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 Yee called the meeting to order at 7:00 p.m.

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

ABSENT: None

STAFF PRESENT: Joel Pullen, Planning Manager
Bronwen Lacey, Senior Deputy City Attorney
Clifford Nguyen, Assistant Planning Manager
Wayland Li, Principal Planner
Bill Roth, Senior Planner
Courtney Pal, Planner II
Marc Cleveland, Planner I
Trish Cordova, Recording Clerk
Maria Salinas, Recording Clerk
Chavez Company, Remote Stenocaptioning
Napoleon Batalao, Video Technician

APPROVAL OF MINUTES: Commission Steckler moved to approve minutes from the regular meeting of February 25, 2021. Vice Chairperson Rao seconded and motion carried by all present.

DISCLOSURES: Chairperson Yee visited the project site for Item 1 (PLN2021-00030) and spoke with the applicant.

Vice Chairperson Rao drove around the project site for Item 1 (PLN2021-00030).

Commissioner McDonald visited the project site for Item 1 (PLN2021-00030) and drove around all of the sites identified in Item 2 (PLN2021-00133).
Commissioner Steckler visited the project site for Item 1 (PLN2021-00030).

Commissioner Cardenas visited the project site for Item 1 (PLN2021-00030).

Commissioner Daulton visited three sites associated with Item 2 (PLN2021-00133) identified as “...amendments two, three, and five.”

Commissioner Liu visited the sites for Item 1 (PLN2021-00030) and Item 2 (PLN2021-00133), and drove around the neighboring companies and their facilities. He also spoke with a couple of residents in the Metro Crossing development, related to Item 2.

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.  WASHINGTON HOSPITAL/UNIVERSITY OF CALIFORNIA SAN FRANCISCO OUT-PATIENT CARE CENTER - 45388 Warm Springs Boulevard – PLN2021-00030 – To consider a Discretionary Design Review Permit and a Conditional Use Permit for a new outpatient care center located at 45388 Warm Springs Boulevard in the South Fremont Community Plan Area, and to consider an exemption from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301(e), Existing Facilities, 15304 (b), Minor Alterations to Land, and a finding that no further environmental review is required pursuant to CEQA Guidelines Section 15183 as the project is consistent with the land use envisioned for the site as established by the Warm Springs/South Fremont Community Plan for which an Environmental Impact Report (SCH# 2013032062) was previously prepared and certified, and CEQA Guidelines Sections 15162 and 15163, as none of the circumstances requiring calling for the preparation of a subsequent or supplemental EIR have occurred.

Planning Manager Joel Pullen introduced the item and brought attention to the presence of a Gold Sheet, indicated notes and corrections (attached).
Project Planner Marc Cleveland gave a brief presentation and responded to questions from the Commission, with assistance from Planning Manager Pullen, on the following topics:

- Long-term bicycle parking
- Designated ride-share area
- Access to food via shared bicycle transportation (i.e. HOPR)
- Future use of vacant space
- Vehicle parking for patients and employees
- Transportation Demand Management Plan

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

Todd Wright, with Real Estate Strategies & Solutions and representing the applicant, briefly spoke to the project and to the topics raised by the Commission, with assistance from Michael Williams, with Boulder Associates Architects.

Chairperson Yee invited public comments.

Kelly Abreu, Fremont resident, commented on the parking plan for this project and encouraged collaboration with BART to share parking, for more efficient use of the land.

Chairperson Yee closed the public hearing and brought discussion back to the Commission for deliberation.

Commissioner Steckler moved to approve staff recommendation and Commission McDonald seconded.

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

AND

FOUND THAT THE PROJECT IS EXEMPT FROM CEQA AND NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO CEQA GUIDELINES SECTIONS 15301(E), EXISTING FACILITIES, 15304 (B), MINOR ALTERATIONS TO LAND, AND A FINDING THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO CEQA GUIDELINES SECTION 15183 AS THE PROJECT IS CONSISTENT WITH THE LAND USE ENVISIONED FOR THE SITE AS ESTABLISHED BY THE WARM SPRINGS/SOUTH FREMONT COMMUNITY PLAN FOR WHICH AN ENVIRONMENTAL IMPACT REPORT (SCH# 2013032062) WAS PREVIOUSLY PREPARED AND CERTIFIED, AND CEQA GUIDELINES SECTIONS 15162 AND 15163, AS NONE OF THE CIRCUMSTANCES REQUIRING CALLING FOR THE PREPARATION OF A SUBSEQUENT OR SUPPLEMENTAL EIR HAVE OCCURRED;
AND
FOUND THE PROJECT IS IN CONFORMANCE WITH THE RELEVANT PROVISIONS CONTAINED IN THE CITY’S GENERAL PLAN, INCLUDING THE DESIGNATED GOALS AND POLICIES SET FORTH IN THE LAND USE, COMMUNITY CHARACTER, HOUSING, AND CONSERVATION CHAPTERS, AS ENUMERATED IN THE STAFF REPORT;
AND
APPROVED CONDITIONAL USE PERMIT PLN2021-00030 FOR AN OUTPATIENT MEDICAL CLINIC, AS SHOWN ON EXHIBITS “A,” BASED ON FINDINGS AND SUBJECT TO CONDITIONS OF APPROVAL IN EXHIBIT “B;”
AND
APPROVEE DISCRETIONARY DESIGN REVIEW PERMIT PLN2021-00030, AS SHOWN ON EXHIBIT “A,” BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS OF APPROVAL SET FORTH IN EXHIBIT “B;”
AND

The motion carried by the following vote:
AYES: 7 – Cardenas, Daulton, Liu, McDonald, Rao, Steckler, Yee
NOES: 0
ABSTAIN: 0
ABSENT: 0
RECUSE: 0

Item 2. SPRING 2021 CODE AND MAP AMENDMENTS – Citywide – PLN2021-00133 – To consider amending the General Plan Land Use Diagram and the Zoning Map to clarify the boundaries of various land use designations and zoning districts citywide and amending various chapters of Fremont Municipal Code Title 10 (Vehicles and Traffic) and Title 18 (Planning and Zoning) to clarify and enhance definitions, procedures and standards related to development and use of property within the City, and to consider exemptions from the requirements of the California Environmental Quality Act (CEQA), each on a separate and independent basis, pursuant to (1) CEQA Guidelines Section 15061(b)(3), in that the proposed amendments do not have the potential to cause a significant effect on the environment, and are not subject to CEQA review, and (2) CEQA Guidelines Section 15183, as a project consistent with the development densities and policies in the general plan and existing zoning and that does not involve any peculiar significant effects that were not previously analyzed or discussed as significant effects in prior EIRs on the General Plan (SCH#2010082060) and zoning with which the project is consistent.

Planning Manager Joel Pullen introduced the item.
Senior Planner Bill Roth gave a comprehensive presentation and responded to questions from the Commission, with assistance from Planner Courtney Pal, Principal Planner Wayland Li, and Planning Manager Joel Pullen.

Chairperson Yee called for a brief recess at 8:30 p.m. and reconvened the meeting at 8:40 p.m.

Chairperson Yee opened the public hearing and invited public comments.

Bruce Cates, Founder of Local Ecology and Agriculture Fremont (LEAF), spoke on the topic of urban farming and the need for food security going forth into the future. He also advocated for an Agricultural Land Reserve and agricultural zoning for the City of Fremont.

Kelly Abreu, Fremont resident, commented on the minimum parking requirements for Transit Oriented Mixed-Use projects near BART stations in Fremont, and on the walkability and connectivity of the Niles Gateway project

Chairperson Yee closed the public hearing.

Commissioner McDonald moved to approve staff recommendation and Commissioner Daulton seconded.

IT WAS MOVED (MCDONALD/DAULTON) AND CARRIED BY THE FOLLOWING VOTE (7-0-0-0-0) THE PLANNING COMMISSION – HELD PUBLIC HEARING; AND RECOMMENDED THAT CITY COUNCIL:

FIND THAT THE PROPOSED AMENDMENTS ARE EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), EACH AS A SEPARATE AND INDEPENDENT BASIS PER SECTION 15061(B)(3) OF THE CEQA GUIDELINES IN THAT IT IS NOT A PROJECT WHICH HAS THE POTENTIAL TO CAUSE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND CEQA GUIDELINES SECTION 15183 AS A PROJECT CONSISTENT WITH THE GENERAL PLAN AND ZONING AND OTHERWISE MEETING THE REQUIREMENTS OF THAT EXEMPTION AND PURSUANT TO CEQA GUIDELINES SECTION 15162, NONE OF CIRCUMSTANCES NECESSITATING PREPARATION OF A SUBSEQUENT EIR ARE PRESENT; AND

FIND THAT THE PROPOSED AMENDMENTS ARE CONSISTENT WITH THE GENERAL PLAN, INCLUDING THE LAND USE ELEMENT IMPLEMENTATION MEASURE DISCUSSED IN THE STAFF REPORT; AND

FIND THAT THE PROPOSED AMENDMENTS FURTHER THE PUBLIC INTEREST, CONVENIENCE, AND GENERAL WELFARE OF THE CITY BY ENSURING CONSISTENCY OF THE FMC, AND ZONING MAP WITH THE
GENERAL PLAN, AND STATE LAW, AND PROVIDE FOR ZONING DISTRICT USES AND DEVELOPMENT STANDARDS THAT ARE RELEVANT TO CURRENT DEVELOPMENT TRENDS, EASY TO USE, FLEXIBLE AND EQUITABLE, AND ENSURE THE HEALTH AND SAFETY OF FREMONT RESIDENTS;

AND

INTRODUCE AN ORDINANCE APPROVING AMENDMENTS TO FMC TITLE 10 (VEHICLES AND TRAFFIC) AND TITLE 18 (PLANNING AND ZONING), AMENDMENTS TO THE GENERAL PLAN LAND USE DIAGRAM, AS SHOWN ON EXHIBIT “A,” AND AMENDMENTS TO THE ZONING MAP, AS SHOWN ON EXHIBIT “B,” FOR CONFORMANCE WITH THE GENERAL PLAN;

AND

DIRECT STAFF TO DOCUMENT THE ABOVE WRITTEN FINDINGS AND RECOMMENDATION OF THE COMMISSION TO THE CITY COUNCIL AND TO PREPARE, AND THE CITY CLERK TO PUBLISH, A SUMMARY OF THE ORDINANCE.

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:
  o The General Plan Annual Progress Report is scheduled to be heard by the City Council on March 16, 2021.
  o The Spring 2021 Code and Map Amendments, heard tonight, is scheduled to go before the City Council on April 6, 2021.
  o The March 25, 2021 meeting will be cancelled, due to a lack of agenda items. The next scheduled meeting date is set for April 8, 2021.

• Actions from City Council Regular Meetings, as reported by Planning Manager Joel Pullen:
  o The Niles Gateway Project was approved by the City Council this past Tuesday, March 9th.
• Information from Commission:
  o **Commissioner Cardenas** gave a shout-out to Haller’s Pharmacy and the Fremont Fire Department for providing COVID testing and vaccinations for the community.
  o **Chairperson Yee** reported that construction of his accessory dwelling unit had been completed and was going through its final inspection.

**ADJOURNMENT**

Meeting adjourned at 9:20 p.m.

**SUBMITTED and APPROVED BY:**

![Signature]

Kim Salazar, Recording Clerk
Planning Commission

![Signature]

Joel Pullen, AICP, Secretary
Planning Commission
NOTES/CORRECTIONS for the MARCH 11, 2021
PLANNING COMMISSION MEETING

*Modifications appear in italics, new text is underlined, and deleted text appears as strikethrough.*

Item 1. WASHINGTON HOSPITAL HEALTHCARE SYSTEM/UNIVERSITY OF CALIFORNIA SAN FRANCISCO MEDICAL CENTER WARM SPRINGS OUT-PATIENT CARE CENTER – 45388 Warm Springs Boulevard – (PLN2021-00030)

Staff requests that the following corrections be included in the Staff Report and Conditions of Approval:

Conditions of Approval:

A-9. Emergency Action Plan. Prior to issuance of a building permit, the applicant shall develop a site-specific emergency action plan. The emergency action plan will detail the facilities response to emergencies and will specifically address evacuation, shelter-in-place and the response to a release of chemicals at the site before occupancy. Please contact Jacqueline Nomany of Fremont Fire Prevention @ 510-494-4275. The Applicant shall verify the location and existence of all manual shutoff controls for the building ventilation system. All exhaust fans, including restroom exhaust fans, and HVAC units for the building must have manual shutoff control. Air handing equipment and the location of the manual shutoff controls must be documented in the Emergency Action Plan.

Item 2. SPRING 2021 CODE AND MAP AMENDMENTS – Citywide – (PLN2021-00133)

Staff requests that the following corrections be included in the Staff Report and Conditions of Approval:

Staff Report:

Exhibits: Attachments 2 and 3 in Exhibit A - General Plan Land Use Diagram Amendments and Exhibit B – Zoning Map Amendments have been revised to include dotted lines to denote property lines of lots subject to redesignation and rezoning. The revised exhibits are attached.

RESPECTFULLY SUBMITTED,

[Signature]

JOEL PULLEN, AICP, SECRETARY
PLANNING COMMISSION

Planning Commission Notes/Corrections – MARCH 11, 2021
PLN2021-00133
General Plan Amendment Exhibit “A”
Incorporated as Attachment No. 1
And Made Part of Resolution No. __________
On the _____ day of __________, 20____.

GENERAL PLAN LAND USE DIAGRAM Amendment
AFFECTS LAND USE MAP(S) IN THE IRVINGTON COMMUNITY PLAN AREA

Project Name: Spring 2021 Code and Map Amendments  (site 1)
Change From: RES LM
To: RES LOW
PLN2021-00133
General Plan Amendment Exhibit “A”
Incorporated as Attachment No. __________
And Made Part of Resolution No. __________
On the ______ day of __________, 20____.

GENERAL PLAN LAND USE DIAGRAM Amendment
AFFECTS LAND USE MAP(S) IN THE MISSION SAN JOSE COMMUNITY PLAN AREA

Project Name: Spring 2021 Code and Map Amendments (site 2)
Change From: RES MED
To: RES LM, (Neighborhood Conservation Area Overlay)
PLN2021-00133
General Plan Amendment Exhibit “A”
Incorporated as Attachment No. 3
And Made Part of Resolution No. 
On the ______ day of __________, 20____.

Change From:
To:

GENERAL PLAN LAND USE DIAGRAM Amendment
AFFECTS LAND USE MAP(S) IN THE CENTERVILLE COMMUNITY PLAN AREA

Project Name: Spring 2021 Code and Map Amendments (site 3)
Change From: RES LOW
To: COM G
PLN2021-00133
General Plan Amendment Exhibit “A”
Incorporated as Attachment No. 4
And Made Part of Resolution No. __________
On the ______ day of __________, 20____.

GENERAL PLAN LAND USE DIAGRAM Amendment
AFFECTS LAND USE MAP(S) IN THE WARM SPRINGS COMMUNITY PLAN AREA

Project Name: Spring 2021 Code and Map Amendments (site 4)
Change From: RES HR
To: OS RCP
PLN2021-00133

General Plan Amendment Exhibit “A”

Incorporated as Attachment No. 5
And Made Part of Resolution No. __________

On the ______ day of __________, 20____.

Change From:
General Plan Amendment Exhibit “A”

Incorporated as Attachment No. __________
And Made Part of Resolution No. __________

On the ______ day of __________, 20____.

Change From:

GENERAL PLAN LAND USE DIAGRAM Amendment
AFFECTS LAND USE MAP(S) IN THE MISSION SAN JOSE COMMUNITY PLAN AREA

This project is subject to Measure A

Land Use boundary
Area to be Redesignated

RES HR
OS RCP
TER
RES HR
RES HR
Resdignate to RES-HR
RES HR
Resdignate to OS RCP
RES HR
WITHERLY LN
PF
PF
PF
LIBRARY ST
HUDLESON ST

1:2,400
0 100 200 400 600 800 Feet

Project Name: Spring 2021 Code and Map Amendments (site 5)
Change From: OS RCP & RES HR
To: RES HR & OS RCP
PLN2021-00133
General Plan Amendment Exhibit “A”
Incorporated as Attachment No. 7
And Made Part of Resolution No. __________
On the _____ day of ___________, 2021.

GENERAL PLAN LAND USE DIAGRAM Amendment
AFFECTS LAND USE MAP(S) IN THE MISSION SAN JOSE COMMUNITY PLAN AREA

Project Name: Spring 2021 Code and Map Amendments (site 7)
Change From: OS PVT
To: RES HR
PLN2021-00133
Rezoning Exhibit “B”
Incorporated as Attachment No. 1
And Made Part of Ordinance No. __________
On the ______ day of __________, 20____.

ZONING MAP Amendment
AFFECTS LAND USE MAP(S) IN THE IRVINGTON COMMUNITY PLAN AREA

Project Name: Spring 2021 Code and Map Amendments (site 1)
Change From: R-G-X-34.15
To: R-1-6
PLN2021-00133
Rezoning Exhibit “B”

Incorporated as Attachment No. 2
And Made Part of Ordinance No. __________
On the ______ day of __________, 20____.

ZONING MAP Amendment

AFFECTS LAND USE MAP(S) IN THE MISSION SAN JOSE COMMUNITY PLAN AREA

This project is in the (HOD) and (H-I) Overlays

Project Name: Spring 2021 Code and Map Amendments (site 2)
Change From: R-G-24(HOD)(H-I)
To: R-2(HOD)(H-I)
PLN2021-00133
Rezoning Exhibit “B”
Incorporated as Attachment No. 3
And Made Part of Ordinance No. 

On the _____ day of __________, 20____.

ZONING MAP Amendment
AFFECTS LAND USE MAP(S) IN THE CENTERVILLE COMMUNITY PLAN AREA

Project Name: Spring 2021 Code and Map Amendments (site 3)
Change From: R-1-6
To: C-O
ZONING MAP Amendment
AFFECTS LAND USE MAP(S) IN THE SOUTH FREMONT COMMUNITY PLAN AREA

Project Name:  Spring 2021 Code and Map Amendments  (site 6)
Change From:  WSI-4
To:  WSI-6