



DATE: March 26, 2019

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Approval of Final Maps for Tracts 8445 and 8446 (SoHay), Associated with the Previously Approved Vesting Tentative Map for Tract 8428; William Lyon Homes, Inc. (Applicant/Owner)

RECOMMENDATION

That the City Council adopts the attached resolution (Attachment II) approving Final Maps for Tracts 8445 and 8446, finding them in substantial conformance with approved Vesting Tentative Tract Map 8428 and the Conditions of Approval thereof, and authorizing the City Manager to take other administrative actions and execute Subdivision Agreements and such other documents as are appropriate to effectuate the required improvements for the SoHay development.

SUMMARY

The applicant has submitted Final Maps and Improvement Plans that have been reviewed and have been determined by the City Engineer to be in substantial compliance with the approved Vesting Tentative Map for Tract 8428. City Council's approval of the attached resolution would approve the Final Maps and authorize the City Manager to execute Subdivision Agreements between the City and Applicant for the construction of improvements and other obligations required per conditions of approval of the Vesting Tentative Tract Map.

If the City Council approves the Final Maps, the applicant may subsequently have the final maps recorded, obtain building permits, and commence the construction of improvements shown on the approved Improvement Plans.

BACKGROUND

Per State law, Tentative and Final Tract Maps are required for all subdivisions creating five or more parcels. A Tentative Tract Map is required to ensure that any proposed development complies with the Subdivision Map Act, the California Environmental Quality Act, Planned Development guidelines, the City Subdivision Ordinance, Zoning Ordinance, Building Regulations, the Hayward General Plan and Neighborhood Plans, and the site-specific requirements of the Development Services, Public Works, Fire, and Police Departments.

After the Tentative Map and Precise Plan are approved, the Applicant submits the Final Subdivision Map and Improvement Plans for review and approval by the City Engineer (and subsequent recordation of the Final Map after Council review and approval) before proceeding with obtaining building permits.

On May 8, 2018¹, Council approved the Vesting Tentative Tract Map and other discretionary approvals to subdivide the property and construct 472 residential units, 20,000 square feet of commercial space, and a public park and trail. The Vesting Tentative Map will expire on May 8, 2021.

On July 5, 2018, the Applicant submitted Improvement Plans and the Final Maps for Tracts 8445 and 8446 to the City Engineer for review and approval.

DISCUSSION

Tracts 8445 and 8446 are located across six (6) parcels totaling 3.29-acres in the vicinity of Mission Blvd and Valle Vista Ave (see Attachment III - Vicinity Map) and will create 76 residential condominium units. Tracts 8445 and 8446 are the last final maps for the approved SoHay development.

SoHay has a condition of approval that requires the mixed-use buildings, located along Mission Blvd, to begin vertical construction prior to the issuance of a certificate of occupancy for the first “for sale” condominium unit. The condition also states that the mixed-use buildings shall be completed prior to issuing a certificate of occupancy for the 321st condominium unit. The mixed-use buildings are comprised of two (2) 55-foot buildings that will include 20,000 square feet of commercial space and 72 apartment units.

No certificates of occupancy have been issued to date for any “for sale” condominium unit.

Building permit applications for the mixed-use buildings were submitted by the Developer on July 30, 2018, were reviewed by staff, and permits are ready for issuance. Staff will continue to monitor the project as it relates to ensuring the timely construction of the mixed-use buildings in compliance with the condition of approval described above.

The Subdivision Improvement Plans and Final Maps (Attachment V) were reviewed by the City Engineer and were found to be in substantial compliance with the Vesting Tentative Map and in conformance with the Subdivision Map Act and Hayward’s subdivision regulations. There are no significant changes to the Final Maps as compared to the approved Vesting Tentative Tract Map.

The City Council’s approval of the Final Maps shall not become effective until and unless the developer enters into a Subdivision Agreement with the City for the construction of

¹ **May 8, 2018 Staff Report:** <https://hayward.legistar.com/LegislationDetail.aspx?ID=3495370&GUID=56F2B1C9-5A13-4A91-B72C-7E775359D4AD>

improvements and other obligations required per conditions of approval of the Vesting Tentative Tract Map.

On May 8, 2018, the Hayward City Council adopted a Mitigated Negative Declaration with the approval of Vesting Tentative Map Tract 8428 and additional environmental review is not required for approval of the Final Maps.

ECONOMIC AND FISCAL IMPACTS

The approval of these Final Maps is consistent with the approved project and 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 goals and objectives:

- Goal 1: Prioritize safety for all modes of travel.
- Objective 3: Ensure that roadway construction and retrofit programs and projects include complete streets elements.
- 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.

Objective 4: Increase supply of affordable, safe, and resilient housing in Hayward.

PUBLIC CONTACT

A public hearing is not required for the filing of the Final Maps for Tract 8445 and Tract 8446. Public hearings were already conducted as part of the approval of the Vesting Tentative Map for Tract 8428.

NEXT STEPS

If the City Council approves the Final Maps, the applicant may then have the final maps recorded, obtain construction permits, and commence the construction of improvements shown on the approved Improvement Plans.

Prepared by: Allen Baquilar, Senior Civil Engineer

Recommended by: Laura Simpson, Development Services Director

Approved by:



Kelly McAdoo, City Manager