



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, February 22, 2018, 7:00 p.m.
777 B Street, Hayward, CA 94541**

MEETING

A regular meeting of the Hayward Planning Commission was called to order at 7:00 p.m. by Chair Goldstein.

CALL TO ORDER Pledge of Allegiance

Commissioner Faria led in the Pledge of Allegiance.

ROLL CALL

Present:	COMMISSIONERS:	Willis Jr., Schott, McDermott, Faria
	CHAIRPERSON:	Goldstein
Absent:	COMMISSIONER:	Bonilla Jr.
Vacancy:	One	

Staff Members Present: Brick, Buizer, Chan, Patenaude, Pearson, Perez

General Public Present: 14

PUBLIC COMMENT:

There were none.

PUBLIC HEARINGS: For agenda items No. 1 and No. 2, the decision of the Planning Commission is final unless appealed. The appeal period is 10 days from the date of the decision. If appealed, a public hearing will be scheduled before the City Council for final decision.

1. Proposed Vesting Tentative Map No. 8378 and Site Plan Review to allow a Residential Development with 76 residential condominium units, of which 42 units will be dedicated for senior housing, located at 28000 Mission Boulevard

Contract Planner Patenaude provided a synopsis of the staff report and a PowerPoint presentation.

Commissioner Willis Jr. favored clearly marked pedestrian and bicycle lanes to encourage residents to utilize public transit. Contract Planner Patenaude responded that the Mission Boulevard frontage will have complete sidewalks that will allow residents to walk to the pedestrian crossings at Tennyson and Mission.



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In response to Commissioner Schott's question regarding the timing of the application and the grandfathering-in of the affordable housing units and the fees, Planning Manager Buizer said the project was deemed complete by the effective date that City Council acted on the new Affordable Housing Ordinance. Ms. Buizer said if the Planning Commission takes action in support of the applicant as recommended by staff, the applicant would be subject per the grandfathered-in provisions to pay half the newly adopted required fees and Ms. Buizer noted the requirement for the affordable housing units is typically 10% of the total units.

Commissioner Faria asked if the concerns of Mr. Felson, the neighboring property owner, regarding height and parking were addressed, Contract Planner Patenaude said the buildings' height would not block any views and the parking concerns applied more to the Form Based Code. Mr. Patenaude noted that the project had a maximum ceiling on parking spaces and the public improvements along Hancock and Webster should allow for more street parking.

Mr. Michael Stanton of Stanton Architecture, project architect, spoke about the property elevation of the project and noted that the Felson property is 10 feet above the project property at grade level and with the project's proposed landscaping and architecture there should be sufficient views from the Felson property. Mr. Stanton hopes that the Planning Commission will support the proposed project.

Ms. Moina Shaiq, owner applicant, spoke about the prime location of the proposed project and how it will fill the need for senior housing, it was close to public transportation and requested that the Planning Commission approve the project.

Mr. Salim Mastan, Hayward resident, spoke in favor of the project and spoke about the positive aspects and the need for more senior housing. He requested the Planning Commission approve the project.

Ms. Reshma Inamdar, owner applicant, spoke about the positive aspects of the project for senior housing and urged the Planning Commission approve the project.

Mr. Stanton responded to Commissioner Schott about the scaling down of the corners of the project and provided elevation data.

In response to Commissioner McDermott's questions about the size and pricing of the units, concerns about walkability issues along Mission Boulevard and the lack of a grocery store within walking distance, Mr. Stanton said for the senior housing there will be 33 one-bedroom units and nine two-bedroom units, the senior units were smaller to accommodate elderly housing needs with appropriate safety amenities in the kitchen and bathrooms such



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as lighting and grab bars. Mr. Stanton said for the regular residential units there will be nine one-bedroom units and 25 two-bedroom units to accommodate families. Ms. McDermott commented that she would like to see a softer color palette for the project exterior.

Mr. Mohammed Shaiq, owner, said the pricing of the senior units will be approximately \$400K to 500K.

Chair Goldstein said that as part of the Complete Streets initiative the City has been requiring traffic calming measures of bulbouts in recent projects along specific traffic corridors and noted that the bulbouts were missing from the proposed project plans. Mr. Goldstein said the intent of bulbouts are to provide more walkable areas for residents and asked if the applicant was agreeable to the bulbouts. Mr. Stanton said that if the City supports having the traffic calming measure of bulbouts at the Hancock and Webster intersection and since there will plans for the developer to improve the sidewalks, which is normal and appropriate for the developer to do, this can also coincide with Commissioner McDermott's concern about a walkable area for residents, the applicant said this is a reasonable request and would support the bulbouts. Planning Manager Buizer said staff will look into whether the requirement for the bulbouts was an oversight or if there was no intention to require the bulbouts for the proposed project. Ms. Buizer noted that it was beneficial to know that the applicant was open to the requirement of the traffic calming measure. Ms. Buizer said the Planning Commission can include the condition of the bulbouts as part of the motion.

Ms. Sara Clark, project architect, confirmed there will be in-unit laundry facilities and said the size of the units which will range from 550 to 1100 square feet.

Ms. Inamdar, owner applicant, said the project will also include community rooms and walkable areas.

Commissioner Willis suggested above ground pedestrian crosswalks for pedestrians to safely cross over very busy intersections such as Mission and Foothill Boulevards.

Commissioner Schott commented that the above ground walkways were not easy for seniors as residents will have to climb about 70 steps to get up to the crosswalk. Mr. Schott noted that the proposed project is four blocks from Food Source.

Commissioner Faria commented that four blocks to walk to the grocery store is far and that seniors want a walkable community.



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Commissioner Schott said he is opposed to the traffic calming measure of bulbouts, asked who is going to maintain the bulbouts and does not feel it is fair to make bulbouts a required condition.

Mr. Stanton said that the developer needs clarification of the traffic calming measure of bulbouts and what would be the specifications for the added condition.

Planning Manager Buizer said staff would need to check with the Public Works Department, Engineering and Transportation, to find out if the traffic calming measure is appropriate for this proposed project.

Commissioner Faria favored the project and said the City needs additional housing and regrets there are not any senior affordable housing units. Ms. Faria understood that the developer had the option to pay the affordable housing in-lieu fees.

Chair Goldstein opened the public hearing at 7:51 p.m.

Mr. Zachariah Oquenda, Hayward resident, works with an agency that is focused on addressing affordable housing needs in Hayward, said the project is in a great location and is well designed but there is a need to provide accessible housing for low-income working families, individuals and seniors that is in close proximity transit. Mr. Oquenda urged the Planning Commission to work with the developer to include affordable housing units and said this is an opportunity to have open dialogues with developers to meet the needs of the community.

Commissioner Willis said the cure for the housing shortage and the high cost of housing is to build more housing than there is a demand for. Mr. Willis said he is in favor of affordable housing.

Chair Goldstein commented about the affordable housing issue and that the City is working on solutions and encouraging developers to include affordable housing units in their proposed projects as the City is deeply concerned about the housing crisis. Mr. Goldstein said the requirements are grandfathered-in for the proposed project because of the projects application timing and process and that new projects will be subject to stricter requirements.

Chair Goldstein closed the public hearing at 7:59 p.m.

Commissioner Willis made a motion to move staff's recommendations adding the condition of approval to require the traffic calming measures of bulbouts if deemed necessary or consistent by the Public Works Department, Engineering and Transportation. Mr. Willis said



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if the developer accepts the added condition of bulbouts then it can be part of the motion. There was discussion between the Commissioners and Assistant City Attorney Brick regarding the motion as Mr. Brick noted that if the developer did not accept the condition that Public Works comes back with, then the project would not be able to move forward. Mr. Brick said the motion cannot take into consideration the developer's preference on the added condition.

Mr. Stanton said the desire is to get the project built and said the developer is not against the added condition of the bulbouts but would need further clarification.

Chair Goldstein said the motion will be made conditional based on the requirements for bulbouts based on the feedback from the Public Works Department and if the developer does not choose to accept the condition then the issue can come back before the Planning Commission. Mr. Stanton stated at this point that the developer accepts the added condition of approval for the bulbouts.

Commissioner McDermott recommended that the Commission act on the motion.

Chair Goldstein said since the developer has agreed to the motion then he will move forward with the motion with the added Condition of Approval regarding the traffic calming measure of bulbouts with language suggested by Assistant City Attorney Brick.

Commissioner Schott requested to hear the motion with the added Condition of Approval regarding the traffic calming measure of bulbouts with language suggested by Assistant City Attorney Brick.

The motion is to move forward with staff's recommendation, with an additional Condition of Approval, specific to the project, to add bulbouts that are required under Public Works existing traffic calming measures criteria that will come under the Public Works, Engineering and Transportation section in the Conditions of Approval.

Commissioner Schott seconded the motion.

Chair Goldstein thanked the developer for bringing this type of project to Hayward, he favors the design and it will fill a need for housing. Mr. Goldstein noted that the City likes the solar amenity and would like to see if the developer can include the option of solar.

Commissioner Schott disclosed having met with Mr. Felson and the applicant.

Commissioner McDermott commented that she will vote in favor of the motion and the reason being that the applicant accepted the condition of the bulbouts. Ms. McDermott



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commented about affordable housing, she wholeheartedly agrees with Commissioner Faria, and said the Planning Commission has made it very clear that they are in full support of affordable housing and every step that the Commission takes is to provide affordable housing especially for seniors, and as Commissioner Faria stated, this is a step in the right direction. Ms. McDermott said we as a community can take small steps to try to get there and encouraged the developer to give some thought about having affordable housing available. Ms. McDermott said that there are many renters who are paying a very high rent and just don't have the financial means to purchase a home.

The motion passed with the following vote:

AYES:	Commissioners Willis Jr., Schott, McDermott, Faria Chair Goldstein
NOES:	None
ABSENT:	Bonilla Jr.
ABSTAIN:	None
VACANCY:	One

2. Environmental Logistics, Inc. Non-Hazardous Waste Water Treatment and Recycling Center. Appeal of the Planning Director's Decision to Deny a Proposal to Operate a Non-Hazardous Waste Water Treatment and Recycling Center at 3200 Depot Road (APN 439-0075-006-03), Requiring Approval of an Administrative Use Permit Application No. 201500804 and Adoption of a Mitigated Negative Declaration; Jon Bennett for Environmental Logistics, Inc. (Applicant)/Financing & Receiving Services LLC (Owner)

Planning Manager Buizer provided a synopsis of the staff report and a PowerPoint Presentation.

Planning Manager Buizer confirmed for Commissioner Faria that there will be a process in place with the Code Enforcement Division for inspections for projects under Administrative Use Permits and Conditional Use Permits to make sure that the vendor is in compliance. Ms. Buizer said for this project, there are numerous permits that will require oversight by several departments.

Mr. Mark Grayson, Environmental Logistics owner, spoke about the positive aspects of the project and thanked staff for their hard work.

Mr. Grayson responded to Commissioner McDermott that there is a need for the valuable service they will be providing to the community and that there are multi-level controls to ensure that the waste water coming into the facility is non-hazardous.



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Planning Manager Buizer spoke about the project and the plant and noted the plant was very large and there is the opportunity for more storage tanks. Ms. Buizer said there was discussion between staff and the owner about ensuring the testing of the waste water while not hindering the plant's other operations.

Mr. Grayson said they have agreed to allow City staff 24-hour access to the facility and spoke about their willingness to work with the City. Commissioner McDermott thanked the owner for their willingness to work with the City.

Chair Goldstein opened and closed the public hearing at 8:29 p.m.

Commissioner Willis Jr. made a motion to move staff's recommendation. Commissioner McDermott seconded the motion

The motion passed with the following vote:

AYES:	Commissioners Willis Jr., Schott, McDermott, Faria Chair Goldstein
NOES:	None
ABSENT:	Bonilla Jr.
ABSTAIN:	None
VACANCY:	One

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters:

There were none.

Commissioners' Announcements, Referrals:

There were none.

ADJOURNMENT

Chair Goldstein adjourned the meeting at 8:40 p.m.



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APPROVED:

Mariellen Faria, Vice-Chair
Planning Commission

ATTEST:

Denise Chan, Senior Secretary
Office of the City Clerk