

**CITY OF UNION CITY**

**MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING  
OF SEPTEMBER 4, 2003, 7:00 P.M.  
IN THE COUNCIL CHAMBERS OF CITY HALL  
34009 ALVARADO-NILES ROAD, UNION CITY, CALIFORNIA**

**I. ROLL CALL: Commissioners Anderson, Kelley, Lew, Savage and Sweeney**

**STAFF PRESENT:** Mark Leonard, (Director, Economic and Community Development); Tina Gallegos (Assistant Planner); John Bakker (Assistant City Attorney); and Kris Fitzgerald (Administrative Assistant)

**II. APPROVAL OF MINUTES:**

The minutes for the Regular Planning Commission meeting of August 7, 2003 were approved with corrections.

**III. ORAL COMMUNICATIONS: None.**

**IV. WRITTEN COMMUNICATIONS: None.**

**V. PUBLIC HEARINGS:**

**A. CONTINUED HEARINGS:**

- 1. SITE DEVELOPMENT REVIEW SD-02-03; USE PERMIT UP-01-03 ZONING TEXT AMENDMENT AT-01-03; VARIANCE V-01-03:** Proposed by Vincent Wong, of V. C. Wong and Associates, on behalf of the new property owner, Dr. Christopher Viray, the applicant is requesting approval to construct a 4,770 square foot, two-story office and commercial building with a third floor penthouse office on an approximately 7,200 square foot property on the northwest corner of Union Landing and Alvarado Niles Road located on vacant property identified as 31210 Alvarado Niles Road (APN 463-60-29) in the City of Union City. The project entails a request for a Zoning Text Amendment, AT-01-03, to modify the Union Landing Commercial zoning district to allow dental offices within this zoning district. The applicant is requesting approval to allow a dental office use to occupy the second floor of the proposed building. The project also entails a Use Permit application, UP-01-03, requesting approval to allow the establishment of a restaurant use in this building in the Union Landing Commercial zoning district. Further, the applicant is requesting approval of Site Development Review and Variance applications to allow the construction of the two-story building with reduced front and rear yard setbacks. The current General Plan designation for the project site is CR (Retail Commercial) and the current Zoning designation is CUL (Union Landing Commercial). A Negative Declaration has been prepared

The applicant has requested that this item be continued to October 2, 2003.

Commissioner Anderson moved to continue Site Development Review SD-02-03; Use Permit UP-01-03; Zoning Text Amendment AT-01-03; Variance V-01-03 to the October 2, 2003 Planning Commission meeting.

Commissioner Lew seconded.

AYES: 5 (Anderson, Kelley, Lew, Savage, Sweeney)  
NOES: 0  
ABSENT: 0  
ABSTAINED: 0

**B. NEW HEARINGS:** None.

**VI. SUPPLEMENTAL STAFF REPORTS:**

**A. CONTINUED REPORTS:** None.

**B. NEW REPORTS:**

1. **ADMINISTRATIVE SITE DEVELOPMENT REVIEW ASD-18-03:**  
Proposed by Rudy Parra, Parra Building, to demolish the existing residence and construct a new one-story, 1,926 square foot single-family residence with an attached 453 square foot two-car garage on a lot located on the North side of 8<sup>th</sup> Street, West of Decoto Road. The subject property address is 33519 8<sup>th</sup> Street (APN 486-024-055). Notice is also given that this project is exempt per Sections 15302 and 15303, Class 3(a) of the California Environmental Quality Act (CEQA) Guidelines

Tina Gallegos, Assistant Planner, presented the staff report.

Commissioner Anderson asked why this project was brought to the planning commission.

Mark Leonard, Director, Economic and Community Development, replied that in the past the Planning Commission has indicated that they wanted to see all new single-family housing projects.

Chairperson Sweeney stated that in condition #9 the word should be minimum not maximum.

Mr. Leonard stated that is correct.

Commissioner Lew asked why windows were not required on the garage doors.

Mr. Leonard stated that it varies by project and is up to commission to request the windows.

Chairperson Sweeney asked if the applicant could design windows into the garage door.

Rudy Parra, Parra Building, Inc., 2230 Sol Street, San Leandro, CA 94578, replied that it should be possible.

Commissioner Savage asked if the other buildings on the property will also be demolished.

Mr. Parra said that as soon as they are tested for asbestos they would be demolished.

Commissioner Savage asked if the applicant could add additional trim on the side windows.

Mr. Parra said that it could be done on the windows near the front of the house, but would not make sense to put it on the windows towards the back of the house as they will not be seen from the street once the fence is put up.

Commissioner Lew asked if there will be any fireplaces in the house.

Mr. Parra replied that there would not be any fireplaces in the house.

Commissioner Lew asked why there is a third sink in the master bedroom.

Mr. Parra replied that it is a bar sink for the wet bar that the applicant wanted.

Commissioner Lew wanted to know why the back of the house wasn't extended with the rest of the house.

Mr. Parra replied that it was done as an architectural enhancement.

Chairperson Sweeney asked if the cultured stone across the front of the house will wrap to the fence.

Mr. Parra stated that it would be run to the window line.

Chairperson Sweeney asked for the cultured stone to go to the back of the side windows at the front of the house.

Mr. Parra said that he could do that.

Chairperson Sweeney stated that they it did not appear that condition #13 was necessary for this project and could it be removed.

Commissioner Savage asked about the past meetings that had been held at that site and whether they would continue.

Mr. Leonard stated that at this time no information was available

Mr. Parra replied that he believes that the intention is for the owners to live in the house.

Commissioner Kelly asked if there are any trees on the site currently

Mr. Parra replied that there is one tree on the site at this time. There are no trees in the front.

Chairperson Sweeney listed the changes to the conditions of approval:

Change condition #7 to include windows on the garage door.

Delete condition #13.

Change the word "maximum" to "minimum" in condition #9.

Add a condition to wrap the cultured stone to the back of the side window.

Commissioner Savage moved to approve Administrative Site Development Review ASD-18-03 making subject to the specific findings 1 through 5 and including the conditions of approval as modified.

Commissioner Lew seconded.

AYES:	5 (Anderson, Kelley, Lew, Savage, Sweeney)
NOES:	0
ABSENT:	0
ABSTAINED:	0

**VII. COMMISSION MATTERS:**

**A.** Follow-up on Planning Commission Referrals to the City Council.

The City Council pulled the Hoffman project from the consent calendar for a public hearing, which will be held on September 9, 2003.

**B.** Upcoming applications for the Regular Planning Commission meeting for September 18, 2003.

Diamond Mine mini-storage for a sign variance.

Variance for a single family home.

**X. GOOD OF THE ORDER:**

Commissioner Savage stated that she has been approached by several parents about school buses and parents dropping children off at the intersection of 6<sup>th</sup> and C Streets, kids are running in the streets and parents are worried that someone will get hurt.

Chairperson Sweeney asked why the City Corporation yard is not landscaped to the park along the railroad spur area. If it cannot be landscaped at least have the weeds cut down.

Chairperson Sweeney asked about the status of the Neo building and what can be done about the public art and the fact that the landscaping will grow tall enough to obscure the art.

Mr. Leonard stated that there have been conversations with the owner and the art may be put on a pedestal.

Chairperson Sweeney stated that she noticed that through the extruded glass front you see the inner workings of the building and it looks unsightly. She wanted to know if the owner can do anything about that.

Chairperson Sweeney reminded the public that there will be a scoping meeting regarding the Intermodal Rail Project at the Kennedy Center on Monday September 8, 2003.

Commissioner Kelley has communicated with the City Arborist in regards to the tree replacement conditions, suggested having the City Arborist come to a meeting to explain his interpretation of the tree replacement condition.

Commissioner Savage reported that there appears to be a new graffiti tagger in the city and the tagger has been very busy.

Mr. Leonard replied that there has been a real problem with graffiti this summer and he has notified the graffiti buster.

**XI. ADJOURNMENT:**

The meeting adjourned at 7:45 p.m.

**APPROVED:**

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CATHI SWEENEY, CHAIRPERSON

**ATTEST:**

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MARK LEONARD, SECRETARY