



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

AGENDA DATE 09/25/03  
AGENDA ITEM 1

**TO:** Planning Commission  
**FROM:** Norman Payne, Survey Engineer  
**SUBJECT:** Conveyance of Surplus Property to Adjoining Property Owner at 28 West Harder Road (Planning Director Referral)

**RECOMMENDATION**

It is recommended that the Planning Commission:

1. Find that the conveyance is categorically exempt from CEQA;
2. Find that the conveyance of this parcel of surplus real property is not in conflict with the General Plan; and
3. Recommend to the City Council that it authorize the City Manager to execute a deed conveying the surplus real property to the adjoining property owner.

**DISCUSSION**

This parcel of land was purchased as portions of larger parcels for the Harder Road widening project in 1966. The Harder Road widening and, more recently, the Harder Road undercrossing have now been constructed, and landscaping has been planted, separating this parcel from the new street; this parcel is no longer needed for street widening purposes. The *Streets & Highways Code* authorizes the conveyance of surplus right-of-way parcels, which are not buildable properties, to the adjoining property owners at the discretion of the City. The adjoining owner is interested in purchasing this parcel, consisting of approximately 1820 square feet, and negotiations for the sale are underway.

General Plan

The conveyance of this surplus property is consistent with the General Plan in that it is no longer needed for improvements called for by the City's Circulation Plan. This surplus parcel will be added to the adjoining side yard and will be used for yard purposes. This addition to the existing lot will not increase the development potential of the property, which is located in a Medium-Density Residential Zoning District and contains an 8-unit apartment building.

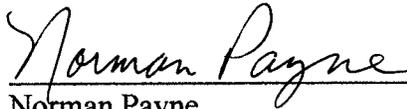
Environmental Review

The conveyance of surplus property is categorically exempt from environmental review pursuant to the California Environmental Quality Act Guidelines (CEQA).

Public Notice

On September 13, 2003, a Notice of Public Hearing was published in *The Daily Review*, the area was posted as required by law, and the owners and residents within 300 feet were notified by mail.

Prepared by:



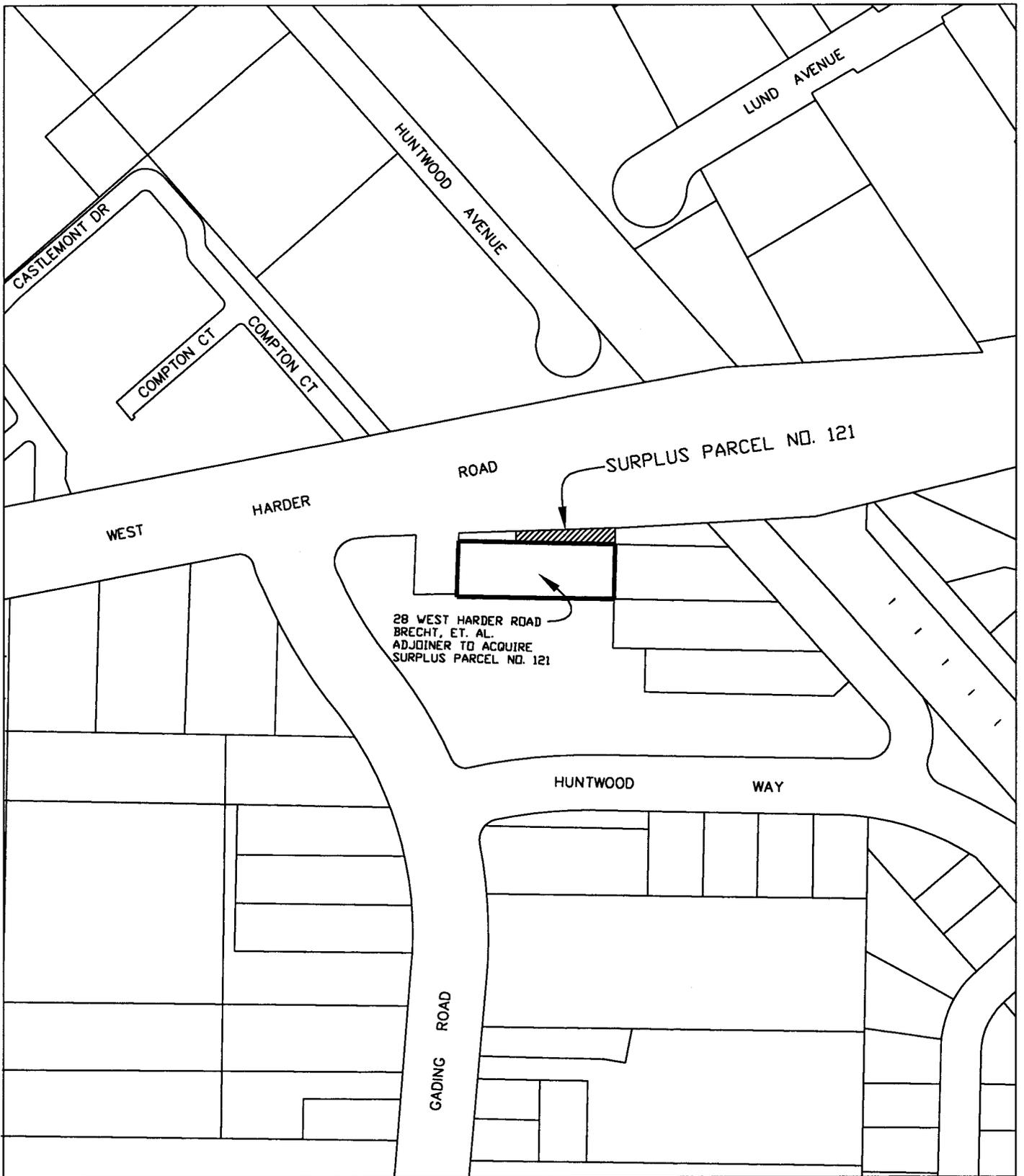
Norman Payne  
Survey Engineer

Recommended by:



Dyana Anderly, AICP  
Planning Manager

Attachments: Vicinity Map



VICINITY MAP