



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes

### Planning Commission and Board of Zoning Adjustments

*Chair Rick Solis, District 3*  
*Vice Chair Jeff Falero, District 2*  
*Dylan Boldt, District 6*  
*Tony Breslin, District 1*  
*Catherine Vierra Houston, District 4*  
*Kenneth Pon, At Large (1)*  
*Michael Santos, District 5*

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Thursday, August 1, 2019

7:00 PM

City Council Chambers

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#### 1. ROLL CALL

Present: 6 - Chair Solis; Commissioners Boldt, Breslin, Vierra Houston, Pon, Santos  
Absent: 1 - Vice Chair Falero

#### 2. PUBLIC COMMENTS

None.

#### 3. MINUTES

##### 3.A. Draft Minutes of the Meeting of June 6, 2019

Attachments: [6-6-2019 PC-BZA Minutes\\_Draft](#)

A motion was made by Commissioner Vierra Houston, Seconded by Commissioner Boldt, that the June 6, 2019 Meeting Minutes be Received and Filed.

The motion carried by the following vote:

Ayes: 5 - Chair Solis; Commissioners Boldt, Pon, Vierra Houston, Santos  
Abstention: 1 - Commissioner Breslin  
Absent: 1 - Vice Chair Falero

#### 4. CORRESPONDENCE

Secretary Mogensen stated that two public comments were received after the agenda packets went out, for hearing item 6.A. PLN19-0017, consideration of a Fence Modification at 4021 Monterey Blvd.

#### 5. ORAL COMMUNICATIONS

None.

## 6. PUBLIC HEARINGS

Chair Solis requested to move items 6.C. and 6.D. ahead of items 6.A. and 6.B. and recused himself from the meeting due to the fact that he has a conflict of interest in the project, because he owns property in the vicinity.

Secretary Mogensen instructed Kris Kokotaylo, Assistant City Attorney, to accept nominations for a Chair Pro Tem.

The two nominees appointed were Commissioners Vierra Houston and Santos.

The motion failed by the following vote:

Ayes: 2 - Commissioners Breslin, Vierra Houston

Nays: 3 - Commissioners Boldt, Pon, Santos

Commissioner Pon was appointed

The motion passed by the following vote:

Ayes: 4 - Commissioners Boldt, Breslin, Vierra Houston, Santos

Nays: 1 - Commissioner Pon

Secretary Mogensen handed out the ordinance relating to fence modifications and reminded the Commissioners about the decisions that this Board makes are based on four findings of approval:

1. The fence is not detrimental to adjacent property
2. The fence is compatible with the neighborhood in terms of esthetics
3. The fence does not create a sight distance hazard
4. The fence is not detrimental to the public health, safety or welfare

### 6.A.

PLN19-0017; Consideration of a Fence Modification to allow for a ±6-foot-tall redwood fence to encroach approximately 4-feet-6 inches into a required side yard to allow for an expanded enclosed side yard at 4021 Monterey Blvd. The subject property is zoned RS (Residential Single-Family) and is located on the northwest corner of Monterey Blvd. and Crespi Drive. The parcel is approximately 6,279 square feet in area and developed with a 1,505 square-foot, two story residence. Alameda County Assessor's Parcel Numbers 077-B1125-020-00 (4021 Monterey Blvd.) Nolan P. Quinabo & Victor Aguilar Jr. (applicants & property owners).

**Attachments:**    [Attachment A PLN19-0017 Applicant Statement and Drawings](#)  
[Attachment B](#)  
[Attachment C](#)  
[Public Comments Received PLN19-0017](#)

Allan Calder, Contract Planner from Rincon Consultants, Inc. presented and answered clarifying questions.

Applicants Victor Aguilar and Nolan Quinabo answered clarifying questions.

Chair Pro Tem Pon opened and closed the Public Hearing.

The following people spoke: Leo T. West.

Commissioner Vierra Houston made a motion to adopt the finding to approve the Fence Modification, PLN19-0017 with a condition requiring a reduction of the fence line to 4'2".

Commissioner Vierra withdrew her motion.

Commissioner Boldt made a motion to approve the fence as it stands.  
Seconded by Commissioner Santos.

The motion failed by the following vote:

Ayes: 1 - Commissioner Boldt  
Nays: 3 - Chair Pro Tem Pon; Commissioners Breslin, Santos  
Abstention: 1 - Vierra Houston  
Absent: 1 - Vice Chair Falero

Chair Pro Tem Pon made a motion to deny resolution 2019-007 based on the finding that the fence is not compatible with the neighborhood in terms of esthetics, Seconded by Commissioner Vierra Houston.

The motion passed by the following vote:

Ayes: 4 - Chair Pro Tem Pon; Commissioners Breslin, Vierra Houston, Santos  
Nays: 1 - Commissioner Boldt  
Absent: 1 - Vice Chair Falero

- 6.B.** RESOLUTION No. 2019-007 of the Board of Zoning Adjustments of the City of San Leandro, approving a Fence Modification for PLN19-0017 at 4021 Monterey Blvd.

**Attachments:** [Exhibit A Recommended Conditions of Approval](#)

- 6.C.** PLN18-0091; Consideration of Major Site Plan Review to allow for the remodel of the existing residence with a garage addition and construction of a new two-story duplex for a total livable area of 7,244 square feet at 2540 West Avenue 133rd. Per Zoning Code Section 2-580, Major Site Plan Review applies as the cumulative square footage for all units exceeds 6,000 square feet of livable area. Zoning District: RO Residential Outer District; Alameda County Assessor's Parcel Number 079A-0586-015-01; Kenneth T. Ngai (applicant/property owner).

**Attachments:** [Vicinity Map](#)  
[Applicant Statement](#)  
[Plan Exhibits A-J](#)

Anjana Mepani, Senior Planner presented and answered clarifying questions.

Applicant, Kenneth T. Ngai and Architect, John Newton answered clarifying questions.

Chair Solis opened and closed the Public Hearing.

The following people spoke: Jeffrey Wise.

A motion was made by Commissioner Boldt, seconded by Commissioner Pon, to approve the matter of PLN 18-0091.

The motion passed by the following vote:

Ayes: 5 - Chair Solis; Commissioners Boldt, Vierra Houston, Pon, Santos

Nays: 1 - Commissioner Breslin

Absent: 1 - Vice Chair Falero

**6.D.**

RESOLUTION No. 2019-008 of the Board of Zoning Adjustments of the City of San Leandro, approving Major Site Plan Review for PLN18-0091 at 2540 West Avenue 133rd.

Attachments: [Recommended Findings of Fact Exhibit A](#)

[Recommended Conditions of Approval Exhibit B](#)

A motion was made by Commissioner Boldt, seconded by Commissioner Pon, to approve the matter of PLN 18-0091.

The motion passed by the following vote:

Ayes: 5 - Chair Solis; Commissioners Boldt, Vierra Houston, Pon, Santos

Nays: 1 - Commissioner Breslin

Absent: 1 - Vice Chair Falero

**7. MISCELLANEOUS**

None.

**8. MEMBERS' COMMENTS**

Commissioner Santos brought up an issue with his neighbor.

Commissioner Breslin asked a question about using the Mobile 311 application regarding a utility project.

**9. STAFF UPDATES/PROJECT STATUS REPORT**

Secretary Mogensen reiterated the Fence Modification policy.

**10. ADJOURN**

The meeting was adjourned at 8:51 pm, motioned by Commissioner Boldt, Seconded by Commissioner Vierra Houston.