



**MINUTES
FREMONT PLANNING COMMISSION
REGULAR MEETING OF MARCH 12, 2020**

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

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

ABSENT: None
Two vacancies pending appointment.

STAFF PRESENT: Joel Pullen, Planning Manager
Heather Lee, Senior Deputy City Attorney
Spencer Shafsky, Planner II
Kim Salazar, Recording Clerk
Chavez Company, Remote Stenocaptioning
Napoleon Batalao, Video Technician

APPROVAL OF MINUTES: None

DISCLOSURES: **Commissioner Daulton** met with the applicant for Slam Basketball (Item 2, PLN2020-00092) and toured the site.
Vice Chairperson Yee met with the applicant for Item 2, and spoke with several business owners in the area and their patrons. He also visited the proposed site for Item 1 (PLN2020-00154).
Commissioner Steckler visited the proposed site for Item 1.
Chairperson McDonald visited the site for Item 2 and met with the applicant.

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

THE CONSENT CALENDAR CONSISTED OF ITEM NUMBER 1.

IT WAS UNANIMOUSLY CARRIED BY ALL PRESENT THAT THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON ITEM NUMBER 1.

- Item 1. **VERIZON WIRELESS WARM SPRINGS – 47209 Warm Springs Boulevard – PLN2020-00154** – To consider a Conditional Use Permit and Discretionary Design Review Permit to allow the installation of a new stealth wireless telecommunication facility located at 47209 Warm Springs Boulevard in the Warm Springs Community Plan Area; and to consider a categorical exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.

HELD PUBLIC HEARING;

AND

FOUND THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTION 15303 (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES);

AND

FOUND THAT THE CONDITIONAL USE PERMIT IS IN CONFORMANCE WITH THE RELEVANT PROVISIONS CONTAINED IN THE CITY'S GENERAL PLAN. THESE PROVISIONS INCLUDE THE DESIGNATIONS, GOALS AND POLICIES SET FORTH IN THE COMMUNITY CHARACTER AND PUBLIC FACILITIES ELEMENTS OF THE GENERAL PLAN AS ENUMERATED WITHIN THE STAFF REPORT;

AND

FOUND THAT THE DESIGN REVIEW PERMIT IS IN CONFORMANCE WITH RELEVANT PROVISIONS CONTAINED IN THE WIRELESS FACILITIES ORDINANCE AND CHAPTER 4 OF THE CITYWIDE DESIGN GUIDELINES AS ENUMERATED WITHIN THE STAFF REPORT, AND THAT THE PROJECT'S DESIGN WOULD NOT INTERFERE WITH THE USE AND ENJOYMENT OF ADJACENT DEVELOPMENT NOR BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE;

AND

FOUND THE PROJECT, AS SHOWN ON EXHIBIT "A" (SITE PLAN, ELEVATIONS), FULFILLS THE APPLICABLE REQUIREMENTS AS SET FORTH IN THE FREMONT MUNICIPAL CODE AND THAT THE PROPOSED USE FULFILLS THE INTENT OF THE WIRELESS FACILITIES ORDINANCE AND APPLICABLE DESIGN GUIDELINES AND THEREFORE MAY BE ALLOWED, SUBJECT TO A CONDITIONAL USE PERMIT AND DISCRETIONARY DESIGN REVIEW PERMIT;

AND

APPROVED CONDITIONAL USE PERMIT AND DESIGN REVIEW PERMIT
PLN2020-00154 AS SHOWN ON EXHIBIT “A,” BASED ON THE FINDINGS
AND SUBJECT TO THE CONDITIONS OF APPROVAL SET FORTH IN
EXHIBIT “B.”

The motion carried by the following vote:

AYES: 5 – Daulton, McDonald, Rao, Steckler, Yee

NOES: 0

ABSTAIN: 0

ABSENT: 0

RECUSE: 0

VACANCY: 2 – pending appointment

**PUBLIC/ORAL
COMMUNICATIONS** None

PUBLIC HEARING ITEMS

Prior to the Public Hearing, **Planning Manager Joel Pullen** made a brief announcement on measures that the City of Fremont was taking with regards to the Coronavirus (COVID-19). He stated that the City was exercising social distancing as recommended by Public Health Officials in an effort to help quell the spread of the disease, and that Public Hearing meetings would continue until further notice.

Item 2. **SLAM BASKETBALL – 37411 Fremont Boulevard – PLN2020-00092** – To
(00:09:32) consider a Conditional Use Permit to allow an indoor commercial recreation facility located at 37411 Fremont Boulevard in the Centerville Community Plan Area; and to consider a categorical exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301, Existing Facilities.

Planning Manager Joel Pullen introduced the item and **Project Planner Spencer Shafsky** gave a brief presentation. In conclusion, Mr. Pullen spoke to the history of the facility, noting that it was the only privately owned historical resource in the City of Fremont that had a tailored line item in the City’s General Plan that calls for an adaptive re-use of the facility.

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

Sean Kennedy, architect and founding Principal of Studio Skaggs Kennedy, gave a brief presentation and responded to questions from the Planning Commission regarding ADA compliance, safety, restoration of the façade, and preservation of a medallion art piece located on the inside of the structure. Additional questions from the Commission regarding the operations of Slam Academy were answered by **Garrett Anaya**, CEO of Slam Academy.

Chairperson McDonald invited public comments.

Hamid Nikfarjam, Fremont resident, asked for clarification on allotted parking for Slam Academy. He stated that he was not opposed to the project, but wanted to confirm that adequate parking would be provided and not infringe on the existing tenants and/or businesses.

Kathy Kimberlin, representing the Centerville Business and Community Association, spoke in favor of the project, highlighting the following points: preserving and repairing an historical building; conformance with the General Plan, Zoning Regulations, and parking requirements; conditions related to lighting, safety, and excluding Fremont Boulevard as a drop-off point for kids. Ms. Kimberlin also commented positively on the proposed use of the venue (sports) and said that the project would bring needed revitalization to the Centerville community.

Fernando Cuebas, the real estate agent/broker for the property, spoke in favor of the proposed project and its suitability for the Centerville area. He also spoke highly of the property owner, Roy Fong, for his vision and experience in revamping an old theater in San Mateo.

Chairperson McDonald invited the applicant back for rebuttal.

Sean Kennedy responded to the parking concerns of Mr. Nikfarjam and said that the design for the proposed project would incorporate 30 parking spaces, which would exceed the Zoning Code by seven. He also commented on the overall revitalization of Centerville and said they were excited to add vibrancy back into that community.

Chairperson McDonald closed the public hearing.

Project Planner Shafsky and **Planning Manager Pullen** responded to questions from the Commission related to the historic aspects of the property.

Commissioner Daulton moved to approve staff recommendation and encouraged the property owner to preserve the historic art medallion on the interior of the building. **Vice Chairperson Yee** seconded.

IT WAS MOVED (DAULTON/YEE) AND CARRIED BY THE FOLLOWING VOTE (5-0-0-0-2) THE PLANNING COMMISSION – HELD PUBLIC HEARING;

AND

FOUND THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTION 15301, EXISTING FACILITIES;

AND

FOUND PLN2020-00092, A CONDITIONAL USE PERMIT FOR A COMMERCIAL RECREATION FACILITY, IS IN CONFORMANCE WITH THE

RELEVANT PROVISIONS CONTAINED IN THE CITY'S EXISTING GENERAL PLAN, AS OUTLINED IN THIS STAFF REPORT;

AND

APPROVED PLN2020-00092, AS SHOWN ON EXHIBIT "A", SUBJECT TO FINDINGS AND CONDITIONS CONTAINED IN EXHIBIT "B".

The motion carried by the following vote:

AYES: 5 – Daulton, McDonald, Rao, Steckler, Yee

NOES: 0

ABSTAIN: 0

ABSENT: 0

RECUSE: 0

VACANCY: 2 – pending appointment

DISCUSSION ITEMS

MISCELLANEOUS ITEMS

Information from Commission and Staff:

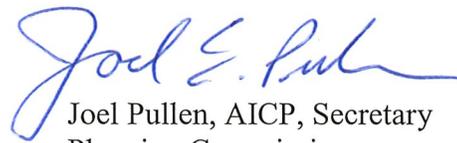
- Information from staff, as reported by **Planning Manager Joel Pullen**:
 - The Community Development Department and the City's Legal Department will give a joint presentation to the City Council on March 17, 2020 on new housing regulations.
 - The March 26, 2020 Planning Commission meeting will be cancelled, due to a lack of agenda items.
 - Our new Planning Commissioner, Daniel Cardenas, will begin in April.
- Actions from City Council Regular Meetings: None
- Information from Commission: None

ADJOURNMENT

Meeting adjourned at 8:03 p.m.

SUBMITTED and APPROVED BY:


Kim Salazar, Recording Clerk
Planning Commission


Joel Pullen, AICP, Secretary
Planning Commission