



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, May 24, 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, Mendall, Thnay, Zermeño
CHAIRPERSON: McKillop
Absent: COMMISSIONER: Sacks, Peixoto

Staff Members Present: Conneely, Patenaude, Rizk, Lens

General Public Present: Approximately 9

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARINGS

1. **General Plan Amendment No. PL-2006-0395 and Zone Change PL-2006-0393 – Chris Zaballos for Zaballos Enterprises (Applicant/Owner)** – Request to Change the General Plan Land Use Designation from Low-Density Residential to High-Density Residential and Change the Zoning from a Single-Family Residential (RS) District to a Planned Development (PD) District to Build Four Apartments as Part of the Ridgecrest Apartment Complex - The 4.9 Acre Project Site is Located Adjacent and North of 1744 and 1748 D Street

Staff report submitted by Associate Planner Pearson, dated May 24, 2007, was filed.

Principal Planner Patenaude presented the report.

In response to Commissioner Mendall's inquiry regarding rezoning the proposed project as Medium-Density as opposed to High-Density, Principal Planner Patenaude indicated that the project would be incorporated into the Planned Development District as proposed.

In reference to Commissioner Lavelle's inquiry regarding parking ratios, Principal Planner Patenaude indicated that there are a total of nine spaces with 2.1 spaces per unit including one for guest parking. In response to Commissioner Lavelle's inquiry regarding transit bus service, Mr. Patenaude indicated that AC Transit Route 95 serves the area.

Regarding Commissioner Zermeño's inquiry for traffic concerns, Principal Planner Patenaude indicated that the proposed four new units would not cause a significant increase in traffic for D Street.

Commissioner Thnay expressed that the environmental capacity for the two-lane D Street may become unbearable for residents in the area.

Chair McKillop opened the public hearing at 7:47 p.m.

Mr. Chris Zaballos, applicant, indicated that the proposed project adds continuity to D Street. He kindly asked for the Commissioners support.

In response to Commissioner Mendall's inquiry, Mr. Zaballos indicated that separate electric meters will be provided for the four units.

In response to Commissioner Lavelle's inquiry, Mr. Zaballos responded that the rent for the three-bedroom unit with two parking spaces underneath would be approximately \$1,550.

Chair McKillop closed the public hearing at 7:50 p.m.

Commissioner Thnay moved, seconded by Commissioner Zermeño, and unanimously approved with Commissioners Sacks and Peixoto absent, to recommend to City Council to adopt the Initial Study, Mitigated Negative Declaration and Mitigation Monitoring Plan prepared pursuant to the California Environmental Quality Act (CEQA) guidelines; and approve the General Plan Amendment, Zone Change and Preliminary and Precise Development Plan subject to the findings and conditions.

2. Site Plan Review No PL-2005-0594 – Mission Paradise – Mohammad Shaiq (Applicant) / Mission Paradise LLC (Owner) – Mixed-Use Project with 21,017 Square Feet of Retail Area and 92 Residential Units – The 1.9 Acre Project Site is Located at 28000 Mission Boulevard between Webster and Hancock Streets (Continued From February 8, 2007)

Staff report submitted by Principal Planner Patenaude, dated May 24, 2007, was filed.

Principal Planner Patenaude made the staff report indicating that the item was continued from the February 8, 2007, meeting in order for the applicant to respond to concerns raised, which have been addressed in the staff report.

In response to Commissioner Mendall, Principal Planner Patenaude clarified that the mechanical penthouse equipment would exceed the 60 feet but would not be visible.

Chair McKillop opened the public hearing at 8:19 p.m.

Mr. Michael Stanton, architect for the project, presented an animated presentation providing solutions to concerns previously raised by the Commissioners regarding energy conservation, trees and planters, up-lighting recessed trees at entrances, treatment of podium with group open space and



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children's play area, meeting room, bicycle parking, east side façade treatment adjacent to the apartment project, up-lighting for the retail space, lighting pedestrian path, and improvement to the facade on Webster and Hancock Streets. Having offered solutions to the various concerns, he asked for the Commission's support.

In regards to Commissioner Mendall's inquiry about energy conservation, Mr. Stanton indicated that the effectiveness of a ground loop heat exchanger would be determined on feasibility, ground condition, and soil.

In response to Commissioner Thnay regarding the feasibility of energy conservation and the maintenance of landscaping, Mr. Stanton indicated that energy conservation has been done in several projects in the Monterrey and Petaluma areas and that the Homeowners' Association would be responsible for the maintenance fee.

In response to Mr. Thnay's question regarding landscaping in the median on Mission Boulevard, Principal Planner Patenaude indicated that staff is reviewing final plans for that section of Mission Boulevard as part of the South Hayward Bart/Mission Boulevard Concept Design Plan. Mr. Thnay indicated that the City would benefit from treatment to the median.

Mr. Thnay favored the amenity of the meeting room and suggested outdoor facilities for barbequing to complement it.

Commissioner Zermeño recommended considering increasing motorcycle and reducing bicycle parking. He also suggested that the planters on Mission Boulevard be replaced with benches. Principal Planner Patenaude indicated that there could be a combination of both. Mr. Zermeño reiterated Commissioner Thnay's concern for the median.

Chair McKillop commended the quick response in addressing concerns raised on February 8, 2007, and for bringing a quality product for the South Hayward Bart/Mission Boulevard Concept Design Plan.

Mr. Mohammad Shaiq, Mission Paradise applicant, thanked staff and Mr. Stanton and spoke favorably about the proposed project.

Chair McKillop closed the public hearing at 8:43 p.m.

Commissioner Lavelle appreciated the prompt response to the concerns raised at the previous meeting including the bicycle racks, meeting room, and improved view corridor. For the retail area, she suggested personal services such as a floral shop, hair salon, and coffee shop, and emphasized no need for liquor sale for that area. She made a motion to support the staff recommendation.

Commissioner Zermeño seconded the motion.

Commissioner Thnay commended the effort to accommodate residents behind the proposed apartment complex and added that the view impacts and height concern have been satisfactorily reduced. He supported the motion indicating that the modified proposal is a high quality project. Mr. Thnay recommended the addition of public art to the project. He recommended that a bicycle path and pedestrian walk be added to South Hayward to make it more appealing.

Commissioner Zermeño inquired for the need to add language to the motion for benches. Principal Planner Patenaude indicated that it would be considered at the building permit stage. Mr. Zermeño supported the motion indicating that the Jimenez Market would be improved with the proposed project with reservation to the apartment complex behind. Overall, he supported the motion.

Commissioner Mendall complimented the architect for preserving the view and for the landscaping; however, he did not support the motion because the six-story building was too large for the first project for the South Hayward Bart/Mission Boulevard Concept Design Plan. He added that he would have been supportive, had this project been five stories.

Chair McKillop supported the motion indicating that the building is a piece of public art.

Commissioner Lavelle moved, seconded by Commissioner Zermeño, and approved, to find that the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15332, *In-Fill Development Projects*, and approve the site plan review application, subject to the findings and conditions.

AYES:	COMMISSIONERS Lavelle, Thnay, Zermeño CHAIR McKillop
NOES:	COMMISSIONERS Mendall
ABSENT:	COMMISSIONERS Sacks, Peixoto
ABSTAIN:	COMMISSIONER None

ADDITIONAL MATTERS

2. Oral Report on Planning and Zoning Matters

There were no announcements.

3. Commissioners' Announcements, Referrals

Commissioner Lavelle requested that the meeting be adjourned in memory of Hayward Area Recreation District (HARD) Director Douglas Morrison.

APPROVAL OF MINUTES

The minutes of May 10, 2007, were approved.

ADJOURNMENT

Chair McKillop adjourned the meeting at 8:53 p.m., in memory of HARD Director Douglas Morrison.



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APPROVED:

Mary Lavelle, Secretary
Planning Commissioner

ATTEST:

Miriam Lens
Commission Secretary