

CITY OF HAYWARD PLANNING DIVISION
PLANNING COMMISSION
APPLICATION NO. 201702969
VESTING TENTATIVE PARCEL MAP 10733, SITE PLAN REVIEW AND MITIGATED
NEGATIVE DECLARATION WITH MITIGATION MONITORING AND REPORTING
PROGRAM (SCH# 20171122045)
2655-2893 WEST WINTON AVENUE
DRAFT FINDINGS OF APPROVAL

January 25, 2018

Proposed Vesting Tentative Parcel Map, Site Plan Review and Environmental Review to merge 11 parcels and construct a 507,500-square-foot industrial building at 2655-2893 West Winton Avenue (APNs 438-0030-001-04, 438-0030-001-06, 438-0030-001-08, 438-0030-006-00, 438-0030-008-02, 438-0030-009-02, 438-0030-013-01, 438-0030-013-02, 438-0030-014-00, 438-0030-015-00, & 438-0101-020-01). Application No. 201702969; Paceline Investors (Applicant) on behalf of Industrial Property Trust (Owner).

VESTING TENTATIVE PARCEL MAP FINDINGS

Pursuant to Section 10-3.150 of the Hayward Municipal Code (HMC), the Planning Commission may conditionally approve a Vesting Tentative Parcel Map application when all the following findings are met:

A. The proposed subdivision is not in conflict with the General Plan and applicable specific plans and neighborhood plans;

The project site is located within the Industrial Technology and Innovation Corridor (IC) land use designation of the *Hayward 2040 General Plan* that applies to the large industrial area located along the southwestern city limits. The Corridor includes a mix of warehouses, offices buildings, research and development facilities, manufacturing plants, business parks, corporate campus buildings, and other light industrial uses. The proposed subdivision would merge 11 existing lots to allow for the redevelopment of the project site. The site was formerly occupied by an auto salvage yard and has a history of blight associated with illegal dumping. The project would improve the existing site conditions related to parking and landscaping. The proposed building is designed for high-tech manufacturing and logistics activities, which is consistent with the existing surrounding uses and would help achieve the General Plan's vision for the Corridor to become a technology-based industrial area. The project is also consistent with the following General Plan policies:

- LU-1.4 Revitalization and Redevelopment: *The City shall encourage property owners to revitalize or redevelop abandoned, obsolete, or underutilized properties to accommodate growth.*
- LU-6.1 Land Uses: *The City shall encourage employee-intensive uses, such as professional office, corporate campuses, research and development, traditional and specialized manufacturing, throughout the Industrial Technology and Innovation Corridor.*

- LU-6.3 Parcel Consolidation: *The City shall promote the consolidation of small and irregular shaped parcels within the Industrial Technology and Innovation Corridor to improve the economic feasibility of development projects.*
- ED-1.6 Advanced and Specialized Manufacturing: *The City shall encourage the establishment and expansion of advanced and specialized manufacturing businesses to counter declining employment trends in traditional industrial manufacturing.*

The project is not located within any specific plan area neighborhood plan area. Therefore, the proposed subdivision is not in conflict with the General Plan and applicable specific plans and neighborhood plans.

B. The proposed subdivision meets the requirements of the City Zoning Ordinance; and

The proposed subdivision will consolidate 11 existing parcels into one larger parcel totaling 23.4 acres and would meet all the development standards of the I (Industrial) Zoning District related to lot size, lot width, and lot frontage. The subdivision will also allow for the construction of a speculative industrial building intended for light industrial uses, which are permitted in the I District. Therefore, the proposed subdivision meets the requirements of the City Zoning Ordinance.

C. No approval of variances or other exceptions are required for the approval of the subdivision.

The proposed subdivision will meet the requirements of the Zoning Ordinance, including the development standards of the I District and other applicable sections, and will not require the approval of any variances or other exceptions from the City's Zoning Ordinance and Subdivision Ordinance.

SITE PLAN REVIEW FINDINGS

Pursuant to Section 10-1.3025 of the HMC, the Planning Commission may conditionally approve a Site Plan Review application when all the following findings are met:

A. The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the City.

The project site is surrounded by a mix of warehouses, offices buildings, research and development facilities, manufacturing plants, business parks, corporate campus buildings, and other light industrial uses. The proposed building is intended for light industrial uses and will provide a large warehouse/manufacturing space which is compatible with the surrounding uses. Additionally, the size and scale of the proposed building is compatible with the existing industrial buildings nearby. Although the proposed building would likely be the largest building in the area, there are many other buildings in project vicinity of comparable size, height and use.

The design of the proposed building and related site improvements is consistent with the development of adjacent sites. The proposed building will be composed of concrete tilt-up panels with metal trim, which is typical for industrial buildings. The

building is articulated throughout all elevations through various recesses and projections including canopies, score lines along wall surfaces, windows, multiple color schemes, and other forms of architectural detailing. The northwest, southwest, and southeast corners of the building, where the office spaces will be located, have been enhanced with additional architectural detailing to provide an attractive elevation that promotes a corporate identity. Additionally, the project will provide several large trees along the western property line to buffer and soften the visibility of the building from West Winton Avenue and the Hayward Regional Shoreline. Overall, development would be an improvement over the existing conditions on the site and would be designed to be compatible with other uses, structures and open space areas of the City.

B. The development takes into consideration physical and environmental constraints.

The project takes into consideration physical and environmental constraints in that the design of the proposed building, industrial land use, and character of the overall development is compatible with the surrounding industrial area. The project has been designed in a manner that considers the sensitive environmental context of the project site and will also be subject to conditions of approval, including the mitigation included within the Mitigated Negative Declaration to address any potentially adverse impacts resulting from the proposed development. Although the project is primarily surrounded by industrial development, it is adjacent to the Hayward Regional Shoreline borders to the west, which includes marshlands and natural habitats. As such, trees have been placed along the western property line to help soften the visibility of the building from the shoreline and create a more natural land use transition. The proposed lighting plan has been designed to minimize light pollution to the shoreline and spillover lighting onto adjacent properties; and the Mitigated Negative Declaration includes measures to minimize impacts to animal and plant species. The MND also requires a design-level geotechnical investigation prior to any construction activity on-site to ensure that geotechnical and hydrologic issues are mitigated related to the shallow groundwater and the potential for flooding on site.

The applicant will also be required to construct frontage improvements along West Winton Avenue, including the widening of the roadway, installation of buffered bicycle lanes, and undergrounding of utilities.

C. The development complies with the intent of City development policies and regulations.

As previously discussed, the project is consistent with the IC, Industrial Technology and Innovation Corridor land use designation in the *Hayward 2040 General Plan*. The IC land use designation is intended for light industrial uses and the proposed floor area ratio is less than the .80 FAR allowed in the IC land use designation of the General Plan. The project, as proposed, is consistent with the goals and policies of the *Hayward 2040 General Plan* listed earlier, which encourage redevelopment of underutilized sites, employee intensive uses, and high-tech manufacturing uses in

the IC land use designation. The project is also consistent with the following design-specific goals and policies:

- LU-6.8 Employee Amenities: *The City shall encourage the provision of employee-serving amenities for major employment uses within the Industrial Technology and Innovation Corridor, such as courtyards and plazas, outdoor seating areas, fitness facilities, bicycle storage areas, and showers.*
- M-6.1 Bikeway System: *The City shall maintain and implement the Hayward Bicycle Master Plan.*
- M-9.9 Alternative Fuel Vehicle Parking: *The City shall require new private parking lots to grant low-carbon vehicles access to preferred parking spaces, and shall require new private parking lots to provide electric vehicle charging facilities. The City shall provide electric vehicle charging facilities in public parking lots.*

The project includes an outdoor employee break area with shade and seating; a widened pedestrian pathway enhanced with landscaping, benches, directional signage for the nearby San Francisco Bay Trail, and several interpretive features placed along the West Winton Avenue street frontage. As previously stated, the applicant will install buffered bicycle lanes along West Winton Avenue and provide 16 electric vehicle (EV) parking spaces with 8 EV charging stations.

As proposed, the project meets all the applicable regulations of the Zoning Ordinance, including the development standards of the I District such as setbacks, lot coverage, building height, and parking.

D. The development will be operated in a manner determined to be acceptable and compatible with surrounding development.

The project will operate in a manner determined to be acceptable and compatible with surrounding development in that the project will comply with all applicable zoning regulations, building codes, and other regulations in the HMC. The proposed site improvements will also have to meet all City standards and details to the satisfaction of the Director of Public Works as shown on the Parcel Map and improvement plans. The project, as conditioned, will be subject to the measures contained within the Mitigated Negative Declaration to ensure that any potentially adverse impacts from the project will be mitigated to a less than significant level.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

- A. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15220, an Initial Study was prepared for this project with the finding that a Mitigated Negative Declaration was appropriate because all potential impacts could be mitigated to a level of less than significant with the implementation of mitigation measures.
- B. The proposed MND (SCH#2017122045) was prepared by LSA on behalf of the City of Hayward, Lead Agency, and the MND was circulated to the State, all interested parties,

and posted in the newspaper with a minimum 30-day public review period between December 15, 2017 and January 16, 2018.

- C. The proposed MND was independently reviewed, considered and analyzed by the Planning Commission and reflects the independent judgement of the Planning Commission; such independent judgement is based on substantial evidence in the record (even though there may be differences between or among the different sources of information and opinions offered in the documents, testimony, public comments and such responses that make up the proposed MND and the administrative record as a whole); the Planning Commission adopts the proposed MND and its findings and conclusions as its source of environmental information; and the proposed MND is legally adequate and was completed in compliance with CEQA.
- D. The proposed MND identified all potential adverse impacts, and based on the MND and the whole record before the Planning Commission, there is no substantial evidence that the Project, with mitigation measures incorporated, will have a significant effect on the environment.
- E. The project complies with CEQA, and the proposed MND was presented to the Planning Commission, which reviewed and considered the information contained therein prior to approving the Project. The custodian of the record of proceedings upon which this decision is based is the Development Services Department of the City of Hayward located at 777 B Street, Hayward, CA 94544.