



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Draft Minutes

### Board of Zoning Adjustments

*Chair Michael Santos, District 5*  
*Vice Chair Rick Solis, District 3*  
*Jeff Falero, District 2*  
*Thomas Fitzsimons, At Large (5)*  
*Marguerite Mazzitti, District 1*  
*Catherine Vierra Houston, District 4*  
*Vacancy, District 6*

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Thursday, February 1, 2018

7:00 PM

City Council Chambers

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#### 1. ROLL CALL

Present: 5 - Chair Santos, Vice Chair Solis, Falero, Fitzsimons, Mazzitti

Absent: 1 - Vierra Houston

Vacant: 1 - Vacant

#### 2. PUBLIC COMMENTS

None.

#### 3. MINUTES

##### 3.A. [18-027](#)

Board of Zoning Adjustments Minutes for January 4, 2018 Meeting

Attachments: [1-04-18 BZA Draft Minutes](#)

A motion was made by Member Falero, seconded by Member Fitzsimons, that the February 1, 2018 Minutes be Received and Filed. The motion carried by the following vote:

Aye: 5 - Chair Santos, Vice Chair Solis, Falero, Fitzsimons, Mazzitti

Absent: 1 - Vierra Houston

#### 4. CORRESPONDENCE

Secretary Mogensen stated the Planning Department received one letter regarding item 6.A. and three emails regarding 6.B. on this evening's agenda and copies of these were placed on the dais for board members to view.

#### 5. ORAL COMMUNICATIONS

Secretary Mogensen stated that the Planning Department had one phone conversation regarding item 6.B.

## 6. PUBLIC HEARINGS

- 6.A. [18-043](#) PLN17-0047; Major View Preservation/Site Plan Review and Height Exception; to build a new 3,938 square-foot (approximate) two-story home, including four bedrooms plus a loft and four bathrooms; and a 981 square-foot garage below grade. The house exceeds the maximum height in the RS-VP District of 18 feet by approximately 9 feet, and requires a Height Exception; a new single-family home in the RS-VP District require a Major View Preservation/Site Plan Review; 2882 Darius Way; Assessor's Parcel Number 79-20-47-4; W. Ma (applicant and property owner); RS-VP Residential Single-Family View Preservation District.

**Attachments:** [Vicinity Map 2-1-2018.pdf](#)  
[Excerpts of the January 15 2009 BZA Minutes.pdf](#)  
[PLN17-0047 FINDINGS.pdf](#)  
[PLN17-0047 COA.pdf](#)  
[Exhibit A - Cover Sheet.pdf](#)  
[Exhibit B - Site Plan.pdf](#)  
[Exhibit C - Existing Conditions Photograph Montage.pdf](#)  
[Exhibit D - Garage Basement Floor Plan.pdf](#)  
[Exhibit E - First Floor Plan.pdf](#)  
[Exhibit F - Second Floor Plan.pdf](#)  
[Exhibit G - Roof Plan and Daylight Analysis.pdf](#)  
[Exhibit H - Front and Rear Elevations.pdf](#)  
[Exhibit I - Side Elevations and Section.pdf](#)  
[Exhibit J - Building Facade Details.pdf](#)  
[Exhibit K - Site Survey.pdf](#)  
[Exhibit L - Landscape Plan.pdf](#)  
[Exhibit M - Irrigation Plan.pdf](#)  
[Exhibit N - Lighting Electrical Plan First and Second Floor.pdf](#)  
[Exhibit O - Lighting Electrical Plan Garage.pdf](#)  
[For Information Only - Height Measurements per RS-VP District.pdf](#)

Senior Planner Penaranda presented and answered clarifying questions.

The Applicant, Ms. Ma answered clarifying questions.

Chair Santos opened the Public Hearing.

The following person spoke about his concerns regarding the project: Ken Zenmault

Chair Santos closed the Public Hearing.

A motion was made by Chair Santos, seconded by Vice Chair Solis to approve the matter of PLN17-0047.

The motion carried by the following vote:

Aye: 5 - Chair Santos, Vice Chair Solis, Falero, Fitzsimons, Mazzitti

Absent: 1 - Vierra Houston

6.B. [18-039](#)

PLN17-0023; Consideration of a Conditional Use Permit for a proposed 13,015± square-foot medical cannabis dispensary with manufacturing and production kitchen, within an existing industrial building at 1911 Fairway Drive zoned IG - Industrial General District. A medical cannabis dispensary is a conditionally permitted use on the subject property. Alameda County Assessor’s Parcel Numbers 77A-646-17-2, -3; Blüm San Leandro (applicant) and Fairway Medical Plaza, LLC (property owner).

- Attachments:**
- [Vicinity Map](#)
  - [Applicant Statement](#)
  - [Recommended Findings of Fact](#)
  - [Recommended Conditions of Approval](#)
  - [Exhibits A-L](#)

Senior Planner Mepani presented and answered clarifying questions.

James Nemechek of Terra Tech presented on behalf of the Applicant and answered clarifying questions.

Chair Santos opened the Public Hearing.

The following people spoke about their concerns regarding the project: Gabriel Cunich and Jeff Musgrove.

Chair Santos closed the Public Hearing.

A motion was made by Vice Chair Solis, seconded by Member Mazzitti to approve the matter of PLN17-0023.

The motion carried by the following vote:

Aye: 5 - Chair Santos, Vice Chair Solis, Falero, Fitzsimons, Mazzitti

Absent: 1 - Vierra Houston

7. MISCELLANEOUS

None.

8. MEMBERS' COMMENTS

None.

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

Secretary Mogensen stated that Mr. Dylan Boldt had been nominated to fill the District 6 vacancy on the Board of Zoning Adjustments.

**10. ADJOURN**

The meeting was adjourned at 8:13 p.m., motioned by Vice Chair Solis, seconded by Member Mazzitti by the following vote:

Aye: 5 - Chair Santos, Vice Chair Solis, Falero, Fitzsimons, Mazzitti