



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, March 22, 2018, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

---

**MEETING**

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

**CALL TO ORDER Pledge of Allegiance**

Chair Goldstein led in the Pledge of Allegiance.

**ROLL CALL**

Present: COMMISSIONERS: Willis Jr., Goldstein, Schott, McDermott, Faria  
CHAIRPERSON: Goldstein  
Absent: COMMISSIONER: Bonilla, Jr.  
Vacancy: ONE

Commissioner Schott entered the Council Chambers at 7:04 p.m.

Staff Members Present: Brick, Buizer, Chan, Langbauer, Lochirco

General Public Present: 12

**PUBLIC COMMENT:**

There were none.

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

1. Proposed Single-Family Residence on a Vacant 0.13-Acre Hillside Lot Located at 2398 Rainbow Court, Requiring Site Plan Review and Grading Permit and Variance Application No. PL 201705626; and the Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. Siddiq Miakhail (Applicant)

Associate Planner Langbauer provided a synopsis of the staff report along with a PowerPoint Presentation.

In response to Commissioner Faria's concern about the depth of the lot and how to support of the proposed house, Associate Planner Langbauer said that the impacts can be mitigated. In response to Ms. Faria about the bad condition of the roads and her concerns about



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, March 22, 2018, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

---

emergency vehicles being able to drive up those roads, Principal Planner Lochirco said the street maintenance for Rainbow Court was a joint effort between the homeowners and the City and adjoining streets such as Parkside. Mr. Lochirco said in general, public roadways are the responsibility of the City and private roadways are usually the responsibility of the homeowners.

Commissioner Schott spoke about the Old Highland area and the roadways are considered public streets.

Commissioner McDermott commented about the bad condition of the streets and expressed concern with the increased building in that area the impact from the construction trucks using those roadways. Ms. McDermott said the proposed project presentation was thorough.

In response to Commissioner Willis' question about the design of the roof, Mr. Miakhail, owner/applicant, said that the rooftop will be utilized as a deck and that he wanted to take advantage of the space. Associate Planner Langbauer responded to Mr. Willis that the Conditions of Approval include the mitigation measures and the applicant must include the mitigation measures in the proposed project plans and staff will be inspecting the project. Mr. Willis favors the proposed project and said this will be a very nice home.

Mr. Miakhail, owner/applicant, said the City and residents will work together to get the streets repaired, the owners will reimburse the City and then the City will be responsible for further maintenance of the streets. Mr. Miakhail spoke about the proposed project and presented a PowerPoint presentation. He described the sustainable aspects of the house and the landscape.

Commissioner Faria commented that the proposed project will add to the neighborhood and appreciated all the efforts to make the proposed project environmentally friendly. Ms. Faria favored the project.

Commissioner Schott favored the proposed project and said this is his old neighborhood and he knows the challenges of the topography of Rainbow Court. Mr. Schott said it will be exciting to watch a home being built in a month.

Chair Goldstein opened the public hearing at 7:27 p.m.

Mr. Jim Drake, Hayward resident, expressed concern that the applicant should find out about the sewer connection fees as he believes the fee is \$95,000. Mr. Miakhail said his calculations for the sewer connection fee came to approximately \$12,000 to \$16,000. Chair Goldstein stated that the owner does know what the costs are up front.



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, March 22, 2018, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

---

Commissioner McDermott commented that this project is nothing different from other project that the Commission have approved in the past. She said this is a very different home and commended the owner for all the environmental aspects of the proposed project. Ms. McDermott said she will be supporting the proposed project.

Chair Goldstein closed the public hearing at 7:30 p.m.

Commissioner Willis made a motion to approve the staff's recommendation. Commissioner Schott seconded the motion.

The motion passed with the following vote:

AYES:	Commissioners Willis Jr., Schott, McDermott, Faria Chair Goldstein
NOES:	None
ABSENT:	Bonilla Jr.
ABSTAIN:	None
VACANCY:	One

#### **APPROVAL OF MINUTES**

2. Approval of the Planning Commission Meeting Minutes of January 25, 2018.

The Planning Commission Minutes of January 25, 2018, were continued as there are corrections to the minutes by Commissioner Willis and Commissioner Schott.

3. Approval of the Planning Commission Meeting Minutes of February 22, 2018.  
Commissioner Willis made a motion, seconded by Commissioner McDermott, to approve the Planning Commission Meeting Minutes of February 22, 2018. The motion passed with the following votes:

**5:0:0 (AYES: Willis Jr., Goldstein, Schott, McDermott, Faria; ABSENT: Bonilla Jr.,  
VACANCY: One)**

#### **COMMISSION REPORTS**

##### **Oral Report on Planning and Zoning Matters:**

Principal Planner Lochirco announced that the Commissioners still have the opportunity to join the Community Event at Weekes Park scheduled for Saturday, May 12, 2018. If interested the Commissioners can contact the City Clerk's Office by Friday, March 23, 2018.



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, March 22, 2018, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

---

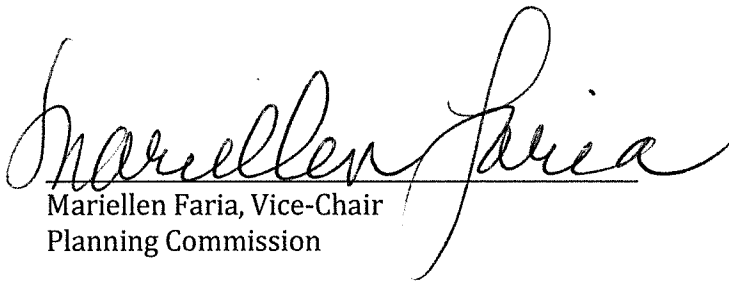
**Commissioners' Announcements, Referrals:**

In response to Commissioner Faria's inquiry about the completion date of the senior housing project on A street, Principal Planner Lochirco said that this project is still under construction and the applicant has not requested occupancy yet. Mr. Lochirco said that staff can report back at a future time with any status changes to the project.


**ADJOURNMENT**

Chair Goldstein adjourned the meeting at 7:38 p.m.

**APPROVED:**

  
Mariellen Faria, Vice-Chair  
Planning Commission

**ATTEST:**

  
Denise Chan, Senior Secretary  
Office of the City Clerk