

CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 04/16/02

AGENDA ITEM 3C

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Request to Establish a Landscaping and Lighting District and a Buffer Maintenance District - Standard Pacific Corporation of California, (Subdividers)

RECOMMENDATION:

It is recommended that the City Council authorize the attached resolution that the City Council authorize the attached resolution that authorizes staff to initiate proceedings to establish a Landscaping and Lighting District and a Buffer Maintenance District in conjunction with the South of 92 – Oliver West Project.

DISCUSSION:

When the City Council adopted the specific plans for the "South of 92" project, the conditions of approval in the Development Agreement set forth methods for funding many of the improvements to the land and the long-term maintenance of those improvements. In keeping with the Development Agreement, Standard Pacific is seeking to establish mechanisms finance the maintenance of common areas serving the western portion of the "South of 92" project. City Council is being asked to provide for two separate funding mechanisms as identified in the conditions of approval for Tentative Map Tract 7065.

In order to provide funds to maintain the water buffer between the housing and the protected wildlife habitat to the west, a pedestrian access bridge over the water buffer, and a settling basin on Oliver East to accommodate associated drainage associated with Oliver West, City Council is asked to authorize the establishment of a Buffer Maintenance District. After accepting the tract, the City would contract for the actual buffer maintenance and pay Alameda County Flood Control District for maintenance of the settling basin. Costs associated with maintenance would be borne by the homeowners. This request is consistent with a condition of approval found in the Development Agreement for the South of 92 project which states, "*Incorporate the costs for the maintenance and operation of the buffer, buffer bridge, and gate structure in the Drainage Facilities/Pumping Station Maintenance District or other approved maintenance funding mechanism, as approved by the City Engineer.*"

The condition of approval also requires a landscape and lighting district for maintenance of the 5-acre neighborhood park and other common areas. It is recommended that City Council authorize staff to initiate a Landscape and Lighting District to fund the maintenance of the railroad rights-of-way, the 5-acre neighborhood park, landscaped common areas, and graffiti removal on soundwalls and masonry walls. The funds would be acquired by assessing the homeowners, who would benefit by the improvements. This funding method would be similar to that used for several other

housing subdivisions in Hayward, including Twin Bridges and the housing developments constructed by Greystone Homes.

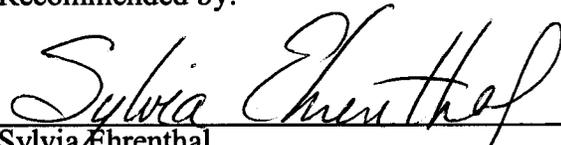
The maintenance of the 2-acre neighborhood park and the decorative street lights will be the direct responsibility of the Homeowners Association per the Covenants, Conditions & Restriction's, as is the long term maintenance for three small wetland areas.

Prepared by:



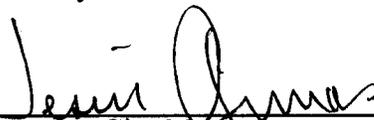
Dyana Anderly, AICP
Planning Manager

Recommended by:



Sylvia Ehrental
Director of Community and Economic Development

Approved by:



Jesús Armas, City Manager

Attachments: Draft Resolution

4/11/02

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

mal
4/10/02

**RESOLUTION AUTHORIZING THE INITIATION OF
PROCEEDINGS TO ESTABLISH A LANDSCAPE AND
LIGHTING DISTRICT AND MAINTENANCE DISTRICT FOR
THE OLIVER WEST DEVELOPMENT**

WHEREAS, Final Map 7317 for Vesting Tentative Map for Tract 7065 was approved by the City Council on April 16, 2002; and

WHEREAS, Final Map 7317 is for the first phase of the residential development of the property known as "Oliver West," which development includes a 5-acre neighborhood park, landscaped common areas, a water buffer separating the housing from the protected wildlife habitat to the west, a pedestrian access bridge and a settling basin on Oliver East to accommodate drainage associated with Oliver West, among other features; and

WHEREAS, the anticipated developer of Oliver West, Standard Pacific Corporation, has requested the establishment of a Landscape and Lighting District for the maintenance of the neighborhood park, the landscaped common areas, the soundwalls, the masonry walls and the railroad's rights-of-way; and

WHEREAS, Standard Pacific has also requested the establishment of a Maintenance District for the maintenance of a buffer zone, the pedestrian bridge across the buffer and the settling basin on Oliver East to accommodate drainage associated with Oliver West; and

WHEREAS, the establishment of a Landscape and Lighting District and a Maintenance District for the above-referenced purposes is consistent with the Mount Eden Business and Sports Park Community Development Agreement recorded December 13, 1999;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward does hereby authorize the initiation of proceedings to establish a Landscape and Lighting District for the maintenance of the neighborhood park, landscaped common areas, soundwalls, masonry walls and the railroad's rights-of-way and a Maintenance District for the maintenance of the buffer zone, the pedestrian bridge, and the settling basin.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2002

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward