



**DATE:** November 13, 2018

**TO:** Mayor and City Council

**FROM:** Interim Director of Public Works

**SUBJECT:** La Vista Park – Informational Report regarding The DeSilva Group Conducting Partial Grading at the Future La Vista Park Site

### **RECOMMENDATION**

That Council receives the following informational report regarding The DeSilva Group's partial site grading at the future La Vista Park pursuant to Condition of Approval (COA) No. 4 of the Conditions of Approval for the La Vista Development, 28816 Mission Boulevard dated 07/19/05 (Attachment I). The cost of the partial grading will be deducted from the total obligation under COA No. 4.

### **SUMMARY**

The development of homes at the La Vista subdivision is currently approaching 80% completion. Per Condition No. 4 of the Conditions of Approval for the La Vista Development, The DeSilva Group was required to construction a 30-acre park up to a cap equal to the park in-lieu fees that would be due under the City's Municipal Code. The amount of the in-lieu fee that would have been due is \$2.14M. The City later desired to expand the park with an additional 20 acres acquired from Caltrans as part of the 238 abandoned freeway project. During construction of the subdivision, the City requested that all extra soil from the grading of the private development be maintained on the future park site for future use in the construction of the park, which at the time was anticipated to occur in 2017. This was at no cost to the City. The extra soil was stock piled resulting in a pile over 30 feet high and approximately 160,000 cubic yards. DR Horton now wishes to sell lots and is offering to partially grade the site. The DeSilva Group is proposing to remove approximately 65,000 cubic yards of the soil in the pile to bring the elevation to its original state. The soil will be placed according to an approved grading plan for the future park at an estimated cost of \$4 per cubic yard or \$260,000, which is a current and reasonable rate. The DeSilva Group proposes to have this amount deducted from the original \$2.14M required contribution toward the park as stated in the Conditions of Approval.

### **BACKGROUND**

In 2005, the City of Hayward approved the La Vista residential development that included 179 new single-family homes to be built at the South Hayward site east of the terminus of Tennyson Road and Mission Boulevard. The project also included construction of a new,

approximately 30-acre public park. The development would not only provide new housing stock for the City but also officially serve as remediation for a former rock quarry site. The entitled development sat idle through the most recent economic downturn. Two years ago, home construction commenced again and homebuilder DR Horton is now building all 179 new single-family homes.

The original 30-acre park site is on land that will be dedicated to the City of Hayward from the developer and has been expanded by approximately 20 acres acquired from Caltrans to a total of almost 50-acres. The additional 20 acres is land which the City of Hayward has acquired from Caltrans as part of the now abandoned 238 freeway project. The additional park acreage will be added to the western side of the park. Given the increased park size and park facility deficiency in South Hayward, this new park is viewed as a future destination park for use, not only from new residents of the La Vista development and existing surrounding neighborhoods, but for the entire City.

During construction of the development, the City asked The DeSilva Group, the contractor for the development, to place all excess soil from the grading of the project in a pile on the site of the future La Vista Park to be used in the grading of the future park, which at the time had been anticipated to occur in 2017. This would eliminate the need to import soil in construction of the future park which would result in substantial savings to the City. The DeSilva Group did this at no expense to the City.

## **DISCUSSION**

La Vista Park was originally to be constructed in FY 2016-17. The construction was delayed due to the City's desire to expand the park and to continue in the negotiations with Caltrans for the purchase of the additional property for the park. Attachment III outlines the current estimated park design and construction schedule.

The La Vista subdivision is approaching 80% completion, and DR Horton is selling the homes. The pile of soil is approximately 30 feet higher than the original elevation and is obstructing the views from these lots. Grading the pile lower will reduce the possibility of damage during storm events in winter months.

As a Condition of Approval for the La Vista Development, 28816 Mission Boulevard (No.4), The DeSilva Group was required to construct a 30-acre park capped at the in-lieu fee amount of \$2.14M. Because the construction of the expanded La Vista Park is tentatively scheduled for construction in late 2019 to early 2020, The DeSilva Group is asking to conduct the grading this season to lower the elevation of the soil pile. The grading will be done per the approved grading plan for the future La Vista Park. The DeSilva Group will be required to conduct all stormwater management practices during the grading and will mobilize their existing crews to perform the work. The estimated cost for the grading is \$260,000, which will be deducted from the original \$2.14M per the Condition No. 4 of Conditions of Approval for the La Vista Development, 28816 Mission Boulevard.

## **ECONOMIC IMPACT**

No economic impact is associated with this item.

## **FISCAL IMPACT**

No economic impact is associated with this item.

## **STRATEGIC INITIATIVES**

The La Vista Park would support the City's Complete Communities Strategic Initiative. The purpose of the Complete Communities Initiative is to create and support services and amenities that provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work and play for all. This item supports the following goals and objectives:

Goal 1: Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods.

Objective 4: Create resilient and sustainable neighborhoods.

## **NEXT STEPS**

The DeSilva Group will conduct the grading on the location of the future La Vista Park. This work is expected to take 15 working days and should be complete by early December 2018.

*Prepared by:* Kathy Garcia, Deputy Director of Public Works

*Recommended by:* Alex Amari, Interim Director of Public Works

Approved by:



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Kelly McAdoo, City Manager