

**SPECIAL CITY COUNCIL MEETING  
TUESDAY, OCTOBER 29, 2019**

**DOCUMENTS RECEIVED  
AFTER PUBLISHED AGENDA**

# **AGENDA QUESTIONS & ANSWERS**

**Items 8, 9, 10 and 12**

**AGENDA QUESTIONS & ANSWERS**  
**MEETING DATE: October 29, 2019**

**Item # 8:** [CONS 19-722](#) Adopt a Resolution Awarding a Contract to Asbestos Management Group of CA, Inc. in the Amount of \$1,300,708 and Authorizing an Administrative Change Order Contingency of \$130,092 for a Total Not to Exceed Contract Amount of up to \$1,800,000 for the Abatement and Deconstruction for Route 238 Bypass Property Project

Regarding Item 8, Awarding a Contract to Asbestos Management Group of CA: What was the unit price for line 37 (BAAQMD Notification) submitted by Resource Environmental, Inc in their bid?

Resource Environmental, Inc submitted a unit price for eighteen BAAQMD permits in line 37 at \$1,000 each. They submitted the same \$1,000 unit price for 7 BAAQMD permits in Alternate Bid No. 1 Line 3.

**Item # 9:** [PH 19-087](#) Proposed Development of a Mixed-Use Project Consisting of 189 Condominium and Townhome Units; Approximately 10,800 Square Feet of Ground Floor Commercial Space; a Variety of Open Spaces; and Related Site Improvements Requiring Approval of a Purchase and Sale Agreement and Zone Change and Tentative Tract Map Application No. 201806355 (Report from Development Services Director Simpson)

For the True Life agenda item, Condition of Approval Item 24 reads: The Precise Development Plan shall be in substantial conformance with the approved Preliminary Development Plan except as modified by Condition No. 24 below and shall be submitted either in advance of or in conjunction with the subdivision improvement plans and Final Map. Is this referring to different condition 24?

Thank you for catching that typo. The text is supposed to read *Condition No. 25 below*. Staff can make the change between Introduction and Adoption if the project is approved.

For the True Life Proposal, was there any discussion of studio and one bedroom units anywhere in the complex? Also, it seems that the proposed density is under what would be allowable on that site. Was there any discussion of increasing the density in some of the townhome buildings (ex: building 19) to allow for more units than currently proposed (for example, two 2 bd/1.5 ba 800 sq ft, units where one is currently proposed, possibly without assigned parking)?

With regard to unit sizes: staff did not push the applicant to consider smaller units. The applicant determined the unit mix and size based on market analysis and considerations. Staff felt that there was a good mix of unit types (townhomes and condos) with some set aside for moderate income households. The condos would allow aging in place and people with disabilities to access the entire unit without using stairs.

With regard to density:

- The net density on Parcel 1 is 24.42 units per acre and the net density on Parcel 2 is 16.43 units per acre which averages to about 19.27 across the site.
- The zoning on Parcel 1 is S-T4 District which requires density between 17.5 to 35 units per net acre

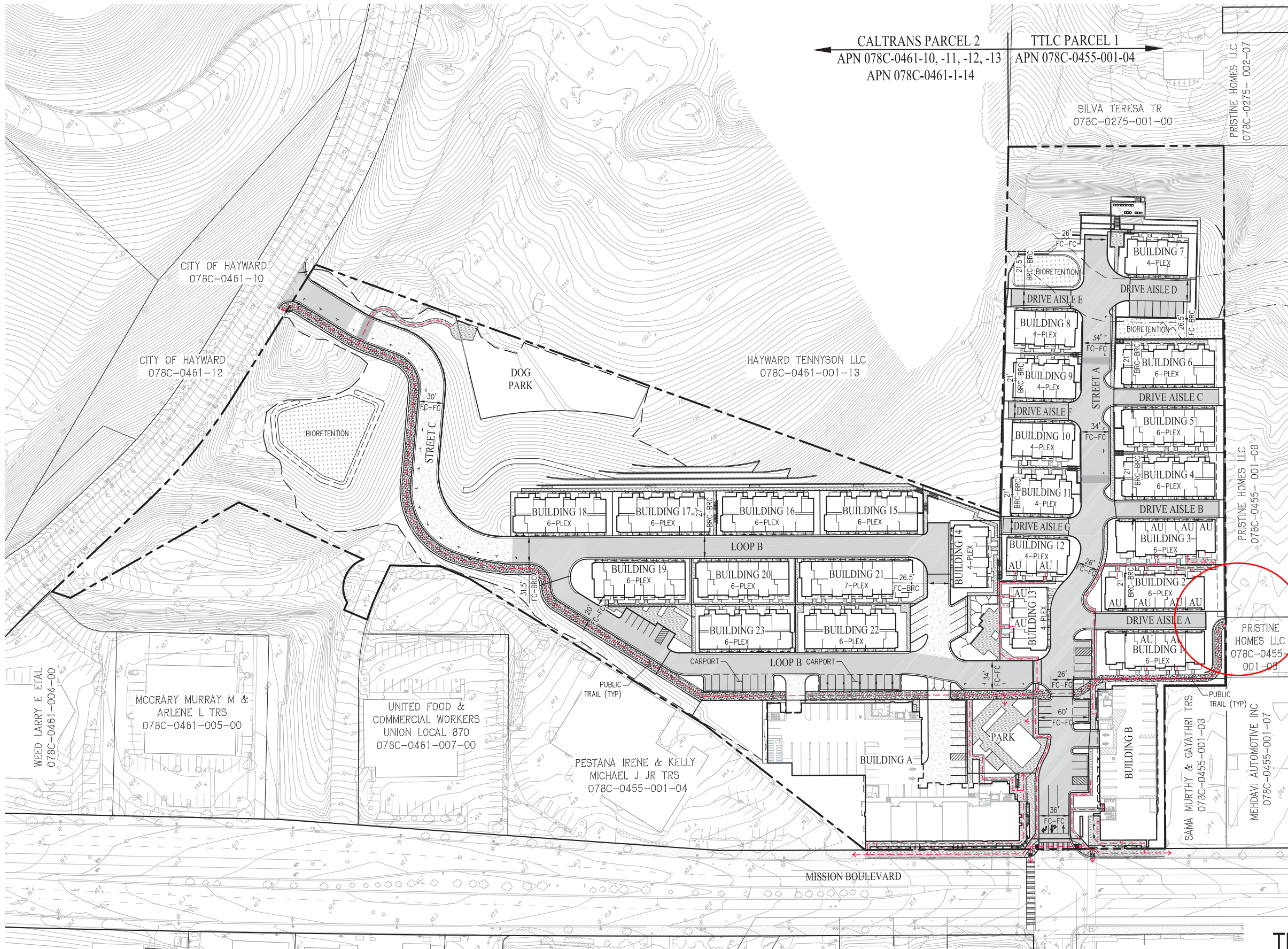
	<ul style="list-style-type: none"> <li>• The zoning on Parcel 2 is a mix of Medium Density Residential District (allows 8.7 to 17.4 units per net acre) and the density on CN District is set by the General Plan which allows up to 17.4 units per net acre.</li> <li>• Parcel 1 would have allowed a higher density under the Sustainable Mixed Use General Plan and the Zoning District; however, that site is severely constrained by topography and size (narrow deep lot with little frontage along Mission Blvd), so it was combined with Parcel 2 to make a larger and more coherent site plan with open spaces, a trail to Tennyson Road and room for various unit types (townhomes and condos with ground floor commercial) that would not have been viable on Parcel 1 alone.</li> <li>• Increasing the density on Parcel 2 would have required a General Plan Amendment which the applicant did not want to undertake at this time.</li> <li>• Per the PD District findings, one of the purposes of the project was to blend density across the site without exceeding General Plan density allowances.</li> </ul>
<p>Regarding the proposal for True Life on Tuesday's agenda. Do the recommendations from the Infill Checklist (Attachment VI) need to be included in the conditions of approval (ex: Geology and Soils 6.7.2 Project Analysis. Page 6-42 to 6-43)?</p>	<p>Through the permitting process when staff asked Public Works Engineering staff if these recommendations needed to be Standard Conditions of Approval of the Infill Checklist or Conditions of Approval of the project, they responded that it is not necessary because it is "part of the project" through the Geotechnical Report. Compliance with these recommendations will be reviewed and approved through the grading permit plans and Improvement Plans.</p>
<p>Does the public trail connect to the property to the South? It looks like hikers are forced to walk along Mission Blvd. If so, that seems inconsistent with the development plans for the adjacent property to the South, which also included a trail that cut through the property (South to North) ~100 yards East of Mission Blvd. A diagram showing how the trails connect across the True Life property's Southern property line would be helpful.</p>	<p>Yes, the public trail connects to the trail in the Mission Seniors development and runs through the development to Tennyson Road. Attached please find site plan with red circle around the southern terminus of True Life trail and connector with Mission Seniors trail. Please see the attached diagram.</p>
<p>Is the proposed Oak Street Development a rental or ownership development?</p>	<p>The applicant will submit a Tentative Tract Map to Planning Commission for approval in the future with the intent to build an ownership project.</p>

<p>The staff report for this development states:</p> <p>“The proposed development is consistent with the North Hayward Neighborhood Plan in that the proposed use is for residential use and is consistent with the Commercial Office District zoning.”</p> <p>Is an entirely-residential development really compatible with the Commercial Office zoning designation???</p>	<p>Prior to the approval of the North Hayward Neighborhood Plan (NHNP), one of the parcels was zoned High Density Residential (RH) and the remaining was zoned Agriculture (A). The NHNP identified these properties as a potential site for a commercial center or residential use if not occupied by the freeway extension.</p> <p><i>“A commercial center might be considered between Apple Avenue and Grove Way, if not occupied by the freeway; extension of Commercial Office (CO) zoning along Oak is proposed to allow residentially compatible commercial frontage or residential use” (<a href="https://www.hayward-ca.gov/sites/default/files/documents/NorthHaywardPoliciesStrategies.pdf">https://www.hayward-ca.gov/sites/default/files/documents/NorthHaywardPoliciesStrategies.pdf</a>) (Pg 47)</i></p> <p>Subsequently, the High Density Residential and Agriculture was rezoned to Commercial Office to offer the flexibility of either commercial or residential use on these properties. Multi-Family Dwelling are a primary use as well as Administrative and Professional Offices and Personal Services in the Commercial Office District. Retail Commercial Uses are very limited (Restaurant, Bar, Cocktail Lounge with approval of an AUP or CUP). Another area where we have the Commercial Office District zoning is on Upper B Street where we have a mixture of both Office and Residential Development.</p> <p><a href="https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.1100COOFDICO">https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.1100COOFDICO</a></p> <p>It is worth noting that the property owner of the commercial center (Walgreens) at the northeast corner of Foothill and Grove was supportive of the residential development.</p>
<p><b>Agenda Item 10:</b> <a href="#">PH 19-085</a> 24763 Monroe Drive question Appeal of Planning Commission Approval of a Three Story, 40-Unit Townhouse Style Development on a 1.66-acre Site Located at 21229 Oak Street (APN 415-0170-019-00, 415-0170-020-00, 415-0170-021-00, 415-0170-022-00, 415-0170-023-00, 415-0170-024-00, 415-0170-025-00, 415-0170-029-02) Requiring Site Plan Review Application No. 201800932. Ann E. Maris PhD, Organizer, Grove Way Neighborhood Association (Appellant); Steven Kodama, Kodama Diseno Architects (Applicant)/ Robert Chen (Owner) (Report from Development Services Director Simpson)</p>	
<p>Q. Do these 5 units get added to the existing HOA from phase I? Or will a separate HOA be created just for these 5 units?</p> <p>Q. If separate, what would it take to combine the 2 HOAs?</p>	<p>These additional units will be part of the existing HOA.</p>

**Agenda Item 12:** [PH 19-084](#) Proposal to Subdivide Two Existing Parcels into 17 Parcels to Allow the Construction of 12 Detached Single-Family Residences and Five Accessory Dwelling Units (ADU) with Common Open Space Areas and Related Site Improvements at 28571 & 29591 Harvey Avenue (APNs 464-0060-005-02 & 464-0060-006-00) Requiring a Vesting Tentative Tract Map, Planned Development (PD) Rezone, Site Plan Review, and Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program (MMRP). Application No. 201706649; Nuvera Homes (Applicant), Ngai Ming Wang (Owner) (Report from Development Services Director Simpson)

On the Affordable Housing In Lieu Fee for the Harvey Avenue Project, I thought our calculation is applied for the total habitable space for each market rate ownership unit, not just 10%? If so, I think the affordable housing fee listed is too low?

The affordable housing in-lieu fee in Attachment X is incorrect. The rate is applied to the total habitable square footage in the project. The rate is set at the time of payment based on the rate in the master fee schedule. Based on the current rate and an estimate of the habitable square footage of the units, the estimated affordable housing in-lieu fee would be \$512,500.



CALTRANS PARCEL 2  
APN 078C-0461-10, -11, -12, -13  
APN 078C-0461-1-14

TTL PARCEL 1  
APN 078C-0455-001-04

SEE SHEETS C4.1 & C4.2 FOR  
DIMENSIONED SITE PLANS

### ACCESSIBILITY SUMMARY

BUILDING TYPE	TOTAL UNITS	ACCESSIBLE UNITS REQUIRED		ACCESSIBLE UNITS PROVIDED	
		PERCENT	UNITS	PERCENT	UNITS
TOWNHOMES	123	10	13	10	13
MIXED USE FLATS	66	100	66	100	66
<b>TOTAL</b>	<b>189</b>	<b>42</b>	<b>79</b>	<b>42</b>	<b>79</b>

NOTES:  
\*\*\* DUE TO THE STEEP TOPOGRAPHY OF THE SITE IT HAS BEEN DETERMINED TO BE INFEASIBLE TO PROVIDE ONE VISITABLE UNIT PER BUILDING AS REQUIRED BY THE HAYWARD MISSION BOULEVARD CORRIDOR FORM BASED CODE.

### ACCESSIBILITY LEGEND

- AU ACCESSIBLE UNIT (13 TOTAL)
- ACCESSIBLE PATH OF TRAVEL

### MINIMUM BUILDING SETBACKS

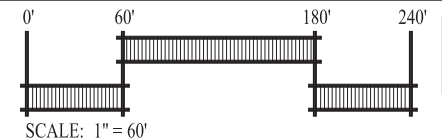
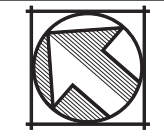
TOWNS	
FRONT	6'
SIDE	5'/10*
REAR (DRIVE AISLE)	4'
MIXED-USE / FLATS	
FRONT/REAR/SIDE	0'/7*

\* DENOTES MINIMUM SETBACK TO EXISTING EXTERNAL PROPERTY BOUNDARY. OTHER SETBACKS ARE MEASURED FROM BUILDING TO A PROPOSED INTERNAL PROPERTY LINE.

29212 MISSION BOULEVARD  
Hayward, CA  
June 28, 2019

TRACT 8502 - VESTING TENTATIVE MAP  
PRELIMINARY SITE PLAN - OVERALL  
C4.0

**THE TRUE LIFE COMPANIES**  
The True Life Companies  
12647 Alcosta Blvd., Suite 470 San Ramon CA 94583  
925.824.4300



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**ITEM #1 – MIN 19-132**

**MINUTES OF THE SPECIAL CITY COUNCIL  
MEETING ON OCTOBER 7, 2019**

**MINUTES REVISION MEMO**





**DATE:** October 29, 2019  
**TO:** Mayor and City Council  
**FROM:** City Clerk  
**SUBJECT** Revisions to Council Minutes of October 7, 2019

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We have received a request to amend the minutes of the City Council meeting on October 7, 2019.

**Page two, paragraph fourth currently reads:**

“The projects identified ... plant 1,000 new trees per year (2020/21); transition citywide energy use to 100% **renewable electricity** (2021/22); ban natural gas in all new buildings (2022); complete Shoreline Master Plan & EIR (2022); and transition 15% of city fleet to **electric/hydro** (2022).”

**Proposed to read:**

“The projects identified ... plant 1,000 new trees per year (2020/21); transition citywide energy use to 100% **GHG-free electricity** (2021/22); ban natural gas in all new buildings (2022); complete Shoreline Master Plan & EIR (2022); and transition 15% of city fleet to **all electric** (2022).”

**Page two, paragraph sixth currently reads:**

“The projects identified ... and provide multi-modal community enhancements (create more pathways to the shoreline, closing streets in shopping areas, add seven miles of bike lanes each year, beautify corridors and finish Jackson Street, maintain pavement **PCI at 70%.**)

**Proposed to read:**

“The projects identified ... and provide multi-modal community enhancements (create more pathways to the shoreline, closing streets in shopping areas, add seven miles of bike lanes each year, beautify corridors and finish Jackson Street, maintain pavement **PCI score of 70.**)

With the changes noted above, I respectfully request approval of the amended minutes.

**ITEM #8 – CON 19-722**

**ADOPT A RESOLUTION AWARDING A  
CONTRACT TO ASBESTOS MANAGEMENT  
GROUP OF CA, INC. IN THE AMOUNT OF  
\$1,300,708 AND AUTHORIZING AN  
ADMINISTRATIVE CHANGE ORDER  
CONTINGENCY OF \$130,092 FOR A TOTAL NOT  
TO EXCEED CONTRACT AMOUNT OF UP TO  
\$1,800,000 FOR THE ABATEMENT AND  
DECONSTRUCTION FOR ROUTE 238 BYPASS  
PROPERTY PROJECT**

**Email from Mary Ann Higgs**

**From:** Kelly McAdoo <[Kelly.McAdoo@hayward-ca.gov](mailto:Kelly.McAdoo@hayward-ca.gov)>  
**Sent:** Sunday, October 27, 2019 9:54 AM  
**To:** Mary Ann Higgs <>; Jennifer Ott <[Jennifer.Ott@hayward-ca.gov](mailto:Jennifer.Ott@hayward-ca.gov)>; Monica Davis <[Monica.Davis@hayward-ca.gov](mailto:Monica.Davis@hayward-ca.gov)>  
**Cc:** List-Mayor-Council <[List-Mayor-Council@hayward-ca.gov](mailto:List-Mayor-Council@hayward-ca.gov)>  
**Subject:** Re: City Council Agenda October 29, 2019- Item 8

Hi Mary Ann-

It was my understanding from previous information I received from my staff team that all properties were included in this contract. I will double check and let you know.

Kelly

Kelly McAdoo  
City Manager  
510-583-4305 office

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**From:** Mary Ann Higgs <>  
**Sent:** Saturday, October 26, 2019 9:37:07 AM  
**To:** Kelly McAdoo <[Kelly.McAdoo@hayward-ca.gov](mailto:Kelly.McAdoo@hayward-ca.gov)>; Jennifer Ott <[Jennifer.Ott@hayward-ca.gov](mailto:Jennifer.Ott@hayward-ca.gov)>; Monica Davis <[Monica.Davis@hayward-ca.gov](mailto:Monica.Davis@hayward-ca.gov)>  
**Cc:** List-Mayor-Council <[List-Mayor-Council@hayward-ca.gov](mailto:List-Mayor-Council@hayward-ca.gov)>  
**Subject:** City Council Agenda October 29, 2019- Item 8

**CAUTION:** This is an external email. Do not click on links or open attachments unless you know the content is safe.

Hello Kelly/Jennifer/Monica,

I am writing today in regards to Item 8, CONS 19-722, on the City Council's Agenda for Tuesday, October 29, 2019 in hope of clearing up a discrepancy prior to the actual meeting. The item reads as follows:

*Adopt a Resolution Awarding a Contract to Asbestos Management Group of CA, Inc. in the Amount of \$1,300,708 and Authorizing an Administrative Change Order Contingency of \$130,092 for a Total Not to*

*Exceed Contract Amount of up to \$1,800,000 for the Abatement and Deconstruction for Route 238 Bypass Property Project*

While I'm very happy to see the process to deconstruct the remaining Parcel 5 vacant homes is moving along, I am concerned that the addresses listed are not a complete list of the Parcel 5 vacant homes awaiting deconstruction. It is possible that all of the homes are part of the bid, but the only place I see a listing of the addresses is on Attachment 3, Bid Protest Correspondence. In reviewing that document, I listed the Parcel 5 addresses identified on the AMG bid in the protest correspondence and compared it to the list of addresses of remaining homes. The below was the result of that comparison. As you will see, there are 5 houses not on the AMG list. Can you confirm that all vacant houses on Parcel 5 land are included in Phase 2 of the deconstruction. If not, why?

Please get back to me in advance of the City Council meeting.

Thanks,

Mary Ann Hlggs

NOTE: I've copied the City Council on this correspondence for visibility

**Addresses on Abatement/Deconstruction List**

- 1054 Central Blvd
- 25931 Central Court
- 25338 Bunker Hill Court
- 25825 Bunker Hill Blvd
- 25426 Bunker Hill Blvd
- 25464 Bunker Hill Blvd
- 25410 Bunker Hill Blvd

- 25550 Bunker Hill Blvd
- 25832 Bunker Hill Blvd
- 25840 Bunker Hill Blvd
- 25853 Bunker Hill Blvd

**Not on Abatement/Deconstruction List**

- 25311 Bunker Hill Court
- 25672 Maitland Drive
- 25720 Maitland Drive
- 25472 Bunker Hill Blvd
- 25689 Bunker Hill Blvd

**ITEM #9 – PH 19-087**

**PROPOSED DEVELOPMENT OF A MIXED-USE PROJECT CONSISTING OF 189 CONDOMINIUM AND TOWNHOME UNITS; APPROXIMATELY 10,800 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE; A VARIETY OF OPEN SPACES; AND RELATED SITE IMPROVEMENTS REQUIRING APPROVAL OF A PURCHASE AND SALE AGREEMENT AND ZONE CHANGE AND TENTATIVE TRACT MAP APPLICATION NO. 201806355**

**Email from Mimi Bauer**

**From:** Mimi <>

**Sent:** Friday, October 25, 2019 3:38 PM

**To:** Leigha Schmidt <[Leigha.Schmidt@hayward-ca.gov](mailto:Leigha.Schmidt@hayward-ca.gov)>

**Cc:**

**Subject:** Prposed Mixed Use Development Reference No.201806355

**CAUTION:**This is an external email. Do not click on links or open attachments unless you know the content is safe.

Hello Ms. Schmidt,

Please share this email with the City Manager and City Council in their consideration of the referenced development project.

I appreciate that the City staff and Council consider the above referenced project attractive and worthy enough to consider entering into an agreement with them to sell TTLC 8 acres of adjacent land to enhance the project. Many in the Fairway Park community also believe that the final design of the project has much to offer.

TTLC met with the FWPNA board and community and was very attentive to our concerns. The resulting project is of noteworthy quality. It will be a positive addition to the community and Hayward, visually and economically. We can use quality market and affordable rate housing and agree that all housing should be built with the highest level of sustainable elements. Cudos for insisting on this along with us.

I would love for this project to break ground tomorrow. It could be a win/win for all as long as a reputable builder purchases the project and builds it in a timely manner. And that is the only concern I do have. TTLC designs projects, they don't build them. What guarantees can the City put in place so that the property is not held hostage with a design that no one wants to buy and build?

Best Regards,

Mimi Bauer,  
FWPNA, President

**ITEM #9 – PH 19-087**

**PROPOSED DEVELOPMENT OF A MIXED-USE PROJECT CONSISTING OF 189 CONDOMINIUM AND TOWNHOME UNITS; APPROXIMATELY 10,800 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE; A VARIETY OF OPEN SPACES; AND RELATED SITE IMPROVEMENTS REQUIRING APPROVAL OF A PURCHASE AND SALE AGREEMENT AND ZONE CHANGE AND TENTATIVE TRACT MAP APPLICATION NO. 201806355**

**REVISED CONDITION(S) OF APPROVAL MEMO**





**Date:** October 29, 2019  
**To:** Mayor and City Council  
**From:** Development Services Director  
**RE:** **Agenda Item No 9, PH-19-087. Revised Condition(s) of Approval.**

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Following release of the staff report and related materials for **Agenda Item 9, PH-19-087** (Application No. 201806355), staff was made aware of minor discrepancies and necessary modifications to conditions of approval to ensure consistency with other development projects.

Staff recommends that the following modifications be made to specified conditions of approval included in Attachment III, Resolution Zone Change and CEQA, as follows. Where a condition is amended, deleted text is shown in ~~strikethrough~~ and new text is underlined.

**Amended Condition 25.i:** The dog park shall have the following supporting amenities: double gate at the entry, decorative fencing, benches and tables, shade trees and/or structure, trash and recycling receptacles and, if possible, a drinking fountain. Amenities shall be shown on Precise Plan and Improvement Plans.

*Recommended by:* Laura Simpson, Development Services Director

Approved by:

Kelly McAdoo, City Manager

**ITEM #11 – PH 19-081**

**PROPOSAL TO SUBDIVIDE A 0.50-ACRE SITE INTO 7 PARCELS TO ALLOW THE CONSTRUCTION OF 5 SINGLE-FAMILY HOMES WITH COMMON OPEN SPACE AND RELATED SITE IMPROVEMENTS AT 24763 MOHR DRIVE (APN 441-0077-003-04) REQUIRING APPROVAL OF A TENTATIVE TRACT MAP, PLANNED DEVELOPMENT (PD) REZONE, AND ENVIRONMENTAL CONSISTENCY CHECKLIST. APPLICATION NO. 201806740. APPLICANT: JEFFREY LAWRENCE FOR NUVERA HOMES ON BEHALF OF OWNER: BEN HSIAO-PANG LIU**

**REVISED CONDITION(S) OF APPROVAL MEMO**



**Date:** October 29, 2019  
**To:** Mayor and City Council  
**From:** Development Services Director  
**RE:** **Agenda Item No 11, PH-19-081. Revised Condition(s) of Approval.**

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Following release of the staff report and related materials for **Agenda Item 11, PH-19-081** (Application No. 201806740), staff was made aware of minor discrepancies and necessary modifications to conditions of approval to ensure consistency with other development projects.

Staff recommends that the following modifications be made to specified conditions of approval included in Attachment III, Resolution, as follows. Where a condition is amended, deleted text is shown in ~~strikethrough~~ and new text is underlined.

*General*

**New Condition:** The property owner shall demolish any vacant structures within 60 days of their being made vacant.

**New Condition:** The property owner shall be responsible for securing and clearing any vacant structure(s) prior to demolition and commencement of construction activities.

*Engineering*

**Amend Condition 51.h:** The garage for each unit shall be maintained for off-street parking for two vehicles, and shall not be converted to living or storage areas. An automatic garage door opening mechanism shall be provided for all garage doors.

*Fire Department*

**New Condition:** CO detectors should be placed near the sleeping area on a wall about 5 feet above the floor. The detector may be placed on the ceiling. Each floor needs a separate detector.

*Utilities*

**New Condition:** All water meters shall be radio-read type.

*Recommended by:* Laura Simpson, Development Services Director

*Approved by:*

Kelly McAdoo, City Manager

## **ITEM #12 – PH 19-084**

**Proposal to Subdivide Two Existing Parcels into 17 Parcels to Allow the Construction of 12 Detached Single-Family Residences and Five Accessory Dwelling Units (ADU) with Common Open Space Areas and Related Site Improvements at 28571 & 29591 Harvey Avenue (APNs 464-0060-005-02 & 464-0060-006-00) Requiring a Vesting Tentative Tract Map, Planned Development (PD) Rezone, Site Plan Review, and Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program (MMRP). Application No. 201706649; Nuvera Homes (Applicant), Ngai Ming Wang (Owner)**

**REVISED CONDITION(S) OF APPROVAL MEMO**



**Date:** October 29, 2019

**To:** Mayor and City Council

**From:** Development Services Director

**RE: Agenda Item No 12, PH-19-084. Revised Condition(s) of Approval**

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Following release of the staff report and related materials for **Agenda Item 12, PH-19-084** (Application No. 201706649), staff was made aware of minor discrepancies and necessary modifications to conditions of approval to ensure consistency with other development projects.

Staff request that the following correction be made to the address in Attachment III – Resolution.

The address in the Resolution should be changed from 29591 Harvey Avenue to 28591 Avenue.

Staff recommends that the following modifications be made to specified conditions of approval included in Attachment III, Resolution as follows. Where a condition is amended, the added new text is underlined.

**Amended Condition 77:** “Root barriers shall be installed linearly against the paving edge in all instances where a tree is planted within seven feet of pavement”

In addition, Staff recommends that the following conditions be added to the specified conditions of approval included in Attachment III, Resolution as follows.

Under the heading “General” add the following:

1. The property owner shall demolish any vacant structures within 60 days of their being made vacant
2. The property owner shall be responsible for securing and clearing and vacant structure (s) demolition and commencement of construction activities.
3. Prior to, during and following demolition of vacant structures, the property owner shall be responsible for securing and maintaining the site in accordance with HMC Chapter 4, Article 1, Public Nuisances; HMC Chapter 5, Article 7, Community Preservation and Improvement Ordinance; and the California Building Code, among other applicable regulations.

*Recommended by:* Laura Simpson, Development Services Director

Approved by:

Kelly McAdoo, City Manager