

**DATE:** June 22, 2010  
**TO:** Mayor and City Council  
**FROM:** Development Services Director  
**SUBJECT:** Mission Boulevard Corridor Specific Plan

## **RECOMMENDATION**

That Council reads and comments on this report.

## **SUMMARY**

Prior to proceeding with environmental analysis on the Mission Boulevard Corridor Specific Plan/Form-Based Code, staff is requesting input from Council on the draft Regulating Plan. The Regulating Plan is a map in the Form-Based Code that will identify the transect zone for properties within the Specific Plan area. A draft Regulating Plan (Attachment I) was prepared during a week-long public design charrette held in April. However, there remain opportunities for improvement and refinement, as well as clarification of the City's vision for the Plan area. Several variables, each associated with modifications to the charrette Regulating Plan, are presented in this report, as reflected in Attachment II.

Staff seeks input from the Council on these modifications in order to define the Regulating Plan that will be analyzed as part of the Form-Based Code. Additionally, the California Environmental Quality Act (CEQA) requires that alternatives to a project be considered in an Environmental Impact Report (EIR), which staff and consultants are preparing to develop. Staff will also use input from Council to develop alternatives that will be analyzed in the EIR. Finally, brief summaries of background reports on an economic strategy and existing utilities infrastructure are also presented in this report. Both reports provide information that will be expanded upon in the Specific Plan and EIR.

## **BACKGROUND**

The City Council authorized the Mission Boulevard Corridor Specific Plan project, as well as a contract with a consultant team led by Hall Alminana, Inc. (Hall-Alminana) on November 17, 2009<sup>1</sup>.

---

<sup>1</sup> <http://www.hayward-ca.gov/citygov/meetings/cca/rp/2009/rp111709-02.pdf>

Reflecting the importance of Mission Boulevard as a major corridor in Hayward, this project was reconfirmed by Council as a 2010 priority on February 16, 2010<sup>2</sup>.

The South Hayward BART Form-Based Code, which is being developed, will address properties along the portion of Mission Boulevard between Harder Road and Industrial Boulevard. This project covers properties along the northern portion of the Mission Boulevard Corridor, from Harder Road to the northern City limit, with the exception of the Downtown. The project area comprises approximately 600 parcels on 240 acres and has a total length of approximately two miles.

During the months of February and March, 2010, Hall-Alminana reached out to approximately twenty-five individuals, agencies, and stakeholders to gather input on the preparation of a synoptic survey, visual preference survey, and regulating plan associated with a public design charrette. On March 23, 2010, staff presented Council with an overview of the project, including components of the Specific Plan and the project schedule. A similar presentation was made to the Planning Commission on March 25, 2010. A community meeting and kick-off to the week-long charrette was held on April 8, 2010 and the charrette was held April 12 through April 16, 2010, which concluded with a presentation of a draft regulating plan and conceptual architectural drawings. All of the above reports and presentations, as well as future reports, can be accessed on the project webpage<sup>3</sup>.

## **DISCUSSION**

*Charrette Regulating Plan* – The Regulating Plan developed and presented during the charrette is included as Attachment I. The T3 transect zone, which is primarily between Pinedale Court and Sycamore Avenue and also at the southeast corner of the project area, would allow densities equivalent to the Low-Density General Plan Land Use designation, or up to eight and seven tenths dwelling units per acre. T4 and T5 zones would allow densities equal to those currently proposed for the South Hayward BART Form-Based Code, which are up to thirty-five units and fifty-five units per acre respectively. The Plan also includes several new roads to improve circulation and walkability, and new parks/civic space zones at Dollar Street and Torrano Avenue as well as in the northern segment between Hotel Avenue and Simon Street.

Regarding the properties on the east side of Mission Boulevard north of Carlos Bee Boulevard, the frontage road or slip lane along Mission Boulevard, as well as the new road shown in the charrette Regulating Plan at the rear of those properties, would require taking approximately sixty feet of the adjacent property to the east that currently houses a storage facility. Staff will develop an alternate plan for this site that does not require a portion of the storage facility property. The other location within the Plan area where a slip lane is currently shown - south of Pinedale Court along the east side of Mission Boulevard - would not require taking of property other than those directly related to the envisioned future development(s).

*Alternatives to the Proposed Regulating Plan* – As with any public charrette process, there often is not consensus on a variety of issues. Staff has identified seven variables that should be considered as the draft Regulating Plan is finalized. Those seven variables and options for each are presented

---

<sup>2</sup> <http://www.hayward-ca.gov/news/pdf/CM/CouncilPriorities.pdf>

<sup>3</sup> <http://www.hayward-ca.gov/forums/MBCSP/mbcspforum.shtml>

in the following paragraphs and are reflected in an Alternative Regulating Plan, included as Attachment II.

Variable # 1 - Street Design for Mission Boulevard North of A Street – The design of Mission Boulevard in the southern segment of the project area has been defined by the Route 238 Corridor Improvement project, whose construction is scheduled to start this year. North of A Street, there is a plan to improve the streetscape of Mission Boulevard as soon as Route 238 Bypass Local Alternative Improvement Program (LATIP) funding for these improvements is available. Alternatives include:

1. Maintain the existing street and sidewalk configuration, but improve the area with new paving, lighting, undergrounding of utilities, and new street furniture.
2. Install a five-foot-wide landscape median, reduce parking lanes from eight feet to seven feet, and reduce the width of the sidewalks from ten feet to eight and a half feet. The median should start about one hundred feet north of A Street to address lane width needs at the A Street intersection.
3. Install a four-foot-wide landscape median, maintain the existing four travel lanes at eleven feet width each, reduce parking lanes from eight feet to seven feet, and reduce the sidewalks from ten feet to nine feet. The median should start about one hundred feet north of A Street to address lane width needs at the A Street intersection. Essentially, this option differs from option #2 by adding the reduced median width of one foot to sidewalk widths.
4. Install a three-foot-wide landscape median, reduce from four to two travel lanes, add diagonal parking, and maintain ten-foot wide sidewalks. This particular alternative would not be considered consistent with the recent proposal to obtain LATIP funding to improve this section of Mission Boulevard consistent with the remainder of the Route 238 Corridor Improvement Project.

Factors to be considered when evaluating the alternatives include:

- A landscaped median between A Street and Hotel Avenue may conflict with lane configurations at the corner of A and Mission, which are being constructed as part of the Route 238 Corridor Improvement Project. Staff believes starting any median 100 feet from the intersection would eliminate this conflict.
- The width of the landscaped median should be as wide as possible, to accommodate healthy and varied landscaping. The absolute minimum width for a median with trees is four foot.
- Maintaining the current ten-foot-wide sidewalks would allow for a more pedestrian-friendly environment and active storefronts.
- Further narrowing the travel lanes may result in fewer violations of the speed limit, which is twenty-five miles per hour, potentially resulting in a safer and friendlier environment for pedestrians, but may cause truck and bus impacts with trees in a median.
  - This portion of Mission Boulevard is designated as a truck route. According to the Texas Transportation Institute, and generally accepted by the American

Association of State Highway and Transportation Officials, truck route travel lanes should be twelve feet wide. However, speed limits are not taken into consideration when determining appropriate travel lane widths. Given that this portion of Mission Boulevard has a twenty-five mile per hour speed limit, narrower lanes already exist presently at an eleven foot width; however, further narrowing may be in conflict with having a median, nor is it supported by the Public Works Director.

- Diagonal parking was suggested during the charrette as a way to create a more pedestrian-friendly environment and to provide more parking in the area.
  - Current and anticipated traffic levels should be considered when evaluating the impacts of having fewer travel lanes.
  - Preliminary analysis by Public Works staff has indicated that reducing Mission Boulevard to two lanes would result in unacceptable traffic impacts and would affect traffic on the continuation of Mission Blvd in the County.
  - If traffic impacts associated with the two-lane configuration are significant and not mitigated, funding from the LATIP or from Alameda County Congestion Management Agency would likely not be available to improve this area.

Staff recommends that option #3 be designated the preferred alternative, because it allows for a landscaped median that can accommodate planting as well as travel lanes of sufficient width to be safe. Having nine-foot-wide sidewalks, while not optimum, would still allow for active building frontages while maintaining a proper path of travel for pedestrians.

Variable # 2 - Building Heights – On Mission Boulevard north of A Street, staff has preliminarily studied the topography of the area and considered the potential impacts that new buildings would have on the views currently enjoyed by residents of the Prospect Hill neighborhood. Alternatives include:

1. Maintain the T5 zone as shown on the Plan, with a maximum height limit of six stories.
2. Create an overlay zone to allow for higher density while limiting building heights.
3. Change the zone designation from T5 to T4.

Factors to be considered include:

- Buildings taller than three stories would likely block westerly views of residents to the east of Mission Boulevard in the Prospect Hill neighborhood.
- Maximum densities would not be achieved with limited building heights.
- Converting to a T4 zone would result in less intensive and less varied uses in close proximity to the Downtown.

Staff recommends the creation of an overlay zone in this portion of the T5 zone that would establish a minimum height of two stories and a maximum height of three stories. Doing so would allow the

neighborhood to contain the variety of uses typically found in a more urban T5 zone, while addressing the specific concern of impacts of taller buildings.

Variable # 3 - Open Space North of A Street – There are currently no parks in or near the project area north of A Street. As shown on the Environmental Constraints map (Attachment III), the Hayward earthquake fault trace runs through several parcels on the east side of Mission Boulevard, north of A Street. New habitable buildings and major renovations of existing buildings are not permitted within 50 feet of an active fault trace. A park (“Big Mike” Park) was designated with the Civic Space zone during the charrette for three parcels between Hotel Avenue and Simon Street. An alternative scenario would include extending the planned park further south from Big Mike Park to A Street by designating such area as the Civic Space zone.

Considerations include:

- Any buildings within the park would be non-habitable and limited to one story.
- Approximately three additional acres of open space could be added in a neighborhood currently deficient in park space.

Staff is recommending the expansion of the Civic Space zone, due to the fault trace and park space deficiency. Such change would allow the opportunity to create a park that would frame this entryway into the Downtown core. The recent historic resources survey prepared by the City found that this area includes structures with “medium” and “high” historical integrity. As discussed below, the EIR will include a more detailed evaluation of these structures. Also, it may be possible to creatively reuse/integrate “high” integrity structures as part of a park/civic space.

Variable # 4 - Zoning Designation Between Jackson Street and Fletcher Lane – The area between Jackson Street and Fletcher Lane is within a half-mile of the downtown BART station, which is generally considered a comfortable walking distance to a transit station. An alternative approach includes applying the T5 designation to the area on the west side of Mission Boulevard to allow higher residential density. Factors for consideration include:

- T5 density would match that currently allowed north of Jackson Street within the Downtown; however, Jackson Street may be considered a barrier that may discourage pedestrian activity.
- Area on the east side of Mission Boulevard is not considered for T5 due to the presence of an earthquake fault and the large block size, which would be inconsistent with T5 standards.

Staff recommends changing the designation for the area on the west side of Mission Boulevard between Jackson Street and Fletcher Lane to the T5 zone, in order to maximize density within walking distance of the Hayward BART station.

Variable # 5 - Open Space South of Jackson Street – The parcel at the southeast corner of Mission Boulevard and Jackson Street, which is currently developed with the St. Regis retirement home, is bisected by the active Hayward fault trace. New habitable buildings and major renovations

of existing buildings are not permitted within fifty feet of an active fault. An alternative to the T4 zone shown on the Charrette Regulating Plan is to designate the parcel as a Civic Space zone.

Considerations include:

- Approximately three and seven tenths acres of open space could be added.
- Memorial Park, which is approximately thirty-four acres, is less than one quarter mile away.
- This parcel at Mission Boulevard and Jackson Street is large enough to accommodate development, even with the fault trace limitations.

Staff recommends no change to the designation of this parcel, given its size and because Memorial Park is in close proximity.

Variable # 6 – Slip Lane on Mission Boulevard from Torrano Avenue to Harder Road –

While the idea of creating slip lanes or frontage roads at different locations along Mission Boulevard was discussed during the charrette, a slip lane was not proposed for the portion between Torrano Avenue and Harder Road. However, given the depths of the parcels in this area and potential for attractive, larger retail developments, consideration should be given to designating a slip lane on the Regulating Plan, as is done between Sycamore Avenue and Pinedale Lane.

Factors to be considered include:

- Businesses fronting a slip lane would benefit from convenient access and parking.
- Parcels fronting a slip lane would have less developable land.
- Slip lane would create a more walkable, pedestrian-friendly streetscape.

Given the lot configuration of the parcels in this area, and potential for larger retail developments that would make a slip lane more feasible to implement and provide more active frontages, staff recommends that a slip lane be shown in the Regulating Plan for this area along Mission Boulevard

Variable # 7 - Zoning for Area Between Mission Boulevard, Harder Road, Torrano Avenue, and BART Tracks – Because the new thoroughfare shown on the charrette Regulating Plan cannot connect to Harder Road due to a grade separation, it has been rerouted. Also, the Special District (SD) zone that was shown on the Regulating Plan at the conclusion of the charrette served as a place holder until the most appropriate designation could be determined. While the areas to the north and east are designated as T4, this area will have larger block sizes and, given the existing uses along Dollar Street, light industrial uses not allowed in a typical T4 zone might be permitted in this area. Staff is seeking input from Council at this time to help determine the most appropriate zone for such area. Alternatives include:

1. Create a T4-2 zone that encourages residential development. This zone can also allow commercial and light industrial uses. Standards would be established to ensure compatibility between uses.
2. Create a T4-2 zone that favors commercial and light industrial development.

Considerations include:

- Lack of accessibility to public transit.
- Existing and former auto-related uses on the west side of Dollar Street.
- Larger block sizes.
- Existing uses and buildings may pose a challenge, especially as former dealership buildings become occupied with new commercial and cultural uses.

Staff recommends a T4-2 zone that allows for commercial and light industrial uses as well as some residential development.

*Economic Strategy Report* – A report titled *Mission Boulevard Market Analysis and Economic Development Strategy* has been prepared by AECOM Economics and is available on the project webpage<sup>4</sup>. Information from the report will be used in the development of the Specific Plan and Form-Based Code. As noted on page three of the report, and consistent with estimates by the Association of Bay Area Governments, Hayward can expect a city-wide demand for 9,000 new housing units over the next twenty years. If the Mission Boulevard Corridor can capture twelve to fifteen percent of that demand, then the housing demand for the project area would be 650 to 800 housing units.

As noted on page five of the report, AECOM estimates that the southern segment of the project area could accommodate approximately 100,000 square feet of new commercial building area assuming an economic recovery by 2013 to 2015. Recommended commercial uses for this first phase include an ethnic grocery store, a specialty grocery store (like Trader Joe's), a pub or sports bar, a full service dinner restaurant, and smaller restaurants and food stores such as ice cream, sandwiches, pizza, coffee, sushi, and other ethnic restaurants. A second phase of 50,000 to 60,000 additional square feet could be added five to six years after the initial phase.

The city's automobile sector is discussed in the report beginning on page ten. It notes the fairly recent loss of the Chevrolet, Ford, Dodge, and Mazda dealerships. While Toyota, Nissan, Honda, and Volkswagen appear to be doing well and are expected to stay, there is no expectation that any additional new car dealerships will locate on Mission Boulevard. When considering new commercial uses that should be targeted for the project area, additional automobile sales or services sector should not be expected to play a part. The Plan and Code would allow the existing dealerships to remain.

As presented during the March work sessions and the charrette kick-off, three opportunity sites for new commercial development have been identified in the project area. These include 1) the block bordered by Torrano Avenue, Mission Boulevard, Harder Road, and Dollar Street; 2) the parcels on the west side of Mission between Pinedale Court and Sycamore Avenue; and 3) the properties on the east side of Mission between Carlos Bee Boulevard and Palisade Street. The properties at the southeast corner of Mission and Carlos Bee Boulevard are also an opportunity site; however, the author of the economic strategy report does not see enough market demand for new commercial

---

<sup>4</sup> [http://www.hayward-ca.gov/forums/MBCSP/pdf/2010/Mission\\_Bldv\\_Strategy\\_Report\\_052410.pdf](http://www.hayward-ca.gov/forums/MBCSP/pdf/2010/Mission_Bldv_Strategy_Report_052410.pdf)

space to pursue the development of both corners at this time. These opportunity sites have been selected for their large percentage of vacant buildings and publicly-owned parcels. Conceptual designs for these opportunity sites were created during the charrette and potential developments on these sites will be considered in the environmental impact report.

*Utility Infrastructure Report* – A preliminary analysis of the existing utilities systems has been prepared by BKF Engineers, which identifies a capacity deficiency in the sanitary sewer systems within the project area. No deficiencies in the stormdrain and water systems are noted; however, the report does state that new development projects will need to be evaluated for impacts to the utility systems. As required under Government Code Section 65451, the Specific Plan will include a discussion of mitigation measures necessary to minimize the impacts of infrastructure deficiencies and provide a program of implementation measures necessary to carry development permitted by the Plan.

## **ENVIRONMENTAL REVIEW**

Rather than prepare an Initial Study identifying probable environmental effects of the project, staff has instead chosen to prepare a Program Environmental Impact Report (EIR) addressing all environmental factors identified in the California Environmental Quality Act (CEQA) Guidelines Environmental Checklist. A program-level EIR will be prepared for the project and will examine at a general program level the potentially significant environmental effects of development that could occur as a result of the Specific Plan and Form-Based Code. The EIR will also consider impacts resulting from the development of key redevelopment sites identified in the Economic Strategy. The EIR will include a visual analysis showing the impacts of potential development within the Specific Plan area, a greenhouse gas emissions impact analysis per the latest state guidance, and a traffic impact analysis. The EIR will provide alternatives and/or mitigation measures to reduce or avoid significant impacts.

The Planning Commission work session on June 24 will also serve as a public scoping meeting for the EIR where specific issues to be addressed in the EIR may be identified by the public and Commissioners. Staff will also address in the EIR any environmental issues identified by Council members during the June 22 work session. Following are environmental issues that have been identified to date. These issues and others will be further analyzed in the EIR.

*Biological Resources* – The southern portion of the project area includes Memorial Park, including Ward Creek, which has been previously documented to contain riparian forests and potentially one special status species (i.e., California Red Legged Frog).

### Issues:

- As Memorial Park is identified as Civic Space on the draft Regulating Plan, potentially significant impacts generated by the project are unlikely east of Mission Boulevard within and adjacent to the project area.

- Ward Creek crosses Mission Boulevard and continues on between Lilly Avenue and Pinedale Court. The biological value of this Ward Creek segment is unclear, and a biological assessment in the EIR will further analyze the value of Ward Creek.

Cultural Resources – The project area was included in a recent historic resource survey which documents numerous potentially historic structures of “moderate” and “high” integrity.

Issues:

- Proposed “Big Mike” Park includes surveyed structures of “medium” integrity.
- The possible expanded Civic Space zone presented in Variable #3 above includes structures of “medium” and two structures found to have “high” historic integrity, which is based upon the ages of the buildings and architectural integrity relative to the building’s original construction. As mentioned above in the discussion of Variable # 3, these structures will be evaluated using criteria in the City’s historic preservation ordinance, to help determine if they should be preserved and integrated into a future park/civic space.
- The charrette Regulating Plan depicts a slip lane requiring the removal of three surveyed structures of “medium” integrity.
- The Specific Plan could set up a process for CEQA evaluation of future development proposals at “historic” sites.
- As is currently proposed in the draft South Hayward BART Form-Based Code, the importance of retaining historic integrity can be prioritized over strict compliance with transect zone standards (e.g., provide for warrant (variance) approval when the intention is to avoid impacts and retain historic integrity).

Geology/Soils – The Hayward fault trace traverses much of project area. Fault rupture and fault creep are well-documented development constraints.

Issues:

- The Specific Plan will incorporate policy and regulation consistent with the requirements of the Alquist-Priolo Earthquake Fault Zoning Act (e.g., site-specific fault investigations, fifty-foot setback from active fault traces).
- The Form-Based Code will be calibrated to address building functions and particularly critical community facilities (e.g., schools, hospitals) in subject fault hazard areas.
- A geotechnical study will be included in the EIR and will provide additional recommendations.

Hydrology – The project area has two mapped flood zones. The first is contained in the County Flood Control District’s Ward Creek “Line B” (east of BART tracks and south of Orchard Avenue) and the second is contained in the County’s “Line E” (vicinity of Lilly Avenue). As shown on the Environmental Constraints map (Attachment III), these flood zones are rather linear and do not impact developed properties.

Issues:

- The Specific Plan will incorporate policy and regulation to address development proposals in or near flood zones.

- The infrastructure component of the Specific Plan may address flooding.

*Noise* – As documented in the Route 238 Bypass Land Use Study Draft EIR, noise levels along Mission Boulevard south of Jackson Street currently exceed acceptable levels. Acceptable noise levels are provided in Appendix N of the General Plan.

Issues:

- Incorporate and calibrate into the Specific Plan the provisions of General Plan, Appendix N (Noise Guidelines for Review of New Development).
- Consider noise level impacts and constraints when calibrating provisions for Building Disposition, Civic Spaces and Common Open Space standards in the Form-Based Code.

## **ECONOMIC IMPACT**

As discussed earlier in the Economic Strategy Report section of this report, the Specific Plan will include recommendations for the development of new commercial properties and attracting new businesses in the project area. The Plan will also address possible financing opportunities for public safety services as well as infrastructure improvements. The Form-Based Code will help simplify the development review and approval processes, making development within the Code area more enticing for developers.

## **FISCAL IMPACT**

The City's adopted budget for the Redevelopment Agency includes \$400,000 for FY 2010 and \$200,000 for the FY 2011 budget for the Mission Boulevard Corridor Specific Plan project. The contract with Hall-Alminana specifies a "not to exceed" amount of \$540,000. A portion of the remaining \$60,000 will be used to offset the General Fund impacts for mailing and publishing notices and other material costs. Approximately 1,400 hours of staff time is estimated for completion of the project at a cost of \$150,000, which is an added in-kind cost.

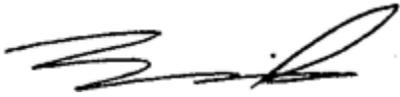
## **SCHEDULE & NEXT STEPS**

Staff anticipates presenting the Planning Commission and City Council with a first draft of the Specific Plan and Form-Based Code in October 2010. A community workshop is scheduled for November 2010 to present the draft Plan. The draft EIR and a second draft of the Specific Plan will be presented in January 2011. The Final EIR and final Plan will be presented to the Planning Commission and City Council by July 2011.

*Prepared by:* Erik J. Pearson, AICP, Senior Planner

*Recommended by:* David Rizk, AICP, Development Services Director

Approved by:



---

Fran David, City Manager

Attachments:

- Attachment I Charrette Regulating Plan
- Attachment II Alternative Regulating Plan
- Attachment III Environmental Constraints Map