



**DATE:** November 13, 2018

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT:** Adoption of Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code by Rezoning Certain Property to Planned Development District in Connection with Zone Change and Vesting Tentative Map Application No. 201705848 to Accommodate 59-townhomes at a Site South of the New Tennyson Road Extension between Mission Boulevard and Vista Grande Drive

#### **RECOMMENDATION**

That the Council adopts the Ordinance introduced on October 16, 2018.

#### **SUMMARY**

This item entails adoption of an Ordinance amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code, introduced on October 16, 2018, with five amendments.

#### **BACKGROUND**

The Ordinance was introduced by Council Member Mendall at the October 16, 2018, meeting of the City Council with the following vote:

**AYES:** COUNCIL MEMBERS: Zermeño, Márquez, Mendall, Peixoto, Lamnin, Salinas  
MAYOR Halliday

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

The motion carried with five amendments: 1) add a Condition of Approval requiring an easement at the end of Court "A" that will allow for future connection of the road to a potential future development of the adjacent Caltrans property; 2) add a Condition of Approval requiring the use of tankless water heaters or an equivalent green technology that achieves the same level of sustainability; 3) add a Condition of Approval increasing the number of guest parking stalls from 21 to 31 spaces; 4) do not use the tree "Acer negundo" identified in Condition of Approval 149; and 5) add a Condition of Approval requiring a minimum of 12 "lock-out units" as part of the 59 townhome units.

The Conditions of Approval (Exhibit I of the Resolution) have been modified according to feedback received from Council Members. Attachment III presents the revised Conditions of Approval.

### **STRATEGIC INITIATIVES**

This agenda item is a routine operational item and does not relate to one of the Council's Strategic Initiatives.

### **FISCAL IMPACT**

There is no fiscal impact associated with this report.

### **PUBLIC CONTACT**

The summary of the Ordinance was published in the Hayward Daily Review on Friday, November 9, 2018. Adoption at this time is therefore appropriate.

### **NEXT STEPS**

The Hayward Municipal Code and other related documents will be updated accordingly.

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

Approved by:



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Kelly McAdoo, City Manager