



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
www.Hayward-CA.gov

## Action Minutes Planning Commission

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Thursday, September 14, 2017

7:00 PM

Council Chambers

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### ROLL CALL

**Present** 6 - Heather Enders, Mariellen Faria, Daniel Goldstein, Dianne McDermott, Brian Schott, and Julius Willis Jr.

Vacancy: One

### PUBLIC COMMENTS

There were none.

### PUBLIC HEARING

1. [Haymont Townhomes and Apartment Mixed-Use Project - Proposed subdivision and construction of 35 townhomes and a mixed-use building of 39 apartment units with 1,020 square feet of ground floor commercial use on a 2.7-acre project site located at 26601 Mission Boulevard \(west side, north of Sorenson Road\) Assessor Parcel Number \(APN\) 452-0036-30-05, requiring approval of an amendment to South Hayward BART/Mission Boulevard Form-Based zoning code \(Article 24\) to allow residential density transfer/averaging among like-zoned development sites in the Urban General transect zones T4 \(17.5 DU/Acre min; to 35 DU/Acre max\) and T5 \(35 DU/Acre min; to 55 DU/Acre max\); Site Plan Review; Warrants for: \(1\) roof pitch, \(2\) excess parking in the T4 zone, \(3\) glazing less than 30% for the first story along Mission Boulevard, and \(4\) parking within the Layer 2 setback area; and Vesting Tentative Map 8335. Application No. 201601022. Mitigated Negative Declaration. KB Home \(Applicant\) and DNS Capital Partners LLC/Robert Telles \(Owner/Applicant\).](#)

A motion was made by Commissioner Faria, seconded by Commissioner Willis Jr., to approve the staff recommendation with a modification to Condition 142 to modify the 60-day timeframe to begin following the 30-day California Environmental Quality Act (CEQA) statute of limitations. The motion passed by the following vote:

**Aye:** 5 - Faria, Goldstein, McDermott, Schott, and Willis

**Nay:** 1 - Enders

Vacancy: One

2. [Proposed Zoning Text Amendment \(Application No. 201705042\) to Chapter 10 \(Planning, Zoning, and Subdivisions\) of the Hayward Municipal Code and Proposed Adoption of New Land Use Regulations pertaining to Medical and Adult Use Cannabis within the City of Hayward.](#)

A motion was made by Chair Enders, seconded by Commissioner McDermott, to approve the staff recommendation with further definition of the terms "open spaces and parks" in the ordinance, in order for distinction between open spaces and parks utilized by children and families as opposed to other uses. The motion carried by the following vote:

Aye: 6 - Enders, Faria, Goldstein, McDermott, Schott, and Willis

Vacancy: One

### APPROVAL OF MINUTES

3. [Minutes of the Planning Commission Meeting on July 13, 2017](#)

A motion was made by Commissioner McDermott, seconded by Commissioner Willis Jr., to approve the Planning Commission Minutes of July 13, 2017. The motion carried by the following vote:

Aye: 5 - Faria, Goldstein, McDermott, Schott, and Willis

Abstain: 1 - Enders

Vacancy: One

4. [Minutes of the Planning Commission Meeting on July 27, 2017](#)

A motion was made by Commissioner McDermott, seconded by Commissioner Faria, to approve the Planning Commission Minutes of July 27, 2017. The motion carried by the following vote:

Aye: 4 - Faria, McDermott, Schott, and Willis

Abstain: 2 - Enders, and Goldstein

Vacancy: One

### ADJOURNMENT

Chair Enders adjourned the meeting at 9:52 p.m.