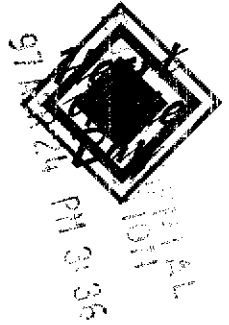




DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
Development Review Services Division



## PUBLIC NOTICE

### NOTICE OF PREPARATION AND AVAILABILITY AND INTENT TO ADOPT ENVIRONMENTAL DOCUMENT

A Mitigated Negative Declaration, which is a document indicating an Environmental Impact Report (EIR) is not required, has been prepared and is proposed to be adopted at a public hearing before the Hayward City Council, pursuant to the California Environmental Quality Act (CEQA) and State and City implementing guidelines for the following project, designated as:

**DEPOT ROAD ANNEXATION NO. 14 AND PREZONE APPLICATION NO. 97-190-01 - HANS KRUGER, KRUGER FOODS, INC. (APPLICANT), WALLACE AND ROXANNE GRETH/GRETH FAMILY TRUST (OWNERS) AND THE CITY OF HAYWARD** - Request to prezone 25.58 acres to Industrial; to apply to the Alameda County Local Agency Formation Commission (LAFCO) for annexation of the 25.58 acres; to approve a property tax exchange agreement with Alameda County; to initiate proceedings for establishment of a precise plan line for future Whitesell Street rights-of-way; and, to agree that staff may accept utility service agreements for this area once LAFCO has approved annexation.

*The properties are located at 3520, 3530, 3548, 3600, 3636 and 3664 Depot Road, in an unincorporated island within the City of Hayward, west of Viking Street and are owned by four separate owners.*

A copy of the Mitigated Negative Declaration shall be available to the public for review and comment for a period of 30-days beginning Thursday, April 24, 1997 and ending Friday, May 23, 1997 at the Main Library, 835 "C" Street, and the Weekes Branch, 27300 Patrick Avenue, or at the City of Hayward, Development Review Services Division, 25151 Clawiter Road, First Floor, Hayward, CA.

Persons who would like to comment on, or objects to the preparation or content of the Mitigated Negative Declaration, may direct a written statement to the Deputy Director of Public Works/Engineering, which must be received no later than 5:00 p.m., Friday, May 23, 1997. The statement must be specific and set forth the grounds of the objection(s) or comments of the Mitigated Negative Declaration and must be duly signed and include a mailing address. A separate Notice of Public Hearing will be mailed to you 10-days prior to the meeting. In addition, a Notice of Decision regarding the action taken on the project shall be sent to you.

For additional information, please contact Jeanette Peck, Development Review Services Engineer at the City of Hayward, Development Review Services Division, 25151 Clawiter Road, First Floor, Hayward, or telephone (510) 293-5414.

NOP: April 23, 1997



# MITIGATED NEGATIVE DECLARATION

\*Revised April 22, 1997

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

## I. PROJECT DESCRIPTION:

DEPOT ROAD ANNEXATION NO. 14 AND PREZONE APPLICATION NO. 97-190-01 - HANS KRUGER, KRUGER FOODS, INC. (APPLICANT), WALLACE AND ROXANNE GRETH/GRETH FAMILY TRUST (OWNERS) AND THE CITY OF HAYWARD - Request to prezone 25.58 acres to Industrial; to apply to the Alameda County Local Agency Formation Commission (LAFCO) for annexation of the 25.58 acres; to approve a property tax exchange agreement with Alameda County; to initiate proceedings for establishment of a precise plan line for future Whitesell Street rights-of-way; and, to agree that staff may accept utility service agreements for this area once LAFCO has approved annexation.

The properties are located at 3520, 3530, 3548, 3600, 3636 and 3664 Depot Road, in an unincorporated island within the City of Hayward, west of Viking Street and are owned by four separate owners. Attachment A illustrates the proposed annexation area with the property owners' names.

The applicant, Kruger Foods, Inc., is considering purchasing the property at 3664 Depot Road, and is requesting annexation so that water and sanitary sewer connections can be provided. The applicant intends to apply for construction of a cucumber storage facility at a later date.

The City has expanded the area proposed for the annexation to include the properties at 3520, 3530, 3548, 3600 and 3636 Depot Road, which adjoin the applicant's property, to avoid leaving an isolated island of unincorporated territory.

## II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

That the proposed annexation will have no substantial effect on the area's resources, cumulative or otherwise.

## III. FINDINGS SUPPORTING DECLARATION:

- The properties may be required to obtain a wastewater discharge permit before connecting to the sanitary sewer system which will set appropriate compliance requirements regarding discharge.
- The three used fuel tanks stored at 3636 Depot Road must be removed and the site cleared by the Alameda County Health Care Services prior to the recordation of the

Mitigated Negative Declaration for Depot Rd. Annexation No. 14 - Hans Kruger, c/o Kruger Foods, Inc. (Applicant), Wallace and Roxanne Greth/Greth Family Trust (Owners and the City of Hayward

**IV. PERSON WHO PREPARED INITIAL STUDY:**



Jeanette E. Peck, P.E.  
Development Review Services Engineer

April 22, 1997

Date

**V. COPY OF INITIAL STUDY IS ATTACHED:**

For additional information, please contact the City of Hayward, Development Review Services Division, 25151 Clawiter Road, Hayward, California 94545-2731 or telephone the City Clerk at (510) 293-5306.

**Distribution**

- Provide copies to all organizations and individuals requesting same in writing.
- Send to project applicants.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or publish once in Daily Review (20 days prior to hearing if no other public notice, otherwise 10 days; reference in all Notices of Decision distributed 20 days prior to effective date of decision).

**Posting**

This Notice is to be posted for a period of at least 20 days upon receipt:

- At the City Clerk's Office
- On the Main City Hall Bulletin Board
- In the City's Main Library and Branches.

**CITY OF HAYWARD**  
**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT**  
**Development Review Services Division**  
**25151 Clawiter Road**  
**Hayward, California 94545-2759**  
**Telephone No.: (510) 293-5414**  
**FAX No.: (510) 293-5108**  
**TDD No.: (510) 293-1590**

**INITIAL STUDY**

\*Revised April 22, 1997

**GENERAL INFORMATION:**

**Applicant:**

City of Hayward  
25151 Clawiter Road  
Hayward, CA 94545-2759  
(510) 293-5414

**Person Preparing Initial Study:** Jeanette E. Peck, Development Review Services Engineer  
**Telephone No.:** (510) 293-5414

**PROJECT DESCRIPTION:**

**DEPOT ROAD ANNEXATION NO. 14 AND PREZONE APPLICATION NO. 97-190-01 -HANS KRUGER, KRUGER FOODS, INC. (APPLICANT), WALLACE AND ROXANNE GRETH/GRETH FAMILY TRUST (OWNERS) AND THE CITY OF HAYWARD** - Request to prezone 25.58 acres to Industrial, to apply to the Alameda County Local Agency Formation Commission (LAFCO) for annexation of the 25.58 acres, to approve a property tax exchange agreement with Alameda County, to initiate proceedings for establishment of a precise plan line for future Whitesell Street rights-of-way and to agree that staff may accept utility service agreements for this area once LAFCO has approved the annexation.

**PROJECT LOCATION:**

The parcels are located at 3520, 3530, 3548, 3600, 3636 and 3664 Depot Road, in an unincorporated island within the City of Hayward, west of Viking Street, and are owned by four separate owners. The applicant plans to purchase the parcels owned by the Greth Family Trust. Attachment A illustrates the proposed annexation area with the property owner's names.

**ENVIRONMENTAL SETTING:**

The subject site is a 25.58 acre industrial property area located on the south side of Depot Road, west of the intersection of Viking Street and Depot Road, in the unincorporated portion of the west industrial area.

The properties are currently used as a truck leasing company, an automobile storage yard, a recreational vehicle storage yard, a truck leasing company, a concrete fence manufacturer and offices for a chemical tank lines company.

The applicant, Kruger Foods, Inc., is considering purchasing the property at 3664 Depot Road and requests annexation so that water and sanitary sewer connections can be provided. The applicant intends to apply for construction of a cucumber storage facility at a later date.

The City has expanded the area proposed for the annexation to include the properties at 3520, 3530, 3548, 3600 and 3636 Depot Road, which adjoin the applicant's property, to avoid leaving an isolated island of unincorporated territory.

Initial Study for Depot Rd. Annexation No. 14 - Hans Kruger, c/o Kruger Foods, Inc. (Applicant),  
Wallace and Roxanne Greth/Greth Family Trust (Owners) and the City of Hayward

Yes    Maybe    No

**POSSIBLE SIGNIFICANT ENVIRONMENTAL IMPACTS**

"Yes" and "Maybe" responses require comment. Mitigation measures, where appropriate, are included in the commentary. "No" responses are commented on when the preparer of the initial study determines that it is necessary to show how that conclusion was reached.

- |     |   |   |   |          |
|-----|---|---|---|----------|
| 1.  | <b><u>Geologic</u></b> (unstable earth conditions, changes in topography, increase in wind or water erosion, exposure of people or property to geologic hazards such as earthquakes, landslides.)   | — | — | <u>X</u> |
| 2.  | <b><u>Air Quality</u></b> (substantial air emissions, violation of any ambient air quality standard, a substantial contribution to an existing or projected air quality violation, creation of objectionable odors, or dust generation.)  | — | — | <u>X</u> |
| *3. | <b><u>Water Quality</u></b> (increase in rate and amount of surface runoff, change in the amount of surface water in any water body or wetland, exposure of people or property to water-related hazards, such as flooding or contaminated water supply, including groundwater.) | — | — | <u>X</u> |

**Comment:** Recently three used fuel tanks were stored at 3636 Depot Road, one of the six parcels proposed for annexation, which is owned by Patsy Wheat. The tanks are scheduled to be removed from the site in conformance with Alameda County Health Care Services, ACHCS, requirements. A small amount of oil and grease was also detected on the surface of the ground by ACHCS. There is no indication of any groundwater contamination, based on ..... The owner is preparing a work plan for removal of the tanks. The site shall be cleared by Alameda County Health Care Services prior to the recordation of the annexation.

Initial Study for Depot Rd. Annexation No. 14 - Hans Kruger, c/o Kruger Foods, Inc. (Applicant),  
Wallace and Roxanne Greth/Greth Family Trust (Owners) and the City of Hayward

Yes    Maybe    No

- |     |  |   |   |          |
|-----|--|---|---|----------|
| 4.  | <b><u>Biological Resources</u></b> (change in diversity or number of species; reduction in the numbers of any unique, rare, or endangered species, tree removal, result in a barrier to the migration or movements of animals, deterioration to fish and wildlife habitat, or create a barrier to the normal replenishment of existing species.) | — | — | <u>X</u> |
| 5.  | <b><u>Noise Level</u></b> (long-term or short-term exposure of people to noise levels exceeding City thresholds, and/or increase in existing noise levels for adjoining areas.)  | — | — | <u>X</u> |
| 6.  | <b><u>Light and Glare</u></b> (expose people to intensive light or glare.)   | — | — | <u>X</u> |
| 7.  | <b><u>General Plan, Neighborhood Plans, and Adopted City Environmental Plans and Goals</u></b> (conformity)  | — | — | <u>X</u> |
|     | <b><u>Comment:</u></b> The property will need to be rezoned to "Industrial" to conform to the General Plan designation of "Industrial Corridor".   | — | — | <u>X</u> |
| 8.  | <b><u>Natural Resources</u></b> (increase in the rate of use of any natural resources, substantial depletion of any nonrenewable natural resource.)  | — | — | <u>X</u> |
| 9.  | <b><u>Risk of Upset</u></b> (explosion, fire, hazardous substances.)   | — | — | <u>X</u> |
| 10. | <b><u>Population</u></b> (alter location, distribution, growth rate)   | — | — | <u>X</u> |
| 11. | <b><u>Housing</u></b> (affect existing housing or create a demand for additional housing.)   | — | — | <u>X</u> |

**Initial Study for Depot Rd. Annexation No. 14 - Hans Kruger, c/o Kruger Foods, Inc. (Applicant), Wallace and Roxanne Greth/Greth Family Trust (Owners) and the City of Hayward**

Yes    Maybe    No

12.    **Transportation/Circulation** (generation of substantial additional vehicular trips, impact on existing parking facilities, impact upon existing transportation systems, create a vehicle or pedestrian hazard.)

—        —        X

**Comment:** The current street infrastructure is adequate to handle any traffic increases due to increased development.

13.    **Public Service**

A.    **Fire Protection** (new/expanded use in a high fire hazard area, substantial increase of expenditure for fire protection, exposure of people to hazardous wastes/materials.)

—        —        X

**Comment:** Allowing the properties to connect to the City water main, after annexation, would provide additional water for fire fighting.

B.    **Police Protection** (substantial increase in expenditures for police protection.)

—        —        X

C.    **Schools** (substantial increase in number of school children in attendance area, aggravation of existing overcrowding problem, a negative impact on student access routes to/from school during normal working hours.)

—        —        X

D.    **Parks and Recreation** (substantial increase in the need for park and recreation resources.)

—        —        X

14.    **Utilities**

A.    **Water** (lack of municipal water infrastructure, and/or substantial increase in potable water demand.)

—        —        X

Initial Study for Depot Rd. Annexation No. 14 - Hans Kruger, c/o Kruger Foods, Inc. (Applicant),  
Wallace and Roxanne Greth/Greth Family Trust (Owners) and the City of Hayward

Yes    Maybe    No

B. Sanitary Sewer (lack of municipal sanitary sewer infrastructure, and/or substantial increase in demand on municipal sanitary sewer treatment plant facilities.)

—        —        X

Comment: Prior to connection to the sanitary sewer properties may be required to obtain a wastewater discharge permit before connecting to the sanitary sewer system, which will set appropriate compliance requirements regarding discharge.

C. Solid Waste (substantial increase in demand on existing solid waste collection program(s)/facilities.)

—        —        X

D. Storm Drainage (substantial increase in storm water run-off, aggravation of an identified drainage problem, or creation of a new drainage problem on-site or off-site.)

—        —        X

15. Energy Use (use of substantial amounts of fuel or energy, increased demand upon existing sources of energy or the development of new energy sources.)

—        —        X

16. Aesthetics (obstruction of any scenic vista or view open to the public or the creation of an aesthetically offensive project open to public view.)

—        —        X

17. Cultural Resources (archaeological, historical, or restriction of existing religious or cultural uses within the potential impact area.)

—        —        X



Yes    Maybe    No

**MANDATORY FINDINGS OF SIGNIFICANCE**

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods California history or prehistory?
- —    X
- B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)
- —    X
- C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)
- —    X
- D. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
- —    X

Initial Study for Depot Rd. Annexation No. 14 - Hans Kruger, c/o Kruger Foods, Inc. (Applicant),  
Wallace and Roxanne Greth/Greth Family Trust (Owners) and the City of Hayward

Yes    Maybe    No

**DETERMINATION**

**On the basis of this initial evaluation**

It is found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

—

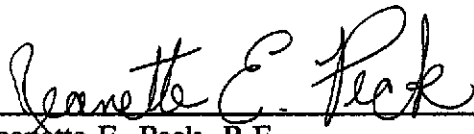
It is found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the mitigation measures indicated above. A NEGATIVE DECLARATION will be prepared.

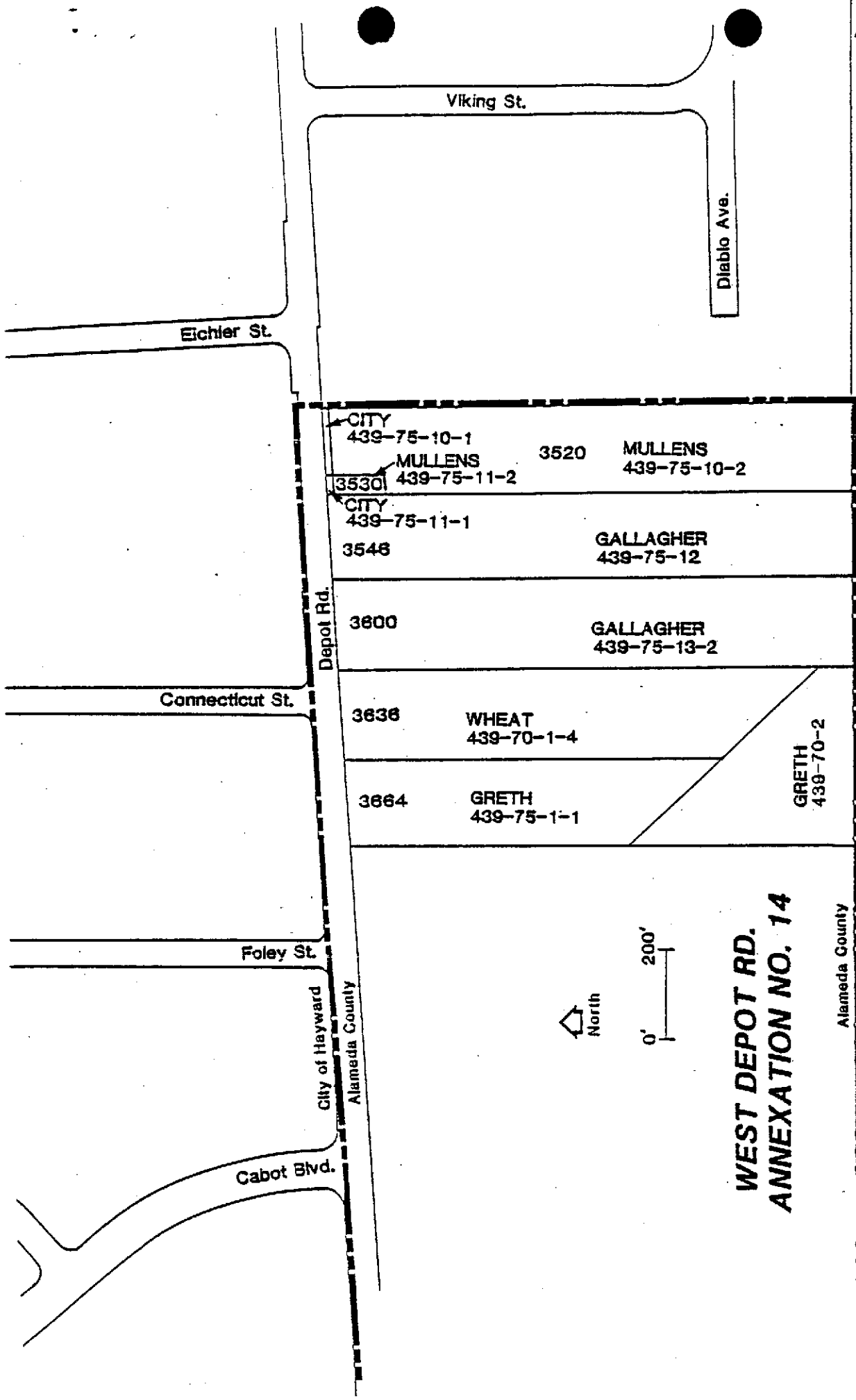
X

It is found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

—

April 22, 1997  
Date

  
\_\_\_\_\_  
Jeanette E. Peck, P.E.  
Development Review Services Engineer



**WEST DEPOT RD.  
ANNEXATION NO. 14**

Alameda County  
City of Hayward