



CITY OF HAYWARD

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

Agenda

Planning Commission

Thursday, May 13, 2021

7:00 PM

Remote Participation

PLANNING COMMISSION MEETING

COVID-19 Notice: Consistent with State of California Executive Order No. 29-20 dated March 17, 2020, and Alameda County Health Officer Order No. 20-10 dated April 29, 2020, the Planning Commission will be participating in public meetings via phone/video conferencing.

Please note that we are now using the Zoom Webinar platform to conduct meetings and receive live public comment.

How to watch the meeting from home:

1. Comcast TV Channel 15
2. Live stream <https://hayward.legistar.com/Calendar.aspx>
3. YouTube Live stream: <https://www.youtube.com/user/cityofhayward>

How to submit written Public Comment:

Send an email to cityclerk@hayward-ca.gov by 3:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the Planning Commission and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda. Written comments received after 3:00 p.m. that address an item on the agenda will still be included as part of the record.

How to provide live Public Comment during the meeting:

Please click the link below to join the webinar:

<https://hayward.zoom.us/j/95716198989?pwd=Uk9RWE44MHFuQTdZb3AvYzh6QVBIZz09>

Webinar ID: 957 1619 8989

Passcode: 5/13@7pmPC

Or One tap mobile :

US: +16699006833, 95716198989#, *2219377371# or +13462487799, 95716198989#, *2219377371#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 301 715 8592 or +1 312 626 6799
or +1 929 205 6099

Webinar ID: 957 1619 8989

Passcode: 2219377371

International numbers available: <https://hayward.zoom.us/j/95716198989?pwd=Uk9RWE44MHFuQTdZb3AvYzh6QVBIZz09>

A Guide to attend virtual meetings is provided at this link: <https://bit.ly/3jmaUxa>

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

The PUBLIC COMMENTS section provides an opportunity to address the Planning Commission on items not listed on the agenda. The Commission welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Commission is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff for further action.

ACTION ITEMS

The Commission will permit live public comment as each item is called at the time indicated by the Meeting Chair.

PUBLIC HEARING

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 the decision. If appealed, a public hearing will be scheduled before the City Council for final decision.

1. [PH 21-040](#) Proposed Development of Two New Drive-Through Restaurants and a Significant Exterior and Interior Remodel of an Existing 94,500-Square-Foot Commercial Building Located at 26231 Mission Boulevard, Assessor Parcel Nos. 452-0020-009-01 and 452-0020-006-10, Requiring Approval of a Conditional Use Permit, Site Plan Review, and Various Warrants and Exceptions from the South Hayward BART Form-Based Code. Application No. 202002474. Merlone Geier Partners (Applicant), MGP XII Hayward Center LLC (Property Owner).

- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Findings for Approval](#)
 [Attachment III Conditions of Approval](#)
 [Attachment IV Project Plans](#)
 [Attachment V Public Correspondence](#)
 [Attachment VI CEQA Exemption Memorandum](#)
 [Attachment VII Non-CEQA Local Transportation Assessment](#)

APPROVAL OF MINUTES

2. [MIN 21-065](#) Minutes of the Planning Commission Meeting of April 22, 2021

Attachments: [Attachment I Draft Minutes of April 22, 2021](#)

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters

Commissioners' Announcements, Referrals

ADJOURNMENT

NEXT MEETING, MAY 27, 2021, 7:00PM

PLEASE TAKE NOTICE

That if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE

That the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

****Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Permit Center, first floor at the above address. Copies of staff reports for agenda items are available from the Commission Secretary and on the City's website the Friday before the meeting.****

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or TDD (510) 247-3340.