



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, June 24, 2010, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

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**MEETING**

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

**ROLL CALL**

Present: COMMISSIONERS: Márquéz, Loché, Peixoto, Lavelle,  
CHAIRPERSON: Mendall  
Absent: COMMISSIONER: McKillop, Thnay

Chair Mendall led in the Pledge of Allegiance.

Staff Members Present: Conneely, Patenaude, Pearson, Philis

General Public Present: 5

**PUBLIC COMMENTS**

Chair Mendall presented Commissioner Marvin Peixoto with a Resolution recognizing his six years on the Planning Commission and congratulated him for his successful campaign for City Council. Commissioner Peixoto thanked the Commissioners and acknowledged their intelligence, analytical skills and dedication to the City and said he was proud to have served with them.

Chair Mendall then announced that Item #2, the Public Hearing regarding the appeal of Administrative Use Permit for the Verizon tower at Stonebrae, would be continued until July 22, 2010, because three Commissioners had to recuse themselves and with another absent, there wasn't a quorum.

**WORK SESSION**

1. Mission Boulevard Corridor Specific Plan Environmental Impact Report

Senior Planner Erik Pearson introduced the consultants for the project and Laura Hall of Hall-Alminana started the presentation with an overview of the project including goals and steps taken to-date. Consultant Robert Alminana presented the alternatives to the Specific Plan starting with Variable 1: Design of Mission Boulevard North of A Street (landscaped median, etc.).

Chair Mendall asked if any of the four alternatives for Variable 1 would best lend themselves to future improvements such as reducing the number of traffic lanes from four to two and extending sidewalks out 10 feet (similar to Alternative 4) when LATIP funding would not be impacted. Mr. Alminana pointed out that Alternative 1 also has 10-foot sidewalks, but the 3-foot-wide landscaped

median would be too narrow to support any trees. Chair Mendall said he preferred the first alternative because the median strip would be eliminated and would concentrate landscaping to trees along a wide sidewalk that could also accommodate café seating. Chair Mendall said Alternative 1 would be the least expensive to modify later.

Commissioner Peixoto said he like Alternative 3, but asked if the rationale behind the landscaped median strip and wide sidewalks was to accommodate pedestrians in that specific area, or to serve as a gateway to the downtown. Mr. Alminana said both; the area is within walking distance of downtown and does serve as a transition to the downtown area. Mr. Alminana explained that from a design point of view, a landscaped median breaks up the road space and serves as a balance between the horizontal road and the vertical height of the buildings. He said the median also provides pedestrians with a safety point when crossing the street, and when looking from one side of the street to the other, shortens views to one direction of traffic. Mr. Alminana suggested a field trip to San Francisco so the Commissioners could experience this design element for themselves.

Commissioner Peixoto said the wide, walker-friendly sidewalks and landscaped median do not blend well with the proposed downtown loop that will have five lanes of traffic traveling in the same direction. He said the two theories don't mesh and he asked Mr. Alminana if he saw any problem there. Mr. Alminana said yes, he understood the concern, but pointed out that the area is near downtown and a design that favors pedestrian traffic is still desirable and might balance the loop. Mr. Alminana also pointed out that times change and the loop might not be there forever. Commissioner Peixoto also expressed concern that the "traffic calming measures" incorporated into the Variable will end abruptly at the loop and drivers will race through town from that point on. Mr. Alminana said he hoped that would not be the case.

Commissioner Lavelle thanked Commissioner Peixoto for bringing up the loop and said that the City can't do Alternative 4 because they can't possibly have single lanes of traffic in each direction in the block prior to five traffic lanes in one direction. She also commented that the width of the median is meaningless if it is not maintained. She said she agrees with Chair Mendall's statement to eliminate medians if in 10 years they are covered with weeds and dried out. She asked if the purpose of the median strip is to slow down traffic or to beautify the area. Mr. Alminana said both. Medians shorten the perspective of space, he explained, and intuitively drivers will slow down. Commissioner Lavelle pointed out to Commissioner Peixoto that slowing traffic down before the loop may be beneficial. Commissioner Lavelle said that as a bicyclist she prefers Alternative 3.

Commissioner Loché said he thought Alternative 1 would be his choice, but after seeing and hearing the presentation he said he preferred having a median. He said visually, the median is more appealing and gives you a safer feeling, although he does favor wide sidewalks. Commissioner Loché asked Mr. Alminana to explain why, according to the report, narrower traffic lanes could be safer. Mr. Alminana said none of the alternatives actually change the lane width, which is 11 feet to allow for trucks. Senior Planner Pearson said 12 feet is standard for truck routes and confirmed Public Works doesn't want to go any narrower than 11 feet.

Commissioner Márquez said she prefers Alternative 3 because the wider sidewalks allow for sidewalk seating and boutique displays like a flower shop.



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Chair Mendall said in conclusion, the Commission seems to favor the staff recommendation of Alternative 3.

Variable 2: Reduce allowable Building Heights from 4-6 to 2-3 on Mission Blvd. between Hotel Ave. & Simon Street, Mr. Alminana said studies have shown that shorter buildings improve views and overall aesthetics and do not impact the desired density levels.

Chair Mendall said he visited Prospect Hill and found that three story buildings do not obstruct views. He said five and six stories would definitely obstruct views and would be too high in general. He said in certain areas, where the hill is a little taller, he might consider four stories so he didn't want to restrict all developments to three stories. After speaking with a Prospect Hill resident and looking at the area from his perspective, Chair Mendall pointed out that if a rooftop is unattractive, it doesn't matter how many stories the building is. He said four stories with a garden rooftop would be preferable to three stories with an ugly roof. He concluded by saying that if someone wants to build a four story building they should be required to have a rooftop garden. Mr. Alminana said this could be accomplished by creating two overlays that would allow for four story buildings within the T-5 Urban Center Zone.

Commissioner Loché said he would prefer the T-4 General Urban zoning to allow buildings up to four stories both north and south of Simon Street so densities could be more easily met and open space maintained around the buildings. He pointed out that that area is still within the half-mile radius of the BART station and stressed that meeting the densities requirements is important.

Commissioner Márquez said she preferred Mr. Alminana's suggestion of two overlays to meet density goals and still maintain views for the historic homes on Prospect Hill.

Chair Mendall asked if any of the Commissioners favored requiring a rooftop garden for buildings over four stories. Commissioners Lavelle, Peixoto and Loché all favored considering the idea and considering the requirement on a case-by-case basis. Commissioner Loché suggested adding stipulations for taller buildings including green rooftops or other alternatives that might come up.

Commissioner Lavelle asked staff if garden rooftops were included in the City's Climate Action Plan. Staff wasn't sure, but Commissioner Lavelle said she thought both green and white roofs were included in the Plan. Chair Mendall suggested the two goals be tied together and that staff warn potential developers early on that a green roof, or an attractive option, will be required. Senior Planner Pearson said the requirement could also be included in the Code.

Variable 3: Designate parcels on Mission Blvd. between A Street and "Big Mike Park" as Civic Space. Mr. Alminana explained that because there are two fault traces in this area, no habitable buildings are allowed within 50 feet of either side of the traces. He said that many of the existing buildings in this area have been designated to have either medium or high historic integrity, including two residential units.

Commissioner Lavelle said the City has had mixed results when creating small parks. For example, the park at B and Mission (Newman Park) was attractive at first but now staff finds that people tend to loiter there so she said she had mixed feelings about designating the space for civic use only. Commissioner Lavelle said that although she understands that a park-like atmosphere is strongly desired, she wondered if the parcels would be better used for retail or other uses. She also said that she does not particularly care for "Big Mike" and doesn't see the reasoning behind using him as park feature. Mr. Alminana said there's also been some confusion with people thinking "Mike" refers to the Mayor.

Commissioner Peixoto asked Mr. Alminana to list the types of buildings that could be developed in this area. Mr. Alminana explained that storage facilities and parking garages are acceptable uses.

Chair Mendall said given a choice between storage space, a parking garage or civic space he prefers designating those parcels as civic space. He pointed out that the existing buildings won't be torn down, but as they deteriorate or get torn down it is better that the land is already designated civic space. Chair Mendall said that the area is underserved by parks and this appears to be the only available location. He suggested keeping the existing historic structures permanently and consider integrating them into the park area. Regarding "Big Mike", he said he's not enamored with the statue and certainly doesn't like the name for a park.

After confirming that the parcels could not be used for retail, Commissioner Márquez said she definitely preferred that the space be held as civic space.

Commissioner Loché also agreed that with the limited options, civic space is the best option.

Chair Mendall suggested that historic features, like "Big Mike" or water towers, etc., could be moved to create a historic area or at least a themed civic space.

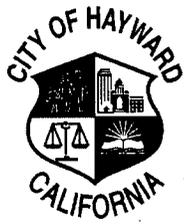
Variable 4: Designate area between Jackson Street, Mission Blvd., and Fletcher Lane as T5 (rather than T4, thus increasing densities). Mr. Alminana explained that the main reason for this proposal is that the area is within a half-mile walking radius from BART.

Commissioner Loché said because Jackson Street is so busy it will probably act like a border for most pedestrians regardless of the distance from BART. Before raising densities, he said that should be taken into consideration.

Chair Mendall said he agrees with Commissioner Loché that pedestrians will not want to walk across the busy intersection.

Variable 5: Designate parcel at southeast corner of Mission Blvd. and Jackson Street as Civic Space. Mr. Alminana explained that the presence of a fault line is the main reason behind this proposal. He said staff recommendation is to leave designation as T4 rather than Civic Space.

Chair Mendall said this doesn't seem like the best place for Civic Space. Because there are other parks close by, he said he would prefer to use the funds to make another park bigger. Commissioner Lavelle pointed out that the retirement community at that location isn't moving any time soon, so she didn't see the point in changing the designation. She agreed to follow staff's recommendation.



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Variable 6: Include slip lane on west side of Mission Boulevard between Torrano Avenue and Harder Road. Mr. Alminana said a slip lane has three elements: a landscaped median that divides it from the main road, one lane of traffic and one lane of parking. All elements favor access, he said, as well as being a positive calming feature for the surrounding businesses and neighbors, and is pedestrian and bicycle friendly. Mr. Alminana said a slip lane could be made a requirement between Torrano and Harder Road and would probably increase property values.

Chair Mendall said slip lanes would make Mission more attractive and inviting both visually and for potential pedestrians and cyclists. He emphasized that slip lanes are the essential component to making Mission look and feel the way that the Commission is hoping. He also said he agreed that values would be increased with the slip lane and a sense of community created. Chair Mendall said he would like to see slip lanes added to as many portions of Mission as possible.

Mr. Alminana described the dimensions of the proposed slip lanes.

Commissioner Loché said he also thinks slip lanes are a great idea and staff should be looking for more opportunities to include them.

Commissioner Peixoto said he preferred that parking be angular along the slip lanes rather than parallel. He agreed with Chair Mendall and Commissioner Loché that slip lanes should be utilized as often as possible. Commissioner Peixoto said in San Lorenzo, slip lanes along Hesperian protected the children walking to school.

Mr. Alminana said slip lanes are being proposed for the Pinedale and Carlos Bee areas of Mission as well.

Commissioner Lavelle pointed out that the lots on the east side of Mission Blvd. aren't wide enough to have slip lanes. She said in Berkeley, along Shattuck Avenue, the slip lanes are very effective in allowing for pedestrian and bicycle traffic.

Commissioner Márquez said she agrees with the other Commissioners that slip lanes are more inviting and look better visually. She confirmed with Mr. Alminana that angled slots provides more parking than parallel although Mr. Alminana pointed out that angled parking requires eight more feet. Chair Mendall said it may be a good trade for property owners to allow the City to make slip lanes with angular street parking so they would have to provide less parking themselves.

Variable 7: Change zoning from SD to T4-2 and change location of new thoroughfare in southwest corner of Specific Plan area (Mission Blvd. between Torrano Ave and Harder Road). Mr. Alminana explained that the T4-2 zoning would keep the existing light industrial but allow for a slip lane and some residential housing.

Commissioner Lavelle thanked Mr. Alminana for explaining the details of the proposed change and said she supported the slip lane between Torrano and Harder because the speed of traffic travelling on Harder did not accommodate drivers turning left.

Chair Mendall said the proposal seems like old thinking and he asked why they are separating industrial from residential. Mr. Alminana said the change to T4-2 would add the possibility of blending the two types. Ms. Hall explained that changing to just a T4 designation wouldn't allow for residential, but T4-2 would. Chair Mendall said he was supportive of higher densities along Mission, but not along the BART tracks where offices would look down into residential lots or units. Mr. Alminana pointed out that the lots between Mission and Dollar can only have one transit zone so an overlay district would have to be created. Chair Mendall clarified that he meant the lots between Dollar Street and the BART tracks, not those between Mission and Dollar, and concluded that he was suggesting an overlay district just to control building height along the BART tracks.

Finally, Mr. Alminana addressed an "Opportunity Site" located at Mission and Carlos Bee Blvds. Mr. Alminana showed two alternatives for this corner, the first to include a Trader Joe's-like store and a sports bar to service local residents and Cal State East Bay students and faculty, but requiring some acquisition of land from the mini-storage facility next door. The second alternative would be a much smaller retail opportunity, Mr. Alminana explained, because parking would have to be provided, but would not involve buying land from the mini-storage. He said the second alternative would include either a sports bar or a Trader Joe's-like store, but not both.

Chair Mendall said he liked both options and rather than decide now, would prefer staying open to both possibilities. He pointed out that the mini-storage is being utilized and is a relatively new building. Until the economy improves, he said, and a retailer expressed a desire to purchase the land from the mini-storage he would prefer keeping both options available.

Commissioner Lavelle asked if a decision is needed one way or the other. Mr. Alminana said no, they just wanted to make the Commissioners aware of the opportunity, but indicated that the first option was preferred. Commissioner Lavelle said regardless of what retail use comes in with the second option, there wouldn't be enough parking and there would have to be a bus stop nearby to serve students and residents. She said she prefers the first option because the truck unloading would happen behind the buildings.

Commissioner Márquez asked what was behind the property and Mr. Alminana explained that the mini-storage facility was L-shaped and completely surrounded the area.

Mr. Alminana then introduced Kevin Colin who explained that the California Environmental Quality Act (CEQA) is at the Notice of Preparation phase, which will be followed by the Draft Environmental Impact Report (EIR) and Final EIR phases. Mr. Colin explained that this was one of two junctures in the process when comments and suggestions were invited.

Commissioner Lavelle asked if the most recent U.S. Census information would be utilized in the review. Mr. Colin said he wasn't sure if the information would be finalized and legally reliable in time, but indicated that the most current data available would be used. Senior Planner said the DEIR will be presented before the finalized results of the Census will be available.



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Chair Mendall said given concerns about global warming and ocean levels rising, he would like to see those concerns mitigated by not planning any development on flood plains. He said he would like to see a green belt, or linear park, along the BART tracks for as much as possible and hopefully, someday, have it run through the entire length of the City.

**PUBLIC HEARING**

2. Appeal of Administrative Use Permit Application No. PL-2009-0570 – Pamela Noble, Verizon Wireless (Applicant) / Stonebrae, L.P. (Owner) – Install a 100-Foot-High Stealth Monopole with Supporting Generator and Cabinets - The Project is located at 222 Country Club Drive, within Stonebrae Country Club

*Public Hearing continued to July 22, 2010*

**COMMISSION REPORTS:**

3. Oral Report on Planning and Zoning Matters

Planning Manager Richard Patenaude said the next meeting is July 22, 2010, and besides the continuation of the appeal there will be a hearing for Clear Channel's proposal for a replacement billboard along Highway 92, and consideration of a tattoo shop on Jackson Street.

Regarding tonight's continuation, Chair Mendall pointed out that there will not be a quorum on July 22<sup>nd</sup> either. Planning Manager Patenaude said he would look into that.

4. Commissioners' Announcements, Referrals

Chair Mendall said when he was on Prospect Hill, a resident asked him if M Street (which he thought might have connected Prospect to Mission), is an actual street because it appears on some maps. Chair Mendall said that if it is confirmed that M Street isn't viable any longer, it should be removed from any City maps and other map services if possible. Mr. Patenaude said he work with Public Works to correct the situation.

Chair Mendall said that three members of the Planning Commission also sit on the Sustainability Committee and he apologized for not providing an opportunity for more frequent updates on discussions and recommendations. He said they have been working on a Residential Energy Conservation Ordinance which would apply to existing residential structures and would probably be followed by a Commercial Energy Conservation Ordinance. Also being discussed, he said, is a potential ban on Styrofoam containers frequently used at restaurants. He said the City of Fremont recently passed a ban and Hayward may follow suit.

Chair Mendall suggested the other Planning Commissioners receive the agenda for the Sustainability Committee so they can see what is coming up on the schedule.

**APPROVAL OF MINUTES**

5. Minutes from May 13, 2010 were unanimously approved with one minor change.
6. Minutes from May 27, 2010 were unanimously approved.

**ADJOURNMENT**

Chair Mendall adjourned the meeting at 8:48 p.m.

**APPROVED:**

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Elisa Márquez, Secretary  
Planning Commissioner

**ATTEST:**

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Suzanne Philis, Senior Secretary  
Office of the City Clerk