



# CITY OF HAYWARD

Hayward City Hall  
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## Cover Memo

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**File #:** PH 20-043, **Version:** 1

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**DATE:** June 16, 2020

**TO:** Mayor and City Council

**FROM:** Development Service Director

### **SUBJECT**

Route 238 Parcel Group 9: Proposal to Rezone Former Caltrans Property known as Rte. 238 Parcel Group 9 Located at the Intersection of Apple Avenue and Oak Street (Assessor Parcel Nos. 415-0160-052-00, & 415-0170-037-00) from High Density Residential (RH) and Commercial Office (CO) to General Commercial (CG), Requiring Approval of Rezoning Subject to an Addendum of the Hayward 2040 General Plan EIR per the California Environmental Quality Act (CEQA) Section 15164; City of Hayward (Applicant/Property Owner; Application No. 202000605)

### **RECOMMENDATION**

That the City Council introduces the attached Ordinance (Attachment II) approving the rezoning application for Parcel Group 9 at the intersection of Apple Avenue and Oak Street (Assessor Parcel Nos. 415-0160-052-00, & 415-0170-037-00) from High Density Residential (RH) and Commercial Office (CO) to General Commercial (CG) and adopts a Resolution (Attachment III) approving the Addendum to the Hayward 2040 General Plan EIR, based on Planning Commission's recommendation and the analysis set forth in this report.

### **SUMMARY**

The applicant, the City of Hayward, is requesting to rezone 2.67 acres, which is currently zoned High Density Residential (RH), and Commercial Office (CO) (Attachment V Figure 3). The project site is located at the intersection of Apple Avenue and Oak Street and was acquired in 2016 by way of a purchase and sale agreement between the City of Hayward and the California Department of Transportation (Caltrans). Currently known as Parcel Group 9, some of the land acquired from Caltrans is in unincorporated Alameda County. The 1.59-acre portion of land located in Alameda County would remain as is and is not subject to the rezoning request (Attachment V Figure 2). The remainder of Parcel Group 9, 2.67 acres, lies within the City of Hayward jurisdiction, which is subject to the proposed rezoning application (Attachment V Figure 2).

Pursuant to the Hayward 2040 General Plan, the subject parcels have a General Plan designation of Commercial High Density Residential (CHDR), which allows for residential, commercial retail, entertainment and lodging uses. However, the parcels zoned RH (APN: 415-0160-052-00) and CO (APN: 415-0170-037-00) do not allow for retail, or entertainment uses and limits the allowed lodging uses. If

approved, the rezone would reclassify the RH parcel and the CO parcel as General Commercial (CG) Zone, consistent with the underlining General Plan designation that allows for retail, entertainment, and lodging uses. Additionally, the rezone would not preclude residential projects, and it would maintain the currently allowed maximum residential density of 34.8 units per net acre. Further, this application does not include entitlement for development, but if approved, City staff is likely to release a Request for Proposals (RFP) to potentially develop the site.

## **ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Ordinance
Attachment III	Resolution
Attachment IV	EIR Addendum
Attachment V	Maps
Attachment VI	Public Comments
Attachment VII	Planning Commission Minutes of 5/14/2020