



**DATE:** July 10, 2018

**TO:** Mayor and City Council

**FROM:** Interim Development Services Director

**SUBJECT** Proposal to Construct a Single-Family on a Vacant 0.25-Acre Hillside Lot Located at 26620 Call Avenue (APN 081D-1665-026-00) by Somnadh Allu (Applicant/Owner), Requiring Approval of a Site Plan Review with Grading Permit and the Adoption of a Mitigated Negative Declaration (MND) with Mitigation Monitoring and Reporting Program (MMRP) Application No. 201703214

## **RECOMMENDATION**

That the City Council adopts the attached Resolution (Attachment II) approving Site Plan Review with Grading Permit Application No. 201703214 and adopting the related Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) for the proposed development.

## **SUMMARY**

The applicant is proposing to construct a two-story, 2,762-square-foot, single-family residence with related on- and off-site improvements on a 0.25-acre vacant hillside parcel located at 26620 Call Avenue. The project requires the approval of Site Plan Review with Grading Permit and the adoption of a Mitigated Negative Declaration (MND) with Mitigation Monitoring and Reporting Program (MMRP).

Normally, Site Plan Review applications for single-family residences are subject to administrative staff level review. However, the City Engineer determined the average slope of the property exceeds 20 percent and as such, the applicant is required to obtain a Grading Permit from City Council per [Section 10-8.23](#) of the Hayward Municipal Code (HMC).

An Initial Study was prepared and concluded that with the adoption of a Mitigated Negative Declaration, the project could be built with mitigation measures that reduce potential impacts to a level of less than significant. Staff has detailed the project components and provided additional analysis within this staff report.

## **BACKGROUND**

The project application was filed on June 6, 2017 and following initial review and input, the original proposal has since been revised to include the following: 1) a pitched roof rather than a flat roof; 2) incorporation of more traditional building materials, including wood siding and

stone veneer; 3) additional architectural breaks in the wall surfaces on all elevations; and 4) a varied color scheme with contrasting accent and trim colors.

Planning Commission. On June 28, 2018, the Planning Commission held a public hearing and voted 5:0 to recommend approval of the project to the City Council.

## **DISCUSSION**

Existing Conditions. The 0.25-acre project site is currently vacant and slopes upward from Call Avenue. The site will be provided vehicular access from Call Avenue through a 20-foot-wide public access easement that traverses the adjacent property to the east. Additionally, there is a 20-foot easement dedicated to the City of Hayward for future roadway improvements along the project frontage on Call Avenue. The property is surrounded by other single-family residences to the north, east, south, and west. The project site is zoned RSB10 (Single-Family Residential – 10,000 Square Foot Minimum Lot Size) District and designated as LDR (Low Density Residential) land use in the *Hayward 2040 General Plan*.

Proposed Project. The applicant is proposing to construct a new 2,762 square foot, two-story single-family residence containing five bedrooms, four bathrooms, and a three-car garage. A bedroom suite with a bathroom and the three-car garage are on the first floor. The remaining living areas including the four bedrooms, three bathrooms, living room, and kitchen are on the second floor. The project also includes four outdoor patio/deck areas that provide private and usable open space. The maximum height of the home as measured from the finished grade to the midpoint of the pitched roof is 25 feet, 6 inches.

The new home incorporates a mix of contemporary and traditional architectural elements. The composition shingled pitched roof is broken up into smaller components and the building materials incorporate a combination of stucco, wood siding, and stone veneer. The proposed building colors include shades of gray and tan with contrasting white trim. The front elevation is articulated with front entry porch, large windows, and breaks in the building mass. The side elevations are also articulated with outdoor patio/deck areas, large windows, and breaks in the building mass. The retaining walls in the rear yard will be composed of decorative limestone. A copy of the project plans with architectural elevations are included as Attachment III.

Utilities and Site Improvements. The existing utilities that serve the project site, including sanitary sewer, water, and storm drain systems, have sufficient capacity to adequately serve the proposed development. The proposed project will require both on- and off-site improvements prior to the issuance of a Certificate of Occupancy. On-site improvements include the installation of drought-tolerant landscaping, erosion control measures, storm drains, utility undergrounding, and incorporation of Best Management Practices (BMPs) related to construction noise, grading and construction activities to prevent adverse negative impacts onto adjacent properties. Other on-site improvements would include concrete step pads for walkways, stairs, landscaped planters, and retaining walls. The project also proposes a new joint driveway that will connect to the existing driveway of the adjacent single-family residence to the east. A public access easement that traverses the driveway of the adjacent home will provide vehicular access from Call Avenue. Off-site

improvements include the reconstruction and repair of existing roadway and upgrades to the existing sidewalks along Call Avenue to meet the City's street standards.

*Tree Removals and Landscaping.* The applicant has submitted a conceptual landscaping and irrigation plan (Attachment III), which has been reviewed by the City's Landscape Architect. The project proposes to plant nine new trees and various groundcover and shrubs throughout the site.

There are several existing trees on the project site and a maximum of two trees will need to be removed for the project. Pursuant to [Chapter 10, Article 15](#) of the HMC, the intent of the Tree Preservation Ordinance is to protect and preserve significant trees and control the re-shaping, removal, or relocation of those trees that provide benefits for the neighborhood or the entire community while recognizing that there are rights to develop private property. Any trees protected by the City's Tree Preservation Ordinance that are required to be removed as part of the project must be replaced with like-sized, like-kind trees of value equal to the cost of tree removal as determined by the City's Landscape Architect. As such, the applicant is required to submit an arborist report and a final landscape and irrigation plan with sufficient mitigation as part of the building permit submittal.

*Site Plan Review.* Pursuant to [Section 10-1.3005](#) of the HMC, the purpose of the Site Plan Review is to foster development that complies with the intent of City development policies and regulations and is operated in a manner determined to be acceptable and compatible with surrounding development. Per [Section 10-1.3025](#) of the HMC, the following Site Plan Review findings are required for the project:

- The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the City;
- The development takes into consideration physical and environmental constraints;
- The development complies with the intent of City development policies and regulations; and
- The development will be operated in a manner determined to be acceptable and compatible with surrounding development.

As proposed, the project is compatible with the other single-family land uses of the existing neighborhood and would be compatible in size, scale and height of other single-family homes nearby. Additionally, staff believes the project is well-designed and appropriate for the neighborhood. The home incorporates an attractive mix of traditional and contemporary elements with a variety of materials and colors and provides articulation throughout the front and side elevations. Furthermore, the project will replace a vacant site with an attractive home to complement the existing neighborhood. Staff has provided a more detailed analysis for the required Site Plan Review findings in the Resolution (Attachment II).

*Grading Permit.* The project is subject to City Council review for the proposed grading since the average slope of the site exceeds 20 percent. The applicant has submitted preliminary civil plans (grading, drainage, and utility) for the project that was reviewed by the City's Engineering Division. The applicant has submitted a Geotechnical Report by Wayne Ting & Associates (March 2017) providing recommendations and mitigation measures that reduce

any environmental impacts to a level of *less than significant*. Additionally, a standard set of conditions will include: the review and approval of an erosion control plan; standards for import, export, and containment of construction materials; and a limitation on the days and hours of grading activity to minimize impacts on the surrounding neighborhood.

Hayward 2040 General Plan. The project site is designated LDR (Low Density Residential) in the *Hayward 2040 General Plan*. Properties within the LDR land use designation predominantly consist of single-family residences within suburban areas. The General Plan indicates that future development within this land use area will primarily consist of additional residential development, building and landscape improvements, and neighborhood enhancements. The project is consistent with the *Hayward 2040 General Plan* in that it is an in-fill, single-family residential development that has been designed to protect the character of hillside area, consistent with the City’s [Hillside and Urban Wildlife Interface Guidelines](#). The project’s consistency with the Hayward 2040 General Plan and its specific goals and policies is discussed in greater detail in the Resolution (Attachment II).

Zoning Ordinance. The project site is zoned RSB10 (Single-Family Residential – 10,000 Square Foot Minimum Lot Size) District. Pursuant to [HMC Section 10-1.200](#), the purpose of the RS District is to allow for development of single-family homes. The project is consistent with the development standards of the RS District as shown below.

<b>Development Standard</b>	<b>HMC Requirement</b>	<b>Proposed Project</b>
Min. Lot Size	10,000 sq. ft.	10,719 sq. ft.
Max. Lot Coverage	40%	28%
Min. Front Yard Setback	20 ft.	30 ft.
Min. Side Yard Setback	6 ft. 6 in. (10% of lot width)	7 ft.
Min. Rear Yard Setback	20 ft.	56 ft.
Max. Building Height	30 ft.	25 ft. 6 in.
Min. Off-Street Parking Req.	3 enclosed spaces	3 enclosed spaces

Hillside and Urban Wildlife Interface Guidelines. The project is located on a hillside parcel that is subject to the design standards of the [Hillside and Urban Wildlife Interface Guidelines](#). The purpose of the Hillside and Urban Wildlife Interface Guidelines is to seek to identify elements of good design that will enhance the appearance of the city and make it more livable. The proposed residence has been designed to minimize impacts to the existing hillside and minimize visual impacts from adjacent properties and the street frontages. The home also incorporates a stepped design to reduce the bulk and mass and utilizes building materials and colors that blend in with the surrounding natural setting. Additionally, the proposed landscaping placement along the street frontage, coupled with the sloped topography of the site, will also help to soften the bulk and mass of the proposed building and minimize visual impacts from adjacent properties or the roadway.

Neighborhood Compatibility. As proposed, the project is compatible with the other single-family land uses of the existing neighborhood and would be compatible in size, scale and height of other single-family homes nearby. Additionally, staff believes the project is well-

designed and appropriate for the neighborhood. The home incorporates an attractive mix of traditional and contemporary elements with a variety of materials and colors and provides articulation throughout the front and side elevations. Furthermore, the project will replace a vacant site with an attractive home to complement the existing neighborhood.

*Environmental Review.* Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15220, staff prepared an Initial Study on behalf of the City of Hayward (Lead Agency) for this project with the finding that a Mitigated Negative Declaration (MND) was appropriate because all potential impacts could be mitigated to a level of less than significant with the implementation of mitigation measures. The Initial Study found that the project would result in potential impacts to Geology and Soils. With mitigation, any potential impacts would be reduced to a level of less than significant.

A Notice of Intent (NOI) to adopt the MND was filed with the Alameda County Clerk on June 1, 2018. The NOI and MND were posted at City Hall and delivered to the Hayward libraries, and copies of the NOI were sent to interested parties and property owners within 300 feet of the project site on June 1, 2018. The public comment period for the MND expired on June 21, 2018 and the City did not receive any public comments.

## **ECONOMIC IMPACT**

The proposed project would result in the development of a currently vacant lot in an existing residential neighborhood. The proposed development would not require the expansion of public utilities or services and is not expected to have a negative impact on the City regarding public utilities or public services. Furthermore, the project would result in new residents moving into Hayward, which should generate demand for goods and services, thereby providing stimulus for new or existing jobs in the City's economy.

## **FISCAL IMPACT**

According to the City of Hayward Fiscal Impact Model (2017) prepared by Applied Development Economics, Inc., the project would generate an estimated \$2,442 in annual revenue from property and utility user taxes and approximately \$2,377 in annual costs related to City services, resulting in a net positive impact of approximately \$65 per year. Additionally, the project would generate an estimated \$46,626 in one-time revenue prior to occupation through the payment of various development impacts fees such as park dedication fees, school impact fees, and utility fees (Attachment VII).

## **STRATEGIC INITIATIVES**

The project supports the City's Complete Communities Strategic Initiative. The purpose of the Complete Communities Strategic Initiative is to create and support services and amenities that provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work and play for all. This project will replace a vacant property with an attractively designed single-family residence and result in frontage improvements along Call Avenue. The project supports the following goal and objective:

Goal 2: Provide a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.

Objective 2: Facilitate the development of diverse housing types that serve the needs of all populations.

## **SUSTAINABILITY FEATURES**

While the project is not incorporating sustainable features, the project is required to meet CALGreen and 2016 California Energy Code standards for energy efficiency and will meet the City's requirements with respect to water efficient landscaping. Additionally, the project will comply with the City standards for recycling of waste during construction and operation and will comply with the Municipal Regional Stormwater requirements for storm water runoff prevention and treatment.

## **PUBLIC CONTACT**

Public Outreach. Following receipt of application, staff conducted the following public outreach:

- On June 9, 2017, a Notice of Receipt of Application was sent to all property owners and interested stakeholders within 300 feet of the subject property.
- On June 1, 2018, a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) was posted at City Hall, the Alameda County Clerk's Office and delivered to the Hayward libraries for a comment period that ended on June 21, 2018. Copies of the NOI were also sent to interested parties and property owners within 300 feet of the project site and posted in the newspaper. Following the posting of the NOI, the City did not receive any public comments.
- On June 1, 2018, a Notice of Public Hearing for the Planning Commission was published in the Daily Review newspaper and sent to all property owners and interested stakeholders within 300 feet of the subject property.
- On June 28, 2018, the Planning Commission held a public hearing and voted 5:0 to recommend approval of the project to the City Council.
- On June 29, 2018, a Notice of Public hearing for the City Council was published in the Daily Review newspaper and sent to all property owners and interested stakeholders within 300 feet of the subject property.

## **NEXT STEPS**

If the City Council approves the project, the decision will be final and the applicant may then proceed with obtaining building permits.

*Prepared by:* Jay Lee, Associate Planner

*Recommended by:* Stacey Bristow, Interim Director of Development Services

Approved by:

A handwritten signature in black ink, appearing to read 'K McAadoo', written in a cursive style.

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Kelly McAadoo, City Manager