



CITY OF HAYWARD AGENDA REPORT

AGENDA DATE June 23, 1998

AGENDA ITEM 9

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: ZONE CHANGE APPLICATION 97-190-08 AND USE PERMIT APPLICATION 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER) - Request to change zoning from RH/SD-2 (High Density Residential/Special Design District) to CG/SD-2 (General Commercial/Special Design District), and a use permit to construct a three-story, 70-unit hotel with associated parking. The property is located at 24135 Mission Boulevard.

RECOMMENDATION:

The Planning Commission (7:0) and staff recommend:

1. Approval of the Negative Declaration; and
2. Approval of the zone change and use permit.

DISCUSSION:

The project is located on the west side of Mission Boulevard between Fletcher Lane and Pinedale Court. The applicant proposes construction of a 70-unit Hampton Inn Hotel. The vacant Sheffield's Coffee Shop and the Hayward Motel Cabins, which occupy the site, would be demolished to make way for new development.

A zone change to General Commercial and a use permit are required to allow a hotel at this location. Accordingly, the Planning Commission reviewed the applications at their June 11, 1998 meeting, and voted unanimously to recommend approval of the project. In their referral action, the Planning Commission suggested that the project's perimeter wall be installed prior to starting construction, hotel staff be prohibited from parking on Pinedale Court, and the condition regarding stormwater facilities (6.c.) be amended to require that inlet and manhole locations be shown on approved plans.

At the Planning Commission meeting, three members of the public spoke on the matter. One citizen asked technical questions about the drainage system and was directed to meet with staff to review the plans. Two adjacent residents requested increasing the height of the wall next to their property to 10 feet. The Planning Commission did not act on this request. In addition, 7 telephone calls and 11 letters were received during the review period. (The correspondence is included in Attachment H, attached to the Planning Commission report.) While citizens expressed support for the hotel, they raised issues about the design of the project including,

**Mayor and City Council
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building height, traffic, noise, privacy, lighting, access to Burger King, and hours of construction. The project design and conditions of approval address these issues. One respondent was opposed to the project due to concerns that a new hotel would compete with existing motels on Mission Boulevard. The letters from hospitality industry professionals provide information on the economic viability of the project.

ZONE CHANGE

The proposed General Commercial/Special Design District (CG/SD-2) zoning would allow a hotel as a conditional use, which is not permitted under the current High-Density Residential zoning. Although a zone change does not ensure that a hotel will be constructed, either a hotel or other commercial uses at this location is consistent with the area's development pattern where single and multi-family zoning is found west of the commercially zoned properties on Mission Boulevard. The site is near other commercial uses and its proximity to the intersection of three major arterials, Jackson Street, Foothill Boulevard and Mission Boulevard, makes it easily accessible to business patrons. A complete list of uses permitted in the CG district is included in Attachment C.

USE PERMIT/PROJECT DESCRIPTION

The use permit assures that the development will occur in maximum harmony with the surrounding area, and in accordance with official City policies. The project has been planned to address the issues related to compatibility with the built environment and minimize the impacts on the surrounding residential development.

The building is located in the center of the site to maintain privacy on the surrounding residential properties. A distance of 61 feet will be maintained from the south property line shared with five two-story single-family residences. The hotel will be 31 feet from the west property line, the site of one-story multi-family residences. The height of the proposed building will be 40 feet, the same as that currently allowed on this site under the High-Density Residential zoning.

Outdoor activity on the hotel site will be reduced by providing only one exterior doorway on each side of the building which leads to an interior corridor providing access to all rooms. An 8-foot decorative masonry wall and landscaped buffer with evergreen trees will be installed along the west and south property lines adjacent to residential development to reduce noise and prevent visual intrusion. There is an existing 6-foot masonry wall along the north property line separating this site from Burger King. Site lighting will be designed to prevent light spillage onto adjacent properties.

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The site is accessible from two driveways on Mission Boulevard. Based on the former restaurant and motel uses at this location, development of the project would not result in a significant change in traffic.

In keeping with the Mission Corridor Special Design District (SD-2), the building has been designed in the Spanish Ranch theme. The architecture incorporates a roof of terra cotta colored tile in combination with a Mission-shaped roof parapet. A tower and porte-cochere accentuate the entrance on Mission Boulevard. The exterior finish of beige stucco is enhanced with molded stucco banding and columns.

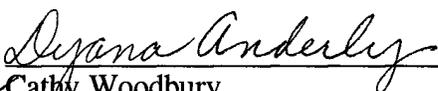
ENVIRONMENTAL REVIEW

The Negative Declaration was prepared and distributed in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. A notice of its availability for review and notice of this hearing were sent to all property owners and occupants within 300 feet of the perimeter of the property and to other interested parties. The environmental review concluded that the project would not have a significant effect on the environment.

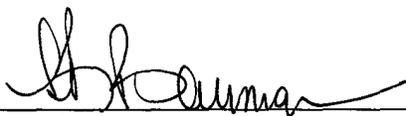
CONCLUSION

The project is consistent with the intent and policies of the *General Plan* and the *Mission Foothills Neighborhood Plan*. A hotel at this location will be compatible with adjacent properties, and support the existing and potential commercial development in the surrounding area and Downtown Hayward. In conclusion, the Planning Commission and staff recommend approval of the zone change and use permit.

Prepared by:

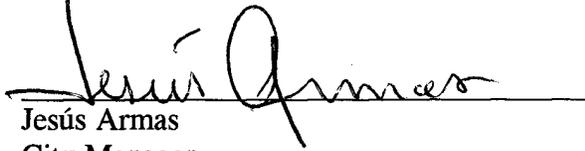

for Cathy Woodbury
Landscape Architect/Senior Planner

Recommended by:


Ann R. Bauman
Acting Director of Community and Economic Development

**Mayor and City Council
Meeting of June 23, 1998**

Approved by:

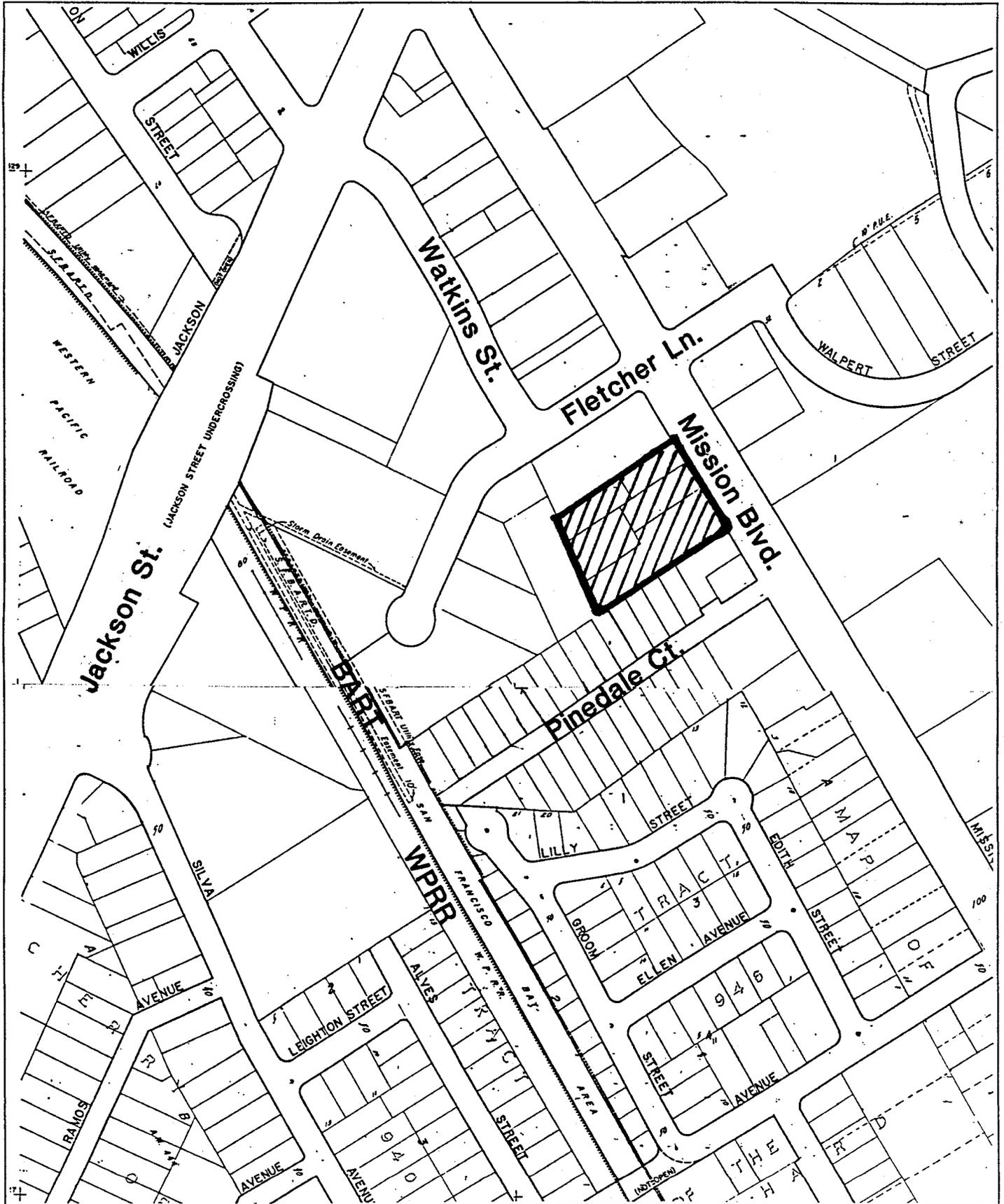
A handwritten signature in black ink, appearing to read "Jesús Armas", is written over a horizontal line.

Jesús Armas
City Manager

Attachments:

- A. Area Map
- B. Zoning Map
- C. CG District Regulations
- D. Draft Planning Commission Minutes and Staff Report, dated June 11, 1998
Development Plans

6.16.98



AREA MAP ■ UP 97-160-17, ZC 97-190-08

Bill Courtney (Applicant) ■ Metro Hotels, Inc. (Owner)
24135 Mission Blvd.

GENERAL COMMERCIAL DISTRICT

SEC. 10-1.350 GENERAL COMMERCIAL OR CG DISTRICT. PURPOSE. The CG District shall be subject to the following specific regulations in addition to the general regulations hereinafter contained in order to provide services for the support of primary business activities in the CB District or CC Districts.

SEC. 10-1.351 SUBDISTRICTS. Any combining B District

SEC. 10-1.352 USES PERMITTED.

a. Primary Uses

- (1) Retailing of apparel, appliances, art goods, automobile parts, beverages, drugs, food, furniture, garden supplies, hardware, liquor, notions, paints, photographic supplies, sporting goods, stationery, toys, variety goods and similar goods
- (2) Administrative, business, finance, or professional office
- (3) Restaurant where not abutting residential district(s)
- (4) Barber or beauty shop, apparel, maintenance or repair shop
- (5) Radio or television studio
- (6) Copying or reproduction facility, mailing or facsimile service
- (7) Home appliance and electronic repair (with all materials and goods maintained within the building)
- (8) Catering facility/banquet hall when not abutting residentially zoned property
- (9) Dance, martial arts, music, photographic or physical fitness studio
- (10) Plant nursery, florist
- (11) Reverse vending machine(s) when located within a convenience zone
- (12) Furniture upholstery
- (13) Home occupation

- (14) Automobile brokers
- (15) Dwelling unit(s) above commercial uses
- (16) Fire house facilities and other City buildings in excess of 1,000 square feet
- (17) Structures of public agencies, including but not limited to telephone, utility companies, and State offices
- (18) Christmas tree lot

b. Secondary Uses

Accessory buildings and uses

c. Administrative Uses: The following uses are permitted subject to approval of an administrative use permit:

- (1) Home appliance and electronic repair (not ancillary to a primary use)
- (2) Temporary use
- (3) Restaurant where abutting residential district(s) (unless waived by the Director of Community and Economic Development/Planning Director upon finding that the use would have no detrimental impact)
- (4) (Deleted by Ord. 95-02, adopted January 10, 1995)
- (5) Wind energy conversion system
- (6) Small collection facility when located within a convenience zone
- (7) (Deleted by Ord. 93-12, adopted May 4, 1993)
- (8) Small animal hospital
- (9) (Deleted by Ord. 93-12, adopted May 4, 1993)
- (10) Catering facility, banquet hall
- (11) Carnival
- (12) Suntan parlors

- (13) Parking lot
- (14) Auction
- (15) Mortuary
- (16) State-licensed child care
- (17) Hotel or motel not adjacent to residentially zoned property
- (18) Retail sales of vehicle equipment and supplies
- (19) Commercial cattery, commercial kennel
- (20) Dog and cat grooming and incidental boarding
- (21) Ambulance service

(Amended by Ord. 87-031 C.S., adopted November 10, 1987; Ord. 88-017 C.S., adopted July 5, 1988; Ord. 93-12, adopted May 4, 1993; Ord. 95-02, adopted January 10, 1995)

SEC. 10-1.353 CONDITIONAL USES. The following uses are permitted subject to approval of a conditional use permit:

- a. Massage parlor or similar uses
- b. (Deleted by Ord. 95-02, adopted January 10, 1995)
- c. Retail sales, rental, and services of new and used automobiles, trucks, trailers, recreation vehicles, and farm or industrial equipment, industrial machinery, and industrial supplies
- d. Warehouse, or storage facilities when located behind and ancillary to primary uses, sale of building materials, sale of feed or sale of fuel
- e. (Deleted by Ord. 95-02, adopted January 10, 1995)
- f. Repair services for machinery and equipment including repair garages and specialty establishments such as machine, tire, body and fender, radiator, motor tune-up, vehicle upholstery, and muffler shops
- g. Wholesale establishments and equipment rental services
- h. Sign painting and painting shops, newspaper printing facility

- i. Drive-in establishment, including concurrent sales of fuel and alcoholic beverages
- j. Commercial cattery, commercial kennel
- k. (Deleted by Ord. 95-02, adopted January 10, 1995)
- l. Hotel or motel where abutting residentially zoned property
- m. Commercial amusement or recreation facility
- n. Passenger transportation terminal
- o. Flea market
- p. Tavern
- q. (Deleted by Ord. 95-02, adopted January 10, 1995)
- r. Convenience market or liquor store
- s. Homeless shelter
- t. Religious or educational facility
- u. Cultural or recreational facility
- v. Catering/banquet hall adjacent to residential districts
(Amended by Ord. 88-017 C.S., adopted July 5, 1988; Ord. 93-12, adopted May 4, 1993; Ord. 95-02, adopted January 10, 1995)

SEC. 10-1.354 LOT REQUIREMENTS.

- a. Minimum lot size: None
- b. Minimum lot area per primary use: None
- c. Minimum frontage: 35 feet
- d. Minimum average lot width: None
(Added by Ord. 88-017 C.S., adopted July 5, 1988; amended by Ord. 93-12, adopted May 4, 1993)

SEC. 10-1.355 YARD REQUIREMENTS.

- a. Minimum Front Yard: None, except buildings not located on the property line shall be setback 10 feet
- b. Minimum Side Street Yard: None, except buildings not located on the property line shall be setback 10 feet
- c. Minimum Side Yard: None, except where abutting any R, A, MHP, or residential PD District where the side yard shall be a minimum of 10 feet. Such yards shall be increased one foot for each foot height of any structure in excess of 40 feet.
- d. Minimum Rear Yard: None, except where abutting another zoning district, in which case the rear yard setback shall be the same as the required yard area of the district abutted.

SEC. 10-1.356 HEIGHT LIMIT.

Maximum Height Permitted: No limit

SEC. 10-1.357 LOT COVERAGE.

Maximum Coverage Permitted: 90 percent

SEC. 10-1.358 SITE PLAN REVIEW REQUIRED. Site Plan Review approval is required before issuance of any building or construction permit or construction of a fence within this district only if the Director of Community and Economic Development/Planning Director determines that a project materially alters the appearance and character of the property or area or may be incompatible with City policies, standards, and guidelines.

(Amended by Ord. 88-017 C.S., adopted July 5, 1988; Ord. 95-02, adopted January 10, 1995)

MINUTES
SUBJECT TO APPROVAL
BY PLANNING COMMISSION

REGULAR MEETING OF THE PLANNING
 COMMISSION, CITY OF HAYWARD, Council
 Chambers, Thursday, June 11, 1998,
 7:30 p.m. 777 "B" Street, Hayward, CA 94541

was equally pleased that the additional parcel will be added. He moved, seconded by Commissioner Williams, for support of all staff recommendations. The motion was approved unanimously.

2. ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER) - Request to change zoning from RS/SD-2 (High Density Residential/Special Design District) to CG/SD-2 (General Commercial/Special Design District), and a use permit to construct a three-story, 70-unit hotel with associated parking. The property is located at 24135 Mission Boulevard.

(Continued from April 9, 1998 Planning Commission meeting.)

Landscape Architect/Senior Planner Woodbury said that staff strongly supports the project. It would include demolishing the present structures including the Sheffield Coffee Shop and the apartments on the corner. The zone change would be consistent with the surrounding zoning pattern as well as the other commercial uses along Mission. She described the architectural features of the Hampton Inn project and explained that the architect and applicant were both available for questions.

Public Hearing Opened at 7:52 p.m.

Bill Courtney, 20632 Redwood Road, Castro Valley, applicant, said they had gone through the conditions of approval and had no problem with them. He thanked staff for their help and work on the project.

Lee Gage, 7636 North Ingram, Suite 107, Fresno, architect of the project said he was available for questions if the Commission desired.

Commissioner Kirby commented that this is a deep site and commended him for the sufficient mitigation at the site.

Beatrice Thornton, 816 Pinedale Court, said she was happy to encourage the Commission to approve this project. The property has deteriorated terribly. She expressed concern that there might be a problem with rats when the construction begins and asked that the wall be constructed in advance of the demolition. She also asked that the wall be 10-feet high. She said that she had asked that the pool be placed in the back rather than additional parking because the pool is open only from 9 a.m. to 9 p.m. and would be quiet during the late night hours.

Lindley Ferchel, 804 Pinedale Court, thanked Landscape Architect/Senior Planner Woodbury for the time she has taken to explain many of the details of the project. He said he is concerned that the project is going to be 3 stories, which will lead to a loss of privacy for the neighbors. He asked that a 10-foot fence be required to contain the spillage of light and noise from the hotel. He also asked for a condition for no parking on Pinedale Court. He expressed

concern that TCI Cable has illegally created an easement across the backyards on Pinedale Court and asked that other utilities not do the same. He expressed concern that the construction work be monitored since weeds, garbage and graffiti already litter the site.

Stan Jeglum, 1781 Burkhart Avenue, San Leandro, the owner of two duplexes on Pinedale Court, expressed concern regarding water drainage at the site. He said the recent heavy rains caused flooding in his properties. In response to a series of questions that he raised on a number of issues, Chairperson Bennett suggested that Mr. Jeglum give Landscape Architect/Senior Planner Woodbury a call to discuss his various concerns. She indicated that the staff report had already answered most of them.

Public Hearing Closed at 8:17 p.m.

Commissioner Kirby **moved**, seconded by Commissioner Fish, to approve the application as presented and amend the Conditions of Approval as follows: Change Condition 3.i. to add that prior to construction, the fence or wall will be constructed to protect nearby neighborhood properties; 6.c., Install a storm drain inlet and storm drain access hatch at the location to be on the approved plan; and that employee parking shall be on the site and not on Pinedale Court.

Chairperson Bennett said she would be voting for the motion but had reservations about a 3-story hotel in that area. She said this would change the view corridor drastically. She complimented the architecture as extremely nice. She also suggested that Mr. Jeglum get further information before the project is heard at the City Council meeting.

Commissioner Caveglia pointed out that, although it is a 3-story structure, it is located more than 60-feet away from other buildings.

Commissioner Williams expressed concern regarding the owners keeping the site clean. He said he hoped they would consider the residents' comments regarding the present condition of the site. He also hopes the new owners will be good neighbors to present residents in the area.

The motion passed unanimously.

ADDITIONAL MATTERS

3. Resolution in Commendation and Appreciation to Kevin Dowling

Commissioner Halliday **moved**, seconded by Chairperson Bennett, to commend Commissioner Dowling on his years of service to the City as a Board of Zoning Adjustments member and Planning Commissioner. Congratulations to him on his recent election to City Council. **The motion passed unanimously.**

Commissioner Dowling, in turn, thanked staff and particularly Development Review Services Administrator Anderly for all of their fine work. He said he would be listening to the Commission recommendations and comments.

4. Oral Report on Planning and Zoning Matters

Development Review Services Administrator Anderly informed members that this is the last



**AGENDA REPORT
PLANNING COMMISSION ■ CITY OF HAYWARD
DEVELOPMENT REVIEW SERVICES DIVISION**

**MEETING OF
June 11, 1998**

TO: Planning Commission

FROM: Cathy Woodbury, Landscape Architect/Senior Planner

SUBJECT: **ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)** - Request to change zoning from RH/SD-2 (High Density Residential/Special Design District) to CG/SD-2 (General Commercial/Special Design District), and a use permit to construct a three-story, 70-unit hotel with associated parking.

The property is located at 24135 Mission Boulevard.

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Recommend approval of the Negative Declaration to the City Council; and
2. Recommend approval of the zone change and use permit to the City Council based on the attached findings.

DISCUSSION:

Surrounding Uses

In the vicinity of the project site, the development on Mission Boulevard is predominantly commercial, consisting of fast food restaurants, a coffee shop, a service station and small retail stores. The Memorial Park and Plunge is southeast of the site, across Mission Boulevard. Residential uses border the site on the south and west.

North: A one-story commercial building (Burger King) zoned General Commercial/Special Design District (CG/SD-2).

South: At the west end, two-story single family residences, zoned Single-Family (RS), and at the east end, a one-story commercial building (M&T Photo Center), zoned Neighborhood Commercial/Special Design District (CNR/SD-2).

East: Across Mission Boulevard, a one-story commercial building (Giant Burgers) zoned Neighborhood Commercial/Special Design District (CNR/SD-2).

ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)

West: One-story multi-family residences zoned High-Density Residential/Special Design District (RH/SD-2).

Background

The project includes two contiguous parcels on the west side of Mission Boulevard, south of Jackson Street. The property was zoned General Commercial (CG) until 1972 when, at the request of a previous owner, the zoning was changed to High Density Residential (RHB7). The Mission Corridor Special Design District (SD-2), established in 1992 upon recommendation of the Mission-Foothills Neighborhood Plan, provides design parameters for development within the overlay district.

The vacant Sheffield Restaurant occupies the northerly parcel. The other parcel is the site of the Hayward Motel Cabins, a complex consisting of a two-story building at the front and one-story cabins in the rear. At one time the facility offered lodging from one night to over a month at a time. The motel building is vacant. However, since October 1997 the 28 cabin units have been rented on a monthly basis only.

The applicant has requested a zone change and use permit to construct a 70-unit Hampton Inn Hotel. The existing buildings would be demolished to make way for new construction. Proposed development on the 1.34 acre site includes a 12,300 square foot, 3-story hotel, 75 parking spaces and a swimming pool with patio.

The Hampton Inn is one of four hotels franchised by Promus Hotels, Inc., which also manages the Homewood Suites, Embassy Suites and Hampton Inn and Suites. Nearly 200 Hampton Inns are currently in the design or development phase nation wide. The Hampton Inn targets customers who stay an average of one or two nights, the market anticipated for this location in Hayward.

Zone Change

The proposed General Commercial/Special Design District (CG/SD-2) zoning would allow a hotel as a conditional use, which is not permitted under the current High-Density Residential zoning. However, a zone change does not ensure that a hotel will be constructed.

The CG District provides the opportunity for a variety of businesses that support commercial activity in the Central City and Central Business districts. Should the hotel project not proceed, the rezoning could result in other commercial uses such as, retailing, offices, and automotive sales and service. A complete list of uses permitted in the CG district is included in Exhibit F.

Construction of a hotel or other commercial uses at this location is consistent with the area's development pattern where single and multi-family zoning is found west of the commercially zoned properties on Mission Boulevard. The site is near other commercial uses and its proximity to the intersection of three major arterials, Jackson Street, Foothill Boulevard and Mission Boulevard, makes it easily accessible to business patrons.

Use Permit/Project Description

Hotels are allowed in the General Commercial district adjacent to residential development with a conditional use permit. The use permit assures that the development will occur in maximum harmony with the surrounding area, and in accordance with official City policies. The project has been planned to address the following issues related to compatibility with the built environment and minimizing the impacts on the surrounding residential development:

Building Setbacks and Height

The building will be located in the center of the site to maximize the setback from adjacent residential zoning. A distance of 61 feet will be maintained from the south property line shared with five two-story single-family residences. The hotel will be 31 feet from the west property line, the site of one-story multi-family residences. A multi-family residential building on this site would be placed along the perimeter of the site around a courtyard according to the Mission Corridor Special Design District to within 10 feet of the south property line, and 20 feet of the west property line.

Although there is no maximum height limit in the General Commercial district, the height of the proposed building will be 40 feet, the same as that currently allowed on this site under the High-Density Residential zoning. The adjacent Neighborhood Commercial zoning district also has a height limitation of 40 feet. The adjoining Single Family Residential district height limit is 30 feet.

Traffic, Circulation and Parking

Based on the former restaurant and motel uses at this location, no significant change in traffic would result from modifying the use to a hotel. The project is accessible from two driveways on Mission Boulevard. A driving aisle encircling the building provides efficient vehicular circulation on site.

Guest registration is at the front of the building facing Mission Boulevard, where short-term parking is provided under the porte-cochere away from surrounding properties. The required parking is furnished on-site surrounding the hotel.

Noise & Privacy

The building is located in the center of the site to maintain privacy on the surrounding residential properties. Outdoor activity on the hotel site will be reduced by providing only one exterior doorway on each side of the building which leads to an interior corridor providing access to all rooms. An 8-foot decorative masonry wall and landscaped buffer will be installed along the west and south property lines adjacent to residential development to reduce noise and prevent visual intrusion. There is an existing 6-foot masonry wall along the north property line separating this site from Burger King.

Construction activities will be limited to the hours between 6:00 AM and 6 PM, Monday through Friday, excluding holidays. The use of the swimming pool will be limited to the hours between 8:00 AM and 9:00 PM, daily.

ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 – BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)

Lighting

Site lighting will be designed to prevent light spillage onto adjacent properties. Pole mounted fixtures will be located on the interior of the site away from the property lines and pole heights will be limited to 12 feet. Only low, bollard-style lights will be located along the perimeter of the site.

Landscaping

Landscaping will be provided in a 16 foot wide planting area along Mission Boulevard to enhance the street frontage and complement the hotel entry. Additional landscaping consisting of trees, shrubs and groundcovers, will be planted along all building elevations and interior property lines. Evergreen trees with a vertical growth habit will be planted around the perimeter of the site. The existing Australian Willow street trees will be retained and new trees will be added in front of the site to complete pattern on this portion of Mission Boulevard.

Design

The architecture incorporates features that are reminiscent of the Spanish Ranch style. The building is designed with a roof of terra cotta colored tile in combination with a Mission-shaped roof parapet on the north and south elevations. A tower and porte-cochere accentuate the entrance on Mission Boulevard. The exterior finish of beige stucco is enhanced with molded stucco banding and columns. The trash enclosure at the northwest corner of the site will be designed in the same style and materials to blend with the hotel.

Zoning, General Plan and Neighborhood Plan Consistency

The area of the requested zone change is designated on the General Policies Plan Map as Commercial/High Density Residential. According to the General Policies Plan Consistency Matrix, a zone change from RH to CG would be consistent with this designation.

The General Commercial (CG) zoning would be an extension of the adjacent zoning to the north, and compatible with the Neighborhood Commercial (CNR) zoning on Mission Boulevard south and east of the site. Commercial zoning at this location is consistent with the area's development pattern where single and multi-family zoning is found west of the commercially zoned properties on Mission Boulevard.

In keeping with the Mission Corridor Special Design District (SD-2), the building has been designed in the Spanish Ranch theme.

This project is consistent with the *Mission/Foothills Neighborhood Plan*. As stated in Policy A, page 1, it respects the environmental limitations of the site by limiting development of occupied structures within the Alquist-Priolo Special Studies Zone in that it does not provide permanent residences. It fosters neighborly commercial development as stated in Policy E, page 5. The architecture reflects the established Spanish Ranch design theme, the height is consistent with that allowed in the High Density Residential and Neighborhood Commercial districts, and street front landscaping and street trees will be provided. The project is consistent with Policy I, page 9, in that it contributes to building the community by replacing deteriorating buildings with new construction. Although the

ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 – BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)

project does not provide residential development on Mission Boulevard, as outlined in Policy C, page 3, the proposed hotel is in harmony with the surrounding uses and, it has been planned according to the requirements of the High Density Residential zoning district to ensure compatibility with the built environment.

Environmental Review

A Negative Declaration was prepared and distributed in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines with a determination that the zone change and use permit will not have a significant effect on the environment.

Although the site is located within the "State of California Alquist-Priolo Earthquake Fault Zone," there is a very low potential for ground surface rupture and significant ground deformation according to the "Fault Rupture Hazard Evaluation Report, Proposed Hampton Inn Site, 24131 Mission Boulevard" prepared January 8, 1998, by William Lettis & Associates. The building will be designed to minimize the impacts of seismic ground shaking resulting from an earthquake on the Hayward fault zone in the vicinity of the project.

Public Notice

On November 26, 1997, a notice was mailed to property owners and tenants within 300 feet of the project boundaries, to former members of the *Mission Foothills Neighborhood Task Force* and all other interested parties.

Seven telephone calls and six letters were received regarding the project. The correspondence is included in Exhibit G. Four respondents supported the project and one was opposed due to concerns that a new hotel would compete with existing motels on Mission Boulevard. Subsequently, three letters were received from hospitality industry professionals providing information on the economic viability of the project. In addition, five citizens raised issues about the design of the project including, building height, traffic, noise, privacy, lighting, access to Burger King, and hours of construction. These issues have been addressed under the heading Use Permit/Project Description and in the attached Conditions of Approval.

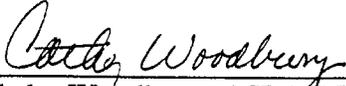
On March 27, 1998, a public hearing notice was mailed to property owners and tenants within 300 feet of the project boundaries, to former members of the *Mission Foothills Neighborhood Task Force* and all other interested parties. On April 1, 1998, a public hearing notice was published in the "Daily Review." The applicant requested a continuance at the April 9th meeting. Subsequently, a second notice was mailed on May 22, 1998, and published in the "Daily Review" on May 26, 1998.

Conclusion

Staff finds this project to be consistent with the intent and policies of the *General Plan* and the *Mission Foothills Neighborhood Plan*. A hotel at this location will be compatible with adjacent properties, and support the existing and potential commercial development in the surrounding area and Downtown Hayward. In conclusion, staff recommends approval of the zone change and use permit.

ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)

Prepared by:



Cathy Woodbury, ASLA/AICP
Landscape Architect/Senior Planner

Recommended by:



Dyana Anderly, AICP
Development Review Services Administrator

Attached Exhibits

- A. Project Plans
- B. Findings for Approval
- C. Conditions of Approval
- D. Area Map
- E. Zoning Map
- F. CG District Regulations
- G. Negative Declaration/Initial Study
- H. Correspondence from Citizens

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CITY OF HAYWARD

FINDINGS FOR APPROVAL

**Zone Change Application No. 97-190-08 and
Use Permit Application No. 97-160-17
24135 Mission Boulevard**

Based on the staff report and the public hearing record:

1. That approval of Zone Change Application No. 97-190-08 and Use Permit Application No. 97-160-17 will have no significant impact on the area's resources, cumulative or otherwise, and the Negative Declaration prepared for this project is complete and final in accordance with the California Environmental Quality Act and reflects the independent judgement of the Planning Commission;
2. That the proposed zone change and use permit will not be detrimental and will promote the public health, safety, convenience, and general welfare of the residents of Hayward by providing for the development of services that support primary business activities in the City;
3. That the proposed zone change is in conformance with the General Plan Policies Map Designation of Commercial/High Density Residential, is consistent with the purpose of the General Commercial/Special Design (CG/SD-2) zoning district to provide services for the support of primary business activities in the Central Business and Central City districts, and is in conformance with the Mission/Foothills Neighborhood Plan;
4. That the existing streets and public facilities are adequate to serve the project. Other uses would require further design and environmental review;
5. That all uses permitted in the General Commercial (CG) zoning district will be compatible with present and potential future uses, and further, a beneficial effect will be achieved through the zone change by providing services for the support of primary business activities which are not obtainable under existing High Density Residential (RH) zoning district;
6. That the proposed hotel will not impair the character and integrity of the General Commercial zoning district;
7. That the proposed hotel is desirable for the public convenience, and contributes to the welfare of the community.

CITY OF HAYWARD

CONDITIONS OF APPROVAL

Use Permit Application No. 97-160-17
24135 Mission Boulevard

As Modified by the Planning Commission on June 11, 1998

1. The use permit shall become void one year after approval of the City Council unless, prior to that time, a building permit application has been accepted for processing by the Building Official or an extension has been approved.
2. All improvements shown on Exhibit "A" shall be completed prior to occupancy, unless exempted by the conditions below.
3. The applicant shall comply with the following requirements of the Development Review Services Division pertaining to engineering:
 - a. Prior to the issuance of a building permit, a Certificate of Merger shall be completed.
 - b. A detailed grading and drainage plan shall be submitted for the review and approval of the City Engineer. A storm drainage system shall be provided that conveys storm water runoff into facilities of the City or Alameda County Flood Control District. Roof drainage shall be connected into the on-site drainage system.
 - c. A detailed soils report, analyzing soil and fill expansion and liquefaction potentials, soil preparation, grading and building foundation designs shall be submitted for review and approval of the City Engineer.
 - d. All parking spaces and aisles shall be paved with Class B, Portland Cement Concrete, or a minimum 3 inches of asphaltic concrete over 8 inches of base.
 - e. Parking facilities shall be adequately lighted for safety and security as determined by the City Engineer. The minimum requirement is one-foot candle of light across the entire surface of the parking area. Exterior light shall be designed, erected and maintained so that light or glare is not directly cast upon adjacent properties or public rights-of-way.
 - f. Parking and loading spaces shall be provided with a Class B, Portland Cement Concrete continuous concrete curb at least 6 inches in height above the finished pavement and 6 inches thick.
 - g. Stop signs and right turn only signs shall be posted at the exits.

ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)

- h. The applicant shall submit a construction Best Management Practice (BMP) program for review and approval by the City prior to the issuance of any building or grading permits. These BMPs shall be implemented by the general contractor and all subcontractors and suppliers of material and equipment. Construction site cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop work order.
- i. During construction:
- Gather all construction debris on a regular basis and place in a dumpster or other container that is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution.
 - Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work.
 - Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping.
 - Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season (October 15), 2) site dewatering activities, or 3) street washing activities, 4) saw cutting asphalt or concrete, or order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash.
 - Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill.
 - Never clean machinery, tools, brushes, etc. or rinse containers into a street, gutter, storm drain or stream. See "Building Maintenance/Remodeling" flyer for more information.
 - Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge wash water into street gutters or drain.
 - Minimize the removal of natural vegetation or ground cover from the site in order to minimize the potential for erosion and sedimentation problems: All cut and fill slopes shall be stabilized as soon as possible after completion of grading. No site grading shall occur between October 15 and April 15 unless approved erosion control measures are in place.
- j. The project plan measures shall also include erosion control measures to prevent soil, dirt and debris from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.

ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)

- k. The applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
 - l. Trash enclosures and/or recycling area(s) must be completely covered; no other area shall drain onto this area. Drains in any wash or process area shall not discharge to the storm drain system. Drains should connect to an approved collection system. The collection system is subject to the review, approval of the City Engineer.
 - m. All landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides that can contribute to runoff pollution.
 - n. Sidewalks and parking lots must be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry to the storm drain system. No cleaning agent may be discharged to the storm drain. If any cleaning agent or degreaser is used, wash water shall not discharge to the storm drains; wash waters should be collected and discharged to the sanitary sewer. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the wastewater treatment plant receiving the discharge.
 - o. A structural control, such as an oil/water separator, sand filter, or approved equal, must be installed (in the parking lot, on the site) to intercept and pre-treat storm water before discharging to the storm drain system. The design, location, and a maintenance schedule must be submitted to the City Engineer for review and approval prior to the issuance of a building permit.
 - p. All on-site storm drain inlets must be labeled "No Dumping - Drains to Bay" using approved methods.
 - q. All on-site storm drains must be cleaned at least once a year immediately prior to the rainy season (October 15). Additional cleaning may be required by the City Engineer.
 - r. A Caltrans encroachment permit is required prior to the construction of the offsite storm drain.
4. Prior to the issuance of a building permit, the applicant shall comply with the following Utility (Water) Division requirements:
- a. The existing 5/8" water meter is inadequate for the proposed development. Prior to granting occupancy, submit the maximum demand in gallons per minute to the Senior Utility Service representative to determine proper meter size.
 - b. Show the proposed locations for water meters and sanitary sewer lines. Water meters must be placed a minimum of 6 feet from sanitary sewer lines; a minimum 2 feet outside of the driveway, including the flair; and may not cross property lines.

ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)

- c. Show the proposed location for fire line service.
 - d. Specify installation of a reduced pressure backflow preventer after the water meter as per City of Hayward Standard Detail 202.
 - e. Permits are required from Caltrans prior to water installations, fire service installation, and relocations or abandonments.
5. The applicant shall comply with the following Fire Department requirements:
- a. Provide 2 on-site fire hydrants on the property. One hydrant shall be installed at the southeast corner of the building. A second hydrant shall be installed on the northeast side of the building at the midpoint of the parking lot. Each hydrant shall be capable of flowing 4,500 gallons per minute. Each hydrant shall be double steamer type (two 4 ½" outlets and one 2 ½" outlet). Allowances for fire control may be provided.
 - b. All fire lanes shall be designated with red painted curbs and fire lane signage, as per City Standard Details, and in locations approved by the Fire Department.
 - c. The structure shall be protected with an automatic fire sprinkler system designed and installed per N.F.P.A. Standards No. 13 and 24.
 - d. Install a Class I standpipe system as required per N.F.P.A. Standards No. 14.
 - e. Installation of a manual and automatic fire alarm system is required throughout the building. Installation and general design requirements shall meet the 1994 Uniform Fire Code and N.F.P.A. Standards No. 72.
 - f. The fire sprinkler system and fire alarm system shall be monitored at a central station and annunciated at an approved location on site.
 - g. The entrance canopy shall provide a minimum 13'6" vertical clearance.
 - h. If the vertical travel of the elevator is over 25 feet, then firefighter recall will be required as per the Uniform Building code and N.F.P.A. Standards No. 72.
 - i. All Exterior stairs shall be of non-combustible construction and conform to the Uniform Building Code.
 - j. Smoke detectors are required in each dwelling unit as per the Uniform Building Code.
 - k. Installation of fire extinguishers is required throughout the building. The minimum size and type required shall meet 2A:10BC, 5 lb. dry chemical. Spacing shall be at every 75 feet of travel.
 - l. A minimum 6" address shall be provided on the building or the monument sign at the driveway

ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)

entrance.

- m. Prior to the start of construction activities, a determination must be made as to whether contamination has migrated to the subject site.
6. The applicant shall comply with the following requirements of the Engineering/Transportation Division:
 - a. The minimum diameter and slope for the proposed storm drain pipe along Mission Boulevard and Fletcher lane shall be 15" and 0.005 respectively.
 - b. During construction of the storm drain facilities, access shall be maintained to the Burger King on either Fletcher Lane or Mission Boulevard. Impediments to access shall be as short in duration as possible. Upon completion of work each day, access shall be completely restored by covering any trenches in front of the driveways in a method approved by the City Engineer.
 - c. Install a storm water inlet and a storm drain manhole on Mission Boulevard. *The locations shall be shown on the approved plans.*
 - d. The proposed trash enclosure shall be completely covered.
 - e. A structural control, such as an oil/water separator, or approved equal, shall be installed to intercept and pre-treat storm water prior to discharging to the storm drain system. The current and subsequent owners shall enter into an agreement with the City to maintain their structural control. An annual report of maintenance shall be submitted to the City Engineer.
 - f. An encroachment permit shall be obtained from Caltrans for any work within the Mission Boulevard right-of-way.
 7. The driveway locations must be reviewed and approved by Caltrans.
 8. The applicant shall comply with the following conditions of the Development Inspection Services Division:
 - a. T-24 energy compliance forms and calculations are required.
 - b. Security Ordinance 90-26 shall apply.
 - c. School District fees shall apply.
 - d. Interim Supplemental Construction Tax shall apply.
 - e. The Construction and Improvement Tax shall apply.
 - f. A mylar copy of the building permit survey (topographic survey) is required.
 - g. Plastic drainage, waste and vent piping is prohibited.

ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)

- h. T-24 handicap access requirements shall apply.
 - i. The 1994, or latest adopted, UBC, UMC, UPC and NEC, as amended by the State and City, shall apply.
9. Adequate access shall be maintained for the garbage truck and recycling service.
10. The applicant shall comply with the following requirements of the Water Pollution Administration Division:
- a. All discharge from the swimming pool filter and cleaning shall be to the sanitary sewer.
 - b. Drainage from the pool shall be to the storm or sanitary sewer.
11. The applicant shall comply with the following requirements of the Development Review Services Division pertaining to landscaping:
- a. Prior to the approval of improvement plans, or issuance of the first building permit, detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance.
 - b. One 24" box street tree, *Geijera parviflora*, is required for every 20 - 40 lineal feet of frontage. Trees shall be planted to fill vacancies in the street tree pattern, and to replace any declining or dead trees. Trees shall be planted according to the City Standard Detail SD-122.
 - c. Landscaped areas adjoining drives and/or parking areas shall be separated by a 6" high class "B" Portland Cement concrete curb.
 - d. Parking lots shall include one 15-gallon tree for every six parking stalls. Parking lot trees shall be planted in tree wells or landscape medians located within the parking area. Parking rows shall be capped with a landscaped median. Parking and loading areas shall be screened from the street with shrubs, masonry walls or earth berms, as determined by the Planning Director. Where shrubs are used for screening, the type and spacing of shrubs shall create a continuous 30" high hedge within two years.
 - e. All tree wells, medians and planting areas shall be a minimum of 5' wide measured inside the curbs and walls.
 - f. A landscape buffer including shrubs and one 15-gallon evergreen tree for every 20 lineal feet of property line shall be planted along the rear and side property lines.
 - g. Provide a tall shrub screen along the south and west perimeter of the pool area.
 - h. All above ground utilities, mechanical equipment and trash enclosures shall be screened from the street with shrubs.
 - i. A tree removal permit is required prior to the removal of any tree 10" in diameter, or larger.

ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)

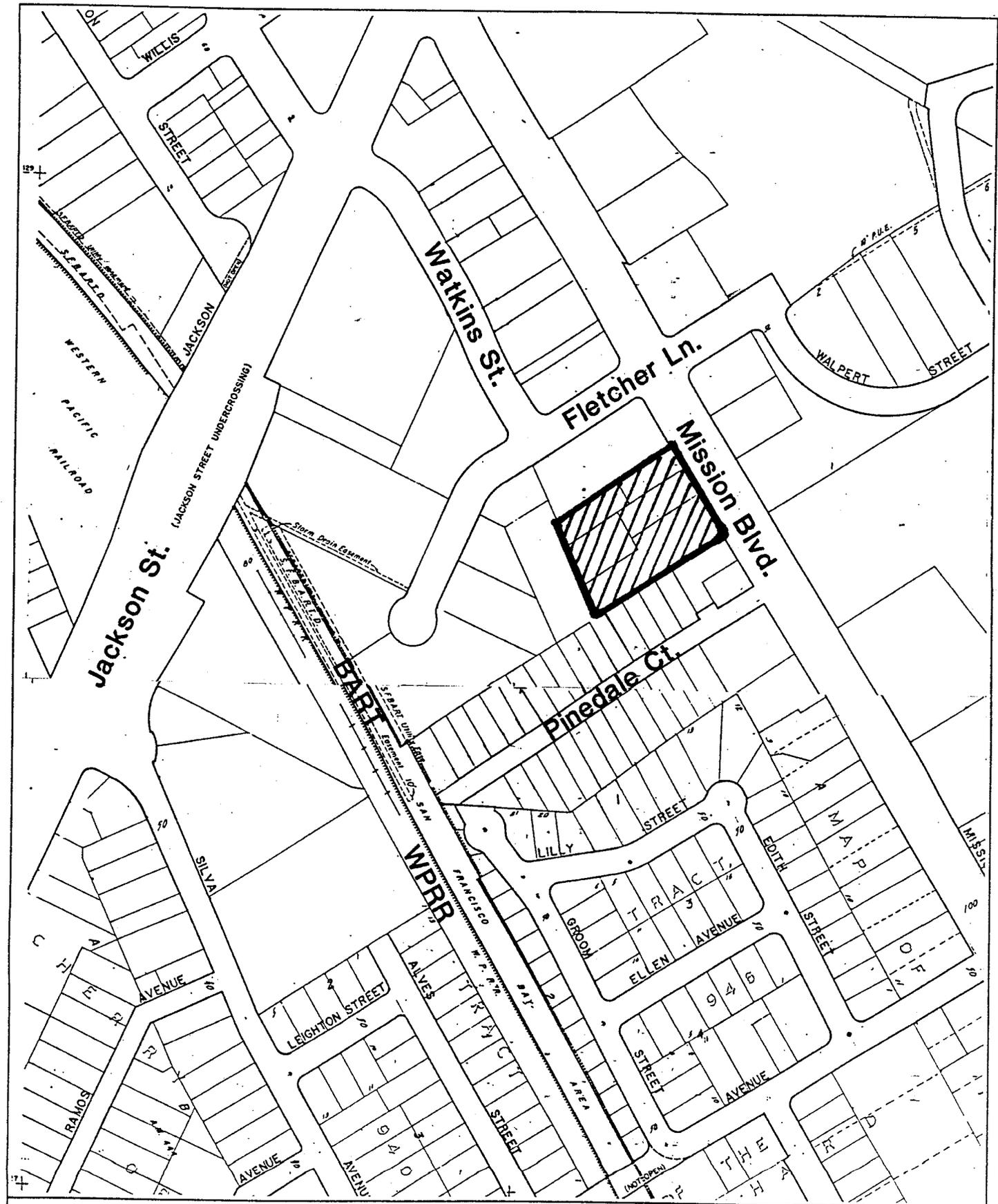
Replacement trees shall be required for any trees removed, as determined by the City Landscape Architect.

- j. Landscape improvements shall be installed according to the approved plans and a Certificate of Substantial Completion, and an Irrigation Schedule shall be submitted prior to the issuance of a Certificate of Occupancy.
 - k. Landscaping shall be maintained in a healthy, weed-free condition at all times. Plants shall be replaced when necessary. Required street, parking lot and buffer trees that are severely topped or pruned shall be replaced immediately, as determined by the City Landscape Architect.
12. The applicant shall comply with the following requirements of the Development Review Services Division pertaining to site development:
- a. Provide a decorative masonry or pre-cast wall along the rear and side property lines. The wall shall be finished on both sides. The design shall be compatible with the building architecture and include pilasters and a decorative cap. The height shall be 8 feet adjacent to residential properties and a minimum of 6 feet adjacent to commercial properties up to the front yard setback. *All perimeter walls shall be installed prior to the start of construction activities.*
 - b. Provide a decorative open metal fence around the swimming pool.
 - c. Walls around mechanical equipment shall be compatible in design to the perimeter wall and building architecture.
 - d. The trash enclosure shall be totally enclosed. The enclosure shall include internal concrete curbing to protect the side walls and shall be equipped with a hose bib. Drainage shall be to the sanitary sewer. The enclosure shall provide adequate area for recycling bins, or the developer shall provide sufficient space for recycling bins in another location that is screened from view. The design, materials and color shall complement that of the main building and incorporate a pitched roof, decorative masonry walls and opaque, decorative metal gates.
 - e. No individual television or radio transmission or reception antennas shall be permitted. A central television reception antenna, or enclosed attic antennas shall serve all rooms. Should a satellite dish be used, it shall be mounted on the ground and screened from view.
 - f. All signage shall conform to the City's *Sign Ordinance*. Signage design, colors and materials shall reflect the architectural style of the project and shall be approved by the Director of Community and Economic Development/Planning Director.
 - g. Lighting shall be provided at building entrances, in the pool area and in the parking area. Only low, bollard-style lighting fixtures shall be permitted along the perimeter adjacent to residential properties. All lighting shall be shielded and deflected to prevent light spillage on adjacent properties. The type of lighting fixture, height of pole and location shall complement the overall design of the project. Pole lighting shall not exceed 12 feet in height unless approved by the Planning Director.
 - h. Above ground utilities, water meters, mechanical equipment and transformer pads shall not be

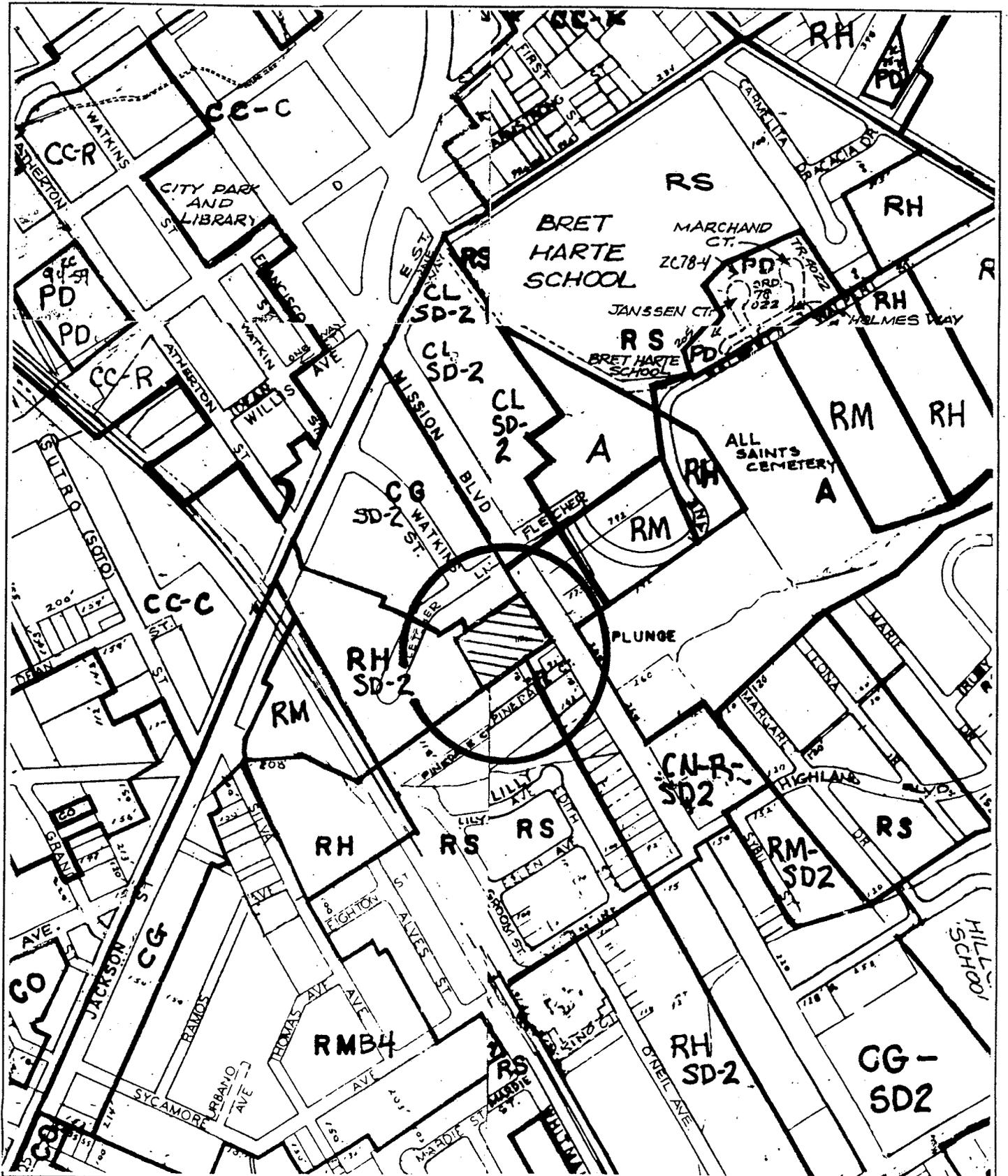
ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)

located within the front yard setback, and shall be screened by plant material or an architectural element.

- i. Construction activities shall be limited to the hours between 6:00 AM and 6:00 PM, Monday through Friday, excluding holidays.
 - j. The use of the swimming pool shall be limited to the hours between 8:00 AM and 9:00 PM, daily.
13. The hotel management shall provide to abutting residents the most current list of hotel staff to contact in case of excessive noise or disturbance.
14. Violation of these conditions is cause for revocation of the use permit after a public hearing before the duly authorized review body.
15. *Hotel staff shall be prohibited from parking on Pinedale Court.*



AREA MAP ■ UP 97-160-17, ZC 97-190-08
Bill Courtney (Applicant) ■ Metro Hotels, Inc. (Owner)
24135 Mission Blvd.



▲ North
1" = 500'

ZONING MAP
 UP 97-160-17, ZC 97-190-08
 Bill Courtney (Applicant)
 Metro Hotels, Inc. (Owner)
 24135 Mission Blvd.



DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT
Development Review Services Division

**REVISED
NEGATIVE DECLARATION**

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

ZONE CHANGE APPLICATION NO. 97-190-08 and USE PERMIT APPLICATION NO. 97-160-17 - BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER):
Request to change zoning from RH/SD-2 (High Density Residential) to CG/SD-2 (General Commercial), and a use permit to construct a 3-story, 70-unit hotel with associated parking.

The property is located at 24135 Mission Boulevard, Hayward, California.

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

The proposed project will have no significant effect on the area's resources, cumulative or otherwise.

III. FINDINGS SUPPORTING DECLARATION:

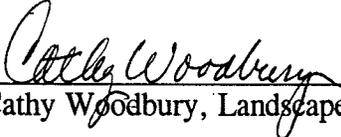
1. The project application has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared with a determination that the project will not have a significant impact on the environment.
2. The project is in conformance with the General Policies Plan Map designation of "Commercial/High Density Residential" for the property.
3. The project is in conformance with the intent and purpose of the Zoning Ordinance designation of CG/SD-2 (General Commercial/Mission Corridor Special Design) District for the property.
4. The site is located within the "State of California Alquist-Priolo Earthquake Fault Zone". However, there is no evidence of Holocene faulting or significant ground deformation. Therefore, there is a very low potential for ground surface rupture and significant ground deformation. The site would likely be subjected to very strong to violent ground shaking resulting from an earthquake on the Hayward fault zone in the vicinity of the project. The building will be designed accordingly to minimize the

NEGATIVE DECLARATION - ZONE CHANGE APPLICATION ZC 97-190-08 and USE PERMIT APPLICATION UP 97-160-17, BILL COURTNEY (APPLICANT), METRO HOTELS, INC. (OWNER)

impacts of seismic ground shaking.

5. No significant change in traffic would result from the development.
6. The project site could potentially be impacted by contamination from the Chevron service station at 24086 Mission Boulevard. A determination must be made as to whether contamination has impacted the groundwater and migrated to the site. If the project site is affected, additional site preparation will be completed, as necessary.
7. The site plan layout provides proper access, circulation and parking for the use.
8. There is no evidence of historical or archaeological resources within the project area.
9. There is no evidence of rare or endangered plant or animal species within the project area.

IV. PERSON WHO PREPARED INITIAL STUDY:


Cathy Woodbury, Landscape Architect/Senior Planner

Dated: March 6, 1998

V. COPY OF INITIAL STUDY IS ATTACHED

For additional information, please contact the City of Hayward Development Review Services Division, 777 B Street, Hayward, CA 94541-5007 or telephone (510) 583-4215

DISTRIBUTION/POSTING

Provide copies to all organizations and individuals requesting it in writing.

Reference in all public hearing notices to be distributed 30 days in advance of initial public hearing and/or published once in Daily Review 30 days prior to hearing.

Project file.

Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
Development Review Services Division

REVISED
INITIAL STUDY CHECKLIST FORM

Project title: Zone Change Application ZC 97-190-08 and Use Permit Application UP 97-160-17 – Request to change zoning from RH/SD-2 to CG/SD-2, and a use permit to construct a hotel.

Lead agency name and address: City of Hayward, 777 “B” Street, Hayward, CA 94541-5007

Contact persons and phone numbers: Cathy Woodbury, Landscape Architect/Senior Planner, (510) 583-4210

Project location: 24135 Mission Boulevard, Hayward, CA

Project sponsor’s name and address: Bill Courtney, 20632 Redwood Road, Suite B, Castro Valley, CA 94546 (510) 728-1102 or (510) 886-7511

General Plan: Commercial/High Density Residential

Zoning: Neighborhood and General Commercial, High Density Residential

Description of project: Request to construct a 3-story, 70-unit hotel with associated parking.

Surrounding land uses and setting: Mixture of commercial and residential uses.

Other public agencies whose approval is required: CALTRANS

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

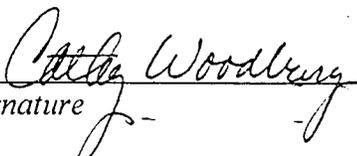
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Mandatory Findings
Of Significance | | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.


 Signature

Cathy Woodbury
 Printed name

March 6, 1998
 Date

City of Hayward

ENVIRONMENTAL IMPACTS:

Potentially Significant Impact Potentially Significant Unless Mitigation Incorporated Less Than Significant Impact No Impact

I. LAND USE AND PLANNING. *Would the proposal:*

a) Conflict with general plan designation or zoning?
The area of the requested zone change is designated on the General Policies Plan Map as Commercial/High Density Residential. According to the General Policies Plan Consistency Matrix, a zone change from RH (High Density Residential) to CG (General Commercial) would be consistent with this designation.

b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?

c) Be incompatible with existing land use in the vicinity?
A zone change from RH (High Density Residential) to CG (General Commercial) would be an extension of the adjacent zoning to the north, and compatible with the neighborhood Commercial zoning on Mission Boulevard south and east of the site. The use permit to allow a hotel is compatible with the development in the vicinity of the project site on Mission Boulevard which is predominantly commercial, consisting of fast food restaurants, a coffee shop, a service station and small retail stores.

d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?

e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?

II. POPULATION AND HOUSING. *Would the proposal:*

a) Cumulatively exceed official regional or local population projections?

b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- c) Displace existing housing, especially affordable housing?
The proposed construction of a 70-unit Hampton Inn Hotel will require demolition of the Hayward Motel Cabins. The facility offered lodging from one night to over a month at a time. The motel building is vacant, however, since October, 1997 the 28 cabins have been rented on a monthly basis only.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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A variety of housing opportunities are available throughout Hayward and the City provides assistance to low-income renters and below market housing units.

III. GEOLOGIC PROBLEMS. *Would the proposal result in or expose people to potential impacts involving:*

- a) Fault rupture?
The "Fault Rupture Hazard Evaluation Report, Proposed Hampton Inn Site, 24131 Mission Boulevard, Hayward, California", was prepared January 8, 1998, by William Lettis & Associates. The report revealed that the site is located within the "State of California Alquist-Priolo Earthquake Fault Zone". However, there is no evidence of Holocene faulting or significant ground deformation. Therefore, there is a very low potential for ground surface rupture and significant ground deformation.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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- b) Seismic ground shaking?
The "Fault Rupture Hazard Evaluation Report, Proposed Hampton Inn Site, 24131 Mission Boulevard, Hayward, California", was prepared January 8, 1998, by William Lettis & Associates. The report revealed that the site would likely be subjected to very strong to violent ground shaking resulting from an earthquake on the Hayward fault zone in the vicinity of the project. The building will be designed accordingly to minimize the impacts of seismic ground shaking.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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- c) Seismic ground failure, including liquefaction?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- d) Seiche, tsunami, or volcanic hazard?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Landslides or mudflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Erosion changes in topography or unstable soil conditions from excavation, grading, or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Subsidence of land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. WATER. *Would the proposal result in:*

a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of people or property to water related hazards such as flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Altered direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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V. AIR QUALITY. *Would the proposal:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any air quality standard or contribute to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Expose sensitive receptors to pollutants? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Alter air movement, moisture, or temperature, or cause any change in climate? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create objectionable odors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VI. TRANSPORTATION/CIRCULATION. *Would the proposal result in:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increased vehicle trips or traffic congestion?
<i>Two driveways on Mission Boulevard provide access to the site. A staff review of trip generation rates based on former uses at this location, and those of the proposed 70-room hotel, revealed that no significant change in traffic would result from the development.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Inadequate emergency access or access to nearby uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Insufficient parking capacity onsite or offsite? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Hazards or barriers for pedestrians or bicyclists? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Rail, waterborne or air traffic impacts? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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VII. BIOLOGICAL RESOURCES. *Would the proposal result in impacts to:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Locally designated species (e.g., heritage trees)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Wetland habitat (e.g., marsh, riparian, and vernal pool)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Wildlife dispersal or migration corridors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VIII. ENERGY AND MINERAL RESOURCES. *Would the proposal:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with adopted energy conservation plans? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Use nonrenewable resources in a wasteful and inefficient manner? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IX. HAZARDS. *Would the proposal involve:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Possible interference with an emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) The creation of any health hazard or potential health hazard? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Exposure of people to existing sources of potential health hazards? <i>The "Draft Preliminary Site Assessment" dated November 12, 1997, prepared by Harza Engineering Company, identified that the project site could potentially be impacted by contamination from the Chevron service station at 24086 Mission Boulevard. The source of the contamination has been removed, however, prior to the start of construction activities, a determination must be made as to whether contamination has impacted the groundwater and migrated to the site. If the project site is affected, additional site preparation will be completed, as necessary.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e) Increased fire hazard in areas with flammable brush, grass, or trees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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X. NOISE. *Would the proposal result in:*

a) Increases in existing noise levels? <i>To ensure privacy and protect neighboring residential properties from noises on site, an 8' decorative masonry wall will be constructed along the west and south property lines. Evergreen trees with a vertical growth habit will be planted at 20' intervals along the wall and tall shrubs will be planted between the trees. The pool area on the south side of the building will be screened with a tall hedge.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

b) Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XI. PUBLIC SERVICES. *Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:*

a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other government services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. UTILITIES AND SERVICE SYSTEMS. *Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities?*

a) Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Solid waste disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Local or regional water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. AESTHETICS. *Would the proposal?*

a) Affect a scenic vista or scenic highway? <i>The project is located on Mission Boulevard within the Mission Corridor Special Design District (SD-2). In keeping with the District requirements, the building has been designed in the Spanish Ranch theme.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a demonstrable negative aesthetic effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Create light or glare?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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XIV. CULTURAL RESOURCES. *Would the proposal:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Disturb paleontological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Disturb archaeological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have the potential to cause a physical change that would affect unique cultural values? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Restrict existing religious or sacred uses within the potential impact area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XV. RECREATION. *Would the proposal:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Affect existing recreational opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?

c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)

d) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

XVII. EARLIER ANALYSES.

a) **Earlier analyses used.** None.

b) **Impacts adequately addressed.** None.

c) **Mitigation measures.** Standard Conditions of Approval.

The Barklow's

Ronald Barklow & Viola Saima-Barklow
1210 Tiegen Drive
Hayward, CA 94542

Telephone (510) 886-4730

November 28, 1997

Cathy Woodbury, Landscape Architect/Senior Planner
Development Review Services Division
City of Hayward
25151 Clawiter Road
Hayward, CA 94545-2731

Dear Ms. Woodbury:

Re: Use Permit 97-160-17, Zone Change 97-190-08, Proposed Hampton Inn Hotel,
24135 Mission Boulevard

Thank you for the opportunity to comment on the above proposal. Mission Boulevard, from Jackson south to Carlos Bee Boulevard is in dire need of improvement and/or redevelopment, and the proposed Hampton Inn Hotel, if designed properly and of high quality, could be a real asset for the area. It would also be convenient if the Inn would have a restaurant (replacing the now-closed Sheffield Restaurant). At the same time, the needs and concerns of the immediate neighbors need to be carefully considered before the property is rezoned from residential to commercial.

Height. A three-story building adjacent to one-story residential structures needs a substantial buffer so hotel residents aren't looking into backyards. The Mission-Foothills Neighborhood Task Force discussed making sure there were transitional buffers between single-story and multi-story development. Will this be a design consideration?

Traffic. Vehicles entering and exiting on Mission Boulevard may conflict with right turns on red from Fletcher Lane. Will it be possible for vehicles to access the property from Fletcher? How would the volume of vehicles associated with the Hampton Inn compare versus high density residential development on the site? On-street parking on Mission between Pinedale Court and Sycamore/Highland adds to traffic congestion,

especially during commute hours when cars are parked in tow-away zones. Would approval of the Hampton Inn project result in any traffic mitigation? Would there be changes as to the AC Transit stop at Pinedale?

Noise. How would the noise volumes with the Hampton Inn compare with high density residential development on the site? Consideration must be made for the nearby residents who are already subjected to a fair amount of unwanted noise.

For this proposal to be successful, I believe it is important that the applicant meet with the neighbors from the very beginning to address all their concerns. A quality project, possibly even the new Hampton Inn, could be a real asset to the neighborhood. It could perhaps set a trend for other developers to come in and really upgrade this section of Mission Boulevard, thereby creating a more appropriate setting than now exists for our first and most historic park, Hayward Memorial Park.

Sincerely,

Viola Laina Barklow

MARTIN LAND CO
805 FLETCHER LANE, SUITE 1
HAYWARD, CALIFORNIA 94544-1010
510-886-7727
FAX: 510-886-7751

RECEIVED
DEC 4 1997
PLANNING DEPT.

December 1, 1997

Cathy Woodbury
Development Review Services Landscape
Architect/Senior Planner
City of Hayward
Development Review Services Division
25151 Clawiter Road
Hayward, Ca 94545-2731

RE: Use Permit 97-160-17, Zone Change 97-190-08, 24135 Mission Blvd

Dear Ms. Woodbury:

We would like to let the City know that we are in favor of the zone change referred to in your letter dated November 26, 1997.

Sincerely,



Ralph H. Martin

RHM:jma

To: City of Hayward Planning Dept.
From: Lindley Ferchel
Subject: Mission Blvd. Hotel Project
Date: December 12, 1997

MEMORANDUM

I have the following concerns about the development of the Mission Blvd., hotel site.

1) I am totally opposed to a three story hotel which is totally out of character with the neighborhood. The developing should be no higher than two stories. A three story hotel will destroy our view, create a lack of privacy in our backyards and have indirect lighting at night onto our property.

2) A seventy unit complex will increase the noise level from traffic and visitors thru-out most of the day and night a reason to reduce the size of the complex.

3) A six foot perimeter wall will not do for security or privacy for either a two or three story complex.

4) Perimeter night lighting that will not invade into our neighborhood.

5) Landscaping that will block the hotel complex all year, require no maintenance on our property and that we do not have to wait 10+ yrs. To grow out.

6) Any development over two stories will have negative impact on our house value!

7) We have other hotel/motel in a half mile area that are two story

Please feel free to call me at 510-745-1522 (daytime) for any comments or questions

Lindley Ferchel
804 Pinedale Ct.
Hayward, CA 94544.

794 Fletcher Lane
Apt. #234
Hayward, CA
94544

March 30, 1998

Ms. Cathy Woodbury
777 B Street
Hayward, CA
94541

RECEIVED

APR 06 1998

DEVELOPMENT REVIEW SERVICES

Dear Ms. Woodbury,

Regarding the three-story, 70-unit hotel to be built at 24135 Mission Boulevard, I would like to know the hours and days of the week that construction will take place and the date that this will begin.

Sincerely,

Christina Wirth

Christina Wirth

RECEIVED

Beatrice D. Thornton
816 Pinedale Ct.
Hayward, Ca. 94544

APR 03 1998

DEVELOPMENT REVIEW SERVICES

April 1, 1998

Re: Zone Application
Number 97-190-08

Ms. Cathy Woodbury
Senior Planner/Landscape Architect
City of Hayward Development Review Services Division
777 B Street
Hayward, Ca. 94541

Dear Ms. Woodbury:

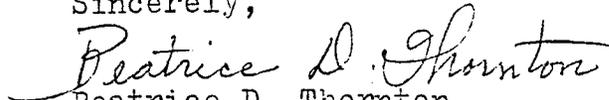
It is with deep regret that I will be unable to attend the hearing on the abovementioned project. I was saddened that the City Council Meeting planned originally for March 26 was postponed since I would have been there.

This project will be a wonderful asset to all of Hayward as well as contributing to the beautifying of the surrounding neighborhood, including the lovely homes on Pinedale Ct.

I have lived adjacent to this Motel and Cabins since 1946. At that time, the occupants were there primarily on week-ends. They were construction workers from out of town, employed to work on the massive roadways and housing in Hayward and other nearby projects following World II. Then, this "Eye-sore" developed into a Prostitute/Drug Center!

My neighbors effected by this development join me in the hope City Council will approve this zone change application.

Sincerely,



Beatrice D. Thornton

Former Mission/Foothill Task Force Member

LAW OFFICES OF
Haley, Purchio, Sakai & Smith
22320 FOOTHILL BOULEVARD, #620
HAYWARD, CALIFORNIA 94541
P.O. BOX 450
HAYWARD, CALIFORNIA 94543
TELEPHONES (510)538-6400
(510)351-1932
FACSIMILE (510)538-0150

April 8, 1998

CITY OF HAYWARD
ATTN: Cathy Woodbury
777 B STREET
HAYWARD, CA 94541

VIA MAIL & FAX - 583-3649

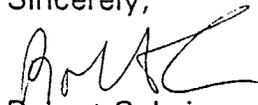
RE: ZONE CHANGE APPLICATION #97-190-08

Dear Cathy:

This office represents the Norte family which owns the Burger King property at the corner of Mission Blvd and Fletcher Lane.

We support the zone change application for the 70 unit hotel on the adjacent property, however we do have one concern. It is my understanding that a storm drain for the property will be constructed along Mission Blvd and Fletcher Lane along the frontage to my clients' property. It is extremely important that access to the Burger King is always maintained on either Fletcher Lane or Mission Blvd, that any impediments to access be as short in duration as possible and that after work is finished each day that access be completely restored by covering any trenches in front of any driveway with steel plates.

Sincerely,


Robert Sakai

cc:
MEL NORTE
638 EVANGELINE WY
HAYWARD, CA 94544-7460

RECEIVED

APR 09 1998

DEVELOPMENT REVIEW SERVICES

Bill Courtney

RE/MAX In Motion

3553 Castro Valley Blvd., Suite A

Castro Valley, CA 94546

Office: (510) 728-1102

Fax: (510) 728-1085

RE/MAX®

Each Office Independently Owned and Operated

COMMERCIAL

March 17, 1998

Ms. Cathy Woodbury
Senior Planner
City of Hayward
777 B Street
Hayward, CA 94541

RE: NEW PROPOSED HAMPTON INN

Dear Mr. Woodbury:

Regarding the above referenced project I was writing this letter in support for this development.

As a life long resident of Castro Valley-Hayward area I have become keenly aware of the shortage of quality Hotel rooms and facilities.

During my residency in the area I have had the opportunity to service the Hospitable Industry over the last 22 years, specializing in the purchase, sale and development of Hotels.

The existing marketplace has not been able to adequately service the demand that has been placed Hotels in the Hayward area. A large part of the reason has been the strong economy in the East Bay Area which has placed a strong demand for existing product.

The subject property of 70 rooms will still not satisfy the current and expected future demand due in part because of the lack of new development.

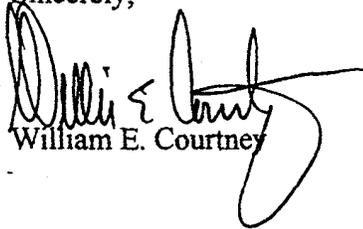
A recent study by Hospitality Valuation Services indicates that the Hayward-Oakland (East Bay) market demand shall expect a 8% increase in room demand annually over the next 3 years. Without adequate developable sites, this demand will not be met.

Ms. Cathy Woodbury
March 17, 1998
Page Two

The new Hampton Inn will partially satisfy some of the local Hayward demand and will also provide a welcome addition to the downtown City Hall Area.

If you should have any questions, please do not hesitate to give me a call.

Sincerely,



William E. Courtney

WEC/cjm



Robin E. Eberhart
Regional Director
Hotel Development

March 23, 1998

Ms. Cathy Woodbury
City of Hayward
777 B Street
Hayward, CA 94545

Dear Ms. Woodbury:

At the request of Mike Bhukan with Metro Hotels, Inc., I would like to address some of the questions that have been raised by the City of Hayward pertaining to the application of the proposed Hampton Inn.

Hampton Inn was introduced to the market in 1984. In developing the brand, we conducted extensive research to find out what the guest wanted in an affordable lodging product. What emerged was a high quality, limited-service concept that provided the right comforts at the right price, making a winner with guests, and of course, franchisees.

Today, we are identified as the leader in the mid-scale limited service segment. Much of our success is due to our commitment to **Quality, Consistency, Value and 100% Customer Satisfaction.**

In 1997, Hampton Inn was the number one new construction brand in the nation, as recognized by Smith Travel Research, adding approximately 150 new hotels to the system. At this time, there are 755 open hotels with an additional 106 under construction and 150 in design. We anticipate in 1998 to grow the system by another 150 hotels.

Based on the STR trend report, the Hayward market performance for YE 97 was 73% occupancy at \$56.62 ADR compared to YE 96 of 69% at \$51.13. The direct competitive set performance was much higher. Based on the STR report and also the existing product in the market, a Hampton Inn should outperform the market. The Hampton Inn system historically has performed at a premium over its competitive set. Performance for YE 97 was 72.4% at a \$64.04 ADR. From a REVPAR stand point, this was \$7.00 higher than Holiday Express and \$9.40 higher than Comfort Inn. We believe that a Hampton Inn in the Hayward market should be able to achieve at least a \$65.00 rate at 75% occupancy. (Note these figures are guesstimates based on market performance and brand performance.)

Promus Hotel Corporation is very excited to have Hampton Inn representation in Hayward. We look forward to working with Metro Hotels, Inc. and the City of Hayward to develop a successful hotel. If you should have any questions or need additional information please do not hesitate to call.

Best regards,

Robin E. Eberhart

D-42



THE
MUMFORD COMPANY

OFFICE ADDRESS

11832 Rock Landing Drive, Suite 201
Newport News, Virginia 23606
(757) 873-0962

MAILING ADDRESS

Post Office Box 6069
Newport News, Virginia 23606
Fax: (757) 873-0972

March 24, 1998

RECEIVED

MAR 26 1998

DEVELOPMENT REVIEW SERVICES

Ms. Cathy Woodbury
City of Hayward
777 B Street
Hayward, CA 94541

Dear Ms. Woodbury:

Our company specializes in the hotel real estate business. Founded in 1978, we have sold hotels in markets across the country, with particular emphasis on middle market properties. In the last two years alone, we have sold 57 hotels including numerous Hampton Inns, Comfort Inns and Holiday Inn Express.

The hotel industry has enjoyed a tremendous resurgence in recent years, with high occupancies and record profits. The middle market, limited-service segment, including the brands mentioned above, has led this resurgence as consumers seek quality lodging at an affordable price. Moreover, the hotel industry's future remains bright due to the strong national economy and a reasonable pace of new hotel development.

Our firm has enjoyed a ten year relationship with Mike Bhukhan and Metro Hotels. We have sold his group, three hotels over this period, and in each case they have improved the quality of the operations and the hotel's profitability. More importantly, Mike is a man of high integrity who has always gone beyond the minimum to fulfill his obligations.

The combination of Metro Hotels and the Hampton Inn franchise, insures a successful hotel development within your community. The Hampton Inn brand is the leader in the middle market, limited-service segment of the hotel industry, offering a consistent, high-quality product across the nation. This attention to detail and product quality has resulted in system-wide occupancies in the mid 70% range with average room rates of approximately \$60.

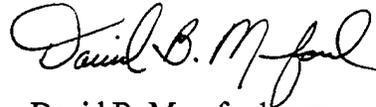
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D-43

HOTEL BROKERAGE SPECIALISTS

While I would not presume to offer specific opinions about Mike's site in Hayward or the merits of his rezoning request, I can state unequivocally that a Hampton Inn owned and operated by Metro Hotels will be a positive asset for your community. Please, feel free to call on me, if you would like to discuss our dealings with Mike Bhukhan, the Hampton Inn brand or any other aspects of the hotel industry.

Sincerely,



David B. Mumford, CHB
President

DBM/lem

RECEIVED

JUN 08 1998

DEVELOPMENT REVIEW SERVICES

5 june 98

City of Hayward
Development Division
777 B Street
Hayward CA 94541

ATTN: Cathy Woodbury, Senior Planner

SUBJECT: Zone Change 97-190-08 & Use Permit 97-160-17

I own parcel 444-30-30, 804 Pinedale Court and my rear fence abuts the property under consideration. I agree with the set backs, access, and general arrangement shown on the attached preliminary plan. I would like the following items considered for further clarification in the planning and approval process.

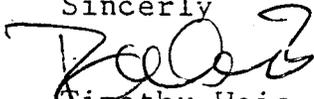
1. The fence abutting Pinedale Court be 8 feet high, 7" wide slump stone masonry with seismic reinforcement, and that the existing fence remain in place until the new fence is completed.

2. Demolition and construction dust or debris that does spill off the project site be cleaned up.

3. Lighting fixtures are not aimed toward or spill light into the backyards on Pinedale Court.

4. Alternative landscaping along the rear fences on Pinedale Court of Italian Cypress on 5 foot centerlines.

Sincerely


Timothy Weis
owner

Whitehurst Management Co.
1853 Bonanza Street
Walnut Creek, California 94596
TEL: (510) 943-8939
FAX: (510) 943-7012

June 11, 1998

TO: Kathy Woodberry
City of Hayward

VIA FAX

RE: Construction work on Mission Blvd and Fletcher Lane
Frontage of Burger King, 24119 Mission Blvd.

Kathy:

In addition to the restriction requested in Bob Sakai's letter, I have one very important request:

"That neither entrance to the Burger King be blocked from customer access after 11 AM daily."

This will allow construction crews to close down one entrance at a time from 6AM to 11 AM. This five hour daily window should easily allow construction crews to maintain a reasonable schedule. More importantly, my sales will only be modestly impacted. It is important that **both** entrances to our restaurant be open from 11 AM to close.

El Nino weather conditions have already had a tremendous negative impact on sales. Now with the weather improving, I should not be asked to endure another unnecessary obstacle in resuming normal sales.

I consider this a compromise, and am willing to inconvenience my early morning customers to allow this development to proceed.

Sincerely,

Mike Whitehurst
Owner/Operator
24119 Mission Blvd.
Hayward, CA.

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DRAFT

DM 6-17-98

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION APPROVING NEGATIVE
DECLARATION AND USE PERMIT APPLICATION NO.
97-160-17, FILED BY BILL COURTNEY (APPLICANT),
METRO HOTELS, INC. (OWNER) FOR
CONSTRUCTION OF A THREE-STORY 70-UNIT
HOTEL

WHEREAS, Zone Change Application No. 98-190-08 concerns a request to change zoning from RH\SD-2 (High density Residential/Special Design District) to CG\SD-2 (General Commercial/Special Design District) and Use Permit Application No. 97-160-17 of Applicant\Owner Bill Courtney Metro Hotels concerns a request to construct a three-story, 70-unit hotel with associated parking located on the west side of Mission Boulevard between Fletcher Lane and Pinedale Court at an approximately 1.34 acre site at 24135 Mission Boulevard; and

WHEREAS, the approval of Zone change Application No. 98-190-08 is necessary in order to enable the approval of Use Permit Application No. 97-160-17; and

WHEREAS, the Planning Commission reviewed the applications at their June 11, 1998 meeting and voted unanimously to recommend approval of the Project.

WHEREAS, a Negative Declaration has been prepared and processed in accordance with City and CEQA guidelines; and

WHEREAS, the City Council of the City of Hayward hereby finds and determines that the City Council has independently reviewed and considered the information contained in the initial study upon which the negative declaration is based, certifies that the negative declaration has been completed in compliance with the requirements of the California Environmental Quality Act, and finds that the negative declaration reflects the independent judgment of the City of Hayward.

WHEREAS, the City Council hereby finds and determines that:

1. Approval of Zone Change Application No. 97-190-08 and Use Permit Application No. 97-160-17 will have no significant impact on the area's resources, cumulative or otherwise, and the Negative Declaration prepared for this project is complete and final in accordance with the California Environmental Quality Act and reflects the independent judgement of the Planning Commission;
2. That the proposed zone change and use permit will not be detrimental and will promote the public health, safety, convenience, and general welfare of the residents of Hayward by providing for the development of services that support primary business activities in the City;
3. That the proposed zone change is in conformance with the General Plan Policies Map Designation of Commercial/High Density Residential, is consistent with the purpose of the General Commercial/Special Design (CG/SD-2) zoning district to provide services for the support of primary-business activities in the Central Business and Central City district, and is in conformance with the Mission/Foothills Neighborhood Plan;
4. That the existing streets and public facilities are adequate to serve the project;
5. That all uses permitted in the General Commercial (CG) zoning district will be compatible with present and potential future uses, and further, a beneficial effect will be achieved through the zone change by providing services for the support of primary business activities which are not obtainable under existing High Density Residential (RH) zoning district;
6. That the proposed hotel will not impair the character and integrity of the General Commercial zoning district;
7. That the proposed hotel is desirable for the public convenience and contributes to the welfare of the community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that, based on the findings noted above and the adoption of an Ordinance approving Zone Change Application No. 97-190-08 that it hereby approves Use Permit Application No. 97-160-17, subject to the attached conditions of approval.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 1998

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 10-1.230 OF CHAPTER 10, ARTICLE 1 OF THE HAYWARD MUNICIPAL CODE BY REZONING CERTAIN TERRITORY ON THE WEST SIDE OF MISSION BOULEVARD BETWEEN FLETCHER LANE AND PINEDALE COURT PURSUANT TO ZONE CHANGE APPLICATION 97-190-08

WHEREAS, Zone Change Application No. 97-190-08 concerns a proposal to rezone an approximately 1.34 acre property at 24135 Mission Boulevard, located on the west side of Mission Boulevard between Fletcher Lane and Pinedale Court from High Density Residential/Special Design (RH/SD2) District to Commercial/Special Design (CG/SD2) District in order to develop a three-story, 70-unit hotel with associated parking pursuant to Use Permit Application No. 97-160-17 ("Project"); and

WHEREAS, the Planning Commission considered the matter and its action thereon is on file in the office of the City Clerk and is hereby referred to for further particulars; and

WHEREAS, a negative declaration has been prepared and processed in accordance with City and CEQA guidelines; and

WHEREAS, the City Council of the City of Hayward hereby finds and determines that the City Council has independently reviewed and considered the information contained in the initial study upon which the negative declaration is based, certifies that the negative declaration has been completed in compliance with the requirements of the California Environmental Quality Act, hereby approves the Negative Declaration and finds that the negative declaration reflects the independent judgment of the City of Hayward; and

WHEREAS, the City Council hereby also finds and determines that:

1. Approval of Zone Change Application No. 97-190-08 and the companion Use Permit Application No. 97-160-17 will have no significant impact on the area's resources, cumulative or otherwise, based on the evidence presented to the City Council;
2. That the proposed zone change and use permit will not be detrimental and will promote the public health, safety, convenience, and general welfare of the residents of Hayward by providing for the development of services that support primary business activities in the City;

3. That the proposed zone change is in conformance with the General Plan Policies Map Designation of Commercial/High Density Residential, is consistent with the purpose of the General Commercial/Special Design (CG/SD-2) zoning district to provide services for the support of primary-business activities in the Central Business and Central City district, and is in conformance with the Mission/Foothills Neighborhood Plan;
4. That the existing streets and public facilities are adequate to serve the project. Other uses would require further design and environmental review;
5. That all uses permitted in the General Commercial (CG) zoning district will be compatible with present and potential future uses, and further, a beneficial effect will be achieved through the zone change by providing services for the support of primary business activities which are not obtainable under existing High Density Residential (RH) zoning district;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Section 10-1.230 of Chapter 10, Article 1 of the Hayward Municipal Code is hereby amended by rezoning the property from High Density Residential (RH-SD2) to General Commercial (CG-SD2) zoning district.

Section 2. In accordance with the provisions of section 620 of the City Charter, this ordinance shall become effective from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the ____ day of _____, 1997, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the ____ day of _____, 1997, by the following votes of members of said City Council.

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward