



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

The Planning Commission meeting was called to order at 7:06 p.m. by Chair Ali-Sullivan. The Planning Commission held a hybrid meeting in the Council Chambers and virtually via Zoom.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: COMMISSIONERS: Bonilla Jr., Lowe, Patterson, Stevens
CHAIRPERSON: Ali-Sullivan
Absent: COMMISSIONERS: Garg, Goodbody

Staff Members Present: Ameri, Blanton, Byrne, England, B. Garcia, K. Garcia, Hu, Hung, Lo, Madhukansh, Nguyen, Ochintero, Parras, Richard, Schmidt, Vigilia

PUBLIC COMMENTS

There were none.

PUBLIC HEARING

For agenda item No. 1 the Planning Commission may make a recommendation to the City Council.

1. Recommended FY 2024 - FY 2033 Capital Improvement Program. **(PH 23-018)**

Commissioner Stevens recused himself from this item.

Director of Public Works Ameri provided a synopsis of the staff report and introduced Senior Management Analyst Byrne who shared a PowerPoint presentation. Ms. Byrne shared that this was the third year that the Capital Improvement Program (CIP) had been developed using an online OpenGov Stories format which was a budget development tool designed to increase user friendliness, ease navigation within complex budget documents, and increase the depth with which community members, Council Members, and other stakeholders can explore a budget.

Chair Ali-Sullivan commended staff for the work they put into preparing the CIP, especially the online platform that allows residents to drill into the details of projects as this information would be extremely useful.



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

Commissioner Patterson stated that in reviewing the capital budget, she noticed that \$115 million was projected to be allocated for FY 2024 and \$905 million estimated to be allocated for the next ten years; she requested that staff clarify if it was anticipated that potentially less funding would be needed. Director Ameri responded that the reason for the projected allocation is that there is no clear view of the projects that may be needed a few years from now, noting that staff's projections were a total of \$905 million for a ten-year period. Mr. Ameri added that in coming years, more projects could be added, and the costs could exceed the \$115 million that is programmed for this year.

Commissioner Bonilla Jr. commended staff for the report, referenced the FY 2024 Proposed CIP budget for La Vista Park indicating that this appeared to have an allocation of \$0, and requested clarification as this had been identified as a priority project. Senior Management Analyst Byrne responded that the budget for La Vista Park was primarily accounted for in the FY 2023 Estimated line, mentioning that there was no new budget proposed in FY 2024 as the project will continue to spend down the existing budget that remains from FY 2023. Director Ameri stated that the total cost of this project is about \$35 million, noting that \$23 million has been budgeted in FY 2023, and adding that staff was seeking additional funding opportunities such as grants. He indicated that upon securing adequate funding sources, staff will go before Council to appropriate the funding.

With regards to the \$511 million of Identified and Unfunded Capital Needs, Commissioner Bonilla Jr. requested that staff explain how these projects are prioritized, why these projects were left "below the line," and if there were any potential revenue or funding sources to have these projects funded. Director Ameri responded that the projects that fell under Identified Needs were not a priority at this time, sharing that the City Council made priority determinations, and should they decide to prioritize a project, then staff will transfer the project from the Unfunded Capital Needs category to the CIP and identify a funding source. Commissioner Bonilla Jr. commented that he noticed some important projects were currently placed in the Unfunded Capital Needs category.

Commissioner Bonilla Jr. stated that he was aware some of the funding for CIP funds was coming from the General Fund and asked what additional funding sources for this were. Director Ameri answered that most of the funds come from Enterprise funds which consisted of water, sewer, recycled water, and airport funds, and so forth. He added that another funding source could be from voter approved measures such as Measure B and Measure BB. He mentioned that Vehicle Registration Fees (VRF) that come to the City for roadway improvements, bicycle and pedestrian improvements, paratransit improvements could also be sources of funding. In response to Commissioner Bonilla Jr.'s question on where approximately \$29 million of CIP funds came from, Mr. Ameri responded these funds came from different sources such as grants. He exemplified that La Vista Park is funded by grants,



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

with the latest grant being for \$8.5 million dollars and highlighting that a total of four grants have been received for this project thus far.

Chair Ali-Sullivan asked staff to confirm if the allocation of \$22,433,391 for the La Vista Park project for FY 2023 was to be expended in the current fiscal year. Director Ameri responded that the project is currently in the bid process, noting that the funds have been programmed for FY 2023 and will be available until the funds are spent over subsequent years. He shared that the project was designed to have a base bid with up to four alternates, and depending on the bid results, the City could award the project to the selected contractor. He added that the City can spend funds that have been programmed for the current fiscal year and subsequent years to complete portions of a project while it continues to look for additional sources of funding for the remainder of the project.

Chair Ali-Sullivan expressed concern about the potential lack of funding to cover individual projects, exemplifying that it was his understanding that the available funding for the La Vista Park project is approximately \$25 million. Director Ameri responded that the total estimated cost for the La Vista Park project including construction, design, construction management services, inspection, and testing, was estimated to be over \$35 million. He stated the available funding is \$23.5 million with a gap of \$12 million. Staff would commence the project using existing funds to do as much as they can for the project, hoping that the base bid would come in under the funding that is available. He also shared that the project was structured to allow alternates to be considered with the base bid. Mr. Ameri said construction was estimated to be completed by Spring 2025.

Director Ameri confirmed for Chair Ali-Sullivan that the total cost of Project No. 07488 for the Jackson Corridor Median Improvement was \$750,000, noting that this project is under construction and is being completed in-house by the Maintenance Services Department. He additionally confirmed for Chair Ali-Sullivan that many of the projects were fully funded, with the exception of the La Vista Park project.

Commissioner Bonilla Jr. agreed with Chair Ali-Sullivan's concern stating that since there is a funding gap of approximately \$12 million for the La Vista Park project, it may be more appropriate to have this project or a portion of it placed under the category of Identified and Unfunded Capital Needs as this would increase understanding that the project is not fully funded. Chair Ali-Sullivan emphasized the importance of knowing what the differential is, indicating that maybe it could be included in a future report to the City Council. Director Ameri responded that the challenge is that when a project is in the design stages, it is evolving due to changes in the engineer's estimate and changes in the cost of the project. He stated that rather than including this figure in the unfunded category, staff instead frequently included this information in reports to the City Council so they are aware of the funding status and the estimates for construction and other costs.



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

Chair Ali-Sullivan asked staff to clarify what portion of Mission Boulevard is included in the Mission Boulevard. Phase 3 Project. Director Ameri responded that this included the section of A street in the downtown area and continued to the north end of the City at Rose Street, approximately one mile in length. He mentioned that upon completion of this project, similar improvements would be made to the entirety of Mission Boulevard from the northern end of the City at Rose Street to the southern boundary of the City at Blanche Street.

Chair Ali-Sullivan opened and closed the public comment period at 7:44 p.m.

Commissioner Bonilla Jr. appreciated staff's work on the online format of the CIP as it was very comprehensive and user friendly, stating that the digital format was helpful in clarifying how the projects align with strategic priorities of the City that are set by the Council and informed by the community. He appreciated how projects are looked at through a lens of equity and inclusion within the community, providing the example of projects such as the Landscape Material, Median Tree, Shrub Replacements and ensuring these replacements are occurring in an equitable manner all across the City.

Chair Ali-Sullivan commented that the qualitative analysis of the online platform was extremely helpful to navigate the CIP, was pleased to see there were a lot of beautification elements that were included as this helps build a level of community pride when streetscapes are beautified; and looked forward to the groundbreaking this summer of the La Vista Park project.

A motion to approve the staff recommendation was made by Chair Ali-Sullivan, seconded by Commissioner Bonilla Jr.

The motion passed with the following roll call votes:

AYES:	Commissioners Bonilla Jr., Lowe, Patterson Chair Ali-Sullivan
NOES:	None
ABSENT:	Commissioners Garg, Goodbody
ABSTAIN:	Commissioner Stevens

WORK SESSION

2. Options and Recommendations Report for the Hayward Residential Design Study (WS 23-010)

Senior Planner Blanton provided a synopsis of the staff report. She noted that staff is looking for feedback on the Options and Recommendations Report's recommendations for



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

Site Development, building height, building massing, building frontage, architectural styles, open space, and landscaping and lighting. Ms. Blanton introduced Assistant Planner Richard and Ms. Poonam Narkar, consultant with WRT, who assisted with the presentation.

Chair Ali-Sullivan opened and closed the public comment period at 8:11 p.m.

Commissioner Lowe commended staff for the helpful presentation; expressed that she supported increasing housing density regardless of the type of housing being built; was concerned that multifamily type housing developments which had the highest density could result in projects resembling gigantic rectangles; and she commented that the developers the City had worked with in the past tend to build structures that look similar. She stated that although she liked modern architecture, as developments are built up to accommodate higher density, she wanted to ensure that quality projects are constructed that the City can be proud of. Ms. Lowe gave examples of the sense of pride felt when driving down a street and there is landscaping in the center median or with the new high rises on Mission Boulevard which featured varied design to make these developments look more attractive. She indicated that in the 1970's a design practice of Hayward as well as other cities was to build homes resembling boxes that were cheaply constructed and not aesthetically pleasing. A big concern she had was to not repeat this in a desire to get as many people as possible crammed into a building, thereby sacrificing the quality of the architecture and the overall aesthetic. Commissioner Lowe stated that in the past the City Council and Planning Commission had worked diligently with the developer to create projects that the community finds to be aesthetically pleasing, but what has happened is that developers have gone directly to City staff to incorporate minor changes that deviated from the intent of the project as approved by the Planning Commission and/or City Council. Commissioner Lowe stated that in an effort to prevent this from occurring, she requested that staff develop guidelines on when the developer could go directly to staff to make changes to a project after it has undergone review with the Planning Commission.

Senior Planner Blanton concurred that staff had heard similar sentiments from the community regarding certain developments along Mission Boulevard having a boxy appearance, noting this was partially attributable to the current development objective standards regulating setbacks and heights, and little else in terms of building massing. She responded that by incorporating design standards that address materials, architectural features, stepbacks, etc., the hope was to more attractively sculpt buildings without being overly prescriptive. Ms. Blanton added that variety in developments also resulted from evolving building styles over time; underscored that the goal of developing standards was to ensure that projects are articulated in a manner where they have interesting details and/or have a variety of materials or colors. She noted for Commissioner Lowe that it was not uncommon to see project changes during the building permit phase, due to the supply chain and unavailability of materials, or new developers taking over projects. In reference to Senate



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

Bill 330 (SB 330), Ms. Blanton mentioned that staff and decision-making bodies have few opportunities to have discretion over residential design if the proposed project meets all objective standards. She underscored that the opportunity to incorporate the desires of the Planning Commission, City Council, and the community in future residential projects is during this current effort to update the City's residential standards. Ms. Blanton said that with SB 330, if the developer wanted to change a material type or building configuration of a project and this was consistent with the City's code, staff did not have the ability to deny the proposed changes or require that the developer to stick to the original plans submitted.

Referencing SB 330, Ms. Narkar, commented that there are several exemptions and waivers that can be requested, and there are different ways in the objective development standards include a list of options of how facade articulation can be done. She mentioned that without being prescriptive on which materials to use, there can be a list of materials that a developer can pick from or there could be a requirement to change the building materials or use at least two building materials within a certain span of the building. Ms. Narkar stated that there are objective standards that can be adopted that will ensure the building material variation and noted that the purpose of the Work Session was to discuss available options and what standards the Planning Commission wanted to prioritize when writing the revised residential design standards.

Commissioner Lowe was aware of the limitations the Planning Commission had with regards to SB 330; however, she wanted to ensure that the Planning Commission had the opportunity to provide input such as with designs where the garage is set back. Ms. Lowe was concerned that the new standards may allow higher densities and thus the developers would be able to make more money. She supported there being a tradeoff enabling the City to receive more benefits that make the projects more aesthetically pleasing, such as enhancing open space or architectural features. She suggested that staff explore options for the City Council that will provide a control mechanism to ensure developers cannot circumvent the process.

Senior Planner Blanton responded that the concerns expressed by Commissioner Lowe had been taken into consideration by the consultant and thanked the consultant team for providing the idea of incorporating an options table. Ms. Blanton stated that while the goal is to give developers flexibility in allowing different types of designs and styles, but at the same time maintain control over what those options are to try to find a happy medium. She shared that staff would draft the standards related to allowable architectural features or types of material, provide a menu of options, and would bring this back to the Planning Commission for further review and discussion.

Commissioner Stevens commended staff for the presentation and report, mentioned that he has worked with the consultant before. Mr. Stevens asked if the draft standards will have specific criteria related to the percentage of upper floor façades that step-back and the change



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

the actual façade plane will have to make. Senior Planner Blanton confirmed this was the recommendation, adding that the specifics have not been drafted yet as staff wanted to know what input on the recommendations the Planning Commission might have. Mr. Stevens commented that he would love to see a standard related to a ratio of building width to building height and step-backs on different elevations of the building. He emphasized that it was important that the standards require that the building frontage and façade improvements have a differentiation between the ground floor, middle floor, and top floor and this could be accomplished by describing and scaling them differently. He suggested the usage of taller windows on the upper floors to create character on the façade; agreed with the consultant that all buildings should have a requirement for the frontages to have a minimum of at least two different materials covering a certain percentage of the building and stated he did not support mandating an architectural style as this can change over time. Commissioner Stevens expressed that there was a need to create a point rating system to score how buildings comply with objective residential design standards, exemplifying that inclusion of an arcade or a decorative element receive varying number of points, with the standards describing an entire range of a point system including illustrations that clarify strict criteria of what percentage of the building would be covered. He expressed that he liked the recommendation for lighting as it had two facets which were that it provided security and made an architectural statement; noted this should be included with the point system as it can make a bold statement on a building; and commented that codifying the lighting standards should include specific criteria for color temperature not exceeding a certain measurement. Mr. Stevens did not agree with adding new requirements for surface parking lots to have stormwater systems such as bioswale's along with landscaping and trees, as this was already a requirement that developers must comply with. He shared that it was evident there were a lot of large-scale dense developments with great articulations situated near more modest buildings and recommended that large-scale buildings have some form of landscape buffer between the new building and an existing lower scale building. Commissioner Stevens expressed that he was pleased with the development of the Residential Design Study and looked forward to its further development.

Assistant Planner Richard requested that Commissioner Stevens clarify if the landscape buffer should be between buildings of the same size or between buildings of different heights. Mr. Stevens responded that in order to break the imposing barrier, the landscape buffer should be incorporated between a very high-density structure and a low-density structure as he did not feel that a high density or medium density structure should require a buffer and noted that that the City of Los Gatos had good objective standards in place to help illustrate this concept.

Commissioner Patterson thanked staff for the presentation noting that she supported staff's recommendations and agreed with Commissioner Stevens suggestion of having a point system. Ms. Patterson expressed concern about building heights, noting that the Options and Recommendations Report had two statements that appeared contradictory to her. She



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

referenced page 20 of the report which picturized two different buildings one with a building height of 44 feet for four stories and the other with a building height of 46 feet for four stories, with these heights necessary to accommodate architectural elements; however, on a previous page in the report it is stated that an increase in height is to achieve maximum density. Ms. Patterson asked staff about regulations for height increase as it related to architecture versus density.

Senior Planner Blanton responded that regulations related to architectural elements and maximum density could be accomplished together or separately, noting that there were already some standards in the existing regulations allowing for additional height for certain architectural features, however these were limited. She indicated that the reason the height was an issue in the RM and RH districts is because it restricts buildings in these districts to three stories which did not allow for maximum density. Ms. Blanton stated the recommendations per the staff report are to move to a system more similar to the standards for Mission Boulevard and downtown by allowing medium density residential to have up to four stories and a building height of 50 feet. She added that high density residential zoning districts could feature developments up to five stories and have a building height of up to 60 feet. Ms. Blanton emphasized that if the goal was to treat architectural features separately and allow for a higher building height if a project featured certain architectural elements in the design, this could be accomplished. She confirmed for Commissioner Patterson that the main motivation for increasing building heights was to enable more stories to achieve maximum density.

Chair Ali-Sullivan asked staff to clarify if the building height for the two projects along Mission Boulevard could have gone up to 50 feet, and if staff was indicating that projects outside of the Mission Boulevard Corridor could also go up to the same height of 50 feet. Senior Planner Blanton confirmed this was correct, adding that certain parts of the Mission Boulevard Code and the Downtown Code permit higher heights which was appropriate since these areas allow more density. She stated that they learned in the Options and Recommendations Report that four stories or more stories would be needed to achieve maximum density in the RH district so the height maximum should be adjusted to make four stories feasible. Ms. Narkar added that with the current 40 feet limit it was realistic to get only three stories of good quality residential units, as the optimal floor to ceiling height of ten feet for a three-story unit with the addition of the ground floor being raised above street level by at least three to five feet for privacy, would result in an overall building height of 33 feet and would not permit a fourth story. She stated this was the reason for recommending the height limit to be increased. Ms. Narkar suggested against capping the building height at 42 or 43 feet as this would only allow reaching the finished floor of the fourth story and underscored that to allow for roof line variation and roof pitches, having the additional height would be helpful. For this reason, it was her recommendation to go up to a building height of 50 feet for a four-story building. Ms. Narkar added that for projects where a taller ground floor is desired for community uses or



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

common community space, having taller building heights would be useful to accommodate these conditions. She stated that it is difficult to predict what projects may be proposed to the City, therefore standards have to be developed that could apply to a wide range of projects without having to request variances. She favored having fewer standards which were clearly written opposed to having multiple standards that individuals must refer to. She concluded that if the overall height limit could be increased to 50 feet, this would allow for architectural features and would not require writing separate standards to specifically regulate architectural features.

Commissioner Patterson indicated that with regulations related to architectural elements and density, she was concerned that a developer could take advantage of an opportunity to use the regulations for a purpose different than intended by the Planning Commission. Senior Planner Blanton responded that the way the Mission Boulevard code is written and dependent on whether a Major Site Plan Review is required, the code prescribes the height of four-story and five-story buildings and offered that a standard could be crafted indicating the maximum allowable height for three-story and four-story buildings. She stated that staff would explore options as they are crafting standards and if there were concerns that height is being used for unintended purposes, then staff could evaluate what objective standards other cities have in place.

Commissioner Bonilla Jr. agreed with the staff recommendations indicating that it would help address comments expressed by developers on the lack of clarity of prior regulations, he appreciated the goal for the standards to be objective and have the flexibility that allows for a wider range of projects within the City. He favored prioritizing lighting and landscaping and open space standards, noting there should be clarity on the type of open space and how this is measured. He appreciated the recommendations in the staff report using lighting not only to improve safety but also how lighting can be leveraged for architectural alignment. He commended staff on the recommendation for the options table; and agreed with the recommendation of having a scoring system to see where applicants fall. He also appreciated the flexibility that the standards will provide, scalability to other developments, improved clarity, and the work being done to have standards drive more density. He voiced concern regarding building height, building massing, and making sure the developments do not look like boxes, and hoped that the variety of standards outlined in the recommendations would help prevent this. He agreed with concerns about the parking garage design not dominating the street view. Commissioner Bonilla Jr. was pleased with the proposed recommendations, stated it would move the City in a direction that would help developers be more clear about the standards, hoped this would expedite the development process, and stressed the importance of codifying the standards.

Chair Ali-Sullivan agreed with Commissioner Stevens' recommendation on having a scoring system and suggested to staff that if the feasibility of having a point rubric was difficult, then



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

perhaps examples could be included outlining good, better, and best options for developers to follow. He agreed with Commissioner Bonilla's sentiments about street view of parking garages, and innovative ways to set this back and position them behind buildings or explore other ways to address the massing of parking garages, particularly for single-family homes. He requested that staff clarify slide sixteen of the PowerPoint presentation on building heights, indicating that it was confusing to understand how allowing a four-story building to go up to 50 feet would make any difference in the Legacy or The Mix development projects, and stated that there may be a way to clarify this by providing an example of the restriction in other parts of the City. Senior Planner Blanton responded that both development projects are in the Mission Boulevard code and were not subject to the same standards that are being looked at in the RM and RH section, and the examples offered in the presentation were to show that if projects similar to Legacy or The Mix were desired in the RM or RH districts, then the standards would have to be adjusted accordingly. Ms Narkar added that the benefits of an additional four feet for a four-story building could allow for a taller ground floor in buildings that have retail uses such as a common community space or business or fitness center, and that having taller ground floors enhances the space. She provided the example of two-tiered vertically stacked parking which can double the parking capacity within just one floor, but this also required taller clear ground floor space. Ms. Narkar underscored additional height gives projects more options on what can be included within a development.

Chair Ali-Sullivan expressed concern about the decrease of open space requirements to increase density, as he does not want density to come at the expense of open space. With regards to setbacks being counted as open space if they are usable, he did not feel that most setbacks would have the same usability as an open greenspace. He agreed with remarks made by Commissioners on the lighting and landscaping recommendations, referenced permeable parking and pavement being used in Europe, and wondered if there was a way to combine parking with accommodating space for runoff, asking staff if there were thoughts on innovative ways for surface parking to either have permeable surfaces or ways to beautify the parking spaces to be more attractive as part of the standards. Senior Planner Blanton responded that such factors have not yet been discussed but staff can evaluate this when developing draft standards. She commented that while the Planning Division has supported designs including permeable surfaces for other projects, the proposed designs may not work for the Fire Department due to the larger emergency vehicles that need access. Ms. Blanton indicated that based on staff experience, parking areas and walkways can feature permeable pavers that can add architectural design interest, and the parts that heavy-duty vehicles such as recycling trucks have to drive on can be made of asphalt.

Commissioner Stevens asked staff if there was a community open space on top of a four-story building that had a clubroom, would this space be considered a fifth story to the building. Senior Planner Blanton answered that one of the open space requirements was to allow structures that are a part of a rooftop garden to have additional height. She added that the



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

standards could specify what structures would be permissible such as a trellis or a structure that is open, however, a clubhouse which is an enclosed habitable story may not be allowed as it could count towards the overall building height. Ms. Blanton noted that rooftop gardens were evident in denser developments as it saves space, indicating that staff could explore what should count towards height on the rooftop gardens and what should be excluded from this calculation. Commissioner Stevens commented that height restrictions for buildings was restrictive and was counter to good design, while he understood that people were sensitive to tall buildings, he wondered if it was indicated that a specific parcel cannot have a building greater than four stories and if the design is well executed with changes in massing and frontages, he did not see why there should be restrictions on the building. Mr. Stevens supported comments expressed by Ms. Narkar to explore the potential for having flexibility in heights and integrating architectural elements that could be beneficial such as more setbacks or inclusion of arcades. Ms. Blanton responded that staff would explore feedback received for the development of the draft standards, noting that it was also the consultant's recommendation to not overcomplicate the standards, and commented that if a point system is used then for developments that exceed the requirements there could be flexibility built into the standards allowing for additional height.

Commissioner Bonilla Jr. clarified his prior comments on open space stating that, he was supportive of including clear definitions for the different types of open spaces such as outdoor open space, rooftops, and podium top landscaped areas, and wanted to ensure that there was a clear list of flexible amenities that would meet requirements. He supported having a variety of open space requirements versus a reduction in the open space requirement.

Senior Planner Blanton confirmed for Chair Ali- Sullivan that there was a distinction between public versus private open space requirements, commented that current open space requirements were unclear and there was a need to make the definitions more comprehensible with a list of amenities that are approved, and stated that there was a requirement for an overall amount of open space of which a certain amount had to be common open space with the potential for the remaining amount to be common or private open space. She elaborated that staff's recommendations about reducing the size of open space was due to the RM district presently having a requirement of 350 square feet of open space per unit which was the suburban standard. It was evident from the community that these common spaces were critical to residents of apartments and condominiums. Ms. Blanton underscored the importance of preserving open space and indicated that staff would explore ways to right-size the spaces and would think carefully about the amenities to ensure that they are well-designed and useful.

Ms. Narkar, added that depending on the square footage per unit determined, options could be offered that all of the required square footage does not have to be provided in one type of open space. She was pleased that the Planning Commission was in agreement that there



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

should be clarity on the options for open space and noted that developments could have a combination of open space types and shared this could be included in an options table. With regards to the question posed to the Planning Commission for feedback on the recommendation to reduce the front setback to create more space for useable open space elsewhere on the parcel, she indicated that per feedback received, allowing setbacks to count towards open space was not acceptable. She suggested reducing the front setback as the current both RM and RH zones have a 20 feet front setback which was a lot for multifamily residential, noting that the area was suburban and expressing that the 20 feet of space would not be used otherwise apart from landscaping.

Chair Ali-Sullivan commented that he thought there should be a balance between reducing the setback, the pedestrian scale, and massing at a pedestrian level and expressed that there should not be a tradeoff. He stated that he did not feel that there should be zero setback in order to achieve public space elsewhere on the development and provided the example of pedestrians walking along the sidewalk and being directly adjacent to a four-story building.

Commissioner Stevens agreed with reducing the setback as long as the building height is not imposing in the pedestrian realm and was not out of scale with the remainder of the street.

APPROVAL OF MINUTES

3. Minutes of the Planning Commission Meeting on February 9, 2023 (MIN 23-045)

A motion was made by Commissioner Lowe, seconded by Commissioner Stevens, to approve the meeting minutes of February 9, 2023, with a correction to Commissioner Patterson's comments on page two replacing the word "more" with "less" to indicate "staff's comparison to neighboring city's ordinances as Hayward appeared to be less permissive than neighboring jurisdictions."

The motion passed with the following roll call votes:

AYES:	Commissioners Bonilla Jr., Lowe, Patterson, Stevens Chair Ali-Sullivan
NOES:	None
ABSENT:	Commissioners Garg, Goodbody
ABSTAIN:	None

4. Minutes of the Planning Commission Meeting on February 23, 2023 (MIN 23-044)

A motion was made by Commissioner Lowe, seconded by Commissioner Stevens, to approve the meeting minutes of February 23, 2023.



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

The motion passed with the following roll call votes:

AYES:	Commissioners Bonilla Jr., Lowe, Patterson, Stevens Chair Ali-Sullivan
NOES:	None
ABSENT:	Commissioners Garg, Goodbody
ABSTAIN:	None

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters

Principal Planner Schmidt provided a report on behalf of Planning Manager Lochirco and congratulated Commissioner Bonilla Jr. on his appointment to the City Council. She indicated that the process for filling the vacancy on the Planning Commission was still being determined and information would be shared with the Planning Commission as it becomes available. Ms. Schmidt shared that the next meeting in April would most likely be canceled as there were no scheduled items and a cancellation notice would follow.

Commissioners' Announcements, Referrals

Commissioner Lowe congratulated Commissioner Bonilla Jr. on his appointment.

Commissioner Patterson congratulated Commissioner Bonilla Jr. and wished him well on his new appointment.

Commissioner Stevens thanked Commissioner Bonilla Jr. for his leadership on the Planning Commission.

Commissioner Bonilla Jr. expressed it was a pleasure serving on the Planning Commission alongside his fellow Commissioners for over six years, he has learned a lot through his service about the City and the importance of decisions being made related to land-use and zoning as these had long-term impacts on the City. He confidently stated that the City was in good hands with his fellow Commissioners on the dais, and underscored the Planning Commission was tasked with making responsible decisions and building out the community for the future of Hayward. Commissioner Bonilla Jr. hoped to take his experience on the Planning Commission with him to his service on the City Council, thanked the Commissioners for their support as he underwent the appointment process, and emphasized his excitement in continuing to serve the community in his expanded capacity on the Council.



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, April 13, 2023, 7:00 p.m.**

Chair Ali-Sullivan congratulated Commissioner Bonilla Jr. on his appointment to the City Council, shared that he will be missed by the Planning Commission, thanked him personally for being a mentor and a friend, acknowledged that he had served the City for many years, underscoring his dedication to the City, and looked forward to seeing the work he will do through his service on the City Council. Mr. Ali-Sullivan recognized residents of the City celebrating Ramadan this year as he was also celebrating.

ADJOURNMENT

Chair Ali-Sullivan adjourned the meeting at 9:04 p.m.

APPROVED:

A handwritten signature in cursive script, appearing to read "Anika Patterson", written over a horizontal line.

Anika Patterson, Secretary
Planning Commission

ATTEST:

A handwritten signature in cursive script, appearing to read "Avinta Madhukansh-Singh", written over a horizontal line.

Avinta Madhukansh-Singh
Interim Planning Commission Secretary
Office of the City Clerk