

CITY COUNCIL MEETING

MARCH 2, 2021

PRESENTATIONS

PUBLIC HEARING

ITEM #4

PH 21-011

SWITZER RESIDENCE

2579 HOME AVENUE

Site Plan Review & Grading Permit Application

Proposed Hillside Single-Family Residence and ADU

(Application No. 202000579)

City Council Public Hearing
March 2, 2021 *(Item Continued from February 16th Hearing)*
Marcus Martinez, Associate Planner





COMMUNITY PROCESS

February 2020 – Application submitted to Planning Division and Notice of Application Receipt sent all properties within 300-feet of project site, including Old Highlands Homeowners Association (OHHA) and Hayward Area Planning Association (HAPA)



February and March 2020 – City receives public comments from OHHA members and nearby residents on the project related to home design, storm drainage issues, parking concerns, and perception of multi-family project. City staff responds to residents.



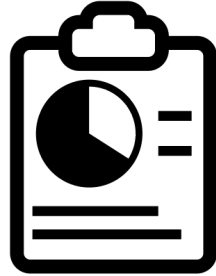
March 2020 to December 2020 – Project undergoes project review from City development review staff.



January 2021 – Notice of Planning Commission Hearing sent to all properties within 300-feet of the project site. Three members of the public spoke at Planning Commission hearing citing storm drainage and parking concerns. Planning Commission voted 4-2 to recommend approval.



March 2021 – Applicant and OHHA members meet at the project site to discuss storm drainage concerns followed by another meeting with city engineering staff to discuss site improvements prior to City Council public hearing.



PROJECT SUMMARY

Requested Approvals

- Site Plan Review
- Grading Permit (average slopes greater than 20%)

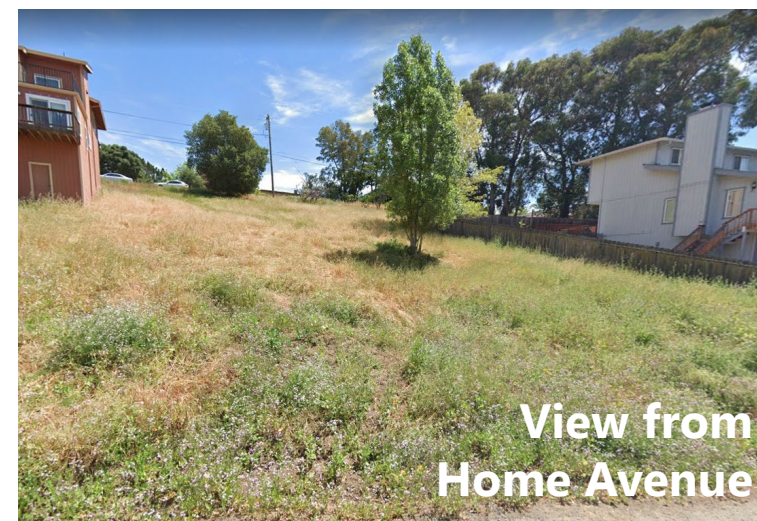
Project Scope

- New Multi-Level Single-Family Residence with an Attached Accessory Dwelling Unit (ADU)
 - Each with Two-Car Garage
- Related Site Improvements (e.g. grading, landscaping, stormwater control measures)



PROJECT SITE

- ✓ 2579 Home Avenue
- ✓ Vacant 0.21-Acre Hillside Lot
- ✓ One Singular Parcel with Double Frontage



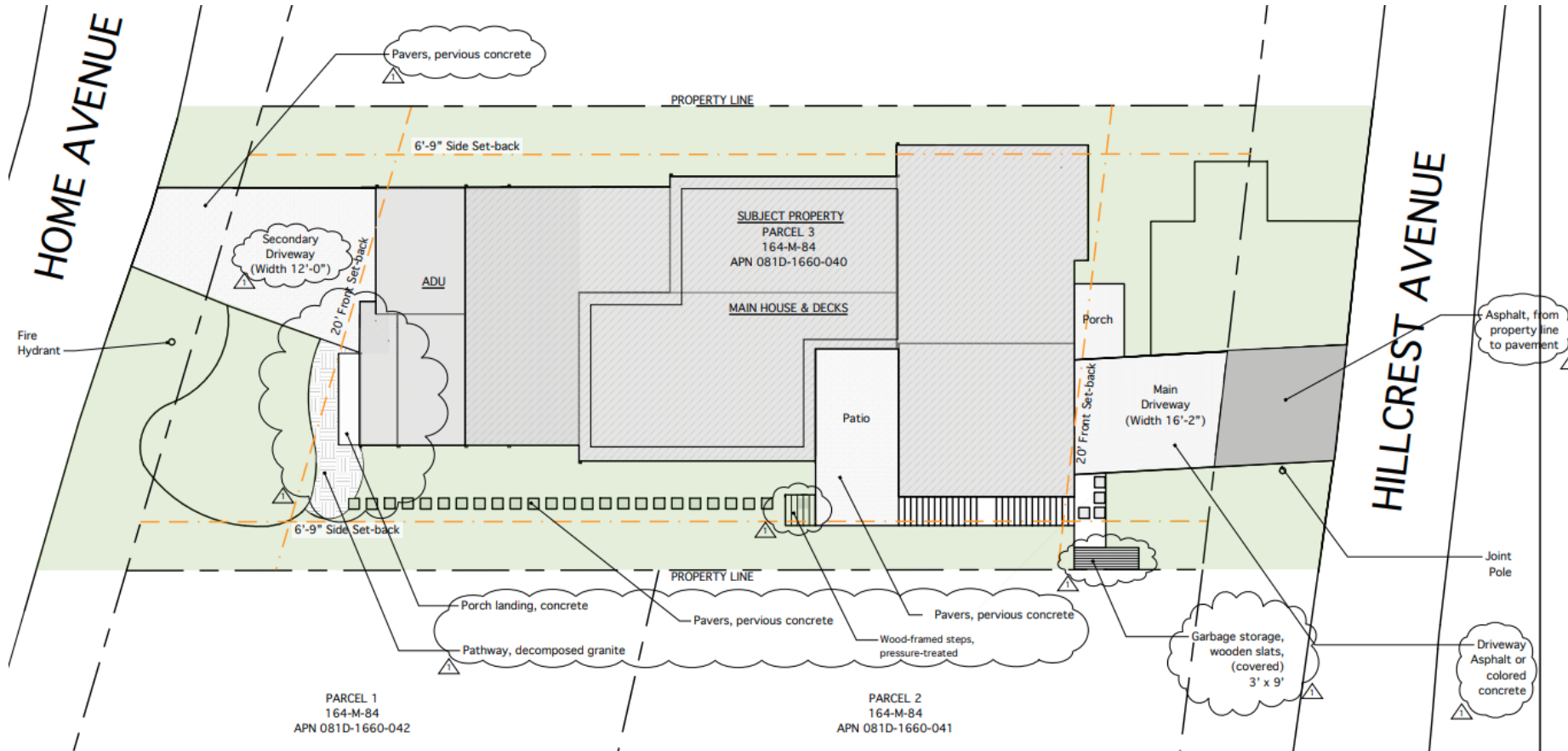
Zoning District:

- ✓ Single-Family Residential (RS)

General Plan Land Use Designation:

- ✓ Low Density Residential (LDR)

SITE PLAN



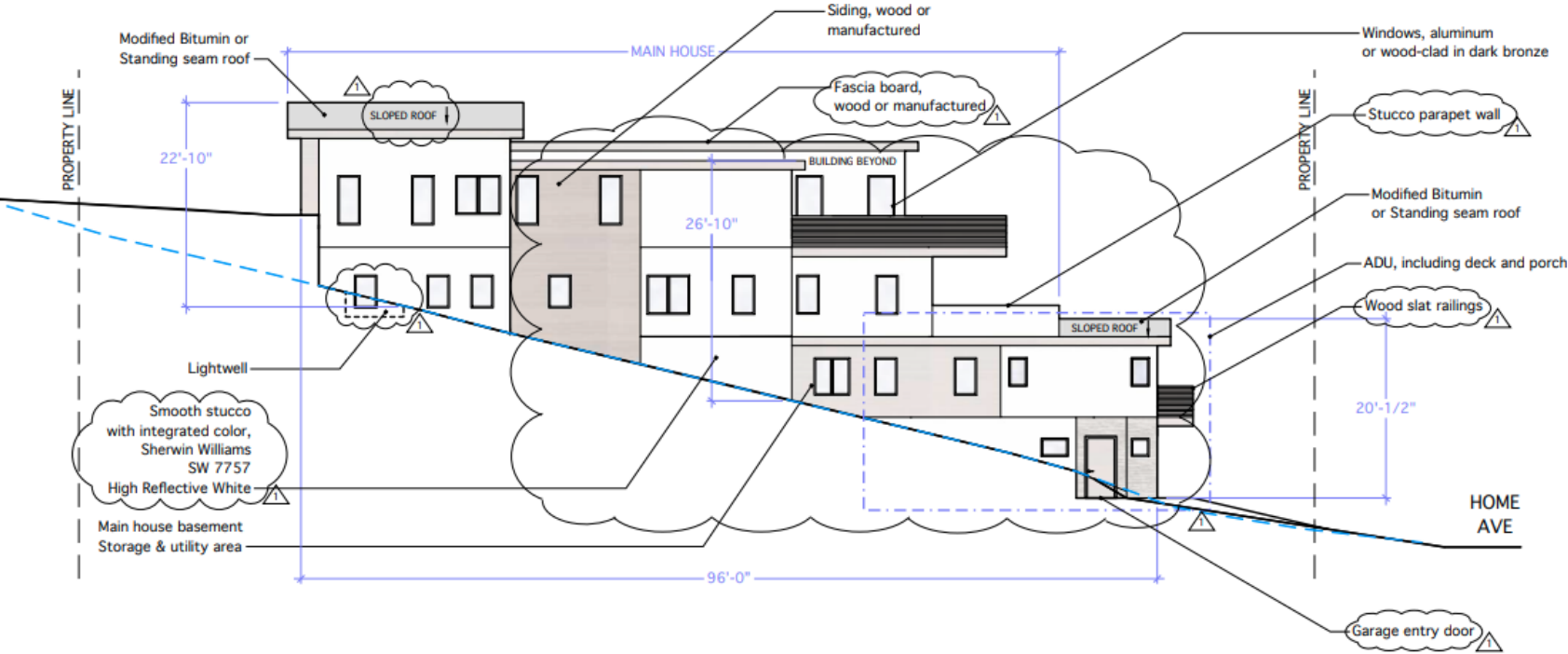
Accessory Dwelling Unit

- Accessible from Home Avenue
- 1,198 Square-Feet of Living Area
- 2 Bedroom, 1 Bathroom

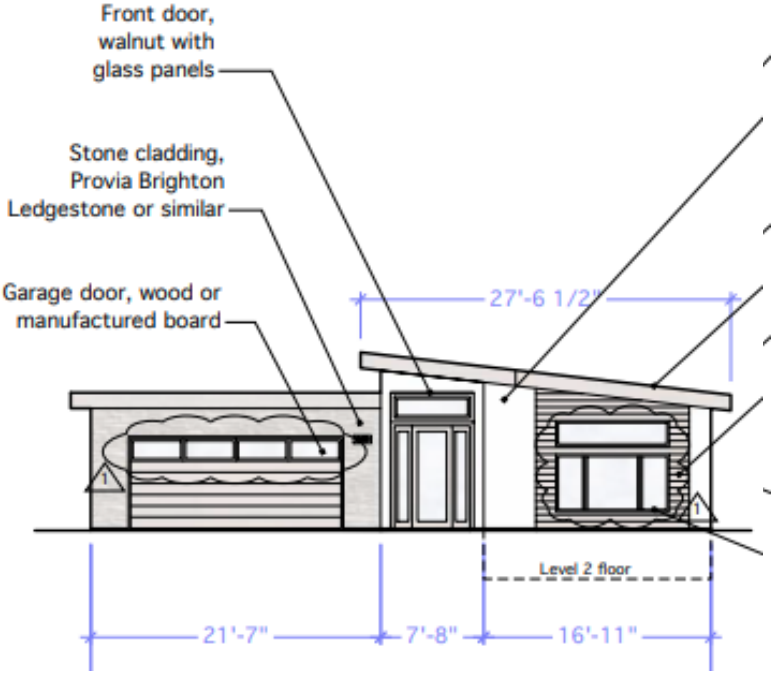
Single-Family Home

- Accessible from Hillcrest Avenue
- 3,522 Square-Feet of Living Area
- 5 Bedroom, 4 Bathroom

PROJECT ELEVATIONS



East Elevation



South Elevation
(Hillcrest Avenue)



PROJECT RENDERINGS

Views from Home Avenue

- Development steps along hillside and is no taller than 30-feet along the slope.
- Series of private outdoor decks in-lieu of backyard area.

PUBLIC COMMENTS



Neighborhood Concerns

Compatibility with
Hayward Highlands
Neighborhood Plan

Height of the Proposed
Single-Family Home
and ADU

Perception of
Apartment or Motel
Building

Storm Drainage Issues
along Home Avenue

Allowable Unit Size
of ADU



Staff Responses

The strategies and policies within the neighborhood plan were incorporated into the *Hayward 2040 General Plan* adopted by City Council in 2014.

The HMC requires measurements be taken from finished grade or existing grade, whichever is lower, to the mid-point of sloped roof pitches.

The property's zoning does not allow for multi-family buildings nor commercial motels; however, does permit single-family homes with ADUs.

The applicant, OHHA, and city staff met at the project site to explore on site improvements to minimize potential flooding and promote proper drainage.

State law allows attached ADUs to be up to 50% of the habitable floor area of main home with a maximum cap of 1,200 sqft.



PUBLIC COMMENTS *(continued)*

- ✓ As a follow-up to the on-site meeting between the applicant, OHHA, and city staff - Condition of Approval #28 was recently modified to the following: (new text in red)
 - The grading plans shall include all surface and sub-surface drains, drain inlets and structures. **Drainage from the lot shall be collected in a ditch along its frontage on Home Avenue. The ditch shall be maintained and extended to an existing drain across Home Avenue. The lot driveway on Home Avenue shall have a 12-inch drainpipe for passage of drainage in the ditch.**



ADU STATE LEGISLATION

Updated legislation effective January 1, 2020 which limited local zoning review to streamline production of ADUs

- ✓ ADUs are limited to ministerial (non-discretionary) review
- ✓ ADUs are not counted toward density limitations
- ✓ ADUs shall be only be subject to objective development standards for setbacks, lot coverage, size, height, etc.
- ✓ ADUs are exempt from providing on-site parking if within 0.5-mile from public transit (e.g. bus stop)



STAFF ANALYSIS

- ✓ Project complies with objective development standards of the RS zoning district, state ADU laws, and LDR land use designation.
- ✓ Development adheres to Hillside Design Guidelines to step along the existing hillside to minimize excessive grading and site disturbance.
- ✓ Project will result in the creation of a multi-generational household for the applicant and their extended family.
- ✓ Will result in an attractive single-family home and ADU with a modern contemporary design along with new site landscaping and storm drainage infrastructure.



CALIFORNIA ENVIRONMENTAL QUALITY ACT

The proposed residential development is considered *categorically exempt* from CEQA per Section 15303 for a single-family residence.

- ✓ No additional environmental review is required.

STAFF RECOMMENDATION

That the City Council:

- ✓ APPROVE the Site Plan Review and Grading Permit application based on the required Findings and subject to the Conditions of Approval.



Questions?

Reference Slides



9 min
0.4 miles

25998-25926
Hayward Boulevard

2601-2899
Hillcrest Avenue

PUBLIC HEARING

ITEM #5

PH #21-017

JONNADULA RESIDENCE

2382 RAINBOW CT

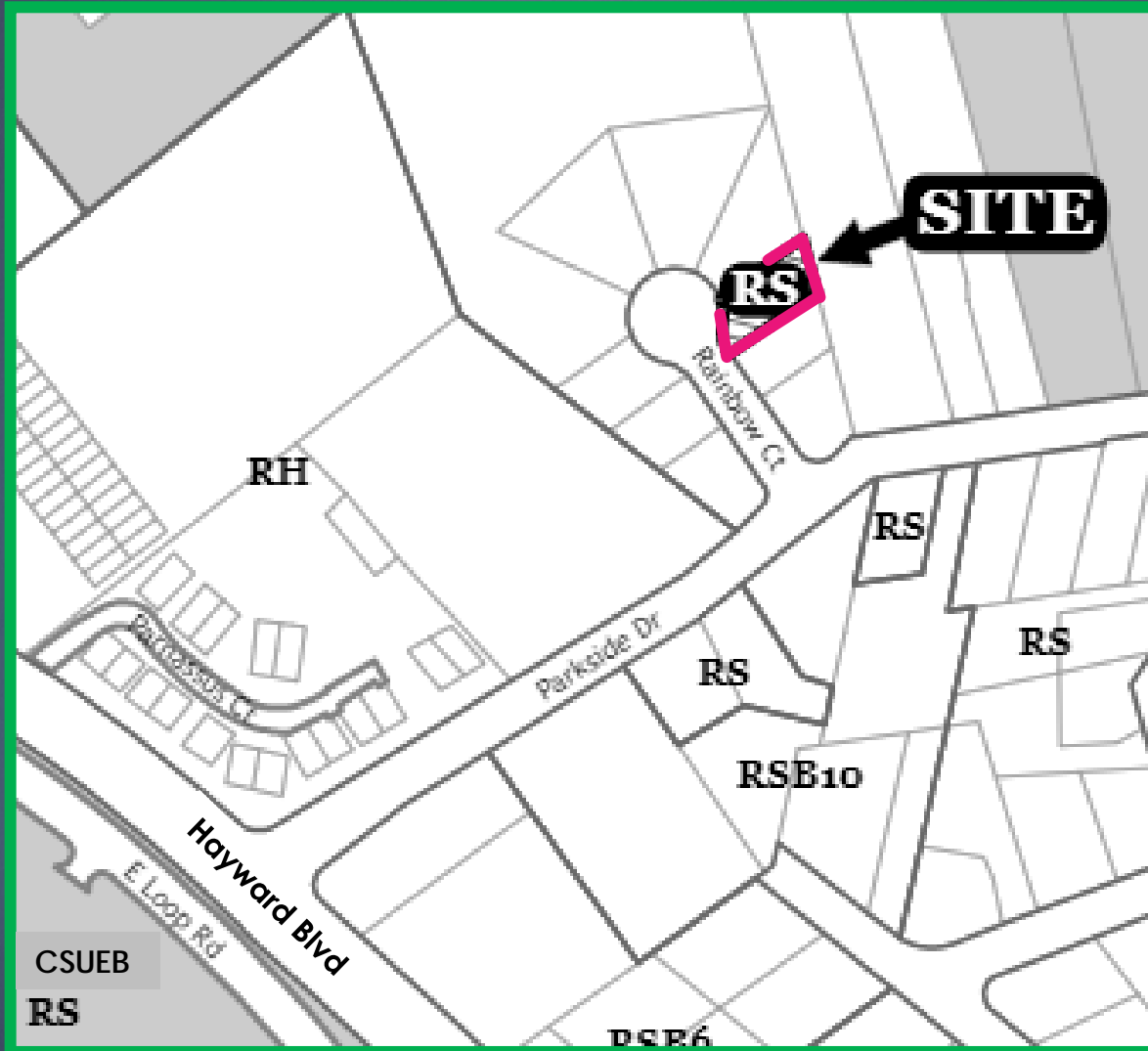


DEVELOPMENT SERVICES

Hillside Single Family Dwelling 2382 Rainbow Court

Ravi Jonnadula, H & M Ventures

Project Site

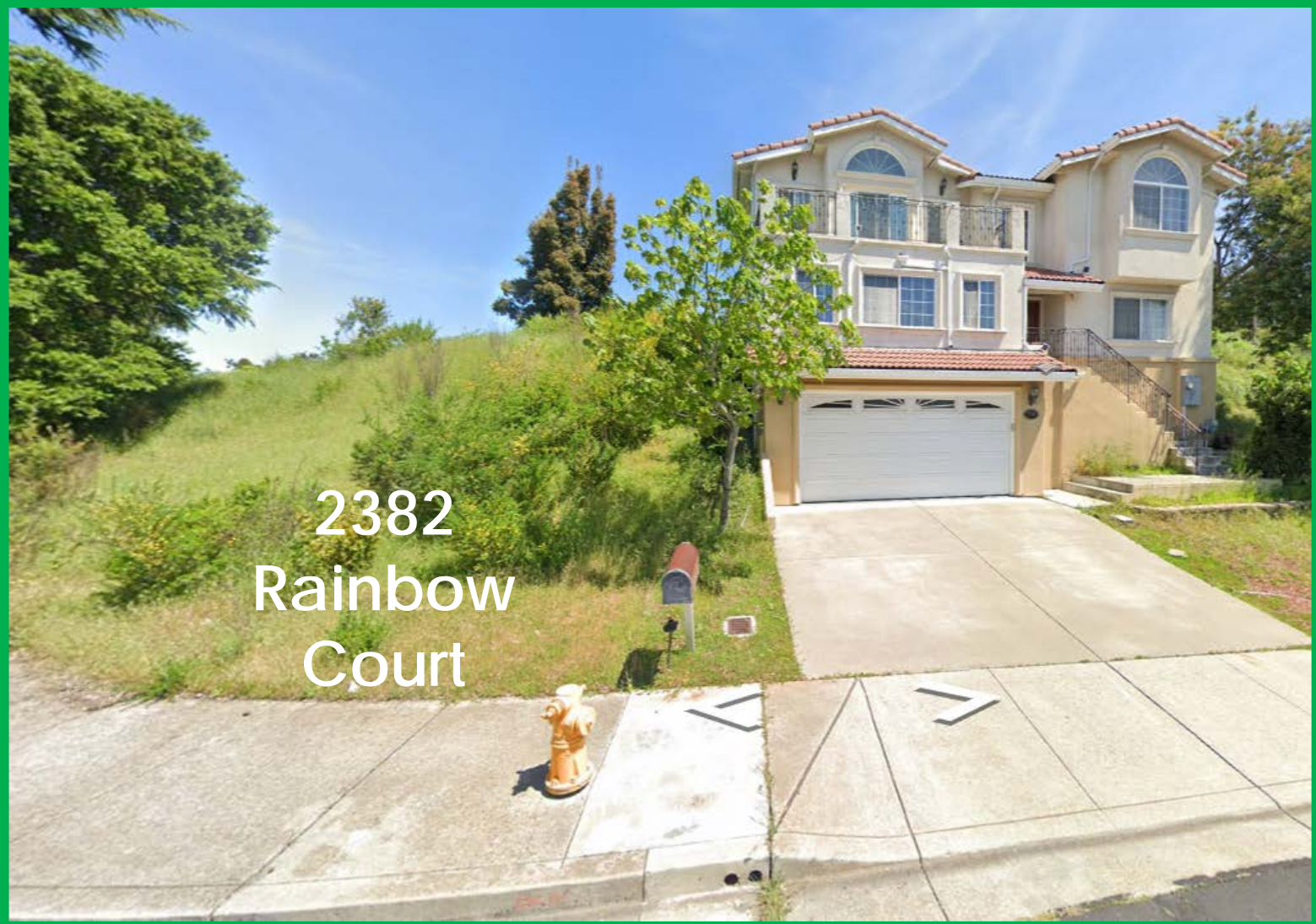


Location:
2382 Rainbow
Court

Zoning:
Single-Family
Residential

Land Use
Designation:
Low Density
Residential

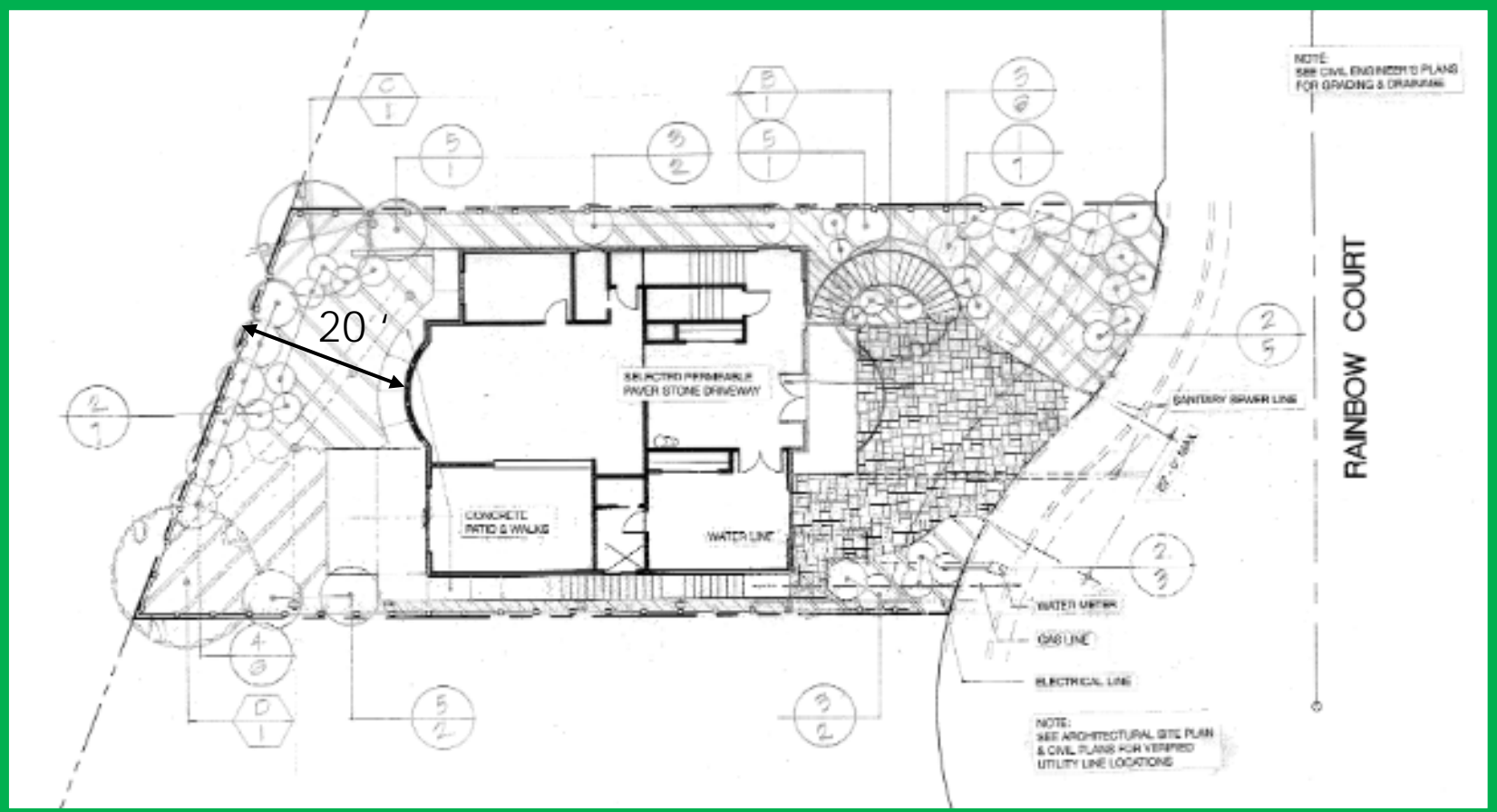
SITE



2382
Rainbow
Court

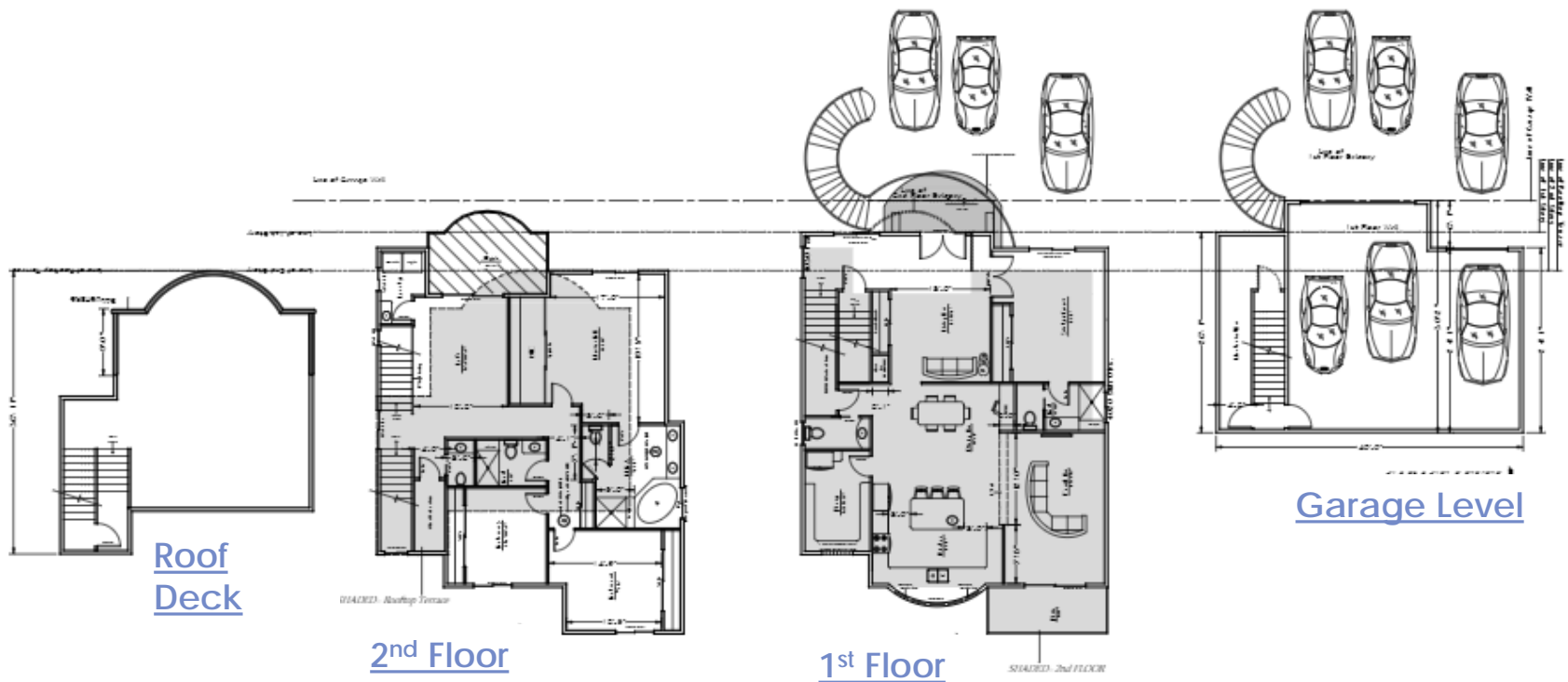


SITE PLAN



Lot Size
5.125 square feet

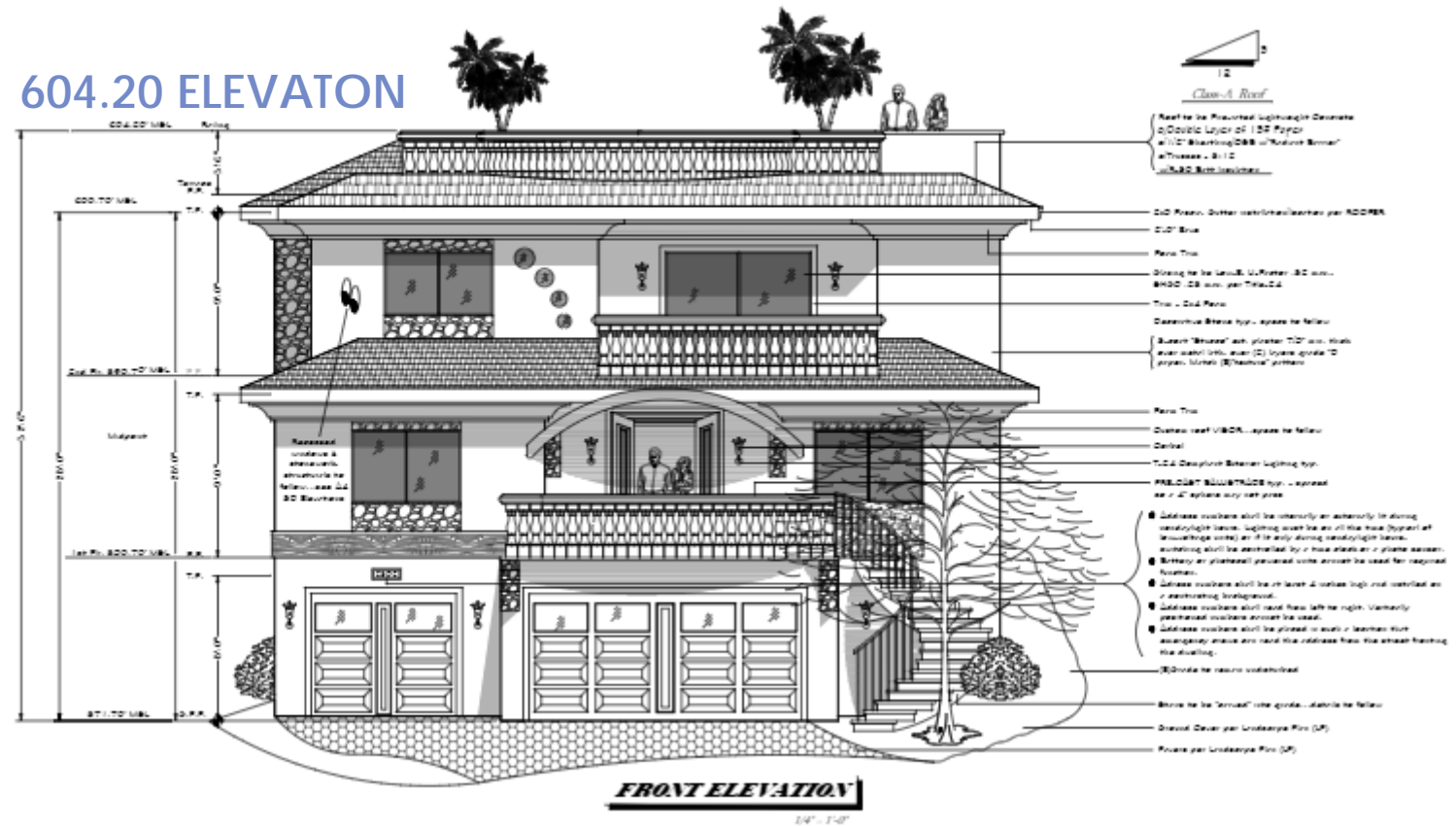
FLOOR PLANS



FRONT ELEVATION



604.20 ELEVATION

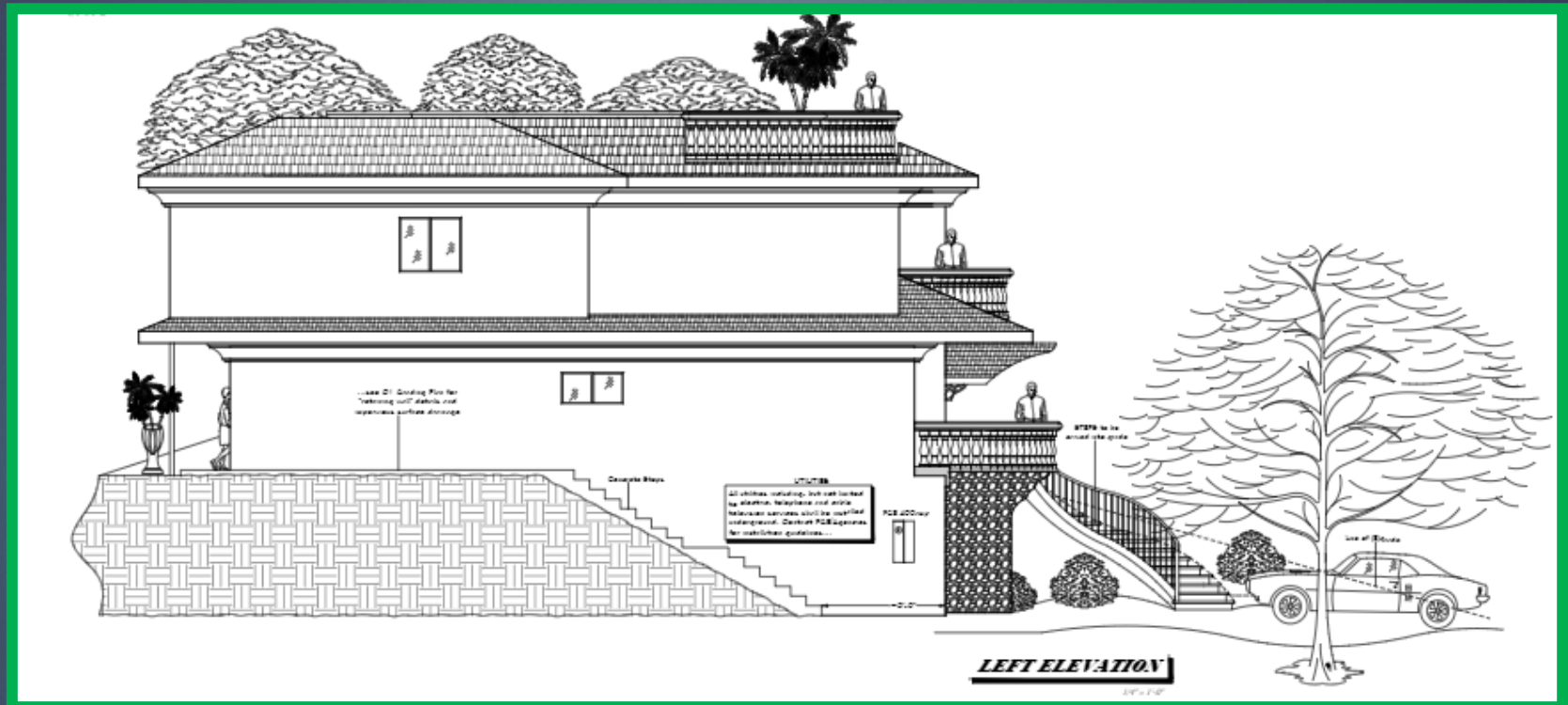


FRONT ELEVATION

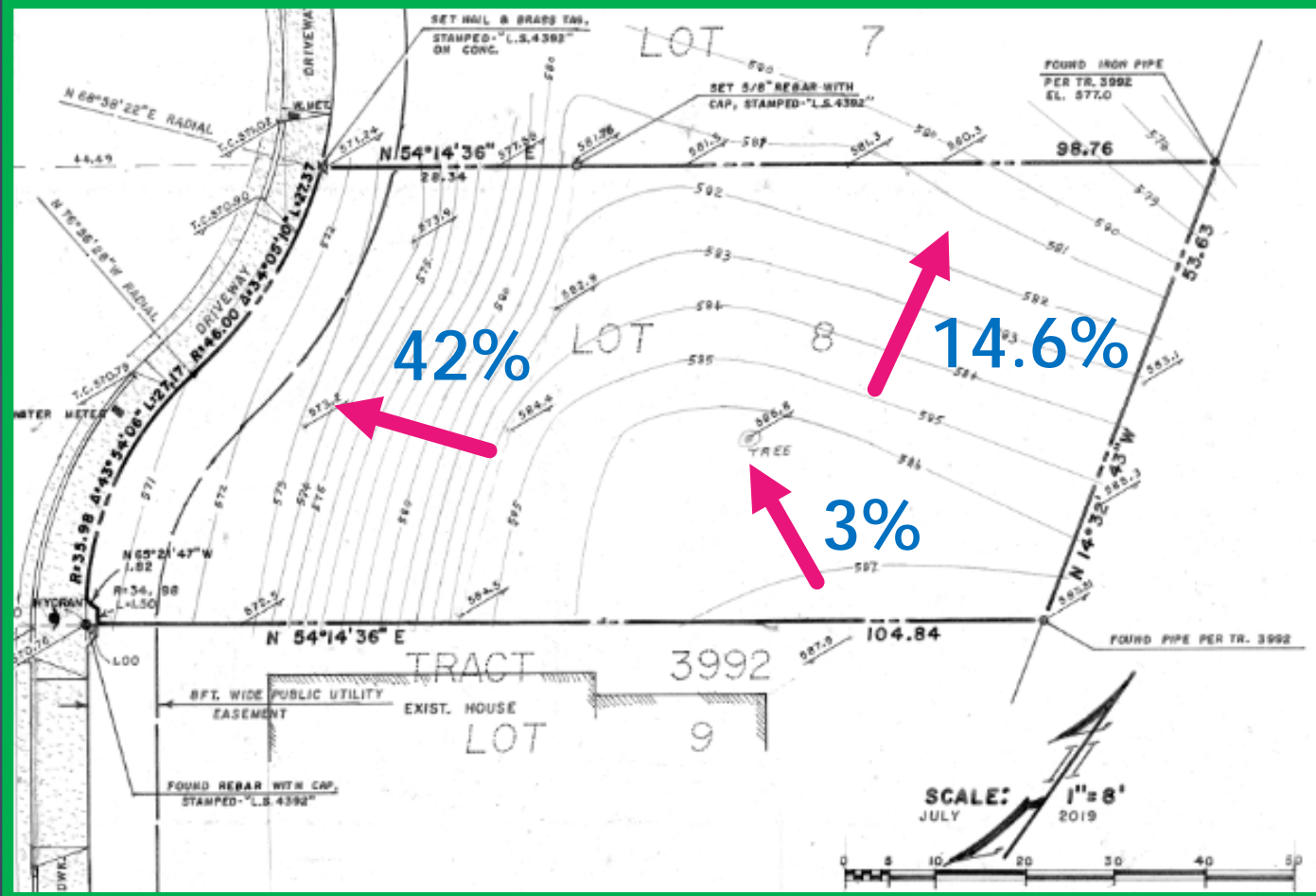
1/4" = 1'-0"



LEFT ELEVATION



TOPOGRAPHIC SURVEY



42%

14.6%

3%

SITE

Moderately Sloped

No Geological Hazard

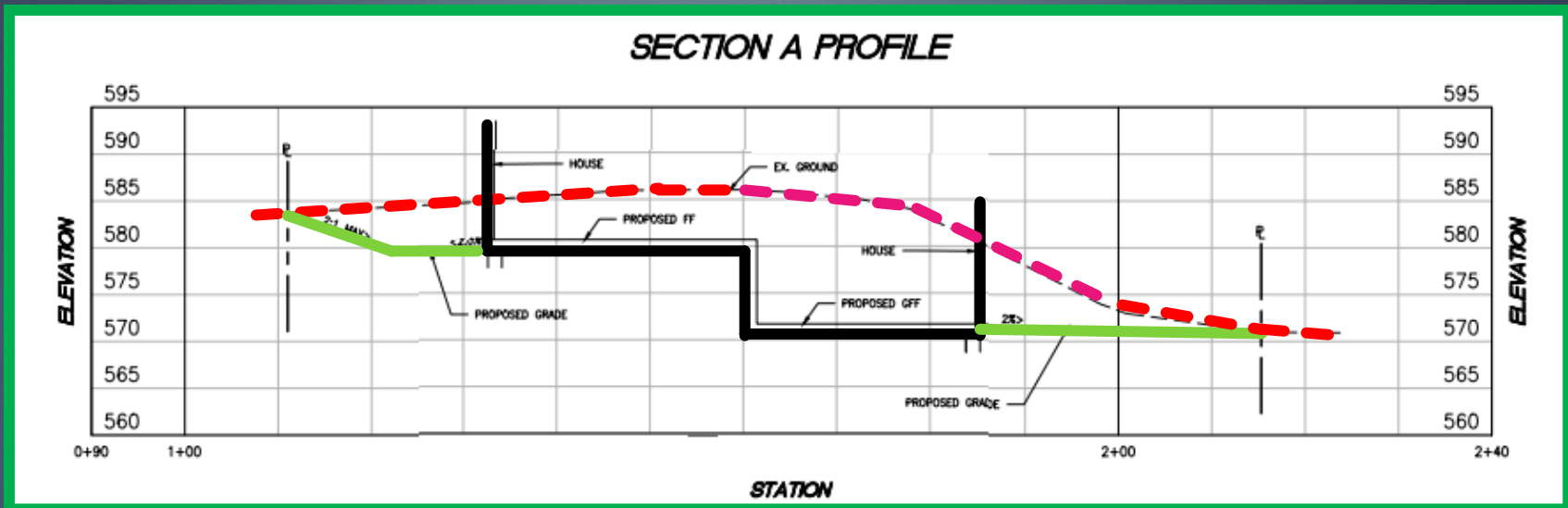
Average slope 21.3%

Site Photos



▶ Cross Section

▶ (Center of Property-Front to Rear)



*Export 960 cubic yards

Staff Recommendation



That the City Council adopt the Resolution approving the Site Plan Review with Grading Permit application for the proposed single-family residence on a vacant hillside parcel at 2382 Rainbow Court.

Questions & Discussion



LEGISLATIVE BUSINESS

ITEM #6

LB 21-008

**MUNICIPAL FACILITY LICENSE
AGREEMENT
TEMPLATE**

Master Facility License Agreement Template



IT Manager, Nathaniel Roush
3/2/21

Background

- **Demand for consumer wireless technology is growing**
- **Opportunity to meet demand: City vertical infrastructure**
- **MFLA: Allows for small cell installation within the City**
- **MFLA framework began in 2018**

Inclusive of Industry Feedback

- Summer 2019 City sought vendor input
- 15 phone calls and meetings
- 5+ MFLA revisions
- Not all proposed revisions were incorporated
- MFLA content: Specialized outside counsel review and experience

MFLA Template Design

- Step one: Council approval of MFLA template
 - MFLA template is inclusive of vendor feedback
- Step two: City Manager to negotiate specific terms with individual carriers in individual MFLAs
 - Individual MFLA must substantially conform with the Council approved MFLA template

Key Terms

- 10-year term with two 5-year renewals
- Rental Fee and Alternate Rent
- Fiber-in-Lieu of Payment
- License Termination and Equipment Replacement

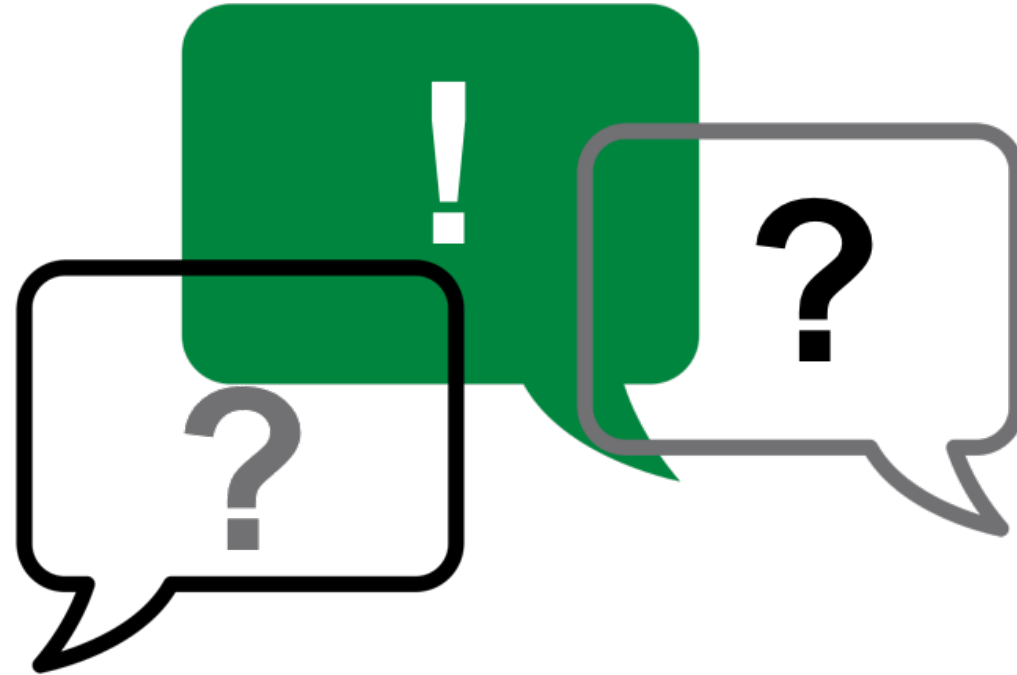
Recommendation

- That the Council adopts a resolution approving the Municipal Facility License Agreement (MFLA) template for the attachment of wireless facilities to City-owned vertical infrastructure, such as street lights in the public right-of-way, and
- That the Council also authorizes the City Manager to execute MFLAs with qualified companies in substantial conformance with the template and upon approval by the City Attorney as to form.

Next Steps

- Finalize individual templates with companies
- Companies must comply with City regulatory process and design guidelines
- Applies to every location

Questions



LEGISLATIVE BUSINESS

ITEM #7

LB 21-009

**RESIGNATION OF
GARY PATTON**

**PLANNING COMMISSION
VACANCY**

Planning Commission Vacancy



CITY COUNCIL MEETING
March 2, 2021

PLANNING COMMISSION

Planning Commission Vacancy (LB 21-009)

- Accept Resignation of Planning Commissioner Gary Patton, Effective April 1, 2021.
- Direct Staff to Fill Vacancy.

PLANNING COMMISSION

Planning Commission Vacancy (LB 21-009)

- April 1, 2021
- Term Ending September 2022

PLANNING COMMISSION

Options for Filling Vacancy

- Conduct a Special Recruitment.
- Use the 2020 Planning Commission Applicants List to Fulfill the Vacant Term Ending 2022.
- Fill the Vacated Seat During the 2021 Annual Appointment Process for Commissions and KHC>F in September 2021.
- Appoint Former Council Member Mendall to Fill the Vacated Seat Until September 2021.

PLANNING COMMISSION

Special Recruitment



Limited Community Outreach

- One Month
- Social Media

2020 Applicants List



Interview and Selection Process

- Confirm Eligibility and Interest
- Determine Interview and Selection Process

Annual Recruitment



Fill During September Appointment Process

- Upcoming Planning Commission Public Hearings and Work Sessions Need Full Commission Participation

Appoint Former CM Mendall



Fill Vacancy Until September 2021

- Available and Willing to Serve for Limited Term

PLANNING COMMISSION

RECOMMENDATION

- Adopt a Resolution Accepting Resignation of Planning Commissioner Gary Patton, Effective April 1, 2021.
- Appoint former Council Member Mendall to Fill the Vacancy Until September 2021 and Amend Resolution to Include this Action.