

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

AGENDA DATE 04/19/05  
AGENDA ITEM 4  
WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council  
**FROM:** Director of Community and Economic Development  
**SUBJECT:** Final Map Tract 5354 - Stonebrae, L.P. (Subdivider) - Approval of Final Map, Authorize the City Manager to Execute a Subdivision Agreement

**RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution pertaining to Final Map for Tract 5354.

**DISCUSSION:**

The first final map for the Stonebrae Country Club (formerly Blue Rock Country Club) was reviewed by the City Engineer and was found to be in substantial compliance with the tentative map and in conformance with the Subdivision Map Act and provisions of local ordinances. Though there were modifications between the vesting tentative map and the first final map, as noted below, given the scope of the project, the City Engineer believes a finding of substantial compliance can be made.

The vesting tentative tract map was approved by the City Council in September 2002. As noted prior to authorization of the Phase II mass grading permit last month, there have been some changes in the overall development as can also be seen in Exhibits A and B. Specifically, the golf course boundaries have been modified from the area depicted on the tentative map as necessary to avoid adverse impacts on sensitive species, including the Alameda Whipsnake. The number of homes has also been reduced by about 10 percent from the 614 anticipated on the tentative map to 556. Under the current plan, the major roadway "spine" differs somewhat from the tentative map, but its configuration is intended to provide access to the "villages" that have been designed to provide a greater distinction between them. The Clubhouse has also been relocated along with its parking, so that Village C is along the driving range rather than next to a parking structure.

The conditions of approval of the vesting tentative map included a phasing plan intended to ensure that certain attributes of the development will coincide with the development of housing. Phase I is quite extensive and includes the mass grading of the entire site, Village A, the school and park, all 18 holes of the golf course and a portion of the Bay Ridge Trail, new water system facilities, and street improvements along Fairview.

Due to the scope of the project, the first phase of development is being divided into two sub-phases, referred to as Sub-Phase IA and Sub-Phase IB. Sub-Phase IA includes the school/park site, which has already been approved for construction by the State Department of Education; the mass

grading of the entire project site, which is ongoing; Village A; the construction of necessary water system facilities; and the installation of the first half of the street improvements along Fairview Avenue. This first final map represents the first Sub-Phase IA, and it is the first of an anticipated series of final maps to carry out the overall development.

Sub-Phase IB will be considered along with the second final map. Sub-Phase IB will include a continuation of Stonebrae Drive to the golf clubhouse location, the golf course itself minus the clubhouse, portions of the Bay Ridge Trail, and the remainder of the street improvements on Fairview Ave to include the roundabout at Woodstock. The developer has committed to submit the final map for Sub-Phase IB and associated improvement plans by January 2006. The developer also anticipates that the Sub-Phase IB improvements will be completed by the end of 2006 and before all the homes in Village A are occupied. To ensure the intent of the conditions are met, the developer has agreed that the security provided for this final map will not be released until the Sub-Phase IB improvements have been completed, or the remaining work is secured by security provided with the next Phase.

Other specifics regarding the different approaches between the vesting tentative map and the final map include the following:

- Village A:** The vesting tentative map envisioned that Village A would contain 237 homes and neighborhood-serving parks and that the sizes of the lots in Village A would generally be smaller than those of the other villages in the development. In contrast, the first final map reveals that there will be 214 homes, two neighborhood parks, and two mini-parks totaling approximately two acres. The conditions of approval of the vesting tentative map do not require a specific amount of park acreage for each village; rather, there is a requirement of 5.25 acres of parks for the entire project. There were also limitations on the number of relatively small lots that could be incorporated into the development; however, as noted in the chart below, the number of smaller lots envisioned in the vesting tentative map has been replaced by a greater number of larger lots. The decrease in the number of homes is due to closer scrutiny of the topography and site constraints and a marketing decision on the part of the property owner to provide larger lots with pleasant views.

Lots (square feet)	Tentative Map Number	Final Map Number
4,000-4,999	33	11
5,000-5,999	39	19
6,000-7,999	153	98
8,000 or more	12	53
<b>Total:</b>	<b>237</b>	<b>214</b>

- The tentative map anticipated that homes would be located at least 150 feet from the PG&E transmission tower easement. The final map shows that 17 homes will be closer than 150 feet from the easement, with the closest dwellings being about 90 feet from the easement. A condition of approval of the vesting tentative map states that houses cannot be constructed within 150 feet of the transmission line easement unless otherwise approved by the City and PG&E following review of a monitoring report. Since the adoption of the EIR in 1997, additional research has been conducted on Electromagnetic Fields (EMFs). In March 2005,

magnetic field measurements were taken in the vicinity of the transmission lines bordering the Stonebrae development envelope, which revealed relatively low emission levels when compared with similar high-voltage lines. According to Michael R. Neuert, MA, BSME, of Neuert Electric & Electromagnetic Services, the comparatively low measurements suggest that the individual cables on the towers may have been phased for maximum self-cancellation of the magnetic fields, thus leading to reduced emissions. Additionally, both PG&E and the Public Utilities Commission have no restrictions on locating habitable structures up to the easement itself. Based on both the low monitoring results and present acceptable standards by PG&E, staff supports the proposed location of houses at 90 feet from the PG&E easement.

- A condition of approval of the vesting tentative map generally limits continuous slopes to no higher than 25 feet between lots or back-to-back adjacent to open space. However, the applicant's desire to create more view lots has resulted in an increase in the continuous height of 13 of the slopes to be over 25 feet. This may be most visible along Fairview Avenue. The applicant proposes to soften the impact of the height of the slope by adding curving walls with varying heights to provide variety to the slope and by using trees, shrubs, and ground cover to further soften the slope.
- The tentative map envisioned that five acres would be devoted to a school site and an adjoining five acres would be conveyed to the City for joint school/park purposes. It was envisioned that these latter five acres would both provide the public with recreational opportunities and serve the recreational needs of the school. Due to a State requirement that the size of the school equal at least 10 acres to qualify for funding, title for the entire 10 acres must rest with the Hayward Unified School District. An agreement has been reached between the School District and the Hayward Area Recreation and Parks District to provide public recreational opportunities on the five acres dedicated to school recreation. A condition of approval required that the applicant execute an agreement with the City that would allow the City to take possession of the five acres of parkland adjacent to the school site at any time in the future should the property no longer be used for park purposes. Because of the State limitation on the minimum amount of land required for a school site, this condition cannot be met. However, with the agreement that the five acres will also be available for public recreational activities, staff believes the intent of the tentative map requirement has been met.
- The tentative map depicted street improvements along Fairview Avenue that included a 36-foot-wide curb-to-curb street width (existing street pavement is 24 feet curb-to-curb). This width accommodated two travel lanes and parking on each side of the street (see Exhibit C1). From the curb to the development there was an 8-foot-wide multi-use (bicycle and pedestrian) path, some landscaping, and a 4-foot-wide horse trail. Since the adoption of the tentative map, interest has been expressed in revising these improvements in favor of a natural-packed dirt path. Staff suggests and the developer is proposing implementation of an alternative street design that would provide a 32-foot-wide curb-to-curb street with no parking on either side, but with bike lanes on both sides. With the bike lanes there is no longer a need for a wide multi-use path, and instead there would be a 4-foot-wide meandering sidewalk and a 6-foot-wide meandering horse trail providing more space for the horse trail (see Exhibit C2). In staff's opinion, providing sidewalks along major streets such as Fairview Avenue, particularly in proximity to a school, maximizes opportunities for pedestrian circulation. Sidewalks are conducive to a healthy lifestyle and to integrating

new growth into existing communities, which is consistent with Smart Growth principles. The developer has also agreed that the improvements on Fairview will be continued to the city limits, just past the future roundabout at Woodstock. Exhibit C3 shows these improvements which will be constructed with Sub-Phase IB as noted above.

- The applicant plans to start construction of the elementary school this May with the opening of the school anticipated in September 2006.

The second final map, or Sub-Phase IB of the development, will include the golf course. As already noted the golf course has been reconfigured somewhat in order to improve access to scrub vegetation, the prime Whipsnake habitat. This will also result in an increase in the number of preserved oak trees near Hole No. 5. According to the applicant, the arrangement will also provide an improved golf experience. The parking structure for the golf clubhouse is intended to be eliminated and replaced by surface parking for fewer vehicles, although it is premature to make an accurate assessment at this point.

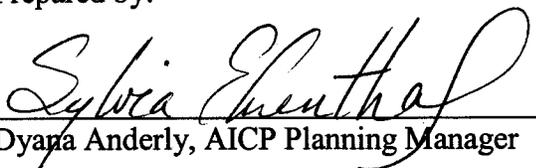
Because of the decision to have two final maps as part of Phase I instead of one and to correspond to the completion of Village A, the developer has requested a minor adjustment of the condition of approval relating to the timing of the second deposit of \$1,611,574 for additional traffic improvements. The condition presently requires payment "before approval of the second final map or issuance of 200 building permits, whichever occurs first." The developer is requesting it be changed to "before issuance of the 215<sup>th</sup> building permit." Staff recommends the condition be revised to read "before issuance of the 215<sup>th</sup> building permit or January 1, 2007, whichever occurs first." The developer has indicated acceptance of this change.

The developer has submitted the subdivision improvement plans and has estimated \$20,266,429 to construct the improvements. A letter of credit will be provided to the City for faithful performance and payment of labor.

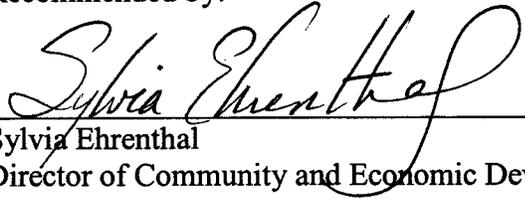
There are still some of the conditions of approval of the final tentative map that await final action, such as completion of the construction drawings for the landscape plans for the common areas and receipt of funds required to be deposited with the first final map; however, the final map may not be recorded until all required conditions of approval are met.

The applicant indicates that they would be pursuing amendments to the Design Guidelines for the Stonebrae development in consideration of the type of housings under consideration as well as lot constraints, such as sloped rear yards. It is anticipated that the Planning Commission will be reviewing these amendments later this year, followed by review by the City Council.

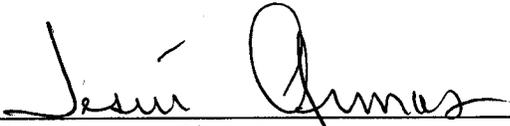
Prepared by:

  
for Sylvia Euentha, AICP Planning Manager

Recommended by:

  
Sylvia Ehrental  
Director of Community and Economic Development

Approved by:

  
Jesús Armas, City Manager

Attachments: Exhibit A: Tentative Map Land Use Plan  
Exhibit B: Stonebrae Land Use Plan  
Exhibit C: Fairview Ave Improvements  
Draft Resolution

**DUE TO THE LENGTH OR COLOR  
OF THE REFERENCED EXHIBIT,  
IT HAS BEEN ATTACHED AS A  
SEPARATE LINK.**

# DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. 05-

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

*mae*

*4/14/05*

RESOLUTION REVISING A CONDITION OF APPROVAL TO THE VESTING TENTATIVE MAP AND APPROVING THE FIRST FINAL MAP FOR TRACT 5354 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A SUBDIVISION AGREEMENT AND OTHER NECESSARY DOCUMENTS

WHEREAS, there has been presented to the City Council of the City of Hayward, Final Map Tract 5354, the final map for Phase IA of the Stonebrae Country Club; and

WHEREAS, Phase IA includes grading of the entire site, development of Village A, and the construction of the school and park, as well as some public improvements; and

WHEREAS, a condition of approval for the vesting tentative map requires payment of \$1,611,574 for additional traffic improvements before approval of the second final map or issuance of 200 building permits, whichever first occurs; and

WHEREAS, given that the proposed Village A contemplates the construction of 214 residential parcels, the condition of approval should be modified to require payment of the additional funds before the issuance of 215 building permits or January 1, 2007, whichever first occurs; and

WHEREAS, the City Engineer has reviewed the final map and has found it to be in compliance with the tentative map and in conformance with the Subdivisions Map Act provisions of local ordinances.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Hayward as follows:

Section 1. Condition of Approval No.46 is hereby revised to require that the applicant/developer shall pay \$1,611,574 for additional traffic improvements before the issuance of 215 building permits or January 1, 2007, whichever first occurs.

Section 2. Final Map Tract 5354 is in substantial conformance with the Tentative Map, and is hereby approved. The City Manager is hereby authorized for and on behalf of the City of Hayward to negotiate and execute a subdivision agreement in a form approved by the City Attorney, and to execute any and all documents necessary to complete the transfer of those portions of Tract 5354 property which will be exchanged, dedicated to or acquired by the City.

IN COUNCIL, HAYWARD, CALIFORNIA April 19, 2005

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