



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 06/25/02

AGENDA ITEM _____

WORK SESSION ITEM WS #3

TO: Mayor and City Council
FROM: Director of Community and Economic Development
SUBJECT: Mission-Garin Annexation Study Progress Report

RECOMMENDATION:

It is recommended that City Council review and comment on this report.

BACKGROUND:

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 boundary (see Exhibit A) includes those properties proposed for annexation as well as adjacent properties that are integral to a comprehensive evaluation of the area.

This study involves completion of the following steps and preparation of supporting documentation as noted:

1. Identification and evaluation of environmental resources and constraints within the study area;
2. Resolution of land use issues (including preparation of amendments to the General Plan Land Use Map as appropriate);
3. Determination of overall circulation pattern and resolution of property access issues in the study area;
4. Completion of plans for water supply and distribution (to be included in the Plan for Provision of Municipal Services);
5. Consideration of rezoning and pre-zoning of affected properties to achieve consistency with the General Plan Land Use Map; and
6. Submittal of annexation application to the Local Agency Formation Commission.

Individuals, organizations and other interested parties that have been invited to participate in this process include all property owners and residents within the study area, project developers, the school and park districts, and representatives of surrounding neighborhoods.

DISCUSSION:

The annexation study process involves several phases and includes a series of community meetings to identify study area issues, review background information and technical analyses, and obtain feedback from interested parties. The initial phase of the study has been completed. This phase involved informing interested parties about the study process and identifying issues that need to be addressed during the study. Major issues have been identified through comments made at the community meeting on April 24, 2002, and the discussion at the study area tour debriefing on April 27, 2002. A summary of these comments was previously distributed to Council members.

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. While certain impacts might be reduced in some of the alternatives, there could remain significant unavoidable impacts for which a statement of overriding considerations may be appropriate. The EIR process also includes a 45-day public review period and requires preparation of written responses to comments for inclusion in the Final EIR. As a result, this approach will require an additional two months for completion of the study. This extension of the timeline has had general concurrence from affected property owners.

Although staff previously indicated that a Mitigated Negative Declaration could provide for an adequate level of environmental review within the original timeline, this approach does not appear to be appropriate for this study. This approach, which is primarily used for specific development projects, requires that all significant impacts be reduced to a level of insignificance, either through negotiation of changes to the project or identification of appropriate mitigation measures. In addition, the mitigation measures must be agreed to in writing by the applicant prior to public review of the Mitigated Negative Declaration. Given the multiple property owners in the study area, and the open-ended nature of the negotiation process, this approach is not deemed suitable for this type of study.

As staff moves into the issues analysis phase, it will be necessary to develop preliminary land use alternatives for purposes of comparison with existing conditions in the environmental analysis. Existing zoning in the study area is depicted in Exhibit B. Three alternatives (see Exhibit C) have been prepared based on comments made at the community meeting and discussions with major property owners. The generalized nature of these alternatives will facilitate evaluation of the range of potential impacts at various levels of development. Each of the alternatives recognizes existing residential development and retains the Open Space designation for the higher elevations in the study area. Major differences among the alternatives are related to the densities of future residential development. Alternative A designates most of the study area as Rural Estate Density Residential, which allows only single-family dwellings and requires a parcel size of at least one acre. Alternative B designates most of the study area as Low Density Residential, which would allow single-family dwellings on parcels ranging from 5,000 square feet to 10,000 square feet and over. Alternative C, which represents the existing General Plan, designates most of the study area as Limited Medium Density Residential, which could allow for multiple-family dwellings as well as single-family dwellings, with a minimum lot area of 3,500 square feet per dwelling.

The budget developed for this study totals approximately \$163,000. This 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.

NEXT STEPS:

The next step in the process is to distribute the Initial Study and Notice of Preparation (NOP) for the Environmental Impact Report. During the 30-day review period, a community meeting will be held to receive comments on the NOP and to review preliminary land use alternatives for further analysis in the Draft EIR. The community meeting is tentatively scheduled for July 17, 2002. Release of the Draft EIR for public review and comment is anticipated in mid-August. The timeline for completion of the annexation study (see Exhibit D) has been revised to allow for the additional two months required for preparation and review of the EIR.

Prepared by:



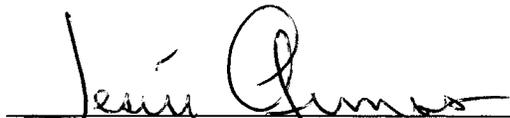
Gary Calame, AICP
Senior Planner

Recommended by:



Sylvia Ehrenthal, Director of Community
and Economic Development

Approved by:

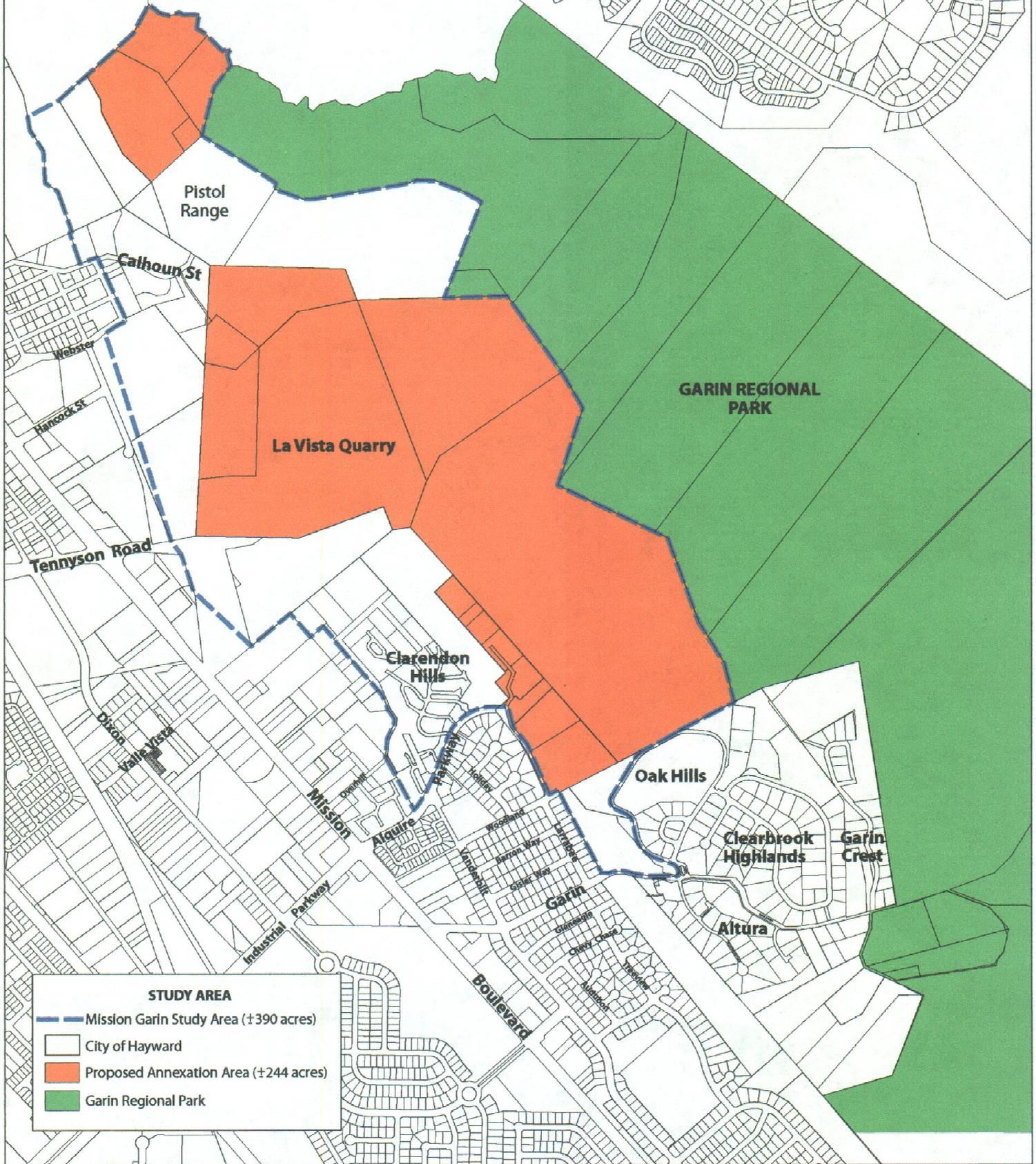


Jesús Armas, City Manager

Exhibits:

- A. Map of Study Area
- B. Existing Zoning
- C. Preliminary Land Use Alternatives for Environmental Analysis
- D. Timeline for Study Process

Mission-Garin Study Area

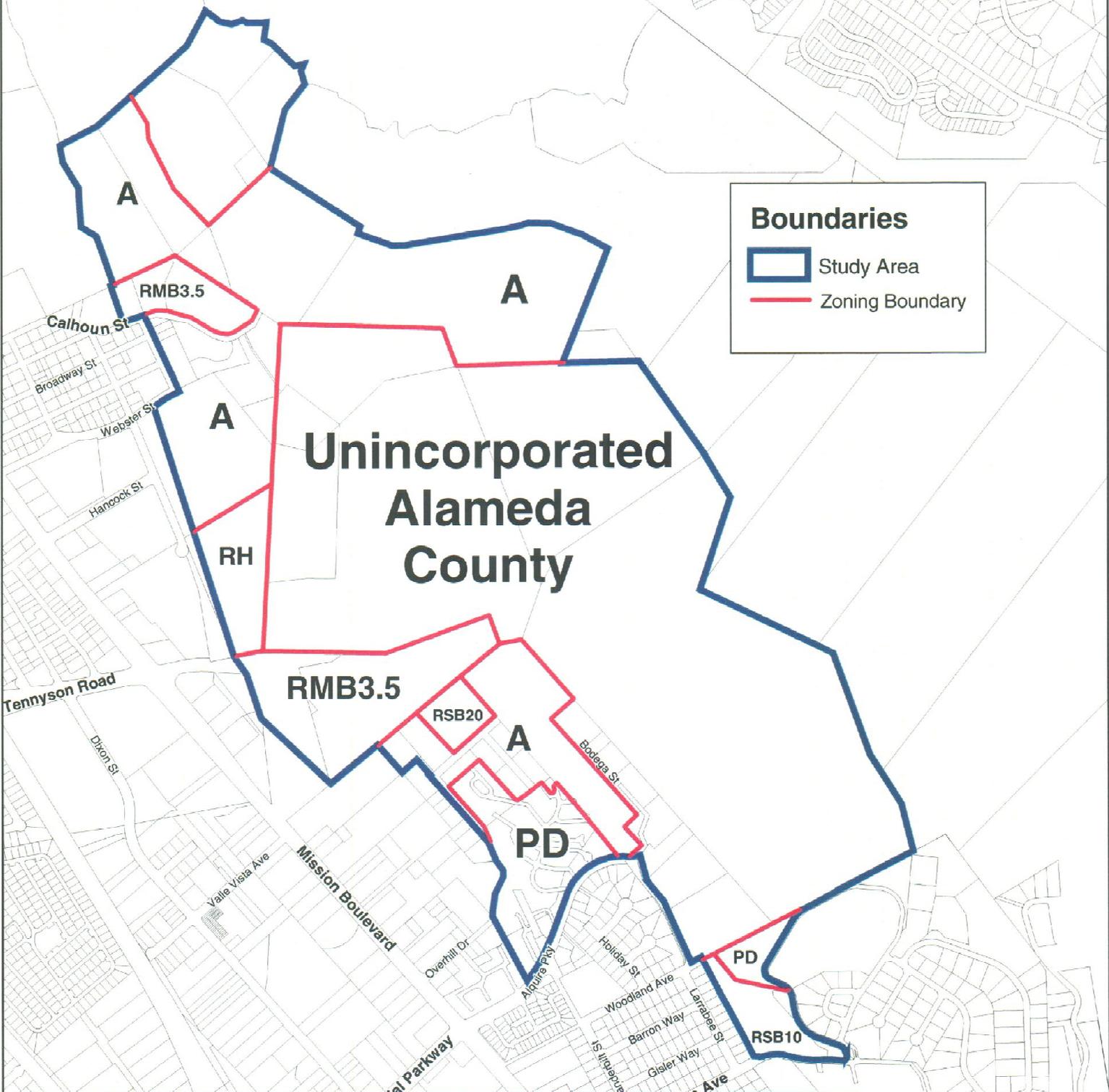


STUDY AREA

- Mission Garin Study Area (±390 acres)
- City of Hayward
- Proposed Annexation Area (±244 acres)
- Garin Regional Park

MISSION-GARIN STUDY AREA

Existing Zoning



Boundaries

- Study Area
- Zoning Boundary

Unincorporated Alameda County

Existing Zoning

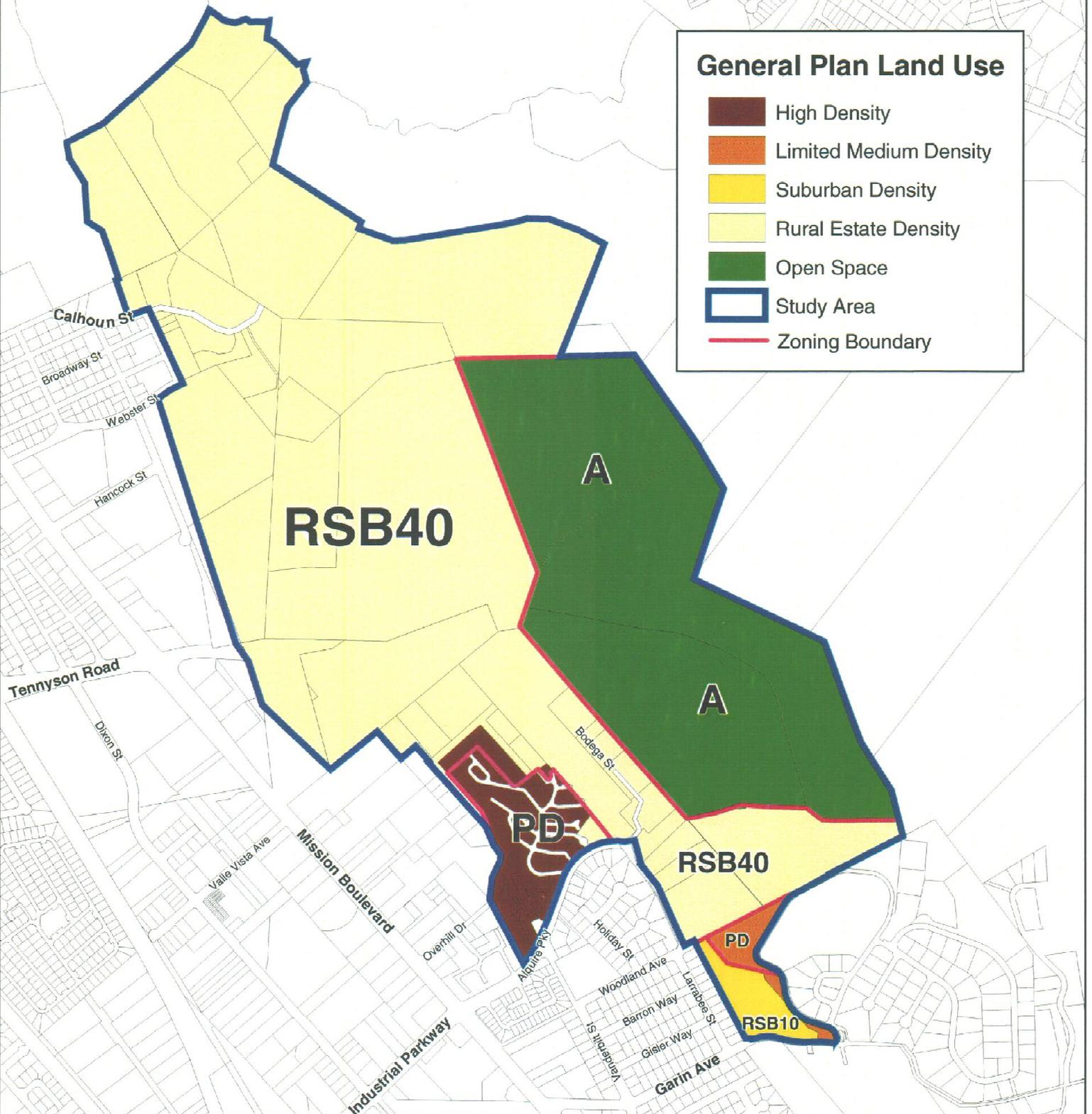
- A - Agriculture
- PD - Planned Development
- RH - High Density Residential
- RMB3.5 - Medium Density Residential (Minimum Lot Area per Dwelling Unit 3,500 Sq. Ft.)
- RSB10 - Single Family Residential (Minimum Lot Size 10,000 Sq. Ft.)
- RSB20 - Single Family Residential (Minimum Lot Size 20,000 Sq. Ft.)



MISSION-GARIN STUDY AREA
Alternative A-General Plan/Zoning

General Plan Land Use

-  High Density
-  Limited Medium Density
-  Suburban Density
-  Rural Estate Density
-  Open Space
-  Study Area
-  Zoning Boundary

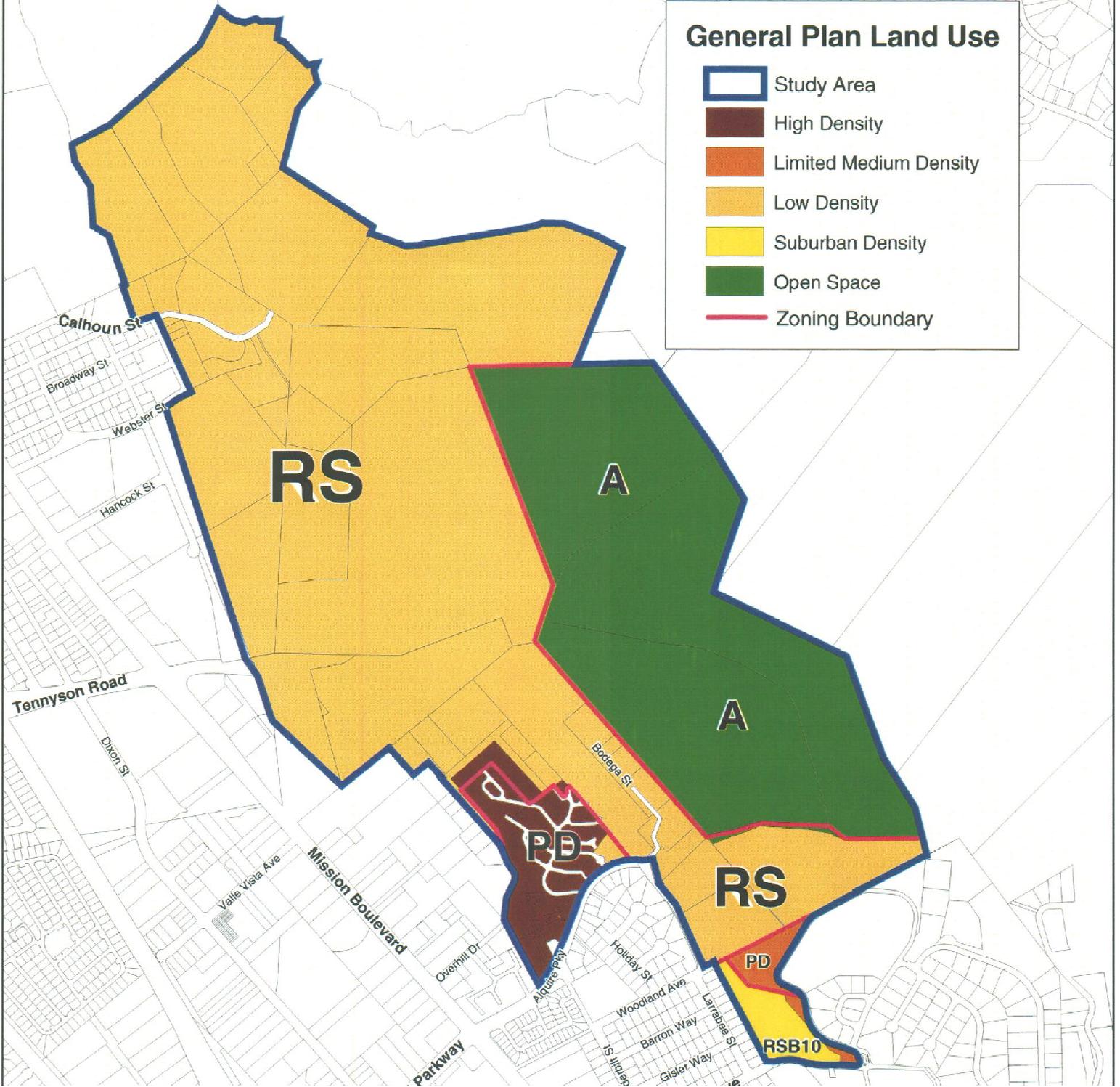


Zoning

- A - Agriculture
- PD - Planned Development
- RSB10 - Single Family Residential (Minimum Lot Size 10,000 Sq. Ft.)
- RSB40 - Single Family Residential (Minimum Lot Size 40,000 Sq. Ft.)

MISSION-GARIN STUDY AREA

Alternative B-General Plan/Zoning



MISSION-GARIN ANNEXATION STUDY**TIMELINE**Phase I – Study Initiation

- March 12 Approval of proposed annexation study process by City Council.
- April 24 Community meeting with property owners, residents and other interested parties to review the study process and identify major issues.
- April 27 Tour of study area with City Council and Planning Commission.

Phase II – Issues Analysis

- June 25 City Council review of progress report on annexation study.
- July 17 Community meeting to review background information and preliminary land use alternatives for analysis in the Draft EIR
- August 9 Release of Draft Environmental Impact Report for 45-day review
- September 17 City Council work session to review and comment on Draft EIR
- September 19 Planning Commission meeting to receive comments on Draft EIR and obtain input on a preferred land use alternative and overall circulation pattern.
- October 11 Distribution of Final Environmental Impact Report

Phase III – Public Hearings

- October 24 Planning Commission public hearing on General Plan amendments and rezonings and prezonings.
- November 19 City Council public hearing on General Plan amendments, rezonings and prezonings, approval of Plan for Provision of Municipal Services, and adoption of resolution on application for annexation.

Phase IV – LAFCO Review

- December 1 Staff submits annexation application package to Local Agency Formation Commission (LAFCO).
- January 9 LAFCO public hearing on annexation application.