



DATE: October 2, 2018

TO: Mayor and City Council

FROM: Interim Director of Public Works

SUBJECT: Approval of Parkside Heights Tract 8233 Final Map Creating Ninety-seven Lots for Single-Family Residences and Common Use Lots Substantially Conforming to its City Approved Vesting Tentative Map and Planned Development Plan on a 10.68-Acre Site Located at the South-east Corner of 2nd Street and Walpert Street; Pulte Homes (Applicant/Subdivider)

RECOMMENDATION

That the City Council adopts the attached resolution (Attachment II) approving Final Tract Map 8233, finding it in substantial conformance with the approved Vesting Tentative Tract Map 8233 and the Conditions of Approval thereof, and authorizing the City Manager to execute a Subdivision Agreement and other related documents, and release the Final Map for its filing in the County Recorder's public records. The tract is located at the south-east corner of 2nd Street and Walpert Street.

SUMMARY

The Applicant has submitted a Final Map and Improvement Plans that have been reviewed and determined to be in substantial compliance with the approved Vesting Tentative Map for Tract 8233 by the City Engineer. City Council's approval of the attached resolution would approve the Final Map and authorize the City Manager to execute a Subdivision Agreement between the City and Applicant for the construction of improvements and other obligations required per conditions of approval of the Vesting Tentative Tract Map.

The Final Map approval was continued to October 2, 2018 so that staff may provide additional information related to items brought up through public comment and Council members at the September 18, 2018 meeting.

BACKGROUND

City Council received the staff report ¹ recommending approval of the Parkside Heights Tract 8233 Final Map at its regularly scheduled meeting on September 18, 2018. Two neighboring

¹ Link to September 18, 2018 Staff Report & Attachments

<https://hayward.legistar.com/LegislationDetail.aspx?ID=3676291&GUID=610C7D7A-D0BB-4981-A996-0E1297278FFB>

property owners present at the Council meeting stated that their properties would be adversely impacted unless the Tract 8233 improvement plans were amended. Council continued the item to its meeting on October 2, 2018 and directed staff to provide a report addressing the issues, and provide a report outlining the differences between the approved vesting Tentative Map and Final Map for Tract 8233.

DISCUSSION

The main areas of concern expressed during Public Comments at the September 18, 2018 Council meeting are related to the following:

1. Accommodation of existing driveway easements potentially impacted by the proposed improvements.
2. Grading at 24237 2nd Street and its adjacent Parkside Heights development site.

Existing Driveway Easement:

Parkside Heights site improvements include construction of a new privately maintained street (Amaranth Loop) serving the new lots and extending from Walpert Street to 2nd Street. The new street improvements will extend over a portion of an existing driveway easement providing vehicular access from 2nd Street to two existing lots on the east side of Parkside Heights Tract 8233. Amaranth Loop, with concrete curb, gutter, and a retaining wall along its east side, will block the full use of the existing driveway easement. To address and resolve this issue, the subdivider and the affected property owners have tentatively agreed to the following:

- a) The two affected property owners will be offered access easements over the full length of Amaranth Loop, extending from Walpert Street to 2nd Street.
- b) In exchange for the Amaranth loop easements, the two affected property owners will relinquish their driveway easements.
- c) Street A curb shall have driveway cuts for both affected property owners, and
- d) One property owner, at the corner of 2nd Street and Street A, currently has no garage. Two new parking spaces on the west side of private Street A will be designated with signs for exclusive use of this property owner.

At the direction of the Subdivider/Developer, the Project Engineer has memorialized this agreement in the attached letters to City staff (Attachment III).

Grading at 24237 2nd Street and its adjacent Parkside Heights Development:

The Parkside Heights grading plans approved by the City's Public Works Department on May 4, 2018, proposed no grading on any property not owned by Pulte Homes.

Subsequently, the developer, with the homeowner's consent, re-graded a portion of the backyard at 24237 2nd Street, to improve drainage and create a more leveled area. This minor grading did not require a grading permit.

In the middle of August 2018, the homeowner, Ms. Candi Cross, requested a meeting with City staff to review certain grading related issues. City staff reviewed the issue including an onsite meeting on August 21, 2018. Following the Council meeting of September 18, another meeting involving the property owner, City staff, and the developer was held onsite on September 21, 2018. An agreement was reached between the developer and the homeowner to resolve the issues as follows:

- a) Developer will place additional fill to create a more level backyard on the Cross-Harnage property. The fill slope will be entirely on the Parkside Heights property. The new property fence will be at the top of the fill slope.
- b) New lot grades adjoining the Cross-Harnage property's side yard will be lowered by two feet, to minimize grade differential. The initially proposed retaining wall will be eliminated to minimize potential damage to existing Cedar tree roots.
- c) A graded swale will be created to drain the Cross-Harnage property's side yard. The swale grading will direct drainage around an existing Oak tree with minimum grading.
- d) Disturbed land areas on the Cross-Harnage property will be protected against erosion by hydroseeding sufficiently in advance of the forthcoming rains.

Parkside Heights grading plans will be revised as shown in attached Attachment IV.

Tentative Map and Final Map differences:

The changes to the Parkside Heights Project (previously 2nd and Walpert) between the Tentative Map and Final Map, were the subject of an Administrative Modification to the approved Planned Development plan which was publicly noticed and approved by the Planning Director on March 27, 2018 following a fifteen-day appeal period.

The Administrative Modification included the reorientation of fourteen homes to front 2nd Street with alley loaded garage access; expansion of the neighborhood green, pedestrian pathways and undeveloped open space on the site; and reconfiguration of the roadways and utilities to accommodate the new site layout. The modified plans would retain the same number of lots and external driveway connections where the new development connects to the existing roadway network.

Pursuant to Hayward Municipal Code (HMC) Section 10-1.2555, minor modifications to existing preliminary and precise development plans may be approved by the Planning Director. Staff determined that the proposed modifications are minor in that they would not change the number of lots or the access points from the development to the surrounding roadway network. Further, staff determined that the proposed modifications would be

beneficial in that it would: result in a more integrated development pattern along 2nd Street; expand developed and undeveloped open space areas; preserve existing heritage trees; minimize impervious areas and grading; and reduce the number and height of retaining walls on the site.

The staff report presented for the approval of Final Map Tract 8223 at the City Council meeting of September 18, 2018, provides information regarding the Final Map and its conformity with the approved Tentative Map.

ECONOMIC AND FISCAL IMPACT

The Final Map approval is consistent with the approved project and the Final Map approval will not have any fiscal or economic impacts other than those identified during the original project approvals.

STRATEGIC INITIATIVES

This agenda item supports the Complete Streets Strategic Initiatives. The purpose of the Complete Streets Initiative is to build streets that are safe, comfortable, and convenient for travel for everyone, regardless of age or ability, including: motorists, pedestrians, bicyclists, and public transportation riders. This item supports the following goal and objective:

Goal 2: Provide Complete Streets that balance the diverse needs of users of the public right-of-way.

Objective 1: Increase walking, biking, transit usage, carpooling and other sustainable modes of transportation by designing and retrofitting streets to accommodate all modes.

This agenda item also supports the Complete Communities Strategic Initiative. The purpose of the Complete Communities initiative is to create and support structures, services, and amenities to provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work and play for all. This item supports the following goal and objectives:

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 serves the needs of all populations

Objective 3: Conserve and improve the existing housing stock

PUBLIC CONTACT

A public hearing is not required for the approval of the Final Map for Tract 8233. Public hearings were previously conducted as part of the approval of the Vesting Tentative Map application for Tract 8233.

NEXT STEPS

If Council approves the Final Map, the applicant will have the final map recorded, obtain construction permits, and commence the construction of improvements shown on the approved Improvement Plans.

Prepared by: Mo Sharma, Associate Civil Engineer
Allen Baquilar, Senior Civil Engineer

Recommended by: Alex Ameri, Interim Director of Public Works

Approved by:



Kelly McAdoo, City Manager