



CITY OF HAYWARD
777 B STREET, HAYWARD, CA 94541-5007
(510) 583-4205 / www.hayward-ca.gov
LIVE BROADCAST – LOCAL CABLE CHANNEL 15

MEMBERS OF THE AUDIENCE WISHING TO ADDRESS THE PLANNING COMMISSION:

Obtain a speaker's identification card, fill in the requested information, and give the card to the Commission Secretary. The Secretary will give the card to the Commission Chair who will call on you when the item in which you are interested is being considered. When your name is called, walk to the rostrum, state your name and address for the record and proceed with your comments. Copies of staff reports for agenda items are available from the Commission Secretary and on the City's website the Friday before the meeting.

AGENDA
HAYWARD PLANNING COMMISSION
THURSDAY, NOVEMBER 5, 2009

6:45 PM **CLOSED SESSION** **ROOM 2B**

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

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** (Pursuant to Subdivision (a) of Government Code Section 54956.9)
Eden Gardens MHP, LLC v. City of Hayward, Case No. RG08-395185
Eden Gardens MHP, LLC v. City of Hayward, Case No. HG09-460275

7:30 PM **REGULAR MEETING** **COUNCIL CHAMBERS**

ROLL CALL

SALUTE TO FLAG

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

PUBLIC HEARINGS – For agenda item No. 2, the decision of the Planning Commission is final unless appealed. For agenda item No. 3, the Planning Commission can either recommend approval to the City Council or deny the application. Any denial action is appealable. 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.



Assistance will be provided to persons requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons needing accommodation should contact Debbie Summers 48 hours in advance of the meeting at (510) 583-4205, or by using the TDD line for those with speech and hearing disabilities at (510) 247-3340.

2. **PL-2007-0576 – PM 9700 – The Loftin Firm (Applicant) / Eden Gardens MHP, LLC (Owner)** – Request for a Parcel Map to Convert Eden Gardens Mobilehome Park to Resident Ownership - The Property is Located at 1150 West Winton Avenue in the Mobilehome Park

3. **Text Amendment Application No. PL-2009-0454** – Starzz Management Services, Inc. (Applicant) – Request to Amend Hayward Municipal Code Section 10-1.2735(b) to Delete the Restriction on On-Sale Alcohol-Related Commercial Activities on Properties which Front B Street Between Watkins Street and Foothill Boulevard, or Main Street Between A and C Streets, in Respect to Proximity to any School, Public Park, Library, Playground, Recreational Center, Day Care Center, or Other Similar Use

- Conditional Use Permit Application No. PL-2009-0201 - Starzz Management Services, Inc. (Applicant)/Dinesh Shah (Owner)** - Request to Operate a Restaurant and Night Club Within the Downtown Entertainment District - The Property is Located at 926 B Street

ADDITIONAL MATTERS

4. Oral Report on Planning and Zoning Matters
5. Commissioners' Announcements, Referrals

APPROVAL OF MINUTES

6. October 15, 2009

ADJOURNMENT

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing. **PLEASE TAKE FURTHER NOTICE** that the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

Note: Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Permit Center, first floor at the above address.