



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 11/14/06
AGENDA ITEM 7
WORK SESSION ITEM _____

TO: Mayor and City Council
FROM: Director of Community and Economic Development
SUBJECT: Final Map Tract 7736 – 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 7736.

DISCUSSION:

The vesting tentative tract map for the Stonebrae Country Club was approved by the City Council in September 2002; and the first final map, Tract 5354, was approved on April 19, 2005. Various changes that had occurred in the overall development since the approval of the vesting tentative map were described during approval of the first final map. Although there were modifications between the vesting tentative map and the first final map, given the scope of the project, a finding of substantial compliance between the vesting map and the first final map was made. These modifications included a reduction in the number of homes, an increase in the allowable slope height, and a redesign of Fairview Avenue involving street widths, parking, and horse and pedestrian pathways (see Exhibit A).

In addition, changes were identified regarding the phasing plan included in the conditions of approval. Due to the scope of the project, specific requirements under Phase I were divided into a Sub-Phase IA and Sub-Phase IB. Since approval of the first final map, all of the Sub-Phase IA improvements have either been completed or will be completed shortly, including mass grading of the entire site, Village A and its parks, the Stonebrae School and athletic field, and the installation of the street improvements along Hayward Boulevard and Fairview Avenue fronting the development. As noted at the time of approval of the first final map, Sub-Phase IB would include approval of the second final map (Village B), the main drive to the clubhouse, the remaining work on the golf course minus the clubhouse, and the remainder of the street improvements on Fairview Avenue to include the roundabout at Woodstock Road.

The applicant is currently seeking approval of a second final map, which primarily encompasses Village B. This second final map 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. There are modifications between the vesting tentative map and the second final map as noted below. As with the first final map, the City Engineer believes a finding of substantial compliance can be made given the scope and objectives of the project. The City Council is being asked to support the finding of the City Engineer that the second final map for the Stonebrae Country Club is consistent with the tentative map.

The different approaches between the vesting tentative map and this second final map include the following:

- ***Village B***

In the vesting tentative map, Village B originally included 124 lots plus a greenway or paseo along the main drive to the golf Clubhouse. This second final map includes 149 lots, consisting of 117 lots that now comprise Village B, and 32 larger lots fronting on the opposite sides of Stonebrae Road and Country Club Drive that are in Villages D and E respectively (see Exhibit B). A continuous main road to the golf clubhouse is required as part of Phase 1B. The applicant indicates that construction of the 32 large lots now will lessen construction impacts for access to later phases of the development. Also, development of these lots will help fund the construction of the roadway to the clubhouse. These large lots are 10,000 square feet or more, with a front yard setback of 30 feet. The paseo along Stonebrae Road has been enlarged over what was shown in the tentative map and includes trails and view overlooks.

Overall, the second final map reflects fewer small lots of 4,000 to 6,000 square feet and more large lots of greater than 8,000 square feet in this phase than what was approved in the vesting tentative map.

- ***Elimination of Neighborhood Parks in the Remaining Villages***

The conditions of approval of the tentative map require the construction of 5.25 acres of neighborhood parks throughout the project, which was approved as a 650-home private development. The concern at that time was that the additional homes not overtax existing public recreation facilities. Since that time, the number of dwellings has been reduced with the latest projection by the developer being 570 dwelling units. Stonebrae is in the process of constructing approximately two acres of private parks as part of Village A. When the tentative map was approved it was not known that certain additional recreational facilities would be created to serve both residents of the country club and the City at large. Working with the Hayward Area Parks and Recreation District (HARD), Stonebrae has been responsible for the grading of the Lewis Park, located on Hayward Boulevard within a half mile of the development entry, which will now allow it to be landscaped and improved with recreational equipment. In addition, Stonebrae paid for installation of artificial turf on the soccer fields at Stonebrae Elementary School, which will result in an increase in the number of playing days and the subsequent use of these facilities. The improvements made to Lewis Park and Stonebrae School will provide greater public benefit than the private parks in the Stonebrae development. Taking these changes into account, the developer has requested that the requirement for 3.25 acres of additional private parks in the remaining villages be deleted. HARD indicates in the attached letter (Exhibit C) that with these alternative improvements, the residents of Stonebrae would not be expected to burden HARD facilities.

In providing recreational opportunities within the Stonebrae Country Club, the applicant is adding a 4-acre fitness center at the clubhouse site, which was not anticipated during the initial project development. The building will include exercise class and equipment rooms. The outdoor facilities include a 25-meter pool, a children's pool and tennis courts. As required by the conditions of approval, the developer will also provide the other planned recreational facilities

which are the internal "paseos" or greenways, an 18-hole championship golf course, and the dedication of almost 1,000 acres to the East Bay Regional Park District, and trails within the regional park that include segments of the Bay Area Ridge trail. It should also be noted that the area of the "paseos" is significantly greater in the present land use plan than on the approved tentative map; and, although they do not meet the standard for a private park, they do preserve open space within the development. Taken in total, staff agrees that the original intent for the 5.25 acres of private parks has been satisfied without additional private parks in the remaining villages.

- ***Revised sequence of future Villages***

The original phasing plan included in the conditions of approval for the Vesting Tentative Map indicated that the Villages will follow in alphabetical sequence with Village C followed by Villages D, and then E. The applicant has indicated that he intends to submit Village E as the next final map, with Village D following Village E and with Village C last. This is a reasonable sequence which staff supports as a minor modification since it allows development to proceed logically from the entry southward to the clubhouse.

- ***Construction of the Second Water Storage Reservoir***

The vesting tentative map conditions of approval require two water storage tanks at elevation 1530. The first 2.85 million gallon tank was constructed as part of Village A. Condition of approval no. 171 requires the second tank to be constructed before the issuance of building permits for 350 homes. The applicant is requesting that the City revise this condition to require the second tank be constructed prior to issuance of 365 building permits to allow for the start of construction of all the homes covered in this second final map. This would delay slightly the construction of the second tank. Staff has evaluated this request in light of water storage needs and believes this is a reasonable request and consistent with the intent of the original condition.

- ***Off-Site Traffic Mitigation***

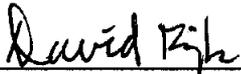
As modified with approval of the first final map, condition of approval no. 46 requires the second traffic mitigation payment of \$1,611,574 to be paid either at issuance of the 215th building permit or on January 1, 2007, whichever is earlier. However, mass grading and Village A construction took longer than anticipated, and the applicant now anticipates that the 215th building permit will not be issued until early 2008. Therefore, Stonebrae requests that the due date for the payment be the earlier of the 215th building permit or January 1, 2008 to better reflect the intent of the correlation of the payment with the first home in Village B. This delay in the traffic mitigation payment could represent a loss of a year's interest income to the City. To mitigate this loss, the developer has agreed to pay interest from January 1, 2007 at an interest rate of 5% which is comparable to the City's investment portfolio. With the interest covered, staff supports this request.

As an update on the schedule for the other significant requirements of Phases IA and IB, the developer has indicated that the first 5 holes of the golf course should be available for play in May 2007, with 14 holes by August 2007 and the full 18 holes and driving range in the fall of 2007. Also as part of this Phase IB, construction of the remaining improvements on Fairview Avenue will include widening, a roundabout at Woodstock Road, undergrounding of utilities, and new street lights will begin during the 2007 summer construction season. The widening will require

one-way traffic controls for several months using flagmen during the day and temporary traffic signals at night. However, a full closure and detour through the Prominence Development will not be required.

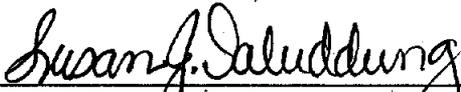
The developer has submitted the subdivision improvement plans and has estimated \$8,403,739 to construct the improvements. Appropriate faithful performance and payment of labor bonds will be provided prior to recording of the final map. Also, the map will not be released for recording until all required deposits of funds are made.

Prepared by:



David Rizk, Planning Manager

Recommended by:



Susan J. Daluddung
Director of Community and Economic
Development

Approved by:



Jesús Armas, City Manager

Attachments: Exhibit A: Stonebrae Land Use Plan
Exhibit B: Village Lot Plan
Exhibit C: HARD Letter
Draft Resolution

11/9/06

**DUE TO THE LENGTH OR
COLOR OF THE
REFERENCED EXHIBITS,
THEY HAVE BEEN
ATTACHED AS SEPARATE
LINKS**



HAYWARD AREA RECREATION AND PARK DISTRICT

1099 'E' Street, Hayward, California 94541-5299 • Telephone (510) 881-6700 FAX (510) 888-5758

November 3, 2006



Mr. Jesus Armas
City Manager
City of Hayward
777 "B" Street
Hayward, California 94541

Dear Jesus:

As you are aware, Mr. Larry Lepore, Park Superintendent of the Hayward Area Recreation and Park District, has been working with YCS Investments and Stonebrae Limited Partnership for a number of years. I am pleased to advise that following discussion with Stonebrae Limited Partnership, the Hayward Unified School District and the Hayward Area Recreation and Park District, a number of agreements have been reached. They are as follows:

The original plans for the playfields at the new school were to be natural turf; however, Stonebrae has agreed to install synthetic turf on the two fields for an additional cost not to exceed \$938,000; provide utilities necessary to the revised location of the future restroom building and complete the required grading at the nearby Lewis Park, a future park site of the Hayward Area Recreation and Park District that both the Stonebrae residents and the rest of the community would enjoy.

Stonebrae LP also plans to provide additional recreation facilities, such as a swimming pool and a tennis facility within their development and, thereby, would alleviate the impact on the facilities of the Hayward Area Recreation and Park District.

So far, Stonebrae LP has installed the synthetic turf fields, installed utilities to the future restroom building location and completed the grading of the future Lewis Park. In addition the City has installed and completed improvements to the curb, gutter and sidewalk. Sewer, water and storm drains have also been installed.

BOARD OF
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Eric Willyerd

Mr. Jesus Armas
City Manager
City of Hayward

November 3, 2006

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The landscape architect will finalize the plans and specifications this month. The tentative schedule for improvements to the park call for the bidding to be completed in March 2007, with construction scheduled for completion in the fall of 2007.

The Hayward Area Recreation and Park District believes that the improvements identified above are a better use of acreage and funding, in lieu of providing other small open space areas within the Stonebrae Development.

The Hayward Area Recreation and Park District has enjoyed a cordial relationship with all the parties, as well as the public agencies that have been involved in this project and looks forward to continuing to work with them all to see this project become a reality for the enjoyment of the Greater Hayward community.

Sincerely,



Eric Willyerd
General Manager
Hayward Area Recreation and Park District

EW:sm

cc: Larry Lepore, Park Superintendent

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

me
11/8/06

Introduced by Council Member _____

**RESOLUTION REVISING CONDITIONS OF APPROVAL TO
THE VESTING TENTATIVE MAP AND APPROVING THE
FINAL MAP FOR TRACT 7736 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 7736, the second final map for the Stonebrae Country Club; and

WHEREAS, the second final map includes the development of Village B and several additional lots fronting Stonebrae Road and Country Club Drive, the construction of the main road to the golf course and a four-acre fitness center, swimming pools and tennis courts, as well as some public improvements; and

WHEREAS, a condition of approval for the vesting tentative map requires the second payment of \$1,611,574 for traffic improvements before issuance of the 215th building permit or January 1, 2007, whichever first occurs; however, as a result of unanticipated delays in the mass grading of the project and the development of Village A, the applicant has requested that this condition be revised to require payment of the second installment before the issuance of the 215th building permit or January 1, 2008, whichever first occurs, for which delay the applicant has agreed to pay five percent interest from January 1, 2007; and

WHEREAS, a condition of approval for the vesting tentative map requires the second of two water storage tanks to be constructed before the issuance of building permits for 350 homes and the applicant has requested that the City revise this condition to require the tank's construction before the issuance of building permits for 365 homes to allow for the start of construction of the homes in this final map; and

WHEREAS, a condition of approval for the vesting tentative map requires the installation of 5.25 acres of neighborhood parks, of which approximately 2 acres are being constructed in Village A, and the applicant has requested that the City revise this condition to eliminate the requirement for the remaining park acreage in exchange for the applicant's grading of Lewis Park, the installation of artificial turf on the soccer fields at Stonebrae Elementary School, the increased area of the paseos and the construction of a 4-acre fitness center at the clubhouse site, including exercise rooms, swimming pools and tennis courts; and

WHEREAS, the City Engineer has reviewed the final map and has found it to be in substantial 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, 2008, whichever first occurs, with interest accruing at the rate of five percent from January 1, 2007 until paid in full.

Section 2. Condition of Approval No.171 is hereby revised to require that the applicant/developer shall construct the second 2.85-million gallon water tank at elevation 1530, prior to the issuance of building permits for 365 homes. Consistent with this revision, the proportional amount of the total common area landscaping, exclusive of the golf course, that may be developed in conjunction with the 365 homes shall be approximately sixty-five percent.

Section 3. Condition of Approval No. 3.e. is hereby revised to require that the size of the neighborhood parks shall be 2 acres. The City Council finds, with the concurrence of the Hayward Area Parks and Recreation District, that the elimination of 3.25 acres of park is offset by the provision of other recreational amenities, such as the grading of Lewis Park, the installation of artificial turf on the soccer field at Stonebrae Elementary School, the construction of the 4-acre fitness center at the clubhouse, the increase in the area of the paseos and the reduction in the number of homes originally approved for the project.

Section 4. Final Map Tract 7736 is in substantial conformance with the vesting 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.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2006

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