

**CITY OF UNION CITY
MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
OF OCTOBER 21, 2004, 7:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD, UNION CITY, CALIFORNIA**

- I. ROLL CALL: Commissioners Anderson, Lew, Sison, Sweeney
Absent: Chairperson Savage**

STAFF PRESENT: Mark Leonard (Director, Economic and Community Development); Carlos Jocson (City Engineer); Kris Fitzgerald (Administrative Assistant).

- II. APPROVAL OF MINUTES:** The minutes of the Regular Planning Commission Meeting of October 7, 2004 were approved as submitted.

- III. ORAL COMMUNICATIONS:** None.

- IV. WRITTEN COMMUNICATIONS:** None.

- V. PUBLIC HEARINGS:**

- A. CONTINUED HEARINGS:**

- 1. DRY CREEK COTTAGE AND GARDENS, MAY ROAD, Site Development Review SD-07-04;** The East Bay Regional Park District is requesting approval of Site Development Review to construct a 50 car parking area and to allow limited public access to the property gardens through May Road. The East Bay Regional Park District, as lead agency has prepared a Mitigated Negative Declaration on the project and has determined there will be no significant effect on the environment with the incorporation of mitigation measures.

Commissioner Sweeney made a motion to continue Site Development Review SD-07-04 to November 4, 2004.

Commissioner Lew seconded the motion.

AYES	4 (Anderson, Lew, Sison, Sweeney)
NOES	0
ABSTAIN	0
ABSENT	1 (Savage)

- B. NEW HEARINGS:**

- 1. CITY OF UNION CITY, UNION LANDING TRANSIT CENTER, Tentative Parcel Map TPM-8509;** The City of Union City is requesting approval of a revised Tentative Parcel Map to consolidate land at the Union Landing Transit Center and establish a remnant parcel of approximately 9,507 square feet. The parcel map includes consolidating several remnant pieces that

are part of the transit center and establishing a remnant parcel that is located between the transit center and Alvarado-Niles Road. Parcels impacted by the Tentative Parcel Map are APN: 463-60-18-15, 463-60-18-14(portion), 463-60-18-22 and 463-60-45-1. The City certified an EIR (RDA, 2002) and a Negative Declaration (2000) regarding this project.

Mark Leonard, Director, Economic and Community Development, presented the staff report.

Commissioner Lew asked if the City considered any other options for this property before making a decision to sell it.

Mr. Leonard stated that during budget discussions the City Council asked staff to come up with a list of excess property that could be sold to help balance the city budget. Mr. Leonard stated that this property was on the list of properties identified by staff. The City Council then gave direction to sell these properties.

Commissioner Lew asked if it was considered to be used for a parking garage or other uses.

Mr. Leonard stated that it was too small for a parking structure.

Commissioner Sweeney asked if the parcel will be accessed from Alvarado-Niles Road.

Mr. Leonard stated that it would be accessed from both Alvarado-Niles Road and Lowe's parking lot.

Commissioner Sweeney asked about a small area between the right of way and Alvarado-Niles Road.

Mr. Leonard stated that it is land dedicated for future widening of Alvarado-Niles Road.

Commissioner Sweeney commented on the outdated general notes on the Tentative Parcel map and suggested correcting them before filing the map.

Mr. Leonard stated that it would be corrected.

Vice-Chairperson Anderson asked who owns the frontage property along Alvarado-Niles Road.

Mr. Leonard stated that the City owns it.

Commissioner Anderson asked if it is part of the gas station.

Mr. Leonard stated that it is not part of the gas station.

Commissioner Anderson asked if parcel 3 is an amalgamation of several pieces of property.

Mr. Leonard stated that parcel 3 is a remnant of an equal square going back into the bus transit facility. Mr. Leonard stated that whole parcels have been reshaped.

Commissioner Anderson stated his concerns that this would create an illegal parcel along the frontage.

Mr. Leonard stated that it used to be part of parcel 3 but as part of this map it is dedicated to the City for the widening of Alvarado-Niles Road.

Commissioner Anderson asked if the area along the frontage should have a parcel number.

Mr. Leonard stated that it is part of the right of way and does not need a parcel number.

Carlos Jocson, City Engineer, agreed.

Commissioner Anderson opened the public hearing.

Hugh McNamara, 32238 Mercury Way, commented that this parcel is very small and that there is a sign up for a restaurant in front of another small parcel and he feels that these parcels are too small for development.

Commissioner Anderson closed the public hearing.

Commissioner Lew asked about the right turn only lane from the exit from southbound Interstate 880 and how will the strip area be developed.

Mr. Jocson replied that the strip will allow some parking for the parcel that the City is selling until such time as the City needs that area for the widening of Alvarado-Niles Road.

Commissioner Lew asked what is going to happen to the existing right turn only lane.

Mr. Jocson stated that based on a traffic study that was done for the ultimate build out of Union Landing it was indicated that two right turn lanes were needed to adequately service the center. Mr. Jocson stated that in order to accommodate that we would need right of way acquisition. Mr. Jocson stated that the map presented tonight fulfills that purpose.

Commissioner Lew asked if it would require the service station to remove the outside gas pumps.

Mr. Jocson replied that it would. Mr. Jocson stated that when the plans originally came up, the City offered the parcel to the service station but the owners did not want it. Mr. Jocson stated that when the time comes to widen Alvarado-Niles Road the City may have to buy the service station in order to finish the work.

Commissioner Lew asked what kind of businesses do you anticipate going on to parcels 2 and 3.

Mr. Leonard replied that in the future when Alvarado-Niles Road is widened and the City has to take a portion of the service station property, then the types of uses appropriate for the area would include retail commercial, office space and anything that has a subregional draw.

Commissioner Lew asked if they could build a two-story building on these parcels.

Mr. Leonard replied that they could.

Commissioner Anderson asked if it became necessary to reduce the size of parcel 2 what size would the remainder be.

Mr. Jocson stated that he estimated it would be about 15,000 square feet.

Commissioner Anderson asked what is the average or smallest size of a lot in Union Landing.

Mr. Jocson stated that he does not know the answer to that. Mr. Jocson stated that Union Landing is owned by 3 major owners and they have large parcels.

Commissioner Sweeney spoke of her concerns that the service station might be removed. Commissioner Sweeney stated that it is a good corner to have a service station on.

Mr. Leonard stated that service stations used to be built on smaller parcels and felt that it could function in the future.

Commissioner Sison spoke of his concerns about the taking of part of parcel 2 for the widening of Alvarado-Niles Road.

Commissioner Sweeney made a motion to approve Tentative Parcel Map 8509, making findings 1 – 5, with the stated conditions of approval and adopting a resolution confirming this action.

Commissioner Lew seconded the motion.

AYES	4 (Anderson, Lew, Sison, Sweeney)
NOES	0
ABSTAIN	0
ABSENT	1 (Savage)

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 of November 4, 2004.

VIII. GOOD OF THE ORDER:

Commissioner Sweeney stated that it is very dark going out to the parking lot after meetings because 3 of the lights are out on the poles next to the flag.

Commissioner Lew asked why the City Council approved the Elite Bakery application.

Mr. Leonard replied that they felt that the Variance findings could be made in that it would be impractical to reduce the size of the building because of the odd shape of the parcel. Mr. Leonard stated that they felt that the project met the goals and policies of the General Plan. He also stated the City Council felt that it was a good project. Mr. Leonard stated that the City Council did approve the green roof for the building.

Commissioner Lew asked if the people doing the upcoming presentation from the Alameda County Waste Management Authority are familiar with LEED.

Mr. Leonard suggested that the question be referred to them at the time of the presentation.

Commissioner Sweeney stated that she went to a “Green Building” fair and she can bring in some materials from that event.

IX. ADJOURNMENT: 7:30 p.m.

APPROVED:

ROSEMARY SAVAGE, CHAIRPERSON

ATTEST:

MARK LEONARD, SECRETARY