



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, January 24, 2019, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

---

Vice-Chair Willis closed the public hearing at 8:17 p.m.

2. Preliminary Review of a Zone Change to Planned Development District and a Vesting Tentative Tract Map to Construct a 14-unit Subdivision on an Approximate 1.64-Acre Vacant Lot located at 25036 to 25096 Carlos Bee Boulevard. Application No. 201802159; Kodama Diseno Architects (Applicant) on behalf of Zoreh Gharaati (Owner)

Commissioner Andrews returned to the dais at 8:18 p.m.

Senior Planner Schmidt provided a synopsis of the staff report and a PowerPoint presentation.

Senior Planner Schmidt clarified for Commissioner Goldstein that the project is short two parking spaces to comply with City regulations.

Commissioner Patton commented that the project is too complicated for the size of the site and suggested two to three attached townhomes and referred the applicant to the Sienna Hill project in Oakland. Mr. Patton was not in favor of lot 14, suggested a more attached unit consistent with the rest of the project and for the applicant to provide more open space.

Mike Vigilia provided direction to the Commission.

Senior Planner Schmidt explained for Commissioner Bonilla that the condominium units are affordable by design because they are not deed restricted, and do not include a lot with land which should be more affordable as opposed to single family homes.

Ms. Joanne Wong, with Kodama Diseno Architects, spoke about the project and the challenges, and provided a visual presentation with a 3D model. Ms. Wong provided a hand-out for the Planning Commission and staff and provided a PowerPoint presentation of the project.

Ms. Wong responded to Commissioner Andrews about the plans to make Unit 14 an affordable housing unit as this can offset the building costs on such a difficult site and that amenities for aging in place can be installed in another unit.

Commissioner Patton suggested landscaping to help mitigate the noise from the busy street and feels that the architectural style is not appropriate for the area.



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, January 24, 2019, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

---

Commissioner Goldstein likes the appealing design and landscaping, strongly recommends the applicant conduct community outreach including neighborhood associations and suggested including a bicycle and transportation plan and other amenities. Senior Planner Schmidt said the CEQA document will be forthcoming.

Commissioner Bonilla expressed concern about making Unit 14 the affordable unit as it is secluded from the rest of the development and staff has issues with this unit regarding parking and parking circulation. Ms. Gharaati, the owner, responded that it is difficult to estimate the unit cost as this will be dependent upon building costs and guessed the price could be \$750,000 which is comparable to other units in Hayward. Mr. Bonilla said with the price similar to single-family homes in Hayward, he does not want the units marketed as "affordable by design". Mr. Bonilla suggested the applicant consider a more contemporary design and he liked the inclusion of the affordable unit. Mr. Bonilla said if Unit 14 were removed this could resolve any parking and circulation requirements and allow for more open space.

Commissioner Andrews suggested including accessory dwelling units (ADU) into the design and the price of \$750,000 is not affordable for Cal State East Bay students.

Commissioner Goldstein commented that the cost of housing in the bay area is astounding and thanked Commissioner Andrews for reminding everyone about ADUs. Mr. Goldstein encouraged the applicant to include ADUs in their design.

Ms. Gharaati, owner, spoke about the high cost of building because of the challenges that are present at the site.

Commissioner Andrews said ADUs make the project more attractive as the ADUs can be automatic income for buyers and enables buyers to be able to afford the units.

Vice-Chair Willis likes the project, said the City needs more housing units and once there is more housing supply, this could level out the high price of housing. Mr. Willis suggested electric vehicle (EV) charging stations in each unit and said reports show that young people ages 18 to 21 years old are not purchasing cars.

Vice-Chair Willis opened the public hearing at 9:05 p.m.

Ms. Sara Hancock, Hayward resident, said her house is located behind the project site, spoke about the site challenges and how it will impact their views and property values. Ms. Hancock said there should be a reduction in the number of units.

Ms. Aimee Adams, Hayward resident, spoke against the project and the impacts to the existing



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, January 24, 2019, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

neighborhood.

Mr. Tuan Nguyen, Hayward resident, spoke against the project, against the zoning change, the need for a higher retaining wall, impacts to the immediate neighbors, loss of privacy, slippage, and that these units will not be affordable at \$750,000.

In response to Vice-Chair Willis' question about easements, Senior Planner Schmidt said there are easements fronting Carlos Bee, staff is very concerned about the slope of the hill, and City engineers will thoroughly study and review the plans, studies and geotechnical reports and will come up with appropriate conditions. Ms. Schmidt assured the public that the project still must go through a thorough environmental review process, and if it is found that the slopes are unstable, or if there needs to be taller and/or deeper walls, then these would be recommended in the conditions of approval and mitigation measures. Ms. Schmidt said staff wanted to bring the project to the Planning Commission because staff has deep concerns about the project, including that the project feels too crowded, but the applicant continued to say that the project was only feasible if they build a certain number of units. Ms. Schmidt said staff was relying on the Commission to provide feedback to the applicant that the project may not be supported as proposed.

Vice-Chair Willis closed the public hearing at 9:15 p.m.

Senior Planner Schmidt clarified for Commissioner Bonilla that views and privacy are not protected under CEQA or the Hayward Municipal Code (HMC). Ms. Schmidt said one of the benefits of this site being lower than the residents in the back is that there will be a natural topographic differential between the project and the homes in the back. Staff asked the applicant to provide staff and the Commission with slope diagrams showing the relation of the project to the existing homes. Mr. Bonilla suggested that the applicant conduct more neighborhood outreach and listen to the community's concerns in order to reach common ground.

Commission Andrews reiterated that the applicant should conduct neighborhood outreach.

### **APPROVAL OF MINUTES**

3. Approval of minutes of the Planning Commission Minutes of November 8, 2018

Commissioner Patton made a motion, seconded by Commissioner Bonilla, to approve the Planning Commission Meeting Minutes of November 8, 2018. The motion passed with the following votes:



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, January 24, 2019, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

---

**4:0:2:1 (AYES: Willis, Andrews, Bonilla, Patton, ABSENT: Faria, McDermott; ABSTAIN: Goldstein)**

**COMMISSION REPORTS**

Oral Report on Planning and Zoning Matters:  
There were none.

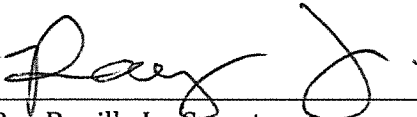
Commissioners' Announcements, Referrals:

Commissioner Bonilla requested a roster of upcoming topics from staff. Principal Planner Lochirco said staff is working on a tentative agenda, and currently on the schedule for the February 14 meeting is the Downtown Specific Plan EIR. For the following meeting on February 28, there are three items, two Work Sessions for the 238 properties and the Form Based Code Updates and an action item of a text amendment for a recommendation to Council on Cannabis to reduce the over concentration buffer.

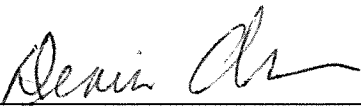
**ADJOURNMENT**

Vice-Chair Willis adjourned the meeting at 9:22 p.m.

**APPROVED:**

  
\_\_\_\_\_  
Ray Bonilla Jr., Secretary  
Planning Commission

**ATTEST:**

  
\_\_\_\_\_  
Denise Chan, Senior Secretary  
Office of the City Clerk