CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 09/07/99
AGENDA ITEM 5
WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Appeal of Planning Commission's Approval of Tentative Parcel Map 7460 - Sukhdev Kapur and Rana Ahmed (Subdividers/Owners), Andrew and Michele Van Laningham, Et. Al. (Appellants) - Request to Subdivide a .84± Acre Parcel into Three Single-Family Parcels. The Property is Located on the Southwest Corner of University Court and Campus Drive in an RS (Single-Family Residential) District

RECOMMENDATION:

That the City Council deny the appeal and uphold the Planning Commission's approval action.

DISCUSSION:

The applicants are requesting to subdivide a 36,590-square-foot parcel into three lots ranging in size from 10,270± to 14,650± square feet. The proposed lots meet all zoning requirements, are large enough to provide building sites that avoid significant grading, and are large enough to allow for preservation of mature trees, and provide for adequate off-street parking.

On July 15, 1999, the Planning Commission found the project to be consistent with the *General Plan* and the *Hayward Highlands Neighborhood Plan,* and determined that the existing infrastructure (streets and utilities) is adequate to serve the project. The *Hayward Highlands Neighborhood Plan* addresses land use issues and, in conjunction with the adoption of the Plan, some areas were rezoned from RS (Single-Family Residential) to RSB10 to require larger development sites. However, the RS zoning in subject area around Campus and University Court was not changed. Nonetheless, the proposed lots all exceed 10,000 square feet.

On July 26, 1999, the Commission's decision was appealed in a petition signed by residents of ten properties on University Court and others on Brandywine Place and Thistle Court (see attached Exhibit C). The issues raised in the petition were also raised at the Commission hearing by four residents who spoke against the project. The appellants contend that University Court cannot accommodate additional traffic; that the project would result in more vehicles parking along University Court, which they state is already crowded; that traffic generated by the project would impact the safety of pedestrians, animals, equestrians, and cyclists; and that traffic generated by the project would add to traffic congestion on Highland Boulevard. At least one signatory of the petition (in addition to others at the Commission hearing) incorrectly construed the approval of this parcel map to require the widening of University Court.

The City Transportation and Development Manager indicates the increase in traffic due to the proposed three lots will not cause a significant change in existing traffic conditions on University Court and neighboring streets.

The State Map Act sets forth the grounds for denial of a tentative map. These include findings that:

(a) The proposed map is not consistent with the General Plan;
(b) That the site is not physically suitable for the type and density of development;
(c) That the design of the subdivision is likely to cause substantial environmental damage or substantially and avoidably injure wildlife or their habitat; and
(d) That the design of the subdivision is likely to cause serious public health problems.

Although the Planning Commission recognized that some University Court residents objected to the subdivision, Commissioners indicated that they were unable to make findings for denial of the project. Accordingly, staff recommends that the City Council uphold the Planning Commission's decision to approve the parcel map and find that the project (which is an in-fill development that is less than 5 acres) is categorically exempt from CEQA.

Prepared by:

Bashir Anastas, P.E.
Development Review Engineer

Recommended by:

for Sylvia Ehrenthal
Director of Community and Economic Development

Approved by:

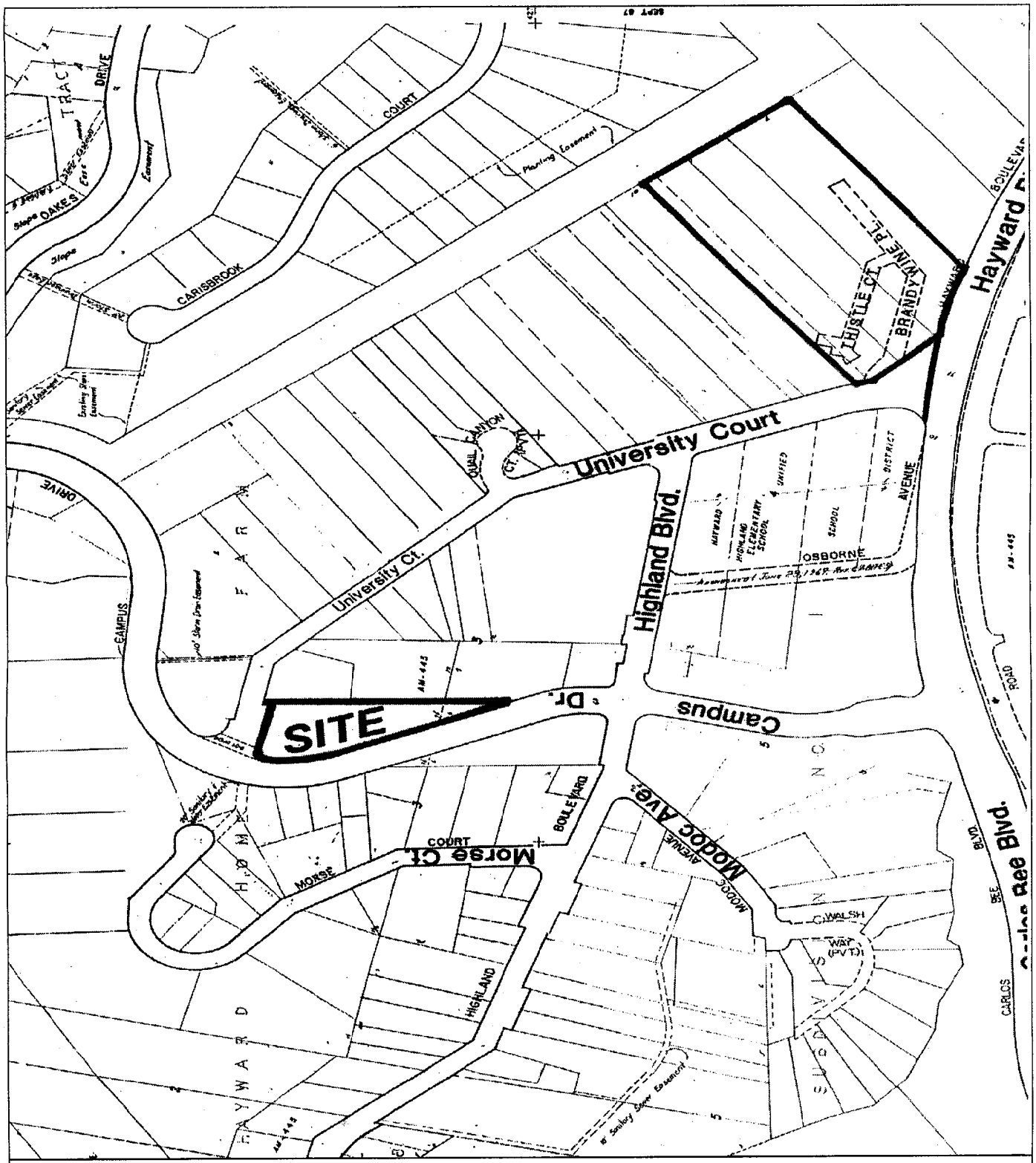
Jesus Armas, City Manager

Attachments:

Exhibit A	Area Map
Exhibit B	Planning Commission Meeting Minutes and Staff Report, dated July 15, 1999
Exhibit C	Appeal Petition, dated July 26, 1999
	Tentative Parcel Map 7460
	Draft Resolution

8.17.99

Exhibit A



ZONING/AREA MAP ■ PARCEL MAP 7460

Sukhdev S. Kupar

University Court at Campus Drive

Exhibit B

City Zoning District – Commercial Subdistrict.

2. Text Change Application 98-140-04 - Amendments to the Zoning Ordinance and Subdivision Ordinance including, but not limited to Industrial District building design standards, Central City District use limitations, Airport Terminal-Commercial District retail uses, Group Home regulations, livestock and Animal Regulations, streamlining the review process and Live/Work provision.

3. Site Plan Review/Variance (SPR/VAR) 99-130-07 - The Olson Company and the City Redevelopment Agency *(Applicants);* B.A.R.T. and the City Redevelopment Agency *(Owners):* Request site plan approval and variances to the private open space, security gate and landscape setback requirements to construct 77 multi-family residences on a 3.5-acre site contiguous to the Hayward Civic Center Plaza. The property lies within the Central City Residential Zoning District. *The property is located at Watkins and C Streets.*

PUBLIC HEARINGS

1. Tentative Parcel Map 7460 – Sukhdev Kapur and Rana Ahmed (Applicant/Owner) – Request to subdivide a .8± acre parcel into three single-family parcels ranging in size from 10,270± to 14,650± square-feet. *The property is located on the southeast corner of University Court and Campus Drive in an RS (Single-Family Residential) District.*

Development Review Specialist Koonze made the staff presentation and indicated that three additional homes would be constructed with parking on the site and on the driveway. Each home will conform to the wildlife guidelines and a fire hydrant will be added to the street. The City is also requiring a 15-foot easement along Campus Drive. In response to questions from Commissioners, Development Services Specialist Koonze explained that there were no house designs submitted as of yet. The applicant will also be responsible for retaining a soils engineer to produce a soils report prior to building to determine whether the area can be stabilized.

Public Hearing Opened at 7:49 p.m.

At this point Chairperson Fish reminded the applicant that he would need 4 votes of the Commission and there were only 5 members present. The applicant indicated that he wanted to proceed.

Adnan Al Adeeb, AMA Engineering Inc., 1415 Oakland Blvd. #201, Walnut Creek, 94596, the engineer for the project, explained the slope and how it would be dealt with. He added that the housing plans had been submitted and were up for review.

Ron Pappalardo, a University Court resident, said he was speaking on behalf of the 27 neighbors who signed a petition opposing the subdivision. He cited safety of children and equestrians, traffic impacts and parking as negative reasons to approve the subdivision. He

added that access by emergency vehicles would be questionable and said it would impact the quality of life in the area.

Andrew Van Laningham, 25425 University Court, asked about the slope of the lot and the driveway. He indicated that safety was a major concern.

Public Hearing was closed at 8:04 p.m.

Commissioner Bennett asked whether the project would continue if soil engineers decided it was an unbuildable lot.

Development Review Specialist Koonze responded that it would hinder any future development on the site, but two soil reports have determined that it is a buildable site.

Commissioner Bennett moved, Commissioner Caveglia seconded, to deny the map based on the finding that existing utilities are not adequate. She added that the neighborhood is being affected and not enjoying the same privilege that other areas in the City are. She then cited condition 3, installation of sidewalk, curb, gutter and tie-in paving.

Assistant City Attorney Borger indicated that even if that condition were required for this site, it would not be required throughout the whole neighborhood.

Commissioner Caveglia said he was concerned because so many people in the neighborhood signed the petition. However, he could see no findings for denial. He said he was happy to hear there would be no neighborhood sidewalk assessment and that the lots are much bigger than usual.

Commissioner Bennett said she misinterpreted the clarification and would withdraw the motion.

Commissioner Halliday asked about off-street parking if the garage is not a 3-car structure.

Development Review Specialist Koonze said there was no requirement for a 3-car garage. However, the development would still need to accommodate 5 spaces on the site.

Commissioner Bennett said she could find no reason to deny the application and **moved**, seconded by Commissioner Bogue, to approve the parcel map.

Commissioner Halliday said it was incumbent upon the members to follow the zoning

ordinance in this instance. It would be difficult to find for denial.

The **motion passed 5:0,** with Commissioners Zermeño and Williams absent.

Chairperson Fish reminded anyone who was aggrieved by the decision that they had ten days in which to appeal the decision to the City Council.

2. Six-Month Review of Use Permit Application No. 98-160-19 and Request to Modify Conditions of Approval - Jung Lee for Hayward Music Studio (Applicant), Douglas B. Storm for Mission Properties (Owners) - A review for compliance to the conditions of approval for a 3,600 -square-foot karaoke recording studio and adjoining bar (beer only) as a commercial amusement facility. *The property is located at 21995 Mission Boulevard in the Mission Plaza on the northwest corner of Mission and Sunset Boulevards in a Central City Zoning District - Commercial Subdistrict.*

Planning Manager Anderly presented the staff report and reminded commissioners that they were to review this application six-months after it was initially passed. She said the Police Department had reviewed the application and said they had found no problems on the site and recommended modifying the security provisions to eliminate one

security guard, while maintaining one on-site from 7 p.m. until closing. The Police will continue to monitor the business for another six-months and possibly recommend increasing the security staffing if problems arise.

Commissioner Bogue asked for further clarification regarding any revision to the conditions after another six months.

Planning Manager Anderly explained that the application would be handled administratively if there were no major problems.

The Public Hearing Opened at 8:23 p.m.

Elsie Roth, 22071 Montgomery, a neighbor to the business, said she had no objections to the application or the business but asked that the chain across the parking lot be retained to control traffic.

Public Hearing Closed at 8:24 p.m.

Commissioner Bennett asked the Police Department representatives how they monitor the business.

Deputy Chief Trimble said they spot check and analyze calls for service to the business.

CITY OF HAYWARD AGENDA REPORT

Planning Commission
Meeting Date 07/15/99
Agenda Item 1

TO: Planning Commission

FROM: Tim Koonze, Development Review Specialist

SUBJECT: TENTATIVE PARCEL MAP 7460 - Sukhdev Kapur and Rana Ahmed (APPLICANT/OWNER) - Request to subdivide a .8±-acre parcel into three single-family parcels ranging in size from 10,270± to 14,650± square-feet

The property is located on the southeast corner of University Court and Campus Drive in an RS (Single-Family Residential) District.

RECOMMENDATION

That the Planning Commission:

1. Find that the project is Categorically Exempt from CEQA;

2. Approve Tentative Parcel Map 7460 based on the attached findings and conditions of approval.

DISCUSSION:

The site is a tear-drop shaped vacant property, located at the corner of University Court and Campus Drive. The buildable "mesa-like" portion of the lot is elevated 15 feet above the street at the corner of Campus Drive and University Court. This elevation difference diminishes as Campus Drive proceeds up the hill.

Approval of the parcel map would allow three homes to be constructed and sold separately where currently a maximum of two would be allowed under a single ownership. The application does not include the construction of any homes as part of this proposal. The design of future homes is subject to site plan review.

The site is surrounded by single-family homes with the exception of the Campus Ministry Center near the southern portion of the project.

University Court is a dead-end street that has a 40-foot-wide right-of-way but widens considerably across the frontage of the subject property. The street currently serves 24 residential properties and, according to the Transportation Development Manager, can adequately serve traffic from the proposed lots. Both street frontages will be improved with curb, gutter and sidewalk prior to the connection of utilities to homes.

Access to the parcels will be via a 27-foot-wide common driveway from University Court. The driveway will be along the eastern property line utilizing retaining walls where necessary. The driveway will have an 18-foot-wide paved travel way, a 5-foot-wide landscape strip along the eastern property line and a 4-foot-wide sidewalk in front of the home sites. The driveway and retaining wall designs conform to City standards and the Hillside Guidelines. The proposed driveway is partially obstructed by a guy wire that provides support to a joint pole located on University Court at the north east corner of the property. The joint pole must either be relocated or the support wire modified.

Water, sewer, and storm drain mains within the abutting streets have adequate capacity to serve the project. Each home will have individual water meters and sanitary sewer laterals. The Fire Department is requiring future homes to be equipped with automatic fire sprinkler systems. To provide adequate fire protection, either a new fire hydrant must be installed along the property frontage or the existing fire hydrant, located on the other side of University Court, must be relocated to the property frontage.

There are no trees within the buildable portion of the site which has a slope of 12 to 13 percent. Trees exist within the slopes abutting Campus Drive and University Court. Prior to approval of the parcel map a tree survey and arborist report will be required in order to assure preservation of these trees, especially in cases where slope repair is necessary. No trees are proposed to be removed as a result of this parcel map.

In 1981 and 1989 the City reviewed two separate preliminary soils reports for this site in conjunction with previous development proposals which determined that the site was suitable for construction. Prior to approval of the parcel map, an updated soil report will be required and its recommendations incorporated in the development of the property, including any necessary slope repair, planting of slope stabilizing vegetation and tree preservation measures. The grading for future homes will be reviewed for conformance to the Hillside Guidelines.

The parcel map will include a 15-foot-wide non-buildable easement along the top of the slope to soften the visual appearance of development from Campus Drive. Although no buildings or solid fencing can be constructed within the easement, a decorative open fence may be installed within the easement, subject to approval of the design by the Planning Director.

Conformance to the General Plan, Hayward Highlands Neighborhood Plan and Zoning Ordinance:

The site is designated as Residential Low Density (4.3 - 8.7 dwelling units per acre) on the *General Plan Map*, within a Single-Family Residential (RS) District. The project is consistent with these designations in that three lots are proposed at a density of 3.8 units per acre.

The project is in conformance with the *Hayward Highlands Neighborhood Plan*, Land Use, Policy 1, in that the proposed parcels are consistent in size, scale and appearance with the surrounding neighborhood and encourages owner occupied housing. It is consistent with Neighborhood Character, Policy 1, in that the new development will respect the existing semi-rural character by creating lots larger than 10,000 square-feet.

ENVIRONMENTAL REVIEW

The project is exempt from environmental review as defined by the California Environmental Quality Act (CEQA) Guidelines Section 15332 In-Fill Development Projects. A Notice of Exemption was prepared June 22, 1999.

PUBLIC HEARING NOTICE

On May 18, 1999, a notice was mailed to all property owners within 300 feet of the subject property, abutting residents and all interested parties regarding a preliminary meeting. On June 3, 1999, the public meeting was held and two citizens attended.

One attendee spoke favorably of the project but expressed concerns of adequate parking and sufficient fire protection. The other citizen did not support the project stating that University Court cannot accommodate the traffic generated from the project nor provide adequate parking and that the subdivision would create a density that is inconsistent with the area. Another neighbor telephoned to express similar concerns.

The Transportation Development Manager has determined that University Court can accommodate the two additional units and that adequate parking can be provided by requiring three on-site parking spaces for each parcel and utilizing the four on-street parking spaces available along the University Court frontage. There is no parking allowed on Campus Drive.

Given the relatively small size of the parcel, the Fire Department is not requiring a fire truck turnaround area. Adequate fire protection will be achieved by providing automatic fire sprinkler systems within future homes and relocating or installing a fire hydrant along the University Court frontage.

Staff finds that the proposed parcels are consistent in size with the other parcels in the neighborhood and with the majority of the parcels directly across Campus Drive. There are a few larger parcels in the vicinity of the project but a majority of these are heavily vegetated and slope steeply downward toward Ward Creek.

At the preliminary meeting neighbors expressed concern that not every resident on University Court was notified of the preliminary meeting because they were outside of the 300-foot mailing radius. In response to these concerns, noticing for the Planning Commission hearing was expanded to include all owners and occupants on University Court between Highland Boulevard and the subject property, in addition to the normal 300-foot radius mailing. The Planning Commission hearing notice was published on June 29, 1999, in the "Daily Review."

CONCLUSION

The project is compatible with the surrounding residential land uses and is consistent with the *General Plan Map* designation and the requirements of the Single-Family Residential Density (RS) District. Approval of the tentative map will allow construction of three single-family homes which fulfills the City's goals to create ownership housing opportunities.

Prepared by:

Dyana Anderly

for Tim Koonze
Development Review Specialist

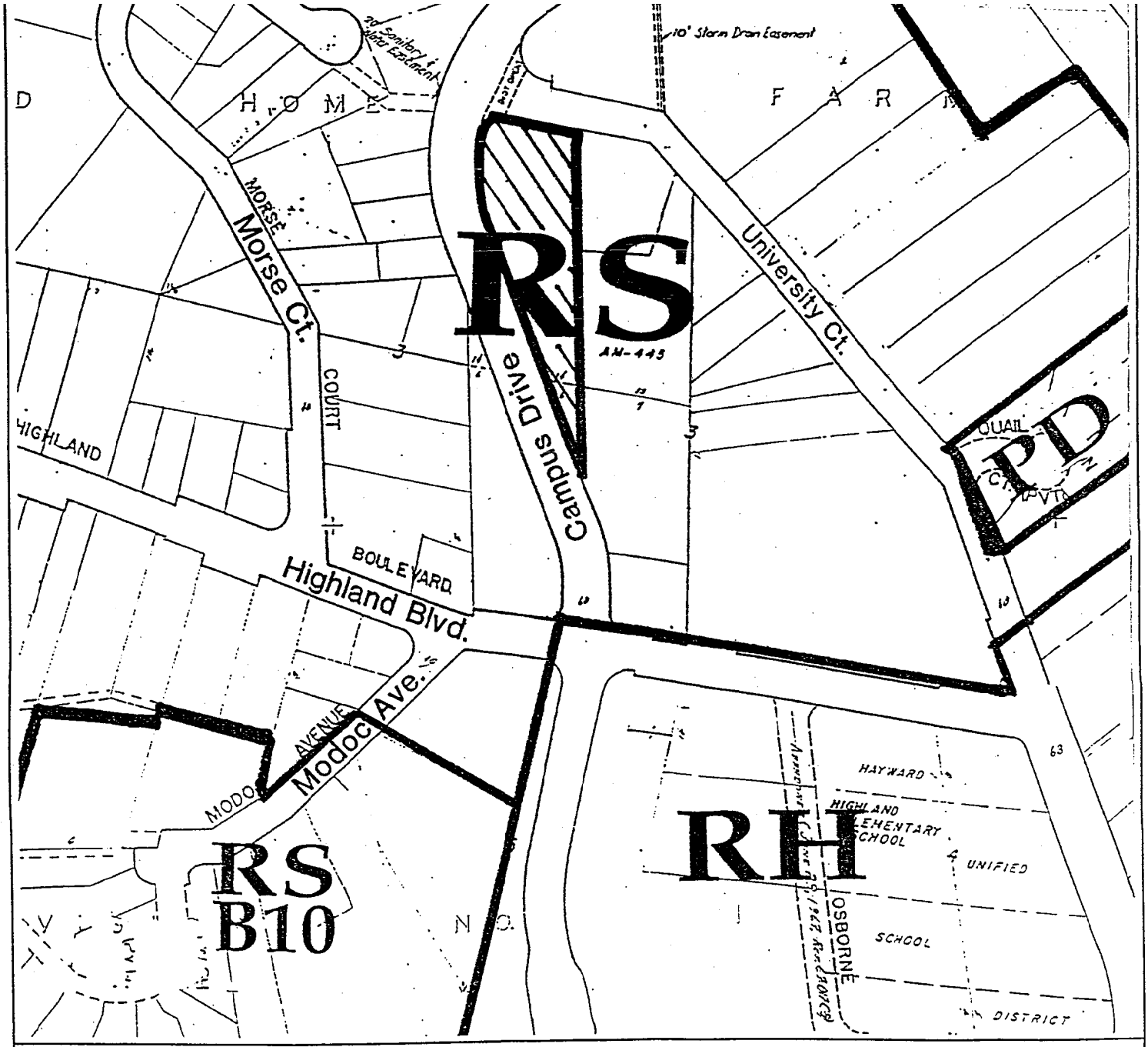
Recommended by:

Dyana Anderly

Dyana Anderly, AICP
Planning Manager

Attachments:

A. Area and Zoning Map
B. Findings for Approval - Tentative Parcel Map 7460
C. Conditions of Approval – Tentative Parcel Map 7460
Tentative Parcel Map 7460



ZONING/AREA MAP ▪ PARCEL MAP 7460

Sukhdev S. Kupar

University Court at Campus Drive

ATTACHMENT A

FINDINGS FOR APPROVAL
TENTATIVE PARCEL MAP 7460

A. The tentative parcel map is categorically exempt per California Environmental Quality Act (CEQA), Section 15332, In-Fill Development Projects.

B. The tentative parcel map, as conditioned, substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Policies Plan, the Hillside Design Guidelines and the Hayward Hills Neighborhood Plan.

C. The site is physically suitable for the proposed type of development.

D. The design of the subdivision and the proposed improvements are **not** likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

E. The design of the subdivision and the proposed improvements are **not** likely to cause serious health problems.

F. Existing streets and utilities are adequate to serve the project.

G. None of the findings set forth in Section 64474 of the Subdivision Map Act have been made, and the approval of the tentative parcel map is granted subject to the recommended conditions of approval.

[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.

ATTACHMENT B

CONDITIONS OF APPROVAL
TENTATIVE PARCEL MAP 7460

Prior to Recordation of the Parcel Map:

1. The parcel map shall indicate a 15-foot-wide non-buildable easement adjacent to the top of the slope that exists along the Campus Drive and University Court frontages.

2. The parcel map shall dedicate a 6-foot-wide public utility easement abutting the Campus Drive and University Court right-of-ways.

3. The property owner shall enter into a subdivision agreement to install concrete sidewalk, curb, gutter, and tie-in paving along the Campus Drive and University Court property frontages. The agreement shall state that the improvements are to be installed prior to issuance of a certificate of occupancy for any of the three parcels.

4. A covenant shall be recorded concurrently with the map and shall include the following requirements:

    a. Each house shall be equipped with an automatic fire sprinkler per NFPA 13—D (modified) standards. Fire protection shall be installed within the garages, attics, under crawl spaces, foyers, and other areas where deemed necessary by the Fire Marshall.

    b. All structures shall meet the requirements of the City of Hayward Wildlife/Urban Interface Guidelines.

    c. Building construction shall meet the requirements indicated for Category I structures, which includes, Class A roofing materials, exterior non-combustible siding, enclosed eaves, etc.

    d. Three on-site parking spaces, located within the required setback area, shall be provided for each parcel. Two of these spaces shall be located within a garage.

    e. A vehicle turnaround shall be provided for each on-site parking space so cars can exit the project site without backing out onto University Court. The design and location of the garage and parking spaces is subject to approval at the time of site plan review.

ATTACHMENT C

f. Decorative open fencing may be located at the top of the slopes adjacent to Campus Drive and University Court, however, solid fencing must be setback 15 feet from the top of slope, outside the non-buildable easement as identified on Parcel Map 7460. The design and location of the fencing are subject to approval at the time of site plan review.

g. Prior to connection of utilities of any building constructed on the parcels created by Parcel Map 7460, access shall be provided to all three parcels via a 27-foot-wide common access driveway that provides an 18-foot-wide paved travel way, a 5-foot-wide landscape strip along the eastern property line, a 4-foot-wide sidewalk abutting the west side of the driveway and necessary retaining walls. The retaining walls shall have a decorative design approved by the Planning Director.

   The access driveway shall be constructed in substantial conformance with the approved map. The driveway grade shall not exceed 20 percent and shall be engineered to withstand a Gross Vehicle Weight of 50,000 lbs. There shall be no parking on the access driveway and "No Parking" signs shall be posted at locations approved by the Fire Marshall.

h. A separate maintenance agreement shall be recorded with the sale of each parcel that establishes an agreement to maintain the driveway, sidewalk, retaining walls and parking signs described in Parcel Map 7460 Condition of Approval 4 (g). Each property shall equally share the maintenance cost of these improvements.

5. A preliminary soils report must be approved by the City Engineer.

6. A tree survey and arborist report must be submitted to assure preservation of the trees within the slope adjacent to Campus Drive and University Court.

Prior to the Commencement of Grading or the Issuance of a Building Permit

7. Houses and fences shall meet all City Design Guidelines and policies including three on-site parking spaces and an adequate vehicle turnaround area.

8. If the soils report indicates the need for slope repair, a detailed plan shall be submitted for each parcel that includes slope repair work, the placement of slope stabilizing vegetation, and a tree preservation plan to preserve the trees that exist on the slope.

Prior to Construction of Combustible Materials

9. A new fire hydrant shall be installed along the University Court frontage or the existing fire hydrant, located on the other side of University Court, shall be relocated to the University Court property frontage.

Prior to connection of Utilities

10. Curb, gutter, sidewalk, and tie-in paving shall be installed across the Campus Drive and University Court property frontages per the subdivision agreement (see condition no. 3).

11. The joint pole and guy wire support, located at the northeast corner of the property, shall be put underground, relocated or the guy wire support modified so as to not conflict with the proposed driveway. The design shall be approved by PG&E and the City Engineer.

Exhibit C

RECEIVED

JUL 2 6 1999

PLANNING DIVISION

Appeal of decision to approve Tentative Parcel Map 7460 (new subdivision at University Court and Campus Drive, Hayward)

submitted to Hayward City Clerk on July 26, 1999

prepared by: University Court Homeowner's Group in opposition to Tentative Parcel Map 7460

Contact: Andrew and Michele Van Laningham
25425 University Court
Hayward, California 94542
510-733-6422

Contents:

(1) 3-page Appeal/Petition
(2) signatures of 37 residents endorsing appeal
(3) photographs of the roadway and parking conditions

RECEIVED

JUL 2 6 1999

PLANNING DIVISION

July 22, 1999

Clerk's Office
City of Hayward
Hayward, California

RE: Appeal of decision to approve Tentative Parcel Map 7460
(new subdivision at University Court, Hayward)

City Clerk:

This is an appeal of the decision rendered by ~~City Council~~ Planning Commission on July 15, approving a new subdivision in our neighborhood. This appeal represents the opinion of 35 residents, all of whom signed a petition opposing the subdivision, which was distributed during the councilmeeting of July 15.

We appeal the decision to approve the subdivision for the following reasons:

(1) **University Court cannot accomodate additional traffic**
In the report prepared by the Planning Division (page 004, paragraph 1), it is stated that; "University Court is a dead-end street that has a **40-foot-wide right-of-way** but widens considerably across the frontage of the subject property." Our measurements indicate different right-of-way dimensions: The length of the street, from the intersection of University Court and Highland Boulevard, to the dead-end at Campus Drive, measures approximately 320 yards. The initial 110 yards of University Court (from the intersection at Highland Boulevard), has a right-of-way measuring 41 feet, 9 inches. For most of the remaining 210 yards, toward the subject property, the road narrows to a width of **17 to 19 feet**. The road widens adjacent to the subject property, at the dead-end.

Traffic from three additional homes at the end of the street, will be travelling the entire length of University Court. With an average of three vehicles per household, we anticipate 8 to 12 trips per household, up and down the street, daily. Therefore, the road will have to accomodate from 24 to 36 trips daily, from the residents of three additional homes. This does not include traffic from visitors to new homeowners.

(2) Parking
The number of vehicles parked along the above referenced 320 yard section of University Court, averages approximately 30 vehicles during peak parking periods (evenings, weekends and holidays). During these periods, on average, there is a parked vehicle every 10.7 yards along the street. Allowing for 4 additional parked vehicles, to accomodate the new subdivision, will increase the parking density to one vehicle per 9.4 yards, during peak periods.

Due to the 17 to 19 foot right-of-way along 60% of the road, and the extremely narrow shoulder area, most parked vehicles extend onto the paved roadway. This situation further narrows the right-of-way to as little as 15 feet or less in some sections of the road.

(3) **Pedestrians, animals, equestrian and cyclists**
Increased traffic will significantly impact the safety of homeowners as well as all foot, equestrian and cyclist traffic. Pedestrian and equestrian traffic is increasing continually along University Court as more residents utilize the three greenbelt trails located on Campus Drive at Oaks Drive. University Court is a safer, faster access to the greenbelt trails than upper Campus Drive.

We estimate daily non-vehicular traffic as follows:

45 pedestrians (including joggers)
15 (dogs with pedestrians)
5 horses
10 cyclists

The number of pedestrians daily, increases considerably during the school year at Highland School and Cal State University.

(4) **Traffic congestion at Highland School**
The traffic situation on Highland Boulevard, during the school year at Highland School, is a major concern to our neighborhood, especially when children are being dropped off at school in the morning. Highland Boulevard's right-of-way measures approximately 42 feet. When school buses are parked on one side of the street, and parent's vehicles line the opposite side, the right-of-way is narrowed to less than 24 feet. This right-of-way is further narrowed and obstructed with the opening of vehicle doors into the roadway and parents crossing the street with children. During the school season, we experience a traffic jam twice daily, during school days.

It is hoped that the information provided in this appeal, will more clearly document why, the addition of three new homes on the street will result in a traffic situation that will;

(a) significantly increase the risk to public safety,
(b) result in more traffic than the road can accomodate,
(c) and, contribute toward greater traffic congestion on Highland Boulevard during the school year at Highland School

Lastly, we wish to clarify, that we oppose widening of University Court. A major factor in the country charm of the neighborhood, is the old, narrow, windy road. Naturally, we oppose having to dedicate our frontage property for sidewalks and/or widening the street, especially if this is to accomodate a new subdivision.

Please help us to maintain the quality of life in our neighborhood by supporting us in the opposition of Tentative Parcel Map 7460.

Sincerely,

University Court Homeowner's Group in opposition to Tentative Parcel Map 7460

(1) _____ 25652 University CT. HAYWARD CA 94542 SIC 582-4772

(11) PIEROTTI, JOHN D&MD

2) _____

3) _____ 2123 Brandywine Pl. Hayward, Ca 94542 (510) 538-8624

X 4) _____ Larry Payne Yolanda storage → 25730 University CT 510/728.1981 / 257 248

5) _____ 2169 Thistle ct (510) 889-6547

6 _____ 2162 Thistle Ct. Hayward, CA 94542 (510) 583-7883

7) _____ Same

8) _____ 2155 Brandy Wine Place (510) 886-2227

9) _____ 2171 Brandy Wine Pl. Hayward CA 94542 (510) 885-0369

10) KEITH POEHLEMAN
2175 BRANDYWINE (510) 581-1393
HAYWARD CA. 94542

11) Paula Hsu Poehleman
2175 Brandywine place
Hayward, CA 94542 (510) 581-1393

12) Ellen & Rasheed Ishakja (510) 886-8556
2179 Brandy Wine PL
Hayward, CA 94542

13) Gary Tom (510) 728-2168
2168 Brandywine Place
Hayward CA 94542

14) LISA JOHNSON
2115 BRANDY WINE PL 728-0655
HAYWARD, CA 94542

15) Cathy NAEF
25584 university ct 581-3662
Hayward ca 94542 Cathy Naef

16) Ian NAEF
25584 university ct
Hayward ca 94542 Ian Naef

U2

CHARVET PHILLIP
A & MARY TRS

17) ~~Chester L Scott~~
25408 University Ct.
Hayward, Ca 94542

U3

SCOTT CHESTER L. & MARIE

18) Andrey Gerasimov
25407 University ct
Hayward CA 94542

GRASIMOV ANDREY & VERA

U4

19) Vera Gerasimov
25407 University Ct.
Hayward CA 94542

20) CATHERINE CALSON
25561 UNIVERSITY CT.
HAYWARD, CA 94542

U5

PAINE JACK D. TR

21) Wenchie Ramos
25469 University Ct
Hayward CA 94542

U6

RAMOS RICHIE & WENCHIE L

22) Julie Zhu
25455 University ct
Hayward CA 94542

U7

WONG KINLEY K & ZHU JULIE H.

23) John Chapman (510) 537-1621
25640 University Ct
Hayward CA 94542

V8

24) Cecilia Chapman
"see above #23"

CHAPMAN JOHN & CECILIA

25) Frances Burris
25658 University Ct
Hayward CA 94545

V9

BURRIS FRANCES K & IGLEHART

26) Ethel Mizen
2127 Brandywine Place
Hayward, CA 94542

27) Armand Carlos
2127 Brandywine Pl
Hayward CA 94542

28) E Delaini
2120 Thistle Ct
Hayward, CA 94942

9

(29) Martha Robinson
2101 Thistle Ct
Hayward Ca 94542

(30) SYLVIA KNIGHT
2101 THISTLE CT
Hayward, CA 94542

31) STEVEN WALDA
2151 BRANDYWINE PL.
HAYWARD CA 94542

32) Tina Jackson-Walda
2151 Brandywine Pl.
Hayward, CA 94542

33) [signature]
25561 UNIVERSITY CT.
HAYWARD, CA. 94542 Same as #20

34) [signature]
25495 University ct
Hayward CA. 94542

U10

BURRIER KENNETH R & VALERIE

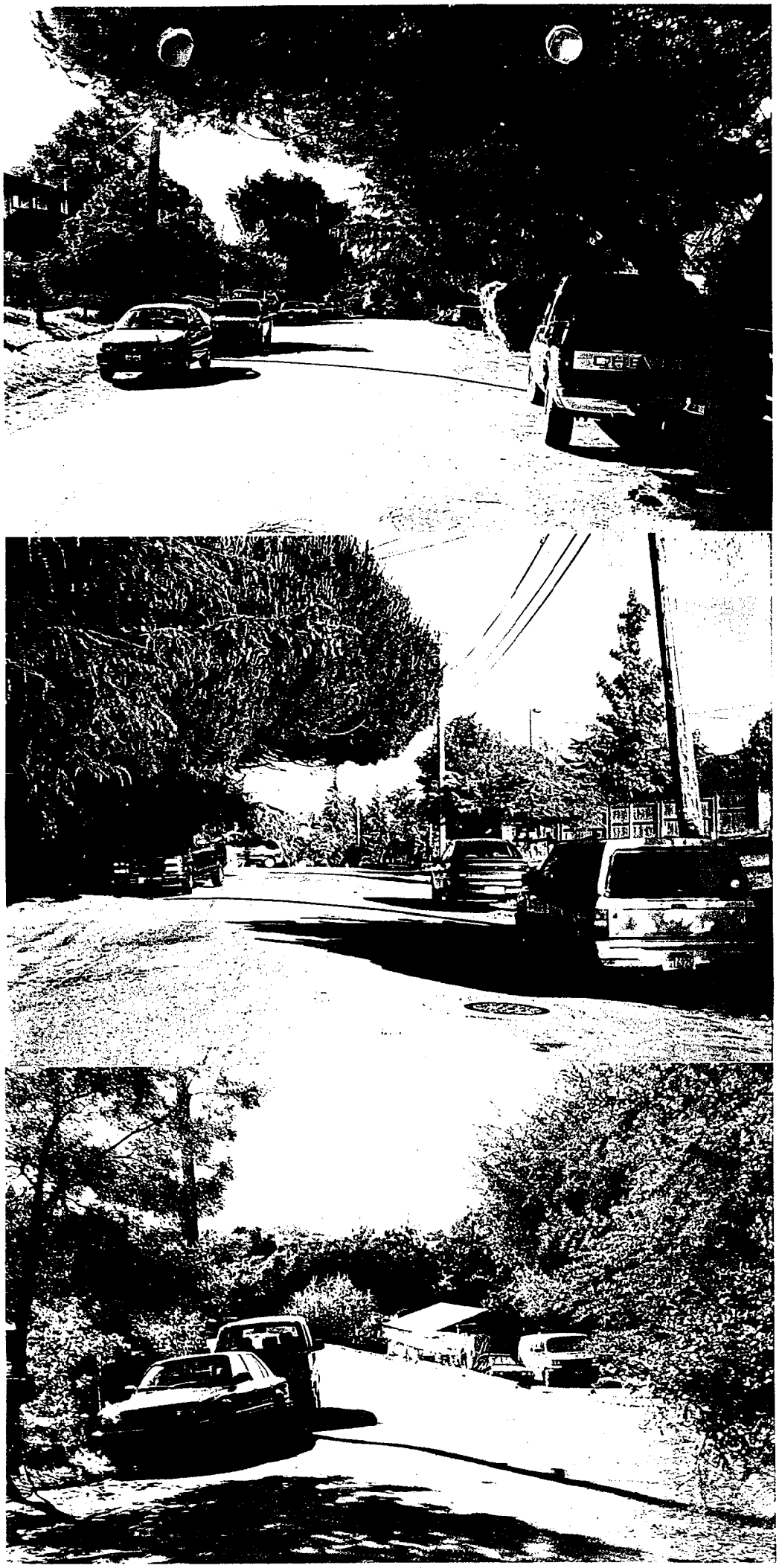
35) [signature]
25480 University Ct.
Hayward CA 94542

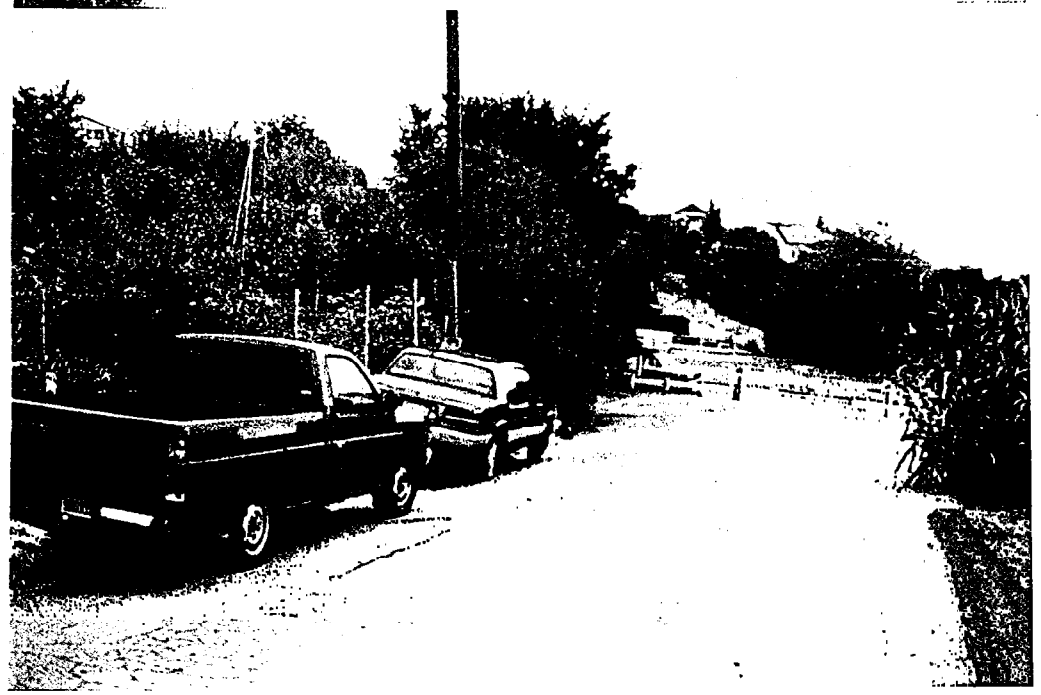
C-8

note: I specifically oppose widening the right-of-way. I support zoning for no more than two residences on the park

(36) Einar Silva
25501 UNIVERSITY CT.
HAYWARD, CA. 94542

(37) MICHELE AND ANDREW VAN LANINGHAM
25425 UNIVERSITY COURT
HAYWARD, CA. 94542





DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION DENYING THE APPEAL OF PLANNING COMMISSION'S APPROVAL OF TENTATIVE PARCEL MAP 7460

WHEREAS, there has been presented to the City Council of the City of Hayward tentative parcel map 7460 which concerns a request to subdivide a 36,590±-square-foot parcel, located in an RSB10 (Single-Family Residential, minimum lot size 10,000 square feet) District; and

WHEREAS, the Planning Commission found the project to be consistent with the General Plan and the Hayward Highlands Neighborhood Plan and approved the project on July 15, 1999; and

WHEREAS, the Commission's decision was appealed on July 26, 1999, in a petition by residents on University Court, Brandywine Place and Thistle Court, contending that the area could not accommodate additional traffic; and

WHEREAS, the project is categorically exempt from environmental review under the California Environmental Quality Act; and

WHEREAS, the City Council has reviewed and considered all material presented and concurs in the findings and determination made by the Planning Commission that the project will not have a significant effect on the environment; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the decision of the Planning Commission is upheld and the appeal of Tentative Parcel Map 7460 is denied.

IN COUNCIL, HAYWARD, CALIFORNIA _____ , 1999

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ATTEST:_____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward