

CITY OF UNION CITY

**MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
OF FEBRUARY 21, 2002, 7:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD, UNION CITY, CALIFORNIA**

I. ROLL CALL: Commissioners Allen, Mattos, Raymundo, Savage, and Sweeney

Commissioner Allen was absent.

STAFF PRESENT: Mark Leonard (Community Development Director); John Bakker (Interim Assistant City Attorney); Carlos Jocson (City Engineer); Ralph Kachadourian (Associate Planner); Aki Irani (Associate Planner) and Laurie Radovich (Administrative Assistant)

II. APPROVAL OF MINUTES:

The minutes for the regular Planning Commission meeting of February 07, 2002, were approved as submitted.

III. ORAL COMMUNICATIONS: None.

IV. WRITTEN COMMUNICATIONS: None.

V. PUBLIC HEARINGS:

A. CONTINUED HEARINGS: None.

B. NEW HEARINGS:

- 1. UP-5-01, USE PERMIT; SD-12-01, SITE DEVELOPMENT REVIEW; V-1-02, VARIANCE:** Raoul Rojas, of VBN Architects, on behalf of Saint Anne Catholic Parish and the Catholic Diocese of Oakland, has submitted applications for a Use Permit (UP-5-01), a Site Development Review Permit (SD-12-01) and a Variance Permit (V-1-02) for a proposed development on the vacant (northerly) portion of the property located at 32223 Cabello Street (APN 483-76-067). The Use Permit application is a request for approval of a Master Plan to expand the church facilities in the form of a phased development consisting of eight (8) new classrooms with restroom facilities (approximately 8,550 square feet), a new social/recreation hall building (approximately 4,300 square feet), and a new gymnasium/multi-purpose building (approximately 14,725 square feet). The Site Development Review Permit application is a request to allow development of the first phase of the Master Plan consisting of the construction of four (4) classrooms with restroom facilities (approximately 4,250 square feet) and an approximately 4,300 square foot social/recreational hall building. The Variance application is a request to allow for a reduction in the required number of parking spaces on site given that all church facilities will share use of the parking lot and there will not be concurrent use of the church, social/recreational hall building, and gymnasium/multi-purpose building for

separate events. The subject property is currently located within an Agricultural zoning district and has a General Plan designation of Institutional.

Aki Irani, Associate Planner, presented the Staff Report and gave a Power Point presentation.

Commissioner Mattos stated that her biggest concern with the project is the drop off and pickup of students, that she believes will be on Dyer Street, because of the proximity to the classrooms. She believes this will cause some real traffic issues, especially in the morning and afternoon. She stated that she understands that the first phase of the project is only for religious classes during church services, but stated that a plan needs to be set up for the future, when there is a K-8 grade school there. She asked if Staff had any ideas in how to control the traffic.

Ms. Irani stated that drop off and pick up of students has not been discussed at this time, because the school is not yet being proposed; however, as there is the adjacent parking lot, conditions could be made regarding drop off and pick up of students within the adjacent parking lot.

Commissioner Mattos stated that she believes it needs to be addressed now, and recommended that a barrier be put up, so there is no access from the sidewalk into the school and children will have to go around and enter through the parking lot.

Mark Leonard, Community Development Director, stated that a drop-off lane similar to the one at Kitayama School, could be created along Dyer Street, and the Planning Commission can discuss that with the applicant.

Commissioner Raymundo stated that the parents could be instructed to drop off and pick up the children in the parking lot, and not on the street.

Chairperson Savage stated that she believed no matter how many times they're told, some parents will still drop off students on the street, and there should be a physical way to enforce it.

Commissioner Raymundo asked what the difference is between the library and the social/recreational hall building.

Ms. Irani explained that during the first phase of the development, the church would like to use the building as a social/recreational hall until the future gymnasium is built. It will be converted to a library after the gymnasium is built.

Chairperson Savage invited the applicant to come up.

Raoul Rojas, VBN Architects, Oakland, came up to the podium.

Commissioner Raymundo asked about the yellow trim on the building, and asked if it can be changed to a pale yellow, versus bright yellow.

Mr. Rojas stated the color can be subdued.

Commissioner Raymundo asked about Condition No. 8 and asked if there will be a master calendar at the church, to coordinate events.

Mr. Rojas stated that Fr. Ramon would control the calendar, and make sure there are no overlapping of activities.

Commissioner Raymundo stated that there will be no classroom activity during church services, so that should offset the lack of parking.

Mr. Rojas stated that once the whole project is built, the number of parking will meet the parking standards the City requires.

Commissioner Sweeney asked if all the trees proposed for the northern property line are going to be planted initially.

Mr. Rojas stated it will be approached in phases, due to funding. He pointed out the plan on the Phase One drawing.

Commissioner Sweeney suggested the applicant plant all the proposed trees along the northern side, so they will mature at the same rate, and Mr. Rojas agreed to that.

Commissioner Sweeney asked where the play area will be for the older children, and Mr. Rojas pointed it out. She asked what will keep the children in that area from entering the traffic lanes.

Mr. Rojas stated that at one time they were looking at enclose the area, but it will provide additional parking during the weekends.

Commissioner Sweeney expressed her concern for the safety of the children when school is in session.

Mr. Rojas stated they can look at the plan, and possibly enclosing the area. He stated the access road was intended to be one-way, to lessen the traffic going to Dyer. He stated they had no intention of letting cars drop off children there.

Commissioner Sweeney stated that enforcing that would be almost impossible.

Mr. Rojas stated they can sit down with the landscape consultant and analyze some ways to lessen or stop the space between the road and the classrooms.

Commissioner Sweeney stated that she understands it is not part of the initial phase, but she strongly suggested the applicant find a way to enclose the space. She asked if there were going to be any grass areas for the children to play.

Mr. Rojas stated that playground space is based on the criteria of the State, which is very strict. He stated that they have not been able to come up with the DSA requirements (Department of State Architects).

Commissioner Sweeney asked how the scheduling of events to not overlap will be enforced, as they will be approximately 154 parking spaces short of the Union City standards.

Mr. Rojas stated that the parish would have to sit down and work the scheduling out. He explained how they came up with the number of parking spaces needed, and the reason for the Variance.

Commissioner Sweeney stated that this is a very large project and it is very important that they work something out, as it will potentially impact the neighborhood. She asked if they considered the combination of Sunday services and the maximum number of classes in session.

Mr. Rojas stated that there will be no childcare activities during the Sunday services. He stated that they are looking into adding more masses, to lesson the crowds.

Commissioner Mattos asked if Condition No. 8 precludes the church from having funerals during the week, when school is in session.

Ms. Irani stated the way the Condition is written, it could preclude the use.

George Williams, VBN Architects, stated that the planning with the staff pertained to the church building, in conjunction with the multi-purpose building. The heaviest parking loads are from those facilities.

Commissioner Mattos stated that she would like to see the wording in Condition 8 modified, so it addresses the gymnasium and church, versus school, sanctuaries, etc.

Commissioner Sweeney reiterated her concerns regarding keeping the children and cars separated. She asked what kind of parking would be required for the space the size of the social/recreation hall, and if it can accommodate the church and social hall when fully occupied.

Ms. Irani stated that a calculation of the parking requirements for Phase One was done.

Mr. Leonard suggested wording the Condition as follows: "The Church Sanctuary and gym/multi purpose building shall not be used concurrently for separate events."

Commissioner Mattos explained to the applicant that when the Second Phase comes before the Planning Commission, they will be required to fence off the play area.

Mr. Williams stated they are in agreement with that.

Commissioner Sweeney stated that she wanted a Condition added that states there will be a provision in the Phase Two Site Development Review that play areas be separated from parking and/or driveways.

Mr. Williams stated that they will work out a way to inhibit the access from the Dyer Street sidewalk, directly onto the campus.

Commissioner Mattos stated that they should put some sort of low wrought iron fencing, in addition to enhancing the landscaping, and requested that a Condition be added regarding that, for the future.

Commissioner Sweeney stated that she would like to add a statement to Condition No. 3 that states "Any change to the Master Plan as submitted will require a review of the Use Permit." She requested that Condition No. 5 be changed from "second" phase to "future" phase.

Commissioner Raymundo requested a written procedure for scheduling activities. She asked Mr. Williams when the second phase was going to begin.

Mr. Williams stated that it will begin in approximately 8 to 10 years.

Chairperson Savage opened the Public Hearing.

Hugh McNamara, 32238 Mercury Way, stated his concern regarding the trees along the wooden fence that will not be cut down, and the problem with their roots spreading along the property next door. He stated that eventually they will have to be dealt with.

Chairperson Savage closed the Public Hearing.

Commissioner Sweeney requested that Condition No. 70 regarding loading docks be taken out.

Commissioner Raymundo moved that the Planning Commission approve Use Permit (UP-5-01), Site Development Review (SD-12-01) and Variance (V-01-02), subject to the stated conditions with changes and additions, making the specific findings 1-11 in support of the approval. She also moved that the Planning Commission adopt a Resolution confirming these actions.

Commissioner Savage seconded the motion.

The motion passed by the following vote:

AYES:	4
NOES:	0
ABSENT:	Commissioner Allen
ABSTAINED:	0

2. **RE: SD-10-01: SITE DEVELOPMENT REVIEW; UP-03-01: USE PERMIT:** Initiated by Weldon Birch, of Cal West Concrete Cutting, Inc., a proposal for site and building improvements to an existing 4.92± acre property previously occupied by the Sika Corporation, located at 1 Tara Court, west of Union City Boulevard and north of Bettencourt Way. The applicant's proposal includes interior and exterior improvements to three existing buildings, including paving, fencing and landscaping improvements. Cal West will be occupying the site for its facilities and operations, which include corporate offices, fabrication shop, equipment storage, repairs and servicing, equipment yard and retail sales. The property is situated on two parcels, 1.15± acres (APN 482-6-11) and 3.77± acres (APN 482-6-12) within the ML, Light Industrial zoning district.

Ralph Kachadourian, Associate Planner, presented the Staff Report and gave a Power Point presentation.

Commissioner Sweeney stated that she thought the project would be a big improvement to the area, but the elevations were not very clear.

Commissioner Mattos agreed with Commissioner Sweeney that the elevations were not clear. She stated that she is pleased to see that the area is being cleaned up.

Chairperson Savage opened the Public Hearing.

Weldon Birch, President, Cal West Concrete Cutting, Inc. 4455 Enterprise Street, Fremont, gave some background of the company and an overview of the improvements they will be making to the property.

Commissioner Sweeney congratulated the applicant on embracing what is becoming a more common practice of using a swale to filter the water going into the storm drain.

Barry Ferrier, 32212 Allison, complimented the staff for recruiting and/or encouraging this business and seeing the area change for the better.

Commissioner Sweeney stated that she thought that the Arts Council could work with the applicant in creating something simple and visible from the street.

Commissioner Mattos encouraged the Arts Council to consider the site and take a conservative view regarding the public art requirement.

Commissioner Raymundo stated that public art is a standard condition in all new developments, and it is up to the Planning Commission to determine whether it is needed, then it will go before the Arts Council, who will also determine whether it is required or not.

Chairperson Savage closed the Public Hearing.

Commissioner Mattos moved that the Planning Commission approve Site Development Review (SD-10-01) and Conditional Use Permit (UP-03-01), subject to the stated conditions making the specific findings A-E in support of the approval. She also moved that the Planning Commission adopt a Resolution confirming these actions.

Commissioner Sweeney seconded the motion.

The motion passed by the following vote:

AYES:	4
NOES:	0
ABSENT:	Commissioner Allen
ABSTAINED:	0

Mr. Leonard thanked Mr. Birch for his contribution to the community.

VI. SUPPLEMENTAL STAFF REPORTS:

- A. **CONTINUED REPORTS:** None.
- B. **NEW REPORTS:** None.

VII. COMMISSION MATTERS:

- A. **Consideration of rescheduling the March 7, 2002 Planning Commission Meeting to March 14, 2002.**

Mr. Leonard stated that the City Council will be holding community meetings on the budget, and one of the meetings is scheduled for March 7, 2002.

As Commissioners Mattos and Raymundo had other commitments for March 14, 2002, it was decided to cancel the March 7, 2002 meeting and hold one meeting in March, on March 21, 2002.

B. Upcoming applications for the Regular Planning Commission Meeting of March 21, 2002.

VIII. GOOD OF THE ORDER:

Commissioner Mattos stated that the La-Z-Boy store went up real fast and looks nice.

Commissioner Sweeney stated that the Decoto Business Park on Seventh Street looks nice and the public art compliments the detail on the building.

Commissioner Sweeney stated that Margaret Edgelow would like to request the Planning Commission recommend to the City Council a review of the status and proposed progress and proposal for the Intermodal Station. She would like to see this done on an annual basis. Commissioner Sweeney stated that she would like to see it come forward at a Planning Commission meeting.

Mr. Leonard stated that the City has a budget problem, in that ongoing expenses are exceeding ongoing revenues by approximately 4 million dollars. He stated there are a number of reasons for it, including the economy and the September 11, 2002 terrorist attack, etc. He stated the City Council will be holding some community meetings to discuss the budget. The first one will be Monday, March 4, 2002, at 7:30 p.m. in the City Council Chambers, and Thursday, March 7, 2002, at 7:30 p.m. at the Holly Community Center. He encouraged citizens to attend those meetings, and stated that staff reports will be available prior to each of the meetings.

Commissioner Savage stated that the sign for Union City Florist on Alvarado-Niles Road was damaged in an auto accident, and asked if it is going to be repaired or replaced. Mr. Leonard stated that he will look into it, and ask the owner to repair it.

IX. ADJOURNMENT:

The meeting adjourned at 8:52 p.m.

APPROVED:

ROSEMARY SAVAGE, CHAIRPERSON

ATTEST:

MARK LEONARD, SECRETARY