



City of San Leandro

Civic Center
835 East 14th Street
San Leandro, California

Draft 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

Thursday, May 7, 2020

7:00 PM

Access via information below

Due to the Shelter in Place Order of the Alameda County Health Officer No. 20-10 dated April 29, 2020, the regularly scheduled Planning Commission and Board of Zoning Adjustments public hearing will be conducted via teleconferencing. Members of the public may attend, observe, participate and provide comments during the hearing remotely using the instructions below. We ask that all participants follow the same decorum while teleconferencing as during a regular meeting.

This meeting is being held in accordance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on March 17, 2020 to allow attendance by members of the Planning Commission and Board of Zoning Adjustments by teleconference, videoconference, or both.

If you would like to speak on an agenda item, you can access the meeting remotely:

Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL:

<https://us02web.zoom.us/j/97779378406>

If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "rename" to rename yourself to be anonymous.

Or join by phone:
1-669-900-6833
Enter Meeting ID: 977 7937 8406

If you want to comment during the public comment portion of the agenda, press *9 and we will select you from the meeting queue.

NOTE: If you do not want your phone number to appear on the screen, please dial *67 upon joining the meeting.

You can also submit your comments by email to: planner@sanleandro.org

To give the staff adequate time to print out your comments for consideration at the meeting, please submit your written comments prior to 3:00 p.m. on the day of the meeting.

If you wish to have your comments read aloud to the Commissioners during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. Comments that you want read to the Commission will be subject to the three minute time limitation (approximately 350 words). Written comments to be provided to Commission and not read at the meeting, will be distributed to the Commissioners prior to the meeting.

1. ROLL CALL

Present: Chair Solis; Vice Chair Falero; Commissioner Pon
Remote: Commissioners Boldt, Breslin, Vierra Houston, Santos

2. PUBLIC COMMENTS

None.

3. MINUTES

3.A. [20-177](#) Draft Minutes of the Meeting of February 6, 2020

A motion was made by Vice Chair Falero, seconded by Commissioner Pon, that the February 6, 2020 Meeting Minutes be Received and Filed.

The motion carried by the following vote:

Ayes: 6 - Chair Solis; Vice Chair Falero; Commissioners Boldt, Breslin, Pon, Santos

Abstention: 1 - Commissioner Vierra Houston

4. CORRESPONDENCE

Secretary Mogensen stated that we received public comments from Mr. Grodin after the packets went out, in regards to agenda item 6.D., PLN19-0052. The comments were forwarded to the Commission and the applicant.

Secretary Mogensen stated that we received two requests for continuation; the requests were e-mailed to the Commissioners this afternoon:

Items 6.D. and 6.E., PLN19-0052, 14505 & 14509 Catalina Street
Items 6.F. and 6.G., PLN19-0067, 1798 Timothy Drive

Secretary Mogensen stated that there is a revised condition of approval regarding items 6.C. and 6.H. on the memorandum, there are two duplicative conditions. The recommendation by staff has been modified, to recommend to delete Condition C in its entirety and revise Condition H to state as follows: Applicant shall clean and collect litter in the proposed area of operation every day that the facility is open as well as along the frontage of Williams Street and the public rights of way on both sides of the street, no less than three times a week and at a distance of at least 250 feet from the facility entrance in both the eastbound and westbound directions.

Secretary Mogensen stated that a memorandum was forwarded to the Commission from our Senior Planner on May 6th, following the release of the agenda packet, noting some minor typos in the condition of approval. Staff recommendation is that the Board of Zoning Adjustments Motion for items 6.G. include a minor change to replace 'Sonoma County Department of Environmental Health' with 'Alameda County Department of Environmental Health'.

Secretary Mogensen stated that we received a public comment for item 6.G. from Mr. Ray Weaver and Mrs. Cheryl Waver, who are owners of a property on Timothy Drive. The public comment was provided to the applicant and the Board Members prior to the meeting.

5. ORAL COMMUNICATIONS

Secretary Mogensen stated that he received a phone call from one HOA who is concerned about the project on Catalina Drive, but no comments were made. No verbal comments were provided in general.

6.A. [20-170](#) PLN19-0057; Consideration of a Conditional Use Permit for 2075

Williams St., Certified Blue Recycling, Inc. to increase the maximum daily permitted tonnage for an existing developed solid waste transfer and recycling facility. The facility operates under an existing Conditional Use Permit (CUP) (PLN2009-00022) from the City of San Leandro and a CalRecycle Enforcement Agency Registration Permit issued by County of Alameda Environmental Health Department Local Enforcement Agency. Alameda County Assessor's Parcel Numbers 077A-0700-006-02 / 016-03 (2075 Williams St); Chris Kirschenheuter, Certified Blue Recycling, Inc. (applicant) and Kirsch Investment, LLC. (property owner).

Vice Chair Falero stated that he had ex parte communication with Senior Manager Tony Gama and applicant Chris Kirschenheuter.

Allan Calder, Planning Consultant from Rincon Consultants, Inc., presented and answered clarifying questions.

Secretary Mogensen answered clarifying questions.

Applicant Chris Kirschenheuter answered clarifying questions.

Chair Solis opened and closed the Public Hearing.

6.B. [20-171](#)

RESOLUTION No. 2020-008 of the Board of Zoning Adjustments of the City of San Leandro, adopting a Negative Declaration for PLN19-0057 for operational changes for a Construction Demolition and Inert Debris (CDI) transfer and processing facility at 2075 Williams Street in Compliance with the California Environmental Quality Act (CEQA).

Commissioner Breslin made a motion to approve the resolution, seconded by Commissioner Pon.

The motion passed by the following vote:

Ayes: 7 - Chair Solis; Vice Chair Falero; Commissioners Boldt, Breslin, Vierra Houston, Pon, Santos

6.C. [20-172](#)

RESOLUTION No. 2020-004 of the Board of Zoning Adjustments of the City of San Leandro, approving a Conditional Use Permit for PLN19-0057 for operational changes for a Construction Demolition and Inert Debris (CDI) transfer and processing facility at 2075 Williams Street.

Vice Chair Falero made a motion to approve the resolution, seconded by Commissioner Pon.

The motion passed by the following vote:

Ayes: 7 - Chair Solis; Vice Chair Falero; Commissioners Boldt, Breslin, Vierra Houston, Pon, Santos

6. PUBLIC HEARINGS

- 6.D. [20-158](#) PLN19-0052; Consideration of a Conditional Use Permit (CUP) to allow for cannabis product manufacturing at 14505 & 14509 Catalina St. Pursuant to the Zoning Code, Industry Cannabis Product Manufacturing is conditionally permitted per Zoning Code Section 2-12.208.B.14. Zoning District: IP (Industrial Park District); Alameda County Assessor's Parcel Numbers 80G-933-34 (Unit H) & 80G-933-36 (Unit J); Danielle Chacko - ASHA Pharmaceuticals (applicant) and Randy Sosa (property owner).

Chair Solis opened the Public Hearing.

Eric Hughes, agent for the applicant Danielle Chaco spoke and requested to postpone this hearing item.

The following people spoke: David Grodin.

Chair Solis closed the Public Hearing.

Vice Chair Falero made a motion to move this item to the next Commission meeting on June, 4 at 7pm, seconded by Commissioner Santos.

The motion passed by the following vote:

Ayes: 7 - Chair Solis; Vice Chair Falero; Commissioners Boldt, Breslin, Vierra Houston, Pon, Santos

- 6.E. [20-159](#) RESOLUTION No. 2020-005 of the Board of Zoning Adjustments of the City of San Leandro, approving a Conditional Use Permit for PLN19-0052 at 14505 & 14509 Catalina St.

- 6.F. [20-148](#) PLN19-0067; Consideration of a Conditional Use Permit and Administrative Review to allow for cannabis product manufacturing of cannabis crude oil, cannabis infused edibles, hash oil, distillate for vaporizer cartridges, and pre-rolled cannabis joints at 1798 Timothy Drive. Pursuant to the Zoning Code, Industry Cannabis Product Manufacturing is conditionally permitted per Zoning Code Sections 2.12.200.B.15 and 4.04.220.A. Cannabis manufacturing includes the processing and packaging of products derived from cannabis for wholesale or retail to cannabis dispensaries or other cannabis product distributors. Administrative Review is required per Zoning Code Section 4.04.312.G to permit wheelchair ramps in the front yard setback. Zoning District: IG Industrial General District; Alameda County Assessor's Parcel Number 077A-0644-005-03; Bizpie, Inc. and Soil to Oil Industries, LLC (applicant), Jae Roh (property owner).

Vice Chair Falero stated that he had ex parte communication with the applicant, Mr. Jae Roh.

Chair Solis opened and closed the Public Hearing.

Commissioner Santos made a motion to continue this item to the next Commission meeting on June, 4 at 7pm, seconded by Vice Chair Falero.

The motion passed by the following vote:

Ayes: 6 - Chair Solis; Vice Chair Falero; Commissioners Breslin, Vierra Houston, Pon, Santos

Nay: 1 - Commissioner Boldt

- 6.G.** [20-149](#) RESOLUTION No. 2020-006 of the Board of Zoning Adjustments of the City of San Leandro, approving a Conditional Use Permit and Administrative Review for PLN19-0067 at 1798 Timothy Drive.
- 6.H.** [20-146](#) PLN19-0064; Consideration of a Conditional Use Permit to allow for office use and artists' studios at 2101 Marina Boulevard. Pursuant to the Zoning Code, Offices, Business and Professional is permitted per Zoning Code Section 2.08.204.A.13 and Artists' Studios is conditionally permitted per Zoning Code Section 2.08.204.C.3. A use permit is required for the establishment of any new land use in the S Overlay District per Zoning Code Section 3.16.112.A. Zoning District: CN (S) Commercial Neighborhood District (Special Review Overlay District); Alameda County Assessor's Parcel Number 079A-0568-005-00; Cargo Solutions USA (applicant/property).
- Anjana Mepani, Senior Planner, presented and answered clarifying questions.**
- Applicant Joe Bressler answered clarifying questions.**
- Chair Solis opened and closed the Public Hearing.
- Commissioner Santos made a motion to approve the resolution, seconded by Commissioner Vierra Houston.
- The motion passed by the following vote:
- Ayes: 7 - Chair Solis; Vice Chair Falero; Commissioners Boldt, Breslin, Vierra Houston, Pon, Santos**
- 6.I.** [20-147](#) RESOLUTION No. 2020-007 of the Board of Zoning Adjustments of the City of San Leandro, approving a Conditional Use Permit for PLN19-0064 at 2101 Marina Boulevard.

7. MISCELLANEOUS

None.

8. MEMBERS' COMMENTS

None.

9. STAFF UPDATES/PROJECT STATUS REPORT

The Commissioners discussed the seminars they attended since the last meeting.

Secretary Mogensen stated that Avalon Schultz, Principal Planner, will present a study session item for the Planning Commission on the June 4th meeting, about the long range planning projects.

Secretary Mogensen stated that the City received a Grant from the State of California and hired a consultant to work on objective design criteria, which is a requirement for residential projects.

10. ADJOURN

Vice Chair Falero made a motion to adjourn, seconded by Commissioner Pon.

The motion passed by the following vote:

Ayes: 7 - Chair Solis; Vice Chair Falero; Commissioners Boldt, Breslin, Vierra Houston, Pon, Santos

The meeting was adjourned at 9:50 pm.