



CITY OF HAYWARD

Hayward City Hall
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Cover Memo

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DATE: October 27, 2015

TO: Mayor and City Council

FROM: Director of Development Services

SUBJECT

Proposed Subdivision and Construction of eighteen Detached Single Family Homes on a 1.96 Acre Parcel located at 24178 and 24180 Saklan Road, requiring introduction of an ordinance and approval of a resolution for a zone change from Medium Density Residential (RM) to Planned Development (PD) district and a related Vesting Tentative Tract Map (No. 8226), and adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program - Rick Rosenbaum, Lenox Homes, LLC (Applicant)/Ronald Depina Etal (Owner)

RECOMMENDATION

That the City Council:

1. adopts the attached resolution with findings and project conditions of approval (Attachment I), adopting the [Initial Study, Mitigated Negative Declaration \(MND\), and Mitigation Monitoring and Reporting Program \(MMRP\)](http://www.hayward-ca.gov/CITYGOVERNMENT/DEPARTMENTS/DEVELOPMENT-) <<http://www.hayward-ca.gov/CITYGOVERNMENT/DEPARTMENTS/DEVELOPMENT->> and approving the Vesting Tentative Tract Map application; and
2. introduces the attached ordinance (Attachment II), approving the related Zone Change application to build 18 detached single-family homes.

SUMMARY

The Planning Commission unanimously recommended approval of the project on October 1, 2015. Staff supports this infill project because:

- its density of 12.0 dwelling units per net acre is consistent with the density range of the General Plan land use designation for the site (Medium Density Residential, 8.7 to 17.4 dwelling units per net acre)
- it is consistent with the character of the neighborhood and recent residential developments to the north and south of the site
- the two-story single-family homes are proposed on larger lots than those adjacent developments, thereby providing a different housing product for community residents. The homes are well-designed, with high-quality architectural features, and the project provides many of the desirable features of a traditional single family development
- it includes amenities to support making the required Planned Development (PD) rezone findings, including providing solar photovoltaic systems, tankless water heaters and charging stations for electric vehicles in all units.

BACKGROUND

The Planning Commission heard the matter at its regular meeting on October 1, 2015, and unanimously recommended approval of the project on a 7:0:0 vote (see draft meeting minutes, Attachment IV). The Commission spoke highly of the design features of the project, especially the backyards and driveways.

DISCUSSION

Project Description - The project entails a request for a Zone Change from Medium Density Residential (RM) to Planned Development (PD), and a Tentative Tract Map to subdivide the property in order to construct eighteen detached single-family homes. The project proposes two plans, each with three elevations that feature Spanish, Cottage and Traditional Farmhouse architectural styling and detailing:

- Plan 1 - 2 stories, 4 bedrooms, 2.5 bathroom, 2 car garage, 2,087 square foot home;
- Plan 2 - 2 stories, 4 bedrooms, 3 bathroom, 2 car garage, 2,369 square foot home.

Exterior treatments for the six different elevations feature horizontal lap siding and shingle roof (Traditional Farmhouse theme), stucco and tile roof (Spanish theme), and stucco/stone combination and tile roof (Cottage Theme). Detailing include accent shutters, metal pot shelves, decorative eave vents, articulated porch support, modulation of the front façade, variety of garage doors and trellises over certain garage door and front porch areas. The architecture includes a variety of pitched gabled and hipped roofs with varied building heights and roof plans to create a visually interesting and varied streetscape. The Plan 2 homes, totaling half of the homes, include a downstairs private bedroom and bathroom to accommodate residents who cannot climb stairs and allow occupants to “age in place.”

The proposed residential lots range in size from 3,112 to 4,051 square feet and 39’ to 65’ feet in width, with all lots proposed to be eighty feet deep. All homes have a rear yard ranging in size from 554.5 to 972 square feet. For comparison purposes, traditional 5,000 square foot single-family lots with two-story homes have rear yards equal to 1,000 square feet. Each home will have a two-car garage with a twenty-foot deep driveway that can accommodate two additional cars. As the project plans show (Attachment VI), sidewalks are provided on both sides of the private street and there are nine uncovered parking spaces available on one side of the private street, three of which are at the hammerhead.

Twenty trees will be removed from the site due to poor condition and/or due to direct conflict with construction plans. The removed trees will be replaced with forty-six twenty-four-inch box trees, in addition to the required eighteen street trees to be planted. The preliminary landscape plans provide an attractive blend of trees, shrubs and ground cover that are water-conserving and California native species. Final landscape plan details will be reviewed and approved during the Precise Plan phase of the project.

Affordable Housing Ordinance - The City’s Affordable Housing Ordinance applies to projects of twenty or more “for sale” dwelling units. Since the project is below that threshold, compliance with the ordinance is not required.

Community Facilities District - As a standard condition of approval and related to adopted City Council policy, the City requires developers to pay the cost of providing enhanced public safety services to the

proposed project through the formation of, or annexation to a Community Facilities District (CFD), should the project generate the need for additional public safety services. This requires the project developer to post an initial deposit of \$20,000 with the City prior to, or concurrently with, the submittal of the final subdivision map and improvement plans, to offset the City's cost of analyzing the project's need for additional public safety services. If the analysis determines that the project creates a need for additional public safety services warranting the formation of, or annexation to, a Community Facilities District, the project developer is required to pay all costs of formation of, or annexation to, the district, which costs may be paid from the developer's deposit to the extent that funds remain after payment of the City's costs of analysis as described above.

Mount Eden Benefit District - The Mount Eden Benefit District was established to fund the sewer, water, and storm drain infrastructure improvements installed in the Mount Eden Annexation area, which includes the Project site. Dutra Enterprises, Inc., provided a loan to the City in 2007 to pay for such improvements, which loan was recently paid off by the City. New development in the Benefit District area will be assessed Benefit District fees to pay back this loan amount to the General Fund, plus interest (currently at the rate of \$12,140 per unit, plus an additional \$300 per unit administration fee).

Public Parkland Obligations - For developments with less than fifty units, the City collects park in-lieu fees (versus dedication of parkland). Park in-lieu fees to be collected for this eighteen-unit development will total \$215,154 (\$11,953 per unit), which will be collected prior to certificate of occupancy and will be used for future park facilities or amenities within this part of the City.

Rezoning to Planned Development District - The proposal involves a modification of the current zoning designation from Medium Density Residential District (RM), which allows attached or detached homes, to Planned Development District (PD). Under the current zoning designation, the proposed eighteen homes would not be feasible without modifications to some of the development standards. The purpose of the Planned Development District is to encourage development through efficient and attractive space utilization that might not otherwise be achieved through strict application of the development standards.

For single family dwellings, the Medium Density Residential District (RM) zoning district refers to development standards contained in the Single-Family Residential (RS) District. A typical single family residential lot is fifty feet wide by one hundred feet deep and 5,000 square feet in size. The development proposes various exceptions (see Attachment V), most of which relate to smaller lot sizes. To meet the requirements of the proposed PD District, the applicant is proposing the following to ensure exceptions are "adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards":

- a) Providing a variety of architectural styles and design enhancements, including six exterior elevations with different roof designs and exterior finish treatments and enhanced garage door designs;
- b) Providing a large 162 square foot front porch for Plan 1 units;
- c) Providing a landscape entry feature that also serves as a bio-retention area;
(An undulating decorative retaining wall and slope bank, boulders and plantings are proposed, transforming the retention basin to a dry creek bed.)
- d) Providing decorative "Hydro-Flo" paving installed at the entry and guest parking spaces;
- e) Providing decorative street lighting (LED lighting) along the new private street;
- f) Installing photovoltaic solar systems on all new homes, including the modification of roof

- design as necessary to accommodate a solar array; and
- g) Providing a tankless water heater for each new home.
 - h) Providing an electrical vehicle charger in each garage.

The attached resolution includes findings to support the proposed PD rezone. Staff believes the scale and scope of these project amenities and the quality of the project is proportional to the proposed development exceptions. The development tries to retain the desired features of a single-family home project built on a typical 5,000 square foot single-family lot, while including many sustainable features, including related to green/sustainable development.

Environmental Review - Staff has prepared a Mitigated Negative Declaration/Initial Study and Mitigation Monitoring and Reporting Program, which indicate there will be no significant environmental impacts resulting from the project, provided the mitigation measures are incorporated. Such measures include implementing tree replacement, and following all recommendations in the preliminary geotechnical assessment. The environmental document was made available for public review from August 4, 2015 through August 24, 2015.

ECONOMIC IMPACT

The infill projects would further contribute to the character and revitalization of the Mt. Eden neighborhood by allowing eighteen additional ownership homes at a density and massing consistent with the surrounding development. Residential development of higher densities (e.g., small lot single-family homes) will generate higher overall land value than older traditional large lot detached single-family developments typical of this neighborhood.

FISCAL IMPACT

Staff has conducted a rough fiscal impact analysis of the project, based on the current sales price of similar units in the area, which estimates that the project will generate \$41,394 of new revenue annually; however, the project is projected to cost the City \$39,643, for a net annual contribution to the General Fund of \$1,751 (\$97 per unit), which is essentially a neutral fiscal impact.

Also, this preliminary analysis does not include any revenue from a community facilities district. Contributions to the Mt. Eden Benefit District funds will help pay the debt associated with the payback of the loan that originally funded the public infrastructure improvements in the area. Therefore, each unit will be assessed a fee of \$12,140 per unit, plus an additional \$300 administration cost per additional unit per the Conditions of Approval. Also, approximately \$215,154 in new in-lieu park fee funds from the project will provide funding for public parkland acquisition and/or park maintenance for parks in the area.

PUBLIC CONTACT

Notices regarding the availability of Draft Mitigated Negative Declaration/Initial Study were sent to all property owners and residents within a 300-foot radius of the project site in early August. Notices of this public hearing were sent to the same group on October 9, 2015 and published in *The Daily Review* newspaper on October 10, 2015. No comments in response to such notices were received at the time this staff report was completed.

NEXT STEPS

Should the Council approve the Project; the applicant will work with staff toward complying with the conditions of approval to allow submittal and approval of Precise Development Plan, approval of Final Maps and Improvement Plan, issuance of building and grading permits, and ultimately allow for construction of the project.

Prepared by: Carl Emura, ASLA, Associate Planner

Recommended by: David Rizk, AICP, Development Services Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I	Resolution
Attachment II	Ordinance
Attachment III	Area and Zoning Map
Attachment IV	Draft October 1, 2015 Planning Commission Meeting Minutes
Attachment V	Comparison Chart of Exceptions and Offered Benefits and Amenities
Attachment VI	Project Plans
Attachment VII	Information from Project Proponent