

CITY OF UNION CITY

**MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
OF SEPTEMBER 18, 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, and Savage
Absent: Chairperson Sweeney**

STAFF PRESENT: Mark Leonard, (Director, Economic and Community Development); Aki Honda (Associate Planner); Tina Gallegos (Assistant Planner); Carlos Jocson (Interim Director, Public Works); John Bakker (Assistant City Attorney); and Kris Fitzgerald (Administrative Assistant)

II. APPROVAL OF MINUTES:

The minutes for the Regular Planning Commission meeting of September 4, 2003 were approved as submitted.

III. ORAL COMMUNICATIONS: None.

IV. WRITTEN COMMUNICATIONS: None.

V. PUBLIC HEARINGS:

A. CONTINUED HEARINGS: None.

B. NEW HEARINGS:

- 1. ADMINISTRATIVE SITE DEVELOPMENT REVIEW ASD-21-03 AND VARIANCE V-02-03:** Initiated by Satish Narayan, as applicant, on behalf of the property owner, Krishna Reddy, the applicant is requesting approval of an Administrative Site Development Review Permit, ASD-21-03, and a Variance, V-02-03, to allow the development of a second story addition to an existing one-story residence and to allow the eastern side yard to provide access to the residence with an 8 foot side yard setback. The Variance is required to allow the side yard access to the residence with a side yard setback that is less than 12 feet. The request is being made due to the narrowness of the lot and the improvements to be made along the frontage of the residence to accommodate a new two-car garage. The project site is located at 4203 Cambridge Way on the north side of Cambridge Way, west of Union City Boulevard, in the City of Union City, and is identified as Assessor's Parcel Number APN 482-0011-013-01. The subject property is located within an RS 4500 (Single Family Residential, minimum 4,500 square foot lot size) zoning district and has a General Plan designation of R 6-10 (6 to 10 residential units per acre). This project is considered Categorically Exempt per the California Environmental Quality Act (CEQA) per Section 15305 Class 5(a) of the CEQA Guidelines.

Aki Honda, Associate Planner, presented the staff report.

Commissioner Anderson asked how this parcel was created.

Carlos Jocson, Interim Director of Public Works, replied that this parcel was the result of the extension of Cambridge Way.

Commissioner Anderson asked what the balcony would be overlooking.

Ms. Honda stated that the balcony will overlook a parcel that will be developed as mixed use office and multiple family residential.

Mr. Leonard stated that the site next to the home will probably be a parking lot.

Commissioner Anderson asked how many windows will be on the side with the balcony.

Ms. Honda stated that there will be one sliding glass door and one small window.

Commissioner Lew asked why condition #22 is included.

Mr. Jocson stated that there is no existing standard right of way so the applicant will need an encroachment permit for the driveway as it will encroach into the public right of way.

Commissioner Lew asked why the City is not requiring undergrounding of the utilities for this house.

Mr. Jocson stated that it would be difficult to underground utilities for just the one home since there are 3 houses west of this one that are served by overhead lines.

Commissioner Lew directed the question to Mr. Leonard.

Mr. Leonard stated that undergrounding of utility lines is usually only required for large new projects.

Mr. Leonard stated that they will put in a condition requiring undergrounding of the lateral connection to the house from the utility pole at the street.

Commissioner Lew asked why no landscape plans were included.

Ms. Honda stated that they are not required for Administrative Site Development Reviews. Ms. Honda stated that the front yard will be primarily paved.

Commissioner Lew asked if there is a requirement to put fencing around the property.

Mr. Leonard stated that fencing is not a requirement but it would probably be a good idea.

Vice-Chairperson Savage opened the public hearing.

Commissioner Anderson asked how much land was removed from the original property.

Krishna Reddy, 30932 Granger Avenue, Union City, CA 94587, stated that the driveway was removed but he is unsure of the size of the land removed.

Commissioner Lew asked if they are planning on planting any new trees.

Mr. Reddy stated that they will landscape the lot and he is willing to work with the Economic and Community Development Department.

Commissioner Lew asked to have a condition for the applicant to submit a landscape plan to the Economic and Community Development Department.

Mr. Leonard stated that the applicant would be required to submit a sketch of the landscape plans at the time that building permits are requested.

Commissioner Lew asked if there would be fencing for the property.

Satish Narayan, 964 Collins Ct., Hayward, CA, 94544, explained that the Ryland Development Company was going to remove the stone fence that would increase the applicants lot size by five feet but that it has not happened yet.

Vice-Chairperson Savage opened the public hearing.

Vice-Chairperson Savage closed the public hearing.

Commissioner Lew moved to approve Administrative Site Development Review ASD-21-03 and Variance V-02-03 making the specific findings 1 through 10 and with the conditions of approval as modified.

Commissioner Anderson seconded the motion.

AYES:	4 (Anderson, Kelley, Lew, Savage)
NOES:	0
ABSENT:	0 (Sweeney)
ABSTAINED:	0

1. **USE PERMIT UP-04-03:** Initiated by Pappas Union City, LP, the applicant and property owner, is seeking a Use Permit approval to allow the establishment of a bank within a 5,000 square foot building to be developed on a currently vacant pad as a Subregional Specialty Commercial Development in the Union Landing Commercial (CUL) zoning district. The project site is located on the northeast corner of Dyer Street and Courthouse Drive. A Site Development Review Permit (SD-05-03) has already been approved to allow the development of a 5,000 square foot building and a 37,470 square foot multi-tenant retail building on the 3.66-acre site. The project site is located on property identified as Assessor's Parcel Number APN 463-0060-051-00. This project is categorically exempt under Section 15332, Class 32 and Section 15321, Class 21 of the California Environmental Quality Act (CEQA).

Aki Honda, Associate Planner, presented the staff report.

Commissioner Savage asked what type of bank it will be.

Ms. Honda stated that the applicant has not provided that information.

Commissioner Anderson asked what size the bank will be.

Ms. Honda stated that it will be a 5,000 square foot building.

Commissioner Kelley asked if there is going to be an outside ATM.

Mr. Leonard stated that they would have to ask the applicant for that information.

Commissioner Kelley asked about increasing lighting for safety and security reasons.

Mr. Leonard stated that Union Landing already has an enhanced lighting standard.

Commissioner Anderson asked what the size of the bank will be.

Brad Grondona, Pappas Union City LP, 2020 L Street, Sacramento, CA, said the building will be approximately 5,000 square feet.

Commissioner Savage asked which bank is being considered.

Mr. Grondona said that it is a very large well-known bank but they are still in negotiations and he doesn't want to name the company at this time.

Vice-Chairperson Savage asked the applicant if the original elevation with the windows would be a problem.

Mr. Grondona stated that he did not believe the glass windows would be a problem.

Commissioner Kelley spoke about his concerns with the ATM and user safety.

Mr. Grondona stated that he has not seen the site plan and is not sure where ATM will be located but the applicant is also concerned about safety.

Vice-Chairperson Savage opened the public hearing.

Vice-Chairperson Savage closed the public hearing.

Vice-Chairperson Savage asked about page 3 of the staff report about the windows and whether that should be a condition of approval.

Mr. Leonard stated that condition #4 has added clarification about the windows, which should resolve that concern.

Commissioner Lew moved to approve Use Permit UP-04-03 making the following specific findings 1 through 3 with the conditions of approval as stated.

Vice-Chairperson Savage seconded.

AYES: 4 (Anderson, Kelley, Lew, Savage)
NOES: 0
ABSENT: 0 (Sweeney)
ABSTAINED: 0

2. **VARIANCE V-03-03:** Initiated by Dan Montanelli, as applicant, a request for a Variance approval, V-03-03, to erect an off site sign for Diamond Mine Mini Storage on a vacant lot at 31011 Union City Boulevard on the corner of Union City Boulevard and Maiden Lane. The project site is located on the east side of Union City Boulevard, in the City of Union City, and is identified as Assessor's Parcel Number APN 482-0001-004-03. The subject property is located within a CS (Specialty Commercial) zoning district and has a General Plan designation of CR (Retail Commercial). This project is considered Categorically Exempt per the California Environmental Quality Act (CEQA) per Section 15305 Class 5(a) of the CEQA Guidelines.

Tina Gallegos, Assistant Planner, presented the staff report.

Mr. Leonard stated that this is a variance application only, design review was approved previously.

Commissioner Anderson asked why the sign had to be moved from its original location.

Mr. Jocson stated that Public Works is building a park and ride lot where the old sign was originally located.

Commissioner Anderson asked if this was the only property where the sign could be located.

Mr. Leonard stated that the City cut Horner Street off so that the residential neighborhood would be separated from the industrial traffic. Mr. Leonard stated that because the applicants property is so far west they could not service it with an extension from Whipple Road.

Commissioner Anderson asked if the approval in 1992 is based on that premise.

Mr. Leonard replied that is correct.

Commissioner Kelley asked if the prior decision by the Planning Commission in 1992 binds them now to make the same decision.

John Bakker, City Attorney, stated that prior decisions of earlier Planning Commission's do not bind the current Planning Commissions decisions.

Commissioner Lew stated that she had a phone conversation with Mr. Montanelli last night.

Commissioner Lew asked if there were many applicants requesting off-site signs after the decision in 1992.

Mr. Leonard stated that no there were not although staff did find a sign on Union City Boulevard that was illegally constructed.

Vice-Chairperson Savage asked is there is a concern by staff that the property that the sign is going to be located on is going to be developed and force the sign to be moved again.

Mr. Leonard stated that yes the property will be developed.

Commissioner Lew asked if the yellow part of the sign was approved originally.

Mr. Montanelli stated that that part of the sign was originally a U-Haul sign and that the yellow part of the sign was not part of the approved design.

Commissioner Lew asked if he asked for city approval to change sign.

Mr. Montanelli stated that he did not ask for city approval to change the sign.

Vice-Chairperson Savage opened the public hearing.

Barry Ferrier, 32212 Allison, Union City, CA, stated that there is an off-site for Union Sanitary District on Bettencourt Way.

Hugh McNamara, 32238 Mercury Way, Union City, CA, stated the he is in favor of putting the sign so the public knows that they are there.

Joe Medina, 4400 Horner Street, Union City, CA, stated that the off-site sign was a great way to help people find the business.

Vice-Chairperson Savage closed the public hearing.

Commissioner Kelley stated that there are 2 condition #2's in the staff report.

Mr. Leonard replied that staff would renumber them.

Commissioner Lew asked if staff anticipated receiving more off-site sign requests.

Mr. Leonard stated that they don't anticipate any request for off-site signs for the back industrial area.

Commissioner Anderson moved to approve V-03-03 making the following specific findings 1 through 6 and with the stated conditions of approval.

Commissioner Kelley seconded.

AYES:	4 (Anderson, Kelley, Lew, Savage)
NOES:	0
ABSENT:	1 (Sweeney)
ABSTAINED:	0

VI. SUPPLEMENTAL STAFF REPORTS:

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

VII. COMMISSION MATTERS:

- A. Follow-up on Planning Commission Referrals to the City Council.
- B. Upcoming applications for the Regular Planning Commission meeting for October 2, 2003.

X. GOOD OF THE ORDER:

Commissioner Anderson stated that he would like to attend the transit-oriented trip.

Vice-Chairperson is unable to attend the transit-oriented trip.
Commissioner Lew is unable to attend the transit-oriented trip.

XI. ADJOURNMENT:

The meeting adjourned at 8:20 p.m.

APPROVED:

ROSEMARY SAVAGE, VICE-CHAIRPERSON

ATTEST:

MARK LEONARD, SECRETARY