



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
Dylan Boldt, District 6
Jeff Falero, District 2
Thomas Fitzsimons, At Large (5)
Marguerite Mazzitti, District 1
Catherine Vierra Houston, District 4

Thursday, June 7, 2018

7:00 PM

City Council Chambers

1. ROLL CALL

Present: 7 - Chair Santos, Vice Chair Solis, Boldt, Falero, Fitzsimons, Mazzitti, Vierra Houston

2. PUBLIC COMMENTS

None.

3. MINUTES

3.A. [18-245](#) Draft Minutes of the Meeting of March 1, 2018

Attachments: [3-01-18 BZA Draft Minutes](#)

A motion was made by Member Vierra Houston, seconded by Vice Chair Solis, that the March 1, 2018 Minutes be Received and Filed. The motion carried by the following vote:

Aye: 7 - Chair Santos, Vice Chair Solis, Boldt, Falero, Fitzsimons, Mazzitti, Vierra Houston

4. CORRESPONDENCE

Secretary Mogensen stated that there were two items of correspondence. The first was a memo with a minor correction pertaining to item 6.A. and the second was a Staff Report from the June 4, 2018 City Council meeting regarding merging the Planning Commission and the Board of Zoning Adjustments. Copies of both of these items were placed on the dais for board members to view.

5. ORAL COMMUNICATIONS

None.

6. PUBLIC HEARINGS

6.A. [18-260](#)

PLN18-0031; Conditional Use Permit; to allow for the sale of beer and wine for off-site consumption from the Shell station convenience store at 2175 Marina Blvd. The proposed beer and wine sales requires a Conditional Use Permit pursuant to Zoning Code Section 4-1644 (Concurrent Sale of Motor Vehicle Fuel and Alcoholic Beverages). CN(S) - Commercial Neighborhood (Special Review Overlay) District; Alameda County Assessor's Parcel Number 79A-568-10-7; RADC Enterprises, Inc. (applicant); Anabi Real Estate Development, LLC (property owner).

Attachments: [01 Vicinity Map](#)
 [02 Applicant Statement](#)
 [03 PLN18-0031 Rcmd FND](#)
 [04 PLN18-0031 Rcmd COA](#)
 [05 Exhibit A-B](#)
 [06 Photographs](#)

Grace Wu presented and answered clarifying questions.

Member Fitzsimons asked that Condition V.21 add the word "be" after the word "sale" to help clarify the meaning of the condition.

City Attorney Kokotaylo suggested that inserting words "and must be" after the word "sale" would best express the intent of the condition.

Legal representative for the applicant, Donna Hooper, presented and answered clarifying questions.

Applicant Summer Ireifej answered clarifying questions.

Director of Corporate Security, Michael Wiggins, answered clarifying questions.

Chair Santos opened the Public Hearing.

There were no speakers.

Vice Chair Solis motioned to close the Public Hearing, seconded by Member Vierra Houston. The motion carried by the following vote:

Aye: 7 - Chair Santos, Vice Chair Solis, Boldt, Falero, Fitzsimons, Mazzitti, Vierra Houston

A motion was made by Member Vierra Houston, seconded by Member Fitzsimons to approve the matter of PLN18-0031, including the corrected language to Condition V.21. The motion carried by the following vote:

Aye: 7 - Chair Santos, Vice Chair Solis, Boldt, Falero, Fitzsimons, Mazzitti, Vierra Houston

7. MISCELLANEOUS

None.

8. MEMBERS' COMMENTS

Member Falero asked for an update regarding the the Alvarado project (PLN17-0020).

9. STAFF UPDATES/PROJECT STATUS REPORT

Secretary Mogensen stated that the Alvarado project (PLN17-0020) was appealed to the City Council and the appellants were granted their original request. This project will go before City Council again on June, 16, 2018.

Secretary Mogensen said that the Planning Department currently has 43 active projects and that Monday's City Council meeting discussed merging the Planning Commission and the Board of Zoning Adjustments (BZA). The Council was supportive of the merger and indicated they want to start with new appointments in January 2019, but they will decide the specifics at a future Council meeting.

Secretary Mogensen informed the board that there would a joint annual training with the Planning Commission and the BZA. It was decided that it would take place on Thursday, August 2, 2018 from 5:30 p.m. - 7:00 p.m., just prior to the BZA meeting on the same date.

10. ADJOURN

The meeting was adjourned at 8:07 p.m., motioned by Member Vierra Houston, seconded by Member Mazzitti by the following vote:

Aye: 7 - Chair Santos, Vice Chair Solis, Boldt, Falero, Fitzsimons, Mazzitti, Vierra Houston