



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, January 12, 2017, 7:00 p.m.
777 B Street, Hayward, CA94541**

MEETING

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

ROLL CALL

Present: COMMISSIONERS: Willis Jr., Goldstein, Parso-York, Schott, McDermott, Faria
CHAIRPERSON: Enders
Absent: COMMISSIONER: None

SALUTE TO FLAG

Commissioner Goldstein led in the Pledge of Allegiance.

Staff Members Present: Baquilar, Brick, Chan, Chang, Fakhrai, Hinkle, Koo, Owusu, Rizk

General Public Present: 16

PUBLIC COMMENT:

There were none.

PUBLIC HEARINGS: For agenda item No. 1., the decision of the Planning Commission is final unless appealed. The appeal period is 10 days from the date of decision. If appealed, a public hearing will be scheduled before the City Council for final decision.

1. Proposed Mixed Use Development consisting of 72 residential townhomes and 8,000 square feet of commercial space on a 5.88-acre parcel located at the southwest corner of Mission Boulevard and Industrial Parkway requiring adoption of an Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, approval of a Vesting Tentative Tract Map and Site Plan Review; Doug Rich, Valley Oak Partners

Development Services Director Rizk provided a synopsis of the staff report and recommendation, along with a PowerPoint presentation. Mr. Rizk noted that there were further modifications to the Conditions of Approval (COA) that were communicated to the Planning Commission. Mr. Rizk also identified two additional recommended conditions of approval, related to bicycle facilities, where a Class III shared bike route would be proposed through the development. Mr. Rizk added that there were sets of two comments received from Hayward residents Sherman Lewis and S. Dakos. Mr. Rizk indicated that resident Dakos' letter expressed concern about parking issues



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generated from the project. Mr. Lewis raised several questions regarding having a shuttle service funded by the proponent; ideas about redesign of the site plan and encouraged alternative modes of transportation. Mr. Rizk also identified a revision to page 63 of the Draft Mitigated Negative Declaration (MND) and indicated that if the MND is adopted, the revision should be part of the Final MND. Mr. Rizk noted the following staff were present: Associate Transportation Planner Steven Chang, Public Works Director Morad Fakhrai, Assistant City Engineer Yaw Owusu, Senior Development Review Engineer Allen Baquilar, Landscape Architect Michelle Koo and Economic Development Manager Micah Hinkle. Mr. Rizk also identified project proponent Mr. Doug Rich, and indicated Mr. Rich would be making a presentation.

Mr. Doug Rich, Valley Oak Partners Proponent, presented a PowerPoint presentation of the project. Mr. Rich requested that recommended condition of approval number 42 be removed regarding leaving the storm drain within the site as opposed to moving it to Mission Boulevard.

Commissioner Schott disclosed that he had met with the developer. After a concern expressed by Commissioner Schott, Mr. Rich responded to Mr. Schott that his staff will look into making sure that the golf balls hit by golfers on the adjacent golf course do not go into the development, especially where children will be spending time.

Associate Transportation Planner Chang responded to Commissioner Parso-York that the parking will be maintained until the bicycle lanes are in full operation.

Commissioner Faria disclosed she had met with Mr. Rich. Public Works Director Fakhrai responded to Ms. Faria that staff has looked at the roadway proposed on the project site and for this size development, the road is safe to introduce bicycles onto this roadway even at peak travel times. Mr. Rich responded to Ms. Faria that he and his staff were confident to also have solar on the residential units and asked for flexibility to work with staff to come up with the right language to be included in the conditions of approval. Mr. Rich also confirmed the accessibility to vehicle charging stations.

Mr. Rich responded to Commissioner Willis Jr. that the Homeowner's Association (HOA) will be required to manage parking in the community to address parking issues as the community outreach resulted in many comments that there will be a problem with outside people parking in the development. Mr. Rich confirmed that they will be installing solar panels on the residential units. Mr. Rich also confirmed for Mr. Willis Jr. that the orientation of some homes and the development as a whole will take advantage of the golf course views.

Commissioner McDermott disclosed meeting with Mr. Rich. Ms. McDermott said it is important to install electric vehicle charging units as part of the development's infrastructure and that it was also important for the developer to install solar panels on all the residential units during the construction phase, especially for aesthetics, so that there



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will be uniformity throughout the development. Ms. McDermott said she is an advocate of below market rate (BMR) housing and hopes that incorporating affordable housing units within projects will be a new requirement for all new housing developments moving forward. Ms. McDermott said she felt this requirement was owed to Hayward residents, to provide them opportunity to purchase a home.

Ms. McDermott asked Mr. Rich to consider shared guest parking to use commercial parking after business hours and to consider a method of monitoring parking guests. Mr. Rich said he will share the suggestion with the HOA as they will be managing the parking and he confirmed the location of a bus stop that can serve the development. Ms. McDermott commended Mr. Rich on the community outreach and that he had listened to both City Council and the community on their comments about the development. Ms. McDermott concluded by indicating she was grateful that there is interest in developing the site.

Development Services Director Rizk responded to Commissioner Schott that the recommended conditions of approval included standard parking conditions. Assistant City Attorney Brick responded to Mr. Schott that traffic enforcement of the development's private roads will be responsibility of the HOA. When asked, Public Works Director Fakhrai indicated to Commissioner Schott that he was not in support of Mr. Rich's request to change condition of approval number 42 to leave the storm drain line within the development site. Mr. Fakhrai said that staff has been working with the developer for a long time to address the design and location of the storm drain line and if the storm drain line were to be left within the development site as designed, then there would be a problem with accessibility to the pipe. Mr. Rich noted that the environmental mitigation of the former gas station is still ongoing.

Public Works Director Fakhrai responded to Commissioner Parso-York that staff has not received any requests for a residential parking permit program for the Twin Bridges development but if staff were to receive a request, then staff would evaluate any parking issues. Mr. Parso-York disclosed having met with the developer and said most of his questions were answered when they met. Mr. Rich responded to Mr. Parso-York that he has not investigated having parking for shared car services.

Commissioner Goldstein said he likes the project and thanked Mr. Rich for taking an interest in developing this site. Mr. Goldstein said as a former Twin Bridges resident, he is aware of their parking issues and warned Mr. Rich that the development most likely will be encroached upon. Mr. Goldstein indicated he liked that the City is granting total authority to the HOA to prevent the parking encroachment, liked the design, and commended Mr. Rich for listening to the community and said the visual improvements, the layout, and the parking and paseos will add a great deal of livability, walkability, and sustainability to the



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entire development. Mr. Goldstein thanked staff for assisting getting this project through the complicated process.

Mr. Rich confirmed for Chair Enders that the residential units will include solar panels and Development Services Director Rizk said the inclusion of solar panels on all residential units will be included in the final conditions of approval, as directed by the Commission. Ms. Enders disclosed that she emailed Mr. Rich her question about the inclusion of affordable housing units within the development. Ms. Enders said the Planning Commission has made their opinions known that every new development should be required to have an affordable housing component and that this should not be an option, but built into every development. Ms. Enders said hoped that the City Council hears the Planning Commission about the inclusion of affordable housing in every new development.

Assistant Transportation Planner Chang confirmed for Ms. Enders that the proposed bicycle lane will be consistent with the Mission Phase II project and it will accommodate the transition from the private street onto Mission Boulevard. Public Works Director Fakhrai noted for Ms. Enders that these improvements will probably commence during summer/fall 2017 as the City has to wait until the design of undergrounding of the utilities is completed. Ms. Enders views the undergrounding of utilities as a huge amenity to the project.

Chair Enders opened public hearing at 8:12 p.m.

Mr. Stephen Moore, Hayward resident, expressed the need for a grocery store in South Hayward and that the City should impose requirements upon developers.

Mr. Steven Dunbar, Hayward resident, expressed concerns about the proposed Class III bike route through the development and spoke about the dangers for bicyclists from cars both on the public street and inside the development. Mr. Dunbar also indicated he agreed about the possibility of parking encroachment.

Ms. Evelyn Cormier, Fairway Park resident, voiced support for the project and said she was delighted about the solar panels on the residential units. Ms. Cormier said she agreed with Mr. Lewis about a City shuttle service that will help reduce our carbon footprint. Ms. Cormier was happy that the park will be shared by all and commended Mr. Rich.

Ms. Minane Jameson, Hayward resident, supported the project and said it is an important first class project for South Hayward; is happy about the green features of solar panels and is thrilled about the park. Ms. Jameson spoke highly of Mr. Rich and how well he listened to the community. Ms. Jameson also hopes for a grocery store as more developments are built near transportation and services.



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Ms. Angela Andrews, Hayward resident, commended the Planning Commission and Economic Development on the positive changes she has seen in the city in the short six to seven months since she moved to Hayward. Ms. Andrews said there needs to be healthier options for the community in the forms of restaurants and grocery stores and that she has posted suggestions on the application “Next Door” and invited the developer to view her suggestions.

Ms. Mimi Bauer, Fairway Park area resident, said the developer conducted outreach continuously with the Fairway Park area residents for two and a half years and that Mr. Rich listened to the community and incorporated about two thirds of the suggestions of the Fairway Park residents. Ms. Bauer said this project will bring in upscale housing and class A retail that can attract a good grocery store. Ms. Bauer indicated she fully supports the project. Ms. Bauer announced a Fairway Park Neighborhood meeting on January 18 that will be attended by the City Manager and City staff, where the community is invited to come to speak about the need for a grocery store. Ms. Bauer noted the meeting announcement can be seen on the “Next Door” application and the Fairway Park Neighborhood Association email.

Chair Enders thanked the speakers and everyone including staff who made this project possible. Ms. Ender’s said the developer was able to come and present a complete project that included the amenities and green features that the Planning Commission seeks to have included in a project.

Chair Enders closed the public hearing at 8:33 p.m.

Commissioner Schott voiced support for the project and noted this project covers two major issues of developing the Holiday Bowl site and improving Mission Boulevard. Mr. Schott suggested that the community join with staff to encourage grocery retailers to open a store in South Hayward. Mr. Schott said this project is a good blend of urbanization and a good entrance to South Hayward and that he supports the solar panels to be installed on the residential units and would like this added to the conditions of approval. Mr. Schott again expressed support for the project.

Commissioner Parso-York said this is a good example of a developer who worked with staff and the community to address project concerns. Mr. Parso-York said he supports this high-end project that will address and develop a blighted site. Mr. Parso-York expressed concern about the need for a significant increase in residential units to match the job growth of the bay area.



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Commissioner Willis Jr. praised the developers on the project and commented that the City needs a lot of new developments on idle property, which will bring more good people into the community and in turn will help the retail businesses that need more customers. Mr. Willis Jr. said he supports the project said the success of the development will depend on the strength of the HOA.

Commissioner McDermott said it was unfortunate that the developer was not able to acquire the other apartment house as it is in bad shape, with garbage all over the place and perhaps City staff and/or Code Enforcement needs to get involved. Ms. McDermott said this project was a good step towards getting a quality grocery store for South Hayward. Ms. McDermott voiced support for the project.

Commissioner Faria indicated she supported the project and shared that she can relate to the need for a grocery store. Ms. Faria said there has been development in Hayward, but that retail developers are not looking at Hayward. Ms. Faria said the residents deserve basic needs, such as a grocery store, and suggested that as a group they can all come together to encourage more development in South Hayward. Ms. Faria commended Mr. Rich on a great job of connecting and listening to the community and what will work in that area. Ms. Faria said the project is not everything, but it is a beginning.

Commissioner Goldstein said it was good to see a productive project for that site, bicycle lanes are important as they provide a sense of livability to encourage people to get out of their cars to walk and bike. Mr. Goldstein expressed concern about having a Class 1 bike lane because a lot of traffic travels through the Mission Boulevard and Industrial Parkway intersection. He said having bike lanes in the development were very attractive and pointed out that Arrowhead Street has wide streets and is attractive for bicycling. Mr. Goldstein said he liked the design of the project and was pleased that Mr. Rich conducted the community outreach and listened to the Fairway Park residents and the community and incorporated their suggestions into the project design.

Commissioner Schott recommended modifying condition of approval number 14 to include solar panels for the residential units.

Commissioner McDermott recommended to include in the conditions of approval that each residential unit have a 220 outlet to charge their electric vehicles

Chair Enders thanked the developer for his thoughtfulness of the accessible units to enable residents to age in place; hopes the bicycle lane can be rerouted from the busy intersection of Mission Boulevard and Industrial Parkway; and noted that the City will be working on the Bicycle Master Plan. Ms. Enders commented that the project may not be what everyone would like to see but it has what is needed, will work really well, will fit into the



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community, and will be great amenity for the surrounding area and the future Mission Village residents. Ms. Enders said the project will have a healthy mix of jobs, homes, open space, and areas to gather. Ms. Enders addressed the letters received with the suggestion of a bus rapid shuttle and said this is something the City has to work on and it would not be fair to place this on the developer.

Ms. Enders said the developer has done a good job for the Mission Village project in determining the right amount of parking spaces, open space, residential, and commercial. Ms. Enders encouraged the Twin Bridges resident, S. Dakos, who wrote about parking issues, to continue to reach out to the City Council and to utilize ACCESS Hayward as parking is a City issue.

A motion was made by Commissioner Willis Jr., seconded by Commissioner Goldstein, to approve the item per the staff recommendation with all revisions as presented by staff, including the recommendation by Commissioner Schott to modify Condition of Approval number 14 (Sustainability/Green Features) to add the word 'residential' to the following sentence so that it reads as follows: "Additionally, solar photovoltaic systems shall be installed atop the roofs of the commercial **and residential** buildings".

The motion carried by the following vote:

AYES: Commissioners Willis Jr., Goldstein, Parso-York, Schott, McDermott, Faria
Chair Enders
NOES: None
ABSENT: None

COMMISSION REPORTS

2. Oral Report on Planning and Zoning Matters

Development Services Director Rizk announced that the Maple and Main Project, which was approved by the Planning Commission on December 15, 2016, has been appealed and there will be a hearing before the City Council on February 7, 2017. Mr. Rizk said there is a Work Session on affordable housing scheduled for January 31, 2017, and shortly thereafter staff plans to have a similar work session before the Planning Commission.

3. Commissioners' Announcements, Referrals

Commissioner McDermott shared that she has a business commitment and will not be able to attend the meeting of January 26, 2017.



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APPROVAL OF MINUTES

4. Approval of the Minutes of the Planning Commission Meeting on December 15, 2016.

A motion was made by Commissioner Schott, seconded by Commission Willis Jr., to approve the minutes of the Planning Commission meeting on December 15, 2016. The motion carried by the following vote:

5:0:2 (AYES: Willis Jr., Goldstein, Enders, Schott, Faria; ABSTAIN: Parso-York, McDermott)

ADJOURNMENT

Chair Enders adjourned the meeting at 9:03 p.m.

APPROVED:

Julius Willis, Jr. Secretary
Planning Commission

ATTEST:

Denise Chan, Senior Secretary
Office of the City Clerk