

**CITY OF HAYWARD PLANNING COMMISSION
VESTING TENTATIVE TRACT MAP, SITE PLAN REVIEW & DENSITY BONUS
APPLICATION NO. TM-25-0006
EDEN RANCH - 29312 MISSION BOULEVARD
FINDINGS FOR APPROVAL**

Vesting Tentative Tract Map Findings

Pursuant to the State Subdivision Map Act §66474, the decision-making body shall make the following findings prior to approving a vesting tentative tract map:

A. That the proposed map is consistent with applicable general and specific plans as specified in Section 65451. [Subdivision Map Act §66474(a)]

The proposed vesting tentative tract map is consistent with the *Hayward 2040 General Plan* and applicable Zoning Ordinance regulations with the exception of waivers and concessions as permitted under Density Bonus Law. The project site is designated Sustainable Mixed-Use (SMU) within the *Hayward 2040 General Plan* which allows a density range of four to 100 units per acre, and the Mission Boulevard - Corridor Neighborhood (MB-CN) zoning district allows residential densities between 17.5 and 35.0 dwelling units per net acre. The proposed project is consistent with both the General Plan land use designation and zoning district density allowances in that it would result in development of attached residential units with a density of 27.7 dwelling units per net acre. As such, the project conforms with the allowable density range set forth in the *Hayward 2040 General Plan*.

With the exception of waivers from specific zoning standards and a concession related to water line looping permitted under Density Bonus Law, the design of the map complies with the applicable City standards, including those for street design, emergency vehicle access, utility connections and services, and stormwater management.

Finally, the development aligns with the following goals and policies in the Housing and Land Use Elements of the *Hayward 2040 General Plan* which focuses on goals and policies to strategically accommodate future growth and promote housing development:

- Land Use Goal LU-1: Promote local growth patterns and sustainable development practices that improve quality of life, protect open space and natural resources, and reduce resource consumption, traffic congestion, and related greenhouse gas emissions.
- 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.
- Land Use Goal LU-3: Create complete neighborhoods that provide a mix of housing options and convenient access to parks, schools, shopping, jobs, and other community amenities
- Housing Policy 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.

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

B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans. [Subdivision Map Act §66474(b)]

The design of the proposed subdivision is consistent with the density range prescribed for residential projects by the SMU General Plan land use designation, as well as the specific General Plan goals and policies outlined in Finding (A), above.

All necessary utilities, including water, sewer, gas/electricity and storm drain facilities, will be provided and connected to the existing utility lines serving the site in the Mission Boulevard public right-of-way to accommodate the proposed development, and will be required to be constructed in accordance with the applicable City and utility company (including the Pacific Gas & Electric Company [PG&E] and American Telephone & Telegraph Company [AT&T]) standards.

C. That the site is physically suitable for the type of development. [Subdivision Map Act §66474(c)]

A Geotechnical Investigation was conducted by Quantum Geotechnical, Incorporated on November 26, 2025 which concluded that the site is physically suitable for the proposed type of development provided that the recommendations presented in the report for site preparation and compaction, as well as the design of all in-ground and subsurface structures and facilities, including foundations, driveways and utility trenches, are adhered to. Conditions of approval have been included requiring adherence to the recommendations contained in the Geotechnical Investigation.

D. That the site is physically suitable for the proposed density of development. [Subdivision Map Act §66474(d)]

A Geotechnical Investigation was conducted by Quantum Geotechnical, Incorporated on November 26, 2025 which demonstrates that the site is physically suitable for the proposed density of development provided that the recommendations presented in the report are adhered to. Additionally, the property is of sufficient size to accommodate the proposed density of development in that it contains adequate room for the buildings and private streets, as well as the required stormwater treatment areas and separation from surrounding development, and emergency vehicle access to all the units within the subdivision that conforms to the applicable City standards.

E. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. [Subdivision Map Act §66474(e)]

The project site is surrounded by existing residential and commercial uses and does not contain any environmentally sensitive habitat except for two existing trees growing on the hillside at the back of the property that will remain undeveloped. As conditioned, bird species that may be nesting or foraging in the two trees or in any trees adjacent to the site, and Crotch's bumble bees that may be nesting or foraging in the grasses on the hillside will be protected by requiring pre-construction surveys by qualified biologists in accordance with the requirements of the Federal Migratory Bird Treaty Act and California Endangered Species Act. Furthermore, the design of the subdivision and the improvements needed to construct and provide services to it will not cause substantial environmental damage in that there are existing utilities in place within Mission Boulevard that the project will be able to connect to without requiring extensions or upsizing. And, finally, a geotechnical investigation was conducted for the project which confirmed that the subdivision could be developed safely on the site from a geological standpoint as long as the recommendations in the investigation were followed during its construction (a condition of approval has been included requiring adherence to the investigation's recommendations).

F. That the design of the subdivision or type of improvements is not likely to cause serious public health problems. [Subdivision Map Act §66474(f)]

The development utilizes an infill site surrounded by existing infrastructure with adequate capacity to serve the proposed subdivision. The improvements to be installed for the subdivision, including the necessary infrastructure as well as the designs of the grading, foundations, streets and buildings will be required to comply with the applicable engineering and life safety standards which ensure that they function properly and safely with no adverse effects on the neighboring properties or the greater public welfare.

G. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large for access through or use of property within the proposed subdivision. [Subdivision Map Act §66474(g)]

The development will not conflict with existing easements for access through or use of the property in that the two existing easements encumbering the property – one for PG&E and AT&T and another for access to the adjacent private property directly to the north at 29290/29294 Mission Boulevard – will be preserved.

Site Plan Review Findings

Pursuant to HMC Section 10-1.3025, the decision-making body shall make the following findings prior to approving the Site Plan Review application:

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

The proposed development is compatible with surrounding structures in that it features three-story buildings similar in size and scale to the three-story townhomes and four-story mixed-use buildings recently constructed nearby to the north and south and along

the opposite (western) side of Mission Boulevard. Furthermore, the development will be an attractive addition to the neighborhood with buildings that emulate the California ranch architectural style with covered porches and gable roofs facing the street, numerous windows with decorative trim, a cohesive mix of stucco and board and batten siding materials, and an earth-toned color palette that complements the surrounding residential development to the north and south. The project also includes two car garages and private balconies for each unit, as well as common open space and plentiful new landscaping to further enhance the project site.

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

The development takes into consideration physical and environmental constraints in that it will locate the majority of the subdivision's footprint on the flattest portion of the property that was previously developed with residential, commercial and industrial buildings several decades ago, while leaving the majority of the sloped portion of the property that rises up to the east undisturbed and minimally cutting into the toe of the slope to accommodate the homes, streets, guest parking and open space amenities. It will also be designed and constructed in accordance with the recommendations of the geotechnical report that was prepared for the project to ensure the safety of its occupants given its proximity to the Hayward Fault Zone.

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

The project site is zoned Mission Boulevard-Corridor Neighborhood 17.5-35 Units/Acre (MB-CN) and designated SMU in the General Plan. In accordance with SDBL and the City's Density Bonus Ordinance, the proposed project is entitled to unlimited waivers from development standards that preclude the allowable density, and one (1) concession from requirements that would result in an actual and identifiable cost reduction. The project includes one concession to avoid having to install a looped water system on the site, as well as eight waivers from requirements related to the front-yard setback, building massing, landscape buffering from adjacent development, minimum finished floor elevations, minimum driveway separation, common open space amenities, and maximum allowable on-site parking. Even with these waivers, under SDBL, the project is still considered to be consistent with all applicable requirements of the Zoning, Grading and Subdivision Ordinances of the Hayward Municipal Code. The development is also consistent with the *Hayward 2040 General Plan* as described in the Vesting Tentative Tract Map Findings, above.

Finally, the project contributes to the City's Regional Housing Needs Allocation (RHNA) goals set forth in the Hayward 2023-2023 Housing Element by adding 64 market-rate units, seven low-income units and one moderate-income unit to the City's unit totals.

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

Once constructed, the proposed residential project will operate in a manner similar to the

adjacent, recently completed multi-family residential developments located directly to the north, south and across Mission Boulevard to the west. During construction, the project will be subject to all applicable provisions of the Municipal Code related to construction, maintenance, and landscaping, including standard procedures for initial site preparation and development, permitted hours of construction activity, and the incorporation of Best Management Practices (BMPs) for air quality, construction noise, grading, and use of equipment to prevent adverse impacts to surrounding development.

California Environmental Quality Act Findings

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, In-fill Developments, as a project that meets the following criteria:

- 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 meets this criterion in that the SMU General Plan land use designation and the regulations and development standards of the MB-CN zoning district, both of which allow for the construction of multi-family residential development at the site at the density being proposed. Furthermore, the Land Use and Housing Elements of the General Plan specifically call for the continued development of additional higher density residential uses on infill sites that are well-served by retail and service commercial uses and public transportation, and that offer a variety of housing types at various affordability levels for all different size households. Although the project utilizes a number of waivers from some applicable development standards, under SDBL, even with these waivers, the project is still considered to be consistent with all applicable requirements of the Zoning, Grading and Subdivision Ordinances of the Municipal Code.

- 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 meets this criterion in that it would occupy a 4.8-acre site located entirely within Hayward city limits and surrounded by existing multi-family, mixed-use and commercial development to the north, south and west, and single-family development with some undeveloped land uphill to the east.

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

The project meets this criterion in that the Biological Resource Assessment prepared for the development by Rincon Consultants in November 2025 concluded that no special status plant or wildlife species have been documented at the project site or within the study area. As such, the project footprint does not contain and has no value as suitable habitat for endangered, rare, or threatened species.

The site contains two existing trees that would be removed and grasslands on the hillside at the rear of the property that may be used for nesting or foraging habitat by Crotch's bumble bees that could be disturbed temporarily by construction-related activities and noise. However, pre-construction surveys conducted by qualified wildlife biologists in accordance with the requirements of the Federal Migratory Bird Treaty Act and California Endangered Species Act will be required as conditions of approval to ensure the protection of any birds nesting in the two trees or Crotch's bumble bees nesting or foraging on the hillside.

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

Traffic: The project meets this criterion in that a Local Transportation Analysis prepared by Hexagon Transportation Consultants in April 2026 concluded that it is consistent with all local plans, will not generate significant Vehicle Miles Traveled (VMT) and will not result in any traffic safety hazards. The project demonstrates consistency with the Hayward 2040 General Plan, the Climate Action Plan and Bicycle and Pedestrian Master Plan by providing dedicated bicycle storage space in each unit's garage and short-term bicycle parking in compliance with the standards of the Mission Boulevard Code, and a system of on-site pedestrian walkways that connect to Mission Boulevard where robust bus transit service is offered by AC Transit. Furthermore, the project is less than one-half mile from the South Hayward BART Station. As such, the project would not result in any significant effects related to transportation.

Noise: The project meets this criterion in that its construction will be required to comply with the requirements of HMC Section 4-1.03-4 which regulate construction-related noise impacts on adjacent uses and nearby sensitive receptors such as schools, hospitals and residential neighborhoods and, once completed, its everyday use as a residential subdivision will not generate significant noise in excess of existing noise levels within the surrounding neighborhood.

Air Quality: The project meets this criterion in that, during construction, it will be required to implement the standard dust control measures required of all development projects prescribed by the Bay Area Air Quality Management District (BAAQMD). Once completed and operational, the project will not generate any significant emissions that could adversely impact air quality since its primary purpose will be to provide housing.

Water Quality: The project meets this criterion in that it would not introduce new surface water discharges, substantially increase runoff volumes, result in substantial erosion or siltation, or result in flooding on- or off-site. Furthermore, the project would not alter the existing drainage pattern of the site in that it incorporates stormwater control and treatment measures in accordance with the requirements of Provision C.3 of Alameda County's Municipal Regional Stormwater Permit.

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

The project meets this criterion in that it would be located in an urban area already served by all necessary public utilities and services. The City provides water, sewer, storm drain and solid waste collection services to the subject neighborhood, and all of these services presently have the capacity to accommodate the proposed subdivision. Other utility services such as electricity and telecommunications would also be provided to the site by existing service providers, including PG&E and AT&T.

-End of Findings-