



CITY OF HAYWARD

Hayward City Hall
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Cover Memo

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DATE: September 22, 2022

TO: Planning Commission

FROM: Ranu Aggarwal, Planning Consultant

SUBJECT

Proposed Development of a 219,656-Square-Foot Industrial Shell Building on an Approximately 10.9-Acre Site at 3636 Enterprise Avenue (Assessor Parcel Number 439-0099-036-02), Requiring Approval of Major Site Plan Review and Conditional Use Permit and a Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program. George Condon on behalf of Dermody Properties (Applicant); Hainted Rock LLC & EGA Investments LLC (Property Owner)

RECOMMENDATION

That the Planning Commission approves Major Site Plan Review and Conditional Use Permit Application No. 202102725, subject to the attached Findings (Attachment II) and Conditions of Approval (Attachment III); and reviews and approves the Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program (Attachments V and VI, respectively), prepared pursuant to the California Environmental Quality Act.

SUMMARY

The proposed project would result in the development of a new industrial shell building on an approximately 10.9-acre site. The site is primarily vacant except for four radio towers and an associated maintenance shed. The radio towers will be relocated on top of the new building in approximately the same location and reaching the same height from grade as the existing towers, the existing maintenance shed will be demolished, and the radio equipment will be relocated inside the proposed building. The proposed project includes development of an approximately 219,656-square-foot building and associated site improvements consisting of an employee patio/amenity area, site landscaping, circulation, and parking.

On June 7, 2021, the applicant submitted an application for an industrial shell building, incorporating warehousing and office uses, requiring Major Site Plan Review due to the size of the site, and a Conditional Use Permit due to the size of the proposed speculative industrial building (over 150,000 sq. ft.). The speculative building is designed for occupation by industrial uses permitted in the General Industrial (IG) zoning district. These uses could consist of, but not be limited to, manufacturing, research and development, logistics, warehouse and distribution, and wholesale establishments. However, heavy industrial, data center, and truck terminal uses, including an Amazon Last Mile Delivery Station, are not proposed as part of this project.

In addition to the project entitlements, the Planning Commission is being asked to review and approve a Mitigated Negative Declaration prepared for the project. The City received three letters regarding the project from the Bay Area Air Quality Management District (BAAQMD), California Department of Toxic Substances Control, and San Francisco Bay Conservation and Development Commission (BCDC). The comments raised in these letters along with the City's response are included as Attachment VII. As further discussed below in this staff report, all potential impacts could be mitigated to a less than significant level with the implementation of mitigation measures that have been made conditions of approval of the project.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Findings
Attachment III	Conditions of Approval
Attachment IV	Project Plans
Attachment V	Initial Study and Mitigated Negative Declaration. For all Appendices, please see https://www.hayward-ca.gov/your-government/special-projects/under-
Attachment VI	Draft Mitigation Monitoring and Reporting Program
Attachment VII	Comment Letters on IS/MND and City Responses to Comments