



**MINUTES
FREMONT PLANNING COMMISSION
REGULAR MEETING OF JUNE 11, 2020**

This meeting was conducted utilizing the teleconferencing software Zoom and is consistent with the State of California Executive Order N-29-20 dated March 17, 2020 regarding the Coronavirus (COVID-19) pandemic.

CALL TO ORDER: Chairperson McDonald called the meeting to order at 7:00 p.m.

PRESENT: Chairperson McDonald
Vice Chairperson Yee
Commissioners Cardenas, Daulton, Liu, Rao, Steckler

ABSENT: None

STAFF PRESENT: Joel Pullen, Planning Manager
Heather Lee, Senior Deputy City Attorney
Clifford Nguyen, Assistant Planning Manager
Mark Hungerford, Associate Planner
Trish Cordova, Recording Clerk
Maria Salinas, Recording Clerk
Chavez Company, Remote Stenocaptioning
Napoleon Batalao, Video Technician

APPROVAL OF MINUTES: **Commissioner Steckler** moved to approve minutes for the regular meeting of May 14, 2020. **Commissioner Rao** seconded and motion carried unanimously by a roll call vote.

DISCLOSURES: **Chairperson McDonald** visited the proposed project site for Item No. 1 (PLN2019-00348).

Commissioner Rao visited the site for Item No. 1 and spoke with a neighbor.

Commissioner Steckler visited the site for Item No. 1.

Vice Chairperson Yee visited the site for Item No. 1 and spoke with several residents in the area. He also spoke with a pastor and parishioners that reside at the site.

Commissioner Cardenas visited the site for Item No. 1 and spoke with residents.

Commissioner Liu visited the site for Item No. 1 and spoke with a couple of people there.

Timestamps from the video webcast are listed below each Public Hearing Item Number and are in hours format, as follows: (hours:minutes:seconds). Video webcasts of Planning Commission meetings can be found at: <https://fremontca.viebit.com/#>

CONSENT CALENDAR None

**PUBLIC/ORAL
COMMUNICATIONS** None

PUBLIC HEARING ITEMS

Item 1. **ROBERTS TOWNHOMES – 41354 Roberts Avenue – PLN2019-00348** – To
(00:08:20) consider Vesting Tentative Tract Map No. 8512, a Discretionary Design Review Permit, and a Private Street to facilitate the development of a new 36-unit residential condominium project on a two-acre site located in the Irvington Community Plan Area, and to consider the project exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Infill Development Projects, and as a separate and independent basis, exempt pursuant to CEQA Guidelines Section 15183, Projects Consistent with a Community Plan, General Plan or Zoning.

Planning Manager Joel Pullen introduced the item and **Associate Planner Mark Hungerford** gave a brief presentation. Mr. Hungerford also mentioned that he had contact with three members of the public regarding this project, prior to the meeting.

Chairperson McDonald opened the public hearing and invited the applicant to speak.

David Chui, Project Manager at Pan Cal Corporation, gave a presentation and introduced members of the project team. He also emphasized the community outreach done in relationship to this project.

Chairperson McDonald invited public comments from those calling in to the meeting, who wish to speak to the project.

Andreas Kadavanich, representing Bike Fremont, said that the project site location, though very walkable and bikeable, only meets the minimum requirements of the municipal code for usability. He also offered the following suggestions with regards to the project:

- Make sure bicycle parking area is well lit.

- Increase the spacing between bike racks.
- Add shelter over the bike racks.

Mr. Park, pastor of Gracepoint Church, said his church had been a tenant of the project site location on Roberts Avenue for 10 years and though he does not oppose the project, he felt compelled to let this Commission know of the challenges he is facing. He shared his concern over the possibility of losing his church due to high rent in the area and acknowledged that his comments were “irrelevant to the project”.

Associate Planner Mark Hungerford, along with **Planning Manager Joel Pullen** and **Assistant Planning Manager Clifford Nguyen**, responded to questions from the Commission regarding: window construction with regard to noise attenuation, traffic speed mitigation measures, bioretention, bike-friendly features, and the project’s proximity to a future BART station. The topic of zoning conformance was also discussed.

The applicant, **David Chui**, also responded to questions from the Commission with assistance from **Doug Cummins**, Associate Architect with the Dahlin Group, and **Colt Alvernaz**, Civil Engineer with CBG, Inc., regarding ADA accessibility features and the economic feasibility of the project. The team also spoke to issues related to bike-friendly features, solar, window construction, privacy, and construction of affordable housing units versus paying in-lieu fees.

Commissioner Steckler moved to approve staff recommendation. **Commissioner Daulton** seconded, and requested to add a friendly amendment for the applicant to explore the possibility of providing an affordable housing unit on site. **Commissioner Steckler** accepted the friendly amendment.

Chairperson McDonald requested to add another friendly amendment for the applicant to explore the possibility of making the four accessible units fully equipped with a full bathroom, kitchenette, and bedroom with a closet on the first floor. **Commissioner Steckler** accepted this second friendly amendment.

Vice Chairperson Yee requested to add a third friendly amendment for the applicant to explore the possibility of improving the lighting, spacing, and covering for the bicycle parking area. **Commissioner Steckler** accepted this third friendly amendment.

IT WAS MOVED (STECKLER/DAULTON) AND CARRIED BY THE FOLLOWING VOTE (7-0-0-0) THE PLANNING COMMISSION – HELD PUBLIC HEARING;

AND

FOUND THE PROJECT CATEGORICALLY EXEMPTED FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15332, INFILL DEVELOPMENT PROJECTS, AND AS A SEPARATE AND INDEPENDENT

BASIS, EXEMPTED PURSUANT TO CEQA GUIDELINES SECTION 15183, PROJECTS CONSISTENT WITH A COMMUNITY PLAN, GENERAL PLAN OR ZONING;

AND

FOUND THE PROJECT IS IN CONFORMANCE WITH THE RELEVANT PROVISIONS CONTAINED IN THE CITY'S GENERAL PLAN, INCLUDING THE DESIGNATED GOALS AND POLICES SET FORTH IN THE LAND USE, COMMUNITY CHARACTER, HOUSING, CONSERVATION, AND SAFETY ELEMENTS, AS ENUMERATED IN THE STAFF REPORT;

AND

APPROVED OF DESIGN REVIEW PERMIT PLN2019-00348, AS SHOWN ON EXHIBIT "A," WITH THE ADDITION OF THE THREE FRIENDLY AMENDMENTS TO THE MOTION AS STATED HEREIN, BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS OF APPROVAL SET FORTH IN EXHIBIT "B;"

AND

APPROVED VESTING TENTATIVE TRACT MAP NO. 8512 AND A PRIVATE STREET, AS SHOWN IN EXHIBIT "A," BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS OF APPROVAL SET FORTH IN EXHIBIT "B;"

AND

APPROVED THE REMOVAL AND REPLACEMENT OF 14 PRIVATE AND PROTECTED TREES, AS SHOWN IN EXHIBIT "A," BASED ON FINDINGS SPECIFIED IN FMC SECTION 18.215.070.

The motion carried by the following vote:

AYES: 7 – Cardenas, Daulton, Liu, McDonald, Rao, Steckler, Yee
NOES: 0
ABSTAIN: 0
ABSENT: 0
RECUSE: 0

DISCUSSION ITEMS

MISCELLANEOUS ITEMS

Information from Commission and Staff:

- Information from staff, as reported by **Planning Manager Joel Pullen**:
 - Thanked the Planning Commission and members of the public for their patience with some of the technological challenges in conducting these public hearings via a virtual forum.
 - The following Planning related items were brought before the City Council at their June 2, 2020 meeting:
 - 2019 Housing Element and General Plan Annual Progress Report

- Local Early Action Planning (LEAP) Grant
 - Accessory Dwelling Unit (ADU) Ordinance Update, which was continued
 - State Housing Legislation Update
- Actions from City Council Regular Meetings: None
 - Information from Commission:
 - **Chairperson McDonald** gave a “shout-out” to all the graduates for 2020.
 - **Chairperson McDonald** then requested to make a referral for discussion at the next Planning Commission meeting. The topic would be housing accessibility standards for the City of Fremont and to propose revisions that would create “more livable” housing for disabled individuals. All member of the Commission voted their assent via a roll call vote to accept this referral for discussion.

ADJOURNMENT

Meeting adjourned at 9:01 p.m.

SUBMITTED and APPROVED BY:



Kim Salazar, Recording Clerk
Planning Commission



Joel Pullen, AICP, Secretary
Planning Commission