



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, October 20, 2016

7:00 PM

City Council Chambers

1. ROLL CALL

Present 6 - Breslin, Collier, Hernandez, Leung, Pon, Hussey

Excused 1 - Abero

2. PUBLIC COMMENTS

None.

3. MINUTES

3.A. [16-551](#) Draft Minutes of the Special Meeting of August 25, 2016

Commissioner Pon made a motion, seconded by Commissioner Collier, that the Minutes be approved as submitted. The motion passed by a vote of 6 Ayes, 0 No.

4. CORRESPONDENCE

Secretary Liao noted that staff received a letter from the Heron Bay Homeowners Association representative, Jeff Tepper, which Mr. Tepper would be verbally summarizing under tonight's public hearing item. The letter requested the City remove two conditions related to stopping autos and adding wayfinding signage to the kiosk.

5. ORAL COMMUNICATIONS

None.

6. WORK SESSION

None.

7. PUBLIC HEARINGS

7.A. [16-556](#)

PLN16-0009, Modification of Planned Development; to construct a new kiosk for an attendant near the Lewelling Boulevard entry circle of the Heron Bay residential development. The kiosk comprises a floor area of 183 square feet which includes a rest room and small storage closet. The proposal also includes reconfiguring Anchorage Dive to egress only and other security improvements. RS(PD) Residential Single-Family, Planned Development Overlay District. Assessor's Parcel Numbers 80G-1325-5-1, 80G-1406-26, and 80G-1406-29. J. Tepper (applicant); Heron Bay Homeowners Association c/o B. Ritter, HSS Inc., and F. Simon, Association President, (property owner).

Senior Planner Elmer Penarana presented a Powerpoint presentation of the staff report. Jeff Tepper, representative for the applicant Heron Bay HOA, and Alan Berger, legal counsel for the HOA, made brief presentations. Chair Hernandez opened the public hearing and the following people, all Heron Bay residents except Mr. Berger, made public comments: 1) Richard Brennan, 2) Darrell Blagburn, 3) Fred Simon, 4) Scott Walker, 5) Jeff Wong, and 6) Alan Berger. Mr. Brennan, Mr. Simon and Mr. Wong supported the proposed Kiosk, while Mr. Blagburn and Mr. Walker did not. Vice Chair Hussey made a motion, seconded by Commissioner Breslin, to close the public hearing: 6 Ayes, 0 No.

Commissioner Breslin made a motion, seconded by Commissioner Collier, to deny Resolution 2016-007 (to approve PLN 2016-009 including the proposed kiosk per staff recommendation). The vote was 3 Ayes (Breslin, Collier, Hussey), 2 No (Hernandez, Pon) and 1 Abstain (Leung) resulting in no action due to lack of a quorum majority vote.

Commissioner Pon made a new motion, seconded by Commissioner Breslin, to approve Resolution 2016-007 (per staff recommendation for PLN2016-009). The vote was 3 Ayes (Hernandez, Leung, Pon), 3 No (Breslin, Collier, Hussey) resulting in no action.

Commissioner Hernandez made another motion, seconded by Commissioner Pon, to approve Resolution 2016-007 with the following amendment: remove the proposed Anchorage Ave reconfiguration for an egress only gate arm. The majority of the Commissioners felt that the egress only gate arm negatively impacted vehicular ingress/egress and went against the discouragement of gated communities in the General Plan. The final vote was:

Aye: 5 - Collier, Hernandez, Leung, Pon, Hussey

Nay: 1 - Breslin

Excused: 1 - Abero

8. MISCELLANEOUS

Election of Chair and Vice Chair. Assistant City Attorney Kris Kokotaylo asked for nominations for Planning Commission Chair. Vice Chair Hussey made a motion, seconded by Commissioner Breslin, to nominate Commissioner Pon.

The vote was 6 Ayes, 0 No.

Assistant City Attorney Kokotaylo then asked for Vice Chair nominations. Commissioner Breslin made a motion, seconded by Chair Hernandez, to nominate Vice Chair Hussey. The vote was 6 Ayes, 0 No.

9. MEMBERS' COMMENTS

Vice Chair Hussey thanked Chair Hernandez for his tenure as Chair. Commissioner Breslin asked for an update on the CVS TOD opportunity site development proposal, which Secretary Liao responded to. Commissioner Leung noted the new City adopted Chinese name for San Leandro.

10. STAFF UPDATES/PROJECT STATUS REPORT

Secretary Liao noted there would be a regularly scheduled Planning Commission meeting on November 17.

11. ADJOURN

Vice Chair Hussey made a motion, seconded by Commissioner Breslin, to adjourn the meeting: 6 Ayes, 0 No. The meeting adjourned at 9:26 pm.