

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

AGENDA DATE 02/05/02  
AGENDA ITEM 5  
WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council  
**FROM:** Director of Community and Economic Development  
**SUBJECT:** Draft City of Hayward General Plan (excluding the Housing Element) and Final Environmental Impact Report

**RECOMMENDATION:**

It is recommended that the City Council:

1. Review and comment on this report;
2. Continue the public hearing to March 12, 2002; and
3. Direct staff to prepare the necessary implementing documents for adoption of the General Plan and certification of the Environmental Impact Report.

**BACKGROUND:**

On September 5, 2000, the City Council approved a process for conducting the comprehensive revision of the General Plan. This year-long process has included a series of joint study sessions with the City Council and Planning Commission to discuss identified issues and develop policies and strategies for dealing with those issues. Public workshops were held at key points in the process. The Draft General Plan and the Draft Environmental Impact Report (DEIR) were released for public review and comment on November 20, 2001.

Notice of the completion and availability of both documents was sent to the General Plan mailing list of neighborhood groups and homeowners associations, community organizations, and other interested parties. In addition, both the Draft General Plan and the DEIR have been posted on the city's website at the General Plan Revision homepage. On December 13, 2001, the Planning Commission held a public hearing to provide an opportunity for interested parties to comment on the DEIR. Comments received on the DEIR, and written responses to those comments, are contained in the Final Environmental Impact Report (Exhibit A, Attachment B). Comments received on the Draft General Plan are included in attachments to the Planning Commission agenda report (Exhibit A, Attachment E).

Separate public hearings will be scheduled on the Housing Element portion (Chapter 5) of the Draft General Plan. The Housing Element was forwarded to the State Department of Housing and Community Development (HCD) for their review as required by state law. Comments were received from HCD on January 7, 2002. The comments are quite extensive and will require

additional staff time to provide responses for further discussions with HCD. HCD has outlined various changes that should be made in order for the Housing Element to be considered in compliance with state law.

## **PLANNING COMMISSION RECOMMENDATIONS:**

The Planning Commission held a public hearing on the Draft General Plan on January 24, 2002. The agenda report for that meeting, together with the written comments submitted at the meeting, is attached as Exhibit A. Draft minutes of the meeting are attached as Exhibit B. A summary of the discussion, including the recommendations of the Planning Commission, is presented below.

### **Proposed Changes to the Text of the General Plan**

#### Library Facilities

In response to the letter submitted by the Hayward Library Commission, the Planning Commission recommended replacement of the strategies under Policy 2 on Page 6-18 with more detailed language and additional strategies. Staff believes that the current language is sufficiently detailed and comprehensive in scope, and revisions are not necessary.

#### Historic Preservation

In response to comments concerning the need for a historic preservation element, the Planning Commission is of the opinion that the current language in the General Plan is adequate in that it outlines the process for a comprehensive evaluation of historic resources in the city and identifies possible strategies for implementation.

#### Multipurpose Facilities and Cultural Opportunities

A letter submitted by the Hayward Arts Council suggests listing the Hayward Arts Council along with other named organizations in Strategy 5 under Policy 4. Staff and Planning Commission concur with this change.

### **Proposed Changes to the General Plan Land Use Map**

Proposed changes were reviewed with the City Council and Planning Commission at the joint work session on October 30, 2001 (see Exhibit A, Attachment A). Some of the changes are proposed to more accurately reflect existing land use and/or recent development. Other changes are proposed to limit urban development in environmentally sensitive areas, reduce the maximum allowable density of future residential development in hillside areas, or to more accurately reflect the potential for various types of development consistent with the proposed policies and strategies. Any zoning changes that may become necessary due to changes in the land use designations will be processed following adoption of the General Plan. Notice of the proposed changes and this public hearing was published in the Daily Review and mailed to affected property owners, tenants and residents.

## Area 6: East of Mission Boulevard between Calhoun Street and Garin Avenue

Several property owners have expressed concern about proposed changes in this area. The concerns focus on the reduction in permitted densities of residential development and potential impacts on the affected properties. It should be noted that residential densities as defined in the General Plan are expressed in terms of dwelling units per net acre. The net acreage is determined by subtracting the area to be devoted to public and private streets (approximately 25%) from the gross acreage designated for development on the Land Use Map. The gross acreage designated for development may exclude environmentally sensitive or other undevelopable areas and thus may not reflect the total acreage of the parcel. The theoretical housing development potential on a given parcel is calculated by multiplying the net acreage by the number of dwelling units permitted within the density range for the particular land use designation. It is important to remember that the number of dwelling units actually possible may be further limited by the amount of developable acreage after consideration of other factors such as topography, geology, and other development policies contained in the General Plan.

The proposed change in land use designations from Limited Medium Density Residential (8.7-12.0 units/net acre) to Low Density Residential (4.3-8.7 units/net acre) or Suburban Density Residential (1.0-4.3 units/net acre) on certain properties will reduce the permitted density and hence the theoretical maximum number of potential housing units on the affected properties. The actual impacts on individual properties vary depending on the nature of the development projects currently being proposed or contemplated. The city has recently received three applications for development projects within this area. In addition, staff has had recent conversations with other property owners within this area regarding possible development proposals. Please refer to the Planning Commission agenda report (Exhibit A) for a more detailed discussion of the potential impacts on specific areas and individual properties.

### Hillside Area

Two development applications have been submitted for small-lot subdivisions, with a total of 138 single-family homes, on the adjoining Warren and McKenzie properties at the end of Woodland Avenue. Both properties, as well as most of Area 6, are located outside the city limits and would need to be annexed prior to any development. In addition, staff has been made aware of another development proposal that may soon be submitted for the DeSilva (former Marcotte) property, which is within the city, and the Lynch and Warren (La Vista Quarry) properties, which are outside the city limits. No formal requests for annexation have been submitted to the city.

Applications for annexation must be submitted to and approved by the Alameda County Local Agency Formation Commission (LAFCO). The Alameda County LAFCO has adopted guidelines, consistent with requirements of state law, for processing annexation applications. One of the prerequisites for annexation is the adoption of rezoning by the city for the subject properties. Another prerequisite is the preparation of a Plan for the Provision of Municipal Services. Plans for the provision of water service to much of this area are still being evaluated. There are also issues regarding the overall circulation pattern, traffic impacts, and the most appropriate access to some of these properties. In addition, it appears that further discussion is needed regarding the type of development that is appropriate in hillside areas, given geotechnical and other site constraints.

In view of the recent development activity and interest in Area 6, most of which is outside the city limits, and the requirements for submittal of annexation applications as noted above, it seems appropriate to undertake a more comprehensive analysis of this area that could lead to further consideration of General Plan amendments and annexation proposals. Such an evaluation could allow for greater coordination of annexation applications (or perhaps even a single application), the efficient provision of utilities and services, consideration of circulation patterns and access issues, and discussion of other issues related to the types of development that are appropriate in hillside areas.

The Planning Commission concurred with the above approach as suggested by staff and also recommended that any consideration of changes in land use designations within the hillside portion of Area 6 be postponed until further discussions can be held with area property owners. The Commission also suggested a tour of the area, as is customary. If so directed by the Council, staff could return on March 12 with a more detailed approach.

#### Valle Vista Skating Center Site

One of the development applications is for a 200-unit senior housing complex on the Valle Vista Skating Center site. The rear portion of this 5-acre property lies within Area 6; however, the front portion of the property lies outside Area 6 and abuts Mission Boulevard. Amendment of the General Plan Land Use Map would be necessary to accommodate this high-density residential project. The front portion of the property is designated Retail and Office Commercial, while the rear portion is currently designated Limited Medium Density Residential. Existing environmental analysis appears sufficient to allow for consideration of a change to the High Density Residential or Commercial/High Density Residential designations as part of the city-initiated revisions to the General Plan Land Use Map. Alternatively, the property owner may wish to pursue a General Plan amendment separately as part of the overall development application. This could result in an additional amendment to the General Plan, which can be amended no more than four times in any one year. Staff is concerned that some flexibility be retained to allow for consideration of other possible amendments throughout the remainder of this year.

The Planning Commission noted that General Plan policies that encourage consideration of medium and high density residential development along major arterials might also be applied to other properties in the immediate vicinity that have frontage on Mission Boulevard. The Planning Commission recommended that consideration be given to including these properties if such an amendment were to be proposed in this area. If Council is receptive to this approach, staff believes that the existing level of environmental analysis is adequate and that there is sufficient time prior to March 12 for notification of affected property owners and other interested parties. Therefore, staff is requesting that Council provide direction on this issue this evening.

#### **CONCLUSION:**

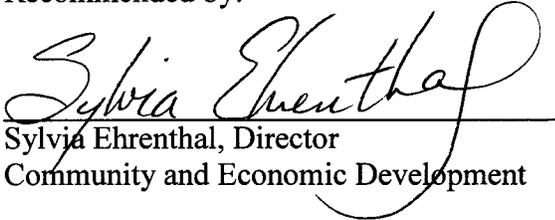
Because there are a number of significant issues in which Council direction is needed, staff proposes no action be taken this evening. Instead, staff suggests that following public testimony and Council discussion, that this matter be continued to March 12, 2002. Based on Council direction, appropriate implementation documents can be prepared and presented for your consideration at that time.

Prepared by:



Gary Calame, AICP  
Senior Planner

Recommended by:



Sylvia Ehrental, Director  
Community and Economic Development

Approved by:



Jesús Armas, City Manager

Attachments:

- Exhibit A. Planning Commission Agenda Report for January 24, 2002
- Exhibit B. Planning Commission Draft Minutes for January 24, 2002

Note: The Draft General Plan and Draft Environmental Impact Report were previously distributed to the City Council.

1.31.02



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

AGENDA DATE 01/24/02

AGENDA ITEM \_\_\_\_\_

WORK SESSION ITEM \_\_\_\_\_

**TO:** Planning Commission  
**FROM:** Gary Calame, Senior Planner  
**SUBJECT:** Draft City of Hayward General Plan (excluding the Housing Element) and Final Environmental Impact Report

**RECOMMENDATION:**

It is recommended that the Planning Commission, based on the attached findings, forward the following recommendations to the City Council:

1. Certify that the Environmental Impact Report has been prepared in compliance with the California Environmental Quality Act and City implementing guidelines, adopt the Statement of Overriding Considerations, and approve the Mitigation Monitoring and Reporting Program; and
2. Adopt the Draft City of Hayward General Plan (excluding the Housing Element).

**BACKGROUND:**

On September 5, 2000, the City Council approved a process for conducting the comprehensive revision of the General Plan. This year-long process has included a series of joint study sessions with the City Council and Planning Commission to discuss identified issues and develop policies and strategies for dealing with those issues. Public workshops were held at key points in the process. The Draft General Plan and the Draft Environmental Impact Report (DEIR) were released for public review and comment on November 20, 2001.

Notice of the completion and availability of both documents was sent to the General Plan mailing list of neighborhood groups and homeowners associations, community organizations, and other interested parties. In addition, both the Draft General Plan and the DEIR have been posted on the city's website at the General Plan Revision homepage. On December 13, 2001, the Planning Commission held a public hearing to provide an opportunity for interested parties to comment on the DEIR. Comments received on the DEIR, and staff responses to those comments, are contained in the Final Environmental Impact Report. Comments received on the Draft General Plan are discussed later in this report.

Separate public hearings will be scheduled on the Housing Element portion (Chapter 5) of the Draft General Plan. The Housing Element was forwarded to the State Department of Housing and Community Development (HCD) for their review as required by state law. Comments were received from HCD on January 7, 2002. The comments are quite extensive and will

require additional staff time to provide responses for further discussions with HCD. HCD has outlined various changes that should be made in order for the Housing Element to be considered in compliance with state law.

## **DISCUSSION:**

The Draft General Plan and the DEIR have been prepared concurrently. In this way, the information generated as part of the updated environmental analysis has assisted in the formulation of the policies and strategies. As a result, the General Plan is essentially "self-mitigating," and the DEIR has found that almost all of the potentially significant impacts can be mitigated through implementation of the proposed policies and strategies and adherence to existing development regulations and practices.

### **Draft General Plan**

The Draft General Plan is organized by chapters, which include background information on the particular subject as well as the policies and strategies discussed by the City Council and Planning Commission. This revision of the General Plan has concentrated on updating the background information and consolidating previously adopted elements. Various elements that were adopted in the 1970s (Noise, Seismic Safety, and Conservation and Environmental Protection) have been updated and incorporated as a single chapter in the revised General Plan. Other elements that have been adopted since the last comprehensive revision in 1986 (Housing, Circulation, and Economic Development) have been updated and incorporated as separate chapters in the revised General Plan. Components of the Growth Management Element adopted in 1993 have been incorporated in the relevant chapters in the revised General Plan.

Policies and strategies are presented at the end of each chapter in the General Plan. Policies and strategies contained in the previously adopted elements have been retained as much as possible. Efforts were made during formulation of the preliminary policies and strategies for discussion at the joint work sessions this past summer to eliminate unnecessary duplication as well as any potential inconsistencies that may have existed among the multiple documents.

Several changes are being proposed to the General Plan Land Use Map. These changes were reviewed with the City Council and Planning Commission at the joint work session on October 30, 2001 (see Attachment A). Some of the changes are proposed to more accurately reflect existing land use and/or recent development. Other changes are proposed to limit urban development in environmentally sensitive areas, reduce the maximum allowable density of future residential development in hillside areas, or to more accurately reflect the potential for various types of development consistent with the proposed policies and strategies. Any zoning changes that may become necessary due to changes in the land use designations will be processed following adoption of the General Plan. Notice of the proposed changes and this public hearing was published in the Daily Review and mailed to affected property owners, tenants and residents.

## **Environmental Impact Report**

Potentially significant impacts are identified in the Draft Environmental Impact Report (DEIR). A revised summary is included in the Final Environmental Impact Report (see Attachment B). Potentially significant impacts (denoted "PS" in the table) require the implementation of mitigation measures, or alternatives, or a finding that the measures are infeasible for specific reasons. Some impacts are listed even though they are considered less than significant ("LS"). These effects would not require mitigation, but measures could be applied to further reduce the effect of the implementation of the General Plan. For some of the significant impacts, mitigation measures may not be effective in reducing the impact to a less than significant level. These impacts are designated as Significant Unavoidable ("SU"). For each impact identified as Significant Unavoidable, findings of overriding considerations will need to be made pursuant to provisions of the California Environmental Quality Act (see Attachment C).

The Significant Unavoidable impacts are related to regional traffic growth and roadway congestion, construction noise, and seismic ground shaking. Even though the General Plan includes programs for the design and construction of roadway, transit, bicycle and pedestrian facilities, as well as land use policies that encourage mixed-use and transit-oriented development to reduce automobile trips, the DEIR concludes that overall growth trends in the region and the limited land area and capital resources for major changes in development patterns are likely to result in increased traffic congestion on several roadways in the planning area. According to the DEIR, noise during construction projects may be unavoidable as a short-term effect that could interfere with the comfort or convenience of those nearby. The DEIR notes that anticipated development assumed by the General Plan could be subject to the risk of damage and injury due to seismic ground shaking. This is an impact that exists throughout the San Francisco Bay Area, and despite best efforts at mitigation, the risk of damage and injury during a large seismic event is unavoidable.

The DEIR also addresses alternatives to the revised General Plan and possible cumulative effects associated with each area of impact. The DEIR determined that the "No Project" alternative, or existing General Plan, is the only other reasonable alternative. The DEIR has found that the revised General Plan is the environmentally preferred alternative, based on the updated policies and strategies and the recommended changes in land use designations. The DEIR has concluded that the cumulative environmental impacts of the revised General Plan would not be substantially different from conditions that would occur with the present General Plan.

All written and oral comments on the DEIR received during the formal 45-day review period have been incorporated in the Final Environmental Impact Report (FEIR). Please refer to Attachment B. In addition, the FEIR contains written responses to the comments as well as revisions to the DEIR and proposed revisions to the Draft General Plan as appropriate. Also attached as Attachment D is the Mitigation Monitoring and Reporting Program (MMRP), which describes the implementation of mitigation measures that are required to address the potentially significant impacts identified in the DEIR.

## **COMMENTS RECEIVED ON THE DRAFT GENERAL PLAN:**

Correspondence received on the Draft General Plan as of January 16, 2002, is presented in Attachment E. Major points of concern raised in these letters, along with staff responses as appropriate, are addressed in the following section.

### **Child Care Facilities**

The Draft General Plan includes a section outlining the need for adequate child care facilities along with a policy and strategies for implementation. The Alameda County Child Care Planning Council has submitted a letter requesting the incorporation of additional language that calls for the development of a child care facilities master plan and the inclusion of more specific strategies.

### **Historic Preservation**

One of the comment letters on the Draft Environmental Impact Report notes the absence of a detailed inventory of historic resources and supports the inclusion of a Historic Preservation Element in the General Plan (see letter from Frank Goulart). Although written responses to the comments made in the letter are contained in the FEIR, it should be noted here that the policies and strategies in the General Plan specifically call for a review of the current historic preservation ordinance and the initiation of a comprehensive survey of historic resources in the community. In addition, ongoing and potential implementation strategies are identified.

### **Land Use Map Changes**

As previously noted, staff is proposing several changes to the General Plan Land Use Map (refer to Attachment A). Comments have been received from several property owners in Area 6 (refer to Attachment E). This area is discussed in detail below.

#### **Area 6: East of Mission Boulevard between Calhoun Street and Garin Avenue**

Several property owners have expressed concern about proposed changes in this area. The concerns focus on the reduction in permitted densities of residential development and potential impacts on the affected properties. It should be noted that residential densities as defined in the General Plan are expressed in terms of dwelling units per net acre. The net acreage is determined by subtracting the area to be devoted to public and private streets (approximately 25%) from the gross acreage designated for development on the Land Use Map. The gross acreage designated for development may exclude environmentally sensitive or other undevelopable areas and thus may not reflect the total acreage of the parcel. The theoretical housing development potential on a given parcel is calculated by multiplying the net acreage by the number of dwelling units permitted within the density range for the particular land use designation. It is important to remember that the number of dwelling units actually possible may be further limited by the amount of developable acreage after consideration of other factors such as topography, geology, and other development policies contained in the General Plan.

The proposed change in land use designations from Limited Medium Density Residential (8.7-12.0 units/net acre) to Low Density Residential (4.3-8.7 units/net acre) or Suburban Density Residential (1.0-4.3 units/net acre) on certain properties will reduce the permitted density and hence the theoretical maximum number of potential housing units on the affected properties. The actual impacts on individual properties vary depending on the nature of the development projects currently being proposed or contemplated. The city has recently received three applications for development projects within this area. In addition, staff has had recent conversations with other property owners within this area regarding possible development proposals. Impacts on specific areas and individual properties (from north to south) are discussed briefly below (refer to Area 6 maps in Attachment A).

Upper Calhoun Street Area. This area is proposed to change from Limited Medium Density Residential to Low Density Residential. The Garin parcel (pistol range) is the site of an old quarry. The theoretical maximum development potential for this property under the Low Density designation would be approximately 100 dwelling units. According to the General Plan, typical development in areas with the Low Density Residential designation consists of single-family detached homes on lots of 5,000 square feet or more, although the Planned Development zoning district may allow for departure from the typical pattern to permit consideration of a variety of housing types. Staff would note that multi-family development may not be appropriate within a Planned Development where the underlying zoning districts permit only single-family housing. The Tomanek parcel (across Calhoun Street and below the pistol range) is currently zoned RM (Residential-Medium Density) and would need to be rezoned to RS (Single-Family Residential) to be consistent with the Low Density Residential designation.

La Vista Quarry Area. This area would remain as Limited Medium Density Residential. The La Vista Quarry site is in the county. According to the conditions of approval for extension of the Surface Mining Permit to 2008, the property owners must initiate annexation to the city prior to September 2002. Although no application has been submitted to the City, recent conversations indicate that some housing development is contemplated in the future when quarrying operations cease. Adjoining the La Vista Quarry on the south is a 16-acre parcel, which is within the city limits. One of the owners of this parcel has contacted staff to confirm that no changes are proposed for this property.

Overhill Drive Area. This area is proposed to change from Limited Medium Density Residential to Low Density Residential. The area includes several properties that also have frontage on Mission Boulevard. One of the larger parcels is the site of the Valle Vista Skating Rink. The rear portion of this parcel is currently zoned RMB3.5 and would need to be rezoned to RS under the Low Density designation. The City has recently received an application for a Planned Development on this 5-acre parcel that would include a 200-unit retirement housing complex fronting on Mission Boulevard. This project would require amendment of the Land Use Map from the current designation of Limited Medium Density to High Density Residential. Such a change is beyond the scope of the present environmental analysis and will require further study. However, in view of the proximity of this area to Mission Boulevard, and other policies that encourage medium or higher density residential development along major arterials, it may be appropriate to either retain the existing Limited

Medium Density designation or consider a change to the Medium Density or High Density Residential designations for properties below Overhill Drive. If such a change is to be evaluated, it may also be appropriate to consider changing the land use designations for properties fronting Mission Boulevard in this area from Retail and Office Commercial to Commercial/High Density Residential. This would serve to further encourage housing development within the Mission Boulevard corridor. It should be noted that the High Density Residential designation is being proposed for the Clarendon Hills apartment complex to recognize the density of existing development.

Alquire Parkway/Bodega Road Area. This area is proposed to change from Limited Medium Density Residential to Low Density Residential. The DeSilva (formerly Marcotte) property is the only parcel within this area that is currently within the city limits. The property owners have recently indicated that this parcel, although traversed by the Hayward Fault, could provide access to the northern portion of the adjacent Warren property for a potential housing development in conjunction with development of the La Vista Quarry site. The Warren parcels are outside the existing city limits. An application has been submitted to the city for a Planned Development (Garin Vista) of 101 single-family homes on the southern portion of the Warren property. The overall gross density of the proposed development appears to be within the range allowed by the Low Density Residential designation that covers much of the property, in that the housing units are concentrated in the southern portion of the property with the remainder left in open space. However, the lot sizes are smaller than those typically found in other areas of the city designated as Low Density Residential. According to the General Plan, typical development in areas with the Low Density Residential designation consists of single-family detached homes on lots of 5,000 square feet or more, although the Planned Development zoning district may allow for departure from the typical pattern to permit consideration of a variety of housing types. Appropriateness of the Planned Development approach depends on factors such as the contour of the land, natural hazards and other site constraints, as well as the extent to which the project incorporates creative design concepts. Staff is concerned that single-family homes on small lots in hillside areas may not be consistent with the Hillside Design Guidelines and related policies addressing clustering of development and retention of the natural topography. In addition, staff is concerned that multi-family development may not be appropriate within a Planned Development where the underlying zoning districts permit only single-family housing. Access to the development is proposed from Garin Avenue through the adjoining McKenzie and Clearbrook Partnership parcels. An application has recently been submitted to the city for a similar housing development on the McKenzie property, which is also in the county. It is envisioned that water service to this area would be provided through extension of the Garin Reservoir system.

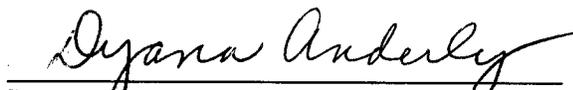
Upper Garin Avenue. The proposed change is from Limited Medium Density Residential to Suburban Density Residential for properties within the Clearbrook Highlands subdivision and the Garin Crest subdivision, which reflects the density of these developments. The Limited Medium Density Residential designation would be retained for the Oak Hills apartment complex, as well as the undeveloped Clearbrook Partnership parcel fronting on Garin Avenue.

In conclusion, as noted above, much of Area 6 is outside the city limits and will need to be annexed to Hayward prior to any development. Applications for annexation must be submitted to and approved by the Alameda County Local Agency Formation Commission (LAFCO). The Alameda County LAFCO has adopted guidelines, consistent with requirements of state law, for processing annexation applications. One of the prerequisites for annexation is the adoption of rezoning by the city for the subject properties. Another prerequisite is the preparation of a Plan for the Provision of Municipal Services. As noted above, plans for the provision of water service to much of this area are still being evaluated. There are also issues regarding the overall circulation pattern, traffic impacts, and the most appropriate access to some of these properties. In addition, it appears that further discussion is needed regarding the type of development that is appropriate in hillside areas, given geotechnical and other site constraints. In view of the recent development activity and interest in this area, much of which is outside the city limits, and the concerns noted above, it may be appropriate to undertake a more comprehensive study of this area. Such a study could allow for greater coordination of annexation applications, the efficient provision of utilities and services, consideration of circulation patterns and access issues, and discussion of other issues related to the types of development that are appropriate in hillside areas.

Prepared by:

  
\_\_\_\_\_  
Gary Calame, AICP  
Senior Planner

Approved by:

  
\_\_\_\_\_  
Dyana Anderly, AICP  
Planning Manager

Attachments:

- Attachment A. Proposed Changes to the General Plan Land Use Map
- Attachment B. Final Environmental Impact Report
- Attachment C. Findings and Statement of Overriding Considerations
- Attachment D. Mitigation Monitoring and Reporting Program
- Attachment E. Correspondence on the Draft General Plan (as of January 16, 2002)

Note: The Draft General Plan and Draft Environmental Impact Report were previously distributed to the Planning Commission.

## PROPOSED CHANGES TO THE GENERAL PLAN LAND USE MAP

The General Plan Land Use Map is a visual representation of the written policies and strategies contained in the General Plan. Proposed changes are shown on the General Plan Land Use Map contained in the Draft General Plan. The proposed changes are intended to more accurately reflect existing land use or approved developments, or to more accurately reflect the future development potential in selected areas. Each of the proposed changes is described below. Property owners within each area of proposed change, as well as property owners and residents within 300' of the proposed change, have received a detailed map showing the proposed change in land use designation.

**Area 1. *Bidwell Elementary School.*** The proposed change is from Open Space/Parks and Recreation to Public/Quasi-Public. This designation recognizes the reopening of the school for educational purposes.

**Area 2. *Mission Hills of Hayward Golf Course.*** The proposed change is from Low Density Residential to Open Space/Parks and Recreation. This designation recognizes acreage initially approved for housing as part of the Twin Bridges development that subsequently became part of the new golf course.

**Area 3. *Blue Rock Country Club.*** The proposed change is from Low Density Residential to Public/Quasi-Public and Open Space/Parks and Recreation. This designation reflects the site for the proposed elementary school and neighborhood park stipulated in the approved development agreement.

**Area 4. *Winton Avenue east of Amador Street.*** The proposed changes are from Retail and Office Commercial to High Density Residential on the north side of Winton Avenue, and from General Commercial to Retail and Office Commercial on the south side of Winton Avenue. These designations more accurately reflect the recent development of Amador Village and the Alameda County Office Building, respectively.

**Area 5. *Mission Boulevard at Lafayette Avenue (northwest quadrant).*** The proposed change is from Retail and Office Commercial to Commercial/High Density Residential. This change would allow for future consideration of residential uses as well as commercial uses. This designation more accurately reflects policies that encourage mixed-use development along major arterials.

**Area 6. *East of Mission Boulevard (between Calhoun Street and Garin Avenue).*** The proposed change is from Limited Medium Density Residential to Suburban Density Residential, Low Density Residential, or High Density Residential. Densities of existing residential development are recognized. The densities of recently approved developments are generally within the Suburban Density or Low Density range. This area consists of hilly terrain and is traversed by the Hayward Fault. The proposed designations more accurately reflect the potential for future development, as well as policies that encourage larger lot sizes bordering permanent open space such as Garin Regional Park.

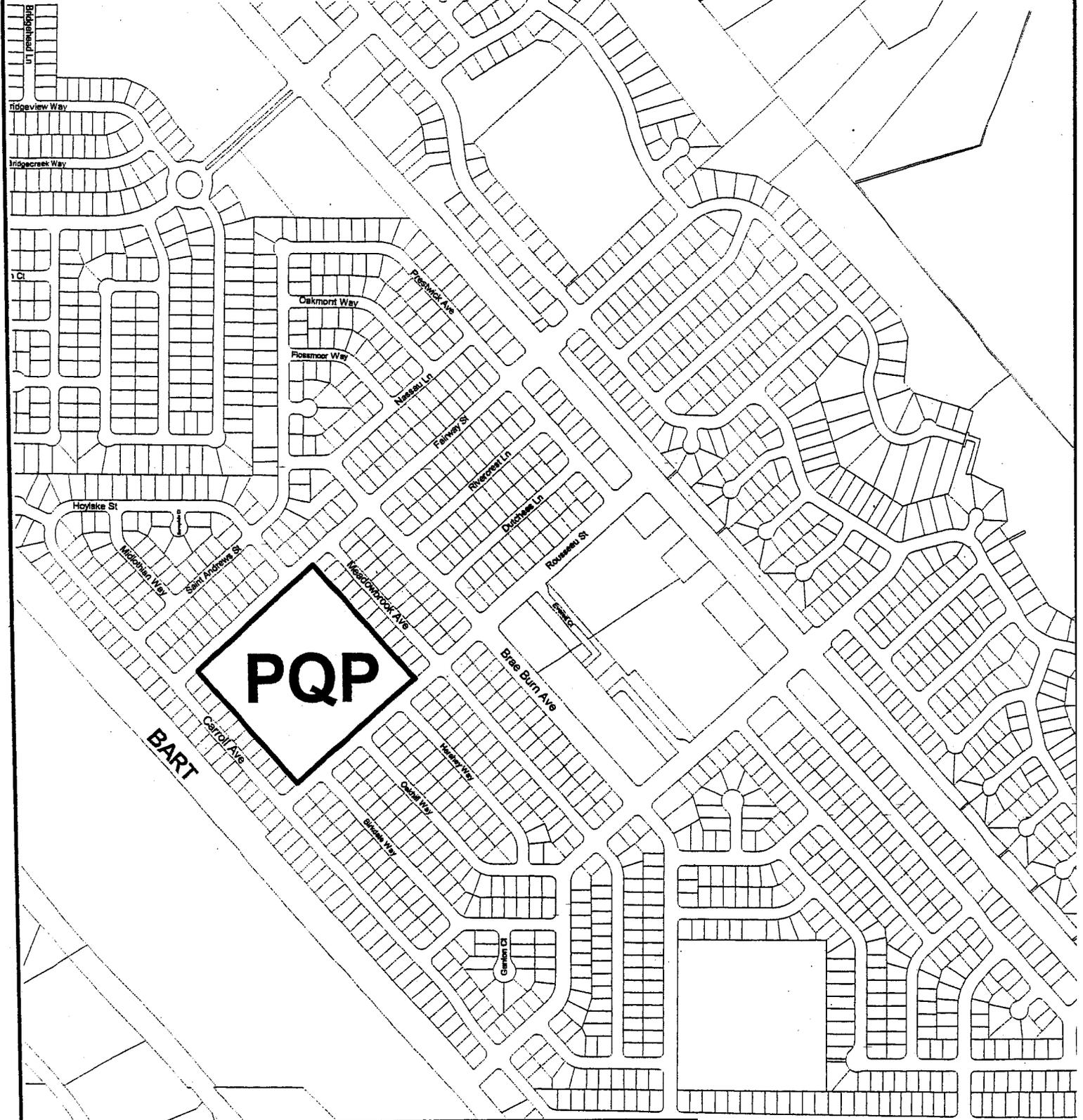
**Area 7. *Mission Boulevard (between Berry Avenue and Sycamore/Highland).*** The proposed change is from Commercial/High Density Residential to General Commercial. This designation reflects policies that encourage concentration of new car dealerships within Auto Row. To ensure that an adequate supply of land is available, further residential development should not be encouraged along this portion of Mission Boulevard.

**Area 8. *Route 92/Breakwater Avenue (west of Whitesell Street).*** The proposed change is from Industrial Corridor to Open Space/Baylands. These two parcels consist of seasonal wetlands and upland habitat. This change in designation recognizes the unlikelihood of urban development in this location as well as the potential for habitat enhancement as envisioned in the Hayward Area Shoreline Plan. The proposed revision includes adjustment of the Urban Limit Line to reflect the above change.

Attachments: Area Maps of Proposed Changes

# General Plan Land Use Map Proposed Changes

N



**PQP**

**BART**

**Area 1 - Bidwell Elementary School**

**From: Open Space-Parks and Recreation  
To: Public/Quasi-Public**

# General Plan Land Use Map

## Proposed Changes



Mission Blvd

Dixon St

Industrial Pky

**PR**

Arrowhead Way

Bridgewater

Bridgehead Ln

Bridgeview Way

Bridgecreek Way

**BART**

Brookside Ln

Brookhaven Ct

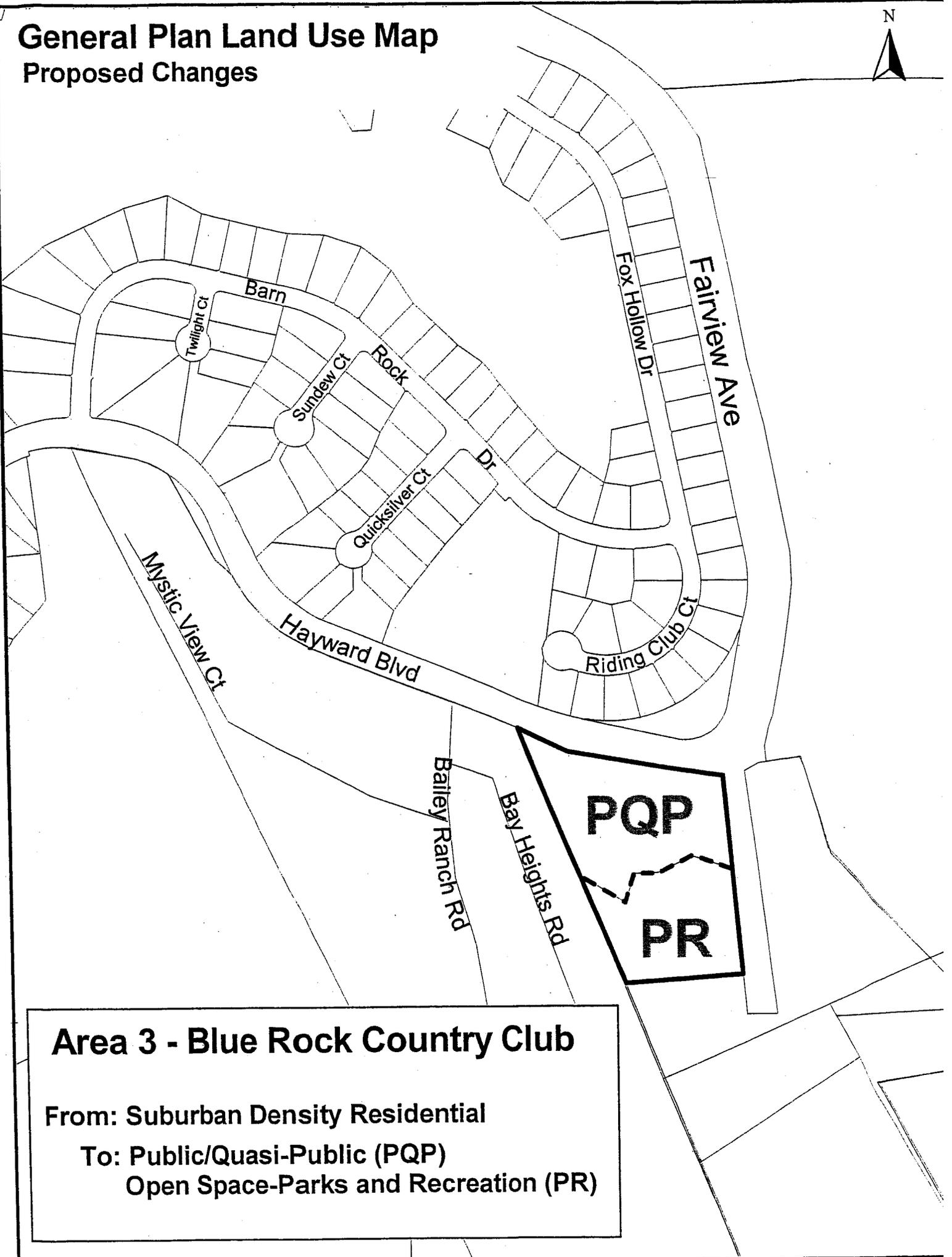
**Area 2 - Mission Hills of Hayward  
Golf Course**

**From: Low Density Residential**

**To: Open Space-Parks and Recreation (PR)**

# General Plan Land Use Map

## Proposed Changes



### Area 3 - Blue Rock Country Club

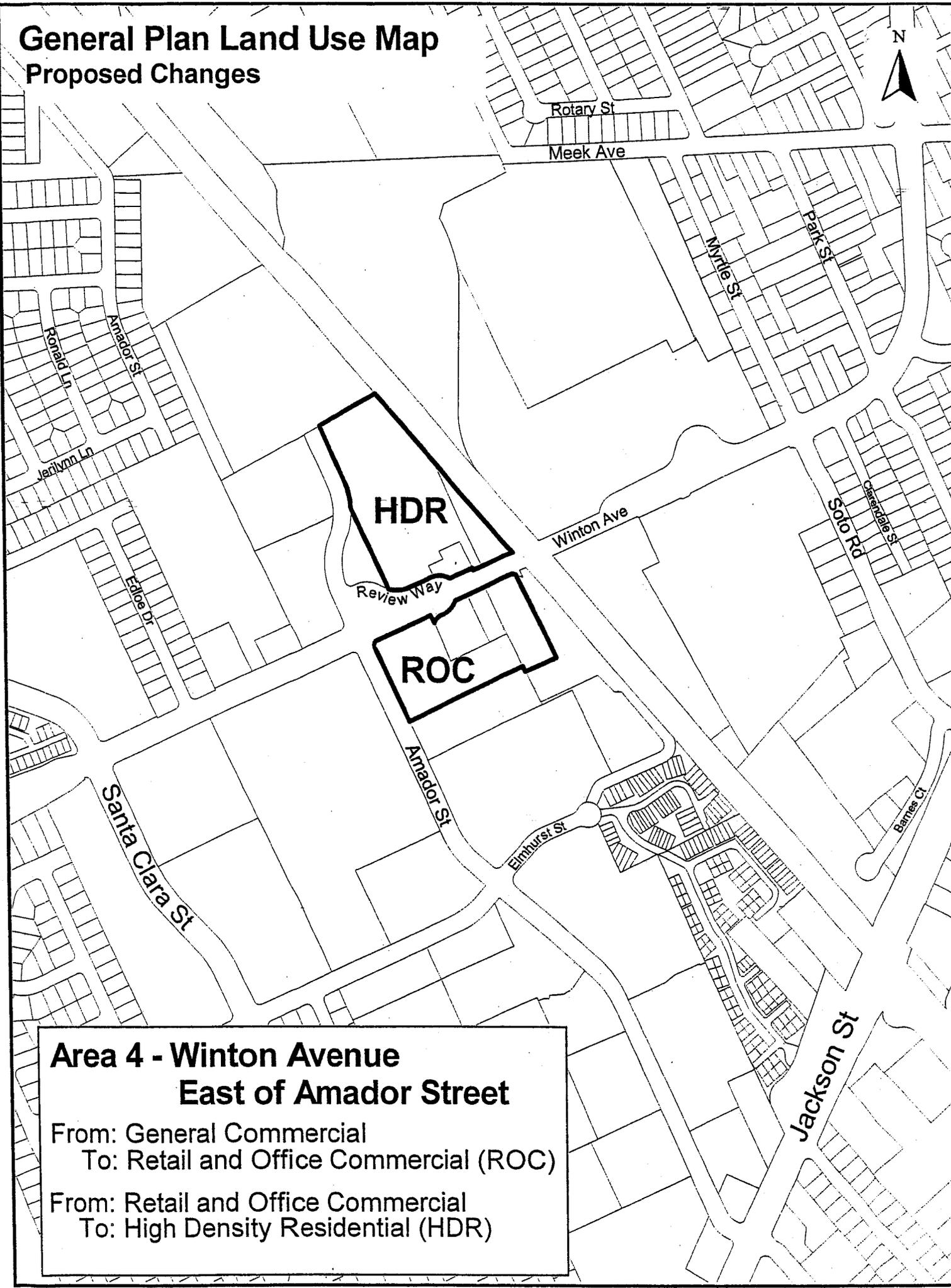
From: Suburban Density Residential

To: Public/Quasi-Public (PQP)

Open Space-Parks and Recreation (PR)

# General Plan Land Use Map

## Proposed Changes

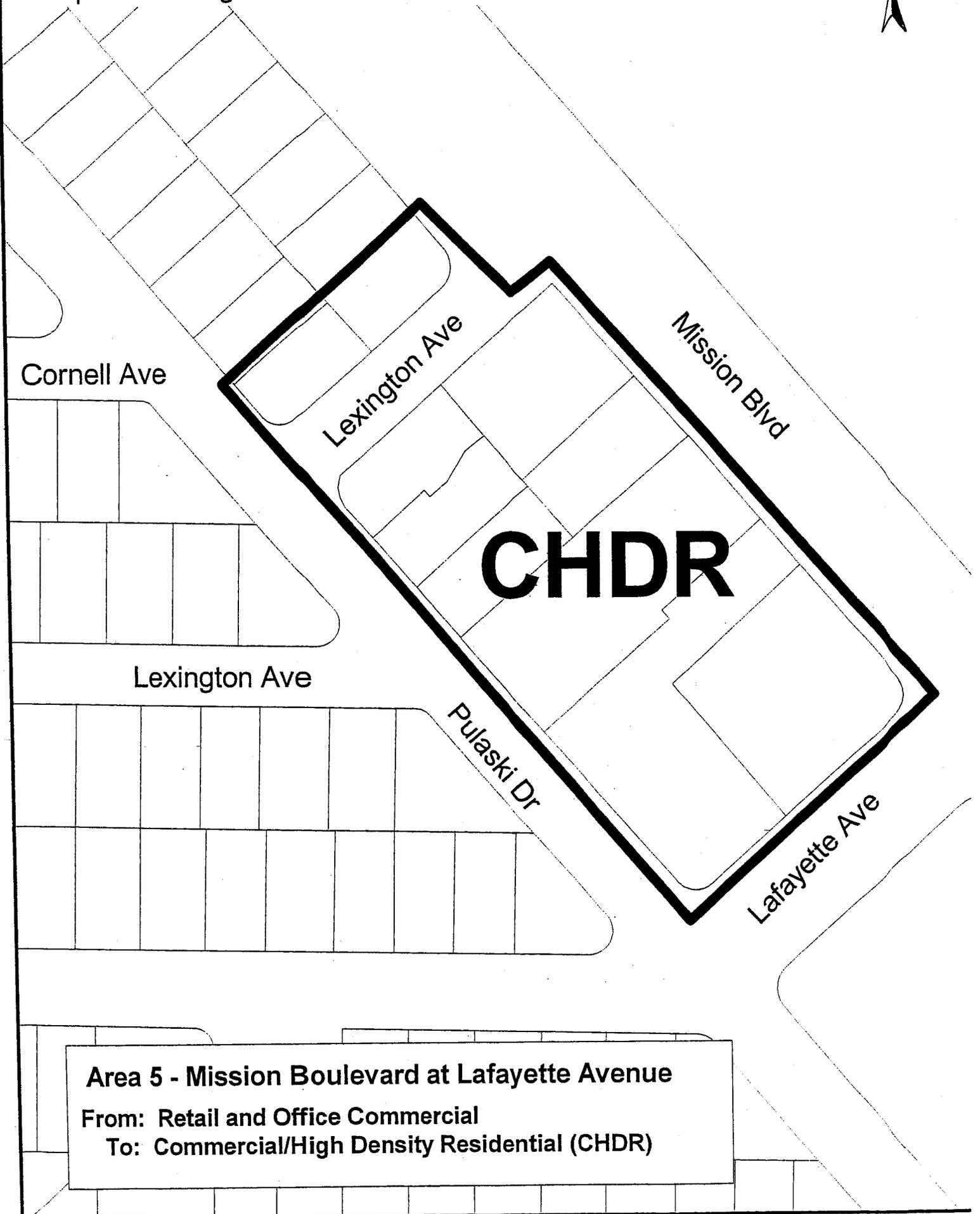


### **Area 4 - Winton Avenue East of Amador Street**

- From: General Commercial  
To: Retail and Office Commercial (ROC)
- From: Retail and Office Commercial  
To: High Density Residential (HDR)

# General Plan Land Use Map

Proposed Changes

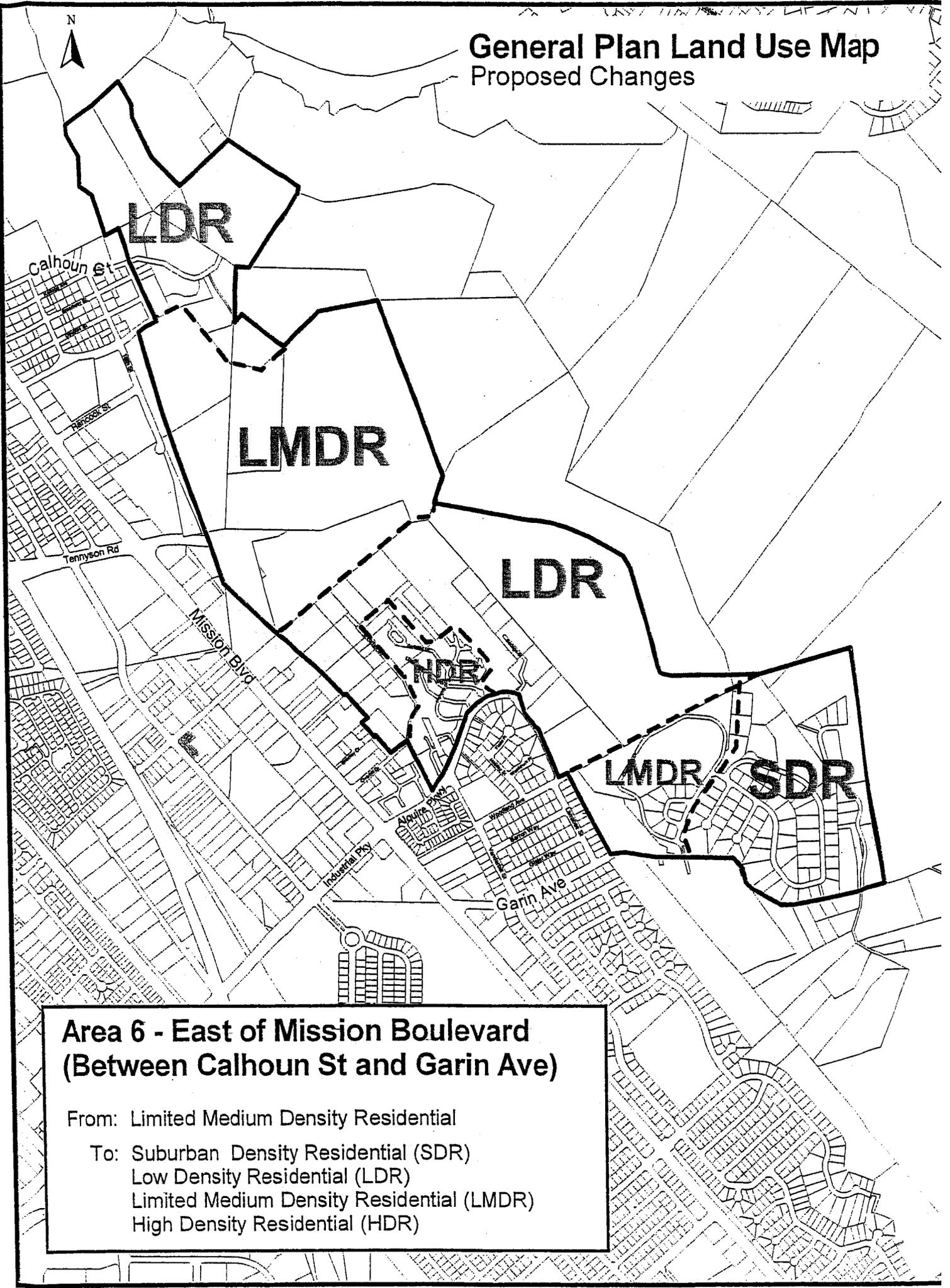


**Area 5 - Mission Boulevard at Lafayette Avenue**

**From: Retail and Office Commercial**

**To: Commercial/High Density Residential (CHDR)**

**General Plan Land Use Map**  
Proposed Changes

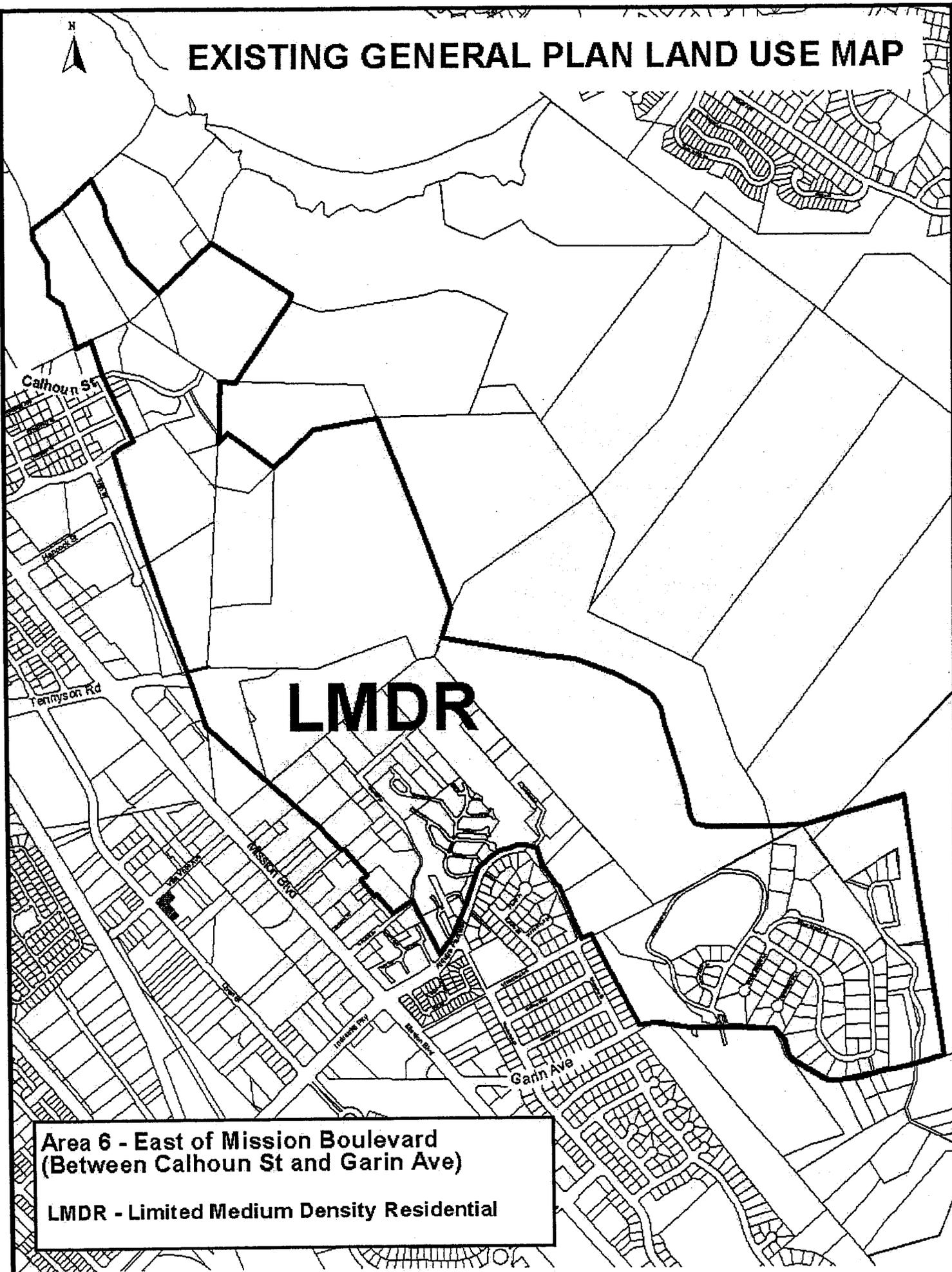


**Area 6 - East of Mission Boulevard  
(Between Calhoun St and Garin Ave)**

- From: Limited Medium Density Residential
- To: Suburban Density Residential (SDR)
- Low Density Residential (LDR)
- Limited Medium Density Residential (LMDR)
- High Density Residential (HDR)



# EXISTING GENERAL PLAN LAND USE MAP

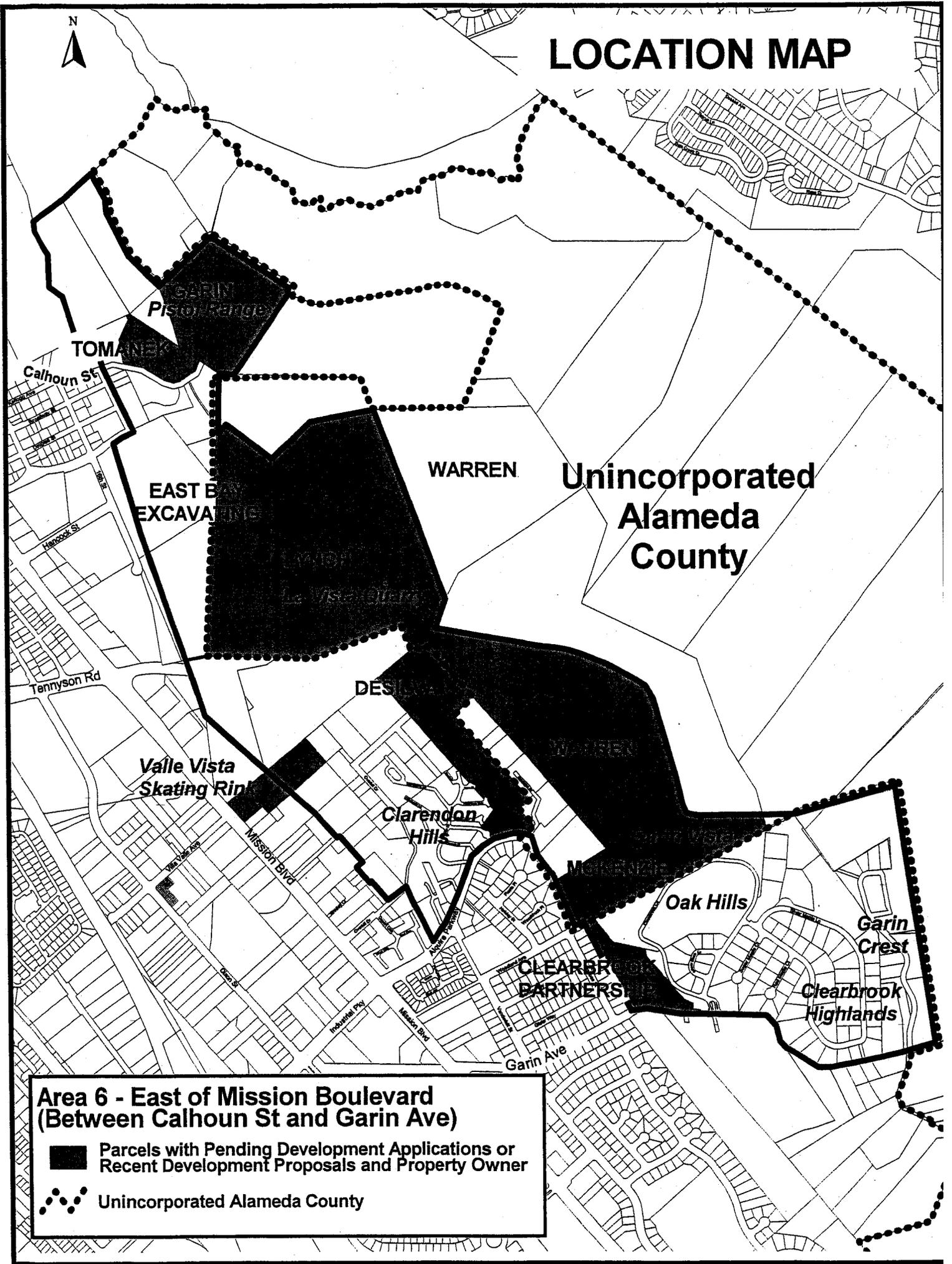


**LMDR**

**Area 6 - East of Mission Boulevard  
(Between Calhoun St and Garin Ave)**

**LMDR - Limited Medium Density Residential**

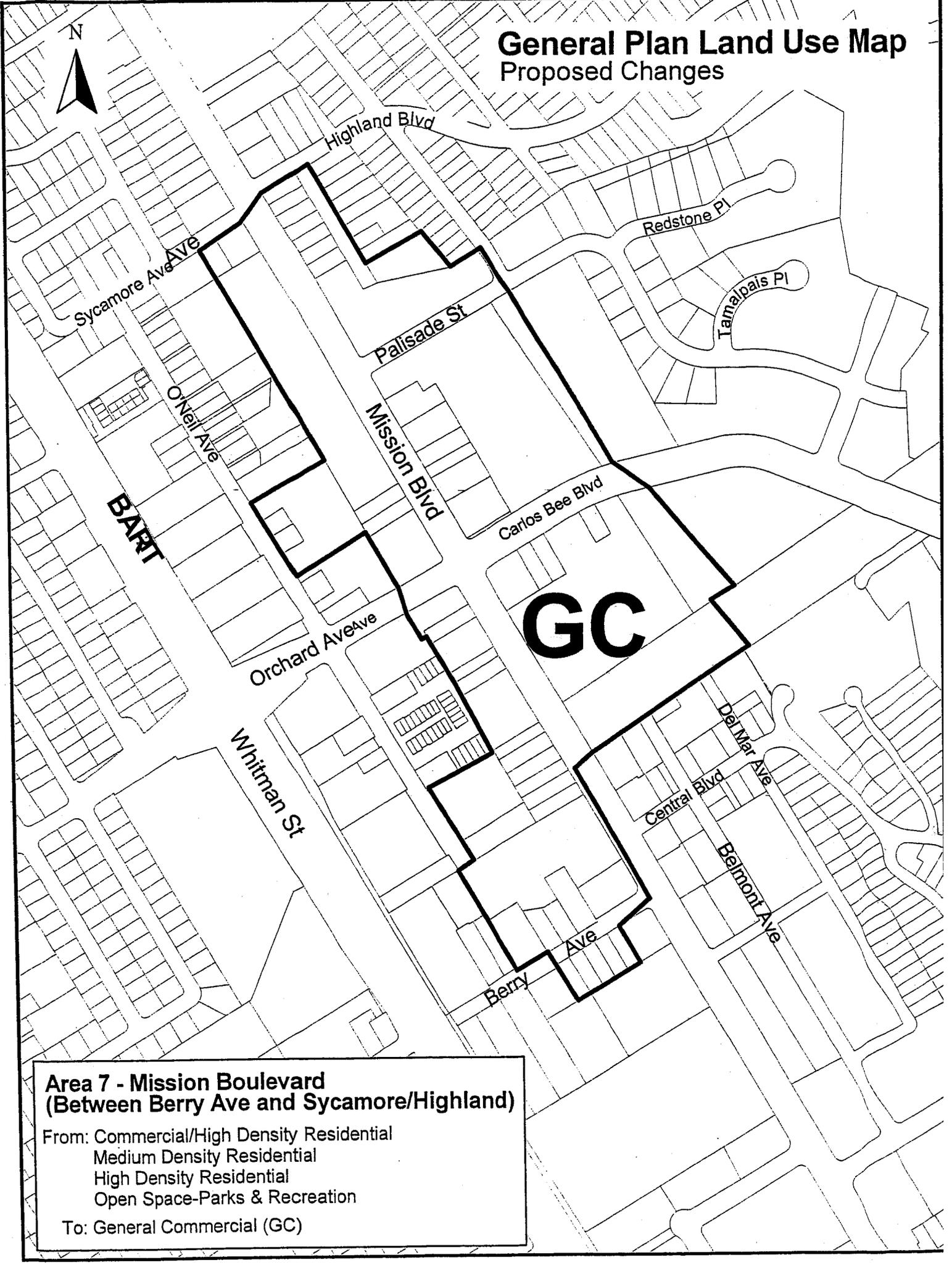
# LOCATION MAP



**Area 6 - East of Mission Boulevard  
(Between Calhoun St and Garin Ave)**

- Parcels with Pending Development Applications or Recent Development Proposals and Property Owner
- Unincorporated Alameda County

# General Plan Land Use Map Proposed Changes



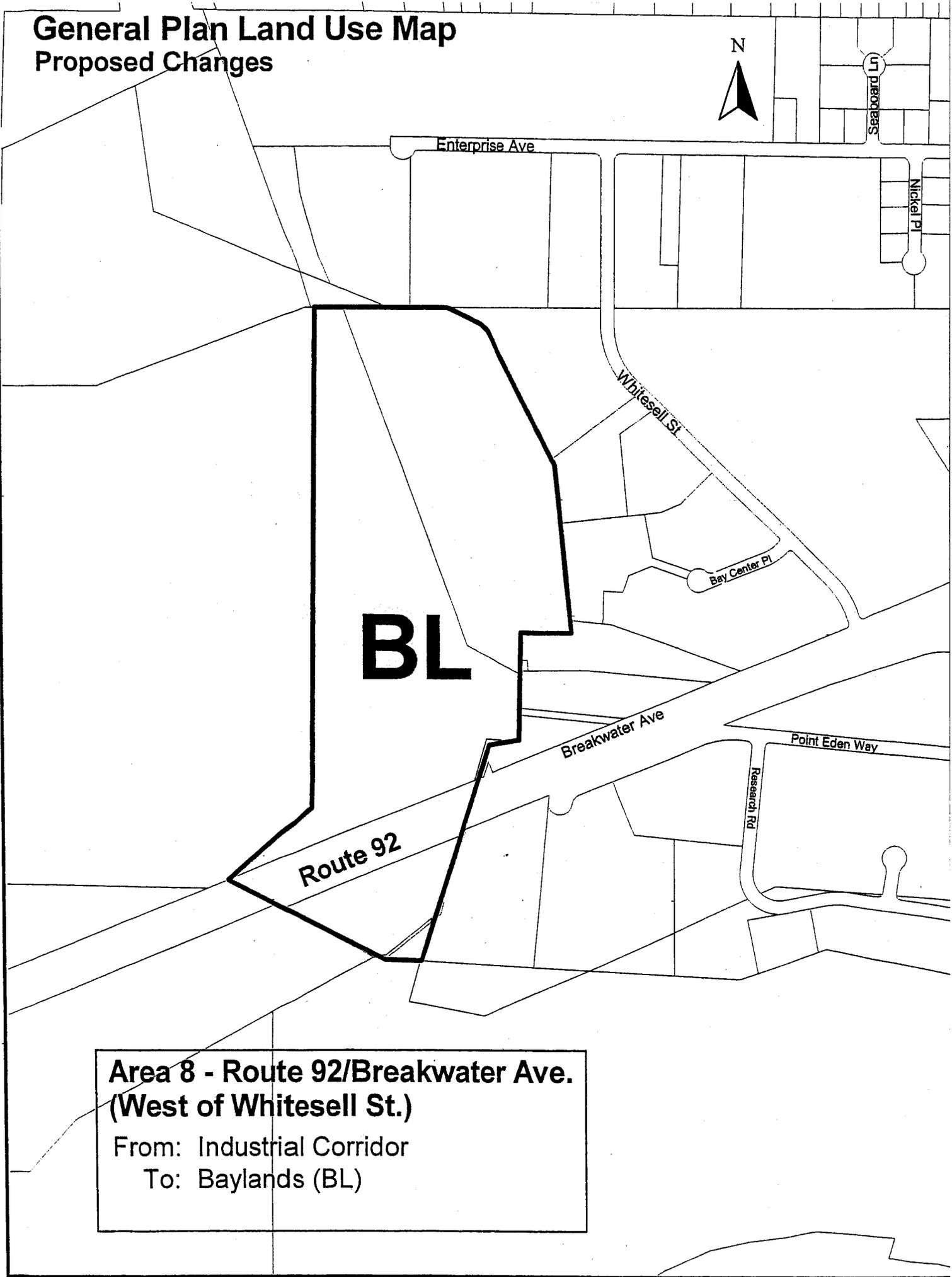
## Area 7 - Mission Boulevard (Between Berry Ave and Sycamore/Highland)

From: Commercial/High Density Residential  
Medium Density Residential  
High Density Residential  
Open Space-Parks & Recreation

To: General Commercial (GC)

# General Plan Land Use Map

## Proposed Changes



**Area 8 - Route 92/Breakwater Ave.**  
**(West of Whitesell St.)**  
From: Industrial Corridor  
To: Baylands (BL)

**FINDINGS**

relating to Certification of the Environmental Impact Report  
and adoption of the General Plan

**Environmental Impact Report**

1. The Environmental Impact Report was prepared pursuant to the California Environmental Quality Act and City implementing guidelines;
2. The Notice of Preparation was distributed to appropriate agencies and the general public for review and comment on July 13, 2001;
3. The Draft Environmental Impact Report was distributed to appropriate agencies and the general public for review and comment on November 21, 2001;
4. The Final Environmental Impact Report incorporates written responses to all comments received on the Draft Environmental Impact Report and revisions to the DEIR as appropriate;
5. The Mitigation Monitoring and Reporting Program addresses potentially significant impacts and the implementation of mitigation measures that will reduce those impacts to less than significant levels;
6. The Statement of Overriding Considerations addresses unavoidable significant impacts as identified in the Environmental Impact Report and the overriding benefits to the City.

**General Plan**

1. The General Plan has been prepared pursuant to guidelines established by the Governor's Office of Planning and Research;
2. The General Plan contains all of the elements mandated by the State Government Code;
3. The Housing Element was submitted to the State Department of Housing and Community Development for the required 60-day review;
4. The General Plan has been prepared through a year-long process with opportunities for public participation at key points in the process;
5. The General Plan promotes the health, safety and general welfare of the citizenry of Hayward.

## STATEMENT OF OVERRIDING CONSIDERATIONS

addressing Significant Unavoidable Impacts identified in  
the Final Environmental Impact Report  
on the City of Hayward General Plan

The City of Hayward adopts and makes this statement of overriding considerations concerning adoption of the General Plan and the resulting unavoidable significant impacts to explain why the benefits of implementing the General Plan override and outweigh its unavoidable impacts.

The Environmental Impact Report on the General Plan has concluded that certain impacts are potentially significant, and possibly unavoidable, because the programmatic character of the General Plan and the analytical limitations of the Program Environmental Impact Report cannot determine with certainty that impacts would be mitigated in each case. These impacts are summarized below.

**Regional Traffic Growth and Roadway Congestion (Impact 6.1).** Numerous roadway intersections are expected to deteriorate to Level of Service E or F as a result of continued development allowed by the General Plan. However, the deterioration in level of service is based on projected regional as well as local growth. Regional through traffic accounts for 25 to 30 percent of the peak hour trips on some major arterials. This impact is likely to remain significant despite the implementation of reasonably foreseeable mitigation measures funded as part of regional efforts to improve the overall transportation system. The General Plan includes programs for the design and construction of roadway, transit, bicycle and pedestrian facilities, and the land use policies encourage mixed use and transit-oriented development to reduce automobile trips; however, the overall growth trends in the region and the limited land area and capital resources for major changes in development patterns in the city are likely to result in on-going traffic congestion on several roadways in the city and vicinity.

**Construction Noise (Impact 7.1).** Construction within the city in accordance with development allowed by the General Plan could result in a temporary increase in existing noise levels that would be noticeable and significant, and could exceed established noise level standards. This impact may be unavoidable as a short-term effect that could interfere with the comfort or convenience of nearby sensitive receptors. With mitigation, this impact could be reduced to a less than significant level; however, timing work for daytime hours may not always be feasible for infrastructure projects that require minimal interruption of through traffic, and are thus conducted at night. Therefore, it is likely that some noise impacts will be short-term, significant and unavoidable for receptors closest to the construction activity, regardless of attempts at timing or other methods of minimizing noise exposure.

**Seismic Ground Shaking (Impact 9.2).** This is an unavoidable impact in the San Francisco Bay area. Strong and very strong ground shaking is expected to occur within the city during the 25-year implementation period in the event of a major earthquake on the regional fault system, including the Hayward Fault. Such ground shaking is expected to cause severe damage to (or collapse of) buildings or other structures, and may result in significant economic loss and/or endanger the health and welfare of persons within the city. This represents a potentially significant impact due to the extent of existing development in areas subject to strong seismic shaking. New development would be designed and constructed in accordance with building code requirements to avoid or minimize potential damage from seismic shaking. As a result, new development and redevelopment of existing structures may increase the likelihood of survival and, to some extent, mitigate existing hazardous conditions. Although new development projects would be required to avoid surface fault rupture hazards and comply with applicable building codes, and the General Plan includes other policies and strategies that reflect the current state of knowledge with respect to the Hayward Fault and other local faults, the risk of damage and injury during a large seismic event is unavoidable.

Adoption and implementation of the General Plan will bring substantial benefits to the City of Hayward. The revised General Plan is being proposed, despite the potential for these unavoidable significant impacts, because the City believes the updated General Plan does not substantially increase the impacts compared to the existing trends and will provide more coordinated guidance in addressing impacts of new development and redevelopment within the urban area. In addition, the implementation of the proposed General Plan policies and strategies could alleviate some environmental effects that are not otherwise addressed in routine land use planning or through the separate General Plan elements as they have evolved over the past 25 years. Therefore, the City of Hayward finds that the unavoidable impacts associated with adoption of the General Plan are acceptable in light of the above benefits.

**City of Hayward General Plan Update  
Mitigation Monitoring and Reporting Program  
January 2002**

**City of Hayward General Plan Update  
Mitigation Monitoring and Reporting Program  
January 2002**

| Potential Environmental Impact   | Adopted Mitigation Measure  | Implementation   | Monitoring  | Reporting                                   |
|--|---|--|---|---|
| <b>Land Use and Planning</b>   |   |  |   |   |
| 4.1: Adoption and implementation of the General Plan Update would by definition be consistent with adopted City plans, as it would establish the overall "constitution" for development in the City for the next 20 years. | 4.1: None Required.   | None Required  | None Required   | None Required                               |
| 4.2: Implementation of the General Plan Update could result in increased density and changes in land use that could result in incompatibilities with existing land uses.   | 4.2: The City of Hayward should evaluate new land uses for site specific impacts to established land uses in the surrounding area, according to standard Conditional Use Permit, Variance, and Site Plan review procedures, to determine if, in the short or long term, the new land use is an enhancement to the area's land use patterns and provides offsetting benefits such as improved housing conditions, more economic activity, or better overall operations. The City should also consider whether the new use will be exposed to unacceptable impacts from pre-existing uses that are not likely to phase out in the near future. Such | Planning Division Staff<br>Planning Commission<br>City Council<br><br>(Through regular permit processes - staff review, public hearings, and conditions of approval) | Planning Division<br><br>(Through conditions of approval and inspections) | Final Inspection / Certificate of Occupancy |

|  |   |  |   |  |
|--|---|--|---|--|
|  | <p>reviews should continue to occur as part of the public review process, affording residents, property owners and business operators an opportunity to present relevant information to decision-makers. Conditions of approval that serve to mitigate specific impacts should be required.</p>   |  |   |  |
| <p>4.3: Some public or private projects which might be implemented under the proposed General Plan Update could result in changes in existing land use and circulation patterns which could result in a physical division of existing neighborhoods or circulation patterns.</p> | <p>4.3: Individual projects that involve major changes to circulation patterns for pedestrians and vehicles, for example intersection realignment, a new street, or large scale public land uses should be subject to public review and input, with particular attention paid to the effect on the established community. In addition, project-level environmental review may be required. The City should include appropriate conditions of approval to address the identified impacts of individual projects.</p> | <p>Planning Division Staff<br/>Engineering Division Staff<br/>Planning Commission<br/>City Council<br/><br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division<br/>Engineering Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |
|  |   |  |   |  |

**Visual Quality**

|   |   |   |  |  |
|---|---|---|--|--|
| <p>5.1: Implementation of the General Plan Update could result in the obstruction of vistas and views from scenic roadways, major roadways, and public and private properties. Intensified development could create localized barriers to views of the hills, Bay, and other visually attractive areas.</p> | <p>5.1a: New development would continue to be subject to Site Plan Review, Conditional Use Permits, and Variances according to existing zoning procedures. Particular attention to new buildings and taller buildings with the potential to be highly noticeable from scenic roadways should be required to provide a high degree of design quality. Requests for conditional use permits and variances should be subject to redesign or conditions of approval to mitigate significant impacts.</p> <p>5.1b: Public projects such as roadway widening, curb/gutter/sidewalk, drainage and utilities, and public buildings and open spaces should be planned, designed and reviewed for potential project-specific impacts to scenic resources, such as tree rows and views to the hills. Appropriate mitigation should be incorporated to reduce impacts, including possible redesign or relocation of projects to balance the overall community objectives.</p> | <p>Planning Division Staff</p> <p>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division</p> <p>Engineering Division</p> <p>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |
|---|---|---|--|--|

|  |   |  |   |  |
|--|---|--|---|--|
| <p>5.2: Implementation of the General Plan Update could result in the alteration of visual characteristics and qualities of the City, due to new private development, public infrastructure development, rehabilitation of existing properties, and related activities. Temporary construction-period activity could present an image of disheveled property, for example due to the storage of materials and equipment. Development could also result in the removal of features considered scenic, such as trees or characteristics buildings.</p> | <p>5.2: Private and public projects should be subject to Mitigation Measure 5.1, with an emphasis on consistent development patterns, architecturally distinct structures, mature vegetation, and natural open space.</p>   | <p>See Mitigation Measure 5.1</p>  | <p>See Mitigation Measure 5.1</p>   | <p>See Mitigation Measure 5.1</p>                  |
| <p>5.3: Private development and public projects undertaken in conformance with the General Plan could result in increased light and glare in the area, due to general development, signage, outdoor lighting, street lighting, reflective materials, and other sources.</p>  | <p>5.3: Design review and other discretionary approval for public and private projects should include consideration of potential light and glare impacts, and should include shielding and cutoff features for outdoor lighting for neighboring land uses (particularly residences), design revisions, or other means of reducing impacts to the extent feasible.</p> | <p>Planning Division Staff<br/>Engineering Division Staff<br/>Planning Commission<br/>City Council<br/><br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division<br/>Engineering Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |

| <b>Transportation</b>   |  |  |   |  |
|---|--|--|---|--|
| <p>6.1: Traffic in the City is expected to increase as a result of continued development allowed by the General Plan, which could result in traffic levels on some roadway segments or at some intersections which exceed established level of service standards.</p> | <p>6.1: The Draft General Plan Update includes comprehensive policies and strategies that address regional and local traffic through a coordinated effort to provide roadway improvements, transit service, encourage bicycling and walking, carpooling, traffic calming, and land use strategies to reduce private auto use.</p>  | <p>Planning Division Staff<br/>Engineering Division Staff</p> <p>Planning Commission<br/>City Council<br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>                             | <p>Planning Division<br/>Engineering Division</p> <p>(Through conditions of approval and inspections)</p>                       | <p>Final Approval / Inspection</p>                 |
| <b>Noise</b>  |  |  |   |  |
| <p>7.1: Construction within the City in accordance with the General Plan Land Use Map could result in a temporary increase in existing noise levels that would be noticeable and significant, and could exceed established noise level standards.</p>                 | <p>7.1: The City should require reasonable construction practices for public and private projects that could affect sensitive receptors, including limiting construction hours to avoid early morning and evening activity, muffling and properly maintaining construction equipment used at project sites, limiting the amount of time equipment is allowed to stand idle with the engine running, and shielding construction activity and equipment to the extent practicable.</p> | <p>Planning Division Staff<br/>Building Division Staff<br/>Engineering Division Staff</p> <p>Planning Commission<br/>City Council<br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division<br/>Building Division<br/>Engineering Division</p> <p>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |

|   |   |   |  |  |
|---|---|---|--|--|
| <p>7.2: General activity at residential, commercial, public and other facilities could result in an increase in the noise level exposure on sites throughout the City.</p>          | <p>7.2: The City of Hayward should continue to review projects for potential impacts (including impacts from existing or planned neighbors) as part of its development review process, and should require mitigating measures such as setbacks, site plan revisions, operational constraints, buffering, and insulation.</p>  | <p>Planning Division Staff<br/><br/>Planning Commission<br/>City Council<br/><br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>      | <p>Planning Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |
| <p>7.3: Implementation of the proposed General Plan Update could lead to new development in areas where the ambient noise levels are or will be in excess of acceptable levels.</p> | <p>7.3: The City should require a project-specific review of proposed development projects that are located along a major roadway to determine if noise intrusion will be a significant issue for residents or employees, and should require appropriate measures such as setbacks, soundwalls, and structural measures to reduce the interior and exterior noise levels to an acceptable level.</p> <p>Noise-sensitive public projects, such as parks, also should be evaluated for noise impacts and developed accordingly, by locating less sensitive uses such as ballfields close to the noise source, and sensitive areas such as picnic grounds and children's play areas further from the noise source.</p> | <p>Planning Division Staff<br/><br/>Planning Commission<br/><br/>City Council<br/><br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |

|   |  |   |  |  |
|---|--|---|--|--|
| <p>7.4: Implementation of the proposed General Plan Update could result in increased activity along local and arterial streets, which could adversely affect existing residents.</p>  | <p>7.4: Incremental traffic generated by new development should be used as part of a screening analysis for proposed projects, to determine if the project will contribute a significant amount of traffic noise to the existing area. In cases where the screening analysis is inconclusive, field measurements along the roadways near individual development projects should be conducted. If it is determined that the proposed development will result in a substantial increase in ambient noise levels along nearby roadways, it should be the responsibility of the City of Hayward and project applicants to identify and implement noise abatement measures which would effectively mitigate project-related noise effects on a site-specific basis. Such measures could include the installation of noise buffers (such as berms or sound walls) and increased setbacks for any sensitive receptors which may be proposed in the vicinity of such roadways.</p> | <p>Planning Division Staff<br/><br/>Planning Commission<br/><br/>City Council<br/><br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |
| <p>7.5: Existing and future residential development near the train tracks through the City could be exposed to high noise levels, which can have a deleterious effect on property values, personal health, and enjoyment of the area.</p> | <p>7.5: See Mitigation Measure 7.3.</p>  | <p>See Mitigation Measure 7.3.</p>  | <p>See Mitigation Measure 7.3.</p>   | <p>See Mitigation Measure 7.3.</p>                 |

|   |   |  |  |  |
|---|---|--|--|--|
| <p>7.6: Railroads, trucks and buses may induce ground vibration in local areas within the City.</p>   | <p>7.6: New development near railroad rights of way where vibration is suspected to be a problem should be evaluated for potential vibration impacts, and should be designed according to engineering recommendations, which may include excavation and compaction of soils, special foundation design, and structural design to reduce the vibration.</p>                      | <p>Planning Division Staff<br/>Engineering Division Staff<br/><br/>Planning Commission<br/><br/>City Council<br/><br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division<br/><br/>Engineering Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |
| <p><b>Air Quality</b></p>   |   |  |  |  |
| <p>8.1: Dust and diesel exhaust generated by equipment and vehicles operating at development sites during construction could result in a temporary adverse impact on local air quality.</p> | <p>8.1: Each project applicant shall be required to comply with all applicable City regulations and operating procedures prior to issuance of building or grading permits, including standard dust control measures. The effective implementation of the applicable dust control measures would reduce the temporary air quality impacts associated with construction dust.</p> | <p>Planning Division Staff<br/>Engineering Division Staff<br/><br/>Planning Commission<br/><br/>City Council<br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>      | <p>Planning Division<br/><br/>Engineering Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |

| <b>Geology, Soils and Seismicity</b>   |   |   |  |  |
|--|---|---|--|--|
| <p>9.1: The ground surface along fault traces can be gradually offset (at a rate of one-half inch or so per year) due to creep along the fault, and can be suddenly offset (horizontally and/or vertically) up to several feet due to a major earthquake, which will damage roads and buildings and can break pipes or other underground utilities.</p>  | <p>9.1: New development and major rehabilitation projects should continue to be required to comply with the regulations in force within the Alquist-Priolo (Earthquake Fault Hazard) Special Study Zone, which require that properties within the potential fault rupture hazard area be studied (usually by excavating a trench perpendicular to the suspected fault line), that the specific location of a fault trace be found or disproved for an individual property, and that habitable structures must be located a sufficient distance (usually 50 feet) from the trace to avoid direct impacts of surface fault rupture.</p> | <p>Planning Division Staff<br/><br/>Engineering Division Staff<br/><br/>Planning Commission<br/><br/>City Council<br/><br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division<br/><br/>Engineering Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |
| <p>9.2: Strong and very strong ground shaking is expected to occur within the City during the 20-year implementation period in the event of a major earthquake on the regional fault system, including the Hayward Fault. Such ground shaking is expected to cause severe damage to (or collapse of) buildings or other structures, and may result in significant economic loss and/or endanger the health and welfare of persons within the City.</p> | <p>9.2: The effects of ground shaking on structures and other improvements which may be proposed under the General Plan should be reduced by earthquake-resistant design in accordance with the latest editions of the Uniform Building Code and the California Building Code. The potential effects of ground shaking on existing structures should be evaluated by engineering studies as part of major rehabilitation projects. Where studies indicate that buildings may be subject to significant damage during earthquakes, the structures can be retrofitted for seismic resistance.</p>                                       | <p>Planning Division Staff<br/><br/>Engineering Division Staff<br/><br/>Planning Commission<br/><br/>City Council<br/><br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division<br/><br/>Engineering Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |

|   |  |   |   |  |
|---|--|---|---|--|
| <p>9.3: Seismically-induced ground failures, which are secondary seismic effects related to soil, bedrock and groundwater conditions, could occur near buildings or other facilities, resulting in injury to persons and significant economic loss due to structural damage as a result of differential settlement, liquefaction, landslides, slumping, and subsidence.</p> | <p>9.3: Geotechnical evaluations should be required for developments proposed in areas suspected of having high or very high potential for seismically-induced ground failure. Common measures for mitigating these hazards include over-excavation and recompaction of foundation soils, densification of site soils, or providing a mat or other type of reinforced foundation, and avoiding landslide-prone areas and areas with other severe constraints.</p>  | <p>Planning Division Staff<br/>Engineering Division Staff<br/>Planning Commission<br/>City Council<br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>                     | <p>Planning Division<br/>Engineering Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |
| <p>9.4: The City includes a broad variety of soils types, some of which are highly susceptible to expansion, which may shrink or swell as a result of seasonal or human-made soil moisture content changes, which can damage structures and other improvements and utilities.</p>   | <p>9.4: The expansion potential for any clayey materials encountered should be determined on a project-specific basis per ASTM D-4829, Standard Test Method for the Expansion Index of Soils. Highly expansive soils under new buildings and utilities should be removed or amended, and compacted to provide a stable foundation. Surface water should be drained away from the building to minimize the potential for shrink-swell action. To ensure uniform characteristics in areas of low strength soils, and to obviate any potential for differential settlements, site preparation (consisting of over excavation and recompaction of the near-surface soils) may be required prior to placement of new fills, pavements, slabs, and structures, subject to review during grading.</p> | <p>Planning Division Staff<br/><br/>Engineering Division Staff<br/><br/>Planning Commission<br/><br/>City Council<br/><br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division<br/>Engineering Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |

|  |   |   |  |  |
|--|---|---|--|--|
| <p>9.5: Landsliding may occur in areas where slope gradients exceed 50 percent, or where grading associated with development will produce steep cut or fill slopes and/or undermine adjacent hillsides. Slopes between 30 percent gradient and 50 percent gradient underlain by cohesionless soils (sand) may experience differential settlement or downslope creep.</p>   | <p>9.5: Because of the potential for landsliding or soil creep on steep slopes, a geologic evaluation by a registered geologist shall be prepared for any development planned within 200 feet of areas greater than 50 percent slope as shown on USGS topographic maps. Any structures situated on slopes greater than 30 percent gradient should incorporate geotechnical recommendations regarding foundations, retaining walls, and grading limitations derived from a site-specific geotechnical investigation.</p>   | <p>Planning Division Staff<br/><br/>Engineering Division Staff<br/><br/>Planning Commission<br/><br/>City Council<br/><br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division<br/><br/>Engineering Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |
| <p>9.6: The development of relatively undisturbed portions of the City and the development of hillside urban areas would remove vegetation and disrupt the soil surface horizon in areas where soils may be susceptible to wind and water erosion. Sediment blown from exposed soils could damage other structures and vegetation, and would be a nuisance or hazard if it accumulates in adjacent areas and storm drainage systems. Removal of soils by wind or water can also undermine buildings, roads, and other development, resulting in significant economic loss.</p> | <p>9.6: During construction, efforts should be made to keep the disturbance of existing vegetation to a minimum. This can be accomplished primarily by keeping construction machinery off of established vegetation as much as possible, especially on the upwind side of the construction site. Specific access routes should be established at the planning phase of the projects, and limits of grading established prior to development should be strictly observed. In addition, mechanical measures, such as silt fences and straw bales, should be used to reduce soil movement, in accordance with Best Management Practices.</p> | <p>Planning Division Staff<br/><br/>Engineering Division Staff<br/>Planning Commission<br/><br/>City Council<br/><br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>      | <p>Planning Division<br/><br/>Engineering Division<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |

| Hydrology and Water Quality   |  |   |  |  |
|---|--|---|--|--|
| <p>10.1: Development anticipated in the City in conformance with the General Plan could entail construction activity which could be expected to have short-term, temporary adverse effects on local water quality, such as from erosion and siltation, illicit disposal of debris, and wash water from construction vehicles and equipment.</p> | <p>10.1: Detailed plans for erosion and sediment control during and after construction should be prepared by development project proponents and approved by the City of Hayward prior to the issuance of a grading permit for any proposed development project. Such plans should include a schedule for the construction of erosion and sediment control structures which ensure that all erosion control will be in place by a specified time before construction begins.</p> <p>Grading should neither be initiated nor continued during the winter rain period between October 15th and April 15th unless approved by the Director of Public Works based on evidence of an effective erosion control plan.</p> <p>Grading and building permits should include requirements that Best Management Practices be adhered to.</p> | <p>Planning Division Staff</p> <p>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division</p> <p>Engineering Division</p> <p>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |
| <p>10.2: Development anticipated under the General Plan Update would be expected to result in localized modifications in existing drainage patterns, and an increase in the amount of stormwater runoff.</p>  | <p>10.2: Major development projects should provide a storm drainage report including calculations of hydrology and hydraulics to determine adequacy of both privately- and publicly-managed systems to accept the increased runoff. Site-specific mitigation measures may be required</p>  | <p>Planning Division Staff</p> <p>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p>   | <p>Planning Division</p> <p>Engineering Division</p> <p>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |

|  |   |   |   |  |
|--|---|---|---|--|
|  | <p>to upgrade the City and / or County flood control system, if necessary.</p> <p>Storm drainage calculations should be required for all storm drains and overland flows. Drainageshed maps should be included that show all upstream acreages and run-off coefficients for each tributary area. Overland flow paths and site release points should be clearly identified.</p> <p>The on-site drainage facilities, such as catch basins and storm drain pipes, should be designed to convey runoff from a 10-year frequency storm.</p> <p>Plans for development projects should identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prohibit the discharge of pollutants with storm water run-off.</p> | <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p>     |   |  |
| <p>10.3: Existing development, vacant properties, and new development could be inundated by flood waters, presenting a hazard to persons and property.</p> | <p>10.3: The City should work in cooperation with other agencies such as FEMA and the Alameda County Flood Control District to prepare plans and develop projects that will alleviate potential flooding in the newly mapped flood plain areas.</p>   | <p>Planning Division Staff<br/>Engineering Division Staff</p> <p>Planning Commission<br/>City Council</p> | <p>Planning Division<br/>Engineering Division</p> <p>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |

|   |  |   |  |   |
|---|--|---|--|---|
|   | The City should require all new development in the areas presently mapped as potentially subject to flooding in the 100-year event to provide evidence of sufficient flood control protection and compliance with applicable regulations of the Alameda County Flood Control District and FEMA.  | (Through regular permit processes - staff review, public hearings, and conditions of approval)  |  |   |
| <b>Biological Resources</b>   |  |   |  |   |
| 11.1: Public and private development activities in the City could result in the reduction of habitat and direct removal of special status plant and/or animal species, including mammals, birds, amphibians, fish, insects and invertebrates, which have previously been unidentified at land and/or water areas. | 11.1: Development of undisturbed portions of public and private project sites should be subject to sensitivity analyses, field surveys and mitigation (as required), conducted by qualified professionals according to established protocols in consultation with the appropriate regulatory agencies. Particular areas to evaluate include waterways, open grasslands, relatively undisturbed urban land, and vegetative cover along waterways. | <p>Planning Division Staff, in consultation with other regulatory agencies</p> <p>Engineering Division Staff</p> <p>Planning Commission City Council (Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division</p> <p>California Department of Fish and Game</p> <p>U.S. Fish and Wildlife Service</p> <p>Engineering Division</p> <p>(Through conditions of approval and inspections)</p> | Final Inspection / Certificate of Occupancy |
| 11.2: Some portions of the City which may be developed in conformance with the General Plan land use map may be adjacent to creeks which provide riparian habitat values. Development of such sites   | 11.2: Where development is proposed at sites within the City adjacent to natural channel creeks, the potential effects of the proposed development on riparian habitat should be evaluated as part of the use  | Planning Division Staff, in consultation with other regulatory agencies   | Planning Division<br>California Department of Fish and Game  | Final Inspection / Certificate of Occupancy |

|   |   |  |  |  |
|---|---|--|--|--|
| <p>may have the potential to damage sensitive riparian habitat areas.</p>   | <p>permit, building permit, or other approval process to determine the potential site-specific impacts associated with such development. All such development should be required to comply with the City's setback provisions, and to enter into a Streambed Alteration Agreement with the California Department of Fish and Game (if required).</p>  | <p>Engineering Division Staff<br/><br/>Planning Commission<br/><br/>City Council<br/><br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>U.S. Fish and Wildlife Service<br/><br/>Engineering Division<br/><br/>(Through conditions of approval and inspections)</p>  |  |
| <p>11.3: Public and private development projects as a result of continued development in the City could have an adverse effect on wetland areas, as noted above for habitat and riparian areas.</p>   | <p>11.3: See Mitigation Measures 11.1 and 11.2, above.</p>  | <p>See Mitigation Measures 11.1 and 11.2, above.</p>   | <p>See Mitigation Measures 11.1 and 11.2, above.</p>   | <p>See Mitigation Measures 11.1 and 11.2, above.</p> |
| <p><b>Public Services and Utilities</b></p>   |   |  |  |  |
| <p>12.1: New development anticipated as part of the City's continued growth would result in an increased demand for school facilities within the City. The General Plan Update could have various community-wide effects that could have an impact on school sites, such as increased traffic, noise, and general hazards described elsewhere in this EIR. The increase in demand would be met by the responsible school district through the construction of new school facilities</p> | <p>12.1: School districts should plan and construct new facilities based on long-range planning and growth projections, and according to State land use and environmental law using statutorily established funding mechanisms. The District should pursue all available means of funding for expansion of existing schools and development of new schools to meet the community's needs, according to adopted Master Plans and Facilities Studies.</p> | <p>Planning Division Staff, in consultation with other agencies<br/><br/>Planning Commission<br/><br/>City Council<br/><br/>(Through regular permit processes - staff review,</p>            | <p>Planning Division<br/><br/>Hayward Unified School District<br/><br/>New Haven Unified School District<br/><br/>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p>   |

|   |  |   |  |  |
|---|--|---|--|--|
| <p>(most likely by adding structures on existing school grounds) which, depending on the characteristics of each proposed facility and site, could result in adverse physical effects on the environment.</p>   |  | <p>public hearings, and conditions of approval)</p>   |  |  |
| <p>12.2: New development anticipated as part of the City's continued growth would result in an increased demand for parks, recreational facilities and open space in the City. This increase in demand could be met through the construction of new parks and recreational facilities (or the expansion of existing recreational facilities) which, depending on the characteristics of each proposed facility and site, could result in adverse physical effects on the environment.</p> | <p>12.2: Lead Agencies, including HARD and EBRPD, should conduct appropriate planning and environmental studies for the acquisition, construction and operation of new parks and recreational facilities (or the expansion of existing recreational facilities) to meet an increased demand for such facilities, consistent with State law.</p> <p>Large development projects should be coordinated with HARD to determine if it is feasible to incorporate park and recreation facilities. Private land dedications may be credited against the standard impact fees, public park and recreation projects may be jointly funded by the City and HARD, or facilities may be provided in other ways that meet the trail, parkland, and recreation facility needs of the City.</p> | <p>Planing Division Staff, in consultation with other agencies</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division</p> <p>Hayward Area Recreation and Park District</p> <p>East Bay Regional Park District</p> <p>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |

| <b>Hazards and Hazardous Materials</b>   |   |   |  |  |
|--|---|---|--|--|
| <p>13.1: As new or more intensive residential uses are introduced near existing commercial activities (which may be non-conforming but are capable of continuing operation for some time as pre-existing uses), then additional residents could be exposed to hazardous materials that are in storage, use, or disposal.</p> | <p>13.1: The City should review sites listed pursuant to Government Code section 65962.5 for proper use permits and other regulatory compliance, and undertake code enforcement as necessary to ensure the safety of existing and new development. Proposed land uses that pose potential threats to the health and safety of neighboring uses should be scrutinized as part of the Conditional Use Permit review procedure, and should be conditioned to ensure full compliance with the law. New residential and similar development, regardless of General Plan land use designations, should be scrutinized for possible exposure to hazardous materials, and should be sited and designed accordingly.</p> | <p>Planning Division Staff, in consultation with other regulatory agencies</p> <p>Engineering Division Staff<br/>Hazardous Materials Division Staff</p> <p>Planning Commission<br/>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division</p> <p>California Department of Toxic Substances Control</p> <p>Engineering Division<br/>Hazardous Materials Division</p> <p>(Through conditions of approval and inspections)</p> | <p>Final Inspection / Certificate of Occupancy</p> |
| <b>Cultural Resources</b>  |   |   |  |  |
| <p>14.1: Development according to the proposed General Plan Update could result in the alteration of historical resources which have not yet been surveyed or formally protected.</p>  | <p>14.1: The City should review the HP ordinance including the evaluation criteria, and conduct the necessary surveys, recording, and preservation of historic resources, and implement development review procedures according to the policies and strategies outlined in the draft General Plan Update.</p>   | <p>Planning Division Staff, in consultation with other regulatory agencies</p> <p>Planning Commission<br/>City Council</p>  | <p>Planning Division</p> <p>California Office of Historic Preservation</p> <p>(Through conditions of approval and inspections)</p>   | <p>Final Inspection / Certificate of Occupancy</p> |

|  |   |  |   |   |
|--|---|--|---|---|
|  |   | (Through regular permit processes - staff review, public hearings, and conditions of approval)   |   |   |
| 14.2: During construction that could occur as a result of the General Plan Update, archaeological resources may be uncovered and damaged if not properly recovered or preserved. | 14.2: In the event that any archaeological resources are uncovered during future construction activity associated with the implementation of the General Plan Update, there should be no further excavation or disturbance of the site or any nearby area until the find has been evaluated by a qualified archaeologist, and appropriate site-specific mitigation has been identified to protect, preserve, remove or restore the artifacts uncovered. | <p>Planning Division Staff, in consultation with other regulatory agencies<br/>Engineering Division Staff</p> <p>Planning Commission</p> <p>City Council</p> <p>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Planning Division</p> <p>California Office of Historic Preservation<br/>Engineering Division</p> <p>(Through conditions of approval and inspections)</p> | Final Inspection / Certificate of Occupancy |
| 14.3: During excavation for public and private projects, it is possible that archaeological human remains may be uncovered.  | 14.3: In the event that any human remains are uncovered during future construction activity, there should be no further excavation or disturbance of the site or any nearby area until after the Alameda County Coroner has been informed and has determined that no investigation of the cause of death is required or such  | <p>Planning Division Staff, in consultation with other regulatory agencies</p> <p>Engineering Division Staff</p>   | <p>Planning Division</p> <p>California Office of Historic Preservation<br/>California Native American Heritage Commission</p>                               | Final Inspection / Certificate of Occupancy |

|   |  |  |   |               |
|---|--|--|---|---------------|
|   | <p>investigation has occurred and appropriate actions have been taken, and (if the remains are determined to be of Native American origin) the descendants from the deceased Native American(s) have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.</p> | <p>Planning Commission<br/>City Council<br/>(Through regular permit processes - staff review, public hearings, and conditions of approval)</p> | <p>Alameda County Coroner<br/>Engineering Division<br/>(Through conditions of approval and inspections)</p> |               |
| <b>Population, Housing and Employment</b>   |  |  |   |               |
| <p>15.1: Implementation of the proposed General Plan Update is expected to result in growth in residential, commercial and industrial areas.</p>                              | <p>15.1: None Required. The proposed General Plan Update will not result in substantial changes to the growth projections contained in the prior General Plan or Projections 2002.</p>   | None Required  | None Required   | None Required |
| <p>15.2: Development or reuse of property that is presently occupied with housing or commercial / industrial uses could displace existing residents or employment / jobs.</p> | <p>15.2: None Required. Infill development would typically occur on vacant and underutilized land, and would therefore result in an overall net increase in the number of housing units and employment and generally improve the quality of housing and employment, since infill would most likely occur where the economic use of existing development has been exceeded and dilapidation may have begun.</p>   | None Required  | None Required   | None Required |

# Alameda County Child Care Planning Council

## STEERING COMMITTEE

Aloqis Ashby  
Betsy Chinn  
Tedi Crawford  
Alyce Currie  
Sara Dickey  
Susan Duncan  
Jackie Fitzgerald  
Patricia Fontenberry  
Charles Go  
Margaret Gordon  
Rance Herzfeld  
Arienne Hodsdon  
Rose Padilla Johnson, Chair  
Barbara Kraybill  
Don LAU  
Margot Ladorf  
William Lee  
Yali Lincroft  
Melinda Martin  
Dolores Martinez  
Miriam Miller  
Rosemary Obeld  
Eric Peterson  
Usens Pulliam  
Marta Raff  
Rafael Ramirez  
Reida Robertson-Baskley  
Dorothy Rodenck-Stark  
Julia Shal  
Jim Stockinger  
Sue Story  
Barbara Terrell  
Gail Ward  
Kate Warren  
Gloria Wiggins-Banks  
+  
Angie Garling  
Child Care Coordinator  
Phone: 510-208-8576  
Fax: 510-208-8579  
spaning2@co.alameda.ca.us  
Alex Hildebrand  
Business Outreach Coordinator  
Phone: 510-208-8714  
Fax: 510-208-8579  
ahildebr@co.alameda.ca.us  
Ellen Dekker  
LINCC Project Coordinator  
Phone: 510-208-8576  
Fax: 510-208-8579  
edekker@co.alameda.ca.us  
1401 LAKESIDE DR., 11th FL.,  
OAKLAND, CA 94612  
www.co.alameda.ca.us/  
childcare/index.htm

December 7, 2001

Mr. Gary Calame  
Senior Planner  
City of Hayward  
777 B Street, First Floor  
Hayward, CA 94541-5007

Dear Gary:

Thank you for including child care provisions in the Community Facilities section of the Draft Hayward General Plan. As we discussed last week, the inclusion of these basic policies is an important first step. We would like also like for you to consider incorporating some additional language that will provide more clarity and direction to City planners without being overly prescriptive.

Our recommendations are based on our review of many City General Plan provisions related to child care across California, and our experience with several other cities in Alameda County which are developing stronger policies which support child care planning in their General Plans. Child care planning is essential to maintaining a City's economic vitality and supporting its workforce, and laying the groundwork in the General Plan now will save time-consuming revisions to it later.

**1) Make child care planning language more substantive in Number 3, Items 1 and 2**

A) Number 1: After "Evaluate" insert "*and pursue*" ways....to make child care more affordable...etc.

B) Number 2: After "Consider" insert "*and pursue*" modifications to existing procedures and regulations that would promote the development of child care centers....etc.

(Even if the City is required to pursue a strategy, there is latitude on what that strategy might be.)

**2) Add a specific reference to coordinate planning for child care when planning redevelopment**

Augment #3 with the clause: "and review development plans to identify how proposed activities will affect child care demand and supply in redevelopment areas."

**3) Direct Hayward to develop a child care master plan**

Many of the provisions we have previously suggested, such as reviewing surplus property for child care suitability, and expanding infant care, could be incorporated in a child care master plan for Hayward which combines land use and economic

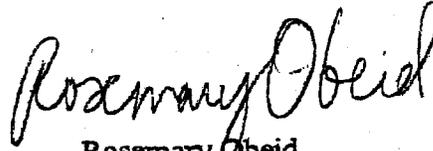
development planning with child care planning. San Leandro has incorporated this provision in its General Plan, and we are confident that with the support of the active Hayward child care community it is a viable and useful strategy.

- 4) **Incorporate a reference to the need to consider child care planning in mixed use development planning in the relevant General Plan section.**
- 5) **Incorporate language related to the need to consider the child care infrastructure in major new transportation planning in the relevant General Plan section (Circulation?):**  
“Hayward shall encourage the incorporation of child care in major transportation planning, and consider encouraging the siting of child care near transportation hubs in large commercial and residential developments.”

Thank you for considering these proposed modifications. We will follow up with you to check on the progress of the Draft revisions and to determine key opportunities for parents and child care providers to engage in the process to assure that meaningful child care planning provisions are included in the final General Plan. Please feel free to contact either one of us if you have any questions or concerns in the meantime.

Sincerely,

  
Ellen Dektar  
Alameda County LINCC Project

  
Rosemary Obeid  
4 C's of Alameda County

Hayward Arts Council  
22654 Main street  
Hayward CA, 94541  
January 2, 2002

**RECEIVED**

JAN 4 2002

Department of Community and Economic Development  
Planning Division  
777 B Street  
Hayward CA 94541-5007

PLANNING DIVISION

Attention: Gary Calame, Senior Planner

The existing General Plan states:

"The HAC and the Sun Gallery are providing oversight and space for cultural offerings as well as support to local and area artists."

"Comments received from community residents express support for greater coordination and promotion of various cultural events scheduled through out the city and the establishment of a performing arts center in the Downtown area"

Proposed: Under Multipurpose Facilities and Cultural Opportunities

"Support the expansion of cultural facilities and amenities such as the Little Theatre, Sun Gallery and the Hayward Historical Society that enhance the City's image"

I suggest revising the above statement to read as follows:  
(The relevant change is underlined below.)

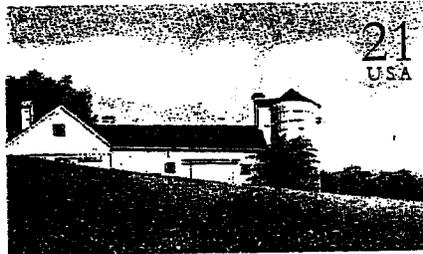
Support the expansion of cultural facilities and amenities such as the Little Theatre, Sun Gallery, the Hayward Arts Council, and the Hayward Historical Society that enhance the City's image.

I also would hope that the City would support an Art Center that would include many different facets of the art community. This facility should provide a place where local art groups could meet, a space for cooperative galleries of local artists, a space where local art groups could exhibit their work and a program that would foster competence and creativity in writing. I hope that any proposed performing arts center would be able to include programs of drama, music, and dance.

Sincerely, *Clarice Roberts*

Clarice Roberts, President, Hayward Arts Council

Charlie Cameron  
P.O. Box 55  
Hayward, Ca. 94543



*Handwritten:*  
1/10/02  
12/30/2001  
10 A.M.

Mr. Gary Calame, Sr. Planner  
Planning Div. Community & Eco. Devel.  
City of Hayward Dept.  
777 B Street  
Hayward, Ca. 94541

Please extent their current RT 5 to serve the area  
bet Union City Bart & South Hayward Bart station  
via the Greater Fairway Park-Tamarack St, Union City  
area V.T.Y. Charlie Cameron

*Handwritten signature:* Charlie Cameron

*Handwritten:* BECAUSE THE FARE TOO EXCESSIVE

*Handwritten:* THE  
NEWSPAPER Dec. 29, 2001

*Handwritten signature:* Gary Calame

Dear Mr. Calame:

Item 1. The corrections/Comments I did send in  
also reflect the same info that should be corrected  
in the DEIR, State Clearinghouse # 2001072069  
on Pgs 6-10 & 6-11. *NOTES 15 - ?*

2. I do hope to make both Public Hearings on  
the General Pland for the Great City of Hayward, Ca.  
3. As I said & may be "you" can/could address  
how the neighborhood plan got missguided as in the  
Fairway Park Plan that got approved in 1996 & when  
it sugested busses should be removed from the *1995?*  
neighborhood by some 12 people & some of thoes people  
did not get to see the bus removal from the area in/  
since A/C Transit took out the RT 21 on 12/17/2000  
JUST TELL ME HOW WE WENT FROM SHOULD TO NOW THE  
CURRENT STATE TO GET UNION CITY TRANSIT TO NOW

# AC Transit

Alameda-Contra Costa Transit District

1600 Franklin Street, Oakland, California 94612 (510) 891-4777

RECEIVED

JAN 3 2002

PLANNING DIVISION

*Omni*  
*pg 4 of 5*

April 25, 2001

Charlie Cameron  
P.O. Box 55  
Hayward, California  
94543

Dear Mr. Cameron:

Thank you for your letter and petition of January 4, 2001 concerning our service in the Central Alameda County Region. Your comments and petition in regards to the Fairway Park Neighborhood are noted as part of our Service Development record. We will consider your comments and recommendations as part of any future plans in that area.

If you have any questions and / or additional comments please contact Tony Divito, Senior Transportation Planner at (510) 891-7132, or transmit e-mail messages to [tdivito@actransit.org](mailto:tdivito@actransit.org).

Again, thank you very much for your concerns and comments.

Sincerely,

*Kathleen Kelly*  
Kathleen Kelly  
Deputy General Manager  
Service Development

CC:  
Tony Divito

*TO INCLUDE OTHER  
AREAS LIKE SIGNED  
BY AC TRANSIT KT. 91  
W/ BUS SERVICE ONLY  
DAYS  
A WEEK  
SINCE  
THT  
SERVICE REVISIONS  
6/1995-1996*

*\*NOTE THAT THESE SCHOOLS ARE IN THESE SCHOOLS' BUS RIDES JUST FROM ONE JOIN GARCS SW AREA THE GARDEN SOUTH HAYWARD AREA*

*DEAR MR. CALAME, ALL PLANNING COMMISSIONERS & MAYOR TOOPER & ALL CITY COUNCIL MEMBERS:*  
*Item 1 WE NEED BUS SERVICE IN THE GARDEN FAIRWAY PARK AREA - TAMPAACK ST, IN UNION CITY CA. FORMERLY SERVED BY A/C TRANSIT.*  
*2 NOW THREE SCHOOLS OPERATED BY NEW HAVEN UNIFIED SCHOOL DISTRICT, & 1 SCHOOL (TRERVIEW) WOULD BE SERVED BETWEEN BY UNION CITY TRANSIT SERVING THIS AREA BY THE TRERVIEW BUS FROM VIA UNION CITY TRANSIT SOUTH HAYWARD STATION & THE BUS.*

*12/29/2001*

*TABLET COPY DISCONTINUED*

REG. NO. OFFICE COLLEGE CAMPUS, VINT  
AT ITS PARENTS SITE ON NEWARK, CA,  
NOTE (1) THE OFFICE COLLEGE, NEWARK, CA,  
IS SUBJECT TO MOVE TO ANOTHER LOCATION  
ONE OF TWO LOCATIONS IN THE CITY OF  
NEWARK, CA,

NOTE (2) AN GREAT SOUTH HAYWARD  
FAIRWAY PARK BUS (SCHOOL KIDS) &  
SERVING THE COLLEGE WITH THIS NEW  
COLLEGE WITH ONE BUS WOULD MEET  
TO THE SCHOOL

(3) HRS. of SERVICE TOUCH 30 DAY  
A WEEK ALMOST LIKE THE CHURCH (3)  
THE BUS TO & FROM UNION CITY BART STATION  
IN UNION CITY, CA. ON THIS

(3A) WILL BE GET A PETITION UP TO  
SUPPORT THIS SOON CAN PLEASE COUNT ON  
YOUR SUPPORT ON ANOTHER ISSUE TO GET A/2  
TRANSFER TO RUN ISSUES ON THE ADJUST THE  
R. 214 TO SERVE UNION CITY BART STATION TO  
SERVE THE JOB (INDUSTRIAL) AREA  
IN NEWARK, CA. & WEST FAIRWAY, CA.

15. PLEASE DON'T  
WISPERINGS  
PET -  
THIS WOULD HELP  
ALL SOUTH HAY  
KIDS GET TO  
KEEP BUS  
Frank Cameron  
Francie Cameron  
P.O. BOX 55  
OFF HAYWARD, CA 9454

USE IT  
WON'T  
CONNECTION  
& REFERENCE

LINES ROUTES  
(S, SA, SB)

and the extension to the San Francisco International Airport. However, these new services are expected to put additional pressure on the BART parking supply.

AC Transit

ROUTE S (LINES S, SA, SB) & (SA & SB)

AC Transit provides local and express bus service in Alameda and Contra Costa Counties. Hayward is served by 18 of AC Transit's local bus routes. These routes operate at various times and with various frequencies. Sixteen routes operate out of the Hayward BART station and eight operate out of the South Hayward station. In addition, Transbay Route S and East Bay Express Route 36X operate along Hesperian Boulevard. Boardings on these routes average more than 36,000 passengers per weekday.

In the past, AC Transit encountered difficulty in obtaining sufficient revenue to ensure adequate transit service for Hayward. However, the reauthorization of Measure B provided significant new funding for transit, especially transit in central Alameda County. The City is participating in the Central County Transit Study, which is anticipated to provide new and improved transit service throughout the area. Service changes may be implemented by the summer of 2002. One major schedule change that has already been implemented is the revised Route 83/86 bus, which links Hayward BART to South Hayward BART and provides enhanced transit service to much of the "welfare-to-work" population. This service came about as a result of a cooperative effort between the City, AC Transit, Hayward Chamber of Commerce, South Hayward Neighborhood Collaborative, and businesses in the industrial areas.

Major transit service design concepts that have been incorporated as part of the proposed transportation improvements in the Circulation Element include the following:

- \* 15-minute service during peak hours on Mission Boulevard, Hesperian Boulevard and Winton Avenue;
- \* Basic 30-minute service during peak hours on approximately half-mile spacing throughout the area;
- \* Enhanced coverage, including 30-minute headway service, in the industrial area on both Clawiter Road and Industrial Boulevard;
- \* Reorientation of bus services to serve the new BART stations; and
- \* Express commute services in I-880 corridor areas not convenient to BART service.

NEW WORDING

The Central County Transit Study is looking at some of the above issues as it prepares its recommendations.

In addition to the above features, the Circulation Element is proposing that enhanced express bus service be established across the San Mateo Bridge between the Castro Valley BART station and major Peninsula destinations. The proposed express bus service would link Castro Valley, Hayward, Foster City, Hillsdale, and other points on the Peninsula, and would provide for bus

2. Consider alternatives to street widening that balance the needs of pedestrian and bicycle movements with that of vehicles.
3. Focus improvements on arterials with transit service to preserve operating speeds.
4. Add needed traffic signals and coordinate signals to optimize traffic flow.
5. Review and comment on any development in the county or adjoining cities which might add to Hayward's traffic problems; work to reduce negative effects.

**12. Improve Access to the Downtown and Other Major Activity Centers**

1. Improve access to and circulation within the Downtown area, consistent with the Downtown Design Plan.
2. Improve transit links from the BART stations to other major activity centers such as Southland Mall and California State University-Hayward.
3. Promote shuttle service between the Amtrak and BART stations and other focal points in the Downtown area.
4. Improve access to and circulation within the Industrial Corridor, especially with regard to public transportation.

**13. Provide for Future Parking Demand in Ways that Optimize Mode Choice**

1. Consider reduced parking for new residential developments that fulfill elderly, disabled, or other special housing needs and/or are located near public transit.
2. Encourage developers/employers to offer transit passes or other transit enhancements to offset some parking requirements, pursuant to provisions of the Parking Ordinance.
3. Coordinate with other public and institutional parking suppliers (e.g., BART, Chabot College, Kaiser) in the provision of parking, parking charges and preferential parking.
4. Consider consolidation and expansion of downtown parking with multi-level parking structures.
5. Consider park-and-ride lots for bus patrons and for carpooling centers.

How who will pay for, OPERATE +  
FARES →  
Circulation  
3-27 Times -  
FREE →  
OR WITH SET  
VSE PERMITS

PROJECT DESCRIPTION

affected by projects developed and actions taken as part of implementation of the Plan. Those agencies will also rely on this EIR to the extent feasible.

They include (but are not necessarily limited to):

- Hayward Unified School District
- New Haven Unified School District
- Alameda County Flood Control District
- East Bay Municipal Utility District
- Mt. Eden Water District
- Oro Loma Sanitary District
- San Lorenzo School District
- East Bay Regional Park District
- Hayward Area Recreation and Park District
- Bay Conservation and Development Commission
- Caltrans (State Department of Transportation)
- State Office of Historic Preservation
- State Division of Mines and Geology
- State Department of Conservation
- State Department of Fish and Game
- State Department of Toxic Substances Control
- Regional Water Quality Control Board
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers
- U.S. Geologic Survey
- Federal Aviation Administration
- Alameda County Airport Land Use Commission
- Pacific Gas and Electric Company
- Bay Area Air Quality Management District
- AC Transit
- BART District
- Alameda County Congestion Management Agency
- Metropolitan Transportation Agency
- Alameda County Transportation Improvement Authority
- Association of Bay Area Governments

*Commission*  
*AMW*

**Other Permits and Approvals**

The Responsible and Trustee agencies listed above may have jurisdiction over certain actions of private and public entities during the implementation of the Plan. Some of the permits that may be required include grading and erosion control, water quality, utility construction

REFERENCES

COUNTY OF ALAMEDA

Alameda County Airport Land Use Commission, *Airport Land Use Policy Plan*, adopted July 16, 1986.

Alameda County Flood Control and Water Conservation District, *Zone Improvement Index Maps*, November 1986.

Alameda County Planning Commission, *Castro Valley Plan*, adopted April 4, 1985.

Alameda County Planning Department, *General Plan for the Central Metropolitan, Eden and Washington Planning Units*, adopted January 13, 1981

Alameda County Planning Department, *Unincorporated Eden Area (portion) Plan: Part of the Alameda County General Plan*, adopted November 3, 1983.

SPECIAL DISTRICTS

AC Transit, *AC Transit Facts and Figures*, October 25, 1999.

AC Transit, Route Map. DATE -> GET DATE -> 11/20/00 + 4th.

Association of Bay Area Governments, *Projections 2000*.

California State University at Hayward Home Page, [www.csu Hayward.edu](http://www.csu Hayward.edu), April 7, 2000.

Castro Valley Unified School District, *Five Year Facilities Plan: 2000-2005*, 2000 Revision.

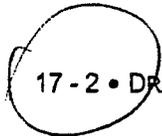
Chabot College Home Page, [www.clpccd.cc.ca.us/cc/](http://www.clpccd.cc.ca.us/cc/), January 13, 2000.

East Bay Municipal Utility District, *1999 Annual Report*.

East Bay Municipal Utility District, *Comments to Notice of EIR Preparation*, October 6, 2000.

East Bay Regional Park District, *Existing and Potential Parklands and Trails Map*, 1997.

East Bay Regional Park District, *Master Plan 1997*, adopted December 17, 1996.



RECEIVED

**VARNI, FRASER, HARTWELL & RODGERS**

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

22771 MAIN STREET

P.O. BOX 570

HAYWARD, CALIFORNIA 94543-0570

(510) 886-5000

FAX: (510) 538-8797

January 11, 2002

JAN 15 2002

PLANNING DIVISION

LIVERMORE OFFICE

2109 FOURTH STREET  
LIVERMORE, CA 94550  
(925) 447-1222  
FAX (925) 443-7831

LIONEL A. RODGERS  
(1942-1989)

JOHN S. HARTWELL  
(1924-1993)

Ms. Barbara Sacks  
1439 Almeria Drive  
Hayward, CA 94544

Mr. Edward Bogue  
729 Poinciana Street  
Hayward, CA 94541

Mr. Jerry Caveglia  
2647 Hillcrest Avenue  
Hayward, CA 94542

Ms. Barbara Halliday  
25164 Lindenwood Way  
Hayward, CA 94545

Mr. Christopher Thnay  
352 Bridgecreek Way  
Hayward, CA 94544

Mr. Robert Williams  
27734 Fallen Leaf Court  
Hayward, CA 94542

Mr. Francisco Zermeño  
P. O. Box 92  
Mt. Eden, CA 94542

Gentlemen and Ladies:

Re: Initial 2002 General Plan Amendment  
of the City of Hayward With Regard to Area 6

We represent Livermore Acres, Inc., the owner of the Valle Vista Skating Center on the east side of Mission Boulevard between Tennyson Avenue and Industrial Parkway. On January 24, the Planning Commission will be considering a General Plan Amendment with regard to the rear portion of our client's property. This property consists of approximately five (5) acres. At the present time, the property is used for the Valle Vista Skating Center. Immediately to the north of the property is a relatively new car dealership. To the south of the property are various commercial uses and the recently completed Sikh Temple.

Within the last six (6) months, we have submitted to the staff of the City a request by our clients to construct a 200-unit senior housing project on this property. We are enclosing with this letter copies of portions of the application which depict the general design and architecture of the proposed facility. We believe that the facility will meet all of the requirements of the City, in particular with regard to public health and safety and off-street parking. The studies that have been done to date would indicate there is a need for

January 11, 2002

this type of facility in Hayward. The facility will have a central eating area and many features, including a swimming pool, a health spa, a small store, a beauty parlör, a barber shop, etc. In addition, the facility would be served by a private bus system. It would seem that the proposed facility does meet many of the guidelines of the General Plan of the City of Hayward and that such a project at this location would be well received.

The present recommendation to the Planning Commission with regard to the pending General Plan Amendment would result in the rear portion of our client's property being generally planned for low-density uses. This type of a designation would be inconsistent with the project being proposed. In lieu of a General Plan designation of low density, we would ask that the Planning Commission consider and recommend to the City Council a designation of high density on our client's property. We would apologize in advance for any inconvenience this request might cause. In turn, we feel that this use at this location would be beneficial to seniors who would prefer to live in a facility which provided them with certain basic needs but, in turn, recognized their needs for mobility and independence. We will appear at your hearings with regard to the General Plan and would hope to be able to answer any questions you might have at that time.

Very truly yours,

VARNI, FRASER, HARTWELL & RODGERS

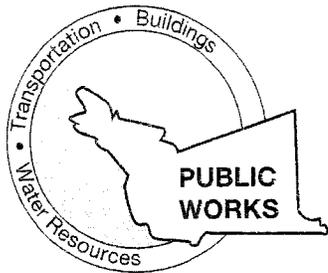
Anthony B. Varni

ABV/ch/14

Hayward Planning Commission.ltr

Enclosure

✓cc: Gary Calame  
Client



COUNTY OF ALAMEDA  
**PUBLIC WORKS AGENCY**  
DEVELOPMENT SERVICES DEPARTMENT  
951 Turner Court, Room 100  
Hayward, CA 94545-2698  
(510) 670-6601  
FAX (510) 670-5269

RECEIVED

JAN 22 2002

PLANNING DIVISION

January 17, 2001

Gary Calame, Senior Planner  
Department of Community and Economic Development  
Planning Division, City of Hayward  
777 B Street  
Hayward CA 94541 - 5007

Dear Mr. Calame:

Thank you for referring the Draft Environmental Impact Report for the City of Hayward General Plan update to the County of Alameda for our input. Please consider the following in preparation of the Update:

The Alameda Countywide Clean Water Program and the Alameda County Flood Control District have had meetings and discussions with the City of Hayward planners, Redevelopment staff and other Development Services staff about the possibility of restoring San Lorenzo creek in the downtown Hayward area. The idea has been well received by staff and efforts are underway to obtain outside funding to restore portions of that creek. To that end, it would be helpful if the General Plan reflected this intent.

Through the General Plan, the properties along the creek could be distinguished with a special zone designation. The designation would indicate that the properties along the creek are in a creek zone and that the creek is to be treated as an amenity to the area. Businesses looking to locate along an amenity such as a creek would see the designation easily. Businesses wishing to have a portion of their building front onto the creek, like a cafe or restaurant, would be encouraged to locate along the creek.

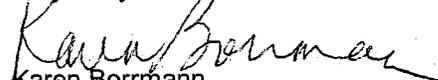
The overall purpose of the restoration would be to provide benefits to the City of Hayward. Restoring the creek would be beneficial for the City of Hayward in many respects:

- 1) It would help the City meet critical and unmet needs with respect to open space & parks.
- 2) Provide habitat to threatened and endangered species (Steelhead Trout) and other aquatic plants and animals.
- 3) Providing pedestrian transportation corridor with a walking path adjacent to the creek.
- 4) It would increase the livability and aesthetics of the downtown redevelopment area, making it a place people enjoy.
- 5) It could enhance community pride and increase Hayward's ranking as an East Bay community.

The General Plan could help facilitate this project and these goals.

Please feel free to call me with any questions at (510) 670-5249.

Very Truly Yours,

  
Karen Borrmann  
Development Service

KB:kb  
C: Diamera Bach, Clean Water Division

*distributed at PC on 1-24-02.*

*fil*

December 20, 2001

Planning Commissioners  
City of Hayward  
777 "B" Street  
Hayward, CA 94541

RE: Draft General Plan and Proposed Changes to the General Plan Use Map.

Dear Planning Commissioners:

The Garin family owns two properties which are in Area 6 of the Proposed Changes to the General Plan. The properties have been in the family for four generations. One property is a 15-acre parcel located on upper Calhoun Street. It is a former Quarry and is currently being used by the Hayward Police Department as a firing range. The other property is a 40-acre parcel which is also a former Quarry and is currently unused.

The City is proposing to change the land use designations from Limited Medium Density Residential (LMDR) to Low or Suburban Density Residential for both of these parcels. If this occurs, it will probably make it impossible to develop these properties into a better use and provide needed improvements to the area.

Upper Calhoun Street and its residents need a Water Tank (water). This will be expensive. In order to pay the high cost of a water tank, a certain number of residential units are needed to be built to pay for these improvements. If development is too limited, then getting water to this area will be unfeasible. There is a water problem on upper Calhoun.

The other property is known as the Garin South 40. It is located between La Vista Quarry and Garin Avenue. It abuts the 148 unit Oak Hills Apartment development. About 14 acres of the property are a former quarry. It shut down in the 1950's before there were quarry reclamation requirements. The property currently has a development application filed with the City of Hayward for 101 single family lots clustered on the quarry portion of the property.

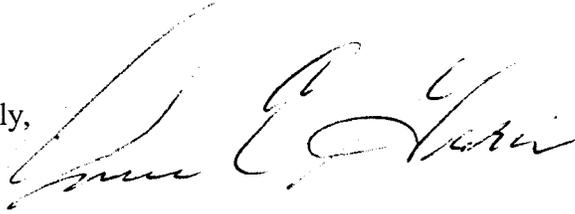
After studying the Proposed Changes to the General Plan Land Use Map, we are requesting that the 15-acre Garin parcel along with the abutting 5-acre Tomanek parcel, both on Calhoun Street, remain at their current LMDR designation. This density will allow for the construction of a Water Tank. On the Garin South 40, we are requesting that the former Quarry portion of the parcel remain as LMDR. This will allow flexibility if the proposed development does not proceed.



Please find our requested changes to the City Proposed Changes to the General Plan Land Use Map.

Thank you for your consideration.

Sincerely,

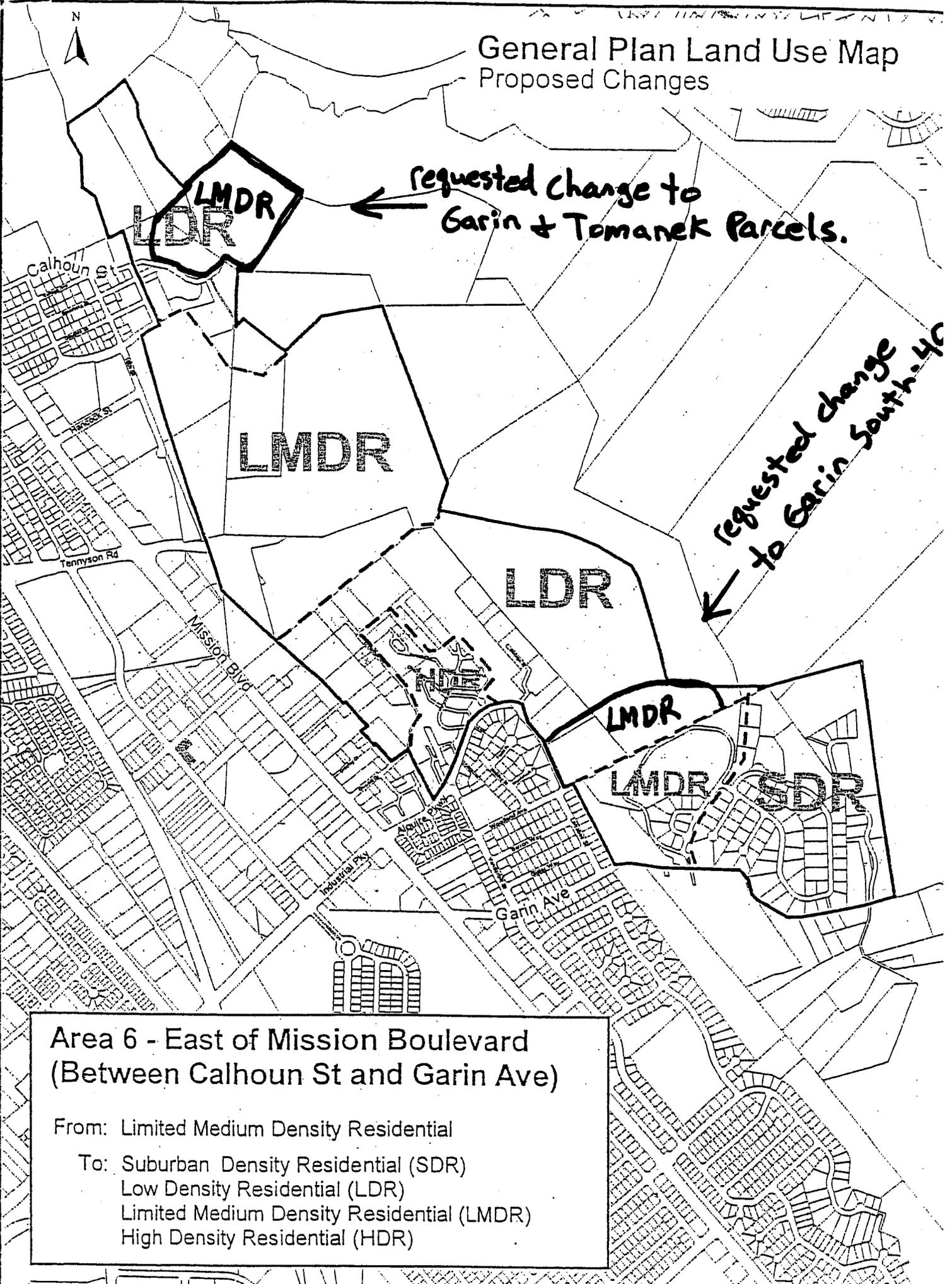
A handwritten signature in cursive script, appearing to read "Tom E. Garin". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

The Garin family

General Plan Land Use Map  
Proposed Changes

requested change to  
Garin & Tomanek parcels.

requested change  
to Garin South-40



**Area 6 - East of Mission Boulevard  
(Between Calhoun St and Garin Ave)**

From: Limited Medium Density Residential  
To: Suburban Density Residential (SDR)  
Low Density Residential (LDR)  
Limited Medium Density Residential (LMDR)  
High Density Residential (HDR)

## Proposed Additions by the Library Commission for the 2002 Hayward General Plan

The Library Commission is happy with the substance of the new General plan element on the Library, but we are suggesting the following wording to add more detail to the document.

### B. Library Facilities

1. Seek to expand public library service to **seven days a week**, at hours convenient to users and in facilities easily accessible, with materials collections, with adequate staff, that meet the needs of Hayward's residents.
2. **Use up-to-date technology** to deliver library services beyond the four walls of the library buildings, making on-line links to a variety of information resources available to schools, mobile home parks, senior centers, and other community organizations.
3. Continue to work with educational institutions, businesses, and nonprofit groups to **create partnerships** and agreements to better serve the information needs of the community.
4. Continue to provide an enriching **array of educational and recreational programs** that promote family fun, interaction, and togetherness.
5. Recognizing that literacy begins at a very young age, endeavor to make books and library programs **available at sites where young children can access them** - at neighborhood libraries, day-care centers, and shopping centers.
6. **Address the issue of adult literacy** through programs that provide one-on-one tutoring and support for native English speakers and for immigrants needing English-as-a-second-language assistance.
7. Recognize Hayward's diversity by maintaining library collections and information services that **reflect that diversity** and that equip people of all backgrounds to participate in American democracy.
8. Regard the **Blue Ribbon Task Force on Library Services Report as the master plan** for provision of library facilities and services and pursue its implementation as appropriate.

# Hayward Public Library Statistical Report Summary Page

## November, 2001

|  |                                | 2000    | 2001    |        | %    |      |
|--|--------------------------------|---------|---------|--------|------|------|
|  |                                |         |         | Change |      |      |
| <b>Registered Borrowers</b>                | Total                          | 84,045  | 94,076  |        | 12%  |      |
|  | New                            | 818     | 890     |        | 9%   |      |
| <b>Gate Count</b>                          | Main                           | 23,641  | 24,390  |        | 3%   |      |
|  | Weekes                         | 9,591   | 13,838  |        | 44%  |      |
|  | Total                          | 33,232  | 38,228  |        | 15%  |      |
| <b>Circulation</b>                         | Main                           | 33,059  | 35,303  |        | 7%   |      |
|  | Weekes                         | 17,687  | 17,005  |        | -4%  |      |
|  | Total                          | 50,746  | 52,308  |        | 3%   |      |
| <b>Items in Collection</b>                 | Main                           | 129,931 | 133,967 |        | 3%   |      |
|  | Weekes                         | 59,709  | 62,278  |        | 4%   |      |
|  | Total                          | 189,640 | 196,245 |        | 3%   |      |
| <b>Titles in Collection</b>                | Main                           | 97,401  | 102,448 |        | 5%   |      |
|  | Weekes                         | 40,893  | 42,454  |        | 4%   |      |
|  | Combined                       | 104,983 | 113,100 |        | 8%   |      |
| <b>Adult Information Transactions</b>      | Main                           | 2,977   | 3,397   |        | 14%  |      |
|  | Weekes                         | 931     | 1,158   |        | 24%  |      |
|  | Total                          | 3,908   | 4,555   |        | 17%  |      |
| <b>Adult Programs</b>                      | Attendance (Programs)          | 10      | (1)     | 22     | (3)  | 120% |
| <b>Children's Information Transactions</b> | Main                           | 1,096   | 1,303   |        | 19%  |      |
|  | Weekes                         | 1,052   | 1,153   |        | 10%  |      |
|  | Total                          | 2,148   | 2,456   |        | 14%  |      |
| <b>Pre School Programs</b>                 | Attendance (Programs) - Main   | 278     | (9)     | 181    | (7)  | -35% |
|  | Attendance (Programs) - Weekes | 86      | (3)     | 96     | (5)  | 12%  |
|  | Total Attendance (Programs)    | 364     | (12)    | 277    | (12) | -24% |
| <b>School Age Programs</b>                 | Attendance (Programs) - Main   | 0       | 0       | 27     | (1)  |      |
|  | Attendance (Programs) - Weekes | 0       | 0       | 78     | (2)  |      |
|  | Total Attendance (Programs)    | 0       |         | 105    | (3)  |      |
| <b>Class/School Visits</b>                 | Class Visits - Main            | 8       | 8       |        | 0%   |      |
|  | Class Visits - Weekes          | 13      | 11      |        | -15% |      |
|  | School Visits                  | 5       | 1       |        | -80% |      |

# The DeSilva Group

January 30, 2002

Mr. Gary Calame, AICP  
Senior Planner  
City of Hayward  
777 "B" Street  
Hayward, CA 94541

Re: LaVista Quarry/City of Hayward General Plan Update

Dear Mr. Calame:

The DeSilva Group, per my letter (copy attached for reference) and attached exhibit of January 2, 2002, has requested a minor change to the limits of the Limited Medium Density Residential and Low Density Residential land use designations at the east side of the LaVista Quarry. I also had the opportunity to meet with you and Richard Patenaude on December 20<sup>th</sup> to review a development enclave exhibit. We prepared this exhibit based on a grading plan which considered the Reclamation Plan for the quarry and the limits of the setback from the Hayward Fault as established by the geotechnical consultant. This exhibit demonstrated that the developable land extended into the area east of the proposed residential designators and that there was significant area within the quarry property that would be available for open space uses. These factors are the basis for our request to revise the LMDR and LDR boundary line.

It occurred to me that a compilation of these exhibits would be helpful to the Council as they consider the requested change at their meeting of February 5<sup>th</sup>. The attached "Requested Revision" Exhibit compiles both the requested revision and the potential development area. We respectfully request that this information be forwarded to the Council members.

Feel welcome to call me regarding this request, I look forward to presenting our request to the Council at the hearing on the 5<sup>th</sup>.

Sincerely,

  
Jay Egy  
Project Manager

Ge  
Prop

**BOUNDS-LANDS OF  
LAVISTA QUARRY AND THE DESILVA GROUP**

REQUESTED REVISION

LDR

LMDR

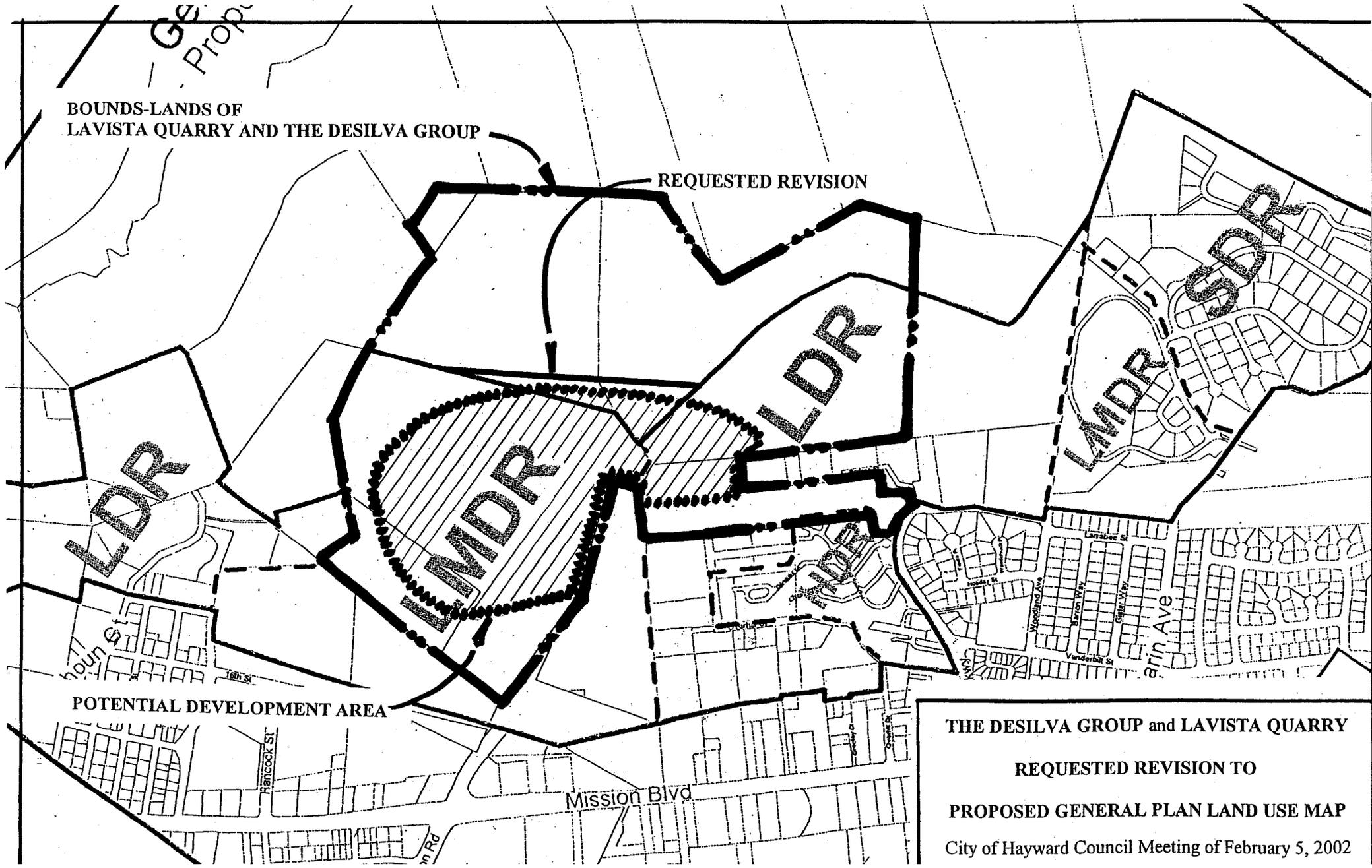
LDR

LMDR  
SDR

POTENTIAL DEVELOPMENT AREA

Mission Blvd

**THE DESILVA GROUP and LAVISTA QUARRY  
REQUESTED REVISION TO  
PROPOSED GENERAL PLAN LAND USE MAP  
City of Hayward Council Meeting of February 5, 2002**



# The DeSilva Group

January 2, 2002

Mr. Gary Calame, AICP  
Senior Planner  
City of Hayward  
777 "B" Street  
Hayward, CA 94541

Re: LaVista Quarry/City of Hayward General Plan Update

Dear Mr. Calame:

The DeSilva Group represents the LaVista Quarry in matters regarding development entitlements for the property. The Quarry has property rights on the Lynch, East Bay Excavating and Warren properties (excluding the "south 40"). In addition The DeSilva Group owns the former Marcotte property. These holdings represent 163 acres in the east of Mission Boulevard area.

The quarry operates in accordance with Alameda County Surface Mining Permit (SMP)-37 which is an extension of SMP-25 which was approved in 1988. The SMP expires in 2008. The anticipated land use after completion of the reclamation is Limited Medium Density Residential in accordance with the City of Hayward General Plan and the Mission-Garin Neighborhood Plan.

To understand the relationship of the Quarry property to the General Plan Update we reviewed the following documents:

- The General Plan
- The Draft General Plan Update
- The Draft Environmental Impact Report
- The Mission-Garin Neighborhood Plan
- The Staff Report for the Workshop of October 30, 2001
- The Staff Report for the Planning Commission meeting of December 13, 2001

I also attended the Workshop and Planning Commission Meetings.

There has been a significant amount of work completed ie. grading studies and fault location exploration to determine the limits of the developable enclave for the quarry properties. We have plotted the enclave on the Proposed General Plan Land Use Map and note that a portion of it falls to the northeast of the LMDR and LDR designations as

proposed. We request a minor revision to the Map to include all of the enclave within a residential designation. We have noted on the attached copy of the General Plan Land Use Map, Proposed Changes, Area 6, the requested change. While this change adds a minor amount of residential land (about 1 acre) we don't feel it will increase the development potential for the quarry. The project will be a cluster type development with significant open space areas. The enclave/cluster is defined by the quarry slope and the Hayward Fault and the bounds are generally well within the LMDR designation except in the area where the change is requested.

We would like written clarification of the following items:

1. The proposed change in Land Use will have a major impact on the Mission-Garin Neighborhood Plan. We understand that the Neighborhood Plan will remain in effect and won't be revised to reflect the General Plan Update. Is there a statement in the General Plan Update defining the relationship between the General and Neighborhood Plans? We feel a clarifying statement should be added if there presently isn't one.
2. In regards to the "Proposed Changes to General Plan Land Use Map" the DEIR, page 4-18 states that "The proposed revision is from Limited Medium Density Residential to Low Density Residential or Suburban Density Residential." The Proposed General Plan Land Use Map dated November 15, 2001 shows two areas of LMDR and one of HDR in addition to LDR and SDR east of Mission Boulevard. While we don't take issue with the designations we wonder if the DEIR and Map are consistent?

We look forward to receiving the city's responses to our comments and to moving forward with the General Plan Update.

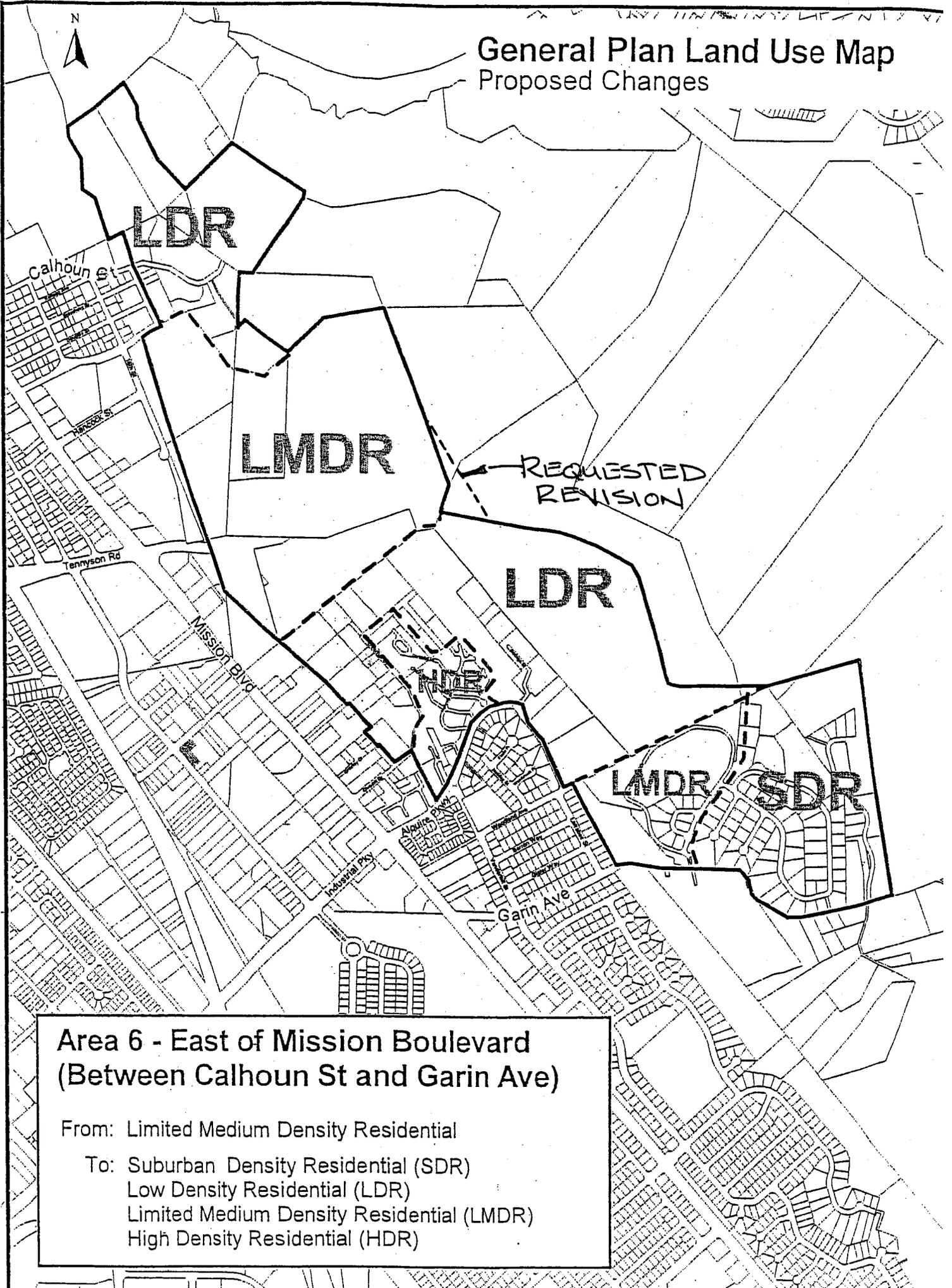
Sincerely,



Jay Egy  
Project Manager

Encl.

# General Plan Land Use Map Proposed Changes



## Area 6 - East of Mission Boulevard (Between Calhoun St and Garin Ave)

- From: Limited Medium Density Residential
- To: Suburban Density Residential (SDR)
- Low Density Residential (LDR)
- Limited Medium Density Residential (LMDR)
- High Density Residential (HDR)

Commissioner Thnay commented that, if there were a safety issue, staff would bring it up. So apparently this is not enough of a safety concern. He commented on whether the Commission should leave this site as it is, or go with this proposal. In the long run, this application would be a benefit to the neighborhood, although he said the site should have more landscaping which would add more privacy. He thought this was a good addition to the area.

Commissioner Zermeño said he had looked into all the aspects of the plan. He noted that people will learn to live with the backing out. He said he liked the design and would support the motion.

Commissioner Bogue said he, too, liked the design. He did question the lack of outside access for the smaller unit. He was also concerned about landscaping up to the garage doors. He thought this might make the building look abandoned. He was disappointed that there was no detail on the landscape area.

Principal Planner Patenaude noted that the applicant plans to have pedestrian access to the storage area. He noted that staff can make sure the doors are attractive.

Commissioner Caveglia noted that the design is creative and will be an asset. He then welcomed home the architect, commenting that his will be an asset to the neighborhood.

Chairperson Halliday said she has mixed feelings about the design but believes the Commission has to be open to different concepts and designs, although the building might be out of scale and overpower the rest of the neighborhood. She said she would like to see the proposed building on the site.

Principal Planner Patenaude said that staff was attempting to maximize the density of the site due to its downtown location.

**The motion passed unanimously.**

## 2. Draft City of Hayward General Plan (excluding the Housing Element) and Final Environmental Impact Report

Senior Planner Calame presented the history of the report. He noted that a number of elements have been updated throughout the years and are included in this draft of the General Plan. The various changes which are being proposed were discussed with the Planning Commission and the City Council in prior meetings. He noted the comments received

Commissioner Caveglia asked about the letter on the Retirement Center.

Senior Planner Calame explained that the City has received an application for this site and there is a question regarding the density. Mr. Varni is asking for a high-density designation as the current designation would not allow that density nor would the proposed General Plan.

Commissioner Caveglia asked what would have to happen to make the retirement center proposal match the zoning.



---

Senior Planner Calame explained that staff would have to ask them if they would they like to submit an application to change the General Plan

Commissioner Sacks said she is unclear on Area # 6 and what we can do now.

Senior Planner Calame explained that staff is prepared to go ahead with the recommendation to the City Council for Area 6. However, staff does see the need for a more comprehensive study of these properties, and the development issues and infrastructure demands that various proposals would make.

Commissioner Sacks then asked how to insure that the study takes place.

Senior Planner Calame noted that the Commission would be hearing from the property owners. Should the Commission go with the staff recommendations, he noted, the Commission could go ahead and recommend to Council that some type of study take place to address the issues or the Commission might go ahead with a study of Area 6 first.

Commissioner Zermeño commended staff on the organization of the report. He suggested that a revision to Area 6 be considered.

Commissioner Thnay commented that the traffic volume in the DEIR would not be accurate in Area 6, if the Route 238 bypass does not go through.

Chairperson Halliday asked about the proposed Low Density designation in front of the High Density designation for Clarendon Hills when that project does not front on Mission Boulevard.

Senior Planner Calame suggested that it might be appropriate not to lower the density in this portion of Area 6, and that the Commission and Council might want to consider a higher density policy, as well as recommend that the area to the west be designated to encourage or promote high density housing along Mission Boulevard.

Commissioner Zermeño asked about BART's recommendation to consider connecting Amtrak, bus and BART station. He was told the City continues to work on a suitable connection among these public transportation systems.

Chairperson Halliday commented on the letter from the County Public Works Agency regarding San Lorenzo Creek. She was told the proposal has been supported by a grant application to reclaim a part of the creek. The intent of the grant would be to make the Creek more accessible for pedestrians.

Senior Planner Calame explained where in the General Plan, support for this proposal is listed.

The public hearing opened at 9:05 p.m.

Clarice Roberts said she supported the expansion of the cultural facilities in the General Plan. She said she would like to see included, further words of support for the Hayward Arts Council galleries and arts in the City of Hayward.

Steven Showers, representing the Hayward Library Commission, expressed his thanks for the Library inclusion in the General Plan. He said he was joined by Commissioner Bill Quirk, and noted that the Library services tens of thousands of residents of the City of Hayward. He presented the Commission with a list of proposals to expand the Library Services, and asked that this list be included in the Hayward General Plan. He handed out an information sheet detailing public use at the Library for the month of November, 2001.

Anthony Varni, representing the Valle Vista Skating Rink, commented that they do have an application for a Senior-Living Center on file with the City. He said there are a few elements missing from the application such as the need for a sound study. He noted that the General Plan designation in the rear of the property is not compatible with their proposal. He commented that they proposed setting this area aside and studying it. He commented that if this General Plan proposal goes through, their proposal cannot go through.

Commissioner Caveglia asked whether the skating rink would be demolished. He was told it would be.

Commissioner Thnay asked whether under existing conditions, the applicant still would not meet the criteria. He wondered what the change would have to be to accommodate the applicant. He was told that the area would need to be changed to high-density residential.

Chairperson Halliday asked whether it is legal to exclude younger people from a project like this.

Mr. Varni said he did not believe that is an impediment. He suggested that Area 6 be studied and brought back with the housing element. He thought the Commission should not act on this segment tonight.

Senior Planner Calame agreed that the current level of analysis was not sufficient to allow for consideration of high density residential development on this property. He, too, suggested that more study might be needed. He also suggested the possibility of an expanded geographical area be included in such a study.

Commissioner Zermeño noted the number of young people in Hayward, and asked whether there had been any thought about replacing the skating rink with another.

Mr. Varni said he doubted that would happen since this is the only property he was representing. He noted that he was not trying to speak for any other property owners.

Joe Callahan, Callahan Properties, said he thought some of the proposals were very good. He said he was speaking as a representative of various properties in Area 6. He did not see much issue with the designations. He noted that low-density forces you into single family lots, which would not leave many options for land use. He commented that this puts a strangle-hold



---

on the properties in the area. He stated that the quarries in this area, in particular need unique approaches.

Chairperson Halliday asked about feathering lot sizes to move toward larger lot sizes as you go up the hill. She said already the City has examples of what the City does not want to see up there.

Mr. Callahan explained that in general it is a good concept. However, in developing the quarries, they are proposing 100 units in the Garin Area and will leave the majority of the property in open space. He said they are trying to achieve leaving more open space.

Erline Crosswhite suggested looking back to proposals suggested previously. She had copies of local articles which spoke to hearings held recently regarding developing an archway at the gateway into the City on Foothill and B Street. She supported this proposal, as well as bringing more businesses into the downtown area.

Bill Quirk asked for consideration of including the eight points for support of the Library. He noted that these recommendations were developed through the Mayor's Blue Ribbon Committee. He also recommended looking at the suggestions of the developers who had expressed concerns regarding Area 6. He noted that the process of the General Plan went very well. He said there was adequate input from citizens. He noted that the General Plan recognizes the Urban Limit Line and encourages downtown growth.

Chairperson Halliday commented on the decrease in children's services from the Library listed in the handout from Mr. Showers. She said in every other area, there are increases in use of Library services. Mr. Quirk commented that that this is merely one month's usage. He said he would ask for a discussion on that topic at the next Library Commission meeting.

Martin Interbitzen, representing the McKenzie property, repeated Joe Callahan's comments. He also recommended that, if further study is done, the land use density issue should be included.

Frank Goulart expressed his concerns regarding saving the historical structures within the City of Hayward. He suggested that we could not save our historic properties without an inventory. He noted that the information is available. His comments on the City of Oakland Preservation Element were offered. He then discussed the lack of parks relative to the vision of what Hayward should be as determined by the City Council. He suggested that the General Plan should designate areas in neighborhoods where small parks and open space might be made available.

Chairperson Halliday asked for further information regarding the calls for a survey of historic resources.

Mr. Goulart explained that at present there is only a cursory windshield survey done, it is not

adequate to designate the historical significance of a location or building to the City of Hayward.

Guy Warren, concurred regarding the land use in Area 6. He noted that his family owns two quarry properties, the Pistol Range and South 40. He said they are hoping to do all the development in the quarry bowls. It will be difficult for their proposals to be built with the low density residential. To comply with this, they would have to develop the whole property. They are proposing just to develop in the quarry bowls. He noted that the Pistol Range area does not have any public water. To justify a water tank, you have to have much higher density.

Commissioner Bogue asked whether the rest of the property would be permanent open space. He was told it would be. However, they could not cluster with large lots.

Steve Beck, Dearborn Street, commented that Area 5 in South Hayward has been forgotten. He noted that the corner of Lafayette and Mission has an abandoned gas station. He commented on the Dairy, which has been closed, except for a milk processing plant. He suggested the City work with the owner to move it to the Industrial area. He said much of the area needs to be beautified.

Senior Planner Calame noted that the Redevelopment Area has been expanded to include this area. Chairperson Halliday suggested that Mr. Beck check with the City website and make a note of upcoming meetings in their area.

The public hearing closed at 9:57 p.m.

Commissioner Bogue mentioned the changes and additions he wanted to include before making a motion. He suggested including the language for Hayward Arts Council language, as well as the Library Commission List. He noted that Area 6 seems difficult for the proposed land use. He suggested looking at what the property owners have in mind and what land would be open space. He suggested holding off any action at this time on Area 6. He proposed that staff get the information from the owners on what they are proposing, and what would be left. He suggested that the Commission and Council study this area and what it would mean for these parcels. He noted that the process should not be put off too long.

Commissioner Thnay suggested that a supplemental study on Area 6 study might be a good thing. He suggested looking at the whole area since if the 238- bypass is not built, he wondered whether there would be a coherent plan for access to this area. He commented that what is missing in the General Plan is forward-looking bold vision. He questioned whether the Plan suggests how to take advantage of integrating what we have in Hayward. He suggested putting together a plan to move people to places other than by car and tie in all of the public transportation in the area. We should look at this and put in specific things rather than just policy and strategy. He suggested hiring an expert to say what are the alternatives might be and what other communities have done.

Commissioner Sacks agreed with Commissioner Bogue regarding Area 6. She suggested accepting the basic recommendation except for Area 6 plus the area to the west. She said there is a lot going on in that area and she did not want to limit the City General Plan without consideration of various things such as annexation, traffic, etc. She said she would agree with

**REGULAR MEETING OF THE PLANNING  
COMMISSION, CITY OF HAYWARD, Council  
Chambers****Thursday, January 24, 2002, 7:30 P.M.  
777 "B" Street, Hayward, CA 94541**

the inclusion of Arts Council recommendation. However, the Library Commission list doesn't seem to fit with the organization of the General Plan. She would agree with the spirit of the List. She noted that regarding the historical preservation, it all seems to be in the document.

Commissioner Williams said he agreed with the Library proposal. As to Area 6, they have developers who are anticipating doing something in that area, it will take creativity and cooperation from the City. Delaying it will not help. He suggested looking at these areas and taking every opportunity to help the small businessman, even in South Hayward. The day of the large mall is over.

Commissioner Zermeño said he agreed with these comments. He then **moved**, seconded by Commissioner Sacks, to recommend that the City Council adopt the Draft City of Hayward General Plan, with the addition of the expansion of the arts in the proposal, as well as the Library Commission's suggestions, and the exclusion of Area 6, which will be studied further as to traffic and density. The Commission suggested that they and the City Council meet further with staff and developers to discuss various proposals in Area 6.

Chairperson Halliday said she agreed with the inclusion of Arts Council language, and the expansion of the library list to include the presented eight suggestions. She proposed further that the Historical Preservation section include working with the Hayward Area Historical Society and Friends of Hayward to compile the list. She thought the parks section seems adequate, although they need to include mini-parks. She noted that no one had commented during the hearing on child-care planning or asking it to be beefed up. She suggested finding ways to do it and also to pursue this further. She then suggested including Area 6 in the annual tour of the City and to include bringing the owners and proposed developers as well. She mentioned further an earlier suggestion that the State of City report monitor these plans. She then thanked Senior Planner Calame for all of his hard work.

Commissioner Bogue asked for further clarification of excluding Area 6 for further study.

Community and Economic Development Director Ehrenthal suggested that the Commission tell the City Council that they are concerned about this area and that it needs more study as a whole. She suggested they note that it be done expeditiously.

Commissioner Bogue suggested that it be brought back to Planning Commission first, and then presented to Council.

Chairperson Halliday suggested a joint work session to talk about this before any final decisions are made.

Commissioner Caveglia noted that it would have to be done within a reasonable period of time since the General Plan would be incomplete without this section.

**The motion passed unanimously.**