



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

This meeting was conducted utilizing teleconference and electronic means consistent with State of California Executive Order No. 29-20 dated March 17, 2020, regarding the COVID-19 pandemic. The Planning Commission, participated via the Zoom Webinar platform.

**MEETING**

The Planning Commission meeting was called to order at 7:00 p.m. by Chair Roche.

**ROLL CALL**

Present: COMMISSIONERS: Ali-Sullivan, Bonilla, Goldstein, Mendall, Oquenda, Stevens  
CHAIRPERSON: Roche  
Absent: COMMISSIONER: None

Staff Members Present: Aggarwal, Billoups, Brick, Chan, Lochirco, Patenaude

**PUBLIC COMMENT:**

There were no speakers.

**PUBLIC HEARING:**

**For agenda items Nos. 1 and 3, 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.**

**For agenda items No. 2, the Planning Commission may make a recommendation to the City Council.**

1. Proposed Mixed-Use Project Consisting of Nine (9) Live/Work Lofts Fronting Mission Boulevard and 46 Townhome Units Totaling 55 Units, Requiring Approval of Vesting Tentative Map 8556, Major Site Plan Review and Density Bonus (Application 202005195) Located at 27177 and 27283 Mission Boulevard (APNs 452-0056-007 and 452-0056-008). TTLC Moreau-Pestana-Acton LLC/# M Properties LLC, and James and Nadine Pestana (Applicants)

Consulting Planner Patenaude provided a synopsis of the staff report and PowerPoint presentation.



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

---

Ms. Kelley Rutchena, True Life Development Associate, presented a Power Point presentation.

Discussion ensued between the Planning Commission, staff and applicant regarding the following: the developer's goals on meeting the bike lane requirement and why are the bike lanes not included in the plans; how does the development not have any impact per the California Environmental Quality Act (CEQA); the plans for traffic calming measures for the existing multiple developments those being built; identify the public open spaces; define the live/work units and how will these be regulated; the success of relocating tree number 170 which is valued at about \$10K and what will happen if it dies; transportation study and concerns; can the bottom space be reserved for a commercial restaurant; is the applicant required to provide guest parking; consideration for a parklet; and what can the City do to ensure that the live/workspaces be required to be use commercially.

Consulting Planner Patenaude said the development is an appropriate infill project for this site and that the only issue was the Vehicles Mileage traveled (VMT) which have been mitigated. Mr. Patenaude responded that if the tree does not survive then the applicant would be required to replace the tree with one of equal value which is addressed in COA #152. Mr. Patenaude confirmed that there was a transportation study done that developed the requirement of the school pool and was incorporated into the project.

Assistant City Attorney Brick said that the City has a Tree Protection Ordinance and if the tree does not survive, then the applicant would be required to replace the tree with like tree(s) and the City's landscape architect would monitor this.

Acting Planning Manager Lochirco said the bike and pedestrian plans are part of the City's overall transportation process and that it takes time to transition to a multi-modal corridor. As the Engineering and Transportation Division review development plans that take transportation operations into consideration and analyze what long term changes can be made. Mr. Lochirco said that the units primary use is residential, and the live/work units are more for tenants who want a small home-based business. He said these types of units would not be conducive for restaurant use because of the many requirements. Mr. Lochirco said a COA can be added to ensure the type of uses for the live/workspaces.

Mr. Roman DeSoto, landscape architect for the project; said there is a 60/40 chance that the coast live oak tree will survive the relocation.

Ms. Rutchena said parking spaces are not assigned for visitors to the live/work units; a parklet was considered but was found that it would not benefit the whole, studies have found that these are not used that often, are expensive and take up a lot of space. She noted the meeting with the CEDC was prior to the adoption of the Mission Boulevard Form Based



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

Code and at that time, this site was designated T4 which had different standards and criteria. Ms. Rutchena said they came up with the compromise by incorporating live/work units.

Chair Roche opened the public hearing at 7:56 p.m.

Mr. Kevin Dowling, Hayward resident; asked if the former fruit and vegetable stand will be included in the project; he likes the live/work option and has concerns about projects that have retail on the bottom floor that goes unused. He stated the presentation looks better than the staff report and suggested using more of Moreau High School colors in the color palette.

Steven Dunbar, with Bike East Bay; spoke about his concerns that he sent in an email to the Commission about the following: move the bike parking to front of live/workspaces; concerns about civic space; put in protected bike lanes along Mission Boulevard; has concerns about the school pool; and modify the building to save space for future protected bike lanes.

Chair Roche closed the public hearing at 8:02 p.m.

Ms. Rutchena will pass the comments along about Moreau color palette; currently the fruit vegetable stand is not included in the development; will coordinate with Planning regarding bike racks and plan to create a pedestrian amenity. She said they are willing to discuss Mr. Dunbar's suggestions with staff.

Commissioner Oquenda supports the project. He supports relocating the bike racks; appreciates these missing middle developments that are needed in the City for young professional families; grateful for the moderate-income units as there is a lack of these units in the City relative to the quotas provided by the Regional Housing Needs Allocation (RHNA). Mr. Oquenda stated that he advocates for the deepest level of affordability.

Commissioner Mendall shared that he is struggling with the project as he has spoken many times that projects need to have a balance that benefits the following: 1-the developer so that they build the project; 2-future tenants; and 3-people living in the area. He has concerns that the live/work units could possibly end up being live only units, then there would not be any benefit to the surrounding community as there is no usable open spaces. Mr. Mendall recommended adding a condition of approval to ensure that the project has a work element. Mr. Mendall shared that he was a part of the Council Economic Development Committee (CEDC) during the discussion for this item and the CEDC wanted commercial frontage along Mission Boulevard and were flexible on how the applicant could achieve this. He said that the TrueLife representative implied that the plan changed after the rezoning of this area and their



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

---

initial proposal was for live/work units along Mission with no commercial space.

Assistant City Attorney Brick responded that he could craft language that the applicant through careful selection of purchasers of the live/work units shall make a good faith effort to select purchasers that will use the commercial areas in the units for commercial purposes. Mr. Brick said beyond this requirement, the item could be continued to allow staff to work with the applicant further within the context of the new State housing laws.

Commissioner Stevens is excited about this project and the well-executed architectural design; appreciates how the massing of the live/work units respects the units in the back. He is not a fan of commercial storefronts in the live/work units, it is not realistic for this section of Mission Boulevard as they are too small to support commercial/retail space. Mr. Stevens said that the live/work units could be used for professional services. Mr. Stevens is concerned about the lack of concern of the existing trees in a race to create housing and old Hayward and the natural world is being encroached upon.

Commissioner Bonilla supports the project. He agrees with Commissioner Oquenda about the inclusion of the affordable housing element; this addresses the deficit in the RHNA numbers for the moderate-income units. Mr. Bonilla shares Commissioner Mendall's concerns about the frontage being more a commercial use and appreciates Commissioner Stevens' comments about the professional uses for the live/work units. Mr. Bonilla asked if a compromise can be found through a COA to meet that requirement but would not generate a lot of traffic but still have the commercial/professional use elements.

Commissioner Ali-Sullivan favors the project, likes and design and architecture; it is impressive to be able to fit so much in a small lot; appreciates the six affordable units and would like to see this number increased. He asked how the City can incentivize the increase of affordable units in future developments. Mr. Ali-Sullivan said the project has been marketed as a development that has these unique live/work/commercial/professional services units and recommended that there needs to be language to ensure to that these units are used as intended. Mr. Ali-Sullivan supports continuing the item to ensure that the language is included in the COAs.

Commissioner Goldstein concurs with his colleagues, the live/work units can be groundbreaking for Hayward, and he likes the project's design and aesthetics. Mr. Goldstein said it is important to have language in place to ensure that these units are used as intended and cannot support the project without this language.

Chair Roche agrees that there needs to be language in place to designate the spaces be used for professional services such as yoga and lawyer offices. Ms. Roche appreciates the affordable units and that these units are dispersed throughout the development.



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

---

Commissioner Oquenda said that the live/workspaces can support a lot of uses other than professional services; there needs to be flexibility as investors could be purchasing these live/work units and then rent out the space for uses such as artists, musicians, or a whole host of uses besides professional/commercial uses. Mr. Oquenda said that he was persuaded by the applicant that the homeowner's association (HOA) can manage these units and that the HOA has an interest to manage these units effectively.

Acting Planning Manager Lochirco asked that the applicant be allowed to speak on the Commission's recommendations.

Ms. Leah Beniston, VP of Entitlements, applicant, spoke about the project's design and what it is intended for; the units are specifically designed to activate Mission Boulevard; the architecture is designed to make these units look like commercial spaces and not someone's home; they have ADA bathrooms; and said these units are intended for these to be businesses. Ms. Beniston said they are open to language; the market drives how successful a commercial space will be, and they want to allow flexibility to encourage creativity and would not like to have the project continued.

Commissioner Goldstein said it is important to have language in place that will entertain the variety of uses that allows for flexibility as there is too much of risk not to have this language.

Commissioner Oquenda made a motion to move the staff recommendation.

Commissioner Stevens seconded the motion.

Commissioner Oquenda said that he made the motion because this is an SB 330 project, and the Commission cannot deny the project because of the idea of a requirement for a COA for the live/work units. Mr. Oquenda is persuaded that there are a lot of uses and to put in place language could have a negative effect and limit future uses for these live/work units.

Commissioner Mendall said that he will be voting no and that he has not heard any of his colleagues say that the uses should be limited; the language should be flexible for any type of commercial uses, and this could be many things but not retail use. Mr. Mendall said that language needs to be in place that requires this and without this language the live/work units could be used for housing.

Commissioner Bonilla agrees with Commissioner Mendall and will not support the item without language. He said the language should be broad and not restrictive, for services that will go into the live/work units. Mr. Bonilla will support the item with the addition of the language.



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

---

Commissioner Goldstein made a friendly amendment that the HOA will require that the tenants of the live/work units use the space for City approved commercial uses, non-residential; and include a timeframe of six months for tenants to accomplish this.

Commissioner Oquenda deferred to Assistant City Attorney Brick regarding the friendly amendment and whether it would be permitted.

Assistant City Attorney Brick suggested the following language for COA number 163: the applicant, through careful selection of purchasers of live/work units, shall make a good faith effort to select purchasers that will use the commercial areas in the units for commercial purposes.

Commissioner Bonilla found the language suggested by Assistant City Attorney Brick acceptable.

Commissioner Oquenda accepted the language as suggested by Assistant City Attorney Brick and recommended having broader language to include other professional services, such as artistic, visual, and performing art uses.

Commissioner Stevens accepted the friendly amendment and noted that the market will dictate how services are used.

Ms. Beniston asked what the home occupation requirements are to know what is allowed and not allowed. She is concerned that the language could be too limiting.

Assistant City Attorney Brick said staff would need to research this, noting that the City does issue business licenses and there are permitted uses per the zoning.

Acting Planning Manager Lochirco said the City does have home occupation guidelines and there are provisions related to mitigating any potential impacts. He said the baseline for the home occupation is to ensure that the business does not turn into a commercial use.

Commissioner Ali-Sullivan said that he does not like being placed in this position regarding SB330 and asked staff to try and reduce situations where the Commission be put into this type of position. He said the development was marketed not just as a housing development but with the other component of the live/work units. He appreciates the applicant's willingness to accept the additional language. Mr. Ali-Sullivan agrees with Commissioner Stevens, that the market will dictate how the spaces will be used. Mr. Ali-Sullivan supports the item with the additional language.



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

---

Commissioner Mendall said that they are all saying the same thing, and the Commissioners, staff and applicant are all struggling to achieve this. Mr. Mendall said the right thing to do is to continue the item to give staff and applicant the time needed to come up with language that makes sense; the Commission can support and then have a unified vote at that time. Mr. Mendall said he will be voting no on this item.

Chair Roche asked if the Commission and staff are coming up with live/work standards during this meeting.

Acting Planning Manager Lochirco said that the City does not have live/work standards and that most cities do not have these standards developed in their codes. He said the challenge for the Commission is whether to craft language at this meeting or continue the item and return in a couple weeks. He said there is no objective criteria either tied to the commercial activity of that space or the residential component that staff can look at. The City does not have a local regulation for live/work units as this is a new product for the City. He said what staff has heard from other jurisdictions is that this is an emerging model, there are a lot of people whose businesses are not commercial in the traditional sense and cannot perform their "commercial" in nature activities in an apartment as there can be HOA limitations. Mr. Lochirco reiterated that the City does not have a baseline to be able to craft language to govern this activity and that the suggested COA language is an amendment to the already included COAs.

Chair Roche said she is also conflicted but wants to see the affordable units and given the density of the development close to BART, it will be better that what is existing in this area. Ms. Roche appreciates the amendment and is glad that Commissioners Oquenda and Stevens accepted the amendment as this puts the Commission's intentions in writing on what will occur with these new live/work units. Ms. Roche asked staff if there will be follow up on these units on the status of how successful they are.

Acting Planning Manager Lochirco said there will be follow up occupancy inspections and that any sort of commercial activity is subject to commercial standards.

A motion was made by Commissioner Oquenda, seconded by Commissioner Stevens, to approve the staff recommendation with the added condition of approval number 163, to read as follows: the applicant, through careful selection of purchasers of the live/work units, shall make a good faith effort to select purchasers that will use the work areas in the units for commercial, professional, or artistic purposes.



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

---

The motion passed with the following roll call votes:

AYES: Commissioners Ali-Sullivan, Bonilla, Goldstein, Oquenda, Stevens  
Chair Roche  
NOES: Commissioner Mendall  
ABSENT: None  
ABSTAIN: None

2. Proposed Single-Family residence on a Vacant 0.11-Acre Hillside Lot with an Average Slope Greater than 20%, Located at 25183 Central Boulevard, APN: 445-0220-086-00, Requiring Approval of Site Plan Review with Grading Permit Application No. 202000849, Patricia Prado (Applicant) and P. Gerardo Diaz Vazquez (Owner)

Contract Planner Aggarwal provided a synopsis of the staff report and PowerPoint presentation.

Mr. Vazquez, applicant/owner, thanked the Commission for hearing his item, and noted they are in compliance and have fulfilled all the City requirements.

Chair Roche asked if there have been any seismic issues with the other homes in this area as this is a steep lot. Ms. Roche asked that since this is a narrow lot, is this a concern when the applicant starts building and stabilizing the lot.

Contract Planner Aggarwal said that a geotechnical study was conducted and will defer these questions to Senior Civil Engineer Wikstrom.

Senior Civil Engineer Wikstrom said the project site is at the edge of the steep hillside going up and historically there have been landslides in the area and it is within the fault zone. The applicant conducted a preliminary geotechnical study/evaluation that found the site suitable for development. Mr. Wikstrom said it will be challenging to construct the home, but this can be overcome with appropriate construction methods.

Chair Roche opened and closed the public hearing at 9:07 p.m.

Commissioner Mendall favors the project, stated that the design fits in with the existing neighborhood and he likes the hydraulic lift which is a good long-term method to add more parking. Mr. Mendall made a motion to approve the staff recommendation.

Commissioner Stevens seconded the motion.





**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

Commissioner Oquenda asked that since this is a low-density residential site, can there be more than one single family home.

Contract Planner Aggarwal responded that the site could have an accessory dwelling unit (ADU) and ancillary structures but not a second single family home.

Commissioner Bonilla said that this is a nice, well-designed project and he will be supporting the item. Mr. Bonilla has concerns about the site being on a fault and wants the builders to pay attention to this and construct the home utilizing the appropriate construction methods. He noted that there was a recent landslide in this area.

Commissioner Ali-Sullivan supports the project, likes the lift method for cars, and noted this is a challenging lot and that the applicant did a good job on the design.

Chair Roche has concerns about the slope and narrowness of the site and that the applicant and his team should be able to address these issues.

A motion was made by Commissioner Mendall, seconded by Commissioner Stevens to approve the staff recommendation.

The motion passed with the following roll call votes:

AYES:	Commissioners Ali-Sullivan, Bonilla, Goldstein, Mendall, Oquenda, Stevens Chair Roche
NOES:	None
ABSENT:	None
ABSTAIN:	None

3. Proposed Major Automobile Repair Use in a Former Automotive Specialty Shop Facility Located at 629 Jefferson Street, APN: 452-0068-013-00, Requiring Approval of a Conditional Use Permit, Application No. 202002682. Riaz Qureishi and Amjad Patel for DVargas Auto Body (Applicant), Haroon Khan (Property Owner)

Contract Planner Aggarwal provided a synopsis of the staff report and PowerPoint presentation.

Discussion ensued between the Planning Commission and staff regarding the following: Concerns about replacing the existing black metal fence with a cyclone fence; condition of approval no. 6 needs to address the cleanup of the exterior of the building; the difference between a specialty shop and a regular auto repair shop; with the addition of auto painting



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

---

what requirements are in place to protect the neighbors and community from the chemicals used for this; outreach to neighbors besides the normal mailers; what would be involved in the landscaping requirements; and wondered if the plan is not ready since the project is not compliant.

Acting Planning Manager Lochirco responded that the applicant had installed a security fence that they will be required to bring up to code and they will not downgrade to a cyclone fence. Mr. Lochirco said that the COAs should address the cleanup and landscaping of the exterior of building; COAs address the non-compliance in respect to the landscaping, this was part of the original use permit, and this obligates the applicant to perform what was part of the original entitlement and bring the property up to code. He said the fence can be handled at staff level as a site plan review, this site is grandfathered-in with the existing building and that is why they are considered legally non-compliant.

Ms. Aggarwal responded that the use permit addresses a similar automotive use; the City's Hazardous Material Division has placed COAs nos. 31 to 41 to address the automotive painting use which will include a painting booth and storage of materials. Ms. Aggarwal spoke about the two comments received and that one member of the public planned to attend the meeting.

Chair Roche opened the public hearing at 9:37 p.m.

Ms. Inez Esquivel, Hayward resident, opposed the project, has concerns that the current tenants at the businesses would park cars in front of their home and will leave the cars there for weeks and months. Ms. Esquivel said that the existing businesses work all hours, and it is disruptive for the neighbors.

Ms. Cynthia Gonzales, Hayward resident, opposes the project and has great concerns about the following: there was a lot of noise from the previous auto shop through all hours of the day and night; the chemicals from the paint are hazardous to herself and her family; safety factor from the wooden fence into her backyard; too close to residents; and this will lower home values in this area.

Jeffrey, Hayward resident, lives right next to the auto shop, has major concerns regarding: there are four body automotive/body shops in this area; has concerns about safety as the lifts raise the cars high and the cars could fall over, and the chemicals hazards from the auto painting. Jeffrey opposes the project as this is a hazard for the families that live near the project.

Mr. Riaz Qureishi, applicant, said that they are not a major body shop, they will be working with rental companies and will only be doing minor body work and their hours will be 9 am to



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

---

5 pm and they will be closed on holidays. They will upgrade the building, paint the whole building, and perform the landscaping. He said that they will make sure that they do not work on weekends, that is why they selected the location, and will not impact the neighbors.

Mr. Greg Ward, Hayward resident, friend of the owner, said the fence was installed to address break-ins and will be modified to come into compliance with City codes and the concerns can be addressed in the COAs. This is not going to be a major car repair shop and will be working with car rentals companies for minor repairs. Mr. Ward said the issues and concerns by neighbors can be addressed through the COAs and the applicant intends this to be a low impact use.

Chair Roche closed the public hearing at 9:59 p.m.

Commissioner Ali-Sullivan suggested continuing the item as the plans are incomplete; since the applicant is willing to do a fair amount of work on the building, he would like staff to come back to the Commission with a clearer rendition of the work to be performed.

Commissioner Oquenda appreciates the applicant's comments and agrees that the plans are incomplete and is not comfortable with the lack of detail in the staff report and presentation. Mr. Oquenda said that this applicant use will be different than prior uses. He said this is a sustainable mixed-use parcel and that there are better uses for this site. Mr. Oquenda said it is difficult supporting this project given the neighbors' negative comments as he is sympathetic to their concerns and is open to hear what his fellow Commissioners have to say.

Commissioner Stevens said when the market is right this will drive a different use for this site. In the meantime, activating the site will stop a lot of the misuse that has been occurring; the building has deferred maintenance and that the COAs need to be strengthened to address these issues; would like the applicant to come back to staff with the changes to address the overall site. Mr. Stevens said to go through a review process is an expensive process and would rather the applicant use those funds to improve the facility

Commissioner Mendall appreciated the neighbors calling in as it can be impactful having commercial operations so close to residential homes and it was helpful for the Commission to get this perspective. Mr. Mendall said with the comments about the building needing to be painted, the need for an attractive security gate; issues with residential parking impacts to protect the area residents; he wants assurance from staff that if there are violations in the future staff addresses these issues. Mr. Mendall said the neighbors can contact the City if there are any violations by the applicant or any businesses, for the City to be able to address any violations.



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

---

Acting Planning Manager Lochirco said that the Commission can add COAs to address what needs to be done to improve the facility to make sure the City is managing the expectations for the applicant and for the neighbors; stronger COAs enable staff to be able to enforce the COAs.

Commissioner Ali-Sullivan commented that he has been clear during previous meetings that he would prefer not do things on the fly and that this project is not as complete as it should be. He asked for next steps as he prefers to vote on a final project rather than try to craft language during a meeting. Mr. Ali-Sullivan said that the applicant is willing to perform this work; and would like to see a final project presented to the Commission that includes and describes this work.

Chair Roche said the Commission would need to conduct a vote to continue the item and continued the rest of the discussion.

Commissioner Goldstein made a friendly amendment that the applicant does not park customer cars in the residential area.

Commissioner Bonilla agrees that the COAs need to be strengthened, the building is an eyesore; empathizes with the neighbors about the overflow of parking in the residential area and the health risks and safety concerns. Mr. Bonilla appreciates that the COAs stipulate the hours of operation as part of this approval and the Commissioners have all been saying the same thing. He asked if staff could craft language that will be acceptable; if not; he supports that the item should be continued as he wants to see stronger language in the COAs.

Chair Roche would like to have a stronger fence such as a cement block wall that faces the residential neighbors' backyards to protect the neighbors as the plans show that the applicant would be parking cars right up against the wooden fence; suggested that the applicant work with his neighbors and create open lines of communication. Ms. Roche would like to have the item continued and have the neighbors' concerns addressed.

Acting Planning Manager Lochirco said that cement block walls could be challenging as they would require footings and need to be engineered to be structurally sound to support the weight load. He said the other concern is the aesthetic impact to the residential neighbors.

Commissioner Stevens observed that during the last meeting when the Commission reviewed the 176 affordable housing units, there was an inaccurate and incomplete rendering of the site and that was a major development which will be permitted for the next hundred years. Mr.



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

Stevens said this is a building remodel being discussed that can be taken care of by staff and is prepared to make a motion.

Commissioner Ali-Sullivan said his expectation is that the work to be performed be put in writing and the Commission be provided with complete renderings. Mr. Ali-Sullivan does not expect the applicant to spend a lot of money on this.

Commissioner Stevens made a motion to approve the staff recommendation with stronger language to improve the aesthetic appeal of the building with the reasonable expectation that the work be performed within 90 days.

Commissioner Mendall seconded the motion.

Commissioner Bonilla wanted to confirm the friendly amendment made by Commissioner Goldstein that the business is not to park the cars being serviced in the residential area.

Commissioner Stevens accepted the friendly amendment.

Commissioner Mendall asked staff if it was possible to limit the parking on the residential street.

Assistant City Attorney Brick noted that language can be crafted to incorporate the issue of parking.

Commissioner Mendall accepted the friendly amendment.

A motion was made by Commissioner Stevens, seconded by Commissioner Mendall, to approve the staff recommendation with following two added conditions of approval to read as follows: 1) that the applicant shall not park customer cars in the City street when in applicant's possession; applicant will also advise all customers that they are not to park their cars in the City street when dropping off their cars for service; and 2) applicant shall paint the building within 90 days approval of the color scheme by the Planning Director.

The motion passed with the following roll call votes:

AYES:	Commissioners Bonilla, Goldstein, Mendall, Stevens
NOES:	Commissioners Ali-Sullivan, Oquenda, Chair Roche
ABSENT:	None
ABSTAIN:	None



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

---

**APPROVAL OF MINUTES**

4. Approval of the Planning Commission Meeting Minutes of July 22, 2021.

A motion was made by Commissioner Oquenda, seconded by Commissioner Stevens to approve the Planning Commission Meeting Minutes of July 22, 2021.

The motion passed with the following roll call votes:

AYES:	Commissioners Ali-Sullivan, Bonilla, Goldstein, Mendall, Oquenda, Stevens Chair Roche
NOES:	None
ABSENT:	None
ABSTAIN:	None

**COMMISSION REPORTS**

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

Acting Planning Manager Lochirco announced that the joint City Council/Planning Commission meeting is still scheduled for Tuesday, September 28, on affordable housing and residential design guidelines. Mr. Lochirco said at this time, there are no items scheduled for the Commission meeting on September 23. He said that at this time, the City will resume in person meetings for Commission meetings in October unless the virtual meetings are extended. Mr. Lochirco said staff is working on conducting hybrid meetings and more information will follow.

Acting Planning Manager Lochirco recognized Commissioner Mendall for his amazing work on both the Planning Commission and City Council and thanked him for his time, dedication, and commitment to the City of Hayward, especially in taking on this interim position.

***Commissioners' Announcements, Referrals:***

Chair Roche thanked Commissioner Mendall for his service and filling in for this time until the full recruitment could be done. Ms. Roche said the Commission is looking forward to the newly appointed Commissioner Lowe when she will join the Commission for October meetings. Ms. Roche announced that she has been involved in the Alameda County for Fair Redistricting and encouraged everyone to get involved and visit the website.



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

---

Commissioner Ali-Sullivan echoed all the comments made and the Commissioners have all benefitted from Commissioner Mendall experience, wisdom, guidance, and mentorship. His presence will be missed and thanked Mr. Mendall for his dedication to better Hayward.

Commissioner Bonilla thanked Commissioner Mendall for his contributions and his thoughts which have helped the Commissioners think out of the box and thanked him for always being bold and for always advocating for Hayward's residents. Mr. Bonilla announced that September is National Preparedness Month which is observed across the United States and raises important issues for preparing for disasters and emergencies and encouraged everyone to visit [ready.gov](https://www.ready.gov) for tips to be prepared for challenges we might face.

Commissioner Oquenda thanked Commissioner Mendall for coming back and serving on the Commission.

Commissioner Goldstein thanked Commissioner Mendall for his service, guidance, and that his mentorship is unmeasurable and for everything he does out of the public view. Mr. Goldstein said the Alameda County Office of Emergency Services will be participating in the FEMA organized annual disaster drill which this year will be simulating an earthquake along the Hayward fault. Mr. Goldstein said for the first-time amateur radio operators will be participating with the 16 counties representing the bay area and spoke about their contributions during a disaster. Mr. Goldstein said to please contact him for further information.

Commissioner Stevens said that Commissioner Mendall gave him a good piece of advice that you cannot possibly know everything in the first year or two on the Planning Commission which has helped him a lot and wished him the best.

Commissioner Mendall said that he has enjoyed working with everyone, this is a strong group, enjoyed the spirited debates and gave a special thanks to Chair Roche. Mr. Mendall said the new Commissioner Lowe will fit right in.

Senior Secretary Chan thanked Commissioner Mendall for his time and dedication and wished him and his family the best.

Assistant City Attorney Brick thanked Commissioner Mendall for his time and is looking forward to seeing what commission he will be on next.



**PLANNING COMMISSION MEETING  
REMOTE PARTICIPATION  
Thursday, September 2, 2021, 7:00 p.m.**

---

**ADJOURNMENT**

Chair Roche adjourned the meeting at 10:37 p.m.

**APPROVED:**

A handwritten signature in cursive script, appearing to read "R. Stevens", is written over a horizontal line.

Robert Stevens, Secretary  
Planning Commission

**ATTEST:**

A handwritten signature in cursive script, appearing to read "Denise Chan", is written over a horizontal line.

Denise Chan, Senior Secretary  
Office of the City Clerk