

CITY OF UNION CITY

DRAFT

**MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
ON THURSDAY, SEPTEMBER 1, 2022, 7:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD
UNION CITY, CA 94587
AND VIA TELECONFERENCE**

1. **ROLL CALL:** Chairperson Harpal Mann; Vice Chairperson Lee Guio;
Commissioner JoAnn Lew; Commissioner Scott Sakakihara

STAFF: Carmela Campbell (Economic & Community Development Director); Derek Farmer (Planning Manager); Alex Mog (Deputy City Attorney); Brandon H DeLucas (Associate Planner); Natalie Dean (Associate Planner); Denisse Anzoategui (Administrative Assistant)

2. **APPROVAL OF MINUTES:**

The regular Planning Commission minutes of August 18, 2022 will be provided in a following packet.

3. **ORAL COMMUNICATIONS:**

Chairperson Mann reminded the Planning Commission of the expectations of decorum during meetings and that everyone should be treated with respect including City staff. Chairperson Mann indicated that if he heard any feedback that was not appropriate that he would strike it from the record.

4. **WRITTEN COMMUNICATIONS:** None.

5. **PUBLIC HEARINGS:**

A. **CONTINUED HEARINGS:** None.

B. **NEW HEARINGS:**

1. YALDA AND ELYAS MOJADDIDY, 388 APPIAN WAY (087-0038-024), ADMINISTRATIVE SITE DEVELOPMENT REVIEW (ASD-22-009), AND USE PERMIT (UP-22-002): The applicants, Yalda and Elyas Mojaddidy, are seeking approvals to construct an approximately 2,740 square-foot, two-story residence with an attached 456 square-foot garage on a vacant lot within the RS-6000 Zoning District and Hillside (H) Combining District. Staff is recommending that this project be considered categorically exempt per Section 15303, New Construction or Conversion of Small Structures, of the California Environmental Quality Act (CEQA).

Staff recommended that the Planning Commission continue this item to the regularly scheduled Planning Commission meeting on September 15, 2022. The applicant provided new information that staff must review and consider. In addition, staff received questions and comments from Planning Commissioner Lew regarding the project which includes a request for additional documents.

Commissioner Lew asked what the difference is between Administrative Site Development Review and Site Development Review for this particular type of project. Commissioner Lew recalled they have reviewed homes along Railroad Avenue as a Site Development Review.

Carmela Campbell, Economic & Community Development Director replied that when an applicant proposes more than one single family home the project triggers Site Development Review and projects containing only one single family home will be reviewed as an Administrative Site Development Review which is at the Zoning Administrator level. Ms. Campbell added that this project is before the Commission due to the property being located in the -H Combining District which requires a Use Permit for all new development.

Chairperson Mann opened the public comment.

Chairperson Mann closed the public comment.

Commissioner Sakakihara moved that the Planning Commission continue this item to the regularly scheduled Planning Commission meeting on September 15, 2022.

Vice Chairperson Guio seconded.

The motion was carried by the following roll call vote:

AYES: (MANN, GUIO, LEW, SAKAKIHARA)

NOES: NONE

ABSTAIN: NONE

ABSENT: MCLELLAND

The motion passes 4-0.

2. CITY OF UNION CITY, ZONING TEXT AMENDMENT AT-22-002: The City of Union City is proposing to amend Chapter 18.50 Civic Facilities (CF) District, of Title 18, Zoning, of the Union City Municipal Code, to allow seasonal sales lots be conditionally permitted in the CF Zoning District subject to issuance of an Administrative Use Permit. The City of Union City is also proposing to update the "Policy Statement for the Regulation of Seasonal Sales Lots" for consistency. The project is categorically exempt per Section 15061(b)(3), the general exemption for projects with no potential for significant effect on the environment, of the California Environmental Quality Act (CEQA) Guidelines.

Natalie Dean, Associate Planner, presented the staff report.

Vice Chairperson Guio asked what changed as he had seen the Christmas tree lot in the same place for several years. Vice Chairperson Guio asked if these changes makes it easier for the City to have a lot there.

Ms. Campbell replied that the City was under the impression that there was an affiliation between the tree lot and the school , but when the City found out there was no affiliation they became subject to the City's land use authorization and that was the reason it was put into motion. Ms. Campbell added that the City understood that they had a long-term agreement with the School District and they had been on the site, but the zoning regulations did not permit it, and the City wanted to accommodate it. Ms. Campbell noted that it was a benefit for the City, and could be established in any CF district, which are City facilities and other member agencies like USD, and the School District. Ms. Campbell assured the Commission that the change will be seamless in terms of the seller being there. Ms. Campbell added that the City will be requiring the seller to comply with the Policy Statement, which will ensure that they will comply with applicable provisions and operate in a safe manner.

Vice Chairperson Guio asked if it would apply to Christmas trees and pumpkins but not to fireworks nor any other kind.

Ms. Campbell replied that was correct and that fireworks sales go through their own process.

Commissioner Guio moved that the Planning Commission recommend approval of Zoning Text Amendment (AT-22-002) to the City Council, and making the specific findings as listed in the staff report, in support of the recommendation of approval, and adopt a resolution confirming this action.

Commissioner Lew seconded.

The motion was carried by the following roll call vote:

AYES: (MANN, GUIO, LEW, SAKAKIHARA)

NOES: NONE

ABSTAIN: NONE

ABSENT: MCLELLAND

The motion passes 4-0.

6. SUPPLEMENTAL STAFF REPORTS:

A. CONTINUED HEARINGS: None.

B. NEW REPORTS:

7. ECONOMIC DEVELOPMENT REPORTS: None.

8. COMMISSION MATTERS:

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

Ms. Campbell reported that the City Council would be reviewing the proposed amendments that were reviewed at the August 18, 2022 meeting at the September 13, 2022 along with the proposed amendments reviewed that evening. Ms. Campbell added that putting them together would be more efficient.

B. Upcoming applications for the Regular Planning Commission meeting for September 15, 2022.

Ms. Campbell informed the Planning Commission that in addition to the continued hearing for Appian Way, they would also be bringing up another Zoning Text Amendment to assign responsibility to the Zoning Administrator regarding requests by the Alcoholic Beverage Control (ABC) control regarding the issuance of new liquor licenses in areas of over concentration or areas of high crime. Ms. Campbell added that it is very typical in most zoning ordinances, that there is a process for when these types of requests come through.

9. GOOD OF THE ORDER:

Ms. Campbell extended an invitation to Manheim's (950 Whipple Road) grand opening on September 22, beginning at 12 PM.

Ms. Campbell noted that the League of California cities is putting on a Planning Commission training and would email details to the Commission.

Chairperson Mann noted complaints he has received from neighbors regarding an RV parked along Sandburg Drive.

10. ADJOURNMENT: 7:36 PM