

**PLANNING COMMISSION MEETING  
THURSDAY, MARCH 12, 2026**

**DOCUMENTS RECEIVED AFTER  
PUBLISHED AGENDA**

## **ITEM #1 PH 26-010**

**Proposed Demolition of an Existing Community Center  
to allow the Development of 83 Residential  
Condominium Units and Related Site Improvements on  
4.83 Acre Site at 1101 and 1103 Walpert Street,  
Requiring Approval of a Vesting Tentative Tract Map  
and Site Plan Review, Application No. TM-24-0007.  
Applicant: Caden Proctor, Waymark Development.  
Owners: Arc of the East Bay**

**PUBLIC COMMENT**



Re: TM-24-0007 ARC Walpert property

From Peggy Guernsey <plguernsey@gmail.com>

Date Fri 3/6/2026 11:53 AM

To Taylor Richard <Taylor.Richard@hayward-ca.gov>

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

Taylor,

I am in shock. This project is so destructive

There appears NO PROTECTION to Ward Creek.

I have finally seen the plans!!!!!!!!!!!!!!!!!!!!!!

They are planning to build ALL THE WAY DOWN TO WARD CREEK!!!!!!!!!!!!!!!!!!!!!!

Property that is NEAR THE HAYWARD FAULT!!!!!!!!!!!!!!

How much proposed ground movement will there be when trucks weighting tons and equipment will be going up and down ?

What is the impact of land NEVER TOUCHED by HEAVY CONSTRUCTION????? Those groves and scattered trees HOLD the LAND IN PLACE.

Heavy grading will be REQUIRED. Right to the EDGE of the top and I assume into the Creek BED????

How much will and what is the IMPACT to WARD CREEK??? How much protection is planned, I saw none.

Paratransit Buses have difficulty turning around down there, How will the construction equipment do it? REMOVE and DIG AWAY all the hill?

AND REMOVE 69 trees??? THEY are holding tons of land.

And who lives in those trees or are fed by them?

Is the Protected Red Legged Tree Frog there?  
Starlings? Squirrels????

How many Owls nest there? Blue Birds? Crows?

Taylor, I see MANY PROBLEMS

Peggy Guernsey  
Hayward Resident 54years  
Mission Foothills Task Force Member

On Fri, Mar 6, 2026 at 10:15 AM Taylor Richard <[Taylor.Richard@hayward-ca.gov](mailto:Taylor.Richard@hayward-ca.gov)> wrote:

Hello Peggy,

My apologies for the delayed response! The agenda is published and you can see the complete plans here:  
<https://hayward.legistar.com/MeetingDetail.aspx?ID=1397856&GUID=A38CCB3B-BE8B-4F1B-B2CC-770E28FBB367&Options=&Search=>.

They were built as group homes but never used as such. They have always been used as offices.

Hope you have a lonely weekend.

Sincerely,

**Taylor Richard (She/Her)**

Associate Planner

**Phone** 510-583-5340 | **Email** [taylor.richard@hayward-ca.gov](mailto:taylor.richard@hayward-ca.gov)  
777 B Street, Hayward, CA 94544



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**From:** Peggy Guernsey <[plguernsey@gmail.com](mailto:plguernsey@gmail.com)>  
**Sent:** Wednesday, March 4, 2026 3:38 PM  
**To:** Taylor Richard <[Taylor.Richard@hayward-ca.gov](mailto:Taylor.Richard@hayward-ca.gov)>  
**Subject:** Re: TM-24-0007 ARC Walpert property

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Yes, please include all my correspondence to the Planning Comm. agenda

Peggy

On Wed, Mar 4, 2026 at 3:36 PM Peggy Guernsey <[plguernsey@gmail.com](mailto:plguernsey@gmail.com)> wrote:

On Wed, Mar 4, 2026 at 3:36 PM Peggy Guernsey <[plguernsey@gmail.com](mailto:plguernsey@gmail.com)> wrote:

Taylor,

What are on the plans when those 2 buildings were built?

Bedrooms ?? Bathroom??? Kitchen????

4 walls and a door????

Or just an empty shell

What???

Peggy

On Wed, Mar 4, 2026 at 2:40 PM Taylor Richard <[Taylor.Richard@hayward-ca.gov](mailto:Taylor.Richard@hayward-ca.gov)> wrote:

Hello Peggy,

Glad to hear! The Arc of the East Bay shared that those buildings are offices and have always been used as such. They did not share what specific activities occur within those buildings, so it is possible check-in, day programming or workforce development occur in there.

The staff report and plans will be available on the City's website (<https://hayward.legistar.com/DepartmentDetail.aspx?ID=30859&GUID=61527508-1071-493D-93C4-0CCF21DD457A&Search=>) a couple days prior to the hearing.

Would you like this correspondence shared with the Planning Commission as part of the agenda packet?

Sincerely,

**Taylor Richard (She/Her)**

Associate Planner

**Phone** 510-583-5340 | **Email** [taylor.richard@hayward-ca.gov](mailto:taylor.richard@hayward-ca.gov)

777 B Street, Hayward, CA 94544



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**From:** Peggy Guernsey <[plguernsey@gmail.com](mailto:plguernsey@gmail.com)>

**Sent:** Wednesday, March 4, 2026 10:43 AM

**To:** Taylor Richard <[Taylor.Richard@hayward-ca.gov](mailto:Taylor.Richard@hayward-ca.gov)>

**Subject:** Re: TM-24-0007 ARC Walpert property

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

Taylor,

This is great information.

I know the house looking buildings were used for programs as while using Paratransit we drove down that hill and dropped people off there. Maybe they were staff, but seemed to be clients of the programs there.

Are those buildings just office buildings or were they built in the style of Single Family Homes?

I will be excited to see the site plans and pictures proposed for the project.

The Open Space will so enhance the lives of people living there as well as protect above and below the site.

I am also happy to know Ward Creek is controlled by Alameda County and the State Dept of F & W, because for Hayward having the funds and cooperation of other agencies should help us keep it healthy and happy(pun). You know I always expect and hope for the best when we work together.

Thank You again,

Peggy G

On Wed, Mar 4, 2026 at 8:39 AM Taylor Richard <[Taylor.Richard@hayward-ca.gov](mailto:Taylor.Richard@hayward-ca.gov)> wrote:  
Hello Peggy,

Of course, happy to answer any questions you have! Please see my response below.

- There are no existing single-family homes on the project site. You may be referring to the two buildings on the back half of the site, but those are offices for the Arc of the East Bay. They have never been used as residents.
- There will be no public access to Ward Creek. Fishing is prohibited in this segment of Ward Creek.
- Ward Creek is maintained by Alameda County Flood Control District. There is additional oversight from the California Department of Fish and Wildlife and Regional Water Quality Control Board.
- Ward Creek is part of the Alameda Creek Watershed. To learn more, please visit: <https://acffloodcontrol.org/the-work-we-do/resources/alameda-creek-watershed/>.
- The back portion of the site ranging from 145 to 173 feet will remain untouched for wildlife. There is 11,009 square feet of shared open space spread throughout the development for the residents to enjoy. Each space is programmed with different amenities including seating areas, a community garden, an open lawn area, a playground and an arbor. In addition to that, there is 7,968 square feet of private open space.

Sincerely,

**Taylor Richard (She/Her)**

Associate Planner

**Phone** 510-583-5340 | **Email** [taylor.richard@hayward-ca.gov](mailto:taylor.richard@hayward-ca.gov)

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**From:** Peggy Guernsey <[plguernsey@gmail.com](mailto:plguernsey@gmail.com)>  
**Sent:** Tuesday, March 3, 2026 3:52 PM  
**To:** Taylor Richard <[Taylor.Richard@hayward-ca.gov](mailto:Taylor.Richard@hayward-ca.gov)>  
**Subject:** Re: TM-24-0007 ARC Walpert property

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

Thank you for the speedy reply.

Will all the housing be on the upper flat level of the property only?

Will the 3(?) Single family homes be sold as part of the entire project?

Will there be access to Ward Creek (thanks for correction of Sulphur Creek)?

Who has jurisdiction of Ward Creek for safety, access, cleanup, etc?

Can people fish in the creek?                      Where is the main water source coming from?

Will any land be left as open space, as it currently is, for wildlife and use of just quiet outdoor open space?

Thanks again,

Peggy

On Tue, Mar 3, 2026 at 12:35 PM Taylor Richard <[Taylor.Richard@hayward-ca.gov](mailto:Taylor.Richard@hayward-ca.gov)> wrote:  
Hello Peggy,

Thank you for taking the time to draft these questions! As you may remember, we spoke about this project about a year ago. We appreciate your continued engagement on this project. Please see my responses to your questions below.

- The Project will have a Homeowner's Association (HOA).
- There are no single-family homes being demolished as part of this project. The Arc of East Bay Community Center which includes nine buildings will be demolished as part of this project.

- In accordance with California Government Code Section 65863.24, no parking is required for the project. However, the project is providing a total of 175 parking spaces which complies fully with our local requirements.
- Walpert Street meets the adopted City of Hayward Standard Details requirements. The project does not include any reductions to road width.
- Vehicular speeding is outside the purview of this project. I recommend contact Public Works Transportation to see if any additional traffic calming measures can be installed to limit this.
- All the internal sidewalks and the sidewalk along the project frontage will meet our requirements and the American Disability Act (ADA).
- The project site is approximately 0.3 miles from several bus stops along AC Transit Route 9 which has service intervals of 15 minutes during peak commute period. That being said, there is no adopted requirements that housing be located near transit.
- The Fire Prevention Department reviewed the project to ensure there was adequate access for life and safety. They determined the project meets all applicable requirements.
- Sulfur Creek is not in the vicinity of the project site. There is an existing fence preventing access to Ward Creek which will remain.

If you have any other questions, please let me know. I am happy to provide any additional detail you may need.

Sincerely,

**Taylor Richard (She/Her)**

Associate Planner

**Phone** 510-583-5340 | **Email** [taylor.richard@hayward-ca.gov](mailto:taylor.richard@hayward-ca.gov)

777 B Street, Hayward, CA 94544



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**From:** Peggy Guernsey <[pjguernsey@gmail.com](mailto:pjguernsey@gmail.com)>

**Sent:** Monday, March 2, 2026 4:24 PM

**To:** Taylor Richard <[Taylor.Richard@hayward-ca.gov](mailto:Taylor.Richard@hayward-ca.gov)>

**Subject:** TM-24-0007 ARC Walpert property

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

Hi Taylor,

Will this be an HOA project?

Will the existing 3(?) single Family Homes be demolished? They should be worth quite a lot of money as they are.

I suspect that with 3-4 bedrooms and 2 car garages there will be approx 332 cars when all properties are fully sold and occupied.

Walpert is ALREADY a winding and very old, narrow street. Nowhere near current street requirements. Right?

There are speed bumps or humps after the other new Townhouses were built on Second ST. but people still race or speed past slower drivers.

Sidewalks are also narrow and do not meet ADA requirements, do they?

There are NO bus lines.

The properties are down hill at a steep grade to the lower properties.

There is NO outlet for emergencies. and too narrow to turn around

Can the existing street accommodate Fire and Ambulance easily? Cars are unable to turn around when down there.

What about the drop off to the Sulphur Creek? It has no barriers, or safety fences or gates?

Thanks,

Peggy Guernsey  
Mission Foothill Task Force



## FSLC Comments on Hayward Hills Townhomes Project on Ward Creek (12 March 2026, Planning Commission, Agenda Item #1)

**From** Bruce King <bruceking8@gmail.com>

**Date** Wed 3/11/2026 12:57 AM

**To** CityClerk <CityClerk@hayward-ca.gov>; Sara Buizer <Sara.Buizer@hayward-ca.gov>; Jeremy Lochirco <Jeremy.Lochirco@hayward-ca.gov>; Taylor Richard <Taylor.Richard@hayward-ca.gov>; Elizabeth Blanton <Elizabeth.Blanton@hayward-ca.gov>; Alex Ameri <Alex.Ameri@hayward-ca.gov>; James Wheeler <whej@haywardrec.org>; Michael C. Williams <wmsm@haywardrec.org>; Meghan Tiernan <tiem@haywardrec.org>; Wines, Brian@Waterboards <Brian.Wines@waterboards.ca.gov>; Frances.P.Malamud-Roam@usace.army.mil <Frances.P.Malamud-Roam@usace.army.mil>; Jason@Wildlife <jason.faridi@wildlife.ca.gov>

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

City of Hayward and Planning Commission,

This email provides comments from Friends of San Lorenzo Creek (FSLC) on the proposed Hayward Hills Townhomes project at 1101 and 1103 Walpert Street. This project would allow development of 83 new condo units. Plan excerpts related to each FSLC comment are shown following the text comments.

This item will be heard at the 12 March 2026 City of Hayward Planning Commission as agenda item #1.

[https://content.app-us1.com/XqDXw/2026/03/05/2fdd5960-8c6e-48b7-af5b-c43eb6b771a6.pdf?utm\\_source=ActiveCampaign&utm\\_medium=email&utm\\_content=03%2F12%2F2026%20Planning%20Commission%20Agenda&utm\\_campaign=02%2F26%2F2026%20Planning%20Commission%20Meeting%20%28Copy%29](https://content.app-us1.com/XqDXw/2026/03/05/2fdd5960-8c6e-48b7-af5b-c43eb6b771a6.pdf?utm_source=ActiveCampaign&utm_medium=email&utm_content=03%2F12%2F2026%20Planning%20Commission%20Agenda&utm_campaign=02%2F26%2F2026%20Planning%20Commission%20Meeting%20%28Copy%29)

### COMMENTS

#### Compliance of Stormwater Drains & Outfalls Leading to Ward Creek

The proposed plan (Sheet TM04) shows reuse of the existing storm drain(s) that lead downhill to Ward Creek. Have these outfalls to the creek been evaluated to current standards and are there any records of previous permits?

#### Creek Fence Wildlife Barrier

The existing chain-link southern fence (Sheet L-1 & TM01) should be considered a "development" within the creek setback. Under the Alameda County Watercourse Protection Ordinance (WPO), such "developments" are not allowed. Fences also block wildlife passage. FSLC recommends removal of any existing fence. At a minimum, the City should evaluate why any fence is needed (purpose) and ensure that the fence has breaks that allow for large (e.g., deer) and small ground animal passage.

### Remove Invasive Trees

Existing trees (Sheet TM08) that are considered invasive in California and the SF Bay Area should be removed.

- Privet and Maytenus trees should be removed. Privet (*Ligustrum spp.*) and Mayten tree (*Maytenus boaria*) are considered invasive in the San Francisco Bay Area, with privet being a major pest in riparian areas and Maytenus flagged as invasive by the California Invasive Plant Council (Cal-IPC).
- Chinese pistache and Prunus. City Hayward Landscape Architect should evaluate Chinese pistache which can be invasive, and any Prunus species that are considered invasive (though some are not). Chinese pistache is also included in the proposed new plant schedule (Sheet L-2).

### Trees Need an Off-site Mitigation Plan

Tree planting on this project only meets 25% of the mitigation goal to compensate for the trees that are proposed for removal (\$78K mitigation value/\$312K mitigation goal = 25%). The City needs to develop a plan and/or strategic locations for where the outstanding 75% (\$233,520) of needed tree mitigation should be planted, and that 75% mitigation should be native trees (e.g., coast live oak, buckeye, etc) in areas that need habitat rebuilt. HARD has current locations along the Foothill Trail route and in creek corridors that need native tree habitat rebuilt. See HARD Foothill Trail Plan at <https://www.haywardrec.org/1942/Foothill-Trails-Master-Plan#docaccess-f6bc3ee2b58d0e164ee69139a22d658d80117fbfe8f6a34dfa862f856822d4f7>

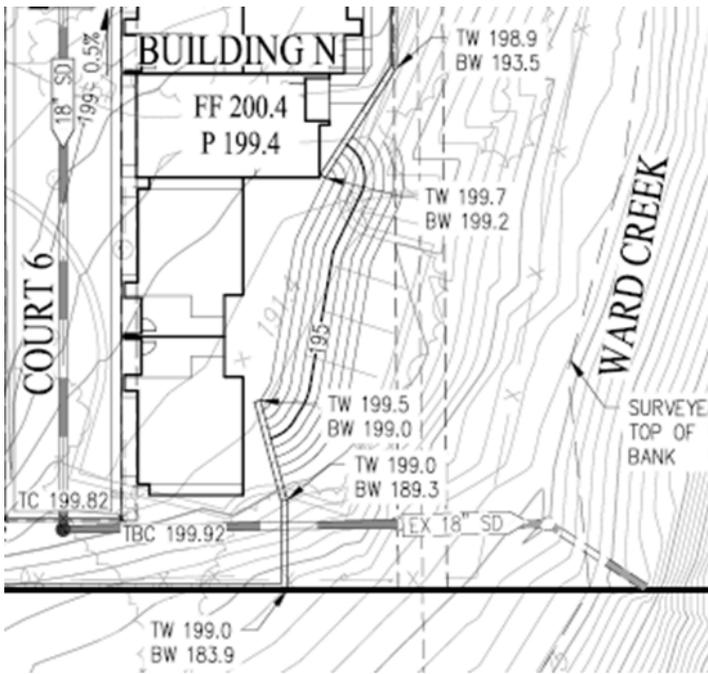
### Walpert Street Design to be a "Foothill Trail Connector"

Has Walpert Street been modified, or will this street be modified as part of this project, so that the street will function as a segment of the "On-street Foothill Trail Connector" that is shown in the HARD Foothill Trail Master Plan (November 2020, Figure 2-3)?

FSLC did not receive any previous notices from the City regarding this project which is on Ward Creek. FSLC has requested notices from the City for all proposed projects on creeks in Hayward.

Bruce King  
Friends of San Lorenzo Creek

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Sheet TM04 - showing existing 18' stormwater outfall to Ward Creek



Sheet L-1 showing existing fence line proposed within the creek setback (diagonal red line across the top of this picture)

EXISTING TREES TO REMAIN					
TREE NUMBER	DBH (IN)	TREE SPECIES	TREE NUMBER	DBH (IN)	TREE SPECIES
13	~5	COAST LIVE OAK (QUERCUS AGRIFOLIA)	76	13.5	COAST LIVE OAK (QUERCUS AGRIFOLIA)
14	~7, 8.5	COAST LIVE OAK (QUERCUS AGRIFOLIA)	77	18.5, 22	COAST LIVE OAK (QUERCUS AGRIFOLIA)
48	6	CHINESE PISTACHE (PISTACIA CHINENSIS)	78	20	COAST LIVE OAK (QUERCUS AGRIFOLIA)
52	4.5, 4, 3	PRIVET (LIGUSTRUM LUCIDUM)	79	~12	MAYTEN (MAYTENUS BOARIA)
53	7	COAST LIVE OAK (QUERCUS AGRIFOLIA)	80	~6	TULIP TREE (LIRIODENDRON TULIFFERA)
54	15, 11.5, 12, 12.5	COAST LIVE OAK (QUERCUS AGRIFOLIA)	82	~7	TULIP TREE (LIRIODENDRON TULIFFERA)
55	11, 9.5	COAST LIVE OAK (QUERCUS AGRIFOLIA)	83	~7	TULIP TREE (LIRIODENDRON TULIFFERA)
56	10.5, 14, 11, 9	COAST LIVE OAK (QUERCUS AGRIFOLIA)	85	~9	TULIP TREE (LIRIODENDRON TULIFFERA)
57	16	COAST LIVE OAK (QUERCUS AGRIFOLIA)	86	~6	TULIP TREE (LIRIODENDRON TULIFFERA)
60	4.5	COAST LIVE OAK (QUERCUS AGRIFOLIA)	87	~10	TULIP TREE (LIRIODENDRON TULIFFERA)
61	~8, 11, 6, 10, 7, 9	COAST LIVE OAK (QUERCUS AGRIFOLIA)	93	7.5	CHINESE PISTACHE (PISTACIA CHINENSIS)
62	18.5, 14.5	COAST LIVE OAK (QUERCUS AGRIFOLIA)	94	5	CHINESE PISTACHE (PISTACIA CHINENSIS)
65	14, ~10, 10, 10	COAST LIVE OAK (QUERCUS AGRIFOLIA)	95	~11	TULIP TREE (LIRIODENDRON TULIFFERA)
66	8, ~6	COAST LIVE OAK (QUERCUS AGRIFOLIA)	95B	~11	TULIP TREE (LIRIODENDRON TULIFFERA)
67	~2, 5	COAST LIVE OAK (QUERCUS AGRIFOLIA)	96	~11	TULIP TREE (LIRIODENDRON TULIFFERA)
70	~23, 12, 15	COAST LIVE OAK (QUERCUS AGRIFOLIA)	98	~10	TULIP TREE (LIRIODENDRON TULIFFERA)
73	14, 16.5	COAST LIVE OAK (QUERCUS AGRIFOLIA)	99	~7	TULIP TREE (LIRIODENDRON TULIFFERA)
74	8, ~4	COAST LIVE OAK (QUERCUS AGRIFOLIA)	101	~8	TULIP TREE (LIRIODENDRON TULIFFERA)
75	~5, 4, 4	PLUMS (PRUNUS SP.)	102	~6	TULIP TREE (LIRIODENDRON TULIFFERA)

Sheet TM08 showing existing trees to remain, including several invasive species





HARD Foothill Trail Master Plan, November 2020, Figure 2-3 excerpt.

This HARD trail plan excerpt shows an “On-street Foothill Trail Connector” on Walpert Street which is the street for this project site.

---

**From:** James Lloyd <[james@calhdf.org](mailto:james@calhdf.org)>  
**Sent:** Thursday, March 12, 2026 11:49:07 AM  
**To:** CityClerk <[CityClerk@hayward-ca.gov](mailto:CityClerk@hayward-ca.gov)>  
**Cc:** Jeremy Lochirco <[Jeremy.Lochirco@hayward-ca.gov](mailto:Jeremy.Lochirco@hayward-ca.gov)>; Michael Lawson <[Michael.Lawson@hayward-ca.gov](mailto:Michael.Lawson@hayward-ca.gov)>; Miriam Lens <[Miriam.Lens@hayward-ca.gov](mailto:Miriam.Lens@hayward-ca.gov)>; Ana Alvarez <[Ana.Alvarez@hayward-ca.gov](mailto:Ana.Alvarez@hayward-ca.gov)>  
**Subject:** public comment re item 1 for tonight's Planning Commission meeting

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

Dear Hayward Planning Commission,

Please see attached our public comment re item 1 for tonight's Planning Commission meeting, the proposed 83-unit housing development project at 1103 Walpert Street.

Sincerely,

James M. Lloyd

Director of Planning and Investigations

California Housing Defense Fund

[james@calhdf.org](mailto:james@calhdf.org)

CalHDF is grant & donation funded

Donate today - <https://calhdf.org/donate/>



**Mar 12, 2026**

**City of Hayward  
777 B Street  
Hayward, CA 94541**

**Re: Proposed Housing Development Project at 1103 Walpert Street**

**By email: [cityclerk@hayward-ca.gov](mailto:cityclerk@hayward-ca.gov)**

**Cc: [Jeremy.Lochirco@hayward-ca.gov](mailto:Jeremy.Lochirco@hayward-ca.gov); [Michael.Lawson@hayward-ca.gov](mailto:Michael.Lawson@hayward-ca.gov);  
[Miriam.Lens@hayward-ca.gov](mailto:Miriam.Lens@hayward-ca.gov); [Ana.Alvarez@hayward-ca.gov](mailto:Ana.Alvarez@hayward-ca.gov)**

Dear Hayward Planning Commission,

The California Housing Defense Fund (“CalHDF”) submits this letter to remind the City of its obligation to abide by all relevant state laws when evaluating the proposed 83-unit housing development project at 1103 Walpert Street. These laws include the Housing Accountability Act (“HAA”), AB 130, and California Environmental Quality Act (“CEQA”) guidelines.

The HAA provides the project legal protections. It requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. (Gov. Code, § 65589.5, subd. (j).) The HAA also bars cities from imposing conditions on the approval of such projects that would reduce the project’s density unless, again, such written findings are made. (*Ibid.*) As a development with at least two-thirds of its area devoted to residential uses, the project falls within the HAA’s ambit, and it complies with local zoning code and the City’s general plan. The HAA’s protections therefore apply, and the City may not reject the project except based on health and safety standards, as outlined above. Furthermore, if the City rejects the project or impairs its feasibility, it must conduct “a thorough analysis of the economic, social, and environmental effects of the action.” (*Id.* at subd. (b).)

Furthermore, the project is exempt from state environmental review under the Class 32 CEQA categorical exemption (In-Fill Development Projects) pursuant to section 15332 of the CEQA Guidelines, as the project is consistent with the applicable general plan designation and all applicable general plan policies as well as the applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more

than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare, or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. Furthermore, the project is eligible for a statutory exemption from CEQA pursuant to AB 130 (Pub. Res. Code, § 21080.66). Caselaw from the California Court of Appeal affirms that local governments err, and may be sued, when they improperly refuse to grant a project a CEQA exemption or streamlined CEQA review to which it is entitled. (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 911.)

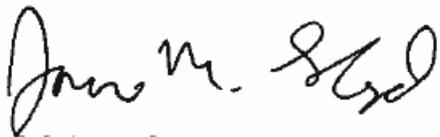
As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit: it will increase the city's tax base; it will bring new customers to local businesses; and it will reduce displacement of existing residents by reducing competition for existing housing. It will also help cut down on transportation-related greenhouse gas emissions by providing housing in denser, more urban areas, as opposed to farther-flung regions in the state (and out of state). While no one project will solve the statewide housing crisis, the proposed development is a step in the right direction. CalHDF urges the City to approve it, consistent with its obligations under state law.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at [www.calhdf.org](http://www.calhdf.org).

Sincerely,



Dylan Casey  
CalHDF Executive Director



James M. Lloyd  
CalHDF Director of Planning and Investigations

**ITEM #2 RPT 26-023**

**2025 Gener Plan Annual Progress Report**

**PUBLIC COMMENT**

## **Staff Responses to Commissioners' Questions**

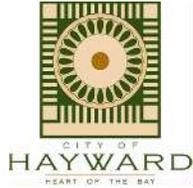


## Questions from Planning Commissioners

March 12, 2026 Meeting

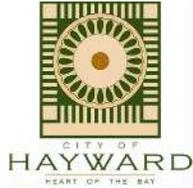
Item 1:		
ITEM #	QUESTION	STAFF RESPONSE
PH-26-010	Does the Arc of the East Bay currently own the land or has it been transferred to the Developer?	The Arc of the East Bay is the current owner. There are contractually obligations between Arc of the East Bay and Waymark regarding the purchase of the properties.
PH-26-010	Do the approval requirements imposed by SB-330 apply just in the case of rejection or also if the commission chooses to conditionally approve a project?	Senate Bill 330 (SB 330) prohibits the City from disapproving a housing project unless the City can make certain findings as detailed in the staff report. Additionally, SB 330 prohibits the City from conditionally approving a housing development project in a manner that renders it infeasible. The City is only able to require the housing development project to comply with objective, quantifiable, written development standards, conditions, and policies.

PH-26-010	<p>What is the purpose of the tree protection bond referenced in condition 91 of the conditions of approval? Aren't developers already responsible for ensuring that trees that must be preserved are protected?</p>	<p>The purpose of the tree protection bond is to ensure that there are adequate funds to replace any preserved trees that are damaged or die during construction. Developers are responsible for ensuring that preserved trees are protected but this provides extra insurance to the City if something occurs during construction.</p>
PH-26-010	<p>For Condition 113 of the COAs how big is the tree preservation zone around each tree, especially considering the steps required by Condition 115? Is this imposed on all new construction projects? What is the benefit of these additional steps if a tree is already required to be preserved by an applicant?</p>	<p>The tree preservation zone is the dripline of tree. These are standard conditions of approval which are applied unilaterally to all projects. These additional requires reduce opportunity for damage to preserved trees during construction.</p>
PH-26-010	<p>1103 Walpert Street also came before the Planning Commission on January 11, 2024, regarding a Zoning Change from Planned Development (PD) to Medium Density Residential (RM); and the Planning Commission approved the Staff Recommendation by recommending approval to the City Council. Was the Planning Commission's previous review and recommendation omitted from the Staff Report because it wasn't an actual approval?</p>	<p>Yes. You are correct that the Planning Commission unanimously recommended (7-0) approval of the rezoning.</p>



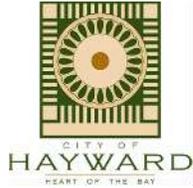
<p>PH-26-010</p>	<p>Can you clarify the number of new trees that will be planted by the applicant? Page 8 of Attachment I, states, "The applicant proposes to remove a total of 69 trees, including 62 protected trees, protect 37 existing trees, <b>and plant 111 new trees.</b>" It then states, "To mitigate the loss of the protected trees, the applicant <b>will provide 58 new trees</b> throughout the project site..." Does this mean that there will be a total of 169 new trees planted on the project site?</p>	<p>The project includes the planting of 111 new trees. Of those 111 new trees, 58 of them are mitigating for the loss of the protected trees in accordance with the City of Hayward's Tree Preservation Ordinance. There will be 148 trees on the project site including the 37 existing trees.</p>
<p>PH-26-010</p>	<p>Can you clarify the amount of Park Impact Fees that the applicant will have to pay at the rates listed on page 8 of Attachment I? If there are 50 three-bedroom units at \$18,798 each (\$939,900) and 33 four-bedroom units at \$26,148 (\$862,884), would the total fees be \$1,802,784, not \$1,811,544?</p>	<p>That is correct, the estimate park impact fee shall be \$1,802,784. However, in accordance with Condition of Approval #22, the impact fees will be those that are in effect at the time of building permit issuance.</p>

PH-26-010	Regarding Draft Condition of Approval #104 (page 16) – Will existing overhead utilities be removed along the entire length of Walpert Street, and the underground electrical and tele-communications utilities be installed to service all properties along the street? If so, who will pay for these changes for the existing properties that are not associated with this development?	The existing overhead utilities will be removed just along the project frontage. The developer is responsible for these costs.
<b>Item 2: 2025 General Plan Annual Report (RPT-26-023)</b>		
ITEM #	QUESTION	STAFF RESPONSE
RPT-26-023	Land Use Element. LU-6 - How are community groups and stakeholders being identified? Can community groups reach out to the City to be placed on this list?	Community groups and stakeholders are constantly being updated through advanced planning outreach efforts (Housing Element, Objective Residential Development Standards, Business Friendly Zoning Ordinance Updates, Smoke Free Multi-Family Residential Ordinance, Climate Action Plan Updates among others); through direct outreach (HOA and Mobilehome Parks), and when people sign up to receive updates from the City about specific projects or development in general. Yes, community groups can reach out to the Planning Division at <a href="mailto:planning.division@hayward-ca.gov">planning.division@hayward-ca.gov</a> or 510-583-4216 to be placed on notifications lists.
RPT-26-023	Land Use Element. LU-7 - When does staff anticipate being able to report back on findings on the A Street plan for the planning commission and City Council?	Thank you for asking this question. Upon closer review by Public Works, it was determined that the area described in the Program (A Street to Redwood Road) is not actually covered by the USDOT Safe Streets for All Grant described in this program. Rather, the grant covers A Street from Hesperian Blvd to Foothill Blvd and does not extend to Redwood Road. Staff has changed this Program from Partially Complete to Not Started and will evaluate moving it forward when staffing and resources are shifted to prioritize it.



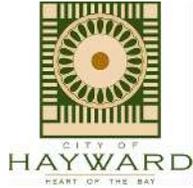
RPT-26-023	Mobility Element. M-3 - Is the City of Hayward or AC Transit responsible for installing and maintain transit stops?	AC Transit is responsible for installing and maintaining transit stops and signage, but the City is responsible for red curb paint, any bulb outs or boarding islands, and the simme seat initiative to provide bus stop seating.
RPT-26-023	Mobility Element. T-1.5 - There has been community opposition to the implementation of certain measures aimed at improving pedestrian and cyclist safety. How has staff responded to this pushback?	City staff focus their messaging on improving safety for all roadway users by using the Safe Systems Approach to provide safe options for travel in Hayward. Multiple projects aimed at improving safety have been changed or cancelled due to people's concerns about vehicular parking or congestion. City staff are working across divisions to increase the likelihood that staff-led projects are built, as well as institutionalizing safety in designs through a Speed Management Plan. One of these ways is through earlier and more thorough outreach, as well as clearer communication about the importance of Vision Zero and traffic safety.
RPT-26-023	Mobility Element. T-1.8 - How exactly would streets be closed to through traffic? Would it be signage, a full road closure, or signage and barriers similar to what's seen in some San Francisco neighborhoods?	There are opportunities for a variety of methods to close streets to traffic, through permanent thru-traffic closures or temporary traffic closures. For the former, this can include bike-friendly raised medians that continue through intersections (modal filters), preventing vehicular turns and thru-traffic; or slow streets where vehicles must yield to oncoming traffic to enter by passing around planters or barricades. For regular, temporary closures that achieve similar effects, there are options for school streets, where the street adjacent to a school is closed during pickup/drop-off with cones or barricades, weekend closures, like for the Farmer's Market with A-frame barricades or cones, and night closures for nightlife areas, potentially with removable or retractable metal bollards. See NACTO guides on <a href="#">Slow Streets</a> and <a href="#">Temporary Closures</a> .

RPT-26-023	Mobility Element. T-2.12 - Are congestion charges the only method of achieving GHG reductions that is being explored?	No, the City is exploring multiple strategies for vehicle reduction in high-traffic zones. A congestion charge is explicitly mentioned, the action also calls for evaluating other access-management approaches such as car-free zones or restricted-access corridors, provided sufficient transit and/or bikeway options are available. This could even be achieved by allocating bus-only lanes on high-traffic zones with higher-frequency transit routes, like Hesperian Blvd, Mission Blvd, or roadway segments near BART stations.
RPT-26-023	Mobility Element. T-2.3 - How are minimum parking requirements currently calculated by the City? For affordable and market developments that use State law to provide less than these parking minimums, does the City have information on whether parking is sufficient?	<p>Parking minimums, applicability and method of calculation for uses located within the Downtown Specific Plan area were adopted in 2019, and codified in <a href="#">Hayward Municipal Code Section 10-28.3.2.020</a>. Generally, those regulations require one parking space per unit or 500 sq. ft., whichever is less, for residential uses; and one parking space per 500 sq. ft. for commercial uses that exceed 5,000 sq. ft. in size.</p> <p>The City does not require developers to provide any reports or additional information related to reduced parking provided pursuant to State Law (i.e. under Density Bonus Law or Assembly Bill 2097 which limits parking requirements within half-mile of transit) since parking provided under the applicable laws is presumed to be adequate.</p>
RPT-26-023	Mobility Element. T-3.3 - Is the City currently exploring a parking maximum for any particularly transit rich areas such as the Downtown Core?	The City is exploring parking maximums as part of compliance with MTC's Transit Oriented Community guidelines around both BART stations (including the Downtown Core). Early on it seems unlikely the City will meet the expected maximums set forth in the <a href="#">MTC/ABAG Transit Oriented Communities Policy</a> but will likely propose some maximum parking figures as movement toward full compliance.



RPT-26-023	Mobility Element. T 3.4. - Does the City intend to begin parking enforcement in the coming years?	Yes, the City is currently exploring options to expand enforcement in the downtown area this year (2026) by using license plate reading technology to monitor timed parking limitations with exceptions for a piloted business permit program. The City may explore paid parking in the future, and is considering multiple approaches, such as parking benefit districts, demand-responsive pricing, and other options.
RPT-26-023	Public Facilities & Services. SW-1.9: How can multifamily property owners reach out to the City's Recycling Fellow?	Multifamily property owners/managers and business owners can reach out to Daisy Guadalupe Romero at Waste Management. Daisy is the City's primary contact for recycling education. Daisy Guadalupe Romero Recycling Education Representative <a href="mailto:gromero4@wm.com">gromero4@wm.com</a> 510-537-5500
RPT-26-023	Housing Element. H-4.5: Besides the three parcel groups identified, does the City control any other land, particular close to transit rich areas, that it would consider including for disposition in a future NOFA packaged with affordable housing trust funds?	Yes, the <a href="#">Hayward Housing Element Appendix C - Housing Resources</a> , and the accompanying <a href="#">Housing Element Sites Inventory</a> listed several publicly owned parcels in the Housing Element as opportunity sites. A future NOFA would not be limited to publicly owned sites, nor would it be limited to sites that have current DDAs with the City. Currently, the City is collecting in lieu fees and does not have a timeframe for release of a NOFA.

RPT-26-023	Housing Element. H-12: Which City department should developers reach out to in order to obtain a copy of the Vacant Properties Dashboard?	The City's Code Enforcement Division maintains the Vacant Properties list which is available to qualified housing developers upon request. Please reach out to Junior Lee, Supervising Code Enforcement Inspector, at <a href="mailto:junior.lee@hayward-ca.gov">junior.lee@hayward-ca.gov</a> to request the list.
RPT-26-023	Housing Element. H-19.3: How much funding does the City currently have in its Affordable Housing Trust Fund?	The City has approximately \$4.9 million in the Housing Trust Fund.
RPT-26-023	Housing Element. H-19.3: Is Hayward's Housing Trust Fund held in an interest bearing account while the City waits to release a NOFA?	Yes, the funds are held in an interest-bearing account.

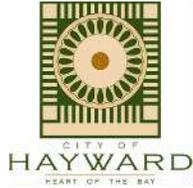


RPT-26-023	Housing Element. H-23: When does the City plan to revisit the implementation of a residential rental registry?	On September 2, 2025, the City Council <a href="#">held a Work Session</a> to discuss the feasibility of establishing a rental registration system. Due to fiscal and staffing constraints, evaluation of such a system was delayed a year (to September 2026). Housing staff are exploring various options to implement a rent registry program and anticipates taking those options to the Housing Policy and Resource Committee in June 2026, and if recommended, will move it forward to the City Council later in the year.
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### Questions from the Public

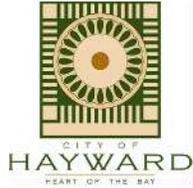
ITEM #	QUESTION	STAFF RESPONSE
PH-26-010	I am in shock. This project is so destructive. There appears NO PROTECTION to Ward Creek. I have finally seen the plans!!!!!!!!!!!!!!!!!!!!!! They are planning to build ALL THE WAY DOWN TO WARD CREEK!!!!!!!!!!!!!!!!!!!!!!Property that is NEAR THE HAYWARD FAULT!!!!!!!!!!!!!!	The project fully complies with Alameda County Watercourse Protection Ordinance and City of Hayward Municipal Code creek setback. There is no development within Ward Creek. The project is not located within the Alquist Priolo Fault Zone.
PH-26-010	How much proposed ground movement will there be when trucks weighing tons and equipment will be going up and down ?	A Noise Study was prepared for this project which concluded vibration from construction equipment would not exceed the Federal Transit Administration threshold of 0.2 in/sec PPV (peak particle velocity) at the nearest offsite residential structures. Therefore, vibration impacts would be less than significant.

PH-26-010	What is the impact of land NEVER TOUCHED by HEAVY CONSTRUCTION?????	The front portion of the site (1101 Walpert Street) is currently fully developed with the Arc of the East Bay Community Center. The rear portion of the site (1103 Walpert Street) was significantly graded in 2009 associated with development of two structures, an accessway and parking.
PH-26-010	Those groves and scattered trees HOLD the LAND IN PLACE. Heavy grading will be REQUIRED. Right to the EDGE of the top and I assume into the Creek BED????	A Geotechnical Soils Report was prepared for this project which provided recommendations to ensure soil and creek bank stability. These recommendations will be fully incorporated into this project in accordance with Condition of Approval #26 and #97. Furthermore, due to the previous grading as noted above, the extent of the proposed grading is not significant. There is no grading within the creek bed.
PH-26-010	How much will and what is the IMPACT to WARD CREEK??? How much protection is planned, I saw none.	As noted above, the project fully complies with Alameda County Watercourse Protection Ordinance and City of Hayward Municipal Code creek setback.
PH-26-010	Paratransit Buses have difficulty turning around down there, How will the construction equipment do it? REMOVE and DIG AWAY all the hill?	Construction equipment will be required to comply with all construction best practices in accordance with the Conditions of Approval. Furthermore, as noted above, there is no significant grading.



<p>PH-26-010</p>	<p>AND REMOVE 69 trees?? THEY are holding tons of land.</p> <p>And who lives in those trees or are fed by them?</p> <p>Is the Protected Red Legged Tree Frog there? How many Owls nest there? Blue Birds? Crows? Starlings? Squirrels????</p>	<p>The project does propose the removal of 69 trees; however, it fully complies with the City of Hayward Tree Preservation Ordinance. A Biological Resource assessment was prepared for this project which concluded that the project is not anticipated to result in impacts to sensitive biological resources. Furthermore, it found that the project footprint does not contain suitable habitat for endangered, rare, or threatened species.</p>
<p>PH-26-010</p>	<p>The proposed plan (Sheet TM04) shows reuse of the existing storm drain(s) that lead downhill to Ward Creek. Have these outfalls to the creek been evaluated to current standards and are there any records of previous permits?</p>	<p>As part of the project review, the City required the developer to provide a written report verifying the integrity and suitability of existing storm drains in accordance with Hayward Municipal Code Section 10-8.33. The report included video inspections and pressure and material tests. The peer-reviewed report concluded that the existing storm drain facilities were suitability to accommodate drainage discharge from the proposed development.</p>
<p>PH-26-010</p>	<p>The existing chain-link southern fence (Sheet L-1 &amp; TM01) should be considered a "development" within the creek setback. Under the Alameda County Watercourse Protection Ordinance (WPO), such "developments" are not allowed. Fences also block wildlife passage. FSLC recommends removal of any existing fence. At a minimum, the City should evaluate why any fence is needed (purpose) and</p>	<p>The fence is an existing condition and as such, the City of Hayward does not have the authority to require its removal. Your comments will be shared with the developer for their consideration.</p>

	<p>ensure that the fence has breaks that allow for large (e.g., deer) and small ground animal passage.</p>	
<p>PH-26-010</p>	<p>Existing trees (Sheet TM08) that are considered invasive in California and the SF Bay Area should be removed.</p> <ul style="list-style-type: none"> <li>• <u>Privet and Maytenus trees should be removed.</u> Privet (<i>Ligustrum spp.</i>) and Mayten tree (<i>Maytenus boaria</i>) are considered invasive in the San Francisco Bay Area, with privet being a major pest in riparian areas and Maytenus flagged as invasive by the California Invasive Plant Council (Cal-IPC).</li> <li>• <u>Chinese pistache and Prunus.</u> City Hayward Landscape Architect should evaluate Chinese pistache which can be invasive, and any Prunus species that are considered invasive (though some are not). Chinese pistache is also included in the proposed new plant schedule (Sheet L-2).</li> </ul>	<p>The City of Hayward does not have the authority to require the removal of said trees. If these trees are removed, they will need to comply with the City of Hayward Tree Preservation Ordinance and obtain State/Federal permits. Your comments will be shared with the developer for their consideration.</p>



<p>PH-26-010</p>	<p>Tree planting on this project only meets 25% of the mitigation goal to compensate for the trees that are proposed for removal (\$78K mitigation value/\$312K mitigation goal = 25%). The City needs to develop a plan and/or strategic locations for where the outstanding 75% (\$233,520) of needed tree mitigation should be planted, and that 75% mitigation should be native trees (e.g., coast live oak, buckeye, etc) in areas that need habitat rebuilt. HARD has current locations along the Foothill Trail route and in creek corridors that need native tree habitat rebuilt. See HARD Foothill Trail Plan at <a href="https://www.haywardrec.org/1942/Foothill-Trails-Master-Plan#docaccess-f6bc3ee2b58d0e164ee69139a22d658d80117fbfe8f6a34dfa862f856822d4f7">https://www.haywardrec.org/1942/Foothill-Trails-Master-Plan#docaccess-f6bc3ee2b58d0e164ee69139a22d658d80117fbfe8f6a34dfa862f856822d4f7</a></p>	<p>The project fully complies with the City of Hayward Tree Preservation Ordinance. The Planning Division will be having a work session with City Council tentatively scheduled for April 7<sup>th</sup> to discuss how to utilize the Tree Preservation In-Lieu Fees. We invite you to attend that work session and share your thoughts.</p>
<p>PH-26-010</p>	<p>Has Walpert Street been modified, or will this street be modified as part of this project, so that the street will function as a segment of the “On-street Foothill Trail Connector” that is shown in the HARD Foothill Trail Master Plan (November 2020, Figure 2-3)?</p>	<p>Walpert Street along the project frontage will be modified to comply with the City of Hayward Standard Details. There will be a four-foot public sidewalk along the project frontage which may serve as a portion of the “On-Street Foothill Trail Connector.”</p>