



DATE: November 17, 2020

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Adopt an Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code for a Major Modification to an Existing Planned Development District (Application No. 201706217) in Connection with the Development of a Fuel Facility at the Costco Business Center at 22330 Hathaway Avenue in the City of Hayward

RECOMMENDATION

That Council adopts the Ordinance introduced on November 10, 2020, by Council Member Zermeño.

SUMMARY

The item entails adoption of an Ordinance approving a major modification to an existing Planned Development District in connection with the development of a fuel facility at the Costco Business Center located at 22330 Hathaway Avenue in Hayward.

BACKGROUND

The Ordinance was introduced by Council Member Zermeño at the November 10, 2020, special meeting of the City Council with the following roll call vote:

AYES: COUNCIL MEMBERS: Márquez, Wahab, Zermeño
MAYOR Halliday

NOES: COUNCIL MEMBERS: Lamnin, Mendall, Salinas

ABSENT: NONE

ABSTAIN: NONE

The Ordinance was introduced with one additional Condition of Approval such that should the Costco Business Center cease permitted operations in the main warehouse building, then the fuel facility (gas station) shall be required to be decommissioned per local and state regulations such as written below:

- “The fuel facility and all related improvements, including, but not limited to the underground storage tanks (USTs) shall be decommissioned, removed, and reverted to pre-development conditions (parking lot and landscaping) should the Costco Business

Center cease permitted operations and/or vacate the primary warehouse building at the site. The decommission and removal of the fuel facility and its related improvements shall be completed within six (6) months of the Costco Business Center vacancy/final closure and shall be subject to local, county, and state regulations pertaining to the closure of fuel facilities.”

The Conditions of Approval (Attachment III – Conditions of Approval within Resolution) has been amended by adding the Condition of Approval as shown in red text.

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to any of the six priorities outlined in the Council’s Strategic Roadmap.

ECONOMIC AND FISCAL IMPACT

There is no economic or fiscal impact associated with this report.

PUBLIC CONTACT

The summary of the Ordinance (Attachment II) was published in the Bay Area News Group on Friday, November 13, 2020. Adoption at this time is therefore appropriate.

NEXT STEPS

The Hayward Municipal Code will be updated accordingly if the Ordinance is adopted.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:



Kelly McAdoo, City Manager