

**CITY OF UNION CITY  
MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING  
OF APRIL 21, 2005, 7:00 P.M.  
IN THE COUNCIL CHAMBERS OF CITY HALL  
34009 ALVARADO-NILES ROAD, UNION CITY, CALIFORNIA**

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

**STAFF PRESENT:** Mark Leonard (Director, Economic and Community Development); Aki Honda (Associate Planner); Tina Gallegos (Assistant Planner); Carlos Jocson (City Engineer); Kit Faubion (City Attorney); Kris Fitzgerald (Administrative Assistant).

**II. APPROVAL OF MINUTES:** The minutes of the Regular Planning Commission Meeting of April 7, 2005 were approved as submitted.

**III. ORAL COMMUNICATIONS:** None.

**IV. WRITTEN COMMUNICATIONS:** None.

**V. PUBLIC HEARINGS:**

**A. CONTINUED HEARINGS:**

- 1. VINCENT C. WONG AND PARTNERS, FLORENCE ST., Tentative Tract Map TTM 7114, Use Permit UP-01-05;** Vincent Wong and Partners request to subdivide a 6.01 acre site located at the end of Florence Street (APN 087-0034-002-07) into six (6) single-family residential lots within the RS 6000-H (Hillside Combining) zoning district. The applicant is also requesting a Use Permit as required for projects in the Hillside Combining district (-H). The City has prepared a Mitigated Negative Declaration on the project and has determined that the project will not have a significant, adverse effect or impact on the environment with mitigation measures.

Aki Honda, Associate Planner, presented the staff report.

Commissioner Lew does the UP include the PUD

Ah Up required because it is in the hillside combining district.

Commissioner Sweeney asked didn't the original application include the PUD

Ah read cond #6

Cs old cond #6

Chairperson Anderson it is cond #9

Cs is there anything

Ah yes the end of the sentence

Cs

Jl part of cond #9

Ah make it a new cond

Jl where is the reservoir facility

Ah it is not on the property or in uc jurisdiction

Jl landscape is for the benefit of the homeowners so they

Jl cond #37

Ah required mitigation by the engineer

Tk word final should be field

Cs change should to shall

Ah

Jl cond #41 which report is it referring to

Ah geologic and soils

Cs

Jl cond #67 street name should be in accordance with city standards

Ah standard condition of approval.

Jl when street ends in cul de sac should it be a court or street

Mark Leonard, it can be either way.

Ml applicant shall supply

Cs makes more sense to continue as Florence rather than change names.

Jl

Jl cond #87 and 88 where will landscape end and greenbelt begin.

Ah showed on the map

Jl and above that

Ah would be open space.

Jl

Kit Faubion,

Jl

Kf

Jl

Kf

Jl

Kf

Tk hillside policy #2

MI amount of open space is not adjacent to any other public entity areas so it would not make sense for the city to take this land.

MI add a condition to the map that areas above the firebreak shall remain unbuildable and left in open space and undevelopable.

Cs wants them left in a natural condition no landscaping or non-native plants.

MI areas above the firebreak shall be left unbuildable and undevelopable and

Tk cond #79

MI this is different

Tk cond #96

Cs had problems with that before need to update the language.

Tk another one

Tk cond #5

Carlos Jocson, City Engineer,

Cs cond #14 how was the fee figured

MI based on the number of lots

Cs cond #16 should be done before grading permit is issued.

Cs cond #20 conflict with

Ah could strike and replace with new cond

Cs does the new cond specify which lots this pertains to.

Ah

Cs Cond #39 replace should with shall

Cs cond #40 should with shall

Cs cond #41 should with shall specify report

Cs cond #42

Vincent Wong,

Cs wouldn't have a problem including

Rey

Cs road to park

Al pasquale, 34 foot driveway into the park

Cs

Al that is beg of retaining wall

Cs how wide

Al 34 foot wide

Jl will every lot have its owne driveway

Vw yes

Jl would like to add a cond that each lot have it's own driveway access.

Chairperson Anderson opened the public hearing.

John Haley, 328 Monte Carlo, feels that naming the end of the street anything other than Florence would be too confusing for people looking for the homes. Mr. Haley stated that the he does not believe that the Fernandez property was not zoned residential until the 1980s. Seven Hills was originally developed under the Alameda County building standards. Latest zoning map shows a lot of space between top of apian and the Fremont border has suddenly become residential zoned. Other consideration is that these will be big homes and they will be expensive. Potential for a lot of city services going into servicing these properties. The City could be paying more in service costs than they will be getting back in money. Still worried about opening Pandora's box for more development in the hills.

Cathy Norvell, 375 Riviera Dr. has a home just below lot #1. Is trying to find information about a measure that was passed to not build above Mission Blvd. New soils report does it cover the artesian wells on the property. Grade above park area is more than 15% should not be building on it according to an ordinance. Told that there is an earthquake fault that runs across their property. Still concerned about the dirt haulers coming in and out of the project area. Possible blind turns. During summer months many youth groups use seven hills park and they would be endangered by the big trucks. Something about not having courts so calling them cul de sac to get around it.

Paul Sunndergran, 387 Riviera Dr, understood that there would be no parking on the north side of the new street. Right now two cars cannot pass on Riviera Drive because it is so narrow. Some of the citizens tried many years ago to get the city to make one side of Riviera Drive a red no parking zone. Fire and other emergency vehicles have trouble navigating the narrow streets.

Robert C. Eberhardt, 355 Appian Way, understands that these are not final engineering drawings and is worried about what is behind the cuts and what will happen

Dorothy Rothman 347 Riviera Dr., concerned about safety hazard at the entrance to the no room to expand. No room , taking away 19 parking spaces where will they park. Big rigs will have three 90 degree turns to negotiate, dirt and debris from the construction. Park is artesian wells already exist in yards and driveways, catch basin for overflow during the winter. Review of past problems in seven hills,

Hugh McNamara, 32238 Mercury Way, worried that if there is any fill need to make sure it is on a solid base because it could be washed away in the winter.

Vw stated that they have hired expert consultants in regards to the soils and they will practice good engineering

Chairperson Anderson closed the public hearing.

Summary of conditions of approval:

Many conditions have should and will be changed to shall.

#16 take out foundation of bulding

#20 removed with a condition areas above the firebreak of lots #3 and#4 will

#37 all existing vegetation and debris shall be removed from

#40 all permanane cut and fill slopes shall be relatively gentle. The drainage recommendation presented in the GEI report dated 3/05

#41 remove the words imported from both sentences and refer to GEI rpt dated 3/3/05

#42

#48 insert GEI recommendations on page 10

#63 the applicant shall comply with. . .

add a new condition that

#67 add street names and signs

add GEI recommd to page 11

cond #96 last small para shall have its own number

cond #97 renumber last para applicant shall submit

add three desk items.

Add a new cond no grading until SDR is approved for homes on all lots.

Commissioner Lew made a motion to approve Tentative Tract Map TTM 7114 and Use Permit UP-01-05

Commissioner Sison seconded the motion.

AYES	2 (Lew, Sison)
NOES	2 (Anderson, Sweeney)
ABSENT	1 (Savage)
ABSTAIN	0

Commissioner Sweeney made a motion to deny Tentative Tract Map TTM 7114 and Use Permit UP-01-05

Chairperson Anderson seconded the motion.

AYES	2 (Anderson, Sweeney)
NOES	2 (Lew, Sison)
ABSENT	1 (Savage)
ABSTAIN	0

**B. NEW HEARINGS:**

- PACIFIC WEST GYMNASTICS, 32920 ALVARADO-NILES RD, SUITE 210, USE PERMIT UP-02-05;** The applicants, Jade McLean and Evelyn Paradis, are requesting approval of a Use Permit UP-02-05 to allow the establishment of a gymnastics school within a 13,102 square foot tenant space in the Dowe Business Park. The tenant space is located at 32920 Alvarado-Niles Road, Suite 210 (APN 475-0150-009-01), on the northwesterly part of the business park. The subject property is zoned ML, Light Industrial, and has a General Plan Designation of ML, Light Industrial. This project is categorically exempt under Section 15301, Class 1(a), Existing Facilities, of the California Environmental Quality Act (CEQA) Guidelines.

Tina Gallegos, Assistant Planner, presented the staff report.

Jl

Ml

Jl is there a cond

Tg can add one

Jl add one

MI

Tk

Tg

Tk what does low nuisance characteristics

Tg

Jade Mclean, #114, Fremont, CA,

Cs

Jade

Cs where are the people who come to watch going to stand

Other lady stated that this is a beginning plan and that when they get more towards full capacity they will work with Kevin to create spectator seating.

Cs

Other lady might have to remove tumble track and

Cs how many students do you have to have before that would occur

Other lady would have to work with Kevin

Cs

Jade

Cs add a condition for periodic review to make sure that the occupancy doesn't exceed the exiting.

Other lady occupancy load is about 780

Cs substantial alterations of the floor plan will require approval of the planning or building department.

Jl

Commissioner Lew made a motion to approve Use Permit UP-02-05

Commissioner Sweeney seconded the motion.

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

ABSTAIN 0

**VI. SUPPLEMENTAL STAFF REPORTS:**

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

**VII. COMMISSION MATTERS:**

- A. **WORKSESSION: Update to Title 18 Zoning;** Review of proposed modifications to Title 18 pertaining to the review and processing of planning permit applications.
- B. Follow-up on Planning Commission referrals to the City Council.
- C. Upcoming applications for the Regular Planning Commission meeting of May 5, 2005.

**VIII. GOOD OF THE ORDER:**

Il are we under federal or state law regarding medic al marijuana

Ml that is the sticking point, there is a case before the Supreme Court

**IX. ADJOURNMENT:**

**APPROVED:**

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**TIKISA ANDERSON, CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**MARK LEONARD, SECRETARY**