

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION CERTIFYING THAT THE MITIGATED
NEGATIVE DECLARATION FOR VESTING TENTATIVE
MAP 7037 HAS BEEN COMPLETED IN COMPLIANCE
WITH THE CALIFORNIA ENVIRONMENTAL QUALITY
ACT AND APPROVING THE VESTING TENTATIVE MAP
FOR TRACT 7037 AND VARIANCE REQUEST FOR LOTS
24, 34 AND 35

WHEREAS, there has been presented to the City Council of the City of Hayward a tentative map for Tract 7037 to subdivide 13.49+ acres into 67 single-family residential lots and several parcels, and in connection therewith a variance request to make an exception to the 80-foot minimum lot depth for lots 24, 34, 35; and

WHEREAS, a mitigated negative declaration has been prepared and processed for this subdivision in accordance with City and state CEQA guidelines; and

WHEREAS, the Planning Commission considered the matter and its action thereon is on file in the office of the City Clerk and is hereby referred to 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, certifies that the mitigated negative declaration has been completed in compliance with the requirements of the California Environmental Quality Act, and finds that the mitigated negative declaration reflects the independent judgment of the City of Hayward; and

WHEREAS, the City Council hereby finds and determines that:

1. The vesting tentative tract map for 67 single-family residential lots as conditioned has been found to be in substantial conformance with the project reviewed under the attached Mitigated Negative Declaration, which reflects the independent judgment of the City Council.
2. The proposed subdivision is consistent with the General Policies Plan and the City's Subdivision Regulations, in that it is compatible with the objectives, policies, and the general land use and programs specified in the General Plan.

3. The land being subdivided is for residential use and the drainage from such a use does not violate the requirements prescribed by the Regional Water Quality Control Board.
4. The layout, lot size, and configuration is such that future building(s) could be oriented for the purpose of providing an opportunity for future passive solar heating and cooling.
5. None of the findings set forth in Section 66474 of the Subdivision Map Act have been made, and the approval of the vesting tentative map is granted subject to the recommended conditions of approval.
6. Development of the lots in conformance with the proposed conditions of approval and in compliance with City codes will mitigate any significant environmental or other impacts, i.e., drainage, soils instability, noise, or traffic problems.
7. Upon completion and implementation of the required mitigation measures and proposed conditions of approval, the streets and utilities would be adequate to serve the development; and

WHEREAS, the City Council hereby further finds and determines with respect to the approval of the Variance request for lots 24, 34 and 35 that:

8. There are special circumstances applicable to the properties because their triangular shapes present physical constraints for development.
9. Strict application of the Zoning Ordinance would deprive such property of privileges enjoyed by other property in the vicinity under the same zoning classification because they could not be developed even though all set back requirements can be met.
10. The variances do not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated, because all setback requirements can be met, adequate open space is provided and there will be no adverse impacts on surrounding uses.

NOW, THEREFORE, BE IT RESOLVED that the Council hereby approves the vesting tentative map for Tract 7037, subject to the conditions of approval attached hereto as Exhibit "A" .

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the variance request for an exception to 80-foot minimum lot depth for Lots 24, 34 and 35 of Tract 7037 is hereby approved.

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

DRAFT

JB 12/31/98

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION SUMMARILY VACATING EXCESS RIGHT-OF-WAY ALONGSIDE HUNTWOOD AVENUE BETWEEN INDUSTRIAL BOULEVARD AND OLYMPIC AVENUE, AND ON OLYMPIC AVENUE BETWEEN TAYLOR AVENUE AND HUNTWOOD AVENUE, AND AUTHORIZING RELEASE OF DRIVEWAY EASEMENT AND SALE OF EXCESS REAL PROPERTY IN CONNECTION WITH VESTING TENTATIVE TRACT MAPS 7037 AND 7069

WHEREAS, the improvement of Huntwood Avenue by the Tennyson-Alquire Assessment District has resulted in an excess right-of-way alongside Huntwood Avenue between Industrial Boulevard and Olympic Avenue and on Olympic Avenue between Taylor Avenue and Huntwood Avenue in Tracts 7037 and 7069, more particularly described in the attached Exhibit "A," which the tract applicant desire to purchase; and

WHEREAS, the realignment of Olympic Avenue pursuant to Tract Map 7037 obviates the need for a driveway easement which the City currently holds over a 50 foot strip of the existing Olympic Avenue; and

WHEREAS, the Planning Commission considered the matter and its action thereon is on file in the office of the City Clerk and is hereby referred to for further particulars; and

WHEREAS, the City Council hereby finds and determines that the right-of way on the lots described in Exhibit "A" is not required for street or public purpose.

WHEREAS, the City Council hereby finds and determines that the conveyance of excess real property along Huntwood Avenue and Olympic Avenue is categorically exempt from CEQA and is consistent with the General Policies Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that pursuant to California Streets and Highways Code section 8334(a) it is hereby ordered that the right-of-way on the parcel described on the attached Exhibit "A" is hereby vacated, and the City Clerk is authorized and directed to cause a certified copy of this resolution to be recorded in the office of the County Recorder of Alameda.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute a quitclaim deed in favor of applicant of the City's driveway easement interest along the current Olympic Avenue at such time as the conditions regarding the realignment of Olympic Avenue are met.

BE IT FURTHER RESOLVED that the City Manager is authorized to take necessary steps to sell the subject excess surplus real property to the applicant for tracts 7037 and 7069.

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