

**CITY OF UNION CITY
MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
OF FEBRUARY 1, 2007, 7:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD, UNION CITY, CALIFORNIA**

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

STAFF: Mark Leonard (Director, Economic and Community Development); Janice Lum (Assistant Planner); Farooq Azim (Principal Civil Engineer); John Bakker (City Attorney); Kris Fitzgerald (Administrative Assistant).

II. APPROVAL OF MINUTES: The regular Planning Commission Minutes of January 18, 2007 were approved as submitted.

III. ORAL COMMUNICATIONS: None.

IV. WRITTEN COMMUNICATIONS: None.

V. PUBLIC HEARINGS:

A. CONTINUED HEARINGS: None.

B. NEW HEARINGS:

- 1. EDEN GARDEN FLORIST, 31087 COURTHOUSE DR., Use Permit UP-01-07;** The applicant is requesting approval of a Use Permit to operate a floral shop located at 31087 Courthouse Drive (APN: 463-0060-051-00). The project site is a 950 square foot tenant space in the Union Landing Shopping Center. This project is considered categorically exempt under Section 15301, Class 1(a), Existing Facilities, of the California Environmental Quality Act (CEQA) guidelines.

Janice Lum, Assistant Planner, presented the staff report.

Commissioner Singh asked if the proposed sink is going to be large enough.

Ms. Lum referred the question to the applicant.

Commissioner Lew asked if staff had discussed the parking of delivery trucks for the store.

Ms. Lum replied that the applicant had indicated that he would be making most of the deliveries in his personal vehicle.

Commissioner Lew noted that there are restrictions on large delivery vehicles parking at the site and asked if the smaller delivery vans are allowed to park in front and deliver through the front door.

Ms. Lum stated that it is allowed.

Commissioner Lew asked why the conditions of approval do not include any conditions for signs.

Ms. Lum replied that the applicant had already installed signs that meet the sign criteria for the site.

Chairperson Sison opened the public hearing.

Joseph Hussary, Hayward, Ca, applicant, spoke of his previous florist shop experience in Oakland and that he had to close it because the rents became too high. Mr. Hussary stated that he is excited about the opportunity to locate in Union Landing.

Commissioner Singh asked if the applicant will be using any pesticides on the floral material that is stored in cabinets in the store.

Mr. Hussary replied that he will not be using any pesticides; however, he does condition the flowers when they first arrive in the store to prolong their life.

Commissioner Singh asked if how he will handle parking for days such as Mother's Day or Valentine's Day.

Mr. Hussary replied that most customers do not stay long in the store.

Commissioner Lew asked if staff had spoken with him regarding the City green recycling program and will he be recycling his green waste.

Mr. Hussary replied that he was not aware of the program but is willing to recycle his green waste.

Commissioner Sweeney asked what the status of the Oakland store is.

Mr. Hussary replied that he lost the lease on the flower shop because he couldn't afford the rent.

Commissioner Sweeney asked which space is larger the old store in Oakland or the new store in Union Landing.

Mr. Hussary replied that the new store in Union Landing is about 300 square feet larger than his old store. Mr. Hussary stated that the size of the store does not determine the volume of business.

Chairperson Sison asked if he was aware of the additional condition of approval that staff is proposing and does he have any objections to it.

Mr. Hussary replied that he is aware of it and has no problems.

Chairperson Sison closed the public hearing.

Commissioner Sweeney made a motion to approve Use Permit UP-01-07, making findings 1 - 4, and modified conditions of approval and adopt a resolution confirming this action.

Commissioner Lew seconded.

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| AYES | 5 (Anderson, Lew, Singh, Sison, Sweeney) |
| NOES | 0 |
| ABSTAIN | 0 |
| ABSENT | 0 |

VI. SUPPLEMENTAL STAFF REPORTS:

A. CONTINUED REPORTS: None.

B. NEW REPORTS:

- 1. AVALON BAY COMMUNITIES, INC., 14-44 UNION SQUARE;
Modification to building elevations per condition of approval by the City Council.**

Janice Lum, Assistant Planner, presented the staff report.

The Planning Commissioners provided feedback on the proposed design to staff.

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 February 15, 2007.

IX. GOOD OF THE ORDER:

Commissioner Lew stated that she received a notice that there will be an open house on Wednesday, February 7, 2007 at the New Haven Adult School regarding the Barry Swenson development and she will not be able to attend the meeting and would like a copy of the handouts and a summary of the neighbor's comments.

Commissioner Sweeney stated that she will miss the Planning Commission meetings on 6/7/07 and 11/1/07.

Commissioner Singh noted that there is a sight obstruction when exiting from the BART station by the office buildings.

Mr. Leonard replied that they would look into the problem.

Commissioner Anderson asked why there have been no redevelopment or economic development reports.

Mr. Leonard replied that staff is trying to bring forward reports on a quarterly

Chairperson Sison noted that he will also be attending the Planner's Institute in San Diego because there were sufficient funds to cover a third attendee.

X. ADJOURNMENT: 8:00 p.m.

APPROVED:

REY SISON, CHAIRPERSON

ATTEST:

MARK LEONARD, SECRETARY