

Erik Pearson

From: peter mitchell [mitchtpj@yahoo.com]
Sent: Thursday, September 24, 2009 5:06 PM
To: Erik Pearson
Subject: Re: Pre-Zoning by owners at 2627 and 2661 Depot Road Hayward Ca.

Dear Mr Pearson,

We wish to state our opposition to the above pre-zoning request for the following reasons:

1 The pre -zoning of this property would tend to thwart the intent of an unbiased neutral task force appointed by the City to study the entire Mt. Eden area and make recommendations.

The Task Force completed this study and made their recommendations and it is particularly relevant today since phase one has been annexed and the work done with those recommendations with Phase 2 pending.

2. The agent representing the owners of the property on this particular was a recent City Manager of the City of Hayward which could considered inappropriate or wrong by the reason of a possible "undue Influence" on the City personnel charged with making such decisions. He also has stated" the Task Force Study is irrelevant"

3. No environmental impact report, Insufficient Public Notice this notice should have been sent to a larger segment of the residents and business not just to 300ft on each side as was stated.

Thank you,

Peter & Theresa Mitchell

Erik Pearson

From: Matthew Pratt [mattpratt@gmail.com]
Sent: Friday, September 25, 2009 9:11 AM
To: Erik Pearson
Subject: 2nd Phase of the Mt. Eden Annexation

Hi Erik,

Great job on the presentation the other night. I just have two quick things for you.

1. My parents own three homes contain within the 2nd phase of annexation. My parents have indicated that they would like to see the min lot size of 4K sq ft both areas of I think just to be fair for all - though the 2nd area doesn't seem like there would be much development opportunity.
2. Would you have a detail drawing that you could email me for improvements in front of one of our homes located at 24764 Mohr Drive. We just want to see how the two driveways would work out. Much appreciated!

Thanks,
Matt

--
Matthew D. Pratt
510-472-1230
mattpratt@gmail.com
Sent from San Jose, California, United States

Erik Pearson

From: mitch [winterfree@hotmail.com]
Sent: Friday, September 25, 2009 3:33 PM
To: Erik Pearson
Subject: Re: List of business on depot property for neighbor commercials use, Jordan & Liranzo

I am not in favor of commercial zoning for these two properties on Depot Road. Jordan & Liranzo properties

mitch medeiros
25256 mont vista dr
hayward

SEP 29 2009

VARNI, FRASER, HARTWELL & RODGERS

ATTORNEYS AT LAW

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P.O. BOX 570

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WEBSITE: VARNIFRASER.COM

OF COUNSEL:

MAURICE E. HUGUET, JR.

JONATHAN DANIEL ADAMS

P. CECILIA STORR

September 28, 2009

VIA FAX AND MAIL

Erik Pearson
Senior Planner
Community and Economic Development
City of Hayward
777 "B" Street
Hayward, California 94541

**Re: Mohr-Fry Property, Hesperian Blvd. /
Mt. Eden Annexation**

Dear Mr. Pearson:

As we stated on behalf of our clients, the Fry Family, at the Planning Commission work session, we are not appearing in opposition to annexation of their property on Hesperian Blvd. We are, however, asking for certain things, including:

1. That the City implement a signage program on major streets in the Mt. Eden area indicating that this is the Mt. Eden borough or Mt. Eden area of the City of Hayward.
2. That the Fry Family have at least ten years to hookup to utilities.
3. That the zoning designation on the property, if it is going to be shown as agricultural, in some manner note that this is a holding zone pending development of the property. It may well be that they property will be developed for residential, commercial and/or governmental purposes. At the present time, in this economy, there is no clear prediction. In turn, once the two year holding time is exhausted as required by statute, it will be quite likely that an alternate use will

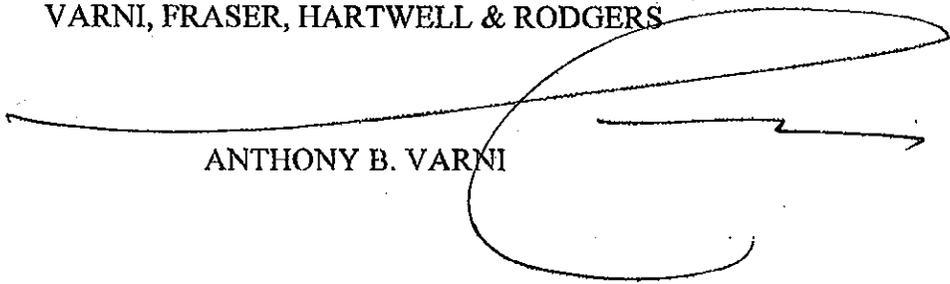
Erik Pearson
September 28, 2009
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be proposed on the property. We want it clearly understood that we are not annexing the property with the idea that we will continue to use it for agricultural purposes. We also would like it clearly understood that the City is not indicating that, if we annex it, we have no choice but to use it for agricultural purposes.

Very truly yours,

VARNI, FRASER, HARTWELL & RODGERS

ANTHONY B. VARNI

A large, stylized handwritten signature in black ink, appearing to be 'Anthony B. Varni', is written over the typed name and extends across the page.

ABV/I
Pearson,Erik.Ltr

cc: Fry Family

LAFCO

ALAMEDA LOCAL AGENCY FORMATION COMMISSION
1221 OAK STREET, SUITE 555 * OAKLAND, CA 94612
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Jennifer Hosterman
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Special District Member

Scott Haggerty
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City Member

David Haubert
Public Member

Executive Officer

Mona Palacios

September 29, 2009

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OCT 05 2009
PLANNING DIVISION

Erik J. Pearson, AICP, Senior Planner
City of Hayward
777 B Street
Hayward, CA 94541

Subject: Response to Draft Initial Study/Mitigated Negative Declaration – Mt. Eden Annexation Phase II Project

Dear Mr. Pearson:

Thank you for the opportunity to comment on the Draft Initial Study/Mitigated Negative Declaration for the Mt. Eden Annexation Phase II Project. As a Responsible Agency, pursuant to the California Environmental Quality Act (CEQA), the Alameda Local Agency Formation Commission (LAFCo) will rely on the City's environmental documentation in the consideration of any proposed change of organization related to this project.

For the most part, the Draft Initial Study/Mitigated Negative Declaration has identified and addressed potential LAFCo actions and associated environmental impacts. LAFCo's policies list factors that we must consider including CEQA compliance, specifically agricultural resources, public services, transportation and traffic, and utilities and service systems. LAFCo's policies are located on our website at www.acgov.org/lafco/guide.htm. If you would like a copy of our policies mailed to you, please contact me.

In accordance with LAFCo Policy 1.10, Volume I, Part V, LAFCo will need to review, as part of the City's annexation application, any agreements that have been developed to cover the costs of services and infrastructure improvements in the subject territory. Please forward any such agreements to LAFCo as soon as they are available.

Thank you for consideration of our response. We look forward to review of the Draft EIR. Please feel to contact me at (510) 272-3894 or mona.palacios@acgov.org should you have any questions.

Sincerely,



Mona Palacios
Executive Officer

Honorable LAFCo Commissioners

September 29, 2009

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cc: Each Alameda LAFCo Commissioner
Brian Washington, LAFCo Legal Counsel
Ineda Adesanya, LAFCo Planner

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OCT 15 2009

PLANNING DIVISION

OF COUNSEL:

MAURICE E. HUGUET, JR.
JONATHAN DANIEL ADAMS
P. CECILIA STORR

October 14, 2009

To: City of Hayward Planning Commission:

Mary A. Lavelle
Rodney Loché
Elisa Márquez
Julie McKillop
Al Mendall
Marvin Peixoto
Christopher Thnay

Re: Mohr/Fry Family / Mt. Eden Annexation, Phase II / October 15, 2009 Meeting Adoption of the Mitigated Negative Declaration, the Mitigation Monitoring and Reporting Program, Approval of the Pre-Zoning Designations, and Approval of the Plan for Providing Municipal Services.

As mentioned at the recent Work Session, this firm represents the Mohr/Fry family who owns the Mohr/Fry residence on Hesperian Boulevard, which is included in the Mt. Eden Annexation, Phase II. This property consists of approximately nine (9) acres. A significant portion of the property is undeveloped. There is a historic home on the property which has been maintained by the Fry family for 150 years and which is a true asset of the community.

Having said all of the above, we will not be opposing the annexation of this property but would ask for the following considerations:

1. That the City agree to place appropriate signage on Hesperian Boulevard, Clawiter Road, Depot Road, Winton Avenue, or on additional streets, indicating that this is the Mt. Eden area of the City of Hayward. It would seem particularly appropriate if such signage could be placed in close proximity to the Mohr-Fry residence adjacent to the Chabot College.
2. That the property in question be given the protection and benefit of the 10-year connection safe harbor with regard to utilities.
3. That the Agricultural designation on the property which is presently being proposed be understood to be an interim designation, pending further discussions

To: City of Hayward Planning Commission:

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October 14, 2009

with the City and the implementation of appropriate planning and economic studies. It simply is no longer feasible to farm a nine-acre property on Hesperian Boulevard. The maintenance of the property in its present condition is an asset to the community. In turn, the burden of maintaining it in this condition is difficult to bear without income being generated from the vacant portion of the property. We would ask at this time that the record reflect this understanding by the Planning Commission and this be part of their recommendation to the City Council.

Very truly yours,

VARNI, FRASER, HARTWELL & RODGERS

Anthony B. Varni

ABV/ch/14
fry-planning commission.ltr

cc: Clients

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