

**SPECIAL PLANNING COMMISSION MEETING
THURSDAY, DECEMBER 7, 2023**

PRESENTATIONS

STAFF PRESENTATION

ITEM #1 PH-23-046

Proposed Demolition of Two Existing Detached Residences and Construction of a New 12 Unit Small Lot Detached Residential Subdivision (Eden Village III) on a 1.45-Acre Site Located at 24764 and 24656 Mohr Drive (Assessor's Parcel Numbers (APNs) 441-0074-009-00 and 441-0074-009-00), Requiring Approval of a Zone Change to Planned Development District, Vesting Tentative Tract Map and Approval of Environmental Consistency Checklist, Application No. MTA-23-0001. Applicant: Jeffrey Lawrence, Nuvera Homes. Owners: Robert A. Pratt, F TRS Roberta, Anne C. Wu, and Ngai M. Wang

Eden Village III Vesting Tentative Tract Map (8670), Planned Development Rezoning & CEQA Consistency Checklist

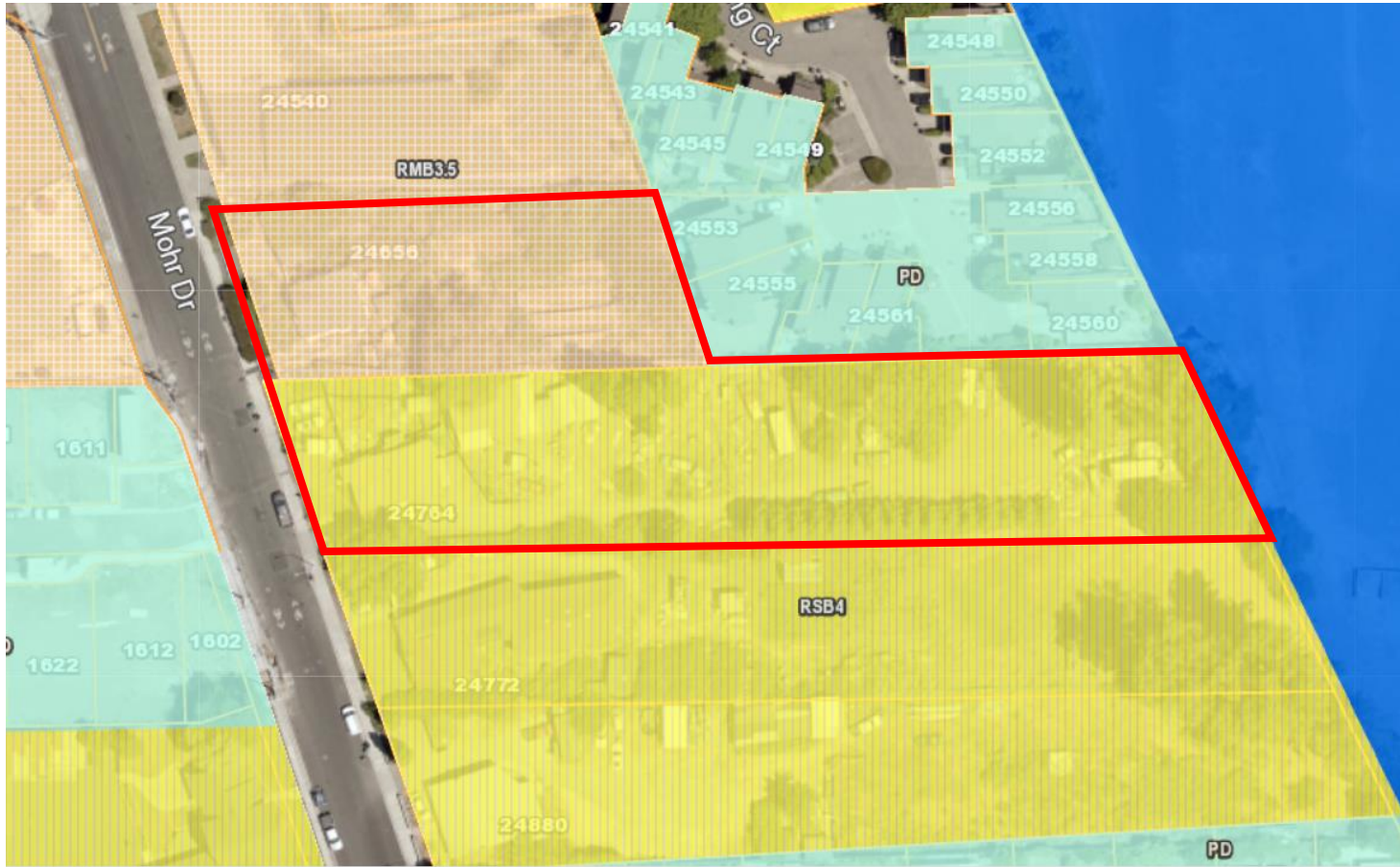
Planning Commission Hearing
December 7, 2023
Taylor Richard, Associate Planner

Background

- **September 16 , 2014:** City Council approves TTM and PD Rezoning for Eden Village I
- **October 29, 2019:** City Council approves TTM and PD Rezoning for Eden Village II
- **October 12, 2023:** Planning Commission continued this item to allow the applicant to make some changes



Project Site

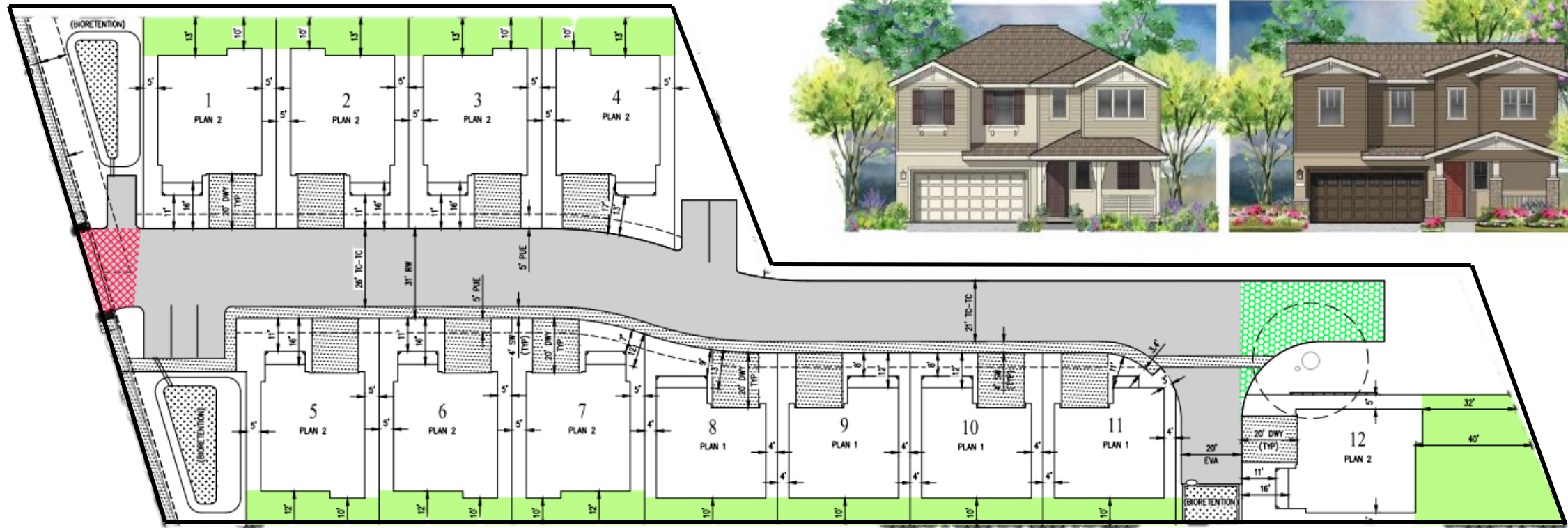


- 24656 & 24764 Mohr Drive
- 1.45-acre site
- **Current Zoning:** Single Family Residential – Min. Lot Size 4,000 sf (RSB4) and Medium Density Residential – Min. Lot Area 3,500 sf (RMB3.5)
- **Current General Plan Land Use Designation:** Limited Medium Density Residential

Existing Conditions



Proposed Development



Zoning Consistency

Development Standard	RMB3.5 Requirements	RSB4 Requirements	Proposed	Consistent
Min. Lot Size	6,000 sf	4,000 sf	2,758 to 4,720 sf	No
Min. Lot Area Per Primary Use	3,500 sf	N/A	2,758 to 4,720 sf	No
Min. Lot Frontage	35 ft	35 ft	31.85-49.5 ft	No
Min. Average Lot Width	60 ft	50 ft	46 ft	No
Max. Lot Coverage	40%	40%	32-47%	No
Min. Average Lot Depth	80 ft	80 ft	67.5 ft	No
Min. Front Setback	20 ft	20 ft	11 to 19 ft	No
Min. Side Setback	5 ft	5 ft	4 to 5 ft	No
Min. Rear Setback	20 ft	20 ft	10 to 32 ft	No
Height	40 ft	30 ft	28.6 ft	Yes
Min. Driveway Length	20 ft	20 ft	20 ft	Yes
Parking	2 covered and 2 non-driveway uncovered spaces/unit	2 covered and 2 non-driveway uncovered spaces/unit	2 garage spaces and 2 driveway spaces per unit	No

Amenities



- Entry Pilaster
- Rooftop Solar that exceeds Cal Green by 10%
- Electric Vehicle Chargers
- Decorative Streetlights
- 8 JADUs
- Programmed Common Open Space

New Amenities

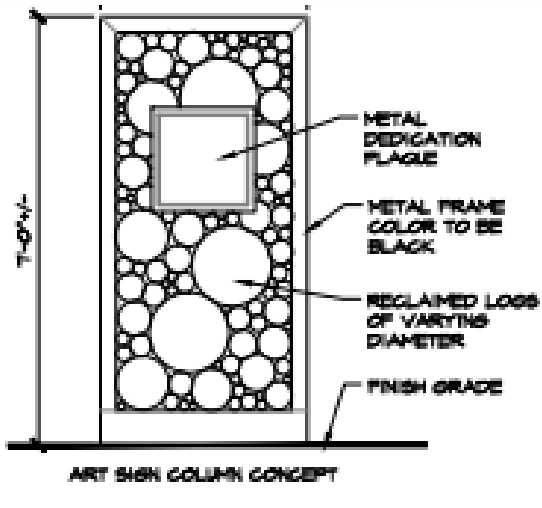


- Increased Mailbox Security
- Rooftop Solar that exceeds Cal Green by 15-20%
- Another Rainwater Collection Barrel
- Increased Security for JADUs

New Amenities



- Donation of Lumber from Removed Trees to La Vista Park
- Use of Lumber from Removed Trees for Benches, a Picnic Table, Wooden Planters and a Community Art Sign
- Process and Use Branches and Leaves for Mulch
- Protect Existing 77' Redwood with Rolled Curb and Boulders



General Plan Conformance



- ✓ **Density Range:** 8.7 to 12.0 dwelling unit per net acre
- ✓ **Land Use Policy LU-1.4:** City shall direct local population and employment growth toward infill development sites within the city
- ✓ **Housing Policy H-3.1:** City shall implement land use policies that allow for range of residential densities and housing types, prices, ownership and size, including low-density single-family uses, moderate-density townhomes and higher-density apartments, condominiums.
- ✓ **Housing Policy H-3.4:** City shall encourage development of residential uses close to employment, recreational facilities, schools, neighborhood commercial areas and transportation routes.

Planned Development Findings

- ✓ The development is in **substantial harmony with the surrounding area** and conforms to the **General Plan** and applicable **City policies**.
- ✓ Streets and utilities, existing or proposed, are **adequate to serve** the development.
- ✓ The development creates a residential environment of **sustained desirability and stability**, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have **no substantial adverse effect** upon surrounding development or neighborhoods.
- ✓ Any latitude or **exception(s)** to development regulations or policies is **adequately offset or compensated** for by providing **functional facilities or amenities** not otherwise required or exceeding other required development standards, which, in the judgment of the Planning staff provides for a **high quality and attractive development**.

CEQA Environmental Consistency Checklist

- ✓ Consistent with the Hayward 2040 General Plan Environmental Impact Report (EIR)
- ✓ Eden Village III project would not have any significant effects on the environment that:
 - Have not already been analyzed in a prior EIR;
 - Are more significant than previously analyzed; or
 - That uniformly applicable development policies would not substantially mitigate



24764 and 24656 Mohr Drive Residential Project

Environmental Consistency Checklist Pursuant to
CEQA Guidelines Section 15183

prepared by
City of Hayward
Development Services Department, Planning Division
777 B Street
Hayward, California 94541
Contact: Taylor Richard, Associate Planner

prepared with the assistance of
Rincon Consultants, Inc.
449 15th Street, Suite 303
Oakland, California 94612

September 2023

A nighttime aerial photograph of a city, likely Hayward, California, with a large bridge spanning a body of water. The city lights are visible in the foreground and middle ground, while the bridge's lights create a bright line across the water. The sky is dark with some light clouds.

STAFF RECOMMENDATION:

That the Planning Commission approve the proposed Vesting Tentative Tract Map (8670) & Planned Development Rezoning Application as shown in Attachment I, based on the draft findings in Attachment II and subject to the recommended conditions of approval in Attachment III.

STAFF PRESENTATION

ITEM #1 PH-23-047

Proposal to Allow Sales of Beer at an Existing Billiards Hall Located at 895 B Street (Assessor Parcel No. 428-0071-050-00) in the DT-MS (Downtown-Main Street) Zoning District, Requiring Approval of Conditional Use Permit Application No. UP-23-0021 and Findings that the Action is Exempt from CEQA; Amy Wang of A&A Billiards (Applicant/Operator); City of Hayward (Property Owner)



A&A Billiards Conditional Use Permit Application

Planning Commission Hearing
December 7, 2023
Steve Kowalski, Associate Planner



Project Site

Site Details

- City-owned parcel containing 855 B Street Parking Garage & Shops
- 1,761 sq. ft. tenant space at SW corner of intersection of B Street & Mission Blvd.
- Zoning: Downtown-Main Street
- General Plan Land Use Designation: City Center-Retail and Office Commercial
- Public parking provided in 855 B Street Parking Garage and on B Street & Mission Boulevard

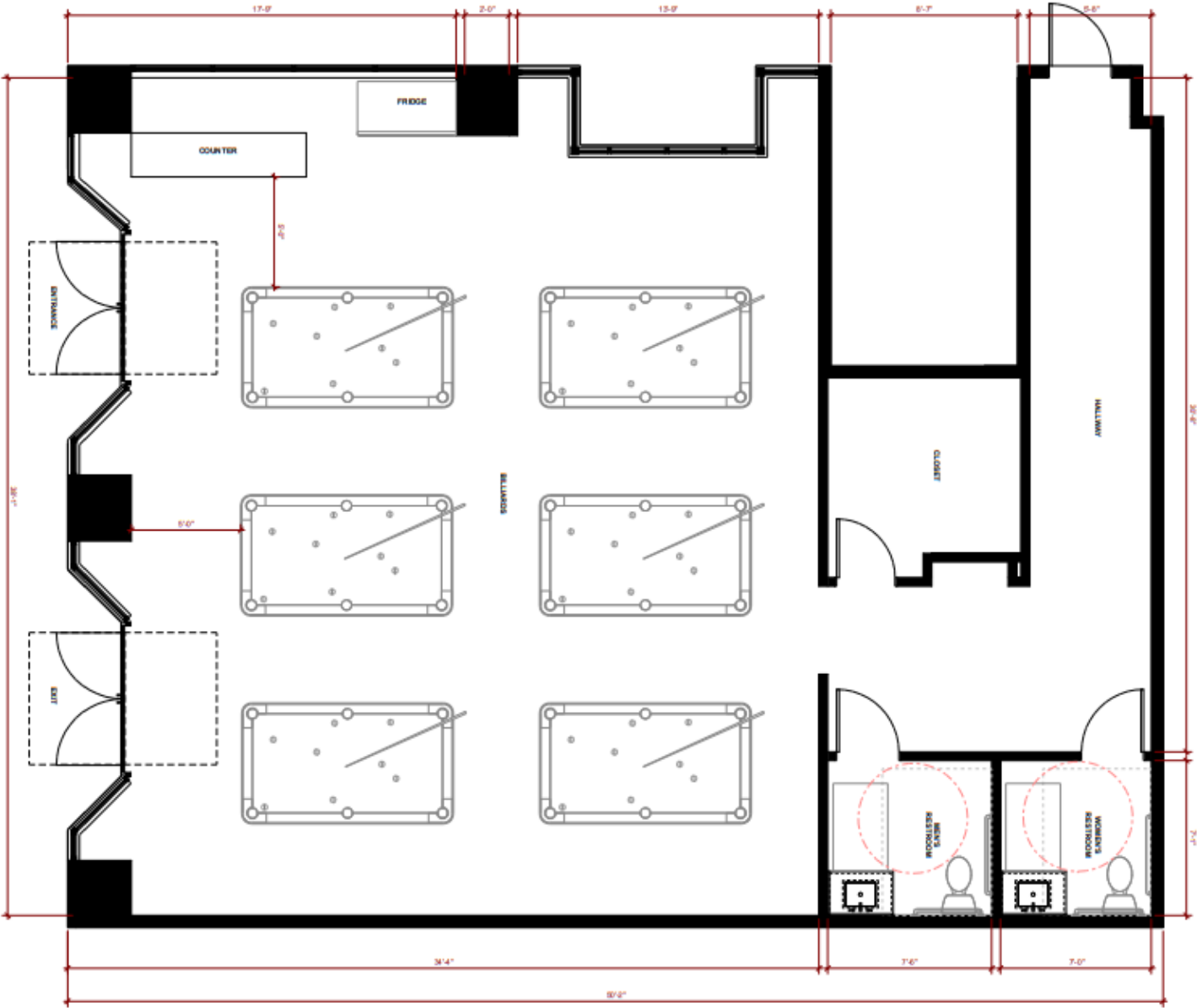
Business Operations

- Six pool tables, cashier's counter, and two unisex restrooms
- Customers pay to rent tables for minimum 1-hour intervals
- Open until 10:00 or 11:00 PM on weeknights, 1:00 AM on Fridays/Saturdays
- Snacks and soft drinks currently sold at cash register, including sandwiches, chips, nuts, pastries, cookies, soft drinks and energy drinks

Proposed Change:

- Sell individual bottles/cans of beer to patrons 21 years of age and up*
(*as required under a Type 40 ABC license, owner must continue to offer snacks for purchase at all times beer is sold)

Floor Plan



Security Measures

- One licensed security guard to monitor inside & outside of premises every Friday and Saturday night from 6:00 PM to closing
- All employees who sell beer to customers must complete responsible beverage service training course and provide copies of certifications to HPD
- Use digital age verification scanners on all customers to check IDs and ensure that no underage/school-age patrons enter the establishment during late nights or schooltime hours
- Limit beer purchases to two at a time, and don't allow customers to start "tabs"
- Install High-Definition CCTV surveillance cameras throughout all areas and ensure all footage can be viewed in real-time and made available to HPD
- Keep all recorded surveillance video footage for a minimum of 14 days

General Plan Conformance



Goals & Policies calling for establishment of Downtown as thriving district offering shopping, dining & a variety of entertainment and recreation options, including pool halls and bars:

- ✓ **Land Use Policy LU-2.1** – Downtown Arts & Entertainment
- ✓ **Land Use Policy LU-2.2** – Downtown Activities and Functions
- ✓ **Land Use Policy LU-2.16** – Uses to Attract the Creative Class
- ✓ **Land Use Policy LU-5.1** – Mix of Uses and Activities
- ✓ **Economic Development Goal ED-3** – Grow local economy ... by supporting efforts to expand and retain local businesses.

Policy which recognizes importance of conditioning uses which have potential to impact public safety & burden police resources:

- ✓ **Community Safety Policy CS-1.12** – On-Site Security

Downtown Specific Plan Conformance



- ✓ **Land Use Goal 1** – Downtown is transformed into a vibrant, walkable City Center that serves as a regional destination to live, work, and play for City residents, neighboring communities, and local college students.
- ✓ **Land Use Policy LU-2.1**– Attract more downtown visitors, including families and college students and faculty from Cal State University, East Bay, and Chabot College, by offering a wide array of retail, dining, services and entertainment uses that create a dynamic environment...
- ✓ **Long Term Vision Goal 2.2** – Downtown Hayward is a regional destination, celebrated for its distinct history, culture, and diversity; providing shopping, entertainment, employment, and housing options for residents and visitors of all ages and backgrounds...

A nighttime photograph of a city and a bridge. The bridge, with its lights, spans across a body of water. The city lights are visible in the background, and the foreground shows a dark, silhouetted landscape.

STAFF RECOMMENDATION:

That the Planning Commission approve the CUP to allow the owner/operator to sell beer to patrons of legal drinking age at the establishment based on the draft findings and subject to the recommended conditions.