

**CITY COUNCIL MEETING
TUESDAY, MAY 28, 2019**

PRESENTATIONS

ITEM 9 – PH 19-054

**APPLICATION TO AMEND CHAPTER 10,
ARTICLE 1 (ZONING ORDINANCE) AND ARTICLE
2 (OFF-STREET PARKING REGULATIONS)
RELATED TO THE CREATION OF NEW
INDUSTRIAL DISTRICT REGULATIONS WITHIN
THE HAYWARD MUNICIPAL CODE AND THE
ADOPTION OF INDUSTRIAL DISTRICT DESIGN
GUIDELINES**



CITY OF HAYWARD

INDUSTRIAL DISTRICT REGULATIONS UPDATE



CITY COUNCIL PUBLIC HEARING



MAY 28, 2019

Minor Edits to Regulations

Zoning Map

- Added AT-C and AT-AC District area on Airport property; not relevant to industrial zoned land.

Industrial District Regulations

- Require CUP for Storage Yards in IG (General Industrial) District.

Food Vendor Regulations

- Eliminated requirement for 300 foot buffer between vendors.

Outdoor Storage

Current Zoning Regulations

- Permitted on 10% of site;
- CUP required for outdoor storage that exceeds 10% of site.

Proposed Zoning Regulations

- Up to 25% of site – Permitted in all sub-districts subject to performance standards;
- Over 25% of site – AUP required in all sub-districts;
- Over 50% of site – CUP required; only permitted in General Industrial District.

Limited Industrial Sub-District

IL (Limited Industrial) District

- Intended for parcels located in close proximity to residential and commercial uses;
- Prohibit establishment of new noxious uses incompatible with surrounding uses;
- Allow a variety of light industrial uses such as custom and light manufacturing, warehousing & distribution, wholesale as well as supporting commercial uses.

Proposed Zoning Map

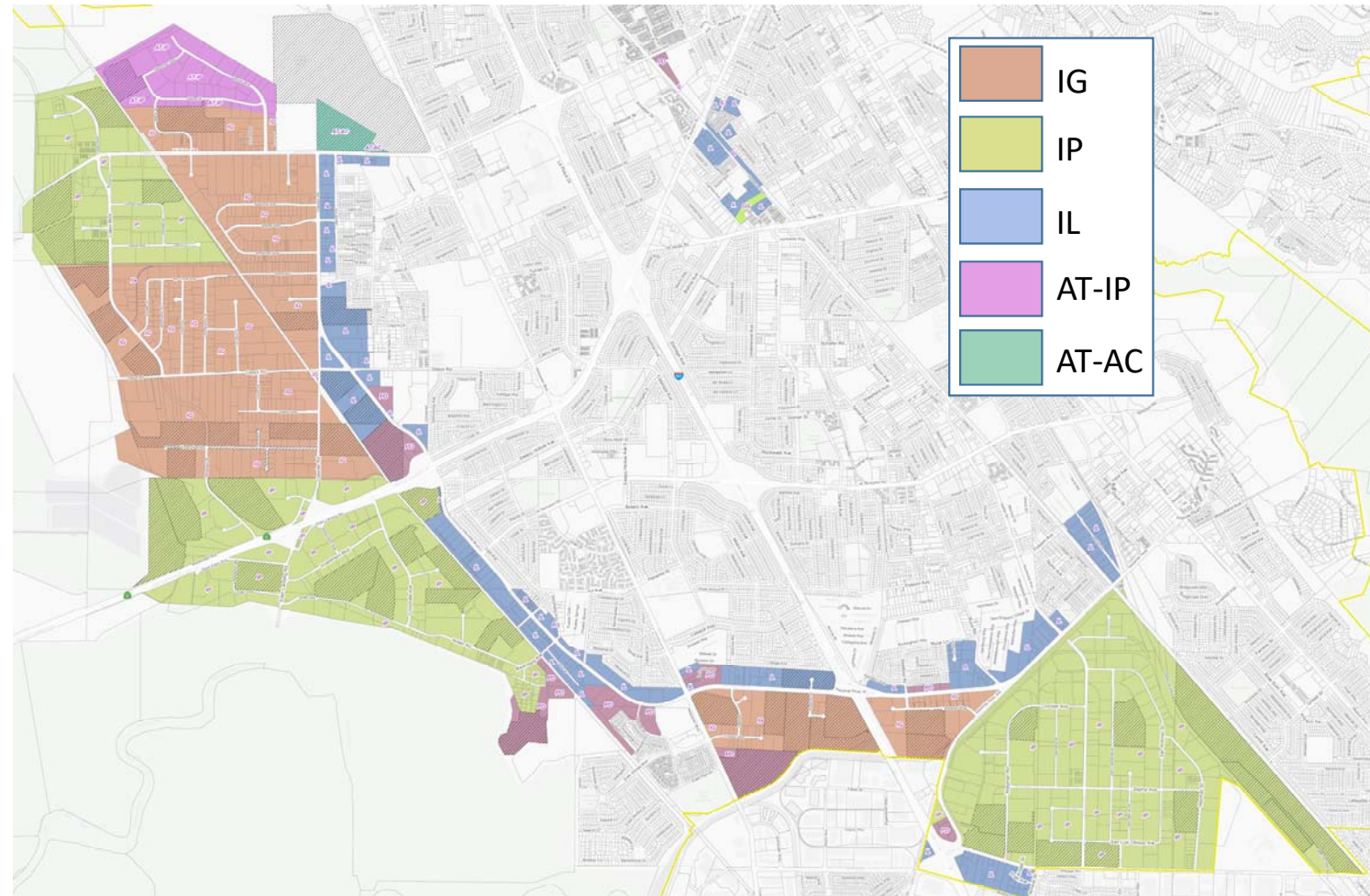
Proposed subdistricts have purpose statements reflecting character and intent

IG: Allow widest variety of industrial uses

IP: Create or maintain an industrial park or campus-like atmosphere

IL: Most restrictive on heavy industrial uses, most permissive on non-industrial uses. Address compatibility

AT-IP, AT-AC: Minor modifications to use regulations and development standards



Recommendation

That the City Council Adopt the Ordinance and Accompanying Resolution Approving Zoning Map and Text Amendments, Related Design Guidelines and Environmental Analysis for the Industrial District Regulations Update.

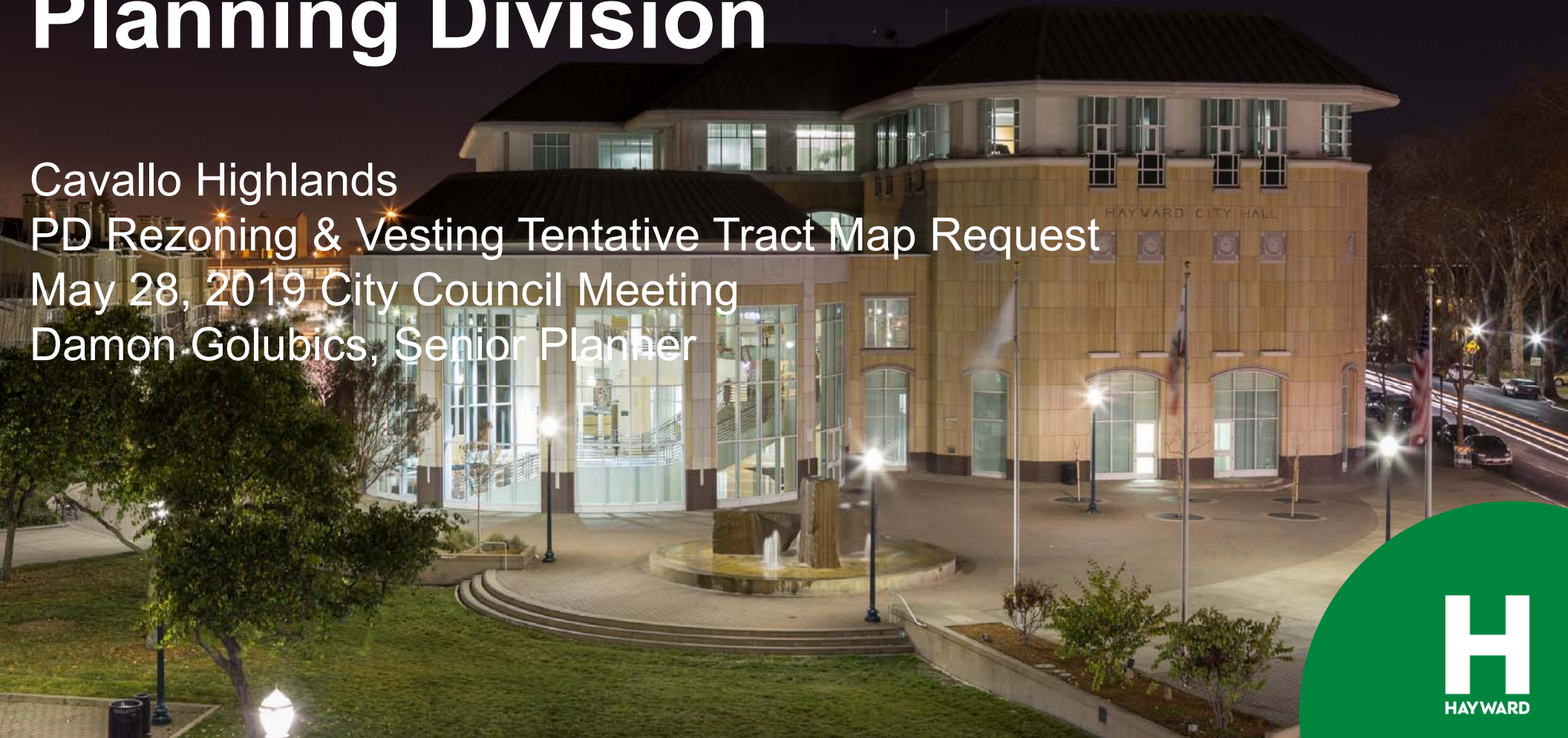
QUESTIONS & COMMENTS

ITEM 10 – PH 19-050

PROPOSAL TO SUBDIVIDE AN EXISTING 8.88 ACRE PARCEL INTO 22 PARCELS TO ALLOW THE CONSTRUCTION OF 19 SINGLE-FAMILY RESIDENCES WITH COMMON OPEN SPACE AREAS AND RELATED SITE IMPROVEMENTS AT 29080 FAIRVIEW AVENUE (APN 085A-6428-002-00) BY ERIK HAYDEN OF HAYDEN LAND COMPANY, LLC (APPLICANT) ON BEHALF OF CARRIE AITKEN (OWNER) REQUIRING A TENTATIVE TRACT MAP, PLANNED DEVELOPMENT (PD) REZONE, AND MITIGATED NEGATIVE DECLARATION WITH MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) APPLICATION NO. 201603891

Development Services Dept. Planning Division

Cavallo Highlands
PD Rezoning & Vesting Tentative Tract Map Request
May 28, 2019 City Council Meeting
Damon Golubics, Senior Planner



Cavallo Highlands PD Rezone & Tentative Tract Map

Background:

- 8.88 acres
- One existing parcel
- General Plan: SDR (Suburban Density Residential)
- Zoning: AB160A (Agriculture & Combining District B)
- Walpert Ridge Specific Plan

Cavallo Highlands PD Rezone & Tentative Tract Map

Proposal:

- Subdivide site into 22 parcels
- Construct 19 single-family homes
- Tree removal
- Open space
- Utilities
- Private street system
- PD amenities

Cavallo Highlands PD Rezone & Tentative Tract Map



Cavallo Highlands PD Rezone & Tentative Tract Map



Elevation B - Spanish Colonial



Elevation A - Italian Revival

Cavallo Highlands PD Rezone & Tentative Tract Map



Elevation C - Craftsman



Elevation B - Spanish Colonial

Cavallo Highlands PD Rezone & Tentative Tract Map



Elevation D - Prairie



Elevation C - Craftsman

Cavallo Highlands PD Rezone & Tentative Tract Map

Amenities:

- EV charging station available for each unit
- All homes complete with solar panel installation
- On-site open space “park” with panoramic views
- Shade providing and oxygen sequestering trees
- Pervious pavers
- Low flush toilets
- No invasive plant species
- Native and drought tolerant plant species

Cavallo Highlands PD Rezone & Tentative Tract Map



Cavallo Highlands PD Rezone & Tentative Tract Map

Affordable Housing:

- Applicant plans to pay the current affordable housing in-lieu fee
- Payment of the fee would support the creation of affordable units that are near transit

Cavallo Highlands PD Rezone & Tentative Tract Map

CEQA:

- Initial Study
- Mitigated Negative Declaration
- Mitigation Monitoring & Reporting Program
- Notice of Intent
- Public Comment Period: March 22nd through April 22nd
- Other public outreach performed by the applicant team

Cavallo Highlands PD Rezone & Tentative Tract Map

Walpert Ridge Specific Plan (1998):

- Site offers expansive scenic views of open space and the surrounding Bay Area
- Promote lot sizes and lot grading that will be sensitive to the existing hillside terrain and will allow for variations in size and design of housing within the development, while allowing for padded lots
- Containment of housing to Urban Development Areas
- Promote Housing Element; development of a balanced housing supply, particular housing oriented toward above moderate-income households
- Incorporation of mitigation measures substantially or fully reducing significant adverse environmental impact of the development

Cavallo Highlands PD Rezone & Tentative Tract Map

Findings:

- PD Rezone - Six (6) findings (Section 10-1.2535)
- Tentative Map – Subdivision Map Act (Section 66473.5)

Cavallo Highlands PD Rezone & Tentative Tract Map

Other:

- Strategic Initiatives
- Hillside & Urban Wildlife Interface Guidelines
- Provides a different type of housing in Hayward

Cavallo Highlands PD Rezone & Tentative Tract Map

Planning Commission Review:

- Hearing held on May 9th
- Recommended that Council approve the project
- 6-0 Commission vote

Cavallo Highlands PD Rezone & Tentative Tract Map

EBRPD:

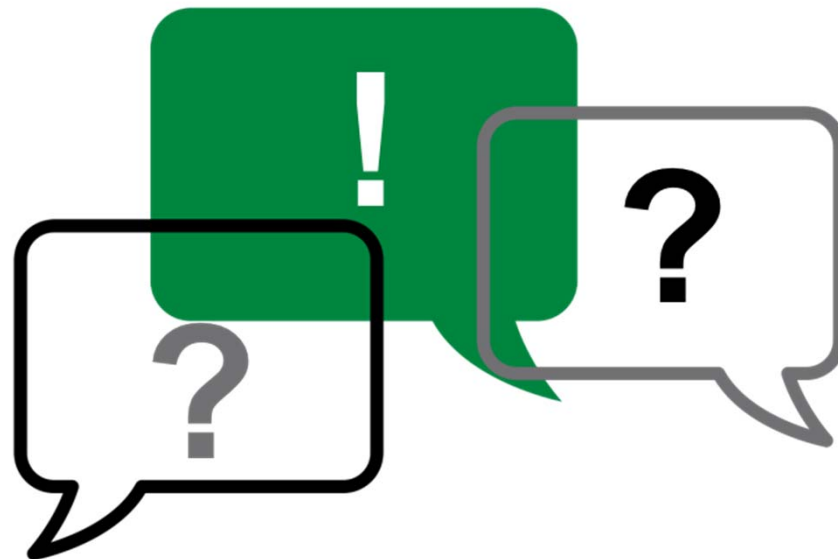
- Prior to approval of the Precise Plan for the project, the applicant shall continue to have constructive conversations with the East Bay Regional Park District (EBRPD) regarding the Park District's possible use of the development's main access road off Carden Lane. (COA # 54)

Cavallo Highlands PD Rezone & Tentative Tract Map

Recommendation:

- That the City Council approve Tentative Tract Map No. 8353, PD Rezone Application No. 201603891 and adopt the Mitigated Negative Declaration (MND) for the project with a Mitigation Monitoring and Reporting Program (MMRP) based on the analysis set forth in the staff report and the suggested findings and conditions of approval also contained in the staff report.

Questions



ITEM 11 – PH 19-051

**PROPOSED CANNABIS RETAIL DISPENSARY AT
1004 B STREET (ASSESSOR PARCEL NO. 428-
0061-056-00) BY SIAVASH AFSHAR ON
BEHALF OF HAYWARD STATION (APPLICANT);
ALFRED J ANTONINI (PROPERTY OWNER),
REQUIRING APPROVAL OF CONDITIONAL USE
PERMIT - APPLICATION NO. 201806005**

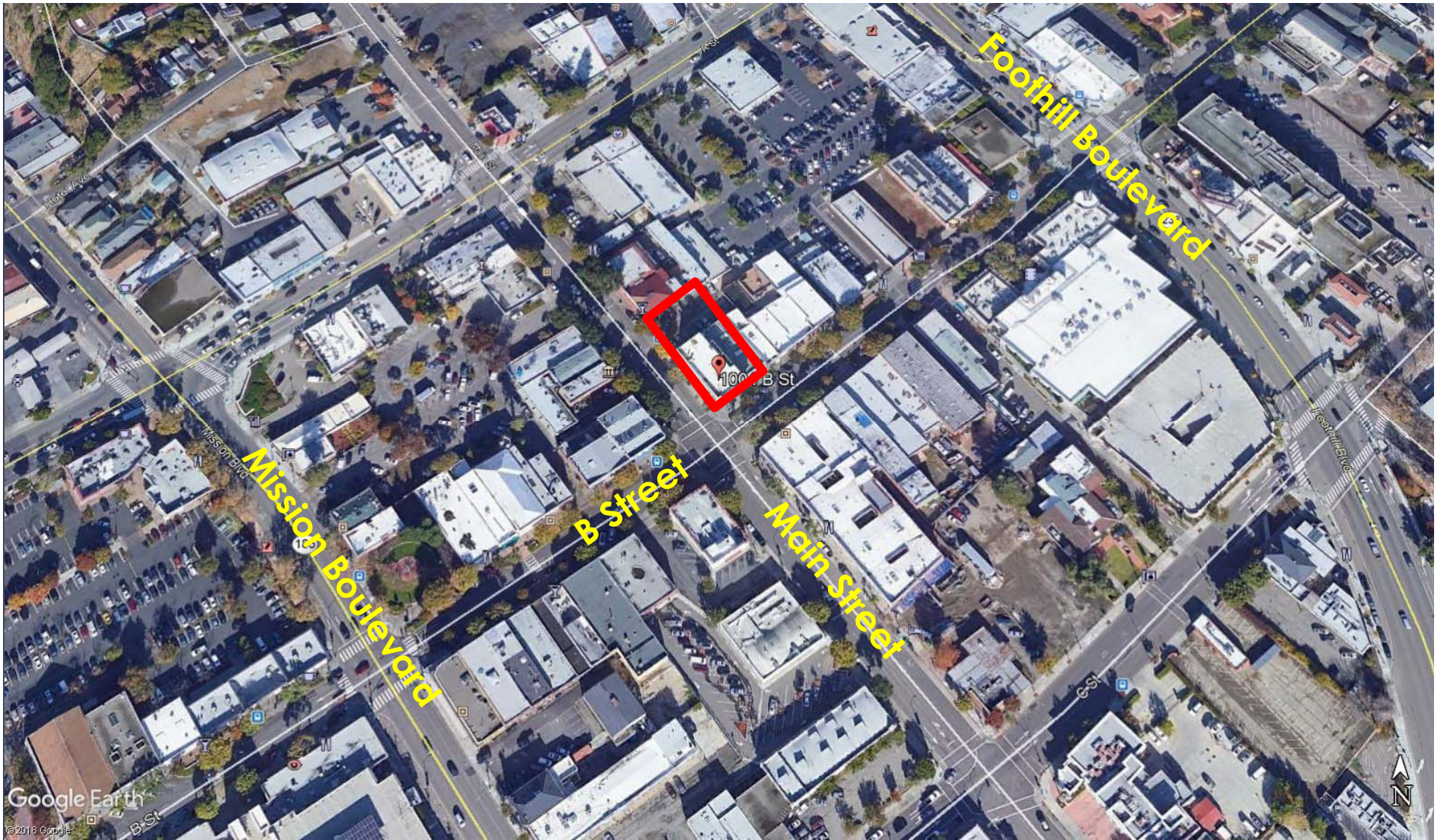


DEVELOPMENT SERVICES

Hayward Station Cannabis Dispensary

Leigha Schmidt
Senior Planner

May 28, 2019
City Council



Vicinity Map

Existing Conditions







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Overview Cannabis Regulations



- ▶ **November 8, 2016** Voters approved Prop 64 legalizing adult recreational cannabis use;
- ▶ **October 30, 2017 & November 28, 2017** Council adopted regulatory & land use ordinances authorizing establishment of cannabis businesses in Hayward with a maximum of three retail dispensaries in Downtown;
- ▶ **December 2017-January 2018** City Manager's Office conducted RFP Process & issued 11 Cannabis Permits;
- ▶ **March 19, 2019** Council adopted amendments to land use regulations to reduce minimum distances between cannabis dispensaries and between cannabis dispensaries & sensitive uses.



Seattle, Washington

Portland, Oregon

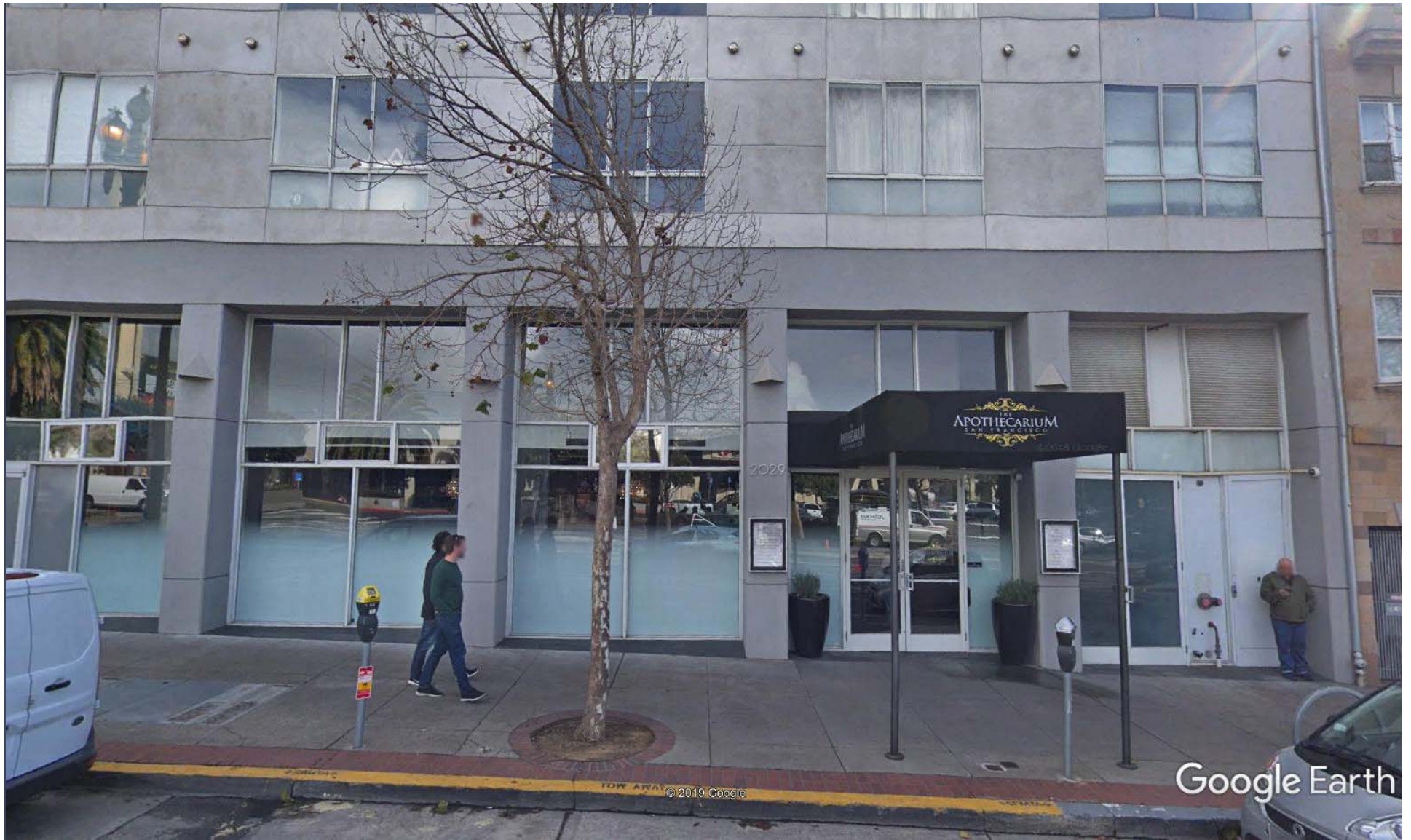




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Oakland, California



San Francisco, California



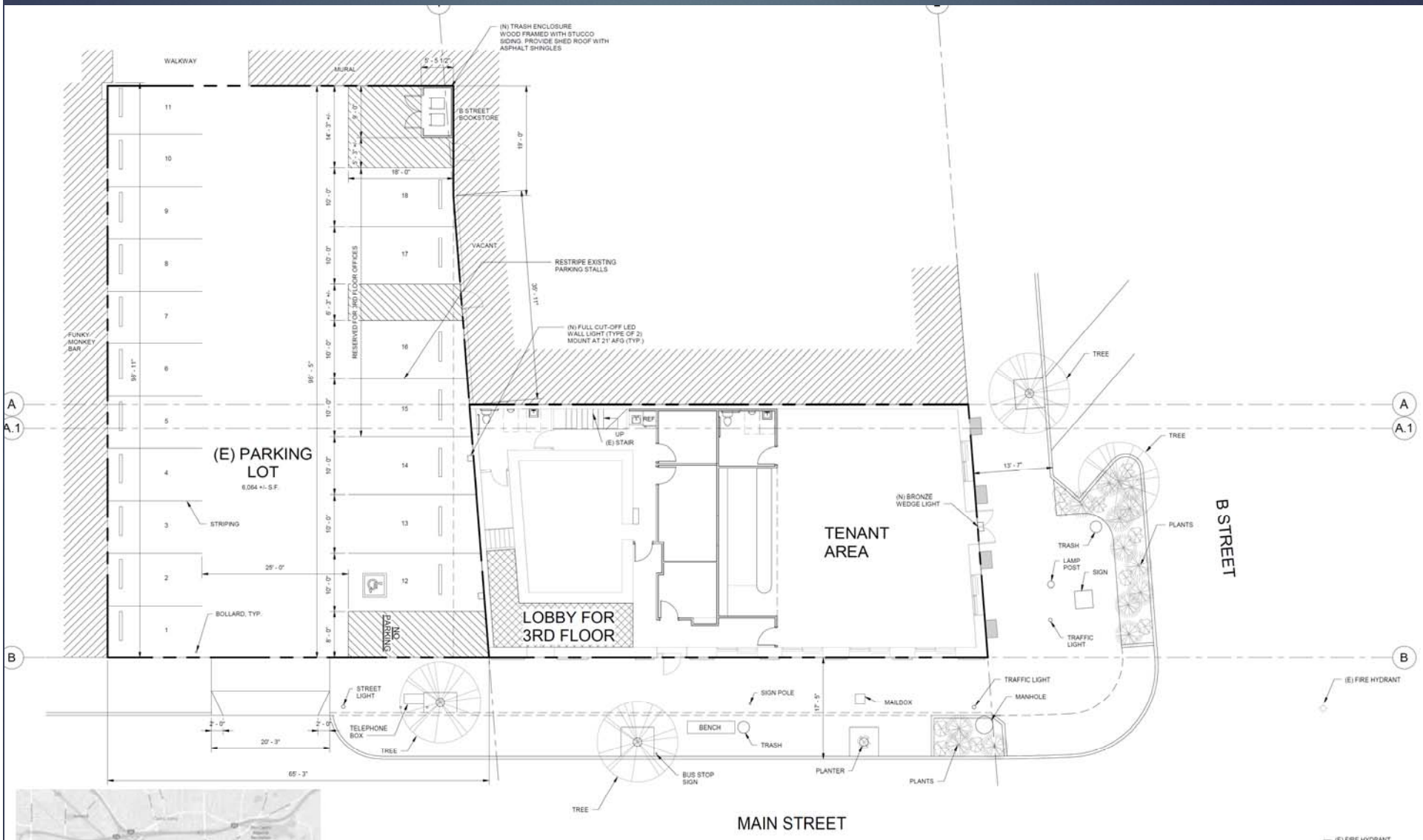


Proposed Use

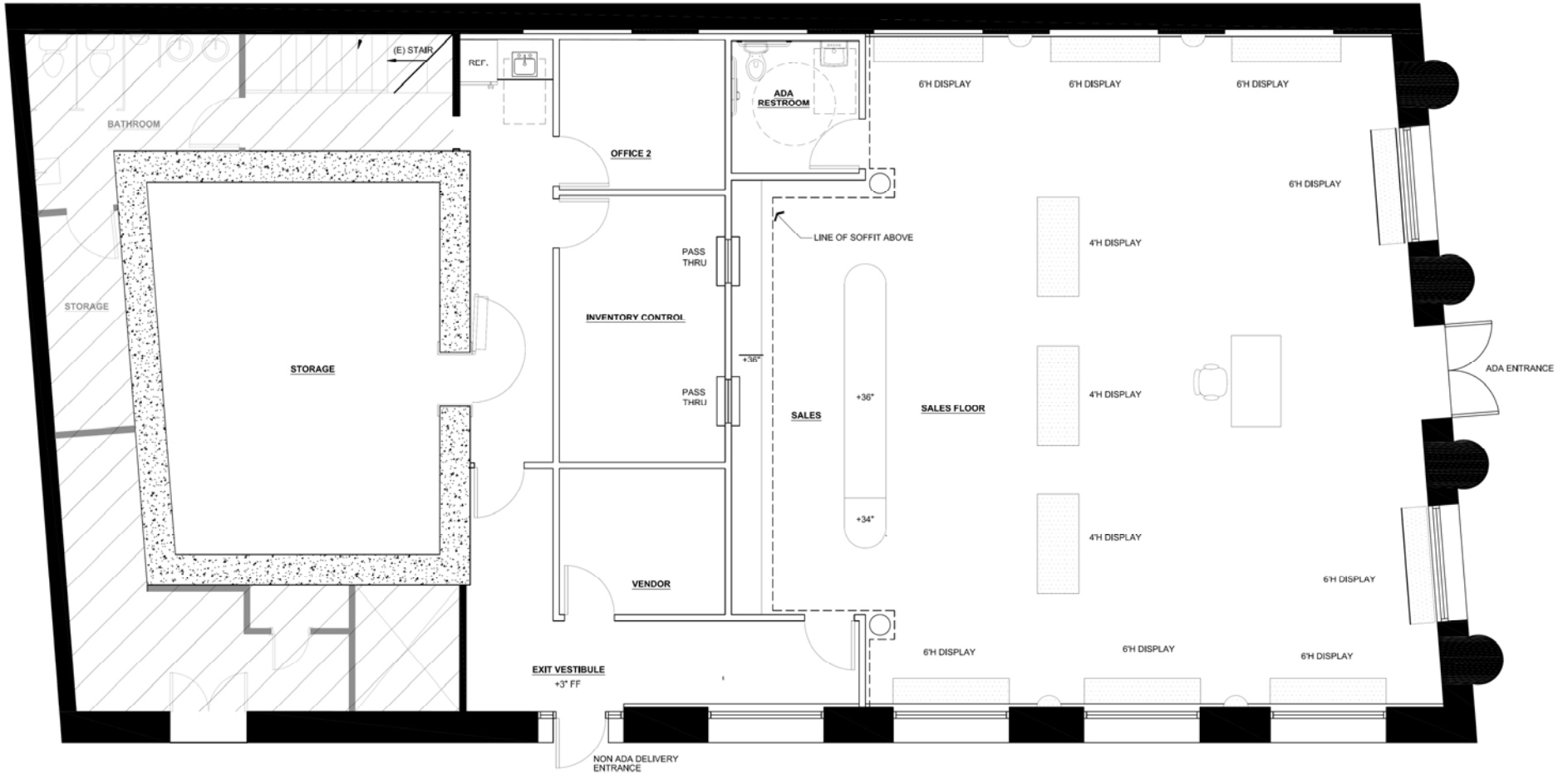


- ▶ **Cannabis Retail Dispensary** in approximately 3,400 sq. ft. of existing building;
- ▶ Boutique sales of cannabis and cannabis-related products including oils, edibles & concentrates;
- ▶ Cannabis sales limited to 21 and over for recreational use & 18 and over for medical use;
- ▶ **Operate daily** between 9 a.m. & 9 p.m.;
- ▶ Twelve staff members on site including two security guards;
- ▶ **Security Plan & Odor Control Plan.**

Proposed Site Plan

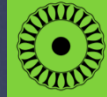


Proposed Floor Plan



HAYWARD STATION FLOOR PLAN

Proposed Elevation – B Street



Proposed Elevation – Main Street

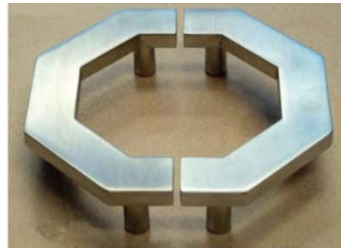


Proposed Elevation – Rear





Lighting Style



Furniture Style



Interior Details & Furnishing

Findings



- ▶ **Desirable for public convenience** in that use would result in improvement & reuse of a vacant building & provide a regional draw for customers to Downtown Hayward;
- ▶ **Will not be detrimental to health, safety or general welfare** due to Security Plan, Odor Control Plan & annual Cannabis Permit process;
- ▶ **Proximity to sensitive uses** is unavoidable in Downtown Hayward due to density of development & diversity of population;
- ▶ **Design measures** and **Security Plan** will minimize consistency issues with sensitive uses.



Conditions of Approval

- ▶ Consistency with approved Cannabis Permit requiring annual renewal;
- ▶ No outdoor uses & no on-site consumption;
- ▶ Security Plan including security cameras, guards, ID scanners, records retention, employee background checks, among others;
- ▶ Odor Control equipment and maintenance;
- ▶ Decorative etched glass screening, no interior fixtures or display in front of windows, required visibility into building above etched glass.

Staff Recommendation



That the City Council approve the Conditional Use Permit for the Cannabis Retail Dispensary, subject to Conditions of Approval.

Questions & Discussion

