



**DATE:** May 16, 2017

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT** Adoption of an Ordinance Amending Chapter 10, Article 25 of the Hayward Municipal Code by Rezoning Certain Property in Connection with Zone Change Application No. 2016-02751 Relating to the Construction of a 93-room, Four Story Hotel, 7,225 Square Feet of Community-Serving Retail Use, and 140 Townhome Condominium Units Homes at 25501 and 25551 Mission Boulevard

**RECOMMENDATION**

That the Council adopts the Ordinance introduced on May 9, 2017.

**BACKGROUND**

The conditions of approval attached to the resolution that Council adopted on May 9, 2017 were modified to require that solar photovoltaic systems be installed atop the hotel and residential buildings, and to include a new condition that states, “The hotel/retail building pad shall be rough graded prior to the issuance of a certificate of occupancy for the first residential unit; the hotel/retail building shall be in vertical construction phase before a certificate of occupancy is issued for the 130<sup>th</sup> residential unit, and be completed prior to issuance of certificate of occupancy for the last residential unit.” Also, as indicated during the May 9 public hearing, Condition No. 52i requires that garages for each unit “...be maintained for off-street parking of two vehicles and shall not be converted to living or storage areas.”

The Ordinance was introduced by Council Member Zermeño at the May 9, 2017 special meeting of the City Council with the following vote:

**AYES:** Council Members: Zermeño, Márquez, Mendall, Lamnin, Salinas  
Mayor Halliday

**NOES:** Peixoto

**ABSENT:** None

**ABSTAIN:** None

**FISCAL IMPACT**

There is no fiscal impact.

## **PUBLIC CONTACT**

The summary of the Ordinance was published in the Hayward Daily Review on Friday, May 12, 2017. Adoption at this time is therefore appropriate.

## **NEXT STEPS**

The Hayward Municipal Code will be updated accordingly.

*Prepared and Recommended by:* Miriam Lens, City Clerk

Approved by:

A handwritten signature in black ink, appearing to read 'K. McAdoo', is written above a horizontal line.

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Kelly McAdoo, City Manager