



## **SUBJECT**

Proposed Demolition of an Existing Community Center to allow the Development of 83 Residential Condominium Units and Related Site Improvements on a 4.83 Net Acre Site at 1101 and 1103 Walpert Street (APNs: 445-0040-001-01 and 445-0040-003-034), Requiring Approval of a Vesting Tentative Tract Map, Site Plan Review and Finding that the Project is Exempt Pursuant to Section 15332 of the California Environmental Quality Act (CEQA), Application No. TM-24-0007. Applicant: Caden Proctor, Waymark Development. Owners: Arc of the East Bay.

## **RECOMMENDATION**

That the Planning Commission approves the proposed Vesting Tentative Tract Map 8750 and Site Plan Review, subject to the attached Findings (Attachment II) and Conditions of Approval (Attachment III) and Finding that the Project is Exempt Pursuant to Section 15332 of the California Environmental Quality Act (CEQA).

## **SUMMARY**

The applicant is requesting approval of Vesting Tentative Tract Map and Site Plan Review Application No. TM-24-0007 to demolish an existing community center and construct 83 residential townhouse-style condominium units on a 4.83 net-acre site at 1101 and 1103 Walpert Street. The project proposes constructing 14 new residential buildings and related site improvements, which include internal streets with ingress/egress from Walpert Street, open space and landscaping. Each unit has three or four bedrooms and a two-car garage, and range in size from approximately 1,514 to 1,825 square feet.

## **BACKGROUND**

The original development at 1101 Walpert Street (front parcel) was constructed sometime between 1958 and 1963. The buildings were remodeled and/or additions were made in 1962, 1977, 1982, 1998, 1999, 2002 and 2012. The buildings are currently being used as a community center by the Arc of the East Bay to provide career, recreational and educational opportunities to individuals with intellectual and development disabilities (I/DD).

On July 27, 2004<sup>1</sup>, the City Council approved a zone change from the Medium Density Residential (RM) District to a Planned Development (PD) District at 1103 Walpert Street (rear parcel) to allow the construction of a group home complex. In 2009, two group homes, an accessway and parking were completed. The group homes are currently being used as offices by the Arc of the East Bay.

On January 30, 2024<sup>2</sup>, the City Council approved a zone change from a Planned Development (PD) District to the Medium Density Residential (RM) District at 1103 Walpert Street (rear parcel) to allow the Arc of the East Bay to market the property to housing developers and allow for a greater variety of housing development on the site. In 2025, the Arc of the East Bay engaged Waymark Development, the project applicant, to facilitate this. The Arc of the Easy Bay has noted their support for the proposed project in Attachment VI.

On December 18, 2025, the Planning Division received Vesting Tentative Tract Map, and Site Plan Review Application No. TM-24-0007 to demolish an existing community center and construct 83 residential condominium units and related site improvements at the subject property.

Public Outreach: On December 23, 2024, a Notice of Receipt of Application was mailed out to 316 property owners, residents, businesses, and community groups (Mission Foothills Neighborhood Task Force) within 300 feet of the project site. Staff received three public comments. The comments include general opposition to all the new developments within the area, concerns about additional traffic and discontent with the lack of on-site affordable units.

On February 27, 2026, notices of this public hearing were sent to all property owners and residents within a 300-foot radius of the project site and were published in *The Daily Review*. To date, staff has received two public comments. The comments are available in Attachment VII.

## **PROJECT DESCRIPTION**

Existing Conditions: The project site is located within the Mission Foothill neighborhood in North Hayward. The site is composed of two parcels (Assessor's Parcel Numbers (APNs) 445-0040-001-01 and 445-0040-003-034) along Walpert Street, totaling 5.49-acres. The project site has two flat portions with steep slopes in the middle and rear. The project site is currently developed with a 37,783 square feet community center made up of several buildings, and associated improvements.

The project site is surrounded by a mixture of uses with a 32-unit townhouse development to the north, a 133-unit apartment development to the east, Ward Creek to the south and All Saints Cemetery to the west.

The project site is located approximately 760 feet west of AC Transit bus route 60 on Second Street, approximately 0.3 mile east of AC Transit bus route 9 on Mission Boulevard, and approximately 0.7 miles east of Hayward BART. These public transit facilities provide service to unincorporated Alameda County, San Leandro, Union City, California State University-East Bay, Chabot College, Southland Mall and the greater Bay Area.

Vehicular access to the site is from Walpert Street which connects to several arterials including Second Street and Mission Boulevard. The site is also located approximately 1.5 miles east of Interstate 880 and 1.5 south of Interstate 238, providing access to Hayward and the greater Bay Area. Additionally, the project site is located in close proximity to Class II bicycle lanes on Second Street and sidewalks located on Walpert Street, which connect to a

larger network throughout the city and provide access to many public facilities including Memorial Park, the Hayward Plunge, Bret Harte Middle School and Hayward High School.

**Project Description:** The project proposes the demolition of an existing community center to allow the construction of 83 residential townhouse-style condominium units. The units will be located in 14 buildings that contain between five and eight residential units each. All the buildings are rectangular and contain three-stories of living area at a height of 42 feet.

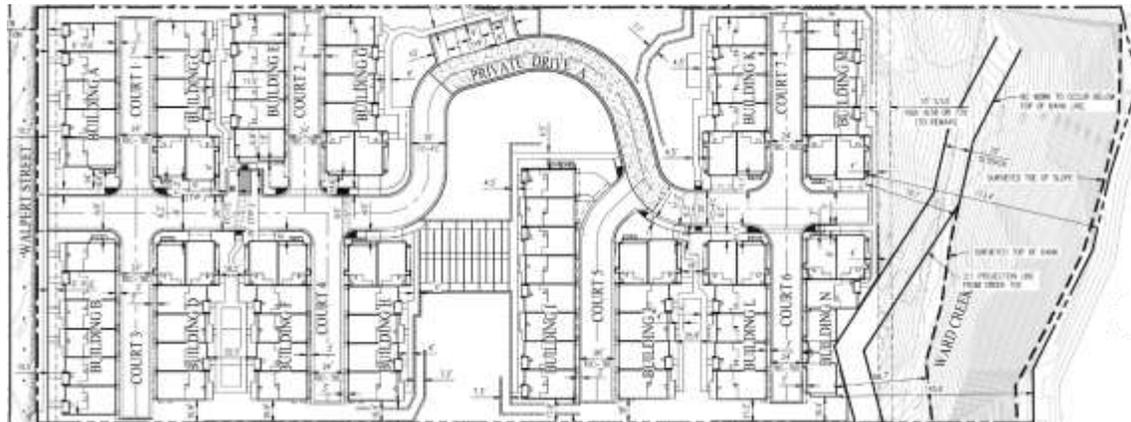
The proposed buildings incorporate a new American architectural style that includes gable roofs, large windows, a mix of materials and an earth-toned color palette as shown in Figure 1. The residential units have between three and four bedrooms, up to three and half baths, and range in size from approximately 1,514 to 1,825 square feet. Each unit will feature a two-car garage. There are an additional nine uncovered visitor parking spaces on the site for a total of 175 off-street parking spaces.

**Figure 1- Front (Walpert Street) Elevation**



**Proposed Circulation and Access:** The site is accessible via a driveway entrance from Walpert Street. Vehicular access to the townhomes would be from a 26-foot-wide internal street (Private Drive A) that runs generally perpendicular to Walpert Street and a series of courts (Court 1-7) that run parallel to Walpert Street, as shown in Figure 2. All the internal streets will accommodate two-way vehicular traffic. The project also proposes a new five-foot-wide sidewalk that generally runs parallel to Private Drive A for pedestrian access which connects to a series of internal pedestrian pathways throughout the site. In addition to the proposed accessways, the applicant provides bicycle parking near the rear.

**Figure 2- Illustrative Site Plan**



**Landscaping and Open Space:** The project includes a variety of private and common open spaces. Each unit has a private upper floor balcony and access to the shared open space. The

shared open space is spread throughout the site in four large areas that range from 1,730 square feet to 3,536 square feet. Each space is programmed with different amenities including seating areas, a community garden, an open lawn area, a playground and an arbor. New landscape plantings are proposed along all property lines, between the buildings and within the open space. The plantings will include a variety of drought-tolerant trees, shrubs and ground cover consistent with the Bay Friendly Water Efficient Landscape Ordinance. The project proposes the removal of 69 trees, preservation of 37 trees and the installation of 111 new trees. Of the 69 trees proposed for removal, 62 trees are protected per the City's Tree Preservation Ordinance. Additional details and analysis of the proposed tree removals are discussed in greater detail below. A copy of the site and landscaping plans are included as Attachment IV.

**Sustainability Features:** The project is required to comply with the California Green Building Standards Code (CALGreen) and the City's Reach Code by featuring all-electric homes that contain no gas-powered appliances, be solar-ready, and provide parking spaces that are electric vehicle-ready. Additionally, all landscaping is required to comply with the City's Bay-Friendly Water Efficient Landscape Ordinance for irrigation and drought tolerant materials.

## **POLICY CONTEXT AND CODE COMPLIANCE**

**SB 330 and Housing Crisis Act:** In 2019, the State of California adopted new legislation (SB330) that is intended to address the State's housing crisis. SB330 strengthens the Housing Accountability Act (Government Code Section 65589.5<sup>1</sup>), which states that a housing development project that complies with the "objective" standards of the General Plan and Zoning Ordinance must be approved by the City, unless the City is able to make written findings based on the preponderance of the evidence in the record that either: (1) the City has already met its Regional Housing Needs Assessment (RHNA) requirement; (2) there is an impact to the public health and safety and this impact cannot be mitigated; (3) the property is agricultural land; (4) approval of the project would violate State or Federal law and this violation cannot be mitigated; or (5) the project is inconsistent with the zoning and land use designation and not identified in the General Plan Housing Element RHNA inventory. "Objective" means involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official. As described below, the project complies with all the objective standards therefore the city is obligated to approve the project.

**Hayward 2040 General Plan:** The project site is designated Medium Density Residential (MDR) in the *Hayward 2040 General Plan*<sup>2</sup>, which allows detached and attached residential development between 8.7 to 17.4 dwelling units per net acre. The project is consistent with the *Hayward 2040 General Plan* in that the development proposes attached residential units with a density of 17.18 dwelling units per net acre and is also consistent with the following policies:

- *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-

<sup>1</sup> California Gov Code Section 65589.5: [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=65589.5&lawCode=GOV](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65589.5&lawCode=GOV)

<sup>2</sup> Hayward 2040 General Plan: <https://www.hayward-ca.gov/2040-General-Plan>

density apartments, condominiums, transit-oriented developments, live-work units, and units in mixed-use developments.

- *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.
- *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.

The project's consistency with the *Hayward 2040 General Plan* is discussed further in the project Findings (Attachment II).

**Zoning Ordinance:** The project site is located within the Medium Density Residential (RM) zoning district<sup>3</sup>, which allows the development of multi-family dwellings consistent with specific development, open space and design standards. The proposed development is consistent with all RM development standards as shown in Table 1.

**Table 1: Zoning Compliance**

Development Standard	RM Requirement	Proposed	Consistent
Min. Lot Size	5000 sf	239,144.4 sf	Yes
Min. Lot Frontage	35 ft	277.76 ft	Yes
Min. Average Lot Width	60 ft	300.53 ft	Yes
Min. Average Lot Depth	80 ft	763 ft	Yes
Min. Front Setback	10 ft	10.5 ft	Yes
Min. Side Yard Setback	5 ft	5 to 19.4 ft	Yes
Min. Rear Yard Setback	10 ft	145 to 173.4 ft	Yes
Height	50 ft	42 ft	Yes
Max. Number of Stories	4 Stories	3 Stories	Yes

The project is also consistent with all the open space requirements including open space area and amenities. A minimum of 150 square feet of open space per dwelling unit is required and the project is proposing a total of 228.6 square feet per dwelling unit. For this project, a total of 200 points in open space amenities are required and the project proposes 210 points worth of amenities as shown in Table 2, consistent with the Municipal Code requirements.

**Table 2: Open Space Compliance**

Open Space Amenity	Point Value	Points Received
Community Garden with at least 5 garden beds	40	Yes
Courtyard/garden with searing and/or tables for at least 4 people	15	Yes
Courtyard/garden with searing and/or tables for at least 10 people	35	Yes
Courtyard/garden with searing and/or tables for at least 20 people	50	Yes
Pergola, shade, trellis or arbor structure	15	Yes
Open lawn areas with no dimension less than 10 feet	15	Yes
Playground with at least 3 pieces of play equipment including slides, swings, monkey bars, climbing walls, etc.	40	Yes
Total Points Received		210

<sup>3</sup> CO Zoning District: [https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART1ZOOR\\_S10-1.1100COOFDICO](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.1100COOFDICO)

Furthermore, the proposed buildings are consistent with all the applicable building mass and façade design standards outlined in Section 10-1.206 of the HMC. The buildings incorporate a total of 205 façade design points when only 125 points are required, as shown in Table 3.

**Table 3: Façade Design Compliance**

Design Element	Point Value	Points Received
Balconies on at least 50 percent of street facing units with no dimensions less than 5 feet	50	Yes
A covered porch for each ground floor unit with a minimum landing depth of 5 feet (excluding stairs), minimum landing width of 8 feet (excluding stairs), and minimum clear floor-to-ceiling height of 8 feet	50	Yes
At least one of the following building material treatments: <ul style="list-style-type: none"> <li>Use of a siding or cladding material on the ground floor building facades that differ from the materials used above the ground floor</li> <li>Use of at least two distinct building materials that each make up at least 25 percent of the total building facades</li> </ul>	35	Yes
Variation in roof height or parapet by at least 2 feet	35	Yes
Windows covering at least 20 percent of the total surface area of the street-facing front facade	35	Yes
<b>Total Points Received</b>		<b>205</b>

**Off Street Parking Regulations:** In accordance with California Government Code Section 65863.2<sup>4</sup>, a City shall not enforce any minimum off-street parking required within 0.5 miles of a major transit stop. A major transit stop includes the intersection of two or more major bus stops with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods. The project site is approximately 0.3 miles from several bus stops along AC Transit Route 9<sup>5</sup> which has service intervals of 15 minutes during peak commute periods therefore no parking is required for the proposed project. However, the project applicant is proposing a total of 175 parking spaces for an average of 2.1 parking spaces per unit, consistent with other residential projects not located near a major transit stop.

**Site Plan Review:** In accordance with Section 10-1.3025<sup>6</sup> of the HMC, Site Plan Review is required for all projects that materially alter the appearance and character of the property. As such, the development of 83 residential townhouse-style condominium units requires Site Plan Review. The Planning Commission may approve or conditionally approve a Site Plan Review application when the following findings are made:

- The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the city;
- The development takes into consideration physical and environmental constraints;
- The development complies with the intent of City policies and regulations;
- The development will be operated in a manner determined to be acceptable and compatible with surrounding development.

<sup>4</sup> California Gov Code Section 65863.2: [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=65863.2&lawCode=GOV](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65863.2&lawCode=GOV)

<sup>5</sup> AC Transit Route 9: <https://www.actransit.org/bus-lines-schedules/9>

<sup>6</sup> Site Plan Review Findings: [https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART1ZOOR\\_S10-1.3000SIPLRE\\_S10-1.3025FI](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.3000SIPLRE_S10-1.3025FI)

The project's consistency with these Findings is discussed below and in Attachment II.

Tentative Map: The project includes a Vesting Tentative Tract Map (No. 8750) for condominium purposes to allow each of the 83 residential units to be owned separately. Pursuant to Section 66474 of the State Subdivision Map Act<sup>7</sup>, the Planning Commission must also make the following findings in order to approve the Vesting Tentative Tract Map:

- The proposed map is consistent with applicable general and specific plans as specified in Government Code Section 65451;
- The design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
- The site is physically suitable for the type of development being proposed;
- The site is physically suitable for the proposed density of development;
- 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;
- The design of the subdivision or type of improvements is not likely to cause serious public health problems; and
- 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.

The project's consistency with these Findings is discussed below and in Attachment II.

Regional Housing Needs Allocation & Affordable Housing Ordinance: Local jurisdictions report progress annually on meeting their Regional Housing Needs Allocation (RHNA) goals which are included in the City's Housing Element. The 6<sup>th</sup> Cycle Housing Element (2023-2031) was adopted by the City Council on February 7, 2023, and subsequently certified by the State Department of Housing and Community Development in July 2023. In the next eight-year cycle (2023-2031), the City is required to build 4,624 units at a variety of income levels. According to the Housing Element, Appendix C, Table C-3, Planned, Approved and Pending Projects, there are a total of 2,073 units that are approved or otherwise pending at various income levels during the upcoming cycle. The proposed development would add 83 above- moderate income units to the City's totals.

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<sup>7</sup> Subdivision Map Act Tentative Map Findings: [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=66474](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=66474)

**Table 4:2025 RHNA Goal Progress in the City of Hayward**

Income Category	Unit Goal	Reported 2024		Approved		Pending Approval		Estimated Compliance	
		Units	% of Goal	Units	% of Goal	Units	% of Goal	Units	% of Goal
<b>Very Low</b>	1,075	175	16%	130	12%	22	2%	327	30%
<b>Low</b>	617	189	31%	24	4%	27	4%	240	39%
<b>Moderate</b>	817	221	27%	6	1%	8	1%	235	29%
<b>Above Moderate</b>	2,115	961	45%	1,025	48%	560	26%	2,546	120%

The project is subject to the requirements set forth in HMC Chapter 10, Article 17-Affordable Housing Ordinance<sup>8</sup>. An applicant may satisfy the requirements of the ordinance by paying an affordable housing in lieu fee and/or including affordable units within the proposed development. The applicant has elected to pay the affordable housing in-lieu fee. Under the current Master Fee Schedule<sup>9</sup>, the affordable housing in-lieu fee for the project is \$2,875,009 if paid at building permit issuance or \$3,162,510 if paid at the issuance of the occupancy permit. The affordable housing in-lieu fee will be used to increase the supply of affordable housing in the city by funding new construction, acquisition of affordability covenants and substantial rehabilitation of existing housing.

**Tree Preservation Ordinance:** The project is subject to requirements set forth in the Tree Preservation Ordinance<sup>10</sup> to protect significant trees and ensure removal of trees provides benefits to the community. There are currently 107 trees on the project site; 92 which are considered “protected” and subject to the Tree Preservation Ordinance. The applicant proposes to remove a total of 69 trees, including 62 protected trees, protect 37 existing trees, and plant 111 new trees. The value of all the protected trees to be removed is \$311,770. To mitigate the loss of the protected trees, the applicant will provide 58 new trees throughout the project site and pay a \$233,540 in-lieu fee, which is allowed per the updated Ordinance. The City’s Landscape Architect has reviewed the request and supports the tree mitigation proposed. A copy of the Arborist Report is included as Attachment V.

**Park Impact Fees:** The HMC Chapter 10, Article 16 – Property Developers-Obligations for Parks and Recreation<sup>11</sup>, sets forth the parkland dedication requirements for developments based on the residential unit count. Pursuant to the Ordinance, the applicant must pay Park Impact fees in lieu of land dedication. Under the current Master Fee Schedule, the park impact fee rates are \$18,798 for a three-bedroom unit and \$26,148 for a four-bedroom unit. The project features 50 three-bedroom and 33 four-bedroom units. As such, the developer will be required to pay \$1,811,544 in park impact fees.

<sup>8</sup> Affordable Housing Ordinance: [https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART17AFHOOR](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART17AFHOOR)

<sup>9</sup> Master Fee Schedule: <https://www.hayward-ca.gov/your-government/documents/master-fee-schedule>

<sup>10</sup> Tree Preservation Ordinance: [https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART15TRPR\\_S10-15.10PUIN](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART15TRPR_S10-15.10PUIN)

<sup>11</sup> Property Developers – Obligations for Parks and Recreation:

[https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART16PRDEBLPARE](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART16PRDEBLPARE)

## DISCUSSION

Staff believes the Planning Commission can recommend approval of the project based on the analysis below and per the findings and conditions of approval (Attachment II and III, respectively). Staff also believe the project complies with the intent of City development policies and regulations, including the *Hayward 2040 General Plan*, the Zoning Ordinance, and the Subdivision Ordinance. Key findings from staff's analysis are described below.

The development will result in redevelopment of an infill site that is designed to integrate well with the surrounding neighborhood and is near employment centers, public facilities, and transportation routes. The development will be an attractive addition to the neighborhood with buildings that emulate the new American architectural style with their grand gable roofs, large windows, a cohesive mix of materials and an earth-toned color palette that complement the surrounding development. Most notable, the buildings incorporate a total of 205 façade design points when only 125 points are required. The project also provides 210 points worth of open space amenities when only 200 are required.

Furthermore, the project substantially contributes to the City's Regional Housing Needs Allocation (RHNA) goals set forth in the Hayward 2023-2033 Housing Element by providing 83 above-moderate income units to the City's totals. In accordance with State Law, the City must approve the proposed housing development project as it complies with all objective standards.

## ENVIRONMENTAL REVIEW

This project is exempt from environmental review in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15332, In-Fill Development Projects, because the project is an in-fill development project that is fully consistent with the conditions outlined in Section 15332 and none of the exceptions outlined in Section 15000.2 apply as noted in Attachment II.

## NEXT STEPS

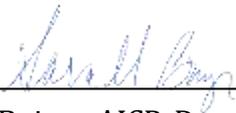
Following the Planning Commission decision, a ten-day appeal period for the project will occur. If no appeal is received then the Commission's decision will become final, and the applicant can prepare a Final Map for City Council approval and submit applications for site improvement plans and building permits. If an appeal is filed, then a hearing by the City Council on the application will be scheduled for a date to be determined.

*Prepared by:* Taylor Richard, Associate Planner

*Recommended by:* Elizabeth Blanton AICP, Senior Planner

Approved by:

  
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 Jeremy Lochirco, Planning Manager

  
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Sara Buizer, AICP, Development Services Director