



**MINUTES  
FREMONT PLANNING COMMISSION  
REGULAR MEETING OF JUNE 27, 2019**

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

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

**ABSENT:** One vacancy pending appointment.

**STAFF PRESENT:** Kristie Wheeler, Planning Manager  
Bronwen Lacey, Senior Deputy City Attorney  
Noe Veloso, Transportation Manager for Public Works  
Jim Pearson, Executive Special Assistant to Public Works  
Kim Salazar, Recording Clerk  
Chavez Company, Remote Stenocaptioning  
Napoleon Batalao, Video Technician

**APPROVAL OF MINUTES:** **Vice Chairperson McDonald** moved to approve minutes from the regular meeting of May 23, 2019 and **Commissioner Daulton** seconded. Motion carried by those present with **Commissioner Rao** abstaining.

**DISCLOSURES:** **Commissioner Daulton** drove to Irvington, looked around and had a cup of coffee.  
**Commissioner Yee** rode his bike to and around Irvington on two separate occasions during high traffic hours.

*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** **Patricia Lacy**, Fremont resident, spoke to the amount of housing in general that is being built in Irvington and the amount of traffic in that area. She also asked questions about affordable housing and what constitutes affordable housing in Fremont. Staff will follow-up with Ms. Lacy off-line.

## PUBLIC HEARING ITEMS

- Item 1. **IRVINGTON BART STATION AREA PLAN – PLN2015-00262** – To consider  
(00:06:07) adoption of the Irvington BART Station Area Plan, which will guide site and building design within approximately a ½ mile radius of the future Irvington BART Station and a General Plan Amendment to eliminate the Irvington BART Special Study Area designation, and to consider a finding that no further environmental review is required pursuant to the California Environmental Quality Act (CEQA) as the proposed project is an implementation measure of the General Plan.

**Planning Manager Kristie Wheeler** introduced the item and gave a brief presentation of the project. She recalled that the Commission had considered the project at the May 23, 2019 meeting, but agreed to continue the item until a review could be completed on a four-page document submitted by Vice Chairperson McDonald during deliberations.

Ms. Wheeler emphasized that the station itself was not under consideration; only the Station Area Plan. She said the Irvington BART Station itself was not within the purview of the City to approve or disapprove. She said the station was already approved by the BART Board in 2003 and has been part of the City's General Plan since 1991.

Ms. Wheeler explained that the purpose of the Station Area Plan was to ensure high quality building and site design, with good connections to the future BART station.

Ms. Wheeler proceeded to respond to questions from the Commission and invited **Transportation Manager Noe Veloso** to answer questions related to Transportation Demand Management programs.

**Chairperson Steckler** opened the public hearing.

**Alice Cavette**, Fremont resident, spoke to the project's Irvington Town Center subarea and its historic aspects. She also made several suggestions on how to avoid the historic Irvington Town Center turning into an urban commercial center.

**Chris Cavette**, Fremont resident, voiced his opposition to the Irvington BART Station and stated his reasons, which included: traffic, parking, and the proposed 65-foot tall buildings not being in character with the historic Irvington Town Center area.

**Nicolas Ball-Jones**, Fremont resident, voiced his support for increased density, and office and commercial space within the Irvington BART Station Plan Area. He also advocated for increasing space designated for bicycles and pedestrians, by limiting parking and motor vehicle lanes on roads.

**Jesse Schaa**, Fremont resident and President of the Irvington Business Association, expressed his appreciation towards City staff and the Commission for taking into

consideration the concerns express by members of the public regarding the project. He then advocated for the community, staff, and Commissioners to continue their dialogue and working together.

**Lucinda Hanley**, Fremont resident, voiced her strong opposition to the bike/pedestrian pathway proposed near the Middlefield Reservoir through her neighborhood to the Sabercat trail. She said the connector would make her neighborhood vulnerable to safety and security issues and believes the risks of the pathway outweigh any benefits. She also stated her opposition to building a third BART station in Fremont. Ms. Hanley concluded by asking if the station could be built without all the funding in place, and where the additional funds would come from.

**Thomas Cabral**, Fremont resident, asked if SB50 was going to affect the designation of the different planning zones, and what type of sound wall was going to be installed for the residents alongside the proposed Irvington BART station.

**Kelly Abreu**, Fremont resident, spoke in opposition of the Irvington BART Station Area Plan calling it an Orwellian Community Plan and the Transit-Oriented Development a charade. He commented on inadequate parking and the non-application of urban planning principles. He advocated for more bike/pedestrian trails and the need for more high-density developments.

**Kiersten Andrews**, Fremont resident, spoke in opposition to the Irvington BART Station, current traffic congestion, and lack of parking. She concluded by asking what would happen to the Gallegos Winery and distillery.

**Chairperson Steckler** closed the public hearing.

**Executive Special Assistant Jim Pierson** and **Planning Manager Kristie Wheeler** responded to questions brought up during public comments related to the building of the Irvington BART Station and funding, the Middlefield Reservoir and Sabercat trail, the Gallegos Winery, SB50, and a sound wall. Ms. Wheeler also invited **Transportation Manager Noe Veloso** to respond to comments regarding a Public Works project involving the Sabercat trail. Staff then responded to questions from the Commission.

**Commissioner Reed** moved to approve staff recommendation and **Commissioner Daulton** seconded.

**Vice Chairperson McDonald** offered a friendly amendment to include all the changes that were included in the June 27, 2019 Planning Commission staff report and in the June 26, 2019 memo.

**Commissioner Reed** and **Commissioner Daulton** accepted the friendly amendment.

IT WAS MOVED (REED/DAULTON) AND CARRIED BY THE FOLLOWING VOTE (6-1-0-0-1) THE PLANNING COMMISSION – HELD PUBLIC HEARING;

AND

RECOMMENDED THAT THE CITY COUNCIL FIND THAT THE PROPOSED IRVINGTON BART SAP AND RELATED GENERAL PLAN AMENDMENT ARE IMPLEMENTATION MEASURES OF THE GENERAL PLAN FOR WHICH A FINAL ENVIRONMENTAL IMPACT REPORT (SCH#2010082060) WAS PREVIOUSLY PREPARED AND CERTIFIED, AND FIND THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED;

AND

FOUND THAT THE PROPOSED IRVINGTON BART STATION AREA PLAN AND RELATED GENERAL PLAN AMENDMENT ARE CONSISTENT WITH THE RELEVANT PROVISIONS CONTAINED IN THE CITY'S GENERAL PLAN. THESE PROVISIONS INCLUDE THE DESIGNATIONS, GOALS, OBJECTIVES AND POLICIES SET FORTH IN THE GENERAL PLAN'S COMMUNITY CHARACTER AND COMMUNITY PLANS ELEMENTS AS ENUMERATED WITHIN THE STAFF REPORT;

AND

FOUND THE ADOPTION OF THE PROPOSED IRVINGTON BART STATION AREA PLAN AND RELATED GENERAL PLAN AMENDMENT WOULD FURTHER THE PUBLIC INTEREST, CONVENIENCE AND GENERAL WELFARE OF THE CITY BY IMPROVING THE QUALITY OF FUTURE DEVELOPMENT AROUND THE IRVINGTON BART STATION;

AND

RECOMMENDED THAT THE CITY COUNCIL ADOPT A RESOLUTION APPROVING THE PROPOSED IRVINGTON BART STATION AREA PLAN AS SHOWN IN EXHIBIT “C” AND THE RELATED GENERAL PLAN AMENDMENT AS SHOWN ON EXHIBITS “A,” AND “B.”

The motion carried by the following vote:

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

NOES: 1 – Yee

ABSTAIN: 0

ABSENT: 0

RECUSE: 0

VACANCY: 1 – pending appointment

## **DISCUSSION ITEMS**

## **MISCELLANEOUS ITEMS**

Information from Commission and Staff:

- Information from staff: **Planning Manager Kristie Wheeler** announced that the July 11, 2019 meeting would be cancelled, due to a lack of agenda items, and the next regular Planning Commission meeting is set for July 25, 2019.
- Actions from City Council Regular Meetings: None
- Information from Commission:
  - **Commissioner Daulton** asked if there was any follow-up to his request for clarification on the referral process, to which **Planning Manager Wheeler** responded that she was still looking into it.
  - **Commissioner Daulton** also commented on a communication sent to the Housing Division with the City of Fremont, composed by himself and **Vice Chairperson McDonald** and forwarded to the rest of the Commission. It was proposed by **Senior Deputy City Attorney Bronwen Lacey** that the subject be placed on a future agenda to be discussed further.

#### ADJOURNMENT

Meeting adjourned at 8:10 p.m.

SUBMITTED and APPROVED BY:



Kim Salazar, Recording Clerk  
Planning Commission



Kristie Wheeler, Secretary  
Planning Commission