



**PLANNING COMMISSION MEETING
REMOTE PARTICIPATION
Thursday, October 14, 2021, 7:00 p.m.**

This meeting was conducted utilizing teleconference and electronic means consistent with State of California Executive Order No. 29-20 dated March 17, 2020, regarding the COVID-19 pandemic. The Planning Commission, staff, and members of the public participated via the Zoom Webinar platform.

MEETING

The Planning Commission meeting was called to order at 7:00 p.m. by Chair Roche.

ROLL CALL

Present: COMMISSIONERS: Ali-Sullivan, Bonilla, Goldstein, Lowe, Oquenda, Stevens
 CHAIRPERSON: Roche
Absent: COMMISSIONER: None

Staff Members Present: Billoups, Blanton, Brick, Chan, Lochirco, Ott

PUBLIC COMMENT:

There were none.

WORK SESSION:

1. Preliminary Review of an Application to Construct 298 Residential Units, a Public Park, a Portion of the Hayward Foothill trail, and Various Site and Frontage Improvements for Parcel Group 6 (Former 238 Parcel), on an Approximately 29.8-acre Site Located at Overlook Avenue and Carlos Bee Boulevard (APN 445-0180-001-00). Requiring Site Plan Review and Tentative Tract Map 8604 Application No. 202101471; Steven Jones for Integral Communities (Applicant) on behalf of The City of Hayward (Owner).

Assistant City Manager/Development Services Director Ott provided a synopsis of the staff report and PowerPoint presentation.

Senior Planner Blanton continued the synopsis of the staff report and PowerPoint presentation.

Mr. Steven Jones, applicant with Integral Communities, spoke about Integral and what they do and spoke about the project.

Chair Roche opened the public hearing at 7:49 p.m.



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Ms. Velda Go, University Campus Neighborhood Association, spoke about the traffic safety impacts on Campus Drive that need to be addressed that includes speeding cars; cars jumping curbs; and Campus Drive being used as a cut through. Ms. Go asked the Commission and staff to consider Campus Drive.

Ms. Shivani Raina, architect, and urban planner from UC Berkeley, spoke about working with Mr. Lewis of HASPA and spoke against the project as there is a high cost to both people and the environment. She said the City needs to find a sustainable developer. Ms. Raina said the City and the Planning Commission need to correct this to address the housing crisis and give the public a choice.

Mr. Bruce King, Friends of San Lorenzo Creek, spoke about the project site and the damage to the area by the previous quarry use. Mr. King said they do not support the project as it does not sufficiently address protection of the riparian creek area and wildlife. Mr. King said there needs to be restoration to the mountain top; a plan to control the people when they visit the riparian area; and the Foothill Trail needs to be assessed.

Dr. Ann Maris, Grove Way Neighborhood, asked the Planning Commission and staff to listen to the speakers, and to take responsibility to restore what was destroyed from the previous quarry use. Dr. Maris said that it is important to preserve and protect the environment and there needs to be a plan to establish a community and provide onsite needed services for the future residents.

Mr. Miguel and Tamara Flores, Hayward residents, thanked staff and the applicant for taking into consideration the residents' comments in their plans and spoke in favor of the project. Mr. Flores does agree with the environmental comments and natural wildlife habitat and how these areas need to be protected and preserved.

Chair Roche closed the public hearing at 8:07 p.m.

Discussion ensued between the Planning Commission, staff, and applicant regarding the following:

Commissioner Stevens disclosed speaking with Dr. Sherman Lewis and has worked with LSA and Associates, and these do not present a conflict of interest. Mr. Stevens does not agree with the plan; when looking at a development there needs to be a consideration of the site and to make this a plausible project there needs to be a transit connection which this site lacks. There needs to be significant roadway improvement connections. Mr. Stevens shared that he lives on Ward Creek and there is a lot of wildlife in his backyard; and the Hayward hills have been cut up by developments. He said the plans speak to preserving 7.9-acres of open space, but that is very steep, rugged, and non-usable terrain. Mr. Stevens does not favor the



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architecture; asked where the analysis for the intersection is and what about using Overlook Avenue; traffic impacts to Carlos Bee; there does not appear to be connectivity to the trail system and that the park is insular to the development so why use tax funds to support the park. Mr. Stevens said that he does not understand how there can be development within the wildlife interface given all the different conditions.

Assistant City Manager Ott stated that the reason for the intersection at a new location was because of the slopes of Carlos Bee as when there is queuing there is limited visibility; there needs to be a second point of egress and emergency vehicle access (EVA); strong opposition from the community regarding cut through traffic; the development will be paying for the park and the trail, and the Fire Department is reviewing all these plans.

Commissioner Ali-Sullivan disclosed speaking with Sherman Lewis about this project and spoke to Steve Jones about previous projects and there is not conflict of interest. Mr. Ali-Sullivan said that this was a basic project; asked how the project incorporates sustainability and would like to see a retail/services component incorporated into the project to truly make this a mixed-use project. He appreciates the motor court; agrees with Commissioner Stevens as there is not a lot of difference between the building styles; why is the project not being used to its capacity as identified in the Master Development Plan (MDP); and asked how the TDM plan is going to work and questions the initiatives.

Assistant City Manager Ott talked about the purpose of the MDP and wanted to make sure that it was studied and analyzed, and the intent is not to get everyone out of their cars; track residents who like a walkable neighborhood; like commute initiatives and have that opportunity offered. Ms. Ott said for a suburban location on a hillside this is a dense development but there are limitation and constraints for this site and building multi-family housing is very expensive.

Senior Planner Blanton said if you drive to transit and then the bulk of the commute is by public transit that is a reduction in GHG emissions.

Mr. Jones said the developable area for this site is small; to build over four stories is more expensive and that the project exceeds the minimum density by ten of the zoning requirements. He said pre and post pandemic retail is difficult, and this project is small and isolated and, in his research, any commercial for this development would be a loss. Mr. Jones said there will be a community building that can be rented out and hold events.

Mark Butler with Integral, said it has been found that parking is an essential part of a development for the marketing of the homes and the denser a project is, the greater the cost is to the developer and is not feasible.

Commissioner Oquenda disclosed speaking with Sherman Lewis and Steven Jones and there is



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not a conflict. He referred to speaker's comments about Campus Drive and is glad this is being studied; referred to the Friends of the San Lorenzo Creek's letter and what is being done; and Dr. Maris' comments about the area between where the slope and setback area and he recommends that these areas need to be restored. Mr. Oquenda asked about the public parking when they visit the park. He recommends that there needs to be more deeper levels of affordable units and not just moderate-income units.

Assistant City Manager Ott said per the developer there will be a local transportation analysis (LTA) which will include an operational analysis for Campus Drive which will be added to the analysis and will address the traffic calming measures. Ms. Ott said the issues on Campus Drive is a City Project and Ms. Go will participate in the process with the consultant. Ms. Ott said there is a riparian delineation and there is environmental sensitivity, and the City will work with the developer. Ms. Ott said that there is most efficiency in moderate income units and noted that Parcel Group 3 will have 300 lower income units and that Council would like to meet this middle level of affordability. Ms. Ott said there are ongoing discussions with the applicant about having low- and lower- income units.

Senior Planner Blanton commented that she met with Ms. Go about Campus Drive and this intersection will be analyzed, and the issues are not project related impacts. She said staff will be looking at this and will share the results with the Commission. Ms. Blanton said the final plans will show what will be done for restoration of the riparian areas. Ms. Blanton said this is a two-acre park which makes this more of a neighborhood park.

Mr. Jones noted the best course is to not impact riparian areas and that they agree with Mr. King about these areas. He showed his PowerPoint where they will be developing and spoke about planting up to the riparian limit and should achieve restoration to the area they will be developing. He said there will be a permitting process that will vet out what needs to be done to protect the riparian areas. Mr. Jones said for park access, there is biking and pedestrian access on several streets, there is parking along the street and a parking lot near the community building. He said that they listened to neighbors' comments and some streets are blocked off to prevent cut through traffic.

Commissioner Goldstein commented on housing affordability and inclusivity; does not want to see these islands of communities of low-income units; wants to see more inclusivity and opportunity to access to resources and neighbors and this is a priority for the Commission. He disclosed speaking to Sherman Lewis and Bruce King and there is not a conflict. He is very pleased on what staff has brought forward; praised staff for the project and likes the design. Mr. Goldstein would like to see more traffic calming measures and once these are in place that this could incentivize residents to bike and use other recreational modes of transportation; pursue including solar; how close is the site to fault lines and studies need to be conducted for safety reasons; need to have walkable emergency routes for residents; suggested the



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applicant investigate having high end vending machine service and hold food truck events. Mr. Goldstein is encouraged by the discussion about addressing the riparian areas and recommended that the applicant research about what can anything be done to incentivize residents to use public transit as the market is going in that direction.

Commissioner Bonilla has concerns on how well a similar project worked in other cities and, if successful, has the City incorporated ideas from these projects; has concerns about the TDM and it is not feasible to think residents do not need a car. He said there needs to be strong incentives for residents to be carless. Mr. Bonilla said there is a bigger issue of pushing out long term residents because of the affordability of these units and there is more to be done in this area for low and lower-income residents. He said that we are heading in the right direction and appreciates the project and his fellow Commissioners' comments.

Assistant City Manager Ott commented that in general, the type of housing being proposed is very much what Hayward likes; it is a denser product and very much what is seen from the development community and believes that it will be popular to the public. She said in discussions with AC Transit they do not want to drive their buses on Carlos Bee and have changed their routes to avoid Carlos Bee. Ms. Ott said this is a suburban development and staff appreciates all the comments and feedback.

Senior Planner Blanton said a couple of years ago staff conducted a park nexus study where staff looked at park impact fees and a feasibility analysis was done looking at three different types of housing; 1-multi-family; 2-single family; and 3-townhome style development. She said what resulted from the analysis and what staff has heard from developers is that to address the housing crisis there needs to be more multi-family housing built. Ms. Blanton said this applicant takes the townhome concept which is more feasible financially and able to make this a denser project.

Mr. Butler with Integral said that they have done a lot of these types of housing developments and what they have learned from a three-story development is that it is very well liked; they are great for multi-generational living; and the buyer profile shows these are well received.

Commissioner Lowe disclosed speaking with Sherman Lewis and there is not a conflict. Ms. Lowe asked where is the student and faculty housing; how ADA compliant is the project; impact of development on the surrounding neighborhood and requested a fiscal impact analysis on City services; how will the public know about the park and will it be a true public space; will affordable housing be across all three styles of housing as wants to make sure that the affordable units are not clustered; and what is the process used by the applicant to remove parking spaces to comply with the parking maximum.

Assistant City Manager Ott said the student housing was her idea and was included in the



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City's RFP and spoke about the process and to have the developer incorporate including the school community in their marking plan. Ms. Ott said that staff will provide the fiscal impact analysis for the Planning Commission at future meetings. Ms. Ott spoke about the park and where it is to be located in the development so that it is accessible to the public.

Senior Planner Blanton responded that the school community will fit in the affordable unit parameters and the ADA units will be located on the ground floor and how they worked with the developer to have the affordable units be spread throughout the development. Ms. Blanton spoke about the park and the parking maximums, and that staff will continue to work with the developer.

Mr. Jones confirmed that the affordable units will be spread throughout the development and will not be clustered and will be comprised of several different housing products.

Chair Roche disclosed having met with Sherman Lewis and Steve Jones and there are no conflicts. Ms. Roche would like the applicant to look at shuttles to create a truly sustainable community, suggesting partnering with another company; wants to see hard data on TDM programs on different size communities to see if trips will truly be reduced; the reality is that residents will want conveniences especially parking like other developments have; what is the true carbon benefit; concerns about parking impacts among residents and the surrounding neighborhood. All these issues need to be thought through and what is the City's priority for this property. Ms. Roche said that residents need essentials and suggested having delivery to the community center where residents can pick up their packages. Ms. Roche suggested creating a space for a non-profit and create a village feeling that perhaps might have to be subsidized by the HOA. Ms. Roche wants the discussions with Mr. King continue about the riparian area.

Commissioner Oquenda would like to see the affordable units spread throughout the development as he sees clustering on the maps.

Commissioner Bonilla disclosed meeting with Professor Lewis and there are no conflicts.

Mr. Stephen Raney, applicant's TEM consultant; provided data on TDM by Alameda County VMT reduction calculator tool and how it worked.

Commissioner Ali-Sullivan asked about the timeline for the project. Senior Planner Blanton provided next steps and when the item is anticipated coming back to the Commission.



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Mr. Jones said to begin construction will depend on when the approvals come through, once they can begin construction it will take about two years to build.

APPROVAL OF MINUTES

2. Approval of the Planning Commission Meeting Minutes of September 2, 2021.

A motion was made by Commissioner Oquenda, seconded by Commissioner Stevens, to approve the Planning Commission Meeting Minutes of September 2, 2021.

The motion passed with the following roll call votes:

AYES:	Commissioners Ali-Sullivan, Bonilla, Goldstein, Oquenda, Stevens Chair Roche
NOES:	None
ABSENT:	None
ABSTAIN:	Commissioner Lowe

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters:

Acting Planning Manager Lochirco reminded the Commissioners of the Joint Work Session meeting with the City Council on Tuesday, October 19, on the Housing Element and Objective Residential Standards.

Chair Roche wants to make sure that the agenda includes the issues that the Planning Commission has raised regarding parking minimums/maxima.

Commissioner Bonilla asked if the Planning Commission would have the opportunity to discuss the Affordable Housing Ordinance and the in-lieu fees and the Commission's perspective on how this needs to be changed. Mr. Bonilla said that the Commission had contemplated writing letters to Council about these issues and would like Council to be aware of this prior to the Work Session, since there are time constraints for the meeting.

Assistant City Manager Ott said this is an opportunity for the Planning Commission to raise their issues and concerns for Council to be made aware of.

Acting Planning Manager Lochirco noted there has been new State legislation that has impacted the streamlining of residential projects.



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Chair Roche stated that the agenda is different than what was anticipated and expressed disappointment.

Commissioners' Announcements, Referrals:

Commissioner Goldstein announced an event about Emergency Communications with the Alameda County Sheriff's Department to be held at the San Ramon Marriott this weekend.

Chair Roche welcomed Commissioner Lowe.

ADJOURNMENT

Chair Roche adjourned the meeting at 9:59 p.m.

APPROVED:

Robert Stevens, Secretary
Planning Commission

ATTEST:

Denise Chan, Senior Secretary
Office of the City Clerk