



**MINUTES OF THE SPECIAL MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, March 17, 2016, 7:00 p.m.  
777 B Street, Hayward, CA94541**

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**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., Schott, McDermott, Faria  
VICE CHAIR: Enders  
Absent: COMMISSIONER: Goldstein  
CHAIR: Parso-York

**SALUTE TO FLAG**

Commissioner Faria led in the Pledge of Allegiance.

Staff Members Present: Alvarado Jr., Ajello, Andres, Brick, Chan, Cruz, Hinkle, Kelley, Nguyen, Quach, Rizk

General Public Present: 15

**PUBLIC COMMENT:**

Ben Goulart speaking on behalf of Sally Baxter, said the project will impact her quality of life and the issues in Ms. Baxter's email were against the project.

Kim Huggett, President of the Hayward Chamber of Commerce, spoke about the many activities sponsored by the Chamber and wanted to notify the community that the event with Dr. Andres Roemer, Consul General of Mexico, has been rescheduled to April 12<sup>th</sup>.

**WORK SESSION**

1. Preliminary Review of Proposed Project: Maple and Main Mixed-Use Project

Development Services Director Rizk said staff has been working with the developer for some time and that it was appropriate to bring this item forward as a Work Session prior to the Public Hearing because of the size of the project and the amount of inquiries that staff has received. Mr. Rizk said the purpose of the Work Session was to have a brief staff presentation, have the proponent provide a project summary and allow for discussion and to answer questions from the Commission and the community.



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Senior Planner Ajello presented a PowerPoint and provided a synopsis of the staff report. Staff recommended hearing the project proponent's presentation prior to the question and discussion period. Ms. Ajello said staff was currently in the process of completing the project's environmental review, once completed the document will be circulated for public review and comment, a public notice will be sent out when the document is available, and then staff will schedule and notice a public hearing for the project.

Mr. Paul Meuser, principle planner with Wood Rodgers and representing the project sponsors Klein Financial Corporation and Bay Area Property Developers, provided an overview of the project and the overarching goal to establish a mix of businesses and other activities which will enhance the vitality of the downtown area. Mr. Meuser described the different components of the project including, but not limited to, the design and architectural aspects; renovations to the medical building; unbundled parking in the garage which will allow for more efficient parking; character of proposed amenities; mixed use sustainability; location near different types of transportation and the downtown area; bay friendly landscaping; and that the buildings comply with CalGreen standards which uses one-third less energy and 50% less water.

Mr. Robert Klein, of Klein Financial Corporation, spoke about his corporation's Residential Housing Awards and how the proponent was committed to quality projects and summarized the key public policy and housing objectives. Mr. Klein spoke about surpassing the energy efficiency requirements; emphasized public transportation options; the importance in upgrading the medical building; parking options; and how they want to partner with the City of Hayward and be responsive to any issues. Mr. Klein relayed how the proponents listened to the community's comments and has made modifications to the parking garage height to be in line with the residential height. Mr. Klein was open to discussion and questions and how the applicant wants to do the right thing.

In response to Commissioner Schott, Mr. Klein said the developer builds Class A office buildings and will renovate the entire medical office building both interior and exterior to improve function and efficiency which includes seismic upgrades. Mr. Klein said the parking structure accommodates both the residents and medical building. Mr. Schott did not care for the exterior design of the west side of the medical building and feels more work needs to be done. Mr. Klein said the west side elevation still needs to be revised and will provide this to staff and the Planning Commission.

Commissioner McDermott said any renovation to the medical building will be an improvement and was glad for the forty-seven affordable housing units which are critical in today's rental environment. Mr. Klein said the applicant will completely renovate the medical building. Mr. Klein added that if the Commission feels there should be assigned parking for each unit the developer would be agreeable to this as they are trying to be responsive to what



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the community has voiced. Ms. McDermott liked the contemporary feel and look of the residential units; it can blend well with the community and spoke about the need for diversification in the downtown area. Mr. Klein said the workforce units will be built to the same standards as the market rate units.

In response to Commissioner Willis Jr., Mr. Klein said, because of limited roof space, there expects to be approximately 25% energy generation which will help power the open and common area spaces and noted full electrical plans will be forth coming. Mr. Willis said to have limited charging stations would be inconvenient and he does not want problems to develop among homeowners. Mr. Klein said the hi-speed charging stations were expensive and will work with staff and Planning Commission on this and noted that if the project was financially successful, then the developer can come back and install more charging stations. Mr. Willis said this is a great project as it will bring more homes to Hayward with good people and families that can help to revitalize the downtown area.

In response to Commissioner Faria, Mr. Klein confirmed there will be an onsite resident manager and maintenance person and spoke about the residential building technology that will make the building extremely convenient and informational friendly, which includes residents reserving time at the charging stations and in the additional clothes wash areas. Mr. Klein spoke about the plans for ground floor areas on Main Street that includes ground floor retail and the leasing lobby for the residential units and the advantages of having the retail and leasing office next to each other. Mr. Klein said the five-story residential building, the parking garage and the medical building will be fifty-five feet at their highest points.

In response to Vice-Chair Enders, Mr. Klein will make every effort to preserve the old coastal redwood tree and plaque that is in front of the medical building. Ms. Enders asked if the developer will pay homage to the design detail and historical significance of the Hayward hotel that was located directly across from this location. In response, Mr. Klein admitted that he was unaware of this, but his company has integrated historical features and design into the lobbies and clubhouses of previous projects and he will look into this and see what can be done.

Vice-Chair Enders opened the Public Comment period at 8:04 p.m.

Mr. Frank Goulart, Hayward resident, felt staff should have provided the public with the traffic study; indicated he liked the projects green elements and the 20% affordable housing aspect, but said this area was Central City Commercial and was not in line with the General Plan as the project does not have all ground floor commercial. Mr. Goulart said the City doesn't need more rental apartments and the community would be happier if this was a homeownership project. Mr. Goulart had concerns about the site as it used to be seasonal wetlands where the Ohlone Indians buried their dead which should be cause for a full scale environmental review.



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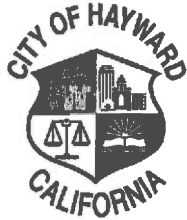
Mr. Kim Huggett, President of the Hayward Chamber of Commerce, endorsed the project, was excited about the project and said one of the ways to rejuvenate the downtown area was to live there. Mr. Huggett was excited about having more people living in the downtown area; how they will have the opportunity to experience the entertainment zone, new library and multitude of businesses and amenities. Mr. Huggett was also pleased with the provision for 60 new bicycle parking spaces and hopes this will emphasize for the Downtown Specific Plan Task Force about the need for alternative transportation options such as bicycles.

Mr. Benjamin Goulart, Hayward resident, thanked the Planning Commission, staff and developer and noted the developer has been very open and talking to the community about the project. Mr. Goulart had concerns about the impact to traffic that can be detrimental to pedestrians; impacts to schools and quality of life. Mr. Goulart said the project has a lot of good amenities but he preferred the height be reduced to three to four stories and said the community could support a three to four story project which will have less people; less impact to traffic; and the views.

Mr. Per Bothner, Hayward resident, thought this was a good project; and to include Maple Court in plans for ground floor retail and said the ground floor retail element was important for the growth and vitality of the downtown area. He was okay with the unbundled parking; but if parking becomes an issue residents may need to have permit parking in the area; felt the height should be reduced and the current building would impact quality of life. Mr. Bothner made the following recommendations: have the entrance on Main Street and the exit on Maple Court which would help ease traffic and install the less expensive 110 to 220 volt charging stations at every parking space.

Mr. Croft Jarvis, retired Hayward resident, spends a lot of time using the downtown resources; appreciated the developers outreach; but was concerned that the development would create high density; there is insufficient parking spaces; a parking space fee will push a lot of the cars onto the streets and create a parking issue for existing residents; and doesn't want to lose existing ground floor retail space as once gone it cannot be regained. Mr. Croft would like to see more ground floor retail including Maple Court; reduce the building height to be four stories; and asked the Commission to seriously consider the effects of congestion; increase in the amount of vehicles and the impacts to traffic and parking.

Mr. Benjamin Goulart, speaking on behalf of Ms. Sally Baxter, Hayward resident, read from an email he received from Ms. Baxter, who was unable to attend tonight's meeting. Ms. Baxter's text as read by Mr. Goulart indicated she was vehemently opposed to the project; and that her house was opposite from the fire lane for the proposed project; the five story building will greatly impact the quality of life for the Prospect Hill neighborhood; the loop has already greatly impacted her street, McKeever Avenue, as drivers use McKeever as a shortcut to bypass the loop and has made it dangerous whenever she wants to leave her house. Ms.



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Baxter's text indicated five stories was too high and that she was not opposed to a three to four story project, but the project will greatly impact school resources, negatively affect the quality of education, and have negative impacts to traffic and City resources.

Vice-Chair Enders closed the Public Comments at 8:24 p.m.

Commissioner Willis Jr. recommended that staff conduct more studies and requested a feasibility study be conducted on having a charging station at every parking space or at least equipped with charging station infrastructure and to also include motorcycle charging stations. Mr. Willis pointed out that the majority of electric car charging will be done at night and was concerned that the limited charging stations will be very inconvenient, cause problems between residents and could have emotional and mental health impacts to residents.

Commissioner Faria asked staff to validate the information about the impact to school capacity. Mr. Klein responded to Ms. Faria that the developer would have to study the economics of both the medical and residential buildings if the height was to be lowered. Also, Mr. Klein said a profile study indicates a young age group data which indicated a low number of school age children per unit.

Commissioner McDermott recommended an incentive to residents such as a break in rent if they don't need a parking space which also will encourage residents to utilize public transportation. Ms. McDermott said the five story height could be obstructive; and said the City wants buildings to stand out in a positive way.

Commissioner Schott pointed out the designated school for this area is Cherryland School which is designed for 800 students but there could be capacity impacts at other schools. Mr. Schott said these types of urban environment projects do not attract families; he likes the proposed 48,000 feet of commercial space; the downtown area needs daytime activity to be successful where working people will frequent the surrounding establishments for lunch. Mr. Schott said there is a shift away from all electric vehicles to hybrid gas/electric vehicles and applauds the developer in working with a difficult space and suggested that the architect work with AutoCAD renderings to show sun angles through the day and seasonal sun angles to enable residents to see what can be expected with the addition of the project.

Development Services Director Rizk responded to Vice-Chair Enders that staff was still conducting analysis on the environmental impacts and will be making a decision in the near future. Senior Planner Ajello clarified that the traffic study was conducted as part of the environmental review and since staff was still analyzing the environmental review data, the traffic study documents have not been released. Ms. Enders expressed concern about building a five story building in an area near one of the Alquist-Priolo fault zones and wants the



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appropriate action taken into consideration. Ms. Enders said the project was in line with the General Plan, Guiding Principle #2, which she indicated says, "Hayward should have a thriving commercial center, inspire residents to live active, healthy and green lifestyles and provide easy access to jobs." Ms. Enders spoke about the North Hayward Neighborhood Plan from the 1990's, page 42, which states, "New development along Main Street should complement the character of the original homes and garden on the hill (Ms. Enders pointed out this was Prospect Hill), avoiding blocky buildings and parking lots adjacent to the street or channel." Ms. Enders continued that members of the community took the time to provide input and volunteer their time to draw up this plan of their vision for the future and asked staff and applicant to take a look at the North Hayward Neighborhood Plan and the need to take into consideration existing and future residents. Ms. Enders had a concern about one of the balcony plans that can be dangerous for children that had very thin wires set six inches apart. Ms. Enders likes the level 6 landscape rooftop plans and its level of detail. Ms. Enders requested a detailed pedestrian-oriented plan from the applicant and for the applicant to take into consideration the character of the neighborhood which should have a sense of connectivity between the project and the Prospect Hill neighborhood.

Commissioner Schott suggested the City reach out to the neighborhoods to update the neighborhood plans that were drawn up over 20 years ago. Mr. Schott said it seems one of the main issues of the Prospect Hill residents is the impact caused by the loop and how drivers use the neighborhood as a shortcut to avoid the loop. Mr. Schott says similar issues will arise with the proposed Mervyn's project. Senior Planner Ajello said the traffic issues would have to be presented to the Director of Public Works, Engineering and Transportation. Transportation Manager Kelley said that staff was well aware of the cut-through traffic issues in the Prospect Hill neighborhood and has asked the developer to come up with strategies to mitigate these issues. Mr. Kelley said staff will look at these strategies as part of the traffic study and the Planning Commission will see this when the environmental review and traffic study was released.

Vice-Chair Enders thanked the applicant for working with staff and taking into consideration the neighborhood issues. Vice-Chair Enders allowed for one more public comment.

Mr. Benjamin Goulart, Hayward resident, asked if he conducted a survey and polled the neighborhood about the height of the proposed development, will the Planning Commission take the survey into consideration. Vice-Chair Enders said the Commissioners welcome all comments and will take into consideration any feedback or documents from the community, and directed Mr. Goulart to City staff for guidelines.

## **COMMISSION REPORTS**

### **2. Oral Report on Planning and Zoning Matters**



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Development Services Director Rizk mentioned that staff would like to hear about the Commissioners experience at the Planning Commission Academy. Staff will place the item on the agenda for a future meeting.

**3. Commissioners' Announcements, Referrals**

Commissioner Schott thanked the City for sponsoring the Commissioners to go to the Planning Commissioners Academy.

**APPROVAL OF MINUTES**

**4. Approval of Minutes of the Planning Commission Meeting on February 11, 2016.**

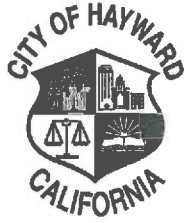
AYES: Commissioners Willis Jr., Schott, McDermott, Faria  
Vice-Chair Enders  
NOES: None  
ABSENT: Commissioner Goldstein, Chair Parso-York,  
ABSTAIN: None

**5. Approval of Minutes of the Planning Commission Meeting on February 25, 2016.**

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

**ADJOURNMENT**

Vice-Chair Enders adjourned the meeting at 8:49 p.m.



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**APPROVED:**

  
Brian Schott, Secretary  
Planning Commission

**ATTEST:**

  
Denise Chan, Senior Secretary  
Office of the City Clerk