



MEETING

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

ROLL CALL

Present: COMMISSIONERS Zermeño, McKillop, Sacks, Caveglia, Halliday
CHAIRPERSON Bogue
Absent: COMMISSIONER Thnay

Staff Members Present: Anderly, Camire, Conneely, Gaber, Looney, Patenaude

General Public Present: Approximately 18

PUBLIC COMMENT

There were no public comments.

AGENDA

1. Appeal of the Planning Director's Approval of Site Plan Review Application No. PL-01-130-22 - Alvaro Lopez (Applicant/Owner) - Request to Install a Manufactured Single-Family Home and Build a Two-Car Garage in a Single-Family Residential (RSB6) District - The Property is Located Off 5th Street Between "D" and "E" Streets
2. I. General Plan Amendment (GPA PL-2002-0295) - Request to Amend the General Plan Designation from Industrial Corridor (IC) to Low-Medium Density Residential (LMDR), Retail and Office Commercial (ROC) and Industrial Corridor (IC); II. Zone Change (ZC PL-2002-0296) - Request to Amend the Zoning District from Industrial (I) to Planned Development (PD); III. Vesting Tentative Map Tract 7386 - Request for a 72-Lot Subdivision for Cluster Homes, Four Lots for Industrial/Office/Commercial Development and One Commercial Lot - John Rassier and Sherman Balch (Applicants and Owners) - The Property is Located at the Northeast Corner of Industrial Parkway West and Stratford Road

PUBLIC HEARINGS

1. Appeal of the Planning Director's Approval of Site Plan Review Application No. PL-01-130-22 - Alvaro Lopez (Applicant/Owner) - Request to Install a Manufactured Single-Family Home and Build a Two-Car Garage in a Single-Family Residential (RSB6) District - The Property is Located Off 5th Street Between "D" and "E" Streets

Associate Planner Camire described the project and the reasons for the Planning Director's

approval of the site plan review. She then commented on the appellants concerns that included compatibility with the neighborhood. Another concern is flooding from Sulphur Creek. She noted that Conditions of Approval require drainage and grading plans to be submitted by the developer. The home will not be located directly across the street from the appellant, however, it will sit behind another home, on 5th Street.

The public hearing opened at 7:39 p.m.

Art Strong, 5th Street, said he was appealing the "premanufactured home," because their neighborhood is a historical neighborhood. He noted that most of the homes in the neighborhood were built in 1950's and 1960's. He then described the flooding in previous years of Sulphur Creek and how drainage into the creek itself would be compounding the problem.

Nancy Lawrence, 5th Street said she does not want a premanufactured home in the neighborhood and that it does not belong in the area and would negatively affect property values.

The public hearing was closed at 7:42 p.m.

Commissioner Halliday asked about Sulphur Creek and requirement for the drainage pipe. She commented that any building on the site would cause similar problems.

Development Revue Engineer Gaber said that development of the home will not increase the tributary area of the creek. The culvert is inadequate. It will remain too small. This will be discussed between the City and the County.

Commissioner Halliday asked whether there was a State law regarding manufactured homes.

Assistant City Attorney Conneely responded that the City is not authorized to deny construction of a State-certified manufactured home if the Hayward Design Guidelines are met.

Commissioner Caveglia moved, seconded by Commissioner Sacks, to deny the appeal and uphold the Planning Director's approval of the site plan review application, subject to findings and conditions.

Commissioner Caveglia then added that he believed many people have a misconception of what manufactured homes are like. He noted that this home as conditioned will be as attractive as those already there.

Commissioner Zermeno noted that the new golf course clubhouse is a manufactured building and said he had not had a chance to drive by to see the structure previously approved for the golf course.

Principal Planner Patenaude responded that the building permit for that structure had just been received in the Planning Office.



Commissioner McKillop described manufactured homes as very much like a conventional home. She commented that, unfortunately, State law prohibits commissioners from denying the application based on that fact that it is a manufactured home. She added that architecturally, this home should fit into the neighborhood.

Chairperson Bogue agreed that the Commission had been preempted by the State, and added that this home could be more articulated for this neighborhood. He commented that the plans indicate a lack of detail. He said that after staff review, if it does not fit in, it could be brought back to the Commission.

The motion passed 6:0:1, with Commissioner Thnay absent.

2. I. General Plan Amendment (GPA PL-2002-0295) – Request to Amend the General Plan Designation from Industrial Corridor (IC) to Low-Medium Density Residential (LMDR), Retail and Office Commercial (ROC) and Industrial Corridor (IC); II. Zone Change (ZC PL-2002-0296) – Request to Amend the Zoning District from Industrial (I) to Planned Development (PD); III. Vesting Tentative Map Tract 7386 – Request for a 72-Lot Subdivision for Cluster Homes, Four Lots for Industrial/Office/Commercial Development and One Commercial Lot – John Rassier and Sherman Balch (Applicants and Owners) – The Property is Located at the Northeast Corner of Industrial Parkway West and Stratford Road

Consulting Project Planner Weisbrod described the area surrounding this property, which is 12.26 acres in size. The project would be developed with 72 single-family cluster homes, as well as 4 industrial/office buildings and a commercial building. The developer would dedicate over 18,000 square feet of land for the expansion of the adjacent Stratford Village Park under HARD's jurisdiction. The developer would also improve the land to meet HARD's improvement standards and to enhance the existing park. He then described the various changes and conditions staff would like to add. He noted that Condition 32 would require removing two units at the southeast corner adjacent to industrial Building E. The restrictions would make the neighborhood more attractive and fit in better with the residential area.

Commissioner Zermeño asked about the front of the retail space and the cutout for buses. He then asked whether there would be bike racks in the area.

Consulting Project Planner Weisbrod responded that there is a requirement for bike racks in the front of the commercial buildings.

Commissioner Halliday discussed the parking spaces per dwelling, generally 5 spaces per units, they propose 4 spaces. What was the thinking on not requiring the extra parking spaces.

Consulting Project Planner Weisbrod noted that the parking ratio is just over 4 spaces for each cluster unit. He then discussed the parking spaces provided for the residential section of the

project.

Commissioner Halliday asked whether this project would have a completely new Home Owners Association or if it would be combined with the one at Stratford Village I.

Consulting Project Planner Weisbrod explained that there would be similar issues in both developments; however, there would be a Home Owners Association specific for this development.

Commissioner Halliday then noted that she hoped there would be meeting space for the Home Owners Association somewhere. She noted the number of HOA's approved by the Commission with nowhere to meet.

Commissioner Sacks commented that the Commission had received the most recent set of Conditions at this meeting and asked staff if among them were there any substantive changes.

Consulting Project Planner Weisbrod said staff had added a condition that rather than a wood fence an 8-foot masonry wall be built along the Stratford Road frontage of the property.

The public hearing opened at 8:10 p.m.

Anthony Varni speaking for the developer asked the Commission to accommodate them. He said the architect would speak first and then Mr. Balch and then Mr. Varni again.

Mark Rutherford, Architect, said the project had been in process for over three years and staff was receptive to the changes and their comments. He then explained with a slide show the proposal. Cluster housing is unique in that it separates the pedestrian from the auto traffic. He noted that there would be no garages visible from the street. He discussed the various amenities of the development.

Commissioner Halliday asked for a more specific description of a visitor walking into the houses toward the back of the cluster.

Sherman Balch then discussed the various uses in the industrial buildings as well as the deed restrictions, which would be signed by any tenants, which would protect any residents from noise and other disturbing elements. He then described the landscaping and how their plan was to break the frontage up for more effective appearance.

Commissioner Halliday asked about taking out the two houses nearest industrial buildings at the southeast corner.

Mr. Balch explained that those two houses will have the greatest privacy in the subdivision and may end up being the most desirable. He commented that they would be the last homes built in the subdivision so the buyer's will know completely what they are buying into.

Commissioner Halliday then asked whether the issue might not be noise.



Mr. Balch added that a condition of the deed restriction is no noise above 60-decibels. He emphasized that any industrial uses will not impact the homes.

Anthony Varni said philosophically this development is something never done before in the City of Hayward. It is a Planned District of commercial, industrial and residential. He commented that it was a challenge to both staff and developers. He noted that, with only 72 homes, this project has as many conditions as Oliver-West. He asked for the Commission to allow them to use some judgment in making decisions. He said they had already accomplished gaining the confidence of staff and administration. He said this project would be looked to in other communities and as an example for the Cannery area. He noted that losing those two lots would not make the project any better. He then added that the developers would not build the housing until the industrial buildings are complete. It would then be up to the buyers to make a decision on any of the homes. He asked for re-consideration of that condition.

Commissioner Caveglia noted that one of the justifications used was a reduction of the price of the homes. He then asked the price of the homes.

Mr. Varni responded that the homes would sell for approximately \$450,000-\$500,000 per house.

Commissioner Caveglia then suggested to Mr. Varni that, if the Commission were to approve the proposal, which conditions do they see as a problem.

Mr. Varni then identified the conditions that they would like to have changed.

Chairperson Bogue then questioned the amount cited on page 9 of the staff report and asked whether \$400,000 to HARD for park improvements would be adequate.

Bill Gardner from HARD responded that the figures are just an estimate with the developer figuring \$633,000 and the Park District estimating approximately \$400,000.

Chairperson Bogue commented that the developer wants the park.

Mr. Varni added that the developers would do what HARD has told them to do, so they have to do it. He also commented that the \$400,000 was set as a minimum.

Brian Berry from Taylor Woodrow, for the developer, said he had been working with Eric Willyerd of HARD on these figures.

Commissioner Sacks asked about the hours of operation for the commercial and/or industrial buildings, and were they in the Conditions of Approval.

Planning Manager Anderly responded that they were.

Mr. Balch noted that they were also included in the deed restrictions as 6 a.m.-10 p.m.

Chairperson Bogue closed the public hearing at 8:50 p.m.

Commissioner Caveglia commented on the difference between this proposal and the first proposal. He noted that the compromise is an improvement. He also stated that the City of Hayward is going to have to do more and more of this. He moved, seconded by Commissioner Zermeño, to approve the project to go to the City Council with the exception of Conditions 4 and 43. He added that people buying these homes have to know what they are moving into.

Commissioner Sacks added her compliments to the applicant for the presentation. She said she was impressed with the spirit of compromise. She noted that she agreed with keeping the two homes and that the decisions could be dictated by the market, although she added that the HARD money and difference is bothersome. However, she would support the motion.

Development Review Engineer Gaber noted that condition 45 and Tract 11 condition would need changes as well, if the Commission dropped both Conditions 4 and 43.

Commissioner McKillop commented that the developer made an excellent presentation and this looks like a good project. She said the deed restrictions support the homes. She would support the motion.

Commissioner Zermeño added his complements to the staff for a marvelous job. He said he liked the tri-mix uses and that the project will be both pedestrian and transit friendly.

Commissioner Halliday said she was very happy to see the new design, although she had supported the previous proposal. At the previous hearing, she said, the neighbors were impressive. She added that this is innovative for housing. She said she came into the meeting thinking she would support staff and remove the two homes from the plan but had been persuaded by the other commissioners to support leaving in the houses.

Chairperson Bogue said he was still deciding how to vote since he is a firm believer in protecting the residential from Industrial. Although he added that they had done a good job of buffering the homes since this is the biggest problem you have with a mix. He said he also was concerned about the setback of landscaping on Industrial. He indicated he did agree with keeping the two lots.

Commissioner McKillop commented that she would be remiss if she did not tell staff they did a great job.

The motion passed 6:0:1, with Commissioner Thnay absent.

ADDITIONAL MATTERS

3. Oral Report on Planning and Zoning Matters

Planning Manager Anderly reported on the meetings for October and November.



4. Commissioners' Announcements, Referrals

Commissioner Caveglia asked whether staff had any further information on the awnings he called attention to last week.

Planning Manager Anderly said Community Preservation was checking into the matter and had not reported back to the Planning staff.

Commissioner Halliday noted a letter from Julie Machado, and asked whether staff had managed to propose any Historical Preservation information to be added to the general consideration when dealing with properties in the area.

Planning Manager Anderly said the focus of staff time at this point was the Mission-Garin area. She assured Commissioner Halliday that staff was aware of the historical nature of the buildings in the area, and with that awareness and the CEQA review, nothing significant would happen to destroy any of them.

Commissioner Sacks asked about the progress of the Loft project and wondered whether Commissioners would have the opportunity to see more of them before they are ready for sale. She noted that it was a groundbreaking project for the City of Hayward.

Principal Planner Patenaude responded that staff had just seen the plans for a second time today.

Commissioner Bogue commented on the confusion for motorists on Hesperian with the second traffic light on Longwood. He said the frontage road is one-way and should either be marked better or changed since many people do not realize it is a one-way street. He added that both signals seem to be causing confusion with drivers in that area.

APPROVAL OF MINUTES

- September 12, 2002 - Approved
- September 19, 2002 - Approved

ADJOURNMENT

The meeting was adjourned by Chairperson Bogue at 9:12 p.m.

APPROVED:

Barbara Sacks, Secretary
Planning Commission

ATTEST:

Edith Looney
Commission Secretary