

**DATE:** October 23, 2007

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** Final Tract Map 7749 – SCS Development Company (Citation Homes Central)/First American Title Company (Applicant/Owner) – Approve the Final Map and Authorize the City Manager to Execute a Subdivision Agreement and Accept, upon Completion of Improvements, Certain Streets into the City Street System

#### **RECOMMENDATION**

That the City Council adopts the attached resolution:

1. Finding the final map for Tract No. 7749 in substantial conformance with the tentative map and the conditions of approval thereof;
2. Authorizing the City Manager to execute a Subdivision Agreement covering the installation of the required improvements; and
3. Accepting the street improvements into the City's Street System upon certification by the Director of Public Works that the required street improvements have been completed.

#### **BACKGROUND**

On December 13, 2005, City Council approved Vesting Tentative Map Tract Nos. 7613 and 7625 to allow for the development of 612 condominium units, 16 duet units, and a retail building in the Cannery Place which is located north of Winton Avenue, west of Myrtle Street, south of C Street, and east of the Union Pacific Railroad tracks; and is surrounded by an established residential neighborhood and major collector streets.

On April 24, 2007, City Council approved Final Map Tract 7613, the first final map for the Cannery Place, for 16 townhomes and 171 condominium units. The Tract 7613 is generally located at the northeast quadrant of the Cannery Area Design Plan. The developer has obtained a grading permit to prepare the site for the installation of underground utilities and the construction of improvements as shown on the approved tract improvement plans.

## **DISCUSSION**

Tentative and final maps are required for all subdivisions creating five or more parcels, condominiums, condominium conversions, a community apartment project containing five or more parcels, or the conversion of a dwelling to a stock cooperative containing five or more dwelling units. A tentative tract map is required to ensure that any proposed development complies with the Subdivision Map Act, the California Environmental Quality Act, the City subdivision, zoning, and building regulations, the Hayward General Plan and Neighborhood Plans, and requirements of the Public Works, Fire, and Police Departments. After the tentative map is approved, the developer submits the final map and improvement plans for review and approval by the City Engineer before the developer can proceed with the project construction. The Final Tract Map 7749 represents one phase of the overall subdivision of the Cannery Place development, which includes a total of four phases (Tracts 7613, 7625, 7748 and 7749, see attached map). The Final Map for Tract 7749 is the third map in the Cannery Place development and includes a 15-lot subdivision for 115 condominium units.

The Tract 7749 application includes creating a 15-lot subdivision for 115 condominium units and construction of five private driveways and six public streets to serve those units. The six public streets are as follows: Martin Luther King Drive, Parkhurst Street, Palmer Avenue, Sullivan Way, Williams Way, and Staley Avenue. The aforementioned streets will be accepted, upon completion of improvements, into the City's Street system. Tract 7749 is generally located at the southwest quadrant of the Cannery Place.

The final map was reviewed by the City Engineer and was found to be in substantial compliance with the vesting tentative tract map and in conformance with the Subdivision Map Act and provisions of local ordinances. There have not been significant changes to the final map, as compared to the tentative tract map the Council approved in December of 2005. The developer has submitted the subdivision improvement plans and has posted securities for faithful performance of the improvements in the amount of \$3,716,000 and \$1,858,000 for labor and materials.

## **FISCAL IMPACT**

As with all developments that add new public streets and other public facilities such as water mains, sanitary sewers, and street lights, there will be some added maintenance costs as those facilities age; although, for immediate future those maintenance costs will be minimal.

## **PUBLIC CONTACT**

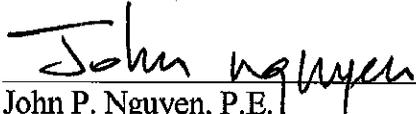
A public hearing is not required for the filing of Final Map Tract 7749. The Final Map for Tract 7749 represents a phase subdivision of Vesting Tentative Tract Map 7625. Public hearings were already conducted under Vesting Tentative Tract Map 7625 and all improvements are to be constructed as part of the Tract 7749 improvement plans.

A copy of this report is also sent to the applicant.

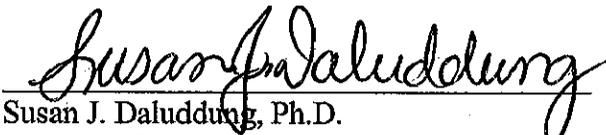
**SCHEDULE**

A grading permit has been issued for site clearing and grading for construction. Should the final map be approved, the developer will commence the installation of underground utilities and the construction of improvements as shown on the approved tract improvement plans. In addition, building permits will be obtained for construction of the proposed buildings in conformance with the approved Planned Development. The developer does not yet have a schedule for building construction.

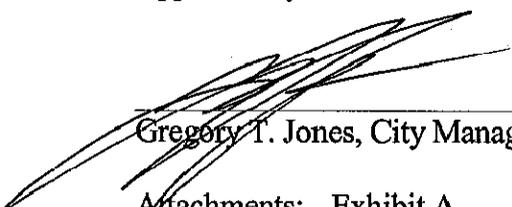
Prepared by:

  
\_\_\_\_\_  
John P. Nguyen, P.E.  
Development Review Services Engineer

Recommended by:

  
\_\_\_\_\_  
Susan J. Daluddung, Ph.D.  
Director of Community and Economic Development

Approved by:

  
\_\_\_\_\_  
Gregory T. Jones, City Manager

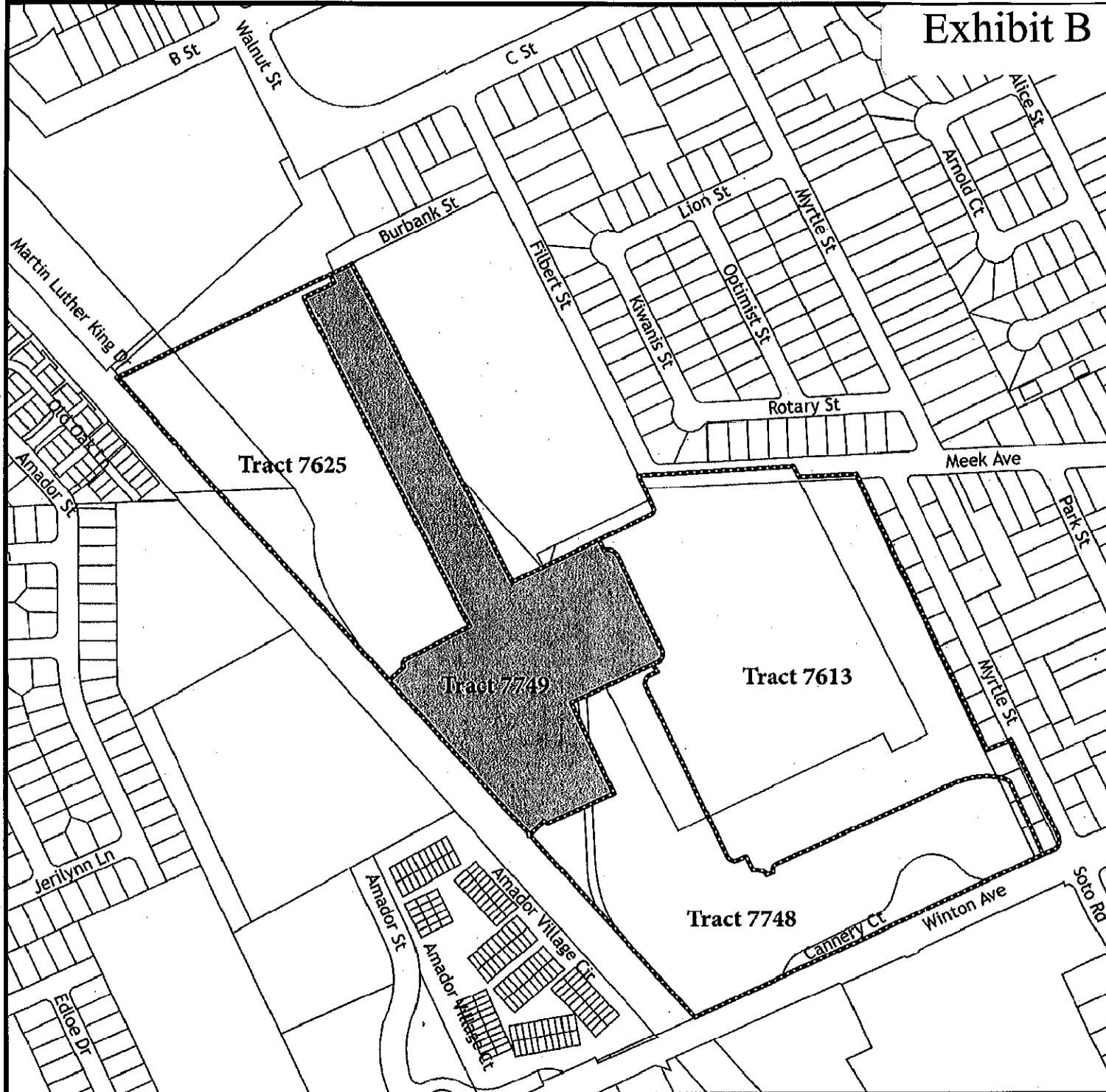
Attachments: Exhibit A. Vicinity Map  
Exhibit B. Area Map  
Exhibit C. Site Plan  
Draft Resolution



**Vicinity Map for Tracts 7613, 7625, 7748, 7749**

FEET 2000 4000





## Area Map

TTM 7613, TTM 7625,

TTM 7748, TTM 7749

Address: 24 Cannery Court

Applicant: Citation Homes Central

Owner: Charles McKeag



FEET

400

800



**DRAFT**

HAYWARD CITY COUNCIL

RESOLUTION NO. 07-

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

**RESOLUTION APPROVING FINAL MAP FOR TRACT 7749,  
AUTHORIZING THE CITY MANAGER TO EXECUTE A  
SUBDIVISION AGREEMENT, AND ACCEPTING CERTAIN  
STREETS INTO THE CITY STREET SYSTEM**

WHEREAS, Vesting Tentative Map Tract Nos. 7613 and 7625 were approved by the City Council on December 13, 2005 and the Final Map for Tract 7749, a phase subdivision, has been presented to the City Council of the City of Hayward for the development of a 15 lot subdivision containing 115 condominium units located at the southwest quadrant of the Cannery Area Design Plan; and

WHEREAS, the Director of Public Works reviewed the Final Map and found it to be in substantial compliance with the tentative map, the Subdivision Map Act, and provisions of local ordinances.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward does hereby find that the Final Map for Tract 7749 is in substantial conformance with the Tentative Map and does hereby approve the first Final Map, subject to the condition that the subdivider enter into an agreement for the construction of improvements and other obligations required as a condition of approval of the Tentative Map for Tract 7749 and that approval shall not be effective until and unless such agreements are entered into.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized for and on behalf of the City of Hayward to negotiate and execute a subdivision agreement in forms approved by the City Attorney, and to execute any and all documents necessary to complete the transfer of those portions of Tract 7749 property which will be dedicated to or acquired by the City.

BE IT FURTHER RESOLVED that the City Council shall hereby accept the street improvements into the City Street System of the City of Hayward upon certification by the Director of Public Works of satisfactory completion of the street improvements in substantial conformance with the approved plans.



**DATE:** October 23, 2007  
**TO:** Mayor and City Council  
**FROM:** Director of Public Works  
**SUBJECT:** I-880/SR 92 Reliever Route Funding Agreement with the Alameda County Transportation Improvement Authority

### **RECOMMENDATION**

That Council adopts a resolution authorizing the City Manager to execute a project funding agreement with the Alameda County Transportation Improvement Authority (ACTIA) for the scoping and preliminary engineering/environmental phases for Phase I of the I-880/SR 92 Reliever Route.

### **BACKGROUND**

In 2000, Alameda County voters passed an extension of the half-cent transportation sales tax to 2022. As a part of this action, the Alameda County Transportation Improvement Authority (ACTIA) was created to administer this tax. In order for jurisdictions to receive the sales tax funds, ACTIA required several agreements to be executed.

In March 2002, Council approved two agreements with ACTIA: 1) the master program agreement, which allows the City to receive local street and road, as well as bicycle and pedestrian programmatic funding; and 2) a master project agreement, which generally defines the policies and procedures governing ACTIA funding for capital projects. Action on a third agreement, a project-specific agreement for the City's one major capital project, the I-880/SR 92 Reliever Route, was deferred until the project could become better defined in terms of scope, scheduling, and cost. Staff has been working with the consulting firm of Kimley-Horn to address these points. However, in order for the City to be reimbursed for future work, a project-specific funding agreement with ACTIA must be executed.

### **DISCUSSION**

The I-880/SR 92 Reliever Route is a major City priority. This project consists of two phases: Phase 1 includes the extension of West A Street to Corsair Avenue and the extension of Whitesell Street from Enterprise Avenue to Cabot Boulevard (see Exhibits A-1 and A-2). A portion of the

West A Street extension, from Hesperian Boulevard to Golf Course Road, has been constructed with City funds as part of the Target project on West A Street and Hesperian Boulevard. Completion of these two street extensions will provide for better access in and out of our industrial area, and it will help to relieve the congestion on several major arterials, such as Winton Avenue, Clawiter Road, and Depot Road. This phase of the project should also relieve some of the congestion on Industrial Boulevard at the SR 92 interchange.

Phase 2 of the project is the reconstruction of the interchange at SR 92 and Clawiter/Whitesell. A funding source for Phase 2 has not yet been identified. The City is continuing to pursue options for funding the interchange, including the Local Alternative Transportation Improvement Program (LATIP) and the Countywide Transportation Plan. City staff, with ACTIA input, is recommending the execution of project-specific agreements for each phase of the work on Phase 1. Therefore, this first agreement will cover preliminary engineering and the environmental phases only.

## **FISCAL IMPACT**

According to the latest project cost estimates, Phase 1 of the project appears to be fully funded with \$26.5 million in Measure B funds programmed for the City in the latest ACTIA Strategic Plan.

## **PUBLIC CONTACT**

All public meetings relating to this action are conducted by the Alameda County Transportation Improvement Authority. As part of its general oversight of Measure B projects, the ACTIA Cities Watchdog Committee is presented with periodic project updates.

## **SCHEDULE**

ACTIA presented the agreement to its Work Program Committee on October 12, 2007, and will present the item to its Board for approval on October 25, 2007. The proposed project-specific funding agreement is included as Exhibit B. Staff anticipates that all work on the environmental phase will be completed by mid-2009.

**DRAFT** *NH 10/15/07*

HAYWARD CITY COUNCIL

RESOLUTION NO. 07-

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

RESOLUTION AUTHORIZING THE CITY MANAGER  
TO NEGOTIATE AND EXECUTE A PROJECT  
FUNDING AGREEMENT WITH THE ALAMEDA  
COUNTY TRANSPORTATION IMPROVEMENT  
AUTHORITY (ACTIA) FOR PHASE I OF THE I-880/SR  
92 RELIEVER ROUTE

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute a project funding agreement with ACTIA for the scoping and preliminary engineering/environmental phases for Phase I of the I-880/SR 92 Reliever Route Project, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2007

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:

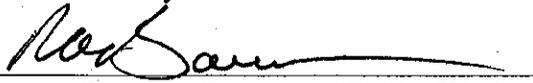
\_\_\_\_\_  
City Attorney of the City of Hayward

Prepared by:



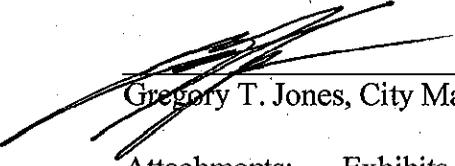
Morad Fakhrai, Deputy Dir. of Public Works

Recommended by:



Robert A. Bauman, Director of Public Works

Approved by:



Gregory T. Jones, City Manager

Attachments: Exhibits A-1 and A-2: Conceptual Drawings  
Exhibit B: Funding Agreement