



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, October 23, 2025, 7:00 p.m.**

Attachment I

The Planning Commission meeting was called to order at 7:01 p.m. by Chair Hardy. The Planning Commission held a hybrid meeting in the Council Chambers and virtually via Zoom.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: CHAIRPERSON: Hardy
COMMISSIONERS: Haman, Lowe, Meyers, Stevens, Yorgov
Absent: COMMISSIONER: Goodbody

Staff Members Present: Allen, Kowalski, Lochirco, Ochinero, Schmidt, Tabari,
Terentieff, Vigilia

PUBLIC COMMENTS

There were none.

PUBLIC HEARING

1. Proposal to Subdivide an Existing 0.15-acre site to allow for the construction of a 14-Unit Condominium building at 1289 Russell Way, for which a corresponding Site Plan Review and Density Bonus Application (Application No. 202205806) was previously approved in 2023, Requiring Approval of a Vesting Tentative Tract Map (VTTM) for Condominium Purposes (Tract No. 8762) and Finding that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) Pursuant to Section 15332 of the CEQA Guidelines. Applicant/Property Owner: Horacio Woolcott, 4WR LLC
PH 25-046

Staff report submitted by Senior Planner Blanton, dated October 23, 2025, was filed.

Senior Planner Kowalski introduced the item and provided a synopsis of the staff report.

Commissioner Haman noted errors on the tentative map, stating that Item No. 16 incorrectly lists Santa Clara County for fire protection and Item No. 20 incorrectly lists Cupertino for street tree planting, requesting both be corrected. Senior Planner Kowalski highlighted that one had been identified earlier while acknowledging that the other was missed. He also clarified that this is a tentative tract map and confirmed that Senior Civil Engineer Terentieff will ensure the corrections are made before the final map is completed.



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Commissioner Haman asked how residents of the ADA unit would evacuate in the event of a hallway fire. Senior Planner Kowalski explained that the building's design includes an elevator at one end of the common corridor and an emergency stairway at the other, which meet the California Fire Code's exiting and egress requirements.

Commissioner Haman asked if a no-smoking rule would be implemented for the building and, if so, how it would be enforced. Planning Manager Lochirco explained the enforcement would depend on the property management's policies.

Commissioner Haman asked what the market value would be for the very low-income unit. Principal Planner Schmidt replied that the exact market value wouldn't be known until the unit is marketed, noting the final price will depend on factors like square footage, interest rates, utilities, and HOA costs, but it is expected to remain quite low given it is designated for very low-income households.

Commissioner Haman asked if the HOA fees would also be reduced for the very low-income unit. Principal Planner Schmidt replied that although the HOA fees for the unit will not be reduced, the cost of the unit is adjusted to account for those fees, along with principal, interest, insurance, and utilities. She noted that the unit will be priced for a household at 40% of the Area Median Income (AMI) for one- to two-person households.

Commissioner Haman asked how stormwater from the site would be managed given the building had no (zero) setbacks. Senior Civil Engineer Terentieff explained that stormwater from the roof will be collected via roof leaders and directed into a drainage system around the building's perimeter where it would be treated before ultimately flowing out to the street. She acknowledged that the limited space made the design challenging, but confirmed the system will function as intended and meet the City's requirements. Senior Civil Engineer Terentieff also explained that storage within a gravel layer around the building's perimeter will help control the release rate. She highlighted the design has been reviewed by both the Building Division and the City's geotechnical engineer.

Commissioner Haman asked if the foundation will be properly protected, to which Senior Civil Engineer Terentieff replied yes. Project Civil Engineer and Surveyor Oscar added that infiltration trenches will be installed along the sides of the building to protect the building's foundation, manage stormwater and allow it to percolate before reaching the street. He noted that the site isn't truly zero lot line, as there is a three-foot setback being used for stormwater management.

Commissioner Haman asked if all replacement trees will be planted at La Vista Park, expressing concern that it might become a "dumping ground" for tree mitigation, and suggested it might be better to distribute the trees throughout the City. Applicant and



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Property Owner Woolcott explained that the trees were removed because they were hazardous and infected to the point of potentially falling. He noted that a City park in Hayward was designated as the location for the replacement trees. Planning Manager Lochirco clarified that the hazardous trees were removed under the 2023 Site Plan Review approval, before the current tree preservation ordinance was adopted. He highlighted that since on-site replacement wasn't feasible, staff required off-site mitigation, planting the replacement trees at LaVista Park and Mission Linear Park to enhance public green spaces.

Commissioner Haman asked how the nearby creek will be protected during construction. Civil Engineer and Surveyor Oscar explained when the project began, they assessed the creek's top and tiller slopes and ensured construction would maintain a required setback; confirmed that the creek's protection was considered during the initial planning stages; and added that, beyond stability concerns, an erosion control plan will be implemented during construction, including silt fences, straw waddles, and other best management practices to protect the creek.

Commissioner Haman asked where residents without assigned parking will park and if Russell Way can accommodate off-street parking. Applicant and Property Owner Woolcott replied that while there is limited parking on Russell Way, nearby blocks have ample on-street parking, including undeveloped areas in front of some properties. He added that parallel streets within one or two blocks also offer ample parking within walking distance.

Commissioner Haman asked if there are plans to potentially open the Civic Center garage to public parking. Planning Manager Lochirco replied that he did not know the answer to that question, noting that long-range plans for the Civic Center site are still under city ownership. He highlighted that while future redevelopment could consider opening the garage to public parking, it is not directly tied to this project and cannot be factored in by the Planning Commission at this stage.

Commissioner Haman asked if there is any way to improve AC Transit service, noting that current bus wait times are around 40 minutes. Planning Manager Lochirco replied that the City does not control AC Transit operations, noting operational decisions like route frequency are made by AC Transit, which recently adjusted routes due to declining ridership.

Commissioner Haman asked who is responsible for widening Russell Way and if there are future plans to widen the rest of the street. Senior Civil Engineer Terentieff replied that she is not aware of any plans by the City's Public Works Department to widen Russell Way. She noted future projects of a similar nature along the street would also be required to widen the street to a 26-foot pavement width.



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Commissioner Haman asked how the City plans to handle infrastructure, such as sewer, water, and electrical, along Russell Way to support potential future development. Planning Manager Lochirco explained that City infrastructure is planned based on full build-out assumptions and reviewed annually through the CIP. He added that for this project, land dedication was required to meet fire access and life safety standards, but no broader upgrades to Russell Way are currently needed.

Commissioner Meyers asked if there is a substantial market demand for units of this size. Applicant and Property Owner Woolcott replied there is a market for these smaller units because affordability is key. He highlighted that smaller one- and two-bedroom units allow buyers to pay a mortgage comparable to current rental costs, making ownership more attainable given today's higher interest rates.

Commissioner Meyers asked if similar-sized units are currently available on the market. Applicant and Property Owner Woolcott explained that developers are hesitant to build condominiums due to California law requiring a 10-year liability, which often leads to lawsuits in later years, and highlighted that this has reduced condominium construction in favor of apartments. He noted that he hired an independent structural engineer to inspect the work beyond city checks, providing extra assurance that the building will remain safe for residents over time.

Commissioner Meyers asked if there is a tentative start or completion date planned for the project. Applicant and Property Owner Woolcott replied that with design and grading permits approved and construction permits pending PG&E adjustments, the project is expected to begin by late summer if approvals proceed smoothly.

Commissioner Meyers asked if the project is expected to take approximately one year to complete. Applicant and Property Owner Woolcott replied that the project will take about a year to complete the main structure, with an additional three to four months to complete the interior finishes.

Commissioner Yorgov sought clarification on whether the affordable unit is designated at 40% or 50% of the Area Median Income (AMI). Principal Planner Schmidt replied that very low income is defined as 30–50% of AMI, but the project will target 40% AMI to enhance affordability and broaden the pool of eligible applicants.

Commissioner Yorgov asked whether the applicant's previous building permit has lapsed and if they will need to obtain a new one. Senior Planner Kowalski replied that the previous building permit has not lapsed but is currently on hold. He noted that the grading permit, which allows the applicant to begin site work and utility trenches, is being processed and is close to issuance. Senior Civil Engineer Terentieff added that the grading permit was nearly



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approved but put on hold after the project shifted to condominiums. She noted that the plans must be updated for the electrical transformer relocation, and if the Commission approves the condominium, a Subdivision Improvement Agreement and bonds will be required before the permit can be issued.

Commissioner Stevens asked if the project is a 14-unit condominium subdivision. He inquired whether the plan is to initially rent the separate units before selling them. He also asked about the additional strategies being used by the Applicant/Property Owner to mitigate those risks. Applicant and Property Owner Woolcott clarified that the 14 units will be built as condominiums from the start. He emphasized that their risk-mitigation strategies focus on preventing major structural issues, like foundation or water damage, that could lead to lawsuits, while minor issues, such as appliance problems, are acceptable.

Chair Hardy asked whether the mix of studio and one-bedroom units would have any impact on the parking requirements and wanted to confirm if there would be any changes. Senior Planner Kowalski replied that there is no change in the parking requirements between studios and one-bedroom units that affect the project since the Applicant was able to reduce the project's parking requirements through the use of a waiver afforded him under the City's and State's Density Bonus laws. He noted that studios have slightly lower Park Impact Fee rates than one-bedroom units, and any difference is just a minor fee adjustment that the Applicant will be required to pay in the end, not a change in the number of required parking spaces that he would need to provide.

There being no speakers, Chair Hardy opened and closed the public hearing at 7:41 p.m.

It was moved by Commissioner Lowe, seconded by Commissioner Haman, to approve the proposed Vesting Tentative Tract Map (Tract No. 8762) to allow the construction of a 14-unit condominium subdivision and find that the project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15332, based on the analysis set forth in this staff report and the findings, and subject to the conditions of approval.

AYES:	COMMISSIONER	Haman, Lowe, Meyers, Stevens, Yorgov
	CHAIR	Hardy
NOES:	COMMISSIONER	
ABSENT:	COMMISSIONER	Goodbody
ABSTAIN:	COMMISSIONER	

APPROVAL OF MINUTES

2. Minutes of the Planning Commission Meeting on September 25, 2025 **MIN 25-110**



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It was moved by Commissioner Stevens, seconded by Commissioner Yorgov, and carried unanimously, to approve the Minutes of the Planning Commission Meeting on September 25, 2025.

AYES:	COMMISSISONER	Haman, Lowe, Meyers, Stevens, Yorgov
	CHAIR	Hardy
NOES:	COMMISSIONER	
ABSENT:	COMMISSISONER	Goodbody
ABSTAIN:	COMMISSIONER	

COMMISSIONERS' ANNOUNCEMENTS, REFERRALS

Planning Manager Lochirco made two announcements: 1) two tentative map items are tentatively scheduled for the next Planning Commission meeting; and 2) the Hayward Library and Hayward Promise Neighborhood are hosting a free "Trunk and Treat" at Heritage Park Plaza on Saturday, October 25th, from 11 a.m. to 3 p.m.

Commissioner Meyers announced that he and his wife participate in the Trunk and Treat every year, highlighting his themed decorations; and encouraged everyone to attend the event, noting it's fun, well-attended, and happening this Saturday from 11 a.m. to 3 p.m., rain or shine.

ADJOURNMENT

Chair Hardy adjourned the meeting at 7:44 p.m.

APPROVED:

Ron Meyers, Secretary
Planning Commission



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ATTEST:

Briea Allen
Planning Commission Secretary
Office of the City Clerk