

**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 07/09/02

AGENDA ITEM 7

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT:** Appropriation of Funds for the Mission-Garin Area Annexation Study

On July 2, 2002, Council discussed this matter and continued the item. Staff reported at the meeting it was awaiting receipt of information from the property owners clarifying certain aspects of an additional land use alternative proposed for analysis in the environmental impact report. Attached for your information is a letter from the Callahan Property Company introducing the proposal. This letter was received too late to be included with the previous agenda packet. As noted at the July 2 meeting, staff is seeking confirmation of support for the alternative among all property owners and clarification on proposed zoning that would be consistent with the proffered alternative. As stated July 2, staff is optimistic this information will be provided by Monday so that an oral report can be presented at the meeting. Should the information not be received, continuation of this item would be in order.

  
\_\_\_\_\_  
Jesús Armas, City Manager

**Attachments:**

Exhibit A. City Council Agenda Report dated July 2, 2002

Exhibit B. Letter from Callahan Property Company dated June 26, 2002



**CITY OF HAYWARD**  
**AGENDA REPORT**

**EXHIBIT A**

AGENDA DATE 07/02/02

AGENDA ITEM 5

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council  
**FROM:** Director of Community and Economic Development  
**SUBJECT:** Appropriation of funds for the Mission-Garin Area Annexation Study

**RECOMMENDATION:**

It is recommended that City Council adopt the attached resolution appropriating \$163,000 for the Mission-Garin Area Annexation Study.

**BACKGROUND:**

On March 12, 2002, Council authorized initiation of the Mission-Garin Area Annexation Study. As previously discussed, the purpose of this study is to determine the appropriate land use and zoning for properties within the unincorporated areas as well as adjacent hillside areas within the city limits. Consequently, the study area includes those properties proposed for annexation as well as adjacent properties that are integral to a comprehensive evaluation of the area.

On June 25, 2002, Council reviewed the proposed timeline and budget for the annexation study. This process involves completion of the following steps: identification and evaluation of environmental resources and constraints; resolution of land use issues (including preparation of amendments to the General Plan Land Use Map as appropriate); determination of the overall circulation pattern and resolution of property access issues in the study area; completion of plans for water supply and distribution (to be included in the Plan for Provision of Municipal Services); consideration of rezoning and pre-zoning of affected properties to achieve consistency with the General Plan Land Use Map; and submittal of annexation application to the Local Agency Formation Commission.

Staff has concluded that an Environmental Impact Report (EIR) should be prepared for this study. The Program EIR prepared for the General Plan Update was necessarily general in nature and did not address potentially significant impacts specific to the study area and at this level of analysis. In addition, the EIR process provides for full evaluation of the impacts associated with possible alternatives to the project, which seems warranted for this study based on comments at the community meeting and initial review of available technical and environmental studies.

# DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

*mac*  
*6/26/00*

RESOLUTION AMENDING RESOLUTION 02-084, AS AMENDED, THE BUDGET RESOLUTION FOR FISCAL YEAR 2002-2003, RELATING TO AN APPROPRIATION OF FUNDS FROM THE GENERAL FUND, FUND 100 TO THE MISSION-GARIN AREA ANNEXATION STUDY, FUND 100 1501 4229-004

BE IT RESOLVED by the City Council of the City of Hayward that Resolution No. 02-084, as amended, the Budget Resolution for fiscal year 2002-2003, is hereby amended by appropriating \$163,000 from the General Fund, (Fund 100) to the Mission-Garin Area Annexation Study Fund 100 1501 4229-004.

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

The budget developed for this study, which totals approximately \$163,000, includes costs for traffic and utility analyses, a fiscal impact analysis, other environmental analyses and documentation, and city staff time and materials. Also included are basic LAFCO fees associated with the annexation. Not included are additional costs incurred by LAFCO in processing the annexation, which will also be borne by the affected property owners. The budget was reviewed with those property owners within the study area who have indicated interest in annexation or further development of their properties. There was general concurrence among the property owners to provide funding for the study based on the acreage of their properties as a percentage of the total study area. Although expenses incurred by staff and consultants will be reimbursed by the property owners, it is still necessary to appropriate funds for this purpose. (The budget will recognize sufficient revenue to offset the expenses.)

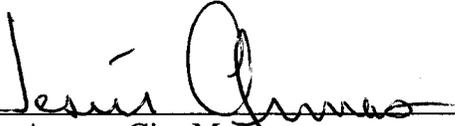
Prepared by:

  
\_\_\_\_\_  
Gary Calame, AICP  
Senior Planner

Recommended by:

  
\_\_\_\_\_  
Sylvia Ehrental, Director of Community  
and Economic Development

Approved by:

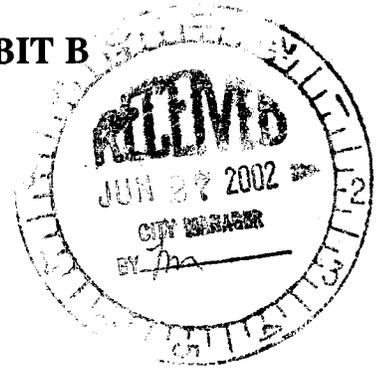
  
\_\_\_\_\_  
Jesús Armas, City Manager

Draft Resolution

6/27/02.



EXHIBIT B



5674 Stoneridge Drive  
Suite 212  
Pleasanton, California 94588  
Telephone: 925-463-9205  
Facsimile: 925-463-0180

June 26, 2002

Mr. Jesus Armas  
City Manager  
City of Hayward  
777 B Street, 4<sup>th</sup> Floor  
Hayward, CA 94541

RE: Mission Garin Annexation Study  
Land Use Alternatives

Dear Jesus:

As discussed last evening during the course of last night's City Council study session enclosed please find an alternative Land Use map we would like considered as part of the above referenced annexation study the City is undertaking. We feel it is more representative of the study area development potential at least from a density standpoint than any of the three alternatives set forth is the City's study proposal to date. We have been attempting to come up with a "constraints" map for the City to utilize as a baseline for identifying the actual buildable portions of the study area. When the study area is overlaid with the physical constraints limiting land uses within it, the actual buildable lands in the study area are very limited. The enclosed alternative recognizes these impacts to a somewhat greater extent versus the alternatives set forth in the City's alternatives.

Our concerns with the City's land use alternatives, per se, are as follows:

- Alternative A. When combined with the physical constraints affecting properties in the study area, the alternative limits the utility of the buildable portion of the study area to such an extent that development in the study area becomes infeasible;

Jesus Armas 062602 Letter Land Use Alternatives

I N V E S T O R • B U I L D E R

- Alternative B. We believe that when the “constraints” are applied to the study area properties, which will limit their ultimate use, this alternative will prove inflexible. We feel this is the case because this district limits lot sizes in such a fashion that extensive mass grading would have to be accomplished to cause this alternative to be economically feasible. At the same time this alternative would appear to allow extensive development in the study area which we believe the public will react to adversely whether the theoretical levels of development represented by this alternative are feasible or not;
- Alternative C. Our concerns with this alternative are essentially the same as those indicated for Alternative B. First, the RM district when coupled with the B district (the combining district) proposed seems to have very specific limitations vis a vis lot sizes, shapes, and characteristics that appear to limit its utility. Second, the public response to the theoretical densities allowed is likely to be overwhelmingly negative because constraints are not considered.

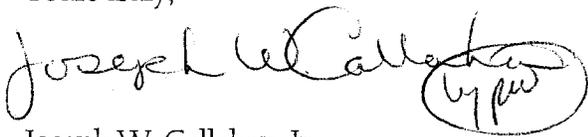
We recognize that the purpose of the annexation study is not to analyze specific development proposals per se but rather to establish an overall conceptual land use plan for the area. We have kicked around the concept of developing a very specific “constraints” map for the study area to clearly illustrate those areas that cannot be developed and then asking the City to consider PD zoning on the buildable areas. This approach would allow both the City and property owners flexibility in designing fully integrated communities providing passive and active open space with residential products suitable to the site characteristics of the buildable portions of the plan area. We believe that approximately 100 acres out of the more than 373 acres in the study area are actually buildable. Significant portions of that 100 acres are impacted by a combination of slope and elevation that substantially limit even the low density utility of those portions of the study area. It should be noted that there are approximately 15 acres of existing single family homes (Bodega, Overhill) in the study area.



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We appreciate your willingness to consider the attached alternative land use plan and look forward to working with the City to complete the annexation study.

Yours truly,



Joseph W. Callahan, Jr.

cc: Members,  
Hayward City Council (w/enclosure)  
Study Area Property Owners

