

**CITY OF UNION CITY  
MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING  
OF AUGUST 4, 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, Sweeney and Chairperson Anderson  
ABSENT: Commissioner Sison**

**STAFF PRESENT:** Mark Leonard (Director, Economic and Community Development); Jene Jernigan (Interim Senior Planner); Kit Faubion (City Attorney); Kris Fitzgerald (Administrative Assistant).

**II. APPROVAL OF MINUTES:** The minutes of the Regular Planning Commission Meeting of July 21, 2005 were approved as submitted

**III. ORAL COMMUNICATIONS:** None.

**IV. WRITTEN COMMUNICATIONS:** None.

**V. PUBLIC HEARINGS:**

**A. CONTINUED HEARINGS:** None.

**B. NEW HEARINGS:**

- 1. RUDY PARRA, 33933 10<sup>TH</sup> STREET; Administrative Site Development Review ASD-15-05, Use Permit UP-05-05, Variance V-02-05;** Initiated by the applicant, Rudy Parra, on behalf of the property owner, Primera Iglesia Bautista Church, to construct a two-story addition to the rear of the existing church. Also requested is a Use Permit (UP-05-05) which is required to make modifications to an existing church, and a Variance (V-02-05) from the requirement to provide 15 additional off-street parking spaces. This project is located at 33933 10<sup>th</sup> Street (APN 486-0030-032-00) and is categorically exempt under Section 15301(e) (1) of the California Environmental Quality Act (CEQA) Guidelines.

Jene Jernigan, Interim Senior Planner, presented the staff report.

Commissioner Lew asked if the new two-story addition will be located in the rear of the existing church.

Mr. Jernigan stated that it extends some feet beyond the existing porch.

Commissioner Sweeney asked if a sprinkler system will be installed in the entire building.

Mr. Jernigan replied that it would be for the entire building.

Commissioner Savage noted that it appears that the square footage of project on page 1 of the staff report does not equal what is stated on page 3 part b of the staff report.

Mr. Jernigan replied that when they are totaled it adds up to the total square footage.

Chairperson Anderson noted that the applicant did not propose any changes to the landscaping and asked if staff had requested changes.

Mr. Jernigan replied that staff did not request any changes to the landscaping.

Chairperson Anderson asked if there is a fence around the building.

Mr. Jernigan replied that there is a wrought iron fence around the front of the building.

Chairperson Anderson asked if there is fencing around the parking area.

Mr. Jernigan stated that there is a white wrought iron fence around that area.

Chairperson Anderson asked if that where the 27 parking spaces are located.

Mr. Jernigan stated that is where a portion of them are located; the other parking spaces are accessed from the 11<sup>th</sup> Street side of the property.

Chairperson Anderson asked if there is a requirement to have a fence or hedge around parking areas to screen them from the public view.

Mr. Jernigan replied that there are planters on both sides.

Chairperson Anderson asked to ensure that the applicant will provide adequate screening of the parking areas.

Mark Leonard, Director, Economic and Community Development, asked if it is along the street frontages on the front and rear of the property.

Chairperson Anderson stated that wherever it is adjoining other residences.

Mr. Leonard stated that there is landscaping along the sides.

Chairperson Anderson asked if it is trees or hedges along the sides.

Mr. Leonard pointed out trees along both sides of the areas.

Mr. Jernigan stated that in the rear adjacent to the single-family residence there are bushes.

Chairperson Anderson asked what is screening the area where the 27 parking spaces are.

Mr. Jernigan stated that there is a tall hedge of Hollywood cypress.

Chairperson Anderson asked if staff is satisfied that the applicant has met the landscape requirements.

Mr. Jernigan stated that this landscaping was installed because of conditions from earlier approvals and that it is acceptable.

Chairperson Anderson asked if there are three separate parcels where the church is located.

Mr. Leonard replied that it is probably three lots with one parcel number.

Chairperson Anderson asked to define which side of the property was considered the front and which side is considered the back.

Mr. Jernigan replied that the two lots that front on 10<sup>th</sup> Street would be considered the front of the parcel and the rear is on 11<sup>th</sup> Street and is only one lot size wide.

Chairperson Anderson stated that he thought the drawings were very hard to read and understand.

Commissioner Lew asked if the new addition is going to extend the existing building.

Rudy Parra, Parra Builders, San Leandro, CA replied that they are going to demolish the existing patio cover and put the new addition in that area.

Commissioner Lew asked where the trash enclosures will be located.

Mr. Parra stated that they will be in the back part of the lot on the left side against the fence.

Commissioner Lew asked if they are adding stairways.

Mr. Parra replied that they are adding two staircases; one off of the balcony and one more in the rear of the building from the second floor to the first floor.

Commissioner Lew commented that the drawings are not very good drawings and appear to be unfinished.

Mr. Parra replied that they only drew the site plans and the elevations; the only thing that is different is that a second story window may not have been added to the reduced set of plans.

Commissioner Sweeney stated that she likes the new rear elevation of the building

Commissioner Sweeney stated her concerns that the right hand side has no windows and she wants to add windows in the stairwell area

Mr. Parra replied that they wanted to do that but the Building Official said the wall must be a two-hour wall with no penetrations.

Mr. Parra stated that now that the building is going to have fire sprinklers that maybe the Building Official might be willing to let there windows be added to that area.

Commissioner Sweeney asked for an explanation for the changes to the second floor.

Mr. Parra stated that they are going to raise the sides in order to create more area on the second floor.

Chairperson Anderson asked how many members there are in the church now.

Mr. Parra replied 140.

Chairperson Anderson asked how many members there were three years ago.

Mr. Parra replied 90.

Chairperson Anderson asked how many members there were 10 years ago.

Mr. Parra stated that he was not there at that time.

Chairperson Anderson asked how the current 27 spaces are working for the church membership now.

Mr. Parra replied that many parishioners carpool. Mr. Parra stated that they have had the letter from Reverend Brown to use his parking spaces for about 3 years now.

Chairperson Anderson asked if they park on the neighborhood streets.

Mr. Parra stated that they try to park only in front of the church. Mr. Parra stated that the parishioners understand about the parking issues in the area.

Chairperson Anderson asked if the spaces at Pastor Brown's church are marked for the use of this church.

Mr. Parra replied that he doesn't think they are marked.

Chairperson Anderson wants to add a condition that the applicant get a letter from Pastor Brown that identifies the specific spaces the applicant's members can use.

Mr. Leonard replied that Pastor Brown isn't here, but the parking lot is currently underutilized and there are more than enough spaces available. Mr. Leonard stated that he did not think that having specific spaces marked off would serve a practical purpose.

Chairperson Anderson asked why the church deserves a Variance.

Mr. Parra replied that most churches have a parking problem; the church is not able to buy any property to add to their parking area.

Chairperson Anderson stated that there doesn't seem to be any extraordinary or disadvantageous reasons to grant the Variance.

Chairperson Anderson asked how many lots is the church on.

Mr. Parra replied there are two parcels.

Kit Faubion, City Attorney, stated that assuming that there are two separate properties, if there is one owner then they might have only one assessor's parcel number that is used to assess the properties for tax purposes. Ms. Faubion stated that although there are two properties they have been clearly developed for a single use, therefore that use is controlled by the Conditional Use Permit. Ms. Faubion stated that if they attempted to sell off part of the property they would have to amend the Conditional Use Permit.

Mr. Parra stated that there are 12-foot trees on the side and there are bushes on both sides of the property.

Commissioner Savage asked how many times the church has been modified.

Mr. Parra stated that they have added onto the church twice with a first addition and then the patio area.

Teresa Schmidt, Union City, spoke of her concerns about the variance for the parking in her area. Ms. Schmidt spoke of her concerns about the garbage that is dropped off by people going in to the church and the store. Ms. Schmidt stated that now there are 6 or more delivery trucks to the store every day. Ms. Schmidt suggested that the City buy the vacant area behind the store to use it as a parking lot for the area.

Mr. Parra replied that they did try to buy the property behind the market but the owner said that he is going to build a house on that lot. Mr. Parra understands that there are a lot of deliveries in the area and maybe ask the store owner to get the truck drivers to pull into the lot rather than stand out in the street.

Santiago Morales, Pastor, apologized to Mrs. Schmidt about any garbage left on the sidewalk. Pastor Morales stated that they have tried to be good neighbors by picking up trash and not blocking traffic.

Chairperson Anderson how much is the overflow parking requirement.

Tony Viera stated that at the moment they usually have 3 – 4 empty spaces on Sundays and they are trying to prepare for the future of the church. Mr. Viera stated that out of the 27 spaces they have now they use 20 – 23 spaces.

Pastor Morales stated that they try to make sure there is no double parking to avoid any emergencies.

Chairperson Anderson closed the public hearing.

Commissioner Lew asked why is this property still zoned residential.

Mr. Leonard replied that only the larger sites were rezoned Private Institutional (PI) but these smaller sites are still in compliance with the General Plan.

Commissioner Lew asked why a zoning change was not included with this application.

Mr. Leonard replied that because they must have a Use Permit to operate in a Residential zone, the advantage is that any changes to the church must be heard publicly.

Mr. Leonard suggested a new condition to respond to the Commissions earlier concern: “If possible under the Uniform Building Code, windows shall be added to the right side elevation at the stairwells to introduce natural light. If not possible, a color band or foam treatment shall be used to visually break the massing of that elevation”.

Commissioner Sweeney made a motion to approve Administrative Site Development Review ASD-15-05, Use Permit UP-05-05 and Variance V-02-05, making findings 1 – 9, with the modified conditions of approval and adopting resolutions confirming this action.

Commissioner Lew seconded the motion.

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

**VI. SUPPLEMENTAL STAFF REPORTS:**

**A. CONTINUED REPORTS:** None.

**B. NEW REPORTS:** None.

**VII. REDEVELOPMENT AND ECONOMIC DEVELOPMENT REPORTS:** None.

**VIII. COMMISSION MATTERS:**

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

**B.** Upcoming applications for the Regular Planning Commission meeting of August 18, 2005.

**IX. GOOD OF THE ORDER:**

Commissioner Savage asked which city is responsible for paving Whipple Road between Dyer Street and Union City Boulevard.

Mr. Leonard replied that he would check with the City Engineer.

Commissioner Savage stated that recently she has noticed a lot more inops parked on front lawns.

Mr. Leonard asked her to please email addresses to him and he would forward them to the Neighborhood Preservation Coordinator.

Commissioner Sweeney asked why copper materials are being prohibited by Environmental Programs Division for use in public spaces.

Mr. Leonard replied that he will ask Environmental Programs Division to present a memo to the Planning Commission about that issue.

Commissioner Lew asked who is responsible for Industrial Parkway by Home Depot.

Mr. Leonard stated that he believes that roadway belongs to the City of Hayward.

Commissioner Lew stated that they did a very poor job of striping and marking the entire roadway.

Mr. Leonard replied that he would have our City Engineer get in touch with the City of Hayward engineer.

**X. ADJOURNMENT: 8:15 p.m.**

**APPROVED:**

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**TIKISA ANDERSON, CHAIRPERSON**

**ATTEST:**

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**MARK LEONARD, SECRETARY**