



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, February 11, 2016, 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 Parso-York.

ROLL CALL

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

SALUTE TO FLAG

Commissioner Goldstein led in the Pledge of Allegiance.

Staff Members Present: Alvarado Jr., Brick, Buizer, Christensen, Fakhrai, Golubics, Kelley, Madhukansh-Singh, Rizk

General Public Present: 14

PUBLIC COMMENT:

Mr. Tim Tallerico strongly opposed the granting of licenses or permits for any multiple band rehearsal studios businesses at 2254 American Avenue, the businesses adjacent to his property. Mr. Tallerico said these businesses have the following issues; high noise level, drug use, parking, and the sound proofing used by the businesses were ineffective. Staff said Code Enforcement were aware of the issues and will update Mr. Tallerico on the results of their investigations.

PUBLIC HEARINGS: For agenda item No. 1 and agenda item No. 2, the Planning Commission may make a recommendation to the City Council.

Chair Parso-York asked if there were any objections to hold the Public Hearing for Item No. 2 first and then hear Item No. 1 after. There were no objections from Planning Commissioners.

1. Proposed Subdivision and Construction of Ninety-Seven Single-family Homes and Related Site Improvements on Multiple Parcels Located at the Southwestern Corner of Second and Walpert Streets Requiring Zone Change from Low, Medium and High Density Residential and Open Space Districts to Planned Development (PD) District and Approval of Vesting Tentative Map (Tract 8233) for Ward Creek Cottages



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Subdivision (Application No. 201400648). (Applicant: AMG Associates; Owners: Caltrans and City of Hayward).

Commissioner Enders had a conflict as she lived within the project zone and she recused herself from participating in the item and left the chambers at 7:20 p.m.

Senior Planner Schmidt provided a synopsis of the staff report. Staff presented a fly through video presentation of the proposed project from AMG Associates, and announced that Mr. Alexis Gevorgian with AMG Associates was present to answer any questions.

Chair Parso-York opened the public hearing at 7:35 p.m.

Ms. Laura Riggs, KTGy architect with the project, said in response to neighborhood concerns, the developer was proposing fewer units; increased parking spaces of 2.7 per unit; offsets; traffic light and drop off area for high school students, pedestrian sidewalk, and to underground four utility poles; open space and the applicant was in negotiations with HARD to increase dedication of land. Ms. Riggs noted features of multigenerational homes and green features.

Mr. Perry Hamage, Hayward resident, expressed concerns of increased traffic especially during peak hours; speeding in the area, and that traffic will back up into the neighborhood. Mr. Hamage requested further traffic studies be conducted and consideration of traffic mitigation. Mr. Hamage said that overall he was okay with the project.

Ms. Candi Cross, Hayward resident, said that she has spoken to Senior Planner Schmidt multiple times. Ms. Cross expressed concerns about the development that included; will the sidewalk trail will link to existing trails; preserve common green belt that has a view of the canyon; air quality by the dirt and dust blowing up from the canyon; and noted her husband was an ultra-sensitive receptor due to medical condition and was not sure how to mitigate this. Ms. Cross noted working with developer and staff to ensure that her solar panels were not affected by the development. Ms. Cross said there needs to be a light on Second Street because of the dangerous curve, was surprised that the hawks and owls in the meadow were not included in the wildlife study; the cedar trees on the boundaries need to be protected and the need for boundary fences.

Mr. Frank Goulart, Hayward resident, spoke about his idea that he shared with the City about a greenbelt trail between San Lorenzo Creek and Ward Creek with the 238 right of way greenbelt that can connect up to the Bay Ridge Trail which will serve the community. He asked if enough land was donated to offset a park in-lieu fee; asked about an affordable housing requirement and how is the storm water going to be treated. Mr. Goulart said that parking and speed on Second Street will be issues.



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Chair Parso-York closed the public hearing at 7:53 pm.

Ms. Riggs responded to Commissioner Willis Jr. that the developer was committed to installing solar panels on the roofs; and a solar consultant will be retained. Commissioner Willis Jr. said that roof tiles with photovoltaic cells will reduce the cost of construction and also be rated net zero energy.

Mr. Gevorgian, project applicant with AMG Associates responded to Commissioner Willis Jr. that AMG's plan of 2.7 parking spaces per unit exceeded the City's requirement of 2.4 parking spaces.

Senior Planner Schmidt responded to Commissioner Goldstein about the proposed project maintaining open space; this was an ungated community; there were steep grades and staff visited the site multiple times and it was not feasible to build a bridge. Ms. Schmidt noted there were existing user trails that connected to the regional trail which was the least impactful to the environmental. Ms. Schmidt said houses west of the green do not have the elevation to see over other houses and the applicant placed the vista by creating a roadway; and the Conditions of Approval will be through the precise plan approval and that level of detail has not be determined. Commissioner Goldstein requested staff continue to consider the impact to the view through the different phases of the development and asked if safety mitigation was taken into consideration for the Second Street curve.

Transportation Manager Kelly said applicant was required to submit a detailed traffic analysis which was accepted by staff and covered issues raised by speakers. Mr. Kelly said the applicant had proposed a full access driveway at the Second Street site but based on site distance issues, staff limited this to right-in and right-out access which can be enforced by physical barriers, striping and other physical prohibitions as applicable.

In response to Commissioner Goldstein's questions about mitigation measures for Ms. Cross air quality issues during the construction phase, Senior Planner Schmidt said the City's responsibility was to look at air issues through CEQA and this issue can be addressed through COA mitigation measures. Mr. Gevorgian said they will exceed the OSHA requirements and will meet with Ms. Cross and develop a reasonable plan and make a good faith effort. Ms. Schmidt said COA #10 contains requirement for precise plans, applicant must show fence locations and types and that it probably made more sense to have a combination of wood and wall. Commission Goldstein said he was impressed with staff's thoroughness.

Commissioner Schott was concerned that Second Street was being considered for additional parking and asked about traffic mitigation measures for Second Street.



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Transportation Manager Kelly said to add further traffic mitigation would make the intersection inefficient and it was important to have secondary access from a traffic operations aspect.

In response to Commissioner Schott's suggestion of provisional mitigation, Development Services Director Rizk said there were disadvantages to creating an emergency access and staff can research mitigations measures further up the hill and how to minimize people from making U-turns.

Transportation Manager Kelly said signals lights were expensive and signal lights were to control access and not installed to slow traffic. Mr. Kelly said there could be discussion of AC Transit access at Parcel B. Senior Planner Schmidt said there would be a loss of a unit which could reduce the development below the general plan density.

Commissioner Schott foresees the area being congested especially in the morning and asked about the open space maintenance. Senior Planner Schmidt said the developed portions fall under the HOA and under the COA there was a Landscape and Lighting District Maintenance (LLD) requirement. Ms. Schmidt said the developer was still in negotiations with HARD for user trails connections and a small dog park.

Commissioner McDermott disclosed that she met with the applicant. Mr. Gevorgian said they were acquiring four existing homes two will be demolished, the other two on Second Street will have a complete facelift and the HOA will regulate the homes color schemes and treatments Ms. Riggs said homes will have panels that will be charging station ready and it will be homeowners option to install the charging station.

Commissioner McDermott agreed with fellow Commissioners and expressed the need for traffic speed mitigation during school hours. Ms. McDermott liked the project, it was attractive, liked the detached units, has nice aesthetics; and the placement of the picnic area that promotes community.

Commissioner Faria said a lot of her concerns and comments were already discussed but emphasized the concern about traffic and using Second Street as a parking lot; the video did not show peak traffic time during school hours; the need to consider perspective of safety; and children won't watch for traffic even if there was a signal light.

Chair Parso-York expressed similar concerns about traffic, especially when the Loop went into operation. Mr. Parso-York said his major concern was to ensure that there were connecting trail between the bay trail and the ridge trail as this would be a huge amenity for Hayward and important for the runners and hikers.



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Senior Planner Schmidt said the trail connections do exist and staff worked with the developer to connect to an existing user trail. Ms. Schmidt said the applicant was preparing a combination of paying park-in-lieu fees and the dedication of land was being negotiated. Chair Parso-York liked the project but said the traffic issues were a big problem and requested staff and the developer to adequately address these issues as he felt there was more work to be done. Mr. Parso-York noted being contacted by neighborhood residents about what was going to be done about the potential traffic issues. Mr. Parso-York encouraged the public to share comments with staff.

Commissioner Willis Jr. noted that he lives in a dense community and that there is only one way in and one way out and he has never seen any traffic problems. He stated when Costco was being built; people thought there would be traffic problems but none materialized and that potential traffic problems may be overstretched.

Commissioner Willis Jr. made a motion to approve the item per staff recommendation including modifications to COA No. 67 that was provided by staff and also further study on the traffic issues and items raised during the discussions.

Commissioner McDermott seconded the motion.

The motion passed with the following vote:

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

2. Request to Amend the La Vista Project Development Agreement by Extending its Term for Five Years and Updating Its Project Schedule - The Project is Located at 28816 Mission Boulevard in eastern Hayward

Senior Planner Golubics provided a synopsis of the staff report. Mr. Golubics noted that the developer has completed the inclusionary housing requirements for the project. Mr. Golubics said this item was scheduled to go before Council at the March 1, 2015 meeting. Mr. Golubics noted that Mr. Jim Summers from the DeSilva group was present to answer questions.

Chair Parso-York opened and closed the public hearing at 7:15 p.m.

Senior Planner Golubics replied to Commissioner Schott that at the present time there were no plans for remediation for the area where the landslide occurred.



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Commissioner Willis Jr. made a motion to approve the extension for the La Vista Project and said the reasons for delay were reasonable, i.e. the recession and the landslide.

Commissioner McDermott seconded the motion and commented that the area was underserved for a while and it was good to see it being developed, the need for revitalization and was pleased with the affordable housing aspect.

Commissioner Willis Jr made a motion to approve the extension and allow the item to go before the City Council. The motion was seconded by Commissioner McDermott. The motion passed with the following vote:

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

COMMISSION REPORTS

3. Oral Report on Planning and Zoning Matters

There were none.

4. Commissioners' Announcements, Referrals

There were none.

APPROVAL OF MINUTES

5. Approval of Minutes of the Planning Commission Meeting on November 19, 2015.
Approved 7:0:0 (AYES: Willis Jr., Goldstein, Enders, Parso-York, Schott, McDermott, Faria)

6. Approval of Minutes of the Planning Commission Meeting on December 17, 2015.
Approved: 5:0:2 (AYES: Willis Jr., Enders, Parso-York, Schott, Faria; ABSTAIN: Goldstein, McDermott)

ADJOURNMENT

Chair Parso-York adjourned the meeting at 8:46 p.m.



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APPROVED:

Brian Schott, Secretary
Planning Commission

ATTEST:

Avinta Madhukansh-Singh, Management Analyst I
Office of the City Clerk