

**PLANNING COMMISSION MEETING
THURSDAY, JUNE 23, 2022**

**DOCUMENTS RECEIVED AFTER
PUBLISHED AGENDA**

ITEM #1 PH 22-035

**Proposed Development of 314 Rental Apartments, including 19 Units Affordable to Very Low and Low-Income Households, 7,100 Square Feet of Ground Floor Retail Space, and Related Site and Footage Improvements, Requiring Approval of Addendum of a Mitigated Negative Declaration, Major Site Plan Review, Administrative Use Permit, and Density Bonus.
Application No. 202003725
Located at 22330 Main Street**

Public Comments

From: Janie <[REDACTED]>

Sent: Monday, June 20, 2022 4:15 PM

To: Avinta Madhukansh <Avinta.Madhukansh@hayward-ca.gov>

Cc: Miriam Lens <Miriam.Lens@hayward-ca.gov>; Jeremy Lochirco <Jeremy.Lochirco@hayward-ca.gov>; Alisha Khan <Alisha.Khan@hayward-ca.gov>; Jose Babe Medina <[REDACTED]>

Subject: Re: AGENDA ITEM NO.1

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Good Afternoon,

My property is located at 1007 McKeever Ave, Hayward, CA 94541, and I was looking at the new development map. Right next to my property is an entrance, is this for tenants or is it a fire lane? Also the Garbage Bin they have at the same entrance needs to be moved, i do not want to smell garbage all day, nor any rats that are definitely in the sewer system and surrounding areas. My fences were also torn down when the demolition of the buildings took place along with the house right next store to me, which is part of the parcel for the proposed development. My other concern is if they will be putting up a fence along our adjoining property line, and I would like to know what kind of fencing they will put up, will it be soundproof? I would have liked it if the developer came by and talked to the owners of the only 2 houses on this block.

From: Pekon Gupta <[REDACTED]>

Sent: Thursday, June 23, 2022 3:21 AM

To: Avinta Madhukansh <Avinta.Madhukansh@hayward-ca.gov>; CityClerk <CityClerk@hayward-ca.gov>

Cc: Miriam Lens <Miriam.Lens@hayward-ca.gov>; Jeremy Lochirco <Jeremy.Lochirco@hayward-ca.gov>; Planning Division <Planning.Division@hayward-ca.gov>

Subject: Public comment: PH-22-029: Development on Maple Ct : Highlighting inconsistency in Arborist report and

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

Dear City staff,

I sincerely appreciate all the hard work in ensuring that everyone gets fair share to present their views and all the comments are properly reviewed, documented and considered during each discussion. While hearing some of the responses from City staff, I could sense the hard work which goes behind the scene on every such project.

To be honest, this gave me motivation to do my homework too. And I started digging deep in Arborist report of Proposed Development on Maple Ct. I found number of inconsistencies, which I want to highlight in front of the planning commission. I also reached out to number of agencies working with different city departments to collect their feedback about sidewalk designs which allow preserving of street Trees..

I would like to present this information in front of City planning commission today as part of my Public comments. I'm attaching the slides herewith. I will be available on Zoom during the meeting and will adhere to my speaking time limit of 3 minutes.

(1) Request you to share the attached slides to the Chair and board before the meeting so that they get a chance to review these slides offline.

(2) Also please present these slides on the zoom screen while I will be speaking during the public comment session.

Through this presentation, my intention is to give due importance to preserving Trees, alongside economic and social development. And I want to help the city strengthen its process with all checks and balances in place.

Thank You.

Regards,

Pekon

Public Comment: PH-22-029
Highlighting inconsistency in Arborist
report

Examples of sidewalk designs around
existing Trees

- Pekon Gupta (resident City of Hayward)

Seemingly reduced "Appraised value" for Tree removal.

How can Tree having "twice trunk "diameter has Appraised value less than preserved tree "Half" its diameter?

Reference: PH-22-029: Maple Ct project: Arborist Report: Page 10

Table 4: Appraised value of trees recommended for removal
Maple and Main, Hayward

Tree No.	Species	Trunk diameter (in.)	Protected?	Appraised value (\$)
2	Chinese tallow	12	Yes	2,600
3	Chinese tallow	14	Yes	3,550
4	Chinese tallow	21	Yes	7,900
5	Chinese tallow	9	Yes	1,050
14	Coast redwood	22,20	Yes	3,550
15	Coast redwood	18,9	Yes	2,300
16	Coast redwood	27	Yes	2,950
17	Coast redwood	18,14	Yes	2,100
24	windmill palm	10	Yes	1,100
27	Mock orange	5	No	450
Total				27,550

Table 5: Appraised value of trees recommended for preservation
Maple and Main, Hayward

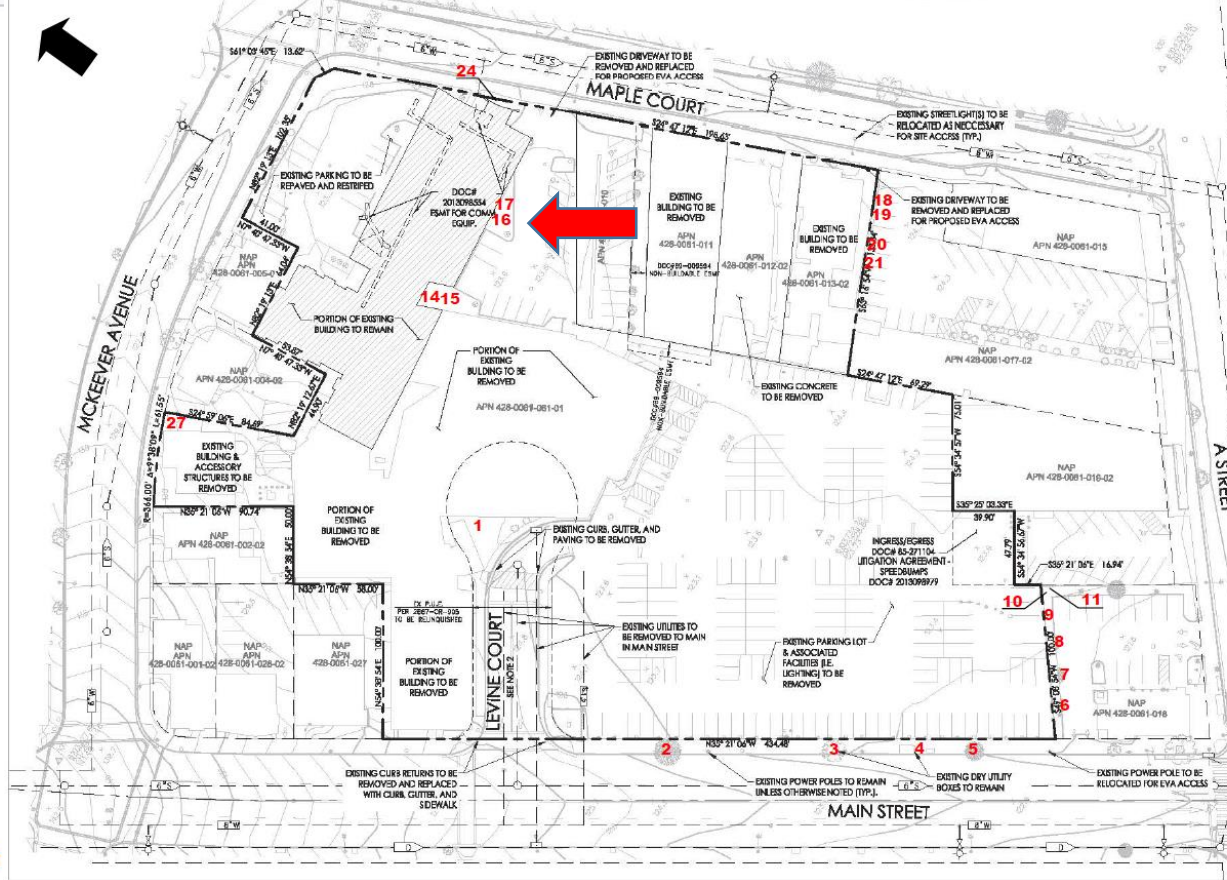
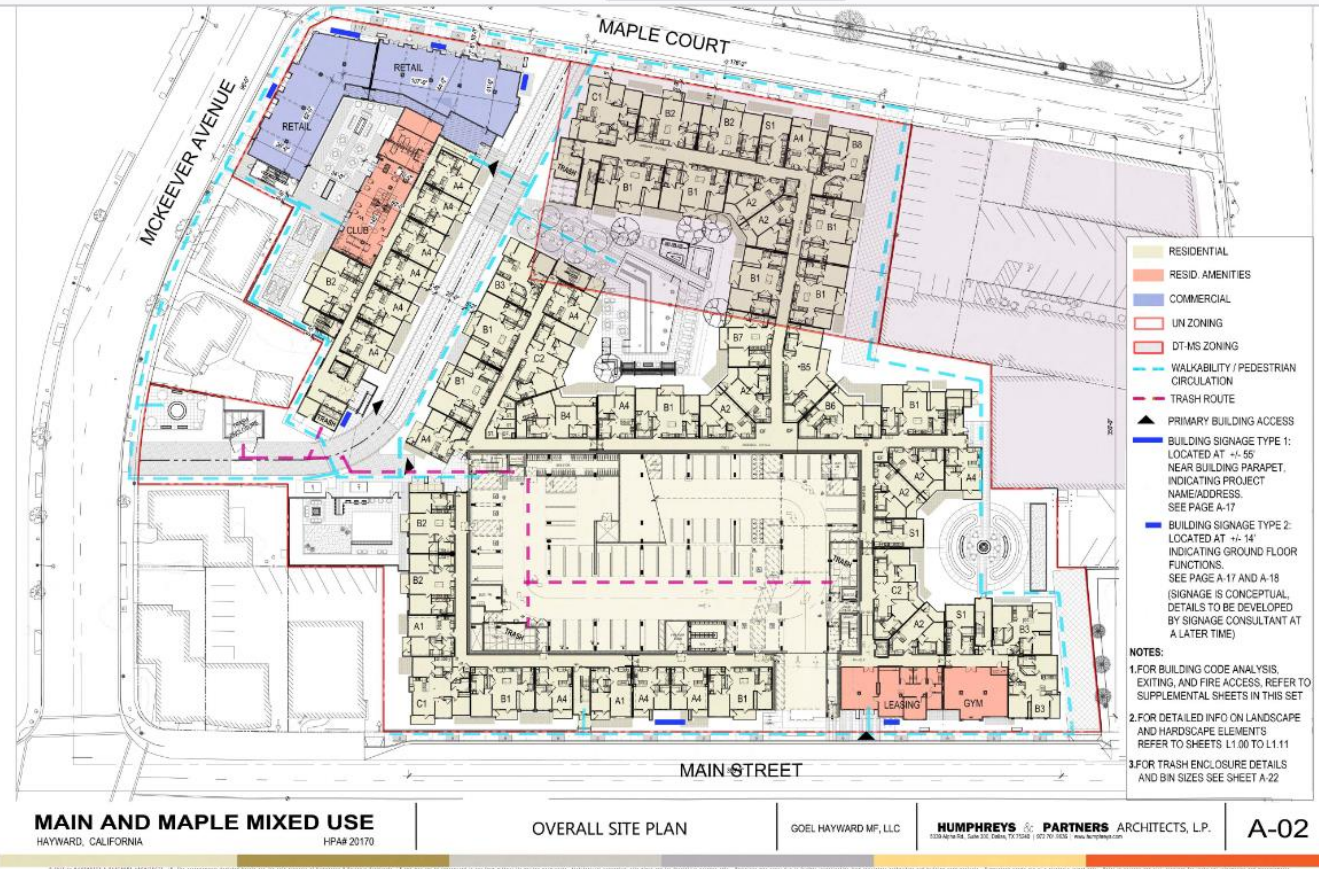
Tree No.	Species	Trunk diameter (in.)	Protected?	Appraised value (\$)
1	Coast redwood	64	Yes	12,100
6	New Zealand Christmas tree	9	Yes	1,700
7	New Zealand Christmas tree	12	Yes	4,200
8	New Zealand Christmas tree	10	Yes	2,950
9	New Zealand Christmas tree	12	Yes	4,200
10	Flaxleaf paperbark	12,9	Yes	3,650
11	Flaxleaf paperbark	8	Yes	1,050
18	Crape myrtle	6	No	1,100
19	Crape myrtle	7	No	1,450
20	Crape myrtle	7	No	1,450
21	Crape myrtle	6	No	800
Total				34,650

Value of Coast Redwood being removed with trunk diameter 22" or 27" inch is less than value of New Zealand Christmas Tree with trunk diameter 12".
Is this really a correct valuation?

Inconsistent /inaccurate map used in Arborist report

Map from Project Plans (Page-3)

Map from Arborist report (Page-17 highlighting Trees)



16	Coast redwood	27	Yes	Remove, within new buildings
17	Coast redwood	18,14	Yes	Remove, within new buildings

*** Map used by Arborist report seems obsolete and not to scale**
Arborist report suggests these are within boundary as reason for removal.
But as per actual plan map, Redwood Tree-16, Tree-17 (27" diameter) seem outside the building and can be preserved.

Alternate sidewalk designs

City of Palo Alto and Canopy.org published a comprehensive report of reducing Tree Root and sidewalk conflict.

PDF copy on Google drive <https://drive.google.com/file/d/10AtnP0oJID11AyuNwXdUTLCkpb8kTqPK/view?usp=sharing>

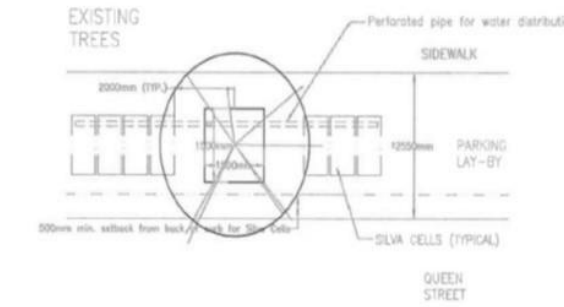
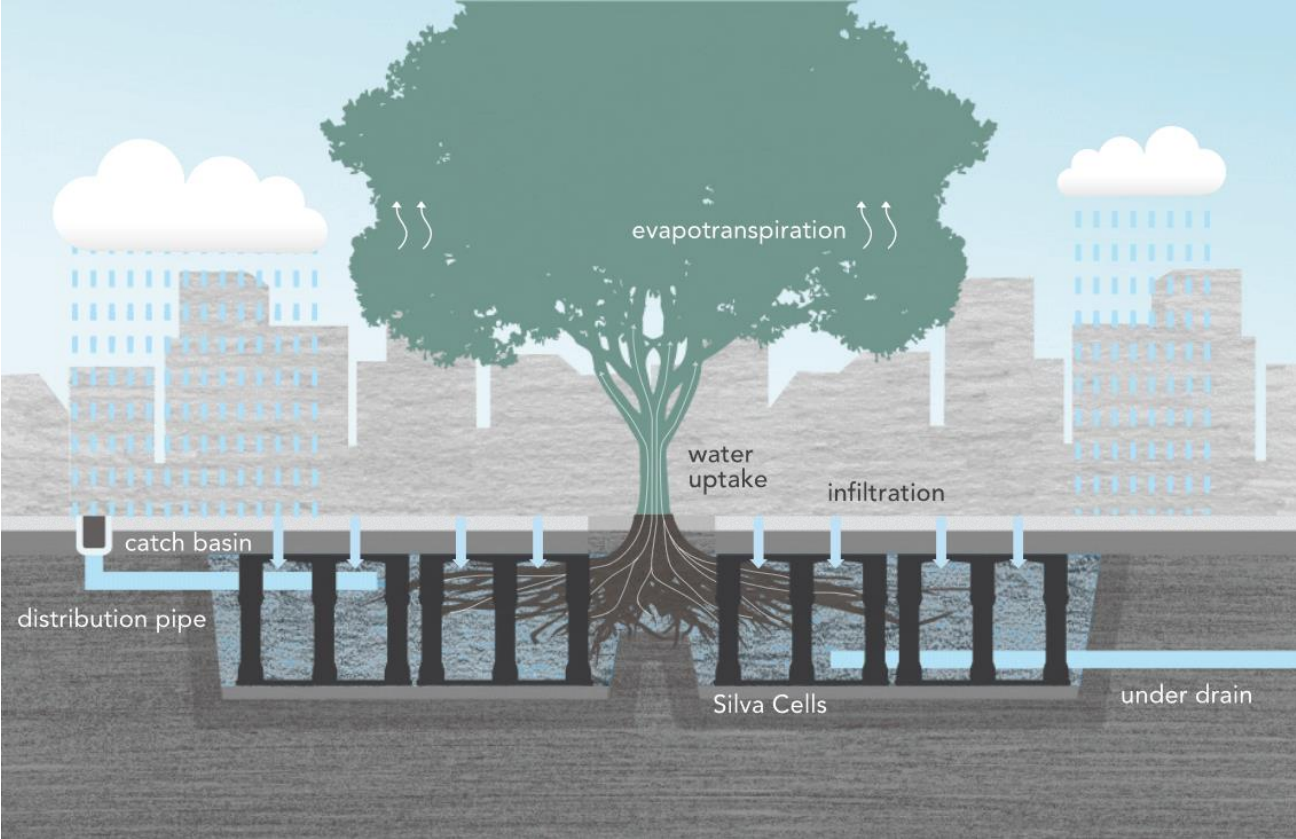
CATEGORY	TOOLS	PRODUCTIVE	RESPONSIVE	COST*				EXPECTED USEFUL LIFE				
				\$	\$\$	\$\$\$	\$\$\$\$	Month	Year	Decade	Century	
MATERIAL	PAVING AND OTHER SURFACE MATERIALS											
	Asphalt	P	R						M	Y	D	C
	Expansion Joints	P	R						M	Y	D	C
	Pavers	P	R						M	Y	D	C
	Pervious Concrete	P	R						M	Y	D	C
	Reinforced or Thicker Slab	P	R						M	Y	D	C
	Rockery / Wall	P							M	Y	D	C
	Beveling		R						M	Y	D	C
	Porous Asphalt	P	R						M	Y	D	C
	Shims		R						M	Y	D	C
	Tree Guards and Tree Rails	P	R						M	Y	D	C
	Decomposed Granite	P	R						M	Y	D	C
	Mudjacking (Concrete Leveling)		R						M	Y	D	C
DESIGN	INFRASTRUCTURE-BASED DESIGN SOLUTIONS											
	Monolithic Sidewalk	P	R						M	Y	D	C
	Pavement Thickness		R						M	Y	D	C
	Tree Pit Sizing	P	R						M	Y	D	C
	Bridging		R						M	Y	D	C
	Curb Bulbs	P	R						M	Y	D	C
	Curb Realignment	P	R						M	Y	D	C
	Curving or Offset Sidewalk	P	R						M	Y	D	C
	Easement	P	R						M	Y	D	C
	Suspended Pavement Systems	P							M	Y	D	C
Lowered Sites	P							M	Y	D	C	
Soil Volume	P	R						M	Y	D	C	

CATEGORY	TOOLS	PRODUCTIVE	RESPONSIVE	COST*				EXPECTED USEFUL LIFE				
				\$	\$\$	\$\$\$	\$\$\$\$	Month	Year	Decade	Century	
ROOT	ROOTZONE-BASED MATERIALS											
	Mulch	P	R						M	Y	D	C
	Root Barriers	P	R						M	Y	D	C
	Continuous Trenches	P	R						M	Y	D	C
	Foam Underlay	P	R						M	Y	D	C
	Modified Gravel Layer	P	R						M	Y	D	C
	Root Paths	P							M	Y	D	C
	Soil Modification	P	R						M	Y	D	C
	Steel Plates		R						M	Y	D	C
	Structural Soils	P							M	Y	D	C
Subsurface Aeration / Irrigation	P	R						M	Y	D	C	
TREE	TREE-BASED SOLUTIONS											
	SDOT Street Tree List	P							M	Y	D	C
	Corrective Pruning	P	R						M	Y	D	C
Root Pruning		R						M	Y	D	C	

This report compares cost, life-cycle and maintenance cost of more than 23 sidewalk proposals along with pictures

Example of sidewalk designs with Tree preservation

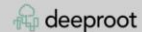
Creating Silva-cell structures under sidewalk



NOTES:
 1. SPACING BETWEEN SILVA CELLS CAN VARY BETWEEN 1" - 3" (25mm - 75mm). FIELD ADJUSTMENT REQUIRED.



2013



2019

Example of sidewalk designs with Tree preservation Using Permeable structure



Figure 29. Close-up view of rubber sidewalk installation (University Circle, Palo Alto 2016).



Figure 31. Photo of Terrewalks® installation in Galveston, Texas.

EXPECTED USEFUL LIFE

M Y D C
DECADES

COST

\$\$-\$\$\$

Figure 30. SDOT estimate of expected useful life and cost of pavers.

Example of sidewalk designs with Tree preservation Using curved grading and Tree grates



Figure 11. City curved the sidewalk around the mature oak's trunk to provide extra space (Palo Alto).



Example of sidewalk designs with Tree preservation (contd..)

References: <https://drive.google.com/file/d/10AtnP0oJID11AyuNwXdUTLkpb8kTqPK/view?usp=sharing> (Page 27)
<https://www.deeproot.com/blog/blog-entries/silva-cells-can-be-installed-with-around-existing-trees-part-ii/>
<https://www.deeproot.com/blog/blog-entries/silva-cells-can-be-installed-with-existing-trees-part-i/>



2016



2019


 deeproot



Figure 35. Root path installation radiating out into parking lot to improve the root zone of a high-value tree (Palo Alto).

EXPECTED USEFUL LIFE			
M	Y	D	C
DECADES			
COST			
\$ \$ \$			

Figure 36. SDOT estimate of expected useful life and cost of root paths.

Summary

Requesting planning commission to request developer to “include” following in the proposal to City council at next decision step.

- (1) Developer or City should get additional Arborist report from another independent Arborists which includes:
 - (a) Recalculation of Tree Appraisal value for impacted Trees.
 - (b) Accurate location of trees on final plan map.
 - (c) Pictures of impacted Trees.

(2) Developer should submit at-least two alternate sidewalk design proposals to preserve Chinese Tallow and Redwood Trees 16 and 17

Refer “[Palo Alto sidewalk and Tree conflict](#)” report for sidewalk design references

City council can review these submissions at next stage before making their decisions.

Staff Responses to Commissioners' Questions



June 23, 2022 - Planning Commission Questions

ITEM #	QUESTION	STAFF RESPONSE
#1	Are the commercial spaces for Maple/Main also suitable for medical, dental, etc.? Any restrictions?	No there are no specific restrictions to using the commercial spaces aside from the underlying Urban Neighborhood (UN) zoning district regulations, which may require an Administrative or Conditional Use Permit for some land use activities. Professional services and office uses are a permitted use while general retail uses less than 10,000 square feet require an Administrative Use Permit, which is already included as part of the current land use entitlement.