



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, February 13, 2020, 7:00 p.m.
777 B Street, Hayward, CA 94541**

MEETING

A regular meeting of the Hayward Planning Commission was called to order at 7:00 p.m. by Vice Chair Andrews.

CALL TO ORDER Pledge of Allegiance

Commissioner Patton led in the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS: Stevens, Andrews, Faria, Patton
Absent: COMMISSIONER: Roche, Goldstein
CHAIRPERSON: Bonilla

Staff Members Present: Brick, Lochirco, Martinez, Monlux, Morales, Ott, Wolny

General Public Present: 7

PUBLIC COMMENT:

Marcella Smith, Hayward Resident, spoke about the need for more grocery stores and a variety of grocery stores within the city.

WORK SESSION:

1. Review and Comment on Proposed Workplan to Incentivize Housing Production in the City of Hayward

Deputy City Manager Jennifer Ott and Housing Division Manager Christina Morales provided a synopsis of the staff report and PowerPoint presentation.

Commissioner Patton asked about the allowance of high-density housing in commercial districts; impacts from mixed-housing neighborhoods in infill developments; and reducing costs by limiting parking. Deputy City Manager Ott clarified this type is allowed by-right in the Downtown Specific Plan; explained infill guidelines would address the upzoning issues; addressed the move to progressive parking requirements.



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Commissioner Stevens provided feedback about the upzone section and the options provided and how it connects to public transportation; praised the discussion on ADUs and the influence of rent control policies. Housing Manager Morales clarified exemptions to the Residential Rent Stabilization Ordinance.

Commissioner Faria expressed concerns about the requirements for commercial retail. Deputy City Manager Ott spoke to the City Council's priorities to maximize ground floor retail; sales tax benefits; supporting pedestrian activity; and financial feasibility. Commissioner Faria suggested a review of current projects to determine how they are being utilized; the required amount of affordable units; supported the idea of promoting a trust fund.

Vice Chair Andrews inquired about the effective date of affordable housing ordinance and when it will be up for review. Ott confirmed it was enacted in December 2017 but it was implemented in phases. Housing Manager Morales discussed the feasibility of affordable housing projects and challenges in building and how to support developers to make it happen.

Vice Chair Andrews used an example of the Lucky's center across the street as a property with underutilized ground floor retail and questioned the consequences for the developer. Principal Planner Lochirco spoke about the economic strategic plan and demand for retail-commercial space; diversification of land uses; and flexibility with criteria. Deputy City Manager Ott discussed effects on feasibility and efforts to engage owners of vacant storefronts to activate spaces.

Vice Chair Andrews echoed Commissioner Patton's comments about parking and noted she feels there are mixed messages from Council in regards to balancing infill development and parking and asked for guidance. Deputy City Manager Ott advised deferring to policy; noted she will share feedback with Council to evaluate expectations about parking and concerns from neighbors.

Vice Chair Andrews mentioned developers presenting projects to Planning Commissioners at Work Sessions prior to holding a Public Hearing, asked if that is being suggested. Principal Planner Lochirco explained it is advantageous for controversial projects or those that contradict general plan; gives the applicant an opportunity to engage earlier in the process to gauge support; and noted SB330 places a cap on the number of Public Hearings.

Vice Chair Andrews asked about the effect of requests for reduced fees. Deputy City Manager Ott clarified recovery fees should not be reduced but impact fees could be reduced.



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There being no speakers, Vice Chair Andrews opened and closed the public comment period at 7:46 p.m.

Vice Chair Andrews shared that she attended a Housing Board section, gave kudos to staff for managing meeting; asked if more community meetings will be held in neighborhoods where infill development is happening. Deputy City Manager Ott explained that the meeting was held as part of City's role with Parcel Group 6; will host for future public land projects; staff continues to encourage developers to reach out to neighbors beyond required noticing. Principal Planner Lochirco noted they encourage early engagement, as outreach from applicant can help proactively resolve issues.

Vice Chair Andrews asked about the impact of Project Labor Agreements and prevailing wage on incentivizing infill development. Deputy City Manager Ott shared the feedback received from both sides; noted it may increase costs.

Vice Chair Andrews inquired about local hiring requirements. Deputy City Manager noted the City has a PLA for City projects >\$1M with a 30% Local hire goal. Vice Chair Andrews asked if our goals are in line with other cities; is it aggressive? Deputy City Manager Ott stated it is aggressive for a city of our size; how we are using SB35; considering proactively upzoning on our own, studying the implementation of SB50; shared there are limitations with cost, CEQA, etc.

2. Mission Boulevard Code Regulations Update Work Session

Principal Planner Jeremy Lochirco and Associate Planner Marcus Martinez provided a synopsis of the staff report and PowerPoint presentation.

Commissioner Patton opined that regulations in urban areas should have maximum flexibility; raised concerns about the potential for outside seating at restaurants along Mission and safety requirements in the design guidelines for barriers and trash mitigation.

Commissioner Faria provided comments about compatibility of projects encouraging outside gathering next to high traffic areas

Vice Chair Andrews questioned the feasibility of proposed designs such as recessed entry on Mission Blvd. Principal Planner Lochirco explained they included a variety of options to encourage flexibility.

Vice Chair Andrews asked about identifying design guidelines that are more inviting for street-facing retail. Principal Planner Lochirco discussed prior transparency requirements



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and challenges prior businesses experienced with balancing safety concerns versus a desire for light and design.

Vice Chair Andrews questioned the impact of building heights and scalability. Principal Planner Lochirco discussed massing policies for frontage roads; minimizing wall planes; and difficulty in producing objective design standards.

Vice Chair Andrews discussed the chart depicting uses by right along Mission Blvd and how to reduce burden to bring potential employers to the city. Associate Planner Martinez clarified that most of the uses would be 'simple office use' and most zoning districts would be permitted by right.

Vice Chair opened the public comment period at 8:26 p.m.

Bob Perry, Hayward Resident, expressed concern about the 'Mission Blvd North Corridor' A to Rose St, where the City took in houses on Pierce St and rezoned 9 cottages to commercial, wants to know if the area will return to existing residential to enable them to rebuild. Principal Planner Lochirco clarified they have had other homeowners express similar concerns; noted the limited capacity for single family homes on the smaller lot sizes and recommended the eligibility to expand on current lot with grandfathered land use provision.

Hugo Garcia is representing a group applying for a site plan application review for a project at 951 Palidases, which is currently identified MVT3 and will revert to RS; they plan to expand the current school use. Mr. Garcia asked if reverting back to RS will make it easier to further develop the school use. Associate Planner Martinez confirmed it would fall under Educational Facility which would require administrative use permit. Mr. Garcia also asked about the proximity to the Hayward fault; Associate Planner Martinez provided some context, and suggested they meet offline for further discussion.

There being no additional speakers, Vice Chair Andrews closed the public comment period at 8:32 p.m.

Commissioner Stevens thanked staff; discussed other communities advancing developments using form-based codes and recommended staff network to learn best practices and update document to reflect current conditions.

Commissioner Faria shared that she appreciates flexibility and consistency and consolidation of the form-based code into a single document.

Commissioner Patton responded to Commissioner Stevens comment and recommended



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attendance of League of California Cities conferences to learn more about form-based codes and other related topics.

Vice Chair Andrews thanked staff and asked about the outside consultants and how recently they walked Mission Blvd to get a real view and feel of the street to provide context to recommendations. Principal Planner Lochirco discussed site visits to learn about the street presence, pedestrian experience, vehicular experience; also considering policy directives and vision established by City Council; as well as sensitivity to expansions with PDAs, changes in TOD, projects currently being built along Mission; and being mindful of the number of exceptions, warrants, rezonings, and variances issued.

Vice Chair Andrews wants to be sure the document is keeping up with changes in the area and engaging the community along Mission; noted that she receives many complaints about Mission Blvd in regard to traffic and bike lanes and housing development. Principal Planner Lochirco said the traffic will likely continue or get worse but the multi-modal environment will increase public transit and localized commercial, stated there are no new major policy objectives in the plan.

APPROVAL OF MINUTES

3. Approval of minutes of the Planning Commission Meeting Minutes of January 23, 2020

Continued to next meeting per Assistant City Attorney Brick.

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters:

Commissioner Faria asked about a notice received regarding entitlements at Maple and Main. Assistant City Attorney Brick explained the entitlement was extended administratively as it is changing ownership and currently undergoing the process of receivership; in order to allow the development to continue to have value as entitled.

Commissioners' Announcements, Referrals:

Vice Chair Andrews attended a SPUR workshop on Reinventing the Planning Commission, suggested reviewing the materials online.



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ADJOURNMENT

Vice Chair Andrews adjourned the meeting at 8:43 p.m.

APPROVED:

Julie Roche, Secretary
Planning Commission

ATTEST:

Merry Monlux, Deputy City Clerk
Office of the City Clerk