



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes

### Board of Zoning Adjustments

*Chair Michael Santos, District 5*  
*Vice Chair Rick Solis, District 3*  
*Jeff Falero, District 2*  
*Thomas Fitzsimons, At Large (5)*  
*Marguerite Mazzitti, District 1*  
*René Mendieta, District 6*  
*Rick Solis, District 3*  
*Catherine Vierra Houston, District 4*

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Thursday, October 5, 2017

7:00 PM

City Council Chambers

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#### 1. ROLL CALL

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

#### 2. PUBLIC COMMENTS

None.

#### 3. MINUTES

##### 3.A. [17-585](#) Draft Minutes 9/07/2017

Attachments: [9-07-17 BZA Draft Minutes](#)

A motion was made by Member Mazzitti, seconded by Vice Chair Solis, that the September 7, 2017 Minutes be Received and Filed with the following amendments: 1.) Member Vierra Houston's name be added to the Aye vote count to Receive and File the Draft Minutes of the Meeting of August 3, 2017, while Chair Santos' duplicate vote be deleted, and 2.) add that Member Falero brought up the discussion point that the 10' setback should be landscaped, that Vierra Houston included in her Motion to Approve the matter of PLN17-0015 in Section 7.C. The motion carried by the following vote: Aye: 7 - Santos, Solis, Falero, Fitzsimons, Mazzitti, Mendieta, Vierra Houston.

#### 4. CORRESPONDENCE

Secretary Mogensen announced that he had received 10 items of correspondence regarding item 6.C. on the agenda. He stated that there is a memorandum stapled to a copy of 8 of the correspondence he received since the agenda packets were published. He also received an email just before the meeting, as well as a Recommendation of Findings of Fact and Resolution submitted by the applicant that should not be confused with a Recommendation by Staff. He noted that Chair Santos will call for a short recess between items 6.B. and 6.C. on the agenda so that everyone has a chance to review these documents.

**5. ORAL COMMUNICATIONS**

None.

**6. PUBLIC HEARINGS**

- 6.A. [17-565](#)** PLN17-0035; Conditional Use Permit; to allow for Corporation Yard, Vehicle Repair inside an existing 8,245 square-foot warehouse portion of a building and outdoor Vehicle Storage at 1471 Doolittle Drive; Alameda County Assessor's Parcel No. 79A-515-8; P. Tuckerman, Diesel Emissions Service DES (applicant) and S. Gitlin, PSB Northern California Industrial Portfolio, LLC (property owner); IG Industrial General District.

**Attachments:** [Vicinity Map.pdf](#)  
[Applicants Supporting Statement.pdf](#)  
[PLN17-0035 Findings.pdf](#)  
[PLN17-0035 Rec COA.pdf](#)  
[Exhibits A and B.pdf](#)  
[Existing Conditions Google streetview.pdf](#)

Senior Planner Penaranda presented the Staff Report. BZA members asked clarifying questions.

Peter Tuckerman, a representative of the Applicant DES, introduced himself and stated he was excited to move forward with the project.

Chair Santos opened and closed the Public Hearing. There were no public comments.

A motion was made by Member Mendieta, seconded by Member Vierra Houston to approve the matter of PLN17-0035. The motion carried by the following vote: 7 Aye: Chair Santos, Vice Chair Solis, Falero, Fitzsimons, Mazzitti, Mendieta, Vierra Houston.

- 6.B. [17-564](#)** PLN17-0007; Consideration of a Conditional Use Permit and Administrative Review modification and Site Plan Review for Alameda County Industries, Inc. (ACI) to make operational changes at the Materials Recovery Facility and Transfer Facility located at 610 Aladdin Avenue and at the Limited Volume Transfer Facility located at 601 Aladdin Avenue in order to accommodate anticipated growth in materials streams and to improve operational efficiencies. The project proposal also includes construction of a 21,800 sq. ft. building over the current Transfer Facility. The changes will require revisions to the existing Solid Waste Facility Permit (SWFP No. 01-AA-0290) and to the Conditional Use Permit (PLN2006-00061) at 610 Aladdin Avenue and Enforcement Agency Notification (SWFP No. 01-AA-0319) and Administrative Review

(PLN15-0006) at 601 Aladdin Avenue. Zoning District: Industrial General (IG); Alameda County Assessor's Parcel Numbers 77A-650-2-10 and 77B-800-15; ACI (applicant) and ACI and Aladdin Depot Partnership (property owners).

**Attachments:**    [Vicinity Map](#)  
[Applicant Statement](#)  
[Recommended Findings of Fact](#)  
[Recommended Conditions of Approval](#)  
[Initial Study - Mitigated Negative Declaration](#)  
[Mitigation Monitoring and Reporting Program](#)  
[Exhibits A-M](#)

Senior Planner Mepani presented the Staff Report. BZA members asked clarifying questions.

Applicant, Chris Valbusa presented and answered clarifying questions.

Chair Santos opened and closed the Public Hearing. There were no public comments.

A motion was made by Chair Solis, seconded by Member Vierra Houston to approve the matter of PLN17-0007. The motion carried by the following vote: 7 Aye: Chair Santos, Vice Chair Solis, Falero, Fitzsimons, Mazzitti, Mendieta, Vierra Houston.

**6.C.    [17-374](#)**

PLN17-0012; Consideration of a Conditional Use Permit for a proposed 7,704± square-foot medical cannabis dispensary within an existing commercial and industrial building at 3089 Teagarden Street zoned IG - Industrial General District. A medical cannabis dispensary is a conditionally permitted use on the subject property. Alameda County Assessor's Parcel Number 77B-1201-027-15, -16; Davis Street Wellness Center Inc. (applicant) and The Davis Street Community Center Inc. (property owner).

**Attachments:**    [Vicinity Map](#)  
[Applicant Statement](#)  
[Resolution No. 17-002](#)  
[Exhibits A-H](#)  
[Public Comment from Teamsters Joint Council No. 7](#)

Member Mazzitti announced that she had ex parte communication with the Applicant prior to the meeting.

Vice Chair Solis announced that he had ex parte communication prior to the meeting.

Senior Planner Mepani presented the Staff Report. BZA members asked clarifying questions.

Representatives of the Applicant, John Oram and Rose Johnson, presented and answered clarifying questions.

Chair Santos opened the Public Hearing.

Comments were made by the following individuals opposing the location of the project: Donna Lack, Sharon Bertrand, Scott Leary.

Comments were made by the following individual supporting the location of the project: Deanna Marie Smith, Dr. Zandy, Rome Aloise, Kenneth Pon, Janice Turner, Al Frates, Charles Gilcrest, Gillian Ruan, Stephen Cassidy, Maryann Frates, Mia Ousley, Doug Bloch, Amy Cassidy, Victor Aguilar, Amy Chappelle, Robin Torello, Jim Prola, Josie Camacho, Susan King (on behalf of Shirley Runco), Michael Gregory, Diana Prola, Jacquie Propps, Dan Dillman, Gordon Galvan.

A motion was made by Vice Chair Solis, seconded by Member Vierra Houston to close the Public Hearing by the following vote: 7 Aye - Chair Santos, Vice Chair Solis, Falero, Fitzsimons, Mazzitti, Mendieta, Vierra Houston.

A motion was made by Member Mendieta, seconded by Member Falero to direct Staff to return with a Resolution for approval of the Davis Street Wellness Center Conditional Use Permit with supporting Findings of Fact and appropriate Conditions of Approval regarding the matter of PLN17-0012 at the November 2, 2017 BZA meeting.

Member Vierra Houston amended the motion to make sure that necessary CEQA requirements are included in the follow-up.

The motion carried by the following vote:

6 Aye: Chair Santos, Falero, Fitzsimons, Mazzitti, Mendieta, Vierra Houston.

1 Nay: Vice Chair Solis.

## **7. MISCELLANEOUS**

None.

## **8. MEMBERS' COMMENTS**

Member Vierra Houston thanked everyone for a successful Sausage & Suds festival.

Chair Santos announced there will be a Sports Hall of Fame dinner on October 27th at the Electricians Hall on Farallon.

## **9. STAFF UPDATES/PROJECT STATUS REPORT**

None.

## **10. ADJOURN**

The meeting was adjourned at 11:25pm, motioned by Vice Chair Solis, seconded by Member Vierra Houston by the following vote: 7 Aye - Chair Santos, Vice Chair Solis, Falero, Fitzsimons, Mazzitti, Mendieta, Vierra Houston.