

**CITY OF HAYWARD PLANNING DIVISION
APPLICATION NO. 201705535
VESTING TENTATIVE TRACT MAP 8546 AND SITE PLAN REVIEW
28538 HUNTWOOD AVENUE
DRAFT FINDINGS OF APPROVAL**

March 28, 2019

Proposal to Subdivide a 1.21-Acre Site into 19 Parcels to Allow the Construct 14 Townhomes with Common Open Space Areas and Related Site Improvements at 28538 Huntwood Avenue (APN 465-0025-005-03) by Applicant: James Chao on behalf of Owner: Zhong Yin Liu, Requiring Approval of a Vesting Tentative Tract Map and Site Plan Review. Application No. 201705535.

VESTING TENTATIVE TRACT MAP FINDINGS

Pursuant to Section 10-3.150 of the Hayward Municipal Code (HMC), the City Council may conditionally approve a Vesting Tentative Tract Map application when all the following findings are met:

A. The proposed subdivision is not in conflict with the General Plan and applicable specific plans and neighborhood plans;

The project site is designated MDR (Medium Density Residential), which allows for a residential density range of 8.7 to 17.4 dwelling units per net acre, in the *Hayward 2040 General Plan*. The project is proposing a total net density of approximately 12 dwelling units per net acre, which is within the allowed density range in the *Hayward 2040 General Plan*. The MDR land use designation allows for a mix of housing types including multi-family residential developments. Anticipated future changes include additional residential development, building and landscaping improvements, and neighborhood enhancements that create more complete, walkable, and sustainable neighborhoods. The project is considered an in-fill development, which will increase the housing inventory for the City of Hayward and result in a more complete neighborhood. The project is also consistent with the following General Plan policies:

- H-3.1 Diversity of Housing Types: *The City shall implement land use policies that allow for a 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, transit-oriented developments, live-work units, and units in mixed-use developments.*

The project proposes a subdivision of an existing parcel to allow for 14 new townhomes, which will provide additional multi-family housing opportunities in the City.

- H-3.4 Residential Uses Close to Services: *The City shall encourage development of residential uses close to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.*

The project is located in an established neighborhood near a commercial corridor along Tennyson Road. Furthermore, recreational facilities such as Tennyson Park and educational facilities such as Cesar Chavez Middle School are nearby. Additionally, the S. Hayward BART Station is less than half a mile to the east.

- Land Use Policy LU-1.3 Growth and Infill Development: *The City shall direct local population and employment growth toward infill development sites within the city, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.*

The project is surrounded by development on all sides, including other single-family homes, multi-family residential developments, and mobile homes. As such, the project is considered an in-fill project, which is appropriate for new housing development.

In addition, the project is not located within any specific plan area but is located within the Tennyson/Alquire Neighborhood Plan area and is consistent with those relevant policies. Therefore, the proposed subdivision is not in conflict with the General Plan and applicable specific plans and neighborhood plans.

B. The proposed subdivision meets the requirements of the City Zoning Ordinance; and

The proposed subdivision meets all the development standards of the RM (Medium Density Residential) District related to lot size, lot coverage, setbacks, building height, off-street parking, and open space. The subdivision will also allow for the construction of 14 townhomes, which is a permitted land use in the RM District.

C. No approval of variances or other exceptions are required for the approval of the subdivision.

The proposed subdivision will meet the requirements of the Zoning Ordinance, including the development standards of the RM District and other applicable sections. The project will also meet the requirements of the Subdivision Ordinance. Therefore, the project does not require a variance or any other exceptions from the requirements of the HMC.

SITE PLAN REVIEW FINDINGS

Pursuant to Section 10-1.3025 of the HMC, the City Council may conditionally approve a Site Plan Review application when all the following findings are met:

A. The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the City.

The proposed development would be compatible with on-site and surrounding structures and uses and would be an attractive addition to the City in that it would be consistent with the developmental pattern of the Tennyson/Alquire neighborhood, which is characterized by single-family and multi-family residences. The proposed buildings would be similar in scale to other residential developments nearby. Furthermore, although the neighborhood does not consist of any

identifiable architectural styles, the existing buildings are characterized by cement plaster or stucco walls with or without siding and composition shingle roofs. The townhomes propose cement plaster walls, composition shingle roofs, and neutral building colors to blend in with the existing neighborhood character. In addition, the building facades are articulated with wall offsets, private balconies, front entry porches, stone veneer, detailed window trim, window shutters, and contrasting accent and trim colors to provide visual interest. Overall, the homes will improve the neighborhood by replacing an underutilized site with new development that is compatible with the neighborhood character.

B. The development takes into consideration physical and environmental constraints.

The project takes into consideration physical and environmental constraints in that the scale and character of the proposed building are harmonious with the surrounding neighborhood, which consists of a mix of housing types including single-family homes, small multi-family developments, and mobile homes. The project proposes two-story buildings in a neighborhood consisting primarily of one- and two-story buildings. Furthermore, the height of the proposed buildings would be similar to the height of other two-story buildings in the area. The architectural design of the new homes is compatible with the design of the existing homes nearby and as such, the new development will blend into the existing neighborhood. In addition, the project is an in-fill development with minimal impact on the existing development pattern and will not require the demolition of any structures. A private street will also provide access to the townhomes, which will allow for safe and efficient vehicular circulation.

C. The development complies with the intent of City development policies and regulations.

As previously discussed, the project is consistent with the MDR land use designation in the *Hayward 2040 General Plan*. The MDR land use designation is intended for a mix of housing types including single-family residences. Additionally, the proposed density of 12 units per acre is within the allowable density range in the General Plan. The project is also consistent with the goals and policies of the *Hayward 2040 General Plan*, which encourage a diverse housing inventory and in-fill development. Furthermore, the project meets all the applicable regulations of the Zoning Ordinance, including the development standards of the RM District related to lot size, lot coverage, setbacks, building height, off-street parking, and open space. Therefore, the project complies with the intent of City development policies and regulations.

D. The development will be operated in a manner determined to be acceptable and compatible with surrounding development.

The project will operate in a manner determined to be acceptable and compatible with surrounding development in that the project will comply with all applicable zoning regulations, building codes, and other regulations in the HMC. The proposed site improvements will also have to meet all City standards and details to the satisfaction of the Director of Public Works as shown on the final map and

improvement plans. The project will also be subject to various conditions of approval intended to protect the surrounding neighborhood from any potentially harmful impacts. In addition, the project includes guest parking spaces and a private street, which will minimize potential parking and traffic impacts on Huntwood Avenue after construction of the development.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332, Infill Development Projects, in that:

- A. **The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.**

The project's consistency with applicable land use policies is discussed in the project findings of approval for a Vesting Tentative Tract Map and Site Plan Review.

- B. **The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.**

The project site is within City limits, 1.21 acres in size, and surrounded by development on all sides.

- C. **The project site has no value as habitat for endangered, rare or threatened species.**

The project site consists of ruderal vegetation, which has no value as natural habitat for species.

- D. **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

The City's Transportation Division reviewed the project and concluded the project, as conditioned, would not generate significant traffic or result in any traffic-related hazards. Furthermore, the project proposes townhomes, which would not generate significant emissions or noise beyond the existing noise level in the surrounding residential neighborhood. Additionally, the project will not result in any water quality impacts since it will comply with the Municipal Regional Stormwater requirements for storm water runoff prevention and treatment. The project conditions of approval will also ensure that construction and operation of the project will have no significant impact on the environmental, cumulative or otherwise.

- E. **The site can be adequately served by all required utilities and public services.**

The site has been reviewed by the City's and determined to be adequately served by utilities from Huntwood Avenue.