

Russell City Energy Center

***Appendix 8.6-A
City of Hayward Department of Economic
and Community Development Staff Report***

May 2001

Russell City Energy Center AFC

May 2001



CITY OF
HAYWARD
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May 3, 2001

William I. Toman
Development Manager
Calpine Corporation
Calpine/Bechtel Joint Development
6700 Koll Center Parkway, Suite 200
Pleasanton, California 94566

Dear Mr. Toman:

Enclosed for your information is a copy of a memorandum presented to the Board of Trustees of the Hayward Area Shoreline Planning Agency on March 15, 2001. To date, I am not aware of any facts or circumstances that would alter the preliminary findings of this memorandum.

Sincerely,

A handwritten signature in cursive script that reads "Sylvia Ehrenthal".

Sylvia Ehrenthal
Director of Community and
Economic Development/Planning Director

enclosure

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

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CITY OF HAYWARD

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

DATE: March 15, 2001

TO: HASPA Board of Trustees

FROM: Sylvia Ehrenthal, Director of Community and Economic Development/
Planning Director

SUBJECT: Proposed Russell City Energy Center

As noted in the attached report from the City Manager to the City Council, the authority to license power plants rests with the California Energy Commission. Local government, however, plays a significant role in providing input on local concerns and issues to the process. Historically, the Energy Commission has been extremely hesitant to proceed with licensing a facility in the face of opposition by a local jurisdiction. Consequently, the City of Hayward will need to evaluate the suitability of this facility and make some determinations as to its conformity with existing City ordinances and standards. These determinations will be made through a public hearing process before the Planning Commission and City Council.

From what we know about the proposal today, there appear to be two areas that require a formal determination. The first is whether the proposed Russell City Energy Center (RCEC) itself is consistent with the General Plan and the Zoning Ordinance. The RCEC is proposed for a site on Enterprise Avenue, across the street from the City's Wastewater Treatment Plant. This area is classified as Industrial Corridor in the General Plan and the site is zoned Industrial. At this point, the staff believes that the project is in conformity with the Industrial Corridor designation, however this may change subject to the availability of more detailed information associated with the operation of the plant.

With regard to the Zoning Ordinance, Calpine has indicated that it believes the RCEC fits under the primary use classification in the Industrial District zone of "Manufacturing." They suggest that the conversion of natural gas by mechanical equipment into electric power does constitute a form of manufacturing. Although a power plant is not specifically listed as a permitted use in the Industrial District, the staff believes it is similar to other permitted uses and consistent with the intent and purpose of the district. The staff can make this interpretation and, in the absence of an appeal of the staff's determination, the project would require no further review unless it fails to meet design guidelines for the Industrial District. Nevertheless, given the size and significance of this project to the City and the region, the staff will refer the matter of the interpretation of the Zoning Ordinance to the Planning Commission and to the City Council.

The second determination is more complex and involves the relocation of the four radio transmission towers currently located on the Enterprise Avenue site. Calpine and Salem Communications, the owner of the towers, are proposing to relocate the towers to a City-owned, former landfill parcel at the end of West Winton Avenue (see attached aerial). This approximately 14-acre parcel north of the City oxidation ponds is classified as Open Space on the General Plan Map. This designation does not necessarily preclude the location of uses such as towers. For example, P.G.& E. transmission lines and towers traverse many areas of the City designated as Open Space, including the Shoreline and Walpert Ridge. The Zoning Map indicates that the eastern portion of the parcel is within the Industrial District and the western portion is in the Flood Plain (FP) District. Towers have traditionally been allowed in the Industrial District. The FP district allows broadcast studios as a permitted use, but does not specifically mention radio towers. To accomplish relocation to this site, a determination must be made that radio towers are essentially an element of the broadcasting function and thus similar in character and use to a broadcast studio. Like the determination as to whether a power plant is consistent with the intent and purpose of the Industrial District, the staff will refer this interpretation to the Planning Commission.

The City staff is seeking input from HASPA regarding such determinations prior to finalizing the staff position on them.

Attachments: Aerial of Proposed Tower Relocation Site
City Council Agenda Report of 2/6/01

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