

**CITY OF UNION CITY
MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
ON THURSDAY, OCTOBER 17, 2019 6:30 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD
UNION CITY, CA 94587**

1. **ROLL CALL:** Chairperson Harris Mojadedi; Vice Chair Jo Ann Lew; Commissioner Ray Gonzales, Jr; Commissioner Lee Guio;

STAFF: Carmela Campbell (Economic & Community Development Director); Alex Mog (Deputy City Attorney); Farooq Azim (Acting City Engineer); Denisse Anzoategui (Administrative Assistant)

2. **APPROVAL OF MINUTES:**

A. The regular Planning Commission minutes of September 5, 2019 Planning Commission Meeting were approved as submitted.

3. **ORAL COMMUNICATIONS:** None.

4. **WRITTEN COMMUNICATIONS:** None.

5. **PUBLIC HEARINGS:**

A. **CONTINUED HEARINGS:** None.

B. **NEW HEARINGS:** None.

6. **SUPPLEMENTAL STAFF REPORTS:**

A. **CONTINUED REPORTS:** None.

B. **NEW REPORTS:**

1. Study Session for a mixed-use residential development on approximately 24 acres in the Station East subarea of the Station District on property generally bounded by Decoto Road to the north, 7th Street to the east, Bradford Way to the south and the UPRR Niles Subdivision rail line to the west (APNs 87-21-4-2 (portion), 87-21-5-2, 87-21-13-1, 87-21-13-2, 87-23-10, 87-2312, 87-23-13, and 87-23-14 (portion)). Project components include 938 multi-family units including 98 affordable housing units, 31,020 sq. ft. commercial located within mixed-use residential buildings, and public realm improvements including new roadways, multi-modal improvements, and parks.

Carmela Campbell, Economic & Community Development Director presented on the proposed mixed-use residential development proposed by Integral Communities.

Rajiv Bhatia, Dyett & Bhatia, presented on key urban design principles that will be part of the specific plan update.

Rob Rees, Fehr & Peers, presented a high-level overview of street network connections in the district.

Commissioner Guio asked if the parking on PA1 would extend to the top of the building or only a few floors.

Ms. Campbell referred the question to the applicant.

Commissioner Guio asked how many total number of parking spaces would be available.

Ms. Campbell asked if he meant commercial.

Commissioner Guio replied in general.

Ms. Campbell replied that the first floor of PA1 accommodates 120 spaces for public access and would serve the commercial use. Ms. Campbell added that for the remainder of the parking would be dedicated for residential units and street parking would be for visitor parking.

Commissioner Guio asked how many parking spots would be available to residents in PA1.

Ms. Campbell referred the question to the applicant or architect.

Commissioner Guio asked Ms. Campbell for the reasoning behind the high demand of park land.

Ms. Campbell replied that the demand is high because of the dense development. Ms. Campbell added that the requirement is based on the number of people that are expected to be living in the units.

Commissioner Guio asked if the City would receive an in-lieu fee and put the parks elsewhere.

Ms. Campbell replied that there would be 2.2 acres of community parks in the Paseo and the potential for the urban Plaza but that the remaining would be covered by an in-lieu fee.

Commissioner Lew stated that on page three of the staff report, the reference to Fire Station 30 should be changed to Fire Station 33. Commissioner Lew referenced page 5 of the staff report where it states the City intends to update the DIPSA and asked if there is funding for that.

Ms. Campbell replied yes, and that the applicant did not want to wait for the City to finalize and finish the Specific Plan Update process, so the project includes a Specific Plan update that will be later folded into the larger update.

Commissioner Lew asked if Air Liquide has gone out of business.

Ms. Campbell replied that they were bought by another company who are no longer using the facility.

Commissioner Lew asked if the applicant plans to clean the site.

Ms. Campbell asked if Commissioner Lew was referring to the potential contamination at Air Liquide.

Commissioner Lew replied yes.

Ms. Campbell replied that it was found that there was not a lot of contamination at the site because of the activities occurring there. Ms. Campbell added that originally the facility was a air separation facility and then later a gas distribution facility and caused little contamination. Ms. Campbell stated that there was some contamination from acetylene manufacturing.

Commissioner Lew asked what would happen to the tanks and building that are at the site.

Ms. Campbell replied that the majority of the tanks are empty and that they would be removed and the building would be demolished.

Commissioner Lew asked if the parcel of land would be cleared before the EIR process begins.

Ms. Campbell replied that the applicant isn't proposing to demolish the structures prior to getting private project entitlements.

Commissioner Lew asked if the EIR will address the potential for toxins.

Ms. Campbell replied yes.

Commissioner Lew asked if it would include the mitigation measures to make sure the site is clean before construction begins.

Ms. Campbell replied yes.

Commissioner Lew asked if the applicant has already purchased the site.

Ms. Campbell referred the question to the applicant but did add that it was under option.

Commissioner Lew asked if the other businesses along Seventh Street would be relocated.

Ms. Campbell asked which specific properties Commissioner Lew was referring to.

Commissioner Lew replied that R&S, who manufactures rolling garage doors.

Ms. Campbell replied that R&S is part of the larger area where residential and commercial are allowed. Ms. Campbell added that a portion of R&S is part of the Integral project site, so they've worked with them to adjust lot lines so they could incorporate a portion of the site. Ms. Campbell stated that R&S would remain for now.

Commissioner Lew asked about businesses further down Seventh Street like Connolly's Furniture.

Ms. Campbell stated that she believed Connolly's had moved out but there was an existing warehouse operating from the location.

Commissioner Lew asked if that land had been sold.

Ms. Campbell referred the question to the applicant.

Commissioner Lew referenced Attachment 2 and asked if there would be any potential hazards for residential units built close to the PG&E substation.

Ms. Campbell replied that she would need to consult with Alex Mog, Deputy City Attorney.

Alex Mog, Deputy City Attorney stated that staff would look at the mitigation of all potential environmental issues and mitigation and how they would all be addressed.

Commissioner Lew stated that she was sure that PG&E was aware of the project and they have no plans to move.

Ms. Campbell replied that the substation would not be moving. Ms. Campbell added that there would be an analysis to understand if there was an environmental issue under CEQA. Ms. Campbell further clarified that the California Environmental Quality Act has a specific set of questions that apply to different resource areas. Ms. Campbell added that those questions are very specific as to the types of environmental issues that can be addressed in the CEQA document.

Commissioner Lew stated she noticed that while the PG&E substation is shown as part of Station East, it is not part of the project so it is unclear if the project would be included in the project.

Ms. Campbell replied that the project site excludes the PG&E substation and the environmental document for the larger specific plan update would not evaluate land uses unless they changed. Ms. Campbell explained it would be a project proposing a change of the specific plan update and proposes a new land use that would then be evaluated through the environmental document.

Commissioner Lew stated she did not recall that the EIR for the revised General Plan addresses the PG&E site but did recall it being part of the drawing for Station East.

Ms. Campbell stated she did not have the most updated diagram from the most current land use map that would be presented to the City Council and the Planning Commission. Ms. Campbell stated that the map shows the PG&E substation as private institutional and no longer part of Station East.

Commissioner Lew referred to attachment one that shows how the project site would be subdivided and stated she was concerned about the number of streets that are going to be added. Commissioner Lew asked if there was any consideration for a larger campus and fewer public streets with conductors for bicyclists and pedestrians.

Ms. Campbell replied that there had been a lot of discussion over the circulation system. Ms. Campbell added that they were trying to strike a balance, because of the density and intensity of

the proposed uses the Fire Department felt strongly that we should have good circulation and access. Ms. Campbell added that some of the side streets, specifically Eighth Street and Ninth Street have slightly different functions, Eighth, K, L, and M Streets were designed with smaller right of ways which would not increase the crossing distances for pedestrians. Ms. Campbell stated that Ninth Street which is broader would accommodate bicyclists. Ms. Campbell stated that in addition to the roads providing a robust circulation system, some streets would have pedestrian priority while others would have bicyclist priority.

Mr. Bhatia stated that they had worked hard with the applicant to put together an overall roadway framework that will encourage residents to walk to the BART Station, Shorty Garcia Park, and the other locations. Mr. Bhatia stated that guest parking on the street rather than in structures that would be visible to everyone. Mr. Bhatia stressed the importance of having trees and natural light that was not obstructed by tall buildings. Mr. Bhatia added that while there are quite a few streets, they are small which would enable visitors and residents to easily reach their destination.

Commissioner Lew stated that she thinks that some of the streets can be set aside just for pedestrians and bicyclist rather than for cars and bicyclists. Commissioner Lew stated that she walked it and thought there wasn't a need to set up lot of separate streets for vehicles, but for bicyclists and pedestrians and wanting a safe place for children. Commissioner Lew suggested there be a paid parking lot for guests. Commissioner Lew asked if the proposed roadways would be turned over to the City for maintenance.

Ms. Campbell replied that the City will be responsible for maintaining the roads. Ms. Campbell added that there will be a master HOA that will be maintaining the landscaping in the right of way areas and the rain gardens.

Commissioner Lew asked how the City proposes to fund the maintenance of the streets considering the budget crisis it is going through and the expiration of the parcel tax.

Ms. Campbell replied that there needs to be some consideration of maintenance costs for new parks and it had come up during discussion of the parks. Ms. Campbell added that anytime that new improvements are built they need to be maintained. Ms. Campbell stated that there is currently a community facilities district throughout the City that pays for additional improvements and there have been discussions at looking at a similar tool to address maintenance in the area.

Commissioner Lew asked if the tentative map showed how the entire property would be subdivided.

Ms. Campbell replied yes, and later there will be condominium maps on each of the individual parcels that have the sale products.

Commissioner Lew asked if there was potential for each block or parcel to be under a separate ownership.

Ms. Campbell replied yes, potentially.

Commissioner Lew asked if there would be fencing along Bradford Way to separate the regular residential units from the industrial uses that are South of the property.

Ms. Campbell identified the location that Commissioner Lew referred to and replied there hasn't been discussions about mitigation issues with the industrial areas. Ms. Campbell added that it's something that staff is working through in terms of the Specific Plan Update.

Commissioner Lew asked if the City had a preference whether to fence it.

Ms. Campbell replied that the way the project is designed there may not be a need for fencing in that location, but it had not been discussed.

Commissioner Lew asked what the City anticipates putting on parcels 11, 12, 13, and 14.

Ms. Campbell referred to the General Plan diagram and stated that they are identified for residential and retail uses. Ms. Campbell added that while they're outside of the Integral project scope, they are still addressed in the General Plan diagram. Ms. Campbell stated that the idea is to concentrate those uses to minimize offsite impacts from the existing industrial area.

Commissioner Lew asked that in the meantime the existing businesses that are occupying the parcels would remain in business.

Ms. Campbell replied yes.

Commissioner Gonzales stated while looking at the grid, he liked how it connects to Decoto Road. Commissioner Gonzales asked if the crossing to Decoto could be done safely through improvements like traffic lights or painted pedestrian signs.

Ms. Campbell stated that Mr. Rees had briefly touched on the circulation of Eighth and Ninth Street, and that there would most likely be some type of enhanced crosswalk at Ninth Street. Ms. Campbell added that there is potential for a signalized intersection at Ninth Street, however, it will require additional study as they would need to evaluate the impact on the adjacent railroad line. Ms. Campbell stated that if it is unable to happen there would be enhanced crosswalks.

Commissioner Gonzales stated that encouraging more pedestrian and bicycle pathways could help the City in regard to budgeting for maintenance and repairs of the roads.

Ms. Campbell stated that the City receives a portion of the gas tax through Alameda CTC that is used for pavement rehabilitation. Ms. Campbell stated she did not have the exact costs the City has of maintaining the roadways specifically but could provide that information at a later date.

Commissioner Gonzales noted all the greenery shown in the images. Commissioner Gonzales asked if there would be sidewalks added.

Ms. Campbell replied that although park amenities have not been designed specifically there will be types of trails. Ms. Campbell noted that in the Paseo it essentially functions as an off-road pedestrian and bicycle thoroughfare.

Mr. Bhatia added that although the Paseo was striped as green on the bigger map, the illustration showed a paved pathway going through the center with trees.

Ms. Campbell added that because of the requirements that are in place including the State water efficient landscaping requirements and Bay friendly requirements that grass will be limited to 25% or less. Ms. Campbell added that it will be a mix of different landscape types.

Commissioner Gonzales noted the addition of M Street.

Ms. Campbell stated the idea behind the naming of M Street was because the project was so removed from Decoto, it did not relate well to the grid.

Commissioner Gonzales asked if south of Bradford Street would remain zoned for businesses. Ms. Campbell replied yes. Ms. Campbell added that the intent is to preserve the industrial area and the future growth opportunity for jobs.

Commissioner Gonzales stated how important maintaining those jobs was to the City's budget. Commissioner Gonzales echoed Commissioner Lew's concerns of residents living up to the industrial zoned area. Commissioner Gonzales stated there should be a balance where residents wouldn't be concerned over regular business operations and businesses would be negatively impacted and they would want to leave. Commissioner Gonzales stated that it has been an issue in the past.

Ms. Campbell replied that it is something the consultant team and staff is really working through; on one hand preserving the existing uses and at the same time creating a community across the street. Ms. Campbell stated she recognized the importance of some of the high sales tax generating business. Ms. Campbell added that some of the residential units that are more adjacent to the heavier industrial uses would have to most likely sign disclosure agreements acknowledging that they are aware that they're living next to an industrial area.

Commissioner Gonzales recalled Abaxis and the issues over noise with the residents. Commissioner Gonzales asked if the area represented in PA 1 would have to have heavier cleaning because of the previous Air Liquide site.

Ms. Campbell stated that testing done has shown little contamination. Ms. Campbell stated that in later years Air Liquide operated as a gas distributor so there is a lot of storage of small cylinders there where they would be filled, and vendors would come and pick them up. Ms. Campbell stated that Air Liquide functioned as an air separator facility that has been out of use for many years. Ms. Campbell stated that the EIR will have documented all the testing that has occurred to the site to date and if there is any additional mitigation that's required that will be included in the EIR.

Commissioner Gonzales asked if the term mixed-use for the project was because it consisted of different types of dense housing all in a vertical way.

Ms. Campbell replied that the term mixed use is used to talk about the vertical integration of units above ground floor commercial.

Commissioner Gonzales asked if the applicant would be providing 90 units and in-lieu fees to meet the affordable housing requirement.

Ms. Campbell replied that 98 affordable units will be provided, then the delta between 98 and 140 will be made up with some combination of in-lieu fees or maybe additional units in the

rental. Ms. Campbell added that the applicant has not provided the program with how they will satisfy the affordable housing requirements.

Commissioner Gonzales asked if the 90 affordable units would be rental units.

Ms. Campbell replied yes, similar to Station Center and in Mission Gateway which are 100% affordable to low and very low income.

Commissioner Gonzales asked if they would meet the County's qualifications based on income.

Ms. Campbell replied yes.

Commissioner Gonzales asked if streets would be programmed with certain speed limits based on the use. Commissioner Gonzales asked if speed limits would be indicated with signs. Mr. Rees stated that the speed limit in the residential areas would be 25 mph while the speed limit currently on Seventh Street is 35 miles. Mr. Rees stated that sign pollution should be minimized so a sign would be put in each entry point only.

Commissioner Gonzales asked if the Commission would be discussing what type of businesses would be allowed or restricted in the retail area, also because of the proximity location to a school.

Ms. Campbell replied that the retail area would likely be a mix similar to what's currently allowed in the Station District area zoned CSMU.

Commissioner Gonzales asked if there was a possibility to have a grocery store like a Trader Joe's.

Ms. Campbell replied yes.

Commissioner Gonzales asked Ms. Campbell that it was mentioned the PA13 and PA14 could potentially in the future be a combination of residential retail or one way or the other.

Ms. Campbell replied yes and referred to the revised diagram prepared by the applicant. Ms. Campbell stated that it was adjusted for the mixed-use retail component and everything else housing.

Chairperson Mojadedi asked if there will be a traffic report or a traffic study on any impacts on Decoto Road when the project comes formally to the Planning Commissions. Chairperson Mojadedi acknowledged the desire to have the residents use public transportation but recognized the heavy traffic on Decoto from 4 p.m. to 7 p.m. daily.

Ms. Campbell replied yes. Ms. Campbell added that a traffic analysis is currently underway, and the Decoto Road traffic is being evaluated. Ms. Campbell stated that in the long-term the 2040 year horizon, what is being called the cumulative analysis, shows the Quarry Lakes Parkway roadway being installed which will divert some of the traffic off which will lessen traffic impacts on Decoto Road.

Chairperson Mojadedi asked if there are any community spaces in the project because it is something that is sorely lacking in the City.

Ms. Campbell replied no, not at the moment.

Chairperson Mojadedi asked if there will be a public art component to the project and if so, a location had been proposed.

Ms. Campbell replied that it was too early but welcomed Commissioner's suggestions.

Chairperson Mojadedi noted that the area contains a lot of unique art and hopes it can maintain cohesiveness to other monuments like the flowers or the pyramid. Chairperson Mojadedi asked if there will be similar aesthetics or color guidelines similar to the projects that exist in the greater Station District.

Ms. Campbell replied that within the core Station District area you see similarities with Union Flats and Station Center and even the third block 2, all done by the same architect. Ms. Campbell stated that for this area there are some similarities, but each building has a unique design with a common thread that will tie it together. Ms. Campbell referred to the applicant to elaborate more on the details.

Chairperson Mojadedi invited the applicant up for any questions.

Kevin Fryer, Integral Communities thanked Ms. Campbell for her presentation and staff for all their hard work over the last several months. Mr. Fryer addressed Commissioner Guio's question about the parking lot on PA one and stated that the wrapped parking garage would be extended over five levels of parking. Mr. Fryer added that there would be a total of 553 parking stalls within that garage with 150 stalls dedicated to commercial and 437 for residential parking. Mr. Fryer assured the Commission that there is a wide mix of the product types proposed. Mr. Fryer stated that this small portion of the DIPSA would have opportunities for jobs and see additional retail with pedestrian connections. Mr. Fryer identified the areas that are owned/controlled by Integral Communities including the former Air Liquide site, a portion of R&S, and even further South of the project site. Mr. Fryer elaborated on Ms. Campbell's assessment of the condition of the Air Liquide site and stated that investigations have come back clean. Mr. Fryer stated the process of cleaning up the McKesson plume site is nearing completion. Mr. Fryer assured the Commission that they would confirm that the site is appropriate and safe for future residents. Mr. Fryer also acknowledged the Commission's concerns over the neighboring uses and impacts.

Michael Schrock, Urban Area addressed a previous question regarding "LEED" and what that meant. Mr. Schrock stated that is an international stamp of approval for the environmental sustainability of buildings. Mr. Schrock stated that California has been at the forefront of building practices and added that in January California addressed the new building code updates. Mr. Schrock addressed Commissioner Lew's concerns about pedestrian access versus streets. Mr. Schrock described the project as creating a downtown community that has built over time, with character and art. Mr. Schrock stated that his team had worked carefully to try to connect all bicyclists and pedestrian walkways with the addition of paseos to make a connection to BART.

Mr. Fryer addressed Chairperson Mojadedi's question regarding a community room. Mr. Fryer stated that plans are showing a community building above Eighth Street and stated that as the project furthers more of the details would be included in the amenity package.

Mr. Schrock addressed Commissioner Lew's concern over the PG&E substation and assured Commissioner Lew that it would be studied in the EIR. Mr. Schrock noted that Ninth Street would serve as the buffer from residential. Mr. Schrock added that the trees that align Ninth Street would not only be there for environmental reasons but also for aesthetics.

Commissioner Lew expressed her concerns over the project being referenced to as a downtown as it was represented as a mostly residential community.

Mr. Schrock replied that it was not his intention to create a downtown but try to create an area where you could live, work, play, and go to school like in urban cities.

Mr. Bhatia stated that it is a land use perspective by creating a denser community.

Commissioner Lew replied that it is still a residential community with some retail.

Mr. Schrock corrected his previous statements and asked to exclude the word downtown.

Commissioner Lew stated she got confused with calling it a downtown when all she could see was residential and a little bit of retail. Commissioner Lew stated that she did not see any office spaces.

Mr. Fryer stated that there is property that has been reserved within the DIPSA area for future job producing uses. Mr. Fryer stated that Woodstock Development has an enormous amount of offices planned and that looking at the proposal in a larger perspective there will be office, retail, and residential opportunity.

Commissioner Lew reminded the applicant that the commercial retail proposed would produce low paying jobs, for example Peet's Coffee and Starbucks.

Mr. Fryer agreed with Commissioner Lew's concerns but added that across the BART tracks there would be 1.2 million square feet of office space planned. Mr. Fryer added that just south of the proposed project within the DIPSA area there are opportunities for advanced manufacturing, warehouses, industrial offices, and commercial. Mr. Fryer stated that he believes this makes sense for the transit development area when looking at it in a macro perspective.

Commissioner Lew stated she wanted to be clear that the proposed project is primarily residential with some mixed use and maybe a small supermarket. Commissioner Lew listed what she liked about the project like the varied blocks that differentiate the type of buildings. Commissioner Lew stated she thought there was too much white in the renderings because they are so modern, they'd all be boxes stacked on top of each other.

Mr. Fryer replied that some of the images are placeholders and some of them are snippets, but the concern can be addressed when the full design package is brought to the Commission.

Commissioner Lew suggested using pastels, greys, and tans, and reserving the stark white for trim of the buildings. Commissioner Lew stated that she would be very interested in what changes are made in the Site Development Review.

Commissioner Gonzales stated that this project helps address the housing needs. Commissioner Gonzales stated that he likes the creation of different neighborhoods with the different types of homes. Commissioner Gonzales stated that he envisions having retail that will meet the communities' needs like having groceries.

Mr. Fryer agreed with Commissioner Gonzales. Mr. Fryer stated that by doing the vertical integration, the mixed use ensures the delivery of that retail space.

Chairperson Mojadedi stated that he likes the project seeing it as a connecting piece for the Station District. Chairperson Mojadedi stated that he likes the bike lanes, and while there is a lot of density it feels like an open space especially with the trees.

Chairperson Mojadedi thanked Mr. Fryer and Mr. Schrock.

7. ECONOMIC DEVELOPMENT REPORTS: None.

8. COMMISSION MATTERS:

- A. Follow-up on Planning Commission referrals to the City Council. None.**
- B. Upcoming applications for the Regular Planning Commission meeting for September 19, 2019.**

Ms. Campbell informed the Commission that staff was continuing to work on an agenda. Ms. Campbell stated that there is a continued public hearing for the Zoning Ordinance updates that will be brought up at a future time.

9. GOOD OF THE ORDER:

Commissioner Guio noted upcoming events in the community.

10. ADJOURNMENT: 8:28 p.m.

APPROVED:

HARRIS MOJADEDI, CHAIRPERSON

CARMELA CAMPBELL, SECRETARY