



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
www.Hayward-CA.gov

## Cover Memo

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**File #:** PH 20-061, **Version:** 1

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**DATE:** September 10, 2020

**TO:** Planning Commission

**FROM:** Planning Manager

### **SUBJECT**

Appeal of the Planning Director's Decision to Approve a Two-year Extension of the Approved Mixed Use Development consisting of 72 Residential Townhomes and 8,000 square feet of commercial space on a 5.88-acre parcel located at the Southwest corner of Mission Boulevard and Industrial Parkway (APNs: 078G-2651-012-08, 078G-2651-011-02, 078G-2651-010-03, 078G-2651-009-02, and 078G-2651-008-00) requiring Approval of a Vesting Tentative Tract Map and Site Plan Review; Application No. 201504677; (Appellant: Rosemarie Aguilar and Glenn Kirby); (Applicant: Doug Rich, Valley Oak Partners)

### **RECOMMENDATION**

That the Planning Commission deny the appeal and uphold the Planning Director's decision to approve the two-year extension of the entitlements based on the analysis set forth in this report, including the required Findings, and subject to the original and amended Conditions of Approval (Attachments V and VI).

### **SUMMARY**

The Mission Village project, consisting of 72 townhomes and 8,000 sq. ft. of commercial space requiring a Vesting Tentative Tract Map and Site Plan Review, was approved by the Planning Commission in January 2017. Since approval the developer has been working closely with the Regional Water Quality Control Board (RWQCB) related to clean up efforts on the site previously caused by a dry-cleaning establishment. While the developer has continued to move forward to obtain approval of the Improvement Plans and Final Map, the coordination with the RWQCB took longer than anticipated and the developer approached the City to request an extension of their approved entitlements to allow them time to finalize those plans and construct the project. As part of the extension, staff imposed some new conditions of approval to address timely demolition of the existing buildings on site and to ensure the commercial component of the project is developed simultaneously with the residential component. Shortly following approval of the entitlement extension, that decision was appealed. The developer has invested a considerable amount of effort and money into the environmental clean-up of the site to ultimately allow for development of this site which has been vacant for nearly 15 years to develop with much needed housing and retail development at a key location along Mission Boulevard and as such staff is recommending the Planning Commission deny the appeal and uphold the Planning Director's decision to extend the

entitlements with the additional conditions requiring timely demolition of the existing structures and simultaneous development of the commercial component with the development of the townhomes. This project was originally scheduled to be heard by the Planning Commission on June 25, but due to the receipt of some late correspondence (Attachment III), the applicant requested a continuance so they could properly review the letter and provide a detailed response (Attachment IV).

## **ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Submitted Appeal
Attachment III	Correspondence from Lozeau Drury
Attachment IV	Applicant's Response
Attachment V	Original Conditions of Approval
Attachment VI	Revised Conditions of Approval
Attachment VII	Environmental Clean-up Chronology
Attachment VIII	Community Correspondence Received