



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, April 26, 2007, 7:30 p.m.
777 B Street, Hayward, CA 94541**

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m., by Chair McKillop followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS: Lavelle, Sacks, Peixoto, Thnay, Mendall, Zermeño

CHAIRPERSON: McKillop

Absent: COMMISSIONER: None

Staff Members Present: Bauman, Conneely, Fakhrai, Rizk, Lens

General Public Present: Approximately 38

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARINGS

1. Draft Environmental Impact Report for the Route 238 Corridor Improvement Project

Staff report submitted by Deputy Director of Public Works Fakhrai, dated April 26, 2007, was filed.

Director of Public Works Bauman presented the staff report and indicated that the Draft Environmental Impact Report (DEIR) is available for review at City Hall, the two libraries and is posted on the City's website.

In response to Commissioner Mendall's inquiry about state highway relinquishment and long term maintenance and financial obligation, Director of Public Works Bauman indicated that one of the recent priorities for Caltrans is to look at highways that should be under local jurisdiction. Mr. Bauman indicated that there are benefits and costs associated with relinquishment, such as gaining control of traffic operations and managing the signal timing and coordination with existing signals. Mr. Bauman indicated that State Routes 238, 92, and 185 would be relinquished within City limits with a requirement that the State brings them up to a normal level of repair. He added that an analysis of the costs associated with future City maintenance would be prepared. Mr. Mendall further inquired about the mini-loop and the three lanes coming from Foothill Boulevard and then having to transition to make the left at A Street and Mission Boulevard and the potential problems with traffic flow. Mr. Bauman indicated that significant distance exists between Foothill and Mission Boulevards and an adequate signage plan would be essential to diminish potential problems.

In response to Commissioner Peixoto's inquiry regarding the speed limit on Foothill Boulevard and A Street, Director of Public Works Bauman indicated that it would be that of downtown (25mph.)

In response to Commissioner Peixoto's inquiry related to on-street parking on Mission Boulevard at the Honda and Toyota dealers, Director of Public Works Bauman stated that the parking on the entire area of southern Mission Boulevard during peak hour periods would be prohibited. In reference to the utilization of parking data on page five of the report "Auto Dealer Parking on Mission Boulevard," Mr. Bauman indicated that two observations were made in producing the data.

Commissioner Lavelle inquired about the status of the I-238 connector between I-580 and I-880 freeways and the plans to improve the connection in order to avoid congestion in downtown. Director of Public Works Bauman indicated that Caltrans has awarded a project that makes I-238 three lanes in each direction, and provides other ramp and freeway improvements at the I-880 junction. He indicated that the I-238 project as well as the I-880/92 freeway interchange project have been considered as existing in the 2025 traffic analysis of the DEIR. Furthermore, Ms. Lavelle made reference to letters from Prospect Hill residents about making a couple of streets one-way streets. Mr. Bauman indicated that the purpose was to address the potential for cut-through traffic on Simon and Hotel Streets and, in fact, the Prospect Hill Neighborhood Association had requested consideration of such measures before this project was considered because of existing concerns of cut-through traffic. In response to Ms. Lavelle's question, Mr. Bauman indicated that the Hayward Unified School District was notified about the availability of the DEIR, but no comments were received.

Commissioner Zermeño inquired about the time frame for the widening of I-238. Director of Public Works Bauman indicated that according to Caltrans the construction is expected to take until 2010. He added that the I-880/92 interchange construction, which is scheduled to be awarded later this year, is also expected to take four years. It was noted that the possible removal of Zorns Restaurant would facilitate the turning of the already existing truck traffic that is allowed on Route 238. In reference to data on where Hayward residents work, Mr. Bauman mentioned that such analysis has not been conducted but referred to a previous analysis associated with update of the general plan circulation element where it was determined that approximately 30% of peak hour trips were through-traffic without a start or end point in Hayward.

Commissioner Thnay favored improving traffic flow but correlating it with pedestrian and other improvements to the downtown. He favored taking right-of-way only when necessary. In reference to the model used for measuring existing traffic and projections used, Director of Public Works Bauman indicated that the Hayward area model was used and was validated against other regional models such as the county and MTC models, which used similar projections. In reference to the question of traffic adaptive technology for the signals along Mission Boulevard, Mr. Bauman indicated that, according to Caltrans, the present traffic timing is optimized considering the amount of cross street traffic. Mr. Thnay suggested that staff consider traffic adaptive technology in order to efficiently improve the synchronization of traffic signals.

Chair McKillop requested clarification of the traffic analysis to confirm that only 30% is through-traffic, the accessibility to Hayward, and how to deal with the traffic congestion. She was not optimistic about the analysis of levels of service, indicating that there are intersections that are not going to improve in the downtown through the proposed concept.



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Commissioner Sacks was optimistic about the proposed removal of parking lanes at peak times and inquired if the implementation aspect was studied. Director of Public Works Bauman indicated that an efficient and aggressive towing program would be important in implementing it. He added that the peak parking prohibition would have to be enforced on a daily basis.

Commissioner Zermeño asked for more clarification about the projected traffic growth in Hayward for 2025. It was stated that the growth in traffic is expected to increase by approximately 36%.

In response to Commissioner Thnay, Director of Public Works Bauman indicated that a left only signal is proposed at the Moreau Catholic High School. It was stated that the only signals would be one into Moreau Catholic High School and one at Calhoun Street with the Jefferson Street signal being eliminated.

Chair McKillop opened the public hearing at 9:01 p.m.

Mr. James Gebel, Cynthia Court resident and retired engineer, opposed the proposed mini-loop because it would slow traffic, cause more congestion, destroy buildings, pollute the environment, and upset drivers. He favored part of the grade separation and favored two-way as opposed to one-way streets.

Mr. Charlie Cameron, Hayward resident, indicated that he submitted his concerns in writing to Public Works staff.

Mr. Bud Allan, with Hayward Chevrolet, spoke against dedicating improvements towards moving more traffic through town. He expressed the concern that the construction might tear-up downtown for four years or longer. He mentioned that the automobile industry represents sales tax revenue and that the proposal will go against business development. He did not support the on-street parking prohibition and the grade separation.

Ms. Georgette Munoz, Chief Executive Officer of Bay Cities Credit Union, expressed concern about the City's contemplation to take 12 feet of the building at Main Street and D Street, which would represent approximately 10% of the building. She mentioned that she had suggested that Council consider other alternatives such as size reduction of lanes or sidewalks. She suggested that the funding be used towards road improvement or construction rather than property acquisition because it could be more cost effective. She asked that the Commission deem the DEIR to be incomplete or to extend the written public comment period for a minimum of 30 more days. In response to Commissioner Thnay's concern to alleviate removing property, Mr. Bauman indicated that because of the large amount of traffic at the intersection of D Street and Mission Boulevard, the double proposed left lane is necessary. He indicated that the final environmental document would include an analysis that looks at reducing the impact to the Credit Union property in response to Ms. Munoz's comment letter.

Ms. Rudy Grasseschi, the Cobbler Shoe Store owner, submitted a letter and spoke against the grade separation at Jackson Street, Foothill Boulevard, and Mission Boulevard and opposed the one-way street involved in the mini-loop in downtown. Mr. Grasseschi indicated that one-way and two-way streets cause confusion for prospective patrons getting to retail businesses.

Mr. Barbara Fields, Madeiros Avenue resident, indicated that the proposed seven lanes for D Street is too wide for the street. She opposed the relinquishment of the routes from state highway for the debt that is going to be generated. In response to her question about San Lorenzo Creek, Director of Public Works Bauman indicated that the creek is not addressed because it is not going to be affected by the project.

Mr. Ray Baker, business owner on A Street, spoke against the project because, in his opinion, it does not alleviate the dangerous conditions at intersections in downtown. He disagreed that converting two-way streets into one-way streets is going to improve the traffic conditions and indicated that more traffic on Foothill Boulevard is going to be detrimental to the local businesses. Lastly, he kindly requested an extension to the public comments period.

Mr. Rocky Fernandez, AC Transit Director, expressed concern for busses having to cross five lanes in short distances. He asked for consideration in adding dedicated transit lanes. He added that transit implications be considered in order to emphasize transit through the downtown area in order to alleviate traffic issues. In response to Commissioner Lavelle's request to address why the proposed transit alternative was not a superior alternative, Director of Public Works Bauman indicated that the alternative addressed transit improvements only. He further indicated that the reduction in trips was only one percent, which was not a significant change. He added that the project design does consider not negatively impacting the transit and expressed that any AC Transit's comments would be addressed in the Final Environmental Impact Report (FEIR.)

Mr. Bob Knezevich, Hayward business owner for Ford, Lincoln, and Nissan, opposed the project because it would be a detriment to his business. He expressed that no parking on Mission Boulevard would negatively impact his business, especially during summer time.

Ms. Susan M. Silva submitted a speaker card but did not speak.

Ms. Audrey LePell, CATS (Citizens for Alternative Transportation Solutions) President, submitted a packet and expressed initial mixed feelings about the mini-loop proposal, but when she learned that it would be the substitute for the Route 238 Bypass, she favored the proposal. She added that she could not find notification to Hayward Area Recreational District, Hayward Unified School District or AC Transit about the project. She asked that the project be kept within the right-of-way. Director of Public Works Bauman indicated that the different agencies were properly notified as well as the notification published in the paper and posted on the website.

Mr. Sherman Lewis, Hillcrest Avenue resident, expressed that there is lack of evidence that the mini-loop improves traffic flow in Hayward. He mentioned that the DEIR addressed improvements to intersections but lacked accurate supportive data. He indicated that impacts to D Street are negative, the transportation modeling does not represent good realistic analysis, and the transit alternative does not scale up to a meaningful alternative. He expressed concern for the Central Boulevard realignment. He added optimism about the improvements to Moreau Catholic High



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School. Furthermore, he urged that monies be wisely spent. In response to Commissioner Lavelle's clarification for "induced restraint," Mr. Lewis indicated that it relates to the time aspect of congestions and decongestions.

Mr. Scott Raty, representing Hayward Chamber of Commerce, expressed that the DEIR does not adequately address questions related to traffic circulations, travel times during construction, economic impacts to downtown, motorists turning left southbound Mission on A Street, Zorns Restaurant, Cal State students, issues with the Prospect Hill, and Second Street neighborhoods. He added that Hayward auto dealerships represent sales tax revenue generation. He added that the proposed project would not create a destination point for Hayward. He asked for consideration of the cities of Walnut Creek and Livermore and the manner in which they have removed state highways from their downtowns.

Mr. Jerrold Castleberry, spoke about a petition that was submitted to Council and urged to consider the human aspect when removing properties. He indicated that the project would negatively affect the Le Paradis Restaurant located at Mission Boulevard and D Street by removing the patio and parking areas, and by creating pollution and traffic.

Ms. Nathalie Nguyen, daughter of Le Paradis Restaurant owner, mentioned that the project would negatively impact her family business, which relies on commuters. She urged consideration of other alternatives in promoting downtown. She mentioned that she started a petition against the project and gathered 180 signatures from commuters, students, and residents which she submitted to Council. Lastly, she opposed the project. In response to Commissioner Zermeño's inquiry, Ms. Nguyen indicated that her mother was informed that the patio and parking lot of the business would be affected should the project proceed, but that parking would be available across the street.

Mr. Rob Simpson, Grandview Realty Broker, referred to an e-mail that he submitted.

Ms. Natalie Forest, Parkside Drive resident and employed in Hayward, concurred with the feelings expressed and spoke against removing businesses in order to accommodate traffic. She spoke favorably about the theater that is being constructed because it will attract more life to downtown. Lastly, she expressed concern about the negative impact on the life of the City by the proposed project.

Mr. Douglas Sprague, Parkside Drive resident, requested that the Commissioners turn down the proposal. He indicated that the increase in the price of gasoline and oil would have an impact on the use of automobiles and therefore asked that the project be reevaluated. Lastly, he spoke favorably about Le Paradis Restaurant and expressed concern with the impact that the project might have on the business.

Chair McKillop closed the public hearing at 10:09 p.m., and thanked the public for their participation.

Commissioner Zermeño commented that the project is good but needs more improvement in addressing concerns, such as that it is not auto mall friendly, the impact on two restaurants, the mini-loop being too disruptive, and traffic increase on Foothill Boulevard. Lastly, he was not favorable of encouraging more traffic.

Commissioner Mendall spoke favorably about the improvements to Carlos Bee and Mission Boulevards; however, he expressed the significant cost associated with the economic aspect and the businesses affected, such as short term during construction and long term due to taking away property and elimination of parking space. He indicated that if given the opportunity, he would not vote in favor of the project as it stands at present.

Commissioner Lavelle referred and concurred with the request by Ms. Munoz to extend the comment period. She urged staff to recommend to Council to allow for more participation and more outreach in order to get more public review by different stake holders.

Commissioner Sacks indicated that good businesses need more customers and therefore more traffic. She added that every change could be disruptive and unsettling but could be overcome. She expressed trust that City staff would make the appropriate decisions regarding reducing construction impacts and encouraged more participation.

Commissioner Thnay favored a solution that is more humanized and suggested that an extensive landscaping and a slow down of traffic be part of this project. He suggested that the far left lane between A and C Streets be dedicated to left turns for traffic that is going downtown. He favored minimizing the right-of-way take.

Commissioner Peixoto favored improvements to the intersection of Carlos Bee and Mission Boulevards but excluding the removal of on-street parking on Mission Boulevard by the intersection. He also favored the right turn lane from Orchard Avenue heading south on Mission Boulevard. He expressed concern about the mini-loop and the City's willingness to be so accommodating to through traffic. He added that the loop is not conducive to creating a pedestrian friendly environment. Lastly, he indicated that the loop needs to be reconsidered.

Chair McKillop indicated strong concern about the mini-loop and stated that she would be commenting more at the forthcoming Council meeting.

ADDITIONAL MATTERS

2. Oral Report on Planning and Zoning Matters

Planning Manager Rizk announced a Special Joint City Council/Planning Commission Work Session related to the South of 92 Study scheduled for May 1, 2007. He added that a work session regarding Green Buildings and Sustainable Developments is tentatively scheduled for May 24.



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3. Commissioners' Announcements, Referrals

Commissioner Peixoto requested to agendize a work session regarding property management in order to continue discussion from a previous work session and then to come up with a policy on property management for 20 units or less. Discussion ensued and there was no consensus to agendize the item.

Commissioner Zermeño invited all attendees to visit Mimi's Café in Southland.

APPROVAL OF MINUTES

The minutes of March 8, 2007, were approved.

ADJOURNMENT

Chair McKillop adjourned the meeting at 10:35 p.m.

APPROVED:

Mary Lavelle, Secretary
Planning Commissioner

ATTEST:

Miriam Lens
Commission Secretary