



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, May 11, 2006, 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 Thnay followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS: Lavelle, Sacks, McKillop, Bogue, Peixoto, Zermeño

CHAIRPERSON: Thnay

Absent: COMMISSIONER: None

Staff Members Present: Conneely, Fakhrai, Hart, Patenaude, Rizk, Lens

General Public Present: Approximately 18

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARINGS

1. **General Plan Amendment No. PL-2006-0139 and Zone Change PL-2006-0068 – Hossien Mehrizi (Applicant)** – Request to Amend the General Plan From Limited Medium-Density Residential to Medium-Density Residential and Change the Zoning From Medium-Density Residential with 4,000 Square Feet Required Per Unit to Medium-Density Residential – The Project is Located at 24039 Through 24175 Silva Avenue and 568 Through 574 Ramos Avenue (Continued to May 25, 2006)
2. **Draft Program Environmental Impact Report for the South Hayward BART/Mission Boulevard Concept Design Plan**

Staff report submitted by Senior Planner Rizk, dated May 11, 2006, was filed.

Senior Planner Rizk presented the staff report indicating that the purpose of the hearing was to obtain input from Commissioners as well as from the public regarding the adequacy of the draft EIR. He summarized the report.

Commissioner Sacks, referring to causational probability of increased air quality and transportation, asked if there would be potential for positive impacts with green building requirements that can help with air quality issues. Senior Planner Rizk agreed, adding that the reduction of the reliance on automobiles will also reduce automobile emission and therefore reduce air quality impacts.

Commissioner Zermeño inquired about the agency responsible for bicycle storage or racks. Senior Planner Rizk responded that BART would be responsible for such facilities on its property directly by the station and if there is a development on the sites around the station, the City would determine the type of facility and storage. Senior Planner Rizk also added that the Draft Concept Design Plan references the need to provide such facilities.

Commissioner Lavelle inquired about the anticipated timeframe for the implementation of the plan. Senior Planner Rizk responded that although it is difficult to estimate, ten to twenty years minimum would be a realistic estimation for an area of this size.

Commissioner Peixoto asked for clarification on circulation impacts and mitigation measures for the intersection of Tennyson Road-Dixon Street as well as levels of service. City Engineer Fakhrai indicated that the level of service (LOS) at the Tennyson Road-Dixon Street is currently at LOS "C" and is expected to result in LOS "D" with mitigations. In response to further questions about the EIR preparation, Senior Planner Rizk indicated that consultant Jerry Haag prepared the document.

Chair Thnay thanked staff for the report and referred to the Summary of Environmental Impacts and Mitigations, Impact and Mitigation 4.1-2, and inquired about mitigation measures for views and vistas. Senior Planner Rizk indicated that such mitigation could be achieved through design by reducing the height of buildings at certain locations and having variations on the height and mass of buildings to mitigate the visual impacts.

Chair Thnay also inquired about the traffic section and the trip generation for the area, as well as the size of the project which was not included in the report. He indicated he favored local transit, similar to the one in Union City, which would be funded through collected impact fees. Senior Planner Rizk mentioned that the EIR does not address economic impacts. Chair Thnay added that the developments on the west side of Mission Boulevard to the north of Tennyson Road seem to be very constrained, without good circulation, parking, or places to walk between developments. He asked that the EIR explore a plan that would address these issues.

Chair Thnay opened the public hearing at 8:05 p.m.

Mr. Tim Crusen, a resident in the proposed Plan area, requested improvement for the Mission Boulevard area. He mentioned concern for the Haymont Shopping Center, which is proposed to be developed with residences. Senior Planner Rizk mentioned that the site is proposed to have town homes, with retail at the corner and apartments above the retail. Mr. Crusen expressed concern for the pedestrian bicycle overpass due to the closeness to the fault. He asked that it be removed since there is already an underground passageway. In reference to the new car dealership envisioned at Harder Road and Mission Boulevard, he requested that a new soundwall be extended to Sorenson Boulevard. In reference to the BART station, he expressed concern that there will not be enough parking and was in disagreement with the proposed seven-story parking structure. He was in favor of the idea of having people close to the transit. He also added that he would like to see Mission Boulevard extended to three lanes.

Mr. Brian Stanke, Jane Avenue resident, expressed agreement with the planning process so far, but was concerned about the EIR since it does not address demand management due to lack of analysis



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of vehicle miles traveled, nor any analysis of parking. He indicated that the EIR does not address factors that influence air quality and traffic impacts. In reference to pedestrian and bicycle improvements, he mentioned that there is lack of discussion regarding funding information. He also mentioned lack of analysis of the impact of the improvements on travel demand, lack of analysis that bicycles routes will reduce traffic impacts, lack of analysis and mitigation plans regarding parking, and lack of hydrology analysis to restore part of Zeile creek. He indicated that everything is left to future individual developments and associated analysis and design review. He asked that the EIR be revised to reflect a better analysis.

Commissioner Sacks asked Mr. Stanke about his views when the parcels are owned by different individuals. Mr. Stanke responded that no one can do anything without zoning approval. He added that a residential parking permit system has been suggested and might be established for the benefit of neighbors so that those associated with new developments do not park in existing neighborhoods. A small fee would help create a program for all users in the area.

Ms. Angela Villasana, Dixon Street resident and Cal State East Bay University employee, inquired about the probability of eminent domain in the area. Senior Planner Rizk indicated that there are no current plans for the use of eminent domain, and that if such proposal were pursued; it would focus on public use facilities, like the expansion of Bowman School.

Mr. Howard Beckman, who spoke on behalf of Friends of San Lorenzo Creek, indicated concurrence with Chair Thnay that the City needs to address issues not raised in the EIR, so they will not be forgotten or lost. He expressed concern with the City's attitude towards creeks due to lack of concern for drainage system or creeks, whether they be underground or exposed, engineered or natural. Mr. Beckman indicated there is need for more refined analysis in the EIR, and cumulative impacts analysis, which are not adequately addressed in the EIR. He requested that the EIR address the creeks in the area. He encouraged exposure of creeks, as the County is doing for a creek near the Castro Valley Library and urged the City of Hayward to expose underground channels.

Chair Thnay closed the public hearing at 8:21 p.m.

Commissioner Zermeño urged that a small branch library be included within the community center.

Commissioner Lavelle thanked staff and the consultant for the report of a complex area. She showed support for the Blended Concept scenario, which is a combination of the Urban and Suburban scenarios. She said she supports the idea of living close to transit and riding more bicycles. In reference to traffic impacts, she mentioned that the Blended scenario does not have traffic levels that go to "E" and "F" at various intersections. She urged the City to work with Caltrans and be proactive in getting property owners of parcels ready for development.

Commissioner Sacks spoke about view corridors and the importance to the environment. She urged that the City continue to be sensitive to these corridors. She urged continuing public

participation in the process and mentioned the reality of potential increase for more people in the area and avenues to accommodate them. She also mentioned that parking issues are not so problematic and perhaps the number of allowed cars per household should be examined.

Commissioner Zermeño expressed support for the Blended option presented in the report because the increase in the number of people is a reality and building up seems to be an alternative; however, he mentioned that the massive seven or eight floor buildings or complexes proposed do not look appealing. He also noted the importance of the view corridor. He expressed support for the draft EIR and asked for continued input from the audience as the Plan proceeds forward.

Commissioner McKillop expressed excitement with public participation, which was well appreciated and urged continued monitoring as the EIR is only a draft. She congratulated Mr. Beckman for his efforts and urged him to continue to work with staff regarding the issues he raised. She expressed her pleasure for the draft EIR as well as the public participation.

Commissioner Peixoto commended staff for the report and was glad for the participation and coordination between stakeholders, because it provides for good public policy. He mentioned that disagreement is a healthy part of the planning process and reminded citizens that there are different phases before final adoption of the Plan and EIR. He also expressed concern for the aesthetic impact that a five-story building would have on Mission Boulevard, indicating it would be too much impact for that area. He also expressed concern with safety for children in those buildings. He added that he is in favor of transit-oriented development. Additionally, he expressed concerns regarding the view corridor and flatland views that would be significantly obscured with seven-story buildings. He added that cumulative traffic impacts are also a concern. He urged planners to consider other alternatives and mitigation measures. In regard to the five-story buildings, he would like them decreased in height to two or three-level buildings. He also expressed concern regarding the density for the area. He urged continued public participation.

Commissioner Bogue indicated that many of his concerns were voiced by other commissioners. He indicated disagreement with the photo simulation because of the massive seven-story building and lack of view corridors through the buildings. He added his concern for lack of detail in the buildings in the simulation. He supported a project around the BART station that would be made up of small projects. Commissioner Bogue indicated this program EIR is appreciated and that he also was pleased with the public input and their review of the project.

Chair Thnay thanked staff for a comprehensive report. He mentioned that Hayward has the opportunity to design and enhance this area in order to leave a legacy for future generations. He added that bike paths and walkable designs should be incorporated. He mentioned that with the right design, the Plan should be incorporated and suggested a concept of workers living around the BART station, which could be a center of activity.

Chair Thnay thanked everyone for the input and since the report was informative only, a vote was not required.

ADDITIONAL MATTERS

4. Oral Reports on Planning and Zoning Matters



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Acting Planning Manager Patenaude indicated that there will be meetings on May 25th, on June 1st and June 15th.

Commissioner Lavelle inquired about a project that was proposed on Dollar Street. Acting Planning Manager Patenaude indicated that it was withdrawn.

5. Commissioners' Announcements, Referrals

Commissioner Lavelle mentioned the election on June 6 and early voting starting on May 30. She also announced that the last day to register for this election is May 22nd and that forms can be obtained from City Hall, the library, and post offices.

APPROVAL OF MINUTES

Minutes of April 13, 2006 were approved.

ADJOURNMENT

Chair Thnay adjourned the meeting at 8:52 p.m.

APPROVED:

Marvin Peixoto, Secretary
Planning Commission

ATTEST:

Miriam Lens
Commission Secretary