

Planning Commission
April 5, 2012

Walmart
Correspondence
(Oppose)

April 4, 2012

By Fax & E-Mail

Elisa Márquez, Chair
Members of the Planning Commission
c/o City Clerk
City of Hayward
777 B Street
Hayward, CA 94541
Fax: (510) 583-3636
Email: CityClerk@hayward-ca.gov

**Re: Appeal of Planning Director's Zoning Consistency Determination –
Proposed Walmart Neighborhood Market at 2480 Whipple Road
(CUP No. PL-2004-0039)**

Dear Chairperson Márquez and members of the Planning Commission:

On behalf of appellants Desirae Schmidt and UFCW Local 5 and its members who live and/or work in Hayward, we write to urge the Planning Commission to UPHOLD the above-referenced appeal, and to overturn the Planning Director's January 19, 2012 determination that a proposed 34,000 square foot Walmart Neighborhood Market occupying the former Circuit City building at 2480 Whipple Road is consistent with governing provisions of the Hayward Zoning Ordinance as well as with applicable conditions contained in CUP No. PL-2004-0039. As explained in further detail below, a relatively small, neighborhood serving grocery store is plainly inconsistent with the Zoning Ordinance and the CUP, both of which mandate that any commercial use at this location serve a regional or sub-regional market base. Since the Neighborhood Market clearly does not, the Planning Commission should require the applicant to apply for a variance and/or modification to the CUP.

I. Introduction And Summary.

With due respect to the Planning Director, the consistency determination finds no basis in the plain language of the zoning ordinance, the use permit conditions, nor indeed in common sense. The proposed 34,000 s.f. supermarket is simply not a region or sub-region-serving commercial retail use by any reasonable measure. In terms of its size and product mix it bears all the characteristics of a typical neighborhood or community-serving grocery store. Indeed, Walmart has explicitly promoted this retail format nationwide as "Neighborhood Markets," describing it as offering a "quick and convenient

shopping experience.” (See [www.walmartstores.com/about us](http://www.walmartstores.com/about-us)). To conclude that customers will travel from across the Bay Area region or the East Bay sub-region to patronize a 32,000 s.f. supermarket – smaller than an average Safeway – is patently unreasonable. Because the store will not serve a regional or sub-regional market base, it is therefore impermissible in the Industrial Zoning District under the clear provisions of the Hayward Zoning Code.

Moreover, contrary to the Planning Director’s conclusions, a new supermarket at this location will in fact generate new or more severe environmental impacts than the closed Circuit City. A supermarket generates significantly more vehicle trips from customers than an electronics store (needless to say, consumers shop for groceries far more frequently than for home electronics), and significantly more deliveries by heavy-duty diesel trucks. The proposed Neighborhood Market will therefore not only aggravate traffic congestion in the area, but will increase noise levels and emissions of air pollutants, including particulate matter from diesel exhaust, potentially impacting citizens living in the nearby residential area in Union City. These impacts were neither fully evaluated nor mitigated in the 2004 negative declaration originally approved for the original shopping center project’s CUP. Further environmental review in the context of a rezone or variance application is therefore warranted.

Finally, the fact that the Circuit City building has been vacant since 2009 by itself suggests that a new CUP is required under Section 10-1.3270, which provides that any use that ceases operation for more than six consecutive months must be deemed “discontinued.”

Each of these points is elaborated upon further below.

II. The Proposed Neighborhood Market Will Not Serve a Regional or Sub-Regional Marketing Base.

The Planning Director’s determination that the proposed “Neighborhood Market” will serve a regional or sub-regional market is based on three premises, all of which are faulty.

First, the Planning Director concludes that “the proposed Walmart Market store will provide a full range of grocery products, as well as pharmaceutical and general merchandise products, which will serve not only the immediate surrounding neighborhood in Hayward and Union City, but also customers in the general area and those commuting along Interstate 880.” This incorrectly suggests that the range of products offered at the market somehow determines the size of the trade area. By this logic, any grocery store regardless of size would, by definition, serve a regional or sub-regional market simply by virtue of offering a “full range” of groceries, pharmaceuticals, and general merchandise. All existing supermarkets in Hayward – and potentially even some larger convenience stores - would thus become regional or sub-regional commercial uses under this definition.

Importantly, the Zoning Ordinance itself recognizes that supermarkets are neighborhood-serving and not region-serving commercial uses. The Ordinance identifies “Supermarket” as a “primary” land use only in the Neighborhood Commercial (CN) Zoning District (§ 10-1.815(a)(5)(ee)), and nowhere else. By contrast, “Supermarket” is permissible in the Regional Commercial (CR) District (§10-1.1400(b)(1)(e)), only if it is ancillary and secondary to a primary commercial use defined as a “major retail anchor” of at least 100,000 square feet. Thus, the Zoning Ordinance clearly considers supermarkets as neighborhood-serving, and by no means regional or sub-regional commercial uses.

The Planning Director also cites the Neighborhood Market’s “site to store” program as evidence that it will serve a regional/sub-regional market base. There is no indication of how or why this program, which allows shoppers to order products online and pick them up at the store (much like the average take-out restaurant) would necessarily broaden a small supermarket’s trade area. The implication that shoppers will be willing to drive longer distances from throughout the region or sub-region simply because they can pre-order items online again lacks any factual or analytic basis.

The third basis for the Planning Director’s consistency determination is the existing CUP’s incorporation by reference of a list of uses permissible in the Central Business District (CBD). As stated in the Director’s letter, the conditions of approval for Use Permit No. PL-2004-0039 include the following:

“The uses permitted in the ‘Shops’ buildings shall be limited to those Retail Commercial Uses that have a regional/sub-regional marketing base and are listed in Section 10-1.1315(a)(5) (Central Business District – Retail Commercial Uses)[.]” emphasis added.

The list of uses in the referenced section 10-1.1315(a)(5) includes “supermarkets.” From this language, the Planning Director concludes:

“Given the condition language that identifies such listed uses, including supermarkets by reference to the Central Business District, as being considered as having a regional or sub-regional marketing base, it is appropriate to consider the proposed 34,000 square foot market store and business model as also serving a regional or sub-regional marketing base.” In other words, the Planning Director has determined that because “supermarket” is included in the list of uses permitted in the CBD by Section 10-1.1315(a)(5), it must therefore necessarily have a regional or sub-regional marketing base.

This conclusion, too, is also patently erroneous. First, as a threshold matter, the condition on its face applies only to the “shops,” *i.e.*, the two secondary retail buildings of 5,100 and 6,000 square feet. It does not apply to the separately identified “34,000 square-foot regional retail building.” See Condition 1 of “Conditions of Approval” for

Use Permit No. PL-2004-0039. Second, the condition clearly states that in order for a use to be permissible in the shopping center must not only be included in the list of permissible uses in the CBD contained in Section 10-1.1315(a)(5), but must also, as a separate condition, serve a regional/sub-regional marketing base.

Finally, a simple examination of the uses listed in Section 10-1.1315(a)(5) reveals the error of the Planning Director's conclusion. Among the uses included in that list are the following: "Antique store," "Art and art supplies store," "Bakery," "Bicycle Shop," "Bookstore," "Card shops," "Delicatessen," "Floral shop," "Locksmith," etc., etc. By the Planning Director's logic, all of these uses would be deemed to have a regional/sub-regional marketing bases simply by virtue of being included in the list of permissible CBD uses contained in Section 10-1.1315(a)(5). Obviously this is not the case.

We submit that the Planning Director's interpretation of both the CUP and this provision of the Zoning Ordinance is patently erroneous and must be overturned.

III. A Supermarket Will Have New And More Severe Traffic, Air Quality, And Noise Impacts Compared To The Originally Permitted Circuit City Store.

The Planning Director also found that the proposed Walmart Neighborhood Market is consistent with the original CUP because a grocery store would have similar environmental impacts as the closed Circuit City electronics store, primarily in terms of traffic impacts, and that "the proposed change in the type of use would not cause any environmental impact requiring additional CEQA review." Again, this conclusion is unsupported by logic or evidence.

As should be obvious, a supermarket attracts substantially more customer vehicle trips than an electronics outlet. According to the Institute of Transportation Engineers (ITE), trip generation rates for the "Supermarket" land use category (850) are substantially higher than for the "Electronics Superstore" category (863).¹ For example, during the PM peak hour, electronics superstores generate 4.5 trips per 1,000 square feet, while supermarkets generate more than twice that amount: 10.5 trips per 1,000 square feet. See ITE, "Trip Generation" Manual, 8th Ed. The extent to which this doubling of vehicle trips during the PM peak period will have significant impacts on nearby roadway segments and intersections is far from clear.

Although the Planning Director's determination letter references a "review" of the 2004 traffic study by the Public Works Department that concluded that any additional delays caused by the grocery store would not reduce levels of service at affected intersections, that "review" was described by the Public Works Department itself as "rudimentary," and was never circulated for public review. In any event, regardless of the trip generation differential, baseline traffic conditions have obviously changed since

¹ The traffic study performed in 2004 in connection with the issuance of the original use permit assumed this building would house an electronics superstore.

2004 and a new, updated impact analysis – with appropriate mitigation measures as necessary – is clearly warranted.

A supermarket will also contribute significantly more noise and air pollution relative to an electronics store, to the detriment of nearby residents. Based on satellite images obtained online, it appears that the building's loading dock is located approximately 200 feet from residences on Mifflin Avenue to the southeast. Because the proposed Neighborhood Market will generate more customer vehicle trips and more diesel truck deliveries, the Planning Director's conclusion that the change in use would not cause environmental impacts warranting CEQA review is incorrect.

IV. A New CUP Is Required Because The Site Has Been Vacant For More Than Six Consecutive Months.

According to the Planning Director, the Circuit City closed in 2009 and the building has remained vacant ever since. Under these circumstances, and given that commercial uses in the Industrial Zoning District are only conditionally permitted, a new CUP is required.

Section 10-1.3270 of the Zoning Ordinance, titled "Discontinued Uses," states:

"All uses that cease operation for a period of more than six consecutive months shall be deemed to be discontinued, and the use permit establishing said use shall become null and void. Reestablishment of said use shall only be permitted upon obtaining a new use permit."

The Circuit City was the primary commercial use authorized by CUP No. PL-2004-0039. It clearly constitutes a "discontinued use" under the unambiguous provisions of the Section 10-1.3270. Reestablishment of a new commercial use at this industrially zoned location therefore requires a new conditional use permit.

Requiring the applicant to obtain a new use permit is sound policy, given that it would trigger at least some form of additional environmental review. Thus, any new or more severe environmental impacts in the areas of traffic, noise, or air quality could be evaluated and mitigated as necessary within that context.

V. Conclusion.

For all the foregoing reasons, the Planning Director's January 19, 2012 consistency determination is clearly erroneous. The Planning Commission should therefore uphold the appeal and overturn that decision.

April 4, 2012
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Thank you for your consideration of these points.

Yours sincerely,

M. R. WOLFE & ASSOCIATES, P.C.

A handwritten signature in blue ink, appearing to read 'MR Wolfe', with a long horizontal flourish extending to the right.

Mark R. Wolfe

MRW:am

City of Hayward Planning Commission and City Council;

Walmart increases unemployment. For every 10 people Walmart employs at low wages, another 11 people making higher wages with health benefits are unemployed. We, the undersigned residents of Hayward respectfully request you protect good jobs, local businesses and the economic life of our City, do hereby express our opposition to a Wal-Mart grocery store at the old Circuit City location on Whipple Road.

SIGNATURE	PRINTED NAME	ADDRESS, CITY, STATE, ZIP
	CAROL SANCHEZ	
	Maria Vigil	
	Rich Mulligan	Hayward, Ca
	GLORIA VELAZQUEZ	Hayward, CA
	YOLANDA GONZALEZ	Hayward
	Sungook Kim	Union City
	Louie de Oliveira	Hayward
	Yolanda Triana	Fremont
	Edgar Marmola	Hayward
	SARAH DEILY	San Jose, CA
	Lynn Camacho	Hayward
	R. GALINDO	Hayward
	Evelyn Lovett	U.C.
	Rita Yusa	
	MIR	
	PARTY NAND	Hayward
	Nicolette Willanson	Hayward
	Michele B...	
	Margaret Roberts	Fremont, CA
	HENRY G. EGANEY	U.C.
	Jesus G. Galvan	
	Chris Hurtado	Hayward, CA
	Gail K. Stillman	Fremont
	Sagocira Chiles	Hayward
	Annun V.	Union City
	Perry Kade	

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SIGNATURE	PRINTED NAME	ADDRESS, CITY, STATE, ZIP
	Eddie Munoz	Union City 94587
	Alejandro Ramos	Union city 94587
	Fiona Burpee	Hayward, U.C. CA 94587
	Daniel Garcia	Hayward CA
	CHRISTINA NISOM	Hayward CA
	George Blackman	Hayward
	AJ ALARCON	Hayward
	Jeremy Fernandez	San Lorenzo
	RONALD BROOKS	U.C.
	Carlos Torres	Union City
	Jennifer Hanson	UNION CITY
	monika devi	Hayward, CA 94587
	Omid Mehdaui	Newark, CA 94587
	RAJAN S. LELL	Union City
	BRANDY BANTA	Hayward
	TERENCE FRANCO	Hayward
	Danny S.	Hayward
	Rafael Flores	HAYWARD
	Elizabeth Wagner	Hayward 94555
		SAME
	Quang Duong	city CA 94587
		Hayward

City of Hayward Planning Commission and City Council;

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SIGNATURE	PRINTED NAME	ADDRESS, CITY, E-EMAIL
	Marcella Sanders	Hayward CA 94544
	Ana Souza	Union City.
	Karuna Sharma	union city CA 94544,
2	Jennie Ramirez	Hayward CA 94545
	Marianne Adams	Union City Ca. 94587
	Clara Barajas	Union City. CA 94587
	Jatinder Kaur	Union city CA 94587
	DHARVINDER SINGH	UNION CITY CA 94587
	Mark Hegland	Hayward CA 94544
		U.C. 94587
	Maria Flores	zip. 94538

City of Hayward Planning Commission and City Council;

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SIGNATURE	PRINTED NAME	ADDRESS, CITY, E-EMAIL
<i>[Signature]</i>	OTHELLA JORDAN	Hayward 94544
<i>[Signature]</i>	ROBERT J HOOD	UNION CITY CA
<i>[Signature]</i>	TERESA IBARRA	union city ca
<i>[Signature]</i>	BARBARA SAINI	Union city
<i>[Signature]</i>	Marilyn Tamah	Union city ca 94507
<i>[Signature]</i>	JOSE HCU.	Union City
<i>[Signature]</i>	Pablo moty	Union City CA 94507
<i>[Signature]</i>		Hayward Ca 94545
<i>[Signature]</i>	Byron Ragnipich	Fremont CA
<i>[Signature]</i>	Steve Talanca	Hayward
<i>[Signature]</i>	Mahina Pousini	Hayward pousini-mahina@ yahoo.com

From: Katy Ramirez
Sent: Thursday, April 05, 2012 4:02 PM
To: Richard Patenaude (City of Hayward); David Rizk (City of Hayward)
Subject: FW: WALMART OPPOSITION

Richard – FYI I interpreted Mr. Novak’s voice mail message (below) and will add to the incoming correspondence.

Hi Richard – its Paul Novak, I am a resident of Hayward and I just wanted to say no to Walmart that you guys are thinking about allowing to be in Hayward. I’m just really for protecting working families and I actually work for a Lucky’s and they pay a very good living wage and I know that Walmart would only undermine that. Not only that, they would kind of create a culture of just lower class jobs, which will hurt the middle class here in Hayward as well as the rest of the United States. So I just wanted to mention that and let you know my opinion. Thank you for listening; my phone number is 510-415-7309.

From: Richard Patenaude
Sent: Thursday, April 05, 2012 3:34 PM
To: David Rizk
Cc: Miriam Lens; Katy Ramirez; Sonja Dal Bianco
Subject: WALMART OPPOSITION

From a Lucky employee

Richard E. Patenaude, AICP
Planning Manager
City of Hayward
510.583.4213

From: Microsoft Exchange **On Behalf Of** 5104157309
Sent: Thursday, April 05, 2012 2:51 PM
To: Richard Patenaude
Subject: Voice Mail from 5104157309 (58 seconds)

You received a voice mail from 5104157309

From: Richard Patenaude
Sent: Thursday, April 05, 2012 3:29 PM
To: David Rizk
Cc: Miriam Lens; Katy Ramirez; Sonja Dal Bianco
Subject: WALMART OPPOSITION

I returned the call to Ms. Davidson. She states that she is opposed to the Walmart store as she is a union Safeway employee and believes that Walmart is a bad company to work for.

Richard E. Patenaude, AICP
Planning Manager

City of Hayward
510.583.4213

From: Microsoft Exchange **On Behalf Of** 5103177756
Sent: Thursday, April 05, 2012 1:49 PM
To: Richard Patenaude
Subject: Voice Mail from 5103177756 (55 seconds)

You received a voice mail from 5103177756

Sent by Microsoft Exchange Server 2007

-----Original Message-----

From: Sue Burchfield [<mailto:sburch@berkeley.edu>]
Sent: Thursday, April 05, 2012 6:42 AM
To: Sonja Dal Bianco; List-Mayor-Council
Subject: walmart market proposal

Dear Planning Commission, Mayor and City Council As a citizen of Hayward (South Hayward area), I would like to express my opposition to the proposed Walmart Market near Whipple.

The addition of this store would add large amounts of traffic to an already congested area. Instead of that location, Walmart should consider opening a grocery store in the old Lucky's / Albertson's location at Southland Mall.

That area is in need of a grocery store and there is already parking.

Sincerely,
Sue Burchfield

--
Sue Burchfield
Purchasing Assistant III
Biosciences Divisional Services
Ph 510-642-0128 Fx 510-642-6425
142 Life Science Addition
40 C Giannini Hall
Berkeley CA 94720

Add/Edit Request

Assigned to: Planner On-duty Request: 30382 Entered on: 04/04/2012 09:07 AM Short form Long form

Customer Information (3 other requests for customer)

* Last name: Mattos First name: Laura Phone: 510 782-2659 Alt phone: Email: mscantua@att.net
 Address: 204 Turlock Way City: Hayward State: CA Zip code: 94544 Phone when done

Request Classification

View: Default Topics All Topics

* Topic: Current Planning Projects

Request type: Problem

Entered via: Web

Address or Location: Same as customer

License #:

Adopt A Block: (Please Select)

Assigned to: Planner On-duty *Do not enter for automatic routing*

Status: Closed

Priority: Normal

IP Address: 99.20.132.106

*** Description: 0 Attachments to this Request**

Extra Instructions:

This field is used to describe the problem or question. Customer will see this field.

Hayward has enough grocery stores and the last thing we require or need is another one, especially a Wal-Mart. Please carefully consider and turn down this application for another store.

Thank you L. Mattos

Reason Closed (Contents sent to customer): 0 Attachments to send

This must be filled in to close service request; contents of field are e-mailed for customer notification.

Laura,

Thank you for your comments. I will be sure to forward them on to the Department Head and to the Planning Commission. The Planning Commission will be discussing this item tonight at a Special Meeting of the Planning Commission at 7pm in the City Council Chambers at City Hall. If you have specific questions, please contact David Rizk, Development Services Director at (510) 583-4004.

Expected Close Date: 04/09/2012
 Date Closed: 04/05/2012 09:52 AM By: Planner On-duty

(OPTIONAL) You may add an internal note to this request or send an email

Add your notes/message here: Insert message: (Select message from list)

- Clarification/notification needed; message sent to customer
- Content added as internal notation; not seen by customer
- Send to other employee(s) for assistance/questions

Received via City of Hayward CRM System

Attachment XIX
 Correspondence Received
 (04/05/12)

From: BERNADINE TEMPLE [<mailto:bernadinet@sbcglobal.net>]
Sent: Wednesday, April 04, 2012 12:12 PM
To: Suzanne Phllis
Subject: Fw:

Please forward to Sonja for commissioners and to council:

I got Dr. Goldstein, a long time friend, involved in the Walmart saga and he sent these pictures which represent what bleach, as a preservative, can do to lettuce/produce. It kills all bacteria which prevents the produce from going bad. It also kills all the nutritive value!

--- On Wed, 4/4/12, Harold Goldstein <hg@publichealthadvocacy.org> wrote:

From: Harold Goldstein <hg@publichealthadvocacy.org>
Subject:
To: "bernadinet@sbcglobal.net" <bernadinet@sbcglobal.net>
Date: Wednesday, April 4, 2012, 4:19 PM

Take a look! This lettuce is 6 weeks old.

Good luck.

Harold

Harold Goldstein, DrPH
Executive Director

CA Center for Public Health Advocacy
PO Box 2309
Davis, CA 95617
[t] 530.297.6000 x201
[f] 530.297.6200
hg@publichealthadvocacy.org
www.publichealthadvocacy.org



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Romaine Lettuce
Laitue romaine

From: BERNADINE TEMPLE [mailto:bernadinet@sbcglobal.net]
Sent: Tuesday, April 03, 2012 1:29 PM
To: Suzanne Philis
Subject: FW: MSDS sheets on Kay Vegi Wash

Please forward to Sonia. Thank you!

To Planning Commissioners:

A Walmart produce employee (name withheld) working in their back room told me they "rejuvenate" their produce with this product: Kay Vegi Wash.--
Below is a link to the specs on this product via its Material Safety Data Sheet (MSDS). Pictures of this product follow in the next two emails.

Neither Safeway or Lucky's use this cleaning product which is frequently used as a disinfectant or a bleaching agent. They ONLY use plain water for that purpose.
I will be presenting more information at this Thursday's meeting.
Any questions you may call me at 510 708 9866

Bernadine Temple
Dietitian/Nutritionist

http://portal.ecolab.com/servlet/PdfServlet?sid=924740&cntry=US&langid=en-US&langtype=RFC1766LangCode&locale=en_US&pdfname=KAY+VEGI+WASH

KAY



VEGI WASH

Vegi Wash

DANGER - CORROSIVE. Do not get in eyes. Avoid contact with skin. Use with adequate ventilation. Wash with copious amounts of water after handling. This product is not for use on children.

**KEEP OUT OF REACH OF CHILDREN
FOR INSTITUTIONAL USE ONLY**

For spraying and preparation use. Vegetables are to be thoroughly rinsed with potable water after treatment with this product.

Lavado de Vegetales

PELIGRO - CORROSIVO. No inhale el producto ni ponga en contacto con los ojos. Manténgalo en contenedor cerrado. Use con ventilación adecuada. Se deben lavar las manos después de manipular el producto.

**MANTÉNDALO FUERA DEL ALCANCE DE LOS NIÑOS
SOLO PARA USO INSTITUCIONAL**

Para uso en procesos y preparación de comida, vegetales de consumo envasados con agua potable después de tratamiento con este producto.

Lavage pour légumes

NE PAS GARDER CORROSIF. Éviter tout contact avec les yeux. Garder à l'abri des enfants. Faire une ventilation adéquate. Laver bien les mains après la manipulation.

**CONSERVER À HORS DE LA PORTÉE DES ENFANTS
POUR USAGE INSTITUTIONNEL SEULEMENT**

Pour le traitement et la préparation des aliments, laver les légumes avec de l'eau potable après avoir traité avec ce produit.



1 US OZ

09 00 00 00

PRECAUCIONES: Evitar el contacto con la piel y los ojos. Evitar la inhalación de las nebulas. Evitar el contacto con la ropa. Evitar el contacto con los alimentos. Evitar el contacto con los animales. Evitar el contacto con el agua. Evitar el contacto con el suelo. Evitar el contacto con las plantas. Evitar el contacto con los objetos. Evitar el contacto con los muebles. Evitar el contacto con los electrodomésticos. Evitar el contacto con los vehículos. Evitar el contacto con los medios de transporte. Evitar el contacto con los edificios. Evitar el contacto con los puentes. Evitar el contacto con los caminos. Evitar el contacto con los ríos. Evitar el contacto con los lagos. Evitar el contacto con los mares. Evitar el contacto con los océanos. Evitar el contacto con los cielos. Evitar el contacto con los suelos. Evitar el contacto con las montañas. Evitar el contacto con las sierras. Evitar el contacto con las cordilleras. Evitar el contacto con las llanuras. Evitar el contacto con las estepas. Evitar el contacto con las praderas. Evitar el contacto con las selvas. Evitar el contacto con las sabanas. Evitar el contacto con las tundra. Evitar el contacto con las estribaciones. Evitar el contacto con las laderas. Evitar el contacto con las cumbres. Evitar el contacto con las montañas. Evitar el contacto con las sierras. Evitar el contacto con las cordilleras. Evitar el contacto con las llanuras. Evitar el contacto con las estepas. Evitar el contacto con las praderas. Evitar el contacto con las selvas. Evitar el contacto con las sabanas. Evitar el contacto con las tundra. Evitar el contacto con las estribaciones. Evitar el contacto con las laderas. Evitar el contacto con las cumbres.

PRECAUTIONS: Avoid contact with skin and eyes. Avoid inhalation of mists. Avoid contact with clothing. Avoid contact with food. Avoid contact with animals. Avoid contact with water. Avoid contact with ground. Avoid contact with plants. Avoid contact with objects. Avoid contact with furniture. Avoid contact with electrical appliances. Avoid contact with vehicles. Avoid contact with means of transport. Avoid contact with buildings. Avoid contact with bridges. Avoid contact with roads. Avoid contact with rivers. Avoid contact with lakes. Avoid contact with seas. Avoid contact with oceans. Avoid contact with skies. Avoid contact with soils. Avoid contact with mountains. Avoid contact with hills. Avoid contact with ridges. Avoid contact with plains. Avoid contact with steppes. Avoid contact with prairies. Avoid contact with forests. Avoid contact with savannas. Avoid contact with tundras. Avoid contact with foothills. Avoid contact with slopes. Avoid contact with peaks.

Precauciones: Evitar el contacto con la piel y los ojos. Evitar la inhalación de las nebulas. Evitar el contacto con la ropa. Evitar el contacto con los alimentos. Evitar el contacto con los animales. Evitar el contacto con el agua. Evitar el contacto con el suelo. Evitar el contacto con las plantas. Evitar el contacto con los objetos. Evitar el contacto con los muebles. Evitar el contacto con los electrodomésticos. Evitar el contacto con los vehículos. Evitar el contacto con los medios de transporte. Evitar el contacto con los edificios. Evitar el contacto con los puentes. Evitar el contacto con los caminos. Evitar el contacto con los ríos. Evitar el contacto con los lagos. Evitar el contacto con los mares. Evitar el contacto con los océanos. Evitar el contacto con los cielos. Evitar el contacto con los suelos. Evitar el contacto con las montañas. Evitar el contacto con las sierras. Evitar el contacto con las cordilleras. Evitar el contacto con las llanuras. Evitar el contacto con las estepas. Evitar el contacto con las praderas. Evitar el contacto con las selvas. Evitar el contacto con las sabanas. Evitar el contacto con las tundra. Evitar el contacto con las estribaciones. Evitar el contacto con las laderas. Evitar el contacto con las cumbres.

ECOLAB
 S.A. - División Limpieza
 Calle 100 No. 100
 Bogotá, D.C. - Colombia
 Teléfono: (01) 261 2000
 Fax: (01) 261 2001
 E-mail: ecolab@ecolab.com

Planning Commission
April 5, 2012

Walmart
Correspondence
(Support)

-----Original Message-----

From: randy wright [<mailto:randyjwright@earthlink.net>]

Sent: Thursday, April 05, 2012 1:59 PM

To: David Rizk

Subject: Proposed WalMart Grocery store

Mr. Rizk,

I wanted to contribute my comments regarding the proposed WalMart Neighborhood Grocery Store in the former Circuit City building.

I am FOR this building permit to be issued for this area:

1. My office is a block away and we need this 'blighted' center occupied.
2. As a Hayward resident, we need some LOW competitive Grocery pricing to un-lock the Safeway monopoly.
3. I have shopped the WalMart Neighborhood Grocery stores in the Midwest and they are nice, clean and usually draw other retailers into the surrounding areas.
4. I don't think there would have been an "issue" with this building IF it was going to be a Mexican Grocery Store since Hayward seems to be the "capital" for so many of them already including ANOTHER one being built on Mission Blvd. (how many of these do we need?)
5. We need the tax revenue, we need the center occupied.

Respectfully,
Randy Wright
28047 Dobbel Avenue
Hayward, Ca 94542

Randy J. Wright
Senior Vice President
Taymor Industries, Inc.
800-388-9887 #103
rwright@taymor.com

From: pruhutt@comcast.net [<mailto:pruhutt@comcast.net>]

Sent: Wednesday, April 04, 2012 8:37 PM

To: Sonja Dal Bianco; List-Mayor-Council

Cc: Michael E. Pruitt

Subject: Wall-Mart Market Proposal

City of Hayward

I am in support of the proposed Wall-Mart Market to be located at the vacant building on Circuit City Blvd. This land is directly opposite of Target on Whipple Avenue in Union

City, CA. For years, this lot has been vacant and is drawing questionable activities in this area.

The addition of Wall-Mart Market will certainly bring in revenue to this area as well as a lot of foot traffic, and perhaps additional businesses. Many people enjoy the diversity in shopping and this addition will allow much more flexibility for many that wish to bargain shop. The stores in the nearby area are very expensive and many find the quality of the food questionable. I have shopped at Wall-Mart, by choice, and found my experience very satisfactory.

I am asking the City of Hayward to endorse this proposal to help enhance the neighborhood community and provide much more flexibility for our shopping needs.

Respectively,
signed
Mr. Michael Pruitt

Michael Pruitt
Legal Shield
Independent Associate
(510) 317-8043
<https://www.prepaidlegal.com/hub/michaelepruitt>

From: brusa [<mailto:brusa@bru-sa.com>]
Sent: Wednesday, April 04, 2012 8:28 PM
To: List-Mayor-Council
Cc: Sonja Dal Bianco
Subject: Wal-Mart

Hayward needs business, jobs, revenue. Hayward needs this Wal-mart grocery, those of us on social security cannot afford to shop at the current large grocery stores. Currently we are trying to make do with the limited groceries at the regular Wal-mart...and the revenue is not going to Hayward! Anyone who does not like the way Wal-mart does business can choose not to shop or work there! But we deserve to have that choice.

But most of all, let's not lose focus on the real issue...is the Wal-mart grocery appropriate use of the land and buildings that have sat empty for 3 years, will Wal-mart be an appropriate anchor for that shopping center so other businesses can flourish there also?

Do not cave into those that really have other issues and may not even live in our town.

We had around 40 residents show up to a meeting at our community center tonight. The show of hands proved that the vast majority of residents support having this store in our town. 3 did not raise their hands, and 1 of those did not have an opinion either way.

I support having a Wal-mart grocery in Hayward.

Sincerely,

Beckie Underwood, resident
Georgian Manor Mobile Home Park

29007 Newcastle Ct. Hayward

From: perkymoo@comcast.net [mailto:perkymoo@comcast.net]
Sent: Wednesday, April 04, 2012 8:12 PM
To: Sonja Dal Bianco
Cc: List-Mayor-Council
Subject: Walmart Grocery Store At Whipple Blvd., in Hayward

Planning Commission , Mayor and City Council Members:

I was in attendance at a meeting on April 4, 2012 at Georgian Manor Mobile Home Park regarding the above mentioned WalMart Grocery Store which was presented by Daniel Temkin , Property Owner. After Mr. Temkin's presentation there were about 35 out of 40 people in attendance that were in favor of having the grocery store go into the location on Whipple Blvd. WalMart is a very good fit for our community here at Georgian Manor. A lot of us, because we are seniors , are on a fixed income and require a grocery store like WalMart that fits into our budget.

The City of Hayward made the right decision to honor the permit to put the business in place. We need the jobs in our city and the activity at the store will encourage smaller business to move into the area as well. All new business should be encouraged in our city and will only improve the current economic situation we are all facing in the city , state and most importantly the country.

Respectfully

Carol Perkins
29044 Berkeley Rd.
Hayward , CA. 94544

Roxanne Stone, Owner
Wingstop
2490 Whipple Road
Hayward, CA 94543

March 27, 2012

Hayward Planning Commission
777 B Street – City Hall
Hayward, CA 94541

Dear Chairperson Marquez and Commissioners:

I am the owner of Wingstop located at the old Circuit City shopping center on Whipple Road in Hayward. I am writing to ask you to vote in favor of permitting the proposed Walmart Market & Pharmacy, which is up for a vote before the Planning Commission on April 5th.

Aside from the fact that the City of Hayward has officially designated that the Walmart Market is an acceptable use for the abandoned Circuit City building, we ask you to support this project for two main reasons.

Preventing Crime and Gang Activity: Wingstop has been held up at gunpoint two times in 2011 alone, as we are in the back of this mostly-abandoned shopping center and vulnerable to being robbed. A new Walmart Market will bring vitality and activity back to this shopping center, and make us less vulnerable to the current gang activity, drug dealing and robberies that are now plaguing our shopping center.

Supporting Hayward Small Businesses: I am a small business owner in Hayward, and I can tell you that it is difficult to stay in business in a nearly abandoned shopping center. Four other small businesses in this very shopping center have already closed up shop and gone out of business. Please support the small businesses that are currently in the Whipple Road location by supporting a thriving Walmart Market which will bring badly-needed customers from all over the region.

If a Safeway or a Luckys was proposing to come to our shopping center, there would be no hesitation to approve its permitting; a Walmart Market grocery store should be no exception.

Please approve the project and take into account the viewpoints of Hayward small business owners. Thank you.

Sincerely,



Roxanne Stone
Owner, Wingstop



Eden Roc Mobile Home Park

25362 Bradshire Rd, Hayward, CA 94545

City of Hayward Planning Commission & City Council:

We, the undersigned residents of Eden Roc Mobile Home Park in Hayward, are in full support of your approving a Walmart Market & Pharmacy at the currently abandoned Circuit City building in the shopping center on Whipple Road and I-880. Please register our support when it comes before you for a vote. Thank you.

Signature	Print Name	Street Address	Contact Phone/Email Address
	Philip Lehman		
	Jacqui Hendren		
	Iona Hendren		
	Patricia Flavelle		
	Jennifer Reister		

Attachment XVIII
Correspondence Received
(04/05/12)



Georgian Manor Mobile Home Community

419 Buckingham Way Hayward, CA 94544

City of Hayward Planning Commission & City Council:

We, the undersigned residents of Georgian Manor Mobile Home Community in Hayward, are in full support of your approving a Walmart Market & Pharmacy at the currently abandoned Circuit City building in the shopping center on Whipple Road and I-880. Please register our support when it comes before you for a vote. Thank you.

Signature	Print Name	Street Address	Contact Phone/Email Address
	<u>Harlene Strauss</u>		<u>harlene@vipmarketing.com</u>
	<u>MARVIN STRAUSS</u>		<u>VIPMARKETING@AOL.COM</u>
	<u>Nancy Parmeley</u>		<u>nannie383@hypersurf.com</u>
	<u>Cher Pz</u>		
	<u>Deanne FERNANDEZ</u>	<u>Hayward</u>	
	<u>BOB MILLER</u>		
	<u>Bob Jeffre</u>		<u>RNRJEFFRE@LYNCS.COM</u>
	<u>Rita Jeffre</u>		" "
	<u>BECKIE UNDERWOOD</u>		<u>brusa@bra-sa.com</u>

Attachment XVIII
Correspondence Received
(04/01/12)



Georgian Manor Mobile Home Community

419 Buckingham Way Hayward, CA 94544

City of Hayward Planning Commission & City Council:

We, the undersigned residents of Georgian Manor Mobile Home Community in Hayward, are in full support of your approving a Walmart Market & Pharmacy at the currently abandoned Circuit City building in the shopping center on Whipple Road and I-880. Please register our support when it comes before you for a vote. Thank you.

Signature	Print Name	Street Address	Contact Phone/Email Address
	John R. MACHO		
	JOANNE DEAN		
	Bobbie Powell		Hayward-
	Renate Raepfer		Hayward
	ELIZABETH FULLER		HAYWARD CA
	CAROL PERKINS		Hayward, 94544
	CATHY SALANO		Hayward, 94544
	CHARLOTTE ANDERSON		Hayward Ca 94544
	TERRY PATTERSON		HAYWARD Ca. 94544

Attachment XVIII
Correspondence Received
(04/05/12)



Georgian Manor Mobile Home Community

419 Buckingham Way Hayward, CA 94544

City of Hayward Planning Commission & City Council:

We, the undersigned residents of Georgian Manor Mobile Home Community in Hayward, are in full support of your approving a Walmart Market & Pharmacy at the currently abandoned Circuit City building in the shopping center on Whipple Road and I-880. Please register our support when it comes before you for a vote. Thank you.

Signature	Print Name	Street Address	Contact Phone/Email Address
	Michael Pruitt		peuhott@comcast.net
	Ed Beinhart		
	DIANE ZACCARIS		

Attachment XVIII
Correspondence Received
(04/05/12)

Philip M. Lehrman

28320 Armour Street, Hayward, CA 94545-4806
plehrman1@earthlink.net (510)782-3681

April 4, 2011

Hayward Planning Commission
Michael Sweeney, Mayor
City of Hayward
777 B Street
Hayward, CA 94541

Planning Commission April 5 Agenda Item 1. Proposed Walmart Market Grocery Store

Planning Commissioners Mariellen Faria, Sara Lamnin, Mary A. Lavelle, Rodney Loché, Elisa Márquez, Dianne McDermott, and Al Mendall,

Please approve the project for development by Walmart on the former Circuit City site in southern Hayward as good planning and use for this presently vacant unproductive site.

I am long time resident of Hayward. In my household are seniors and along with me we enjoy retirement in a fixed retirement income environment. It is necessary for us to selectively shop to find the best bargains located within a reasonable distance from home in order to stay within our means.

We are not alone in this situation. A number of unorganized Hayward retirees of or approaching my age group are in the same predicament, that is seniors on fixed income looking for choices for competitive pricing of goods within a reasonable distance from our homes.

I decided to write this letter supporting city approval as I understand there is a vocal organized effort opposing the project. On inspection of this effort it appears it is self serving – by an organization fearful of perceived detrimental economic issues by a potential competitive influence. The organized group is well known and does not need to be identified in this correspondence.

Therefore, upon weighing the benefits of this project vs. the perceived and alleged detriments we respectfully urge the planning commission and subsequently if necessary, Hayward City Council, to approve this project as presented.

Respectfully submitted, on his behalf and others,



Philip M. Lehrman

P.S. This is an unsolicited letter. Although I knew of the project from the various news sources, etc, until we were invited and attended a presentation by the developer last evening, April 3rd, we were unaware of opposition to the project. Upon learning of this we decided to come forward and express our wishes.

Attn: Sonja Dal Bianco, Hayward Planning Commission staff
Sonja.DalBianco@hayward-ca.gov

Cc: Designated recipients
List-Mayor-Council@hayward-ca.gov,

----- Forwarded Message -----

From: PATRICIA FLUSCHE <pflusche61@sbcglobal.net>
To: sonja.dalbiano@hayward-ca.gov; [List-Mayor Council@hayward-ca.gov](mailto:List-Mayor_Council@hayward-ca.gov)
Cc: dtemkin@me.com
Sent: Wed, April 4, 2012 10:07:09 AM
Subject: Proposed Walmart Market - Whipple Road & I-880

Hayward Planning Commission
City Hall
777 B Street
Hayward, CA 94541

Dear Chairperson Marquez and Planning Commissioners,

I am writing on behalf of the Residents' Association of Eden Roc Mobile Home Park in Hayward, to inform you of our support for the proposed Walmart Marketplace to be located on Whipple Road, filling the vacant Circuit City building.

We thoroughly discussed the pros and cons, and found more pros than cons to the Marketplace coming into our city. It will give the residents of Hayward a true grocery store to shop in for quality goods and foods, within the City of Hayward, at a convenient location.

We desperately need the jobs and revenue the Walmart Marketplace will bring to the city, not to mention bringing traffic to the small businesses struggling in that area, suffering since Circuit City closed. It would also encourage more businesses and jobs into the area.

We look forward to the opportunity to shop within our city and not have to travel to Union City, Fremont or even San Leandro, and keep our tax dollars in the city of Hayward.

We sincerely hope you take our support of the proposal under consideration when voting on this matter.

Thank you for your consideration,

Sincerely,

Patricia Flusche
Secretary, Eden Roc Residents' Association

Rassier Properties

John T. Rassier
Managing Director
jtrassier@rassierproperties.com

April 3, 2012

Hayward Planning Commission
Hayward City Hall
777 B Street
Hayward, CA 94541

Subject: April 5th Hearing on Walmart Market

Planning Commission Chair Marquez & Commissioners,

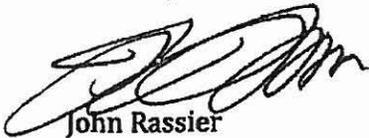
I am the Managing Director of the Georgian Manor Mobilehome Park, as well as the Stratford Village Business Park located adjacent to the mobile home park. As a Hayward Property Owner and Business Owner, I would like to register my support for the permitting of the Walmart Market at the abandoned Circuit City building at Whipple Road and Industrial Parkway.

The Walmart Market and Pharmacy will provide a very important service and benefit to the residents of Georgian Manor. Georgian Manor is a Senior Park, with many residents on fixed incomes; Walmart will provide them the opportunity to have access to affordable groceries and their pharmacy needs.

I would ask you to support this Project for the benefit of the entire neighborhood. The continued vacancy of the existing Premises (the former Circuit City Store), continues as a negative impact on the area.

Your approval of the Walmart Project will help attract more businesses to our neighborhood, and will also provide many jobs to all age groups that live in our area of the Hayward Community.

Sincerely,



John Rassier
Managing Director
The Georgian Manor Mobile Home Park

From: Leslie Burton [<mailto:caburton720@yahoo.com>]
Sent: Sunday, April 01, 2012 2:29 PM
To: Sonja Dal Bianco
Subject: Please Relay My Support for Walmart Market on April 5

From: Roy Gordon [<mailto:ninerroy@gmail.com>]
Sent: Sunday, April 01, 2012 12:59 PM
To: emargana@hotmail.com; Dianne.McDermott@fremontbank.com; saralamnin@sbcglobal.net; mendall@sbcglobal.net; mefaria@srhca.org; marylav@comcast.net; Sonja Dal Bianco
Subject: Walmart Full Service Supermarket

Dear Commissioners,

First of all, thank you for taking a positive stance in saying no to the Alameda County airport's commission to place guidelines on construction near the Hayward Airport. This is a matter to be left under control in our city.

On Thursday, April 5, you will have the opportunity to allow a new tenant for the empty Circuit City store on Whipple Rd. This building has been vacant for approximately two years and is a source of armed robberies and graffiti. Since Circuit City closed, just a few merchants are left at the shopping mall. This makes them vulnerable to all sorts of crimes. You have the opportunity to turn that situation around.

Hayward has too many vacant buildings and too few businesses willing to relocate to Hayward. Take a look at the vacant buildings on B St., Mission Blvd. and Foothill Blvd. This cannot be just blamed on a bad economy. We have been living in Hayward since 1974 and have seen a steady decline in the number of businesses and steady increase in vacant buildings. This decreases our property tax base and our sales tax base. We have a 14 million dollar deficit and cannot afford to turn away strong quality businesses. We need strong leadership to help turn this around. You can start this process by providing the leadership needed at this time.

The proposal for the Walmart full service supermarket will accomplish many things. This will fill a large empty building, bring jobs to Hayward, bring much needed services to a part of Hayward that is presently under served and increase our tax base. The Hayward residents in the south part of Hayward have very limited choices for shopping other than going to Union City Landing. Our residents spend their money in Union City when we could easily provide the shopping location locally for them. Many residents are senior citizens living in mobile home parks in the vicinity. Let's provide them with a full service supermarket that would be closer and benefit all of Hayward. Union City was not concerned with Hayward when they brought all of those chain restaurants to Union City Landing.

One other factor to take into consideration is the ripple effect that could take place if Walmart is not allowed to pursue with their proposal, which has already been approved by the planning director as meeting the requirements for the permits necessary in Hayward. Southland Mall has been negotiating with several prospective tenants for the Lucky store that was closed over three years ago. The Southland Mall area is another under served area with thousands of residents not having a full service market on the west side of Highway 880. If Walmart is turned down after

spending so much time and money, other potential supermarkets are going to consider Hayward to be a place that is not friendly to business.

Please don't let politics govern your decision or those non-residents that support their own agendas, decide what is best for the citizens of Hayward.

Sincerely,

Roy & Jodie Gordon
1269 Stanhope Ln.
Hayward, CA 94545
ninerroy2898@att.net
783-3508

PS. Sonja, please pass this email along to Rodney Loche. I did not have his email. It might be good to copy the others in case any of their email addresses are not correct.

From: von kheang [<mailto:vonkheang05@yahoo.com>]
Sent: Sunday, April 01, 2012 2:33 AM
To: Sonja Dal Bianco
Subject: Please Relay My Support for Walmart Market on April 5

-----Original Message-----

From: Mina Royo [<mailto:ieromina@yahoo.com>]
Sent: Saturday, March 31, 2012 7:01 PM
To: Sonja Dal Bianco
Subject: Please Relay My Support for Walmart Market on April 5

I support it but it's too close to the union city walmart

Sincerely,

Mina Royo-Alamil

From: shuxianhao hao [<mailto:shuxian7749@yahoo.com>]
Sent: Saturday, March 31, 2012 4:28 PM
To: Sonja Dal Bianco
Subject: Please Relay My Support for Walmart Market on April 5

I am a Hayward resident, I support Walmark. philip

From: shuxianhao hao [<mailto:shuxian7749@yahoo.com>]
Sent: Saturday, March 31, 2012 4:25 PM
To: Sonja Dal Bianco
Subject: Please Relay My Support for Walmart Market on April 5

Please show me the location. thanks. philip

From: KC IP [<mailto:akcip@yahoo.com>]
Sent: Friday, March 30, 2012 11:44 PM
To: Sonja Dal Bianco
Subject: Please Relay My Support for Walmart Market on April 5

I support the new Walmart at Hayward.

From: denise pello [mailto:denise_pello@yahoo.com]
Sent: Friday, March 30, 2012 6:16 PM
To: Sonja Dal Bianco
Subject: Please Relay My Support for Walmart Market on April 5

Yes I support a Walmart Grocery Store.
Denise Pello

Date: 3/30/12

04/02/12 10:05 AM

From: Diana Smith
1399 Jerez Ct.
Hayward, CA 94541

Michael Sweeney, Mayor
City Council
Planning Commission
City of Hayward
Office of the City Clerk
777 B Street
Hayward, CA 94541

RE: Proposed Wal-Mart Grocery Store at 2480 Whipple
Road in Hayward, California;

Dear Mayor Sweeney, Members of the City Council and Planning
Commission:

Besides owners of ~~other~~ grocery stores who wouldn't want
a lower priced Wal-Mart Grocery store? I bet the
employees of other store would also shop at Wal-Mart.
Grocery Store. Hayward is low income area and it
sucks to live here. I shop at Grocery Outlet, Wal-Mart
and Smart & Final (fruit + veggies) so it would be nice to
shop at one store. I make good money but don't want to
waste it on high prices of food. I would rather spend it
on vacations. So what's the problem in letting
Wal-Mart Grocery Store move into Hayward. They have
Wal-Mart Supercenters which are very nice to shop at.
But not around here so lets get a nice low price
grocery store in Hayward. Diana Smith

From: Barbara Sacks [<mailto:bisacks8@earthlink.net>]
Sent: Monday, March 19, 2012 4:17 PM
To: Barbara Halliday; Francisco Zermeno - Forward; Mark Salinas
Cc: Fran David
Subject: Circuit City Building/Walmart

This card arrived in my mail box today. Note that it is aimed directly at SR1. Wonder how many of the other mobile home parks got this barrage and meeting invitation.

Wouldn't you love to have the money they are spending? Bet Target, Food Max(I think that is the right one...), Chavez Market and Walgreen's have some thoughts on this. Probably lots more, too.

Feel free to share.

Barbara

From: Barbara Sacks [<mailto:bisacks8@earthlink.net>]
Sent: Monday, February 20, 2012 12:41 PM
To: CityClerk
Subject: Request to distribute information to Planning Commission

For Planning Commission Members:

The attached information from Walmart was distributed over the weekend in my mobile home park, Spanish Ranch #1.

I am sending it to you for your information - **not taking a position on the matter**. It is my understanding from the flyer that you will be considering this matter on March 8 and I will be checking for agenda/staff reports on the matter as the date gets closer.

Thank you for your ongoing work for our City.
Barbara Sacks
510-783-8176

PROPOSED WALMART MARKET & PHARMACY

Whipple Road at I-880 - Hayward
(Former Circuit City)

INFORMATIONAL MEETING FOR SPANISH
RANCH I RESIDENTS

Thursday, March 22nd at 6:30 p.m.

Spanish Ranch I Clubhouse

Refreshments Provided





SHOW YOUR SUPPORT FOR A NEW WALMART MARKET & PHARMACY **Quality Groceries, Produce & Medications for Less!**

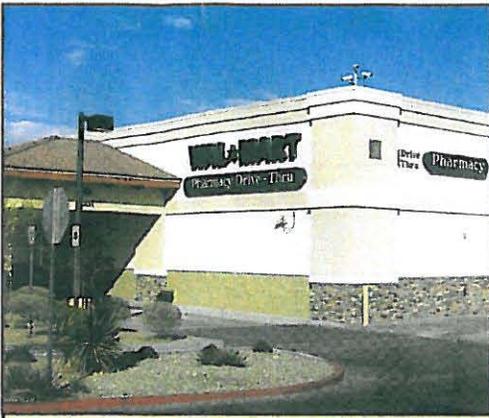
Spanish Ranch I Resident:

The proposed Hayward Walmart Market & Pharmacy at Whipple Road & I-880 is different from other Walmart stores. It is a stand-alone, full-service grocery store and pharmacy, with fresh produce, deli meats, dairy products, fresh bakery items, pharmaceuticals, health & beauty aids, pet supplies & other household goods.

The proposed Walmart Market & Pharmacy will offer products at Walmart's famous Every Day Low Prices. It will also employ nearly 100 new associates – bringing jobs to the City of Hayward.

THE CITY OF HAYWARD PLANNING DIRECTOR APPROVED THE PROJECT IN JANUARY 2012, BUT IT WAS RECENTLY APPEALED BY A SPECIAL INTEREST GROUP SEEKING TO KEEP OUT COMPETING GROCERY STORES. Please come to the informational meeting on Thursday, March 22nd at 6:30 p.m. at the Spanish Ranch I Clubhouse – TO SHOW YOUR SUPPORT! Thank you.

For Additional Information Contact Property Owner: Dan Temkin Hayward 880, LLC (925) 228-2558 or dan@temkinproperty.com



Walmart Market Brings Affordable Groceries to the Region

What is Walmart Market?

Walmart Market is distinctive from other Walmart stores. It is a stand-alone, full-service grocery store and pharmacy.

Proposed Location

The Walmart Market is proposed for the former Circuit City store on Whipple Road and I-880, at Hayward's southern gateway.

Size

The entire 34,000 square foot former Circuit City building will be remodeled as a full-service grocery store and pharmacy.

Selection

The full-service grocery store and pharmacy will offer a wide variety of products, including fresh produce, deli foods, meat and dairy products, bakery items, fresh foods, canned and packaged goods, dry goods and staples, condiments and spices, pharmaceuticals, health and beauty aids, pet supplies, stationery and paper goods and household supplies.



Value and Convenience

Walmart will offer products at its famous Every Day Low Prices at Walmart Market. In addition, by offering Site to Store at this location, customers can order Walmart Market products, as well as Walmart general retail products, from their homes and pick up their items in the Walmart Market store. This is a free service that allows customers to ship an online order to any Walmart store in the contiguous United States.

Job Opportunities

Walmart Market in Hayward will employ nearly 100 associates.

For additional information, please contact:

Dan Temkin
Hayward 880, LLC
(425) 351-3030
dan@temkinproperty.com



Q: What is the current status of the project?

A: The City of Hayward's Planning Director issued a determination letter on January 19th confirming that the proposed full-service supermarket is a permitted use for the building and that building permits should be issued. On February 3rd, an appeal was filed. A hearing on the appeal is scheduled in front of the Planning Commission on March 8th.

Q: What has been happening at the shopping center since Circuit City went out of business?

A: Circuit City vacated the building in March 2009. Since then, a number of other businesses have failed. The shopping center is 87% vacant. Three of the four remaining businesses have been robbed; one was held up at gunpoint twice in 2011. Between November 2009 and November 2011, there were 110 police incidents including robberies, armed robberies, batteries, drag-racing and drug arrests. The owners of the shopping center have continued to maintain the property in excellent condition even though the expenses at the property far exceed the income.

Q: What will happen after Walmart Market moves in?

A: The shopping center will be revitalized as a result of the traffic generated by a full-service grocery store. New businesses will move into the vacant spaces, providing even more shopping opportunities. Walmart Market will employ nearly 100 associates and other new businesses will add dozens more.

Q: What will happen if Walmart Market does not move in?

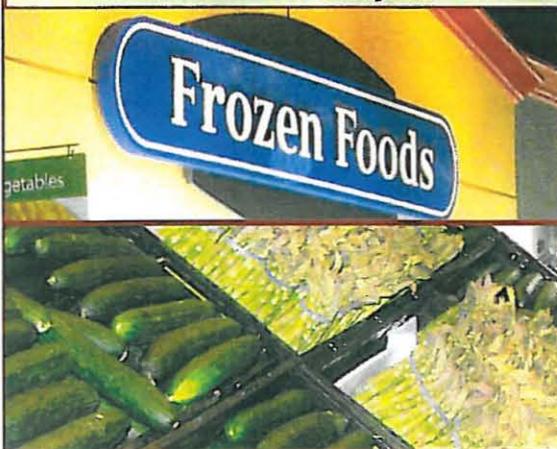
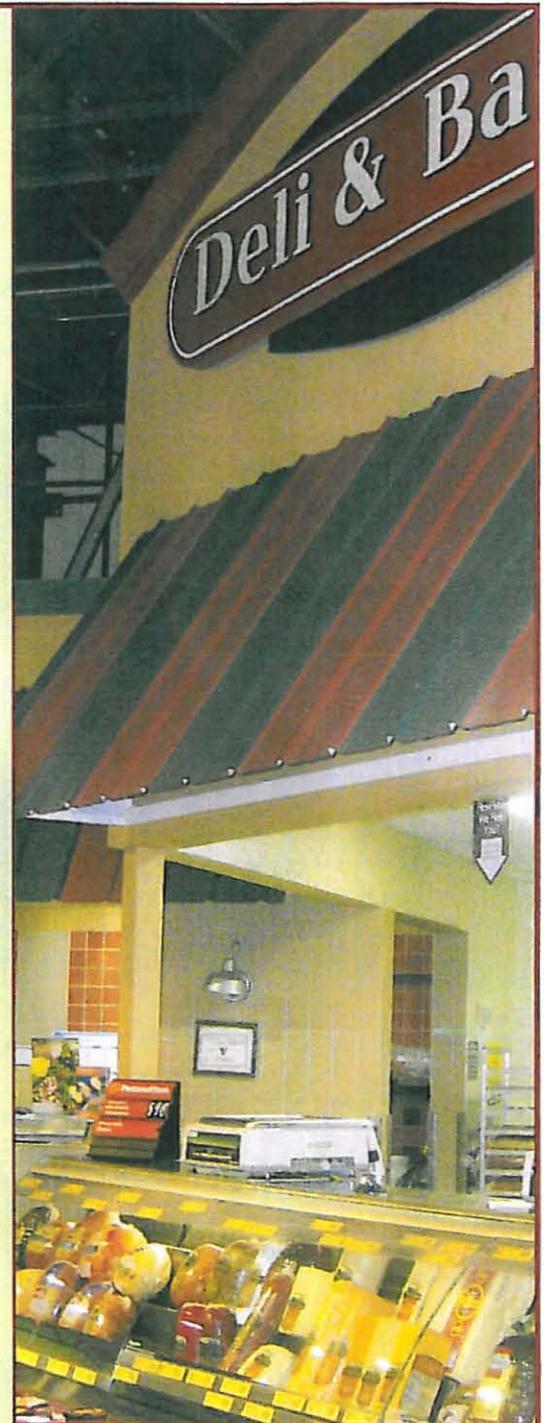
A: The mostly-vacant shopping center has become a haven for illicit activities. It will continue to decline. Existing businesses may fail or move out. The owners will no longer be in a position to maintain the property and the result will be a blighted neighborhood at the City of Hayward's southern gateway.

Q: What are the economic benefits for the City of Hayward?

A: For starters, JOBS!!! More than 100 new jobs will be created. Increased sales and property taxes will be generated, along with business license fees and permit fees. A revitalized shopping center will add much needed revenues to the city.

Q: What about construction jobs?

A: The estimated construction cost to convert the former Circuit City store into a Walmart Market is over \$3 million. Additional construction work will be generated as other new tenants move in.



Q: Will Walmart Market give back to the Hayward community?

A: Absolutely! In 2010, through its ongoing charitable giving, Walmart stores (along with the Walmart Foundation and Sam's Clubs) donated more than \$21.9 million to the California communities they serve.

Q: How do we support this project?

A: Let your voice be heard. Write letters and emails to the Planning Commission, Mayor and City Council. Show up at the Planning Commission Meeting on March 8th and speak at the public hearing. Talk to your neighbors and encourage them to get involved.

YES!

I want a Walmart Market at the former Circuit City building at Whipple and Industrial Parkway. The new full-service grocery store would provide convenience and savings, as well as revitalize the existing center.

GET INVOLVED!

- Please contact me so I can get involved.
- Please keep me informed about the project.
- You may use my information to demonstrate support for the project. *

(*Information will not be used for any other purpose.)

Name

Address

City, State, Zip

Email

Phone

Paid for by Wal-Mart Stores, Inc.

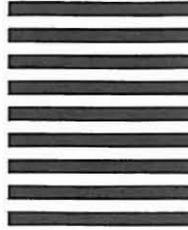


NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL

FIRST-CLASS MAIL PERMIT NO. 52 HAYWARD CA

POSTAGE WILL BE PAID BY ADDRESSEE



WALMART
PO BOX 4017
HAYWARD CA 94540-9911

