

**PLANNING COMMISSION MEETING
THURSDAY, SEPTEMBER 28, 2023**

**DOCUMENTS RECEIVED AFTER
PUBLISHED AGENDA**

Staff Responses to Commissioners' Questions



September 28, 2023 – Planning Commission Questions

ITEM #	QUESTION	STAFF RESPONSE
<p>#1 PH 23-036</p>	<p>Will the 2 garage spaces per unit and two additional visitor spaces be equipped with electric vehicle chargers? The staff report states that "the project will be required to...provide parking spaces that are electric vehicle-ready," yet I don't see any reference to EVCs on the VTTM, and I don't believe it's addressed anywhere else in the staff report. I'm also not clear on whether "electric vehicle-ready" means that the applicant will be required to install the actual units, or if they just need to ensure that the necessary outlets are available.</p>	<p>The Reach Code Ordinance, adopted in November of 2022, requires that all new all new buildings and modifications to existing buildings resulting in new parking spaces must have electric vehicle (EV) charging infrastructure installed above and beyond that required by the California Green Building Standards Code. Under the Reach Code, EV Chargers are not required; only that the garage parking spaces are required to provide "Level 2 Ready" spaces, which have a complete electric circuit with wiring and an "Electric Vehicle Outlet" or electric vehicle supply equipment (EVSE). Under the Reach Code Ordinance, EVSE includes the conductors, power outlets, electric vehicle connectors, and all other equipment to transfer energy from the premises wiring to the electric vehicle.</p> <p>Given that the Reach Code is administered by the Building Division, providing the electric vehicle infrastructure is a condition of approval and must be shown on the building permit set of plans, and not the architectural plans submitted for planning entitlement review and approval.</p>
<p>#1 PH 23-036</p>	<p>There also is no mention of solar panel installation. Is this a requirement for this project?</p>	<p>Yes. Effective January 1, 2020, the California Solar Mandate requires installation of solar panels for new single-family and multi-family development projects. As this is a requirement of the building code, this requirement must be satisfied at the building permit phase, consistent with Title 24 requirements.</p>

<p>#1 PH 23-036</p>	<p>I'm not clear on when the removal of protected trees is allowed and when it is prohibited or discouraged. Although the value of the replacement landscape and hardscape materials is the same as the trees that would be removed, wouldn't trees that are in good condition (as assessed by the arborist) make them less likely to be removed? I'm especially wondering about trees 7,8,9, and 10 which are redwood trees located in an area that would not appear to hinder the project; and as the arborist noted they would be the best candidates for preservation.</p>	<p>Per the Tree Preservation Ordinance in the Hayward Municipal Code, the City Landscape Architect is given the sole purview to decide to grant a tree removal permit. The decision by the City Landscape Architect to grant a tree removal permit is based upon criteria listed in the Tree Preservation Ordinance. The City Landscape Architect's decision to grant a tree removal permit may be appealed to the Planning Director.</p>
<p>#2 PH 23-037</p>	<p>The Project Summary states that 2.1 parking spaces are required per unit for a project of this size, however it also shows that only 2 spaces per unit will be provided for a total of 20 spaces. Is the applicant required to address the other parking space that seems to be required since $2.1 \times 10 = 21$ spaces, not 20?</p>	<p>Hayward Municipal Code Section 10-2.406(a) allows a developer to take credit for one (1) vehicular parking space by providing four (4) bicycle parking spaces. In the case of this project, the developer is providing eight (8) bicycle parking spaces, which equate to two (2) additional vehicular spaces, thereby bringing the total parking credit to 22 spaces. When the project's original development plan that accompanied the original Rezoning and Vesting Tentative Tract Map applications was approved by the Planning Commission and City Council back in 2015, the project also only included 20 vehicular spaces and 8 bicycle spaces, so the amount of parking being proposed today is identical to that which was approved in 2015. It should be noted that there is also on-street parking available along Walnut Street and B Street, if residents or their guests need additional parking for any reason.</p>

ITEM #1 PH-23-036

Proposed Subdivision of 0.35-Acre Site into Eight Lots and the Development of Five Townhomes and Two Common Areas Located at 1434 Grove Way (APN: 415-0170-027-00) Requiring Approval of a Vesting Tentative Tract Map 8426 and Site Plan Review (Application No. 201902285) and a Class 32 Exemption. Applicant: Vrinder Makol, East Bay Developers; Owner: Vrinder Makol and Mohinder Dhillon

Documents and Public Comments

From: Rozalynne Thompson <Rozalynne.Thompson@hayward-ca.gov>

Sent: Thursday, September 28, 2023 3:49 PM

To: Miriam Lens <Miriam.Lens@hayward-ca.gov>; Avinta Madhukansh <Avinta.Madhukansh@hayward-ca.gov>; Amber Parras <Amber.Parras@hayward-ca.gov>; Michael Vigilia <Michael.Vigilia@hayward-ca.gov>

Subject: FW: Today 7 PM Hayward Trees at oak & Grove

Hello All,

We received the comment letter below regarding the 1434 Grove Way project. Please add this letter to the record.

Sincerely,
Rozalynne

From: Erik Pearson <Erik.Pearson@hayward-ca.gov>

Sent: Thursday, September 28, 2023 3:23 PM

To: Rozalynne Thompson <Rozalynne.Thompson@hayward-ca.gov>

Subject: FW: Today 7 PM Hayward Trees at oak & Grove

FYI...

From: Sandra Frost <[REDACTED]>

Sent: Thursday, September 28, 2023 3:21 PM

To: Todd Rullman <Todd.Rullman@hayward-ca.gov>; Erik Pearson <Erik.Pearson@hayward-ca.gov>; Mary Thomas <Mary.Thomas@hayward-ca.gov>; Francisco Zermeno <machetez@sbcglobal.net>; hamanconstruction@comcast.net; George Syrop <George.Syrop@hayward-ca.gov>; Julie Roche <Julie.Roche@hayward-ca.gov>; Angela Andrews <Angela.Andrews@hayward-ca.gov>; Ray Bonilla <Ray.Bonilla@hayward-ca.gov>; Daniel Goldstein <Daniel.Goldstein@hayward-ca.gov>; Mark Salinas <Mark.Salinas@hayward-ca.gov>; Kelly McAdoo <Kelly.McAdoo@hayward-ca.gov>

Subject: Fwd: Today 7 PM Hayward Trees at oak & Grove

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

----- Forwarded message -----

From: GWNA Admin <[REDACTED]>

Date: Thu, Sep 28, 2023, 3:10 PM

Subject: Today 7 PM Hayward Trees at oak & Grove

To: Save Ruby Meadow <[REDACTED]>

Hi Friends of the Grove Way area,

While the 87 trees at Ruby Meadow are still being killed, a project at the Hayward Planning Commission tonight 7 PM plans to kill more, at least 5 approximately 25-years old redwoods on Oak Street. I remember when the old man put them in. By moving the driveways a little, the trees could be saved. The development could save more trees.

Agenda Item:

<https://hayward.legistar.com/LegislationDetail.aspx?ID=6359793&GUID=F0EC84B6-67AB-4E04-BF06-4F9036BB4A06&Options=&Search=>

Attached is a link to the landscape plans on a google drive. CIRCLES WITH X are trees being killed. You can also look at it on the city of hayward meeting website. This is interesting to me because it shows how a city with a tree ordinance handles tree killing! Each tree is measured and assigned a value. Then the developer has to either pay cash or plant mitigation trees.

It's interesting for me to see it all laid out in a table. Just imagine the cost Eden Housing, Inc. would have had to pay for all that lumber they took down at Ruby Meadow. I sort of assume "affordable" developers will be exempt anyway.

Please speak up for trees and oxygen tonight. Because this is Hayward, it is was not declared an environmental Justice neighborhood. Not that that matters. Hayward City Hall or Zoom

<https://drive.google.com/file/d/1hkZXMDzZCW6zDfygsYjBtdLoRUB2KBeP/view?usp=drivesdk>

ZOOM LINK:

<https://hayward.zoom.us/j/88482504586?pwd=dXq8uKe0hFpbmSql0PF4raD3SQNnqp.1>

<https://hayward.legistar.com/MeetingDetail.aspx?ID=1122082&GUID=3DF2480F-C259-439D-8181-685581CDC867&Options=info%7C&Search=>