

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-__

Introduced by Council Member _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD MEMORIALIZING THAT THE PROVISION OF AFFORDABLE HOUSING AND AN EXPANSION OF CARLOS BEE PARK WILL SATISFY THE PARK AND AFFORDABLE HOUSING DEDICATIONS FOR PARCEL GROUP 8 IN ORDER TO SECURE CALTRANS AUTHORIZATION OF SUBDIVISION OF PARCEL GROUP 8 GENERALLY AT GROVE WAY AND FOOTHILL BOULEVARD (ASSESSOR PARCEL NOS. 415-0180-070-00, 415-0180-068-01, 415-0180-076-00, 415-0180-084-01, 415-0180-073-00, 415-0180-074-00, 415-0180-075-00, 415-0180-072-00, 415-0180-071-00, 415-0180-069-01, 415-0190-064-00, 415-0180-083-01, 415-0180-080-00, 415-0180-082-01, 415-0180-081-01)

WHEREAS, in the mid-1960s, Caltrans purchased more than 400 parcels of property for construction of a 14-mile 238 Corridor Bypass Freeway to run through the City of Hayward and parts of unincorporated Alameda County; and

WHEREAS, in 1971, a lawsuit, filed in federal court on behalf of residents to be displaced by the freeway construction, blocked the project. Caltrans subsequently abandoned the freeway plan; and

WHEREAS, in 2011, the City approached Caltrans with a proposal to allow the City to take responsibility for the disposition and development of some Caltrans-owned property; and

WHEREAS, in January 2016, Caltrans agreed to negotiate, and a Purchase and Sale Agreement was approved by City Council and the California Transportation Commission; and

WHEREAS, Parcel Group 8 is one of the properties transferred to the City under the Purchase and Sale Agreement; and

WHEREAS, the disposition of Parcel Group 8 is complicated by the property spanning both City and County jurisdictions, steep topography, and limited access; and

WHEREAS, the City approached Caltrans about the possible subdivision of Parcel Group 8 into three subparcels: 1) an affordable housing subparcel, 2) a park subparcel, and 3) a market rate subparcel as illustrated in Exhibit "A" to this Resolution; and

WHEREAS, the proposed subdivision would allow an immediate parkland dedication and the creation of affordable housing which would otherwise be delayed if they were tied to the future development of the market rate subparcel; and

WHEREAS, the City and State desperately need an increase in the production of affordable housing; and

WHEREAS, there is a need for more recreational opportunities in the City and County in the area surrounding Parcel Group 8; and

WHEREAS, Caltrans is willing to authorize the subdivision under Section 1.3(c) of the Purchase and Sale Agreement and assign no value to the affordable housing and park subparcels provided that market rate housing is approved, the City credit the market rate subparcel with the dedication of the land for affordable housing and park purposes; and

WHEREAS, Caltrans will retain a Power of Termination over the market rate subparcel to ensure the dedications will be credited when the market rate subparcel is ultimately developed; and

WHEREAS, the authorization for the subdivision of Parcel Group 8 taken in furtherance of the disposition of 238 properties is exempt under the California Environmental Quality Act (CEQA) under Gov. Code Section 14528.65; and

WHEREAS, Caltrans authorizing the subdivision of Parcel Group 8 does not bind the City to take any further action to dispose of the subdivided property and provided that any future disposition by the City of any subparcel will require an analysis under CEQA; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, based on the foregoing findings, hereby memorializes the satisfaction of the affordable housing and park dedication/fee requirements for the Parcel Group 8, if market rate housing is authorized to be built on the Market Rate Subparcel.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

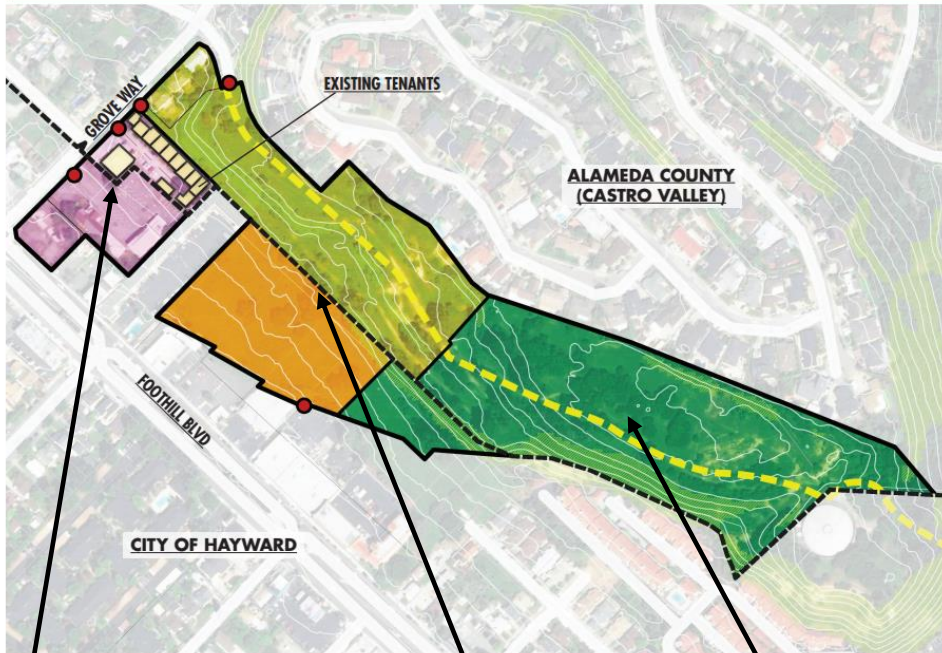
ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

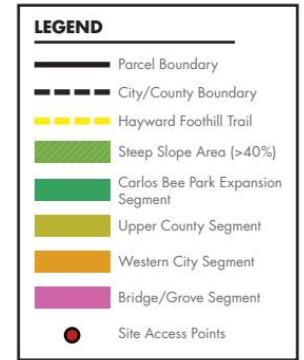
City Attorney of the City of Hayward

Exhibit A

FOOTHILL/GROVE PROPERTY SITE CONTEXT



Total Acreage = 19.79 ac
Carlos Bee Park Expansion = 9.17 ac
Upper County Segment = 5.16 ac
Western City Segment = 3.10 ac
Bridge/Grove Segment = 2.36 ac



Affordable Housing Subparcel (Bridge/Grove Segment)

Market Rate Subparcel (Upper County and Western City Segments)

Park Subparcel (Carlos Bee Park Expansion Segment)