



City of San Leandro

Civic Center
835 East 14th Street
San Leandro, California

Draft Minutes

Planning Commission

Chair Ed Hernandez, District 2
Vice Chair Jim Hussey, District 5
Denise Abero, District 3
Tony Breslin, District 1
Esther Collier, District 6
Kai Leung, District 4
Kenneth Pon, At Large (1)

Thursday, August 25, 2016

7:00 PM

City Council Chambers

Special Meeting

1. ROLL CALL

After roll call, Commissioner Pon made a motion, seconded by Commissioner Breslin, to nominate Commissioner Collier as Chair Pro Tem for tonight's public hearing items. Commissioner Leung then made an alternative motion, seconded by Commissioner Collier, to nominate Commissioner Breslin as Chair Pro Tem. The motion by Pon/Breslin passed by a vote of 4 Ayes (Abero, Breslin, Hussey, and Pon), 2 No (Leung and Hernandez), and 1 Abstain (Collier) to confirm Commissioner Collier as Chair Pro Tem.

Present 7 - Abero, Breslin, Collier, Hernandez, Leung, Pon, Hussey

2. MINUTES

2.A. [16-405](#) Draft Minutes of the Meeting of June 16, 2016

Commissioner Collier made a motion, seconded by Commissioner Pon, that the Minutes be approved as submitted. The motion passed by a vote of 7 Ayes, 0 No.

3. PUBLIC HEARINGS

3.A. [16-426](#) Public Hearing to Recommend Adoption of the 2035 General Plan Final Environmental Impact Report and Adoption of the 2035 General Plan to the San Leandro City Council

Barry Miller, General Plan Update consultant, presented via Powerpoint a summary of the 2035 General Plan Update process and key changes (excluding the conflict of interest segments). Secretary Liao noted public written comment for the Plan and the Zoning Update 2016 by the Rental Housing Association (see attached).

Joanna Jansen, General Plan Update consultant from Placeworks, presented via Powerpoint on the Environmental Impact Report (EIR) for the 2035 General Plan and related zoning changes.

Chair Hernandez opened the public hearing for the EIR. There was one public comment on the EIR: David Sigel. Mr. Sigel asked if the EIR factored in the water shortage. The public hearing was then closed.

3.A.1. [16-429](#)

Resolution No. 2016-002 Recommending Certification of the Environmental Impact Report for the San Leandro 2035 General Plan

A motion was made by Member Abero, seconded by Vice Chair Hussey, approving Resolution 2016-002 (2035 General Plan EIR). The motion carried by the following vote.

Aye: 7 - Abero, Breslin, Collier, Hernandez, Leung, Pon, Hussey

3.A.2. [16-430](#)

Resolution No. 2016-003 Recommending that the City Council Adopt the San Leandro 2035 General Plan

In compliance with the Fair Political Practices Commission regulations, Public Hearing Item 3.A.2 (Resolution 2016-003, 2035 San Leandro General Plan) was segmented for voting based on the conflicts of interest for certain Planning Commissioners as follows:

Item 3.A.2a (Segment 1, Commissioner Abero recused) - Chair Hernandez opened the public hearing. There was one public comment: Haldis Fearn. Ms. Fearn noted that the segmented maps, particularly Segment 1 were unclear. The public hearing was then closed. Commissioner Leung made a motion, seconded by Commissioner Breslin, that Segment 1 be recommended for adoption by the City Council: 6 Ayes, 0 No, 1 Recused.

Item 3.A.2b (Segment 2, Vice Chair Hussey recused) - Chair Hernandez opened the public hearing. There was one public comment: Kyle Driggers. Mr. Driggers asked how many units should be built on the proposed industrial transition land use change area. The public hearing was then closed. Commissioner Collier made a motion, seconded by Commissioner Abero, that Segment 2 be recommended for adoption by the City Council: 6 Ayes, 0 No, 1 Recused.

Item 3.A.2c (Segment 3, Chair Hernandez and Vice Chair Hussey recused) - Chair Pro Tem Collier opened the public hearing. There was one public comment: Dave Sigel. Mr. Sigel had concerns about dormant Union Pacific rail lines for the proposed East Bay Greenway. The public hearing was then closed. Commissioner Pn made a motion, seconded by Commissioner Breslin, that Segment 3 be recommended for adoption by the City Council: 5 Ayes, 0 No, 2 Recused.

Item 3.A.2d (Segment 4, Chair Hernandez recused) - Vice Chair Hussey opened the public hearing. There were no public comments. The public hearing was then closed. Commissioner Collier made a motion, seconded by Commissioner Pon, that Segment 4 be recommended for adoption by the City Council: 6 Ayes, 0 No, 1 Recused.

Item 3.A.2e (Segment 5, Commissioner Pon recused) - Chair Hernandez opened the public hearing. There was one public comment: Terry Kirby. Mr. Kirby asked for clarification of 100 units per acre density and examples of similar densities in other nearby cities. The public hearing was then closed. Commissioner Collier made a motion, seconded by Commissioner Abero, that

Segment 5 be recommended for adoption by the City Council: 6 Ayes, 0 No, 1 Recused.

Item 3.A.2f (Segment 6, Remaining changes to Land Use Diagram, excluding Segments 1-5, and all 2035 General Plan text, including the General Plan Addendum) - Chair Hernandez opened the public hearing. There were four public comments: Richard Brennan, Kyle Driggers, Chris Langsale, and Felix Cruz. Public comments included edits to the Plan text, importance of the Marina Ave corridor, and prioritizing the internet as a public utility. See attached for Mr. Brennan's formal written comments which he summarized verbally. The public hearing was then closed. Vice Chair Hussey made a motion, seconded by Commissioner Collier, that Segment 6 be recommended for adoption by the City Council: 7 Ayes, 0 No.

3.B. [16-412](#)

Public Hearing to recommend Proposed Amendments to the City of San Leandro Zoning Code, Zoning Map, and to the Downtown Transit-Oriented Development Special Policy Areas ("S" overlays) to Conform with the City of San Leandro 2035 General Plan and General Text Updates

Planning Manager Andy Mogensen presented via Powerpoint a summary of the Zoning Update 2016 (including changes to the Special Policy Areas, zoning text and zoning map) to conform with the 2035 General Plan (excluding the conflict of interest segments).

3.B.1 [16-431](#)

RESOLUTION 16-004 of the Planning Commission, Recommending that the City Council Adopt an Ordinance Amending Ordinance 2007-021 (to Create Special Review Criteria for Certain Properties within the Downtown Transit-Oriented Development Study Area Generally within ½ Mile Radius of the Intersection of East 14th Street and Davis Streets) to Remove Special Project Areas SP-1, Downtown South Gateway and SP- 8 BART/Westlake Properties; and to Modify the Special Review Criteria for SP-2, Washington Plaza Shopping Center and San Leandro Plaza; SP-3, Town Hall Square and Vicinity; and SP-5, North Alvarado Sites

In compliance with the Fair Political Practices Commission regulations, Public Hearing Item 3.B.1 (Resolution 2016-004, Ordinance Amending Special Policy Areas) was segmented for voting based on the conflicts of interest for certain Planning Commissioners as follows:

3.B.1a (Segment 1, Chair Hernandez and Vice Chair Hussey recused) - Chair Pro Tem Collier opened the public hearing. There were no public comments. The public hearing was then closed. Commissioner Abero made a motion, seconded by Commissioner Pon, that Segment 1 be recommended for adoption by the City Council: 5 Ayes, 0 No, 2 Recused.

Item 3.B.1b (Segment 2, Commissioner Pon recused) - Chair Hernandez opened the public hearing. There were no public comments. The public hearing was then closed. Commissioner Collier made a motion, seconded by Commissioner Abero, that Segment 2 be recommended for adoption by the City Council: 6 Ayes, 0 No, 1 Recused.

Item 3.B.1c (Segment 3, Chair Hernandez recused) - Vice Chair Hussey opened

the public hearing. There were no public comments. The public hearing was then closed. Commissioner Collier made a motion, seconded by Commissioner Pon, that Segment 3 be recommended for adoption by the City Council: 6 Ayes, 0 No, 1 Recused.

Item 3.B.1d (Segment 4, Text and remaining changes to Special Policy Areas) - Chair Hernandez opened the public hearing. There was one public comments: Susan Huff. Ms. Huff asked about rail depots. The public hearing was then closed. Commissioner Abero made a motion, seconded by Commissioner Collier, that Segment 4 be recommended for adoption by the City Council: 7 Ayes, 0 No.

3.B.2 [16-432](#)

RESOLUTION 2016-005 of the Planning Commission, Recommending that the City Council Adopt an Ordinance Amending Zoning Code Article 3, Definitions; Article 6, Commercial and Professional Districts; Article 7, Industrial Districts; Article 16, Development Regulations; Article 18 Signs; Article 25 Site Plan Review to Bring the San Leandro Zoning Code into conformance with the City's General Plan 2035, and General Text Updates

Item 3.B.2 (Resolution 2016-005, Ordinance amending Zoning Code text). Chair Hernandez opened the public hearing. There were five public comments: Kyle Driggers, Susan Huff, Angie Pretto, Chris Langsale, and Susan Young. The public comments include restricting downtown parking to encourage more people on the street, desire to keep the neighborhoods east of downtown lower density and adequately parked, concerns over loss of office space downtown, and clarification on the removal of Downtown East rezoning particularly the Bancroft/Estudillo site. The public hearing was then closed.

Commissioner Collier made a motion, seconded by Commissioner Pon, recommending that the City Council adopt Resolution 2016-005 by the following vote:

Aye: 7 - Abero, Breslin, Collier, Hernandez, Leung, Pon, Hussey

3.B.3 [16-433](#)

RESOLUTION 2016-006, of the Planning Commission, Recommending that the City Council Adopt an Ordinance Amending the Zoning Map to Bring Certain Properties in the City into Conformance with the 2035 General Plan

In compliance with the Fair Political Practices Commission regulations, Public Hearing Item 3.B.3 (Resolution 2016-006, Ordinance Amending Ordinance Amending Zoning Map) was segmented for voting based on the conflicts of interest for certain Planning Commissioners as follows:

3.B.3a (Segment 1, Chair Hernandez and Vice Chair Hussey recused) - Chair Pro Tem Collier opened the public hearing. There were no public comments. The public hearing was then closed. Commissioner Abero made a motion, seconded by Commissioner Leung, that Segment 1 be recommended for adoption by the City Council: 5 Ayes, 0 No, 2 Recused.

3.B.3b (Segment 2, Chair Hernandez recused) - Vice Chair Hussey opened the public hearing. There were no public comments. The public hearing was then closed. Commissioner Collier made a motion, seconded by Commissioner

Abero, that Segment 2 be recommended for adoption by the City Council: 6 Ayes, 0 No, 1 Recused.

3.B.3c (Segment 3, Chair Hernandez recused) - Vice Chair Hussey opened the public hearing. There were no public comments. The public hearing was then closed. Commissioner Abero made a motion, seconded by Commissioner Collier, that Segment 3 be recommended for adoption by the City Council: 6 Ayes, 0 No, 1 Recused.

3.B.3d (Segment 4, Commissioner Pon recused) - Chair Hernandez opened the public hearing. There were no public comments. The public hearing was then closed. Commissioner Collier made a motion, seconded by Vice Chair Hussey, that Segment 4 be recommended for adoption by the City Council: 6 Ayes, 0 No, 1 Recused.

3.B.3e (Segment 5, Vice Chair Hussey recused) - Chair Hernandez opened the public hearing. There were no public comments. The public hearing was then closed. Commissioner Collier made a motion, seconded by Commissioner Abero, that Segment 5 be recommended for adoption by the City Council: 6 Ayes, 0 No, 1 Recused.

3.B.3f (Segment 6, Remaining changes to Zoning Map) - Chair Hernandez opened the public hearing. There were no public comments. The public hearing was then closed. Commissioner Collier made a motion, seconded by Commissioner Breslin, that Segment 6 be recommended for adoption by the City Council: 7 Ayes, 0 No.

4. ADJOURN

Commissioner Abero made a motion, seconded by Commissioner Collier, to adjourn the meeting. The meeting was adjourned at 10:40 pm by the following vote: 7 Ayes, 0 No.