

Mogensen, Andrew

From: Kay, Jeff
Sent: Friday, December 07, 2018 9:34 AM
To: Liao, Thomas; Mogensen, Andrew
Subject: FW: The Nov 15th Planning Commission Meeting

From: Evan Adams [mailto:evan.w.adams@gmail.com]
Sent: Wednesday, December 05, 2018 10:43 PM
To: _Council <CityCouncil@sanleandro.org>
Subject: The Nov 15th Planning Commission Meeting

I attended the Nov 15th Planning Commission meeting was quite disappointed with how Staff presented the proposed changes to the P-zone height limit.

This was a directive given to Staff at the Feb 5th City Council meeting with the intent of correcting an error. Correcting an error was never presented to the Planning Commission even when directly asked.

I listened to the recording and made a transcript of the relevant parts along with timecode in case anyone wants to listen.

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8:43 Andrew Mogensen's opening remarks pertaining to the P-zone height

So in the spring of 2017 [sic] we received some comments about the development standards in the Professional Office zoning district and those concerns were presented to the City Council at a public comments session. For mixed-use and multi-family residential developments in the Professional Office district and all of the commercial zones, it referred to other sections of the code for those development standards for those two uses.

So multi-family residential, mixed-use residential, it said go look at this other chapter of the code. And that other chapter of the code didn't quite line up well with the Professional Office. The zoning code for P had a height limit of 30-ft except for these mixed-used and multi-family residential.

So the public said "why is this 50-ft, we want it to be reduced to 30-ft, this isn't good". So the City Council in Feb directed us to implement a targeted zoning code update for the Commercial and Professional districts and to reduce the height limit from 50-ft down to 30-ft. So that's what we have done, that's what we have before you.

[No mention that the original intent was for P to be limited to 30-ft. No mention that the City Council's directive was to correct an error. No mention of the FAQ on the City's website stating the intent was for P to be limited to 30-ft. The public didn't want it reduced, the public wanted it corrected.]

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46:38 Public Comments, Aaron Bukofzer (the only public comment)
My name is Aaron Bukofzer. Thank you for letting me speak tonight.

Earlier this year at a meeting of the City Council, many people from the community expressed their concern that, due to a drafting error in the 2016 zoning-code revisions, the maximum allowable height for buildings in the Professional Office district was not clear. The intent of the zoning-code revisions was never to change the pre-existing height limitations, which was 30-ft. It was 30-ft before and clearly, based on the FAQ that was produced by City Staff at the time, still to this day available on the City website, says very clearly

Q: What are the development standards for the P-district?

A: New development in the Professional Office P-zoning district is limited to 30-ft in height.

Now, to their credit, the City Council recognized the significance of this issue to the community and they directed City Staff to correct the zoning code to leave no doubt as to the maximum permissible height of structures in the P-zoning district.

I want to specifically thank Mayor Cutter and council members Cox, Lopez and Ballew for hearing our concerns and taking action.

Now that City Staff has come back with the required revisions, I rise tonight in support of Staff's proposal to clarify the maximum allowable height in the P-district at 30-ft.

I hope this is not controversial, that the Planning Commission will overwhelmingly support this correction for an error, and set the original intent in place. Please vote in support of City Staff's recommendation.

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48:30 Richard Brennan (nearly inaudible on the recording)

Can Staff confirm, was the representation just given correct, was this originally 30-ft, was it changed to 50-ft and was that fully vetted at the time?

48:50 Andrew Mogensen's response to Brennan's question

So there's some background in your Staff report on this. When we were working on the 2016 General Plan update and Zoning Code update, Staff had initially recommended eliminating the P-zone. We recommended it be one of the outer downtown area zones. I can't remember off the top of my head, I think it was DA-2.

The Planning Commission considered this. And it was, I believe, your recommendation to, if I'm not mistaken, at the time, to maintain the P-zone. It was ultimately Council's decision to not get rid of the P-zone and make it a different zone.

So, being a few years ago there were clearly different people involved. I was new to the City at the time and I wasn't as involved with that code update, but Staff had initially recommended this be on of the DA-zones. That didn't happen. So that's one of the reasons why this condition exists today.

[This is a non-answer as it does not address the question. Nothing about the Council's original intent of 30-ft. Nothing about the lack of vetting. Nothing about the error. Nothing about the Council directing staff to fix the error. This situation does not exist because Staff originally wanted P to be changed to DA-2, it exists because of a clerical error.]

Evan