



**CITY OF UNION CITY  
AGENDA FOR THE REGULAR PLANNING COMMISSION MEETING  
ON THURSDAY, APRIL 4, 2024 7:00 PM**

**City Hall- Council Chamber  
34009 Alvarado-Niles Road  
Union City, CA 94587**

**VIDEO**

**1. CALL TO ORDER:**

**A. PLEDGE OF ALLEGIANCE**

**B. ROLL CALL:**

**Chairperson Jo Ann Lew; Vice Chairperson Seyi McIelland**

**Commissioners: Ignacio Romero, Lee Guio, and Amandeep Sandhu**

**Alternates: Kevin Finnerty, Prairna Gupta Garg**

**2. APPROVAL OF MINUTES:**

- A.** The minutes from the February 15, 2024 regular meeting will be included in a following packet.
- B.** The minutes from the March 21, 2024 regular meeting will be included in a following packet.

**3. ORAL COMMUNICATIONS:**

*(This is an opportunity for persons to speak on items not listed on the agenda. According to the California Government code the commission is prohibited from taking any immediate action on an item which does not appear on the agenda.)*

**4. WRITTEN COMMUNICATIONS:**

**5. PUBLIC HEARINGS:**

**A. CONTINUED HEARINGS:**

**B. NEW HEARINGS:**

- 1.** TRI CITY PHYSICAL THERAPY; DR. PREETHA NAIR, USE PERMIT (UP-24-001); Tri City Physical Therapy, on behalf of Dr.

Preetha Nair, is requesting approval of a Use Permit (UP-24-001) to operate a physical therapy clinic within an existing, 2,717 square-foot space within Suite 150, Building B, of the Chess Commerce Center. The project is located at 29400 Kohoutek Way, Suite 150 (APN: 463-103-18), within the MS, Special Industrial, zoning district. Staff recommends that the project be categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301, Existing Facilities, of the CEQA Guidelines.

**6. SUPPLEMENTAL STAFF REPORTS:**

**A. CONTINUED REPORTS:**

**B. NEW REPORTS:**

**7. ECONOMIC DEVELOPMENT REPORTS:**

**8. COMMISSION MATTERS:**

**9. GOOD OF THE ORDER:**

**10. ADJOURNMENT:**

*A complete agenda packet is available for review at City Hall or on our website [www.unioncity.org](http://www.unioncity.org)*






*Any writings or documents provided to a majority of City Council or Planning Commission members regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter at City Hall, located at 34009 Alvarado-Niles Road, Union City, California, during normal business hours.*

*Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested person must request the accommodation at least two working days in advance of the meeting by calling (510) 675-5319.*



## Agenda Item

### ATTACHMENTS:

Description	Type
 Staff Report	Staff Report
 Exhibit A: Plans	Exhibit
 Exhibit B: Statement of Use	Exhibit
 Desk Item	Attachment
 Presentation	Attachment



## Agenda Item

**DATE:** APRIL 4, 2024

**TO:** PLANNING COMMISSION

**FROM:** CARMELA CAMPBELL, ECONOMIC, AND COMMUNITY DEVELOPMENT DIRECTOR

**SUBJECT:** USE PERMIT (UP-24-001)

**APPLICANT:** TRI CITY PHYSICAL THERAPY

**LEGAL OWNER:** DR. PREETHA NAIR

**REQUEST:** Use Permit (UP-24-001) to operate a physical therapy clinic within an existing 2,717 square-foot space within Suite 150, Building B, of the Chess Commerce Center.

**LOCATION:** 29400 Kohoutek Way, Suite 150 (APN: 463-103-18)

**SIZE OF PARCEL:** 3.16 Acres

**GENERAL PLAN:** MS (Special Industrial)

**ZONING:** MS (Special Industrial)

**SURROUNDING LAND USES:**

Table 1 – Surrounding Land Uses			
Location	General Plan Designation	Zoning District	Land Use
North	Open Space	OS (Open Space)	Open Space/Alameda Creek
South	MS (Special Industrial)	MS (Special Industrial)	Office/Storage/Supply Store/Manufacturing
East	MS (Special Industrial)/Open Space	MS (Special Industrial) / OS (Open Space)	Rehab Facility/Offices/Baseball Facility
West	MS (Special Industrial)	MS (Special Industrial)	Machine Shop/Restaurants/Fitness Studios

## ENVIRONMENTAL ASSESSMENT:

Staff is recommending this project be considered categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301, *Existing Facilities*, of the CEQA Guidelines.

## LOCATION MAPS:

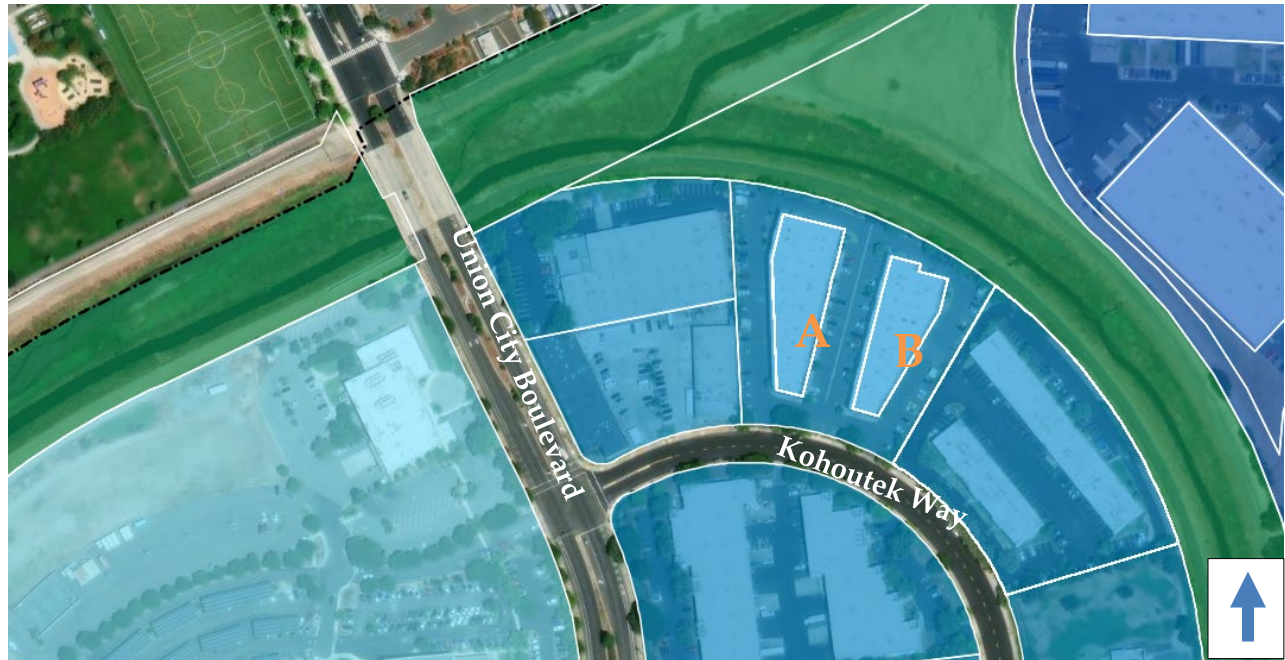


Figure 1 – Zoning Map of 29400 Kohoutek Way

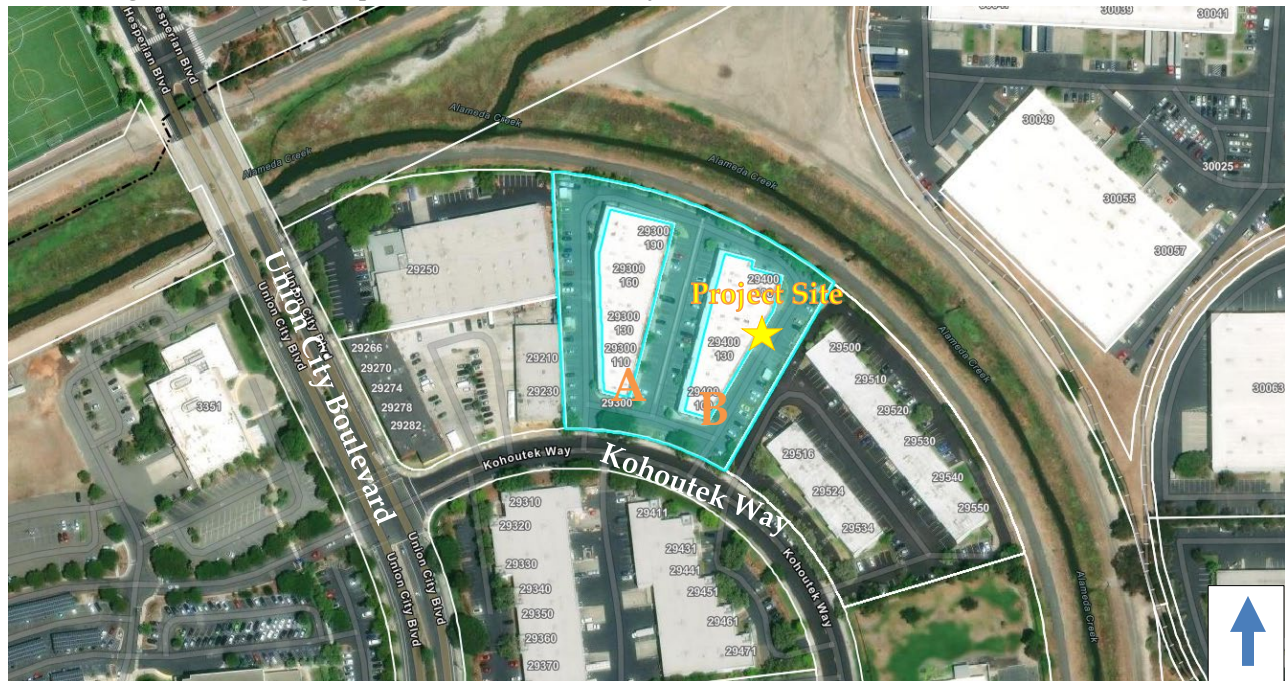


Figure 2 – Location Map of 29400 Kohoutek Way

## **I. BACKGROUND & PROPOSAL**

The project applicant, Dr. Preetha Nair, of Tri City Physical Therapy, is seeking approval of a Use Permit (UP-24-001), to operate a physical therapy clinic within an existing 2,717 square-foot space within Building B, Suite 150 of the Chess Commerce Center at 29400 Kohoutek Way. The project plans and Statement of Use are included as Exhibit A and Exhibit B, respectively.

The subject property was approved in 2003 (SD-14-03) and constructed in 2005 as a two-building commercial complex consisting of:

Building A – 17,756 square feet of space;

Building B - 20,150 square feet of space.

The site is currently occupied by a variety of businesses including a medical supply store, a mortgage firm, sign shop, car stereo store, engineering firm, and a realtor office.

The site has a zoning designation of MS, Special Industrial, as illustrated in Figure 1, above. Medical office uses are conditionally permitted in the MS district, subject to issuance of a Use Permit, per Section 18.40.330.E of the Union City Municipal Code (UCMC). The proposed physical therapy use is classified as a medical office use and therefore requires Use Permit approval by the Planning Commission.

## **II. PROJECT ANALYSIS**

### **A. Proposed Use**

As described in the attached statement of use in Exhibit B, the proposed use is a medical office facility offering physical therapy services. The applicant is proposing the following hours of operation:

Monday – Friday: 8:00 AM to 5:00 PM (excepting lunch from 12:00 PM – 1:00 PM)

There are no weekend hours proposed as part of this application.

The facility would be staffed by five (5) full-time employees and would be accessed by a maximum of six (6) customers on an hourly basis.

The applicant is proposing interior improvements to the 2,717 square foot space. The first floor would function as the physical therapy clinic and would involve the reconfiguration of the space to accommodate these uses, including the reception and waiting areas, therapy machine room, and physical exam room. Staff amenities on this floor would include a staff lounge and storage areas. The improvements to the second floor would



provide for a conference room, enclosed office, and open office area. Some of the existing interior walls would be removed and new walls added to configure the proposed uses.

No exterior changes to the building are proposed. Additionally, no signage is proposed as part of this application. Condition #5 requires all future signage to be in compliance with all applicable provisions of UCMC Chapter 18.30.

## **B. Parking**

As shown on Sheet A-1.0 of Exhibit A, the parking area surrounds each of the two buildings and the perimeter of the subject property. Based on the original approval of the Chess Commerce Center site (SD-14-03), the project site provided a total of 114 parking spaces with approximately 76 percent of the parking provided at one parking space per 300 square feet for office uses and 24 percent of the parking provided per 1,000 square feet for warehouse uses. There are 56 parking spaces directly surrounding Building B, including four (4) Americans with Disabilities Act (ADA) spaces, 27 assigned spaces, and 25 unassigned spaces.

Section 18.36.150 of the UCMC requires one parking space for every 200 gross square feet of medical office space. With 2,717 gross square feet, the proposed physical therapy clinic would require fourteen (14) parking spaces, when utilizing the calculation method per Sec. 18.28.070. The attached statement of use (Exhibit B) indicates that there would be a maximum of five (5) staff and six (6) patients per one hour window on site at any one time, exclusive of the 12:00 PM – 1:00 PM lunch hour.

Per the Conditions, Covenants and Restrictions (CC&Rs) for the Chess Commerce Center Owners Association, there are three (3) assigned parking spaces for Suite 150 in front of the primary entrance. Additionally, there are two (2) non-assigned ADA parking spaces adjacent to these assigned parking spaces in front of Suite 150 which are likely to be utilized by customers of the project based on the physical therapy uses proposed. Further, the CC&Rs allow for additional customer and delivery parking in the unassigned parking spaces around the site. Based on these conditions and staff observations of the center's parking situation during normal business hours when approximately two-thirds of the non-assigned parking spaces were empty, staff recommends that the site provides adequate parking for the proposed use without negatively impacting parking supply for the rest of the center.

### **C. Consistency with the General Plan**

The project is generally consistent with the subject property's General Plan designation of Special Industrial (MS), which allows for the lightest industrial operations, including limited manufacturing, assembly, distribution of manufactured products, R&D facilities, industrial supply, incidental warehousing, offices, and supportive sales, as well as limited commercial uses along major arterials. This designation includes a Floor Area Ratio ("FAR") maximum of 1.0.

The project is consistent with General Plan Policy HQL-5.2 *Expand Health and Social Services and Programs: The City shall support efforts by the private and the non-profit sector to expand health, mental health, and social services and programs in Union City, especially for vulnerable and underserved populations*, as the project would establish a physical therapy clinic that would service the local community.

The development at 29400 Kohoutek Way currently leases space to a number of small office, service, and professional business uses, which supports the surrounding industrial uses, consistent with the purpose of the Special Industrial (MS) designation. The proposed facility is in an appropriate location for a physical therapy clinic due to its compatibility with surrounding businesses and because it will not occupy a significant amount of valuable industrial space. Additionally, the use is consistent with the purpose of the MS designation because it is a limited commercial use that supports the surrounding industrial uses, by providing a medical service to employees nearby where they work.

### **D. Noticing & Communication**

Consistent with State law noticing requirements, public hearing notices were posted on site and were mailed to neighbors within 300 feet of the project site boundary on March 18, 2024. Staff has not received any public feedback regarding the project.

### **E. Conclusion**

The City's Development Review Committee (DRC) has reviewed the proposal and, as conditioned, found that the project meets the requirements discussed above and is consistent with the General Plan and all applicable provisions of Title 18 of the UCMC.

## **III. REQUIRED FINDINGS**

### ***California Environmental Quality Act (CEQA)***

1. The project is categorically exempt from CEQA under Section 15301, *Existing Facilities*, of the CEQA guidelines.



## **Use Permit**

1. That the proposed location of the conditional use is in accord with the purposes of this title and the purposes of the district in which the site is located;

*The proposed location of the use is in accordance with the purpose of Title 18, which seeks to promote and protect the public health, safety, morals, comfort, convenience, and the general welfare of the people, to protect the character and maintain the stability of business and industrial areas within the City, and to promote the orderly and beneficial development of such areas. The proposed location of the project is also in accordance with the purpose of the MS, Special Industrial Zoning District, which seeks to provide space for the lightest industrial operations and uses that support nearby industrial uses and that exhibit virtually no nuisance characteristics. The proposed use will be fully contained within an enclosed building with minimal impacts at the site and surrounding area and therefore will not exhibit any nuisance or unsightly characteristics. The proposed use supports surrounding industrial uses by providing a medical service to employees nearby where they work.*

2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity;

*The proposed use will not be detrimental to the public health, safety, or welfare since there will be minimal impacts associated with the use. The proposed use will be fully contained within an enclosed building and therefore will not have any unsightly characteristics. The project, as conditioned, will be constructed consistent with current Building and Fire Code requirements. The use is not anticipated to exhibit nuisance characteristics, nor does it restrict or conflict with the operations of other businesses in the vicinity.*

3. That the proposed conditional use is consistent with the general plan, any applicable specific plans, and will comply with each of the applicable provisions of Title 18.

*The proposed conditional use is consistent with the General Plan designation of Special Industrial (MS). Additionally, the project is consistent with General Plan Policy HQL-5.2 Expand Health and Social Services and Programs, which supports efforts by the private and the non-profit sector to expand health, mental health, and social services and programs in Union City, especially for vulnerable and underserved populations, as the project would establish a physical therapy clinic that would service the local community. The proposed facility is an appropriate location for a physical therapy clinic due to its compatibility with surrounding businesses and because it would not occupy a significant amount of valuable*

*industrial space. The project will comply with each of the applicable provisions of the MS, Special Industrial District. There are no specific plans applicable to the project site.*

#### **IV. ALTERNATIVES**

1. Approval of Use Permit (UP-24-001) as proposed;
2. Approval of Use Permit (UP-24-001) with modified conditions;
3. Denial of Use Permit (UP-24-001) with stated findings; or
4. Continue the matter for further consideration.

## **V. CONDITIONS OF APPROVAL**

### **PLANNING DIVISION**

#### *General*

1. All use and any actual site improvements shall be made with adherence to the plans and statement of use, listed in Exhibit A and Exhibit B, respectively, except as they may be modified by other conditions of approval listed below. Any variation or modification from the approved plans or statement of use are subject to review and approval of the Economic and Community Development Department.
2. This application shall expire one year from the date of Planning Commission approval unless the use has been established, is active, and all conditions of approval have been addressed.
3. The applicant and/or property owner shall adhere to all conditions of approval. Failure to adhere shall be cause for revocation of the Use Permit.
4. The applicant and/or business owner shall obtain a business license from the City and shall maintain said license as long as it operates at this address.
5. All signage, including temporary signs, shall comply with Chapter 18.30 of the Zoning Ordinance.
6. The applicant and/or property owner shall ensure that any graffiti appearing on the site be removed within forty-eight hours after discovery. If not removed in a timely manner, the City may, at its option, remove the graffiti and charge the owner for the services performed.
7. The applicant and/or property owner shall obtain all required building and fire permits for any interior improvements and building signage. Plans submitted to the Building Division and Fire Department must demonstrate compliance with all applicable local and state requirements.
8. The applicant and/or property owner shall be responsible for ensuring that all contractors and subcontractors have obtained a valid City of Union City business license for the duration of the project.

### **BUILDING DIVISION**

9. The applicant and/or property owner shall maintain all public and exterior private improvements in compliance with the Americans with Disabilities Act (ADA).

10. Any construction shall fully comply with the Building Standard Codes in effect at the time of building permit issuance.
11. The applicant and/or property owner shall provide detailed construction plans (working drawings) and calculations to the Building Division for plan review prior to issuance of a building permit for any interior improvements and building signage. Plans and supporting documents shall be prepared by a state-licensed architect or engineer. Upon completion of the plan check, all applicable fees shall be paid, and a building permit issued prior to commencement of any actual construction work on site.
12. The applicant and/or property owner shall comply with the Construction and Demolition Ordinance 576-01 to divert recyclable debris away from landfills. The applicant and/or property owner shall submit a completed Construction and Demolition Waste Management Plan with their application for a construction or demolition permit.

#### **FIRE DEPARTMENT**

13. The project shall comply with the California Building and Fire Codes and current local ordinances regarding life safety and exiting requirements by installing the required exit signs and emergency lights above all doors and ensuring that the fire sprinklers are meeting all code requirements.
14. The applicant and/or property owner shall provide a KNOX BOX Mode 3200 (Lock Box) with door hinge, mounted adjacent to the front door no higher than six (6) feet, prior to final inspection of building permit.
15. The applicant and/or property owner shall have the Fire Alarm system professionally monitored by a Central Monitoring Control Center.

#### **VI. RECOMMENDATION**

The DRC recommends that the Planning Commission approve Use Permit (UP-24-001), subject to conditions, making the following specific findings in support of this approval:

### ***California Environmental Quality Act (CEQA)***

- a. That the project is categorically exempt from CEQA under Section 15301, *Existing Facilities*, of the CEQA Guidelines; and

### ***Use Permit***

- b. That the proposed location of the use is in accordance with the purpose of Title 18, which seeks to promote and protect the public health, safety, morals, comfort, convenience, and the general welfare of the people, to protect the character and maintain the stability of business and industrial areas within the City, and to promote the orderly and beneficial development of such areas. The proposed location of the project is also in accordance with the purpose of the MS, Special Industrial Zoning District, which seeks to provide space for the lightest industrial operations and uses that support nearby industrial uses and that exhibit virtually no nuisance characteristics. The proposed use will be fully contained within an enclosed building with minimal impacts at the site and surrounding area and therefore will not exhibit any nuisance or unsightly characteristics. The proposed use supports surrounding industrial uses by providing a medical service to employees nearby where they work; and
- c. That the proposed use will not be detrimental to the public health, safety, or welfare since there will be minimal impacts associated with the use. The proposed use will be fully contained within an enclosed building and therefore will not have any unsightly characteristics. The project, as conditioned, will be constructed consistent with current Building and Fire Code requirements. The use is not anticipated to exhibit nuisance characteristics, nor does it restrict or conflict with the operations of other businesses in the vicinity; and
- d. That the proposed conditional use is consistent with the General Plan designation of Special Industrial (MS). The proposed facility is an appropriate location for a physical therapy clinic due to its compatibility with surrounding businesses and because it would not occupy a significant amount of valuable industrial space. Additionally, the project is consistent with General Plan Policy HQL-5.2 *Expand Health and Social Services and Programs*, which supports efforts by the private and the non-profit sector to expand health, mental health, and social services and programs in Union City, especially for vulnerable and underserved populations, as the project would establish a physical therapy clinic that would service the local community. The project will comply with each of the applicable provisions of the MS, Special Industrial District. There are no specific plans applicable to the project site.

It is further recommended that the Planning Commission adopt a Resolution confirming this action.

**Prepared by**

Samuel Fluhmann, Contract Assistant Planner

**Attachments**

Exhibit A: Project Plans

Exhibit B: Statement of Use



# EXHIBIT A

IDA


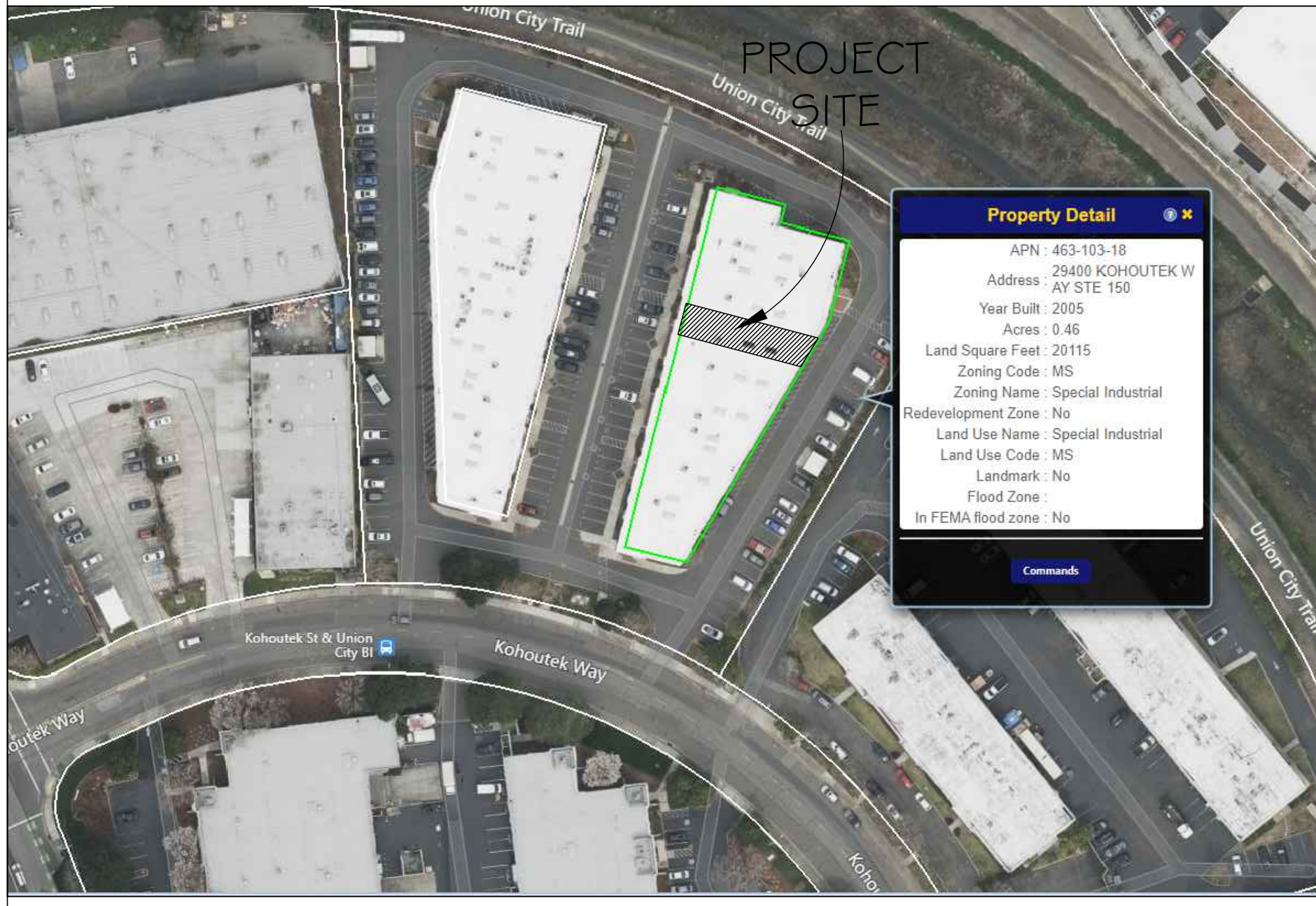
OWNER:  
DR. PREETHA NAIR  
TRI-CITY PHYSICAL THERAPY  
2805 WHIPPLE RD.  
UNION CITY, CA 94587  
(510)-825-2505  
PREETHA@TRICITYPT.COM

REVISIONS:

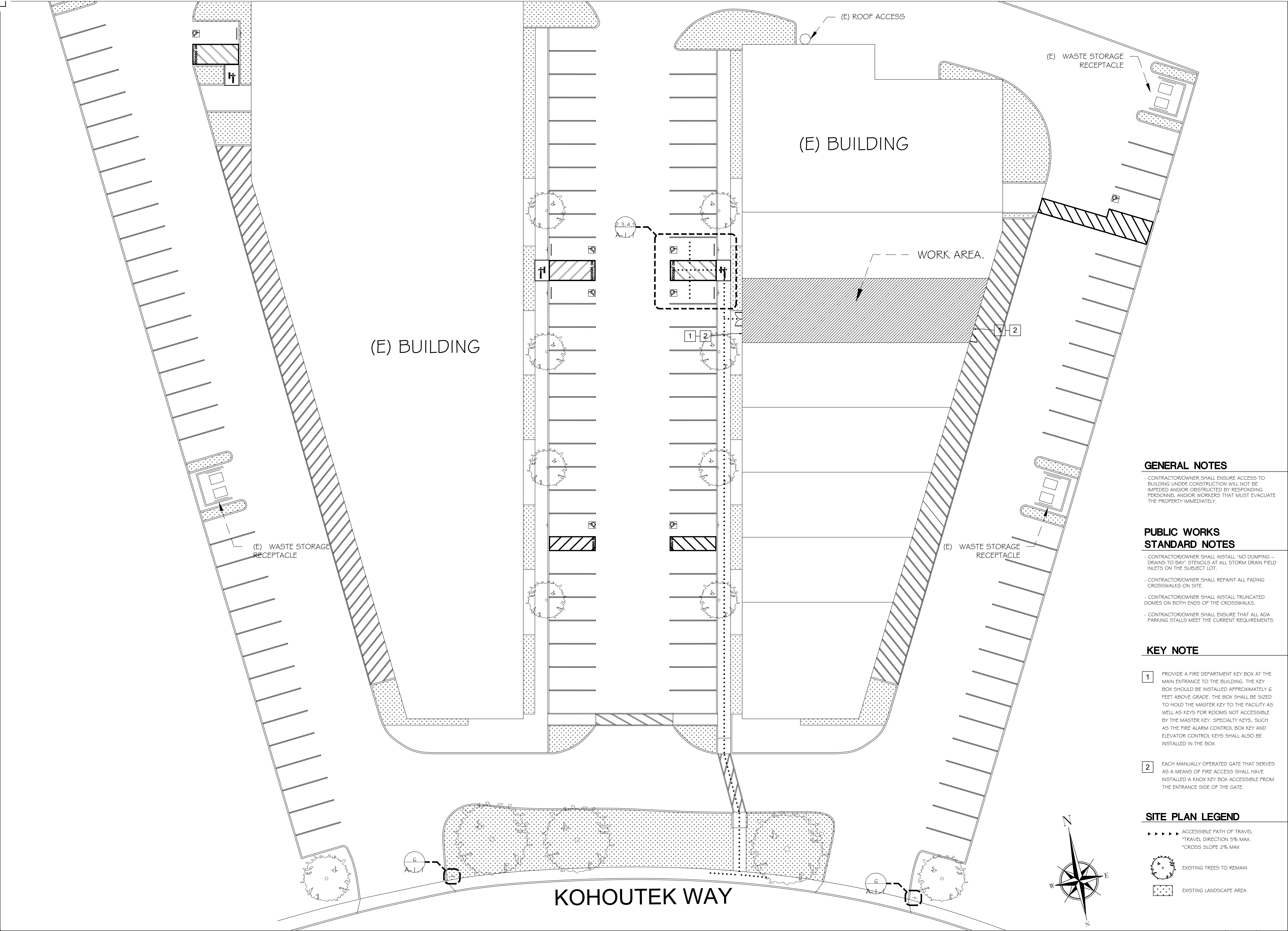
DATE 2-1-24 PROJECT NO. 23-1930

SCALE AS SHOWN DRAWN BY JOHN HA JACKY KUANG

OF SHEETS

ABBREVIATION		GENERAL NOTES		DRAWING INDEX		PROJECT TEAM		VICINITY MAP																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
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CONTRACTOR OR SUBCONTRACTOR WILL NOT BE GIVEN EXTRA PAYMENT FOR WORK RELATED TO CONDITIONS THEY CAN DETERMINE BY EXAMINING THE SITE AND PLANS AND OTHER CONTRACT DOCUMENTS. 4. CONTRACTOR OR SUBCONTRACTOR WILL NOT BE GIVEN EXTRA PAYMENT FOR WORK RELATED TO AMBIGUITIES, INCONSISTENCIES OR ERRORS WITHIN CONTRACT DOCUMENTS, OR BETWEEN CONTRACT DOCUMENTS AND EXISTING CONDITIONS, WHEN SUCH AMBIGUITIES, INCONSISTENCIES, OR ERROR ARE KNOWN TO CONTRACTOR OR SUBCONTRACTOR BEFORE CONTRACT EXECUTION UNLESS CONTRACTOR OR SUBCONTRACTOR HAS NOTIFIED THE OWNER IN WRITING OF SUCH CONDITION BEFORE EXECUTION OF AGREEMENT BETWEEN OWNER AND CONTRACTOR. 5. CONTRACTOR SHALL ACCEPT THE SITE AND THE EXISTING SURROUNDING IN THE CONDITIONS IN WHICH THEY EXIST AT THE TIME CONTRACTOR IS GIVEN ACCESS TO BEGIN THE WORK. 6. DAMAGE CAUSED BY CONTRACTOR TO EXISTING STRUCTURES, AND WORK BY OTHERS SHALL BE REPAIRED BY CONTRACTOR AND LEFT IN AS GOOD CONDITIONS AS EXISTING BEFORE THE DAMAGING, UNLESS SUCH EXISTING WORK IS SHOWN TO BE REMOVED OR REPLACED BY NEW WORK. 7. COMPLETE DOCUMENTATION OF EXISTING CONSTRUCTION IS NOT AVAILABLE. DIMENSIONS, LAYOUT, EXISTING MATERIALS, AND CONCEALED CONDITIONS HAVE NOT NECESSARILY BEEN VERIFIED AND AREA NOT REPRESENTED TO BE ACCURATE BEYOND THE LEVEL NECESSARY TO DEFINE THE APPROXIMATE SCOPE OF SURFACE RENOVATION AND SYSTEM REPLACEMENT. 8. IMMEDIATELY UPON ENTERING THE SITE FOR PURPOSES OF BEGINNING WORK, LOCATE GENERAL REFERENCE POINTS AND LAY OUT WORK AND BE RESPONSIBLE FOR LINES, ELEVATION AND MEASUREMENTS, AND WORK EXECUTED UNDER THIS CONTRACT. EXERCISE PROPER PRECAUTIONS TO VERIFY FIGURES SHOWN ON PLANS BEFORE LAYING OUT WORK. 9. CONTRACTOR AND EACH SUBCONTRACTOR, BEFORE STARTING WORK, SHALL VERIFY GOVERNING DIMENSION AT THE SITE INCLUDING ELEVATIONS AND SHALL EXAMINE ADJOINING WORK ON WHICH CONTRACTOR'S OR SUBCONTRACTOR'S WORK ARE IN ANY WAY DEPENDENT. NO EXTRA OR ADDITIONAL COMPENSATION WILL BE ALLOWED ON ACCOUNT OF DIFFERENCES BETWEEN ACTUAL MEASUREMENTS AND DIMENSIONS SHOWN. SUBMIT DIFFERENCES DISCOVERED DURING THE WORK TO THE OWNER FOR INTERPRETATION BEFORE PROCEEDING WITH ASSOCIATED WORK. 10. NO GUARANTEE OF QUALITY OF CONSTRUCTION IS IMPLIED OR INTENDED BY THE ARCHITECTURAL DOCUMENTS, AND THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY OR ALL CONSTRUCTION DEFICIENCIES. 11. THE GENERAL CONTRACTOR SHALL HOLD HARMLESS, INDEMNIFY AND DEFEND THE ARCHITECTS AND HIS CONSULTANTS FROM ANY ACTION INITIATED BY THE INITIAL OWNER OR ANY SUBSEQUENT OWNERS FOR CONSTRUCTION DEFICIENCIES, MODIFICATIONS OR SUCH CONDITIONS WHICH MAY BE BEYOND THE CONTROL OF THE ARCHITECTS. 12. ALL WORK SHALL COMPLY WITH APPLICABLE CODES AND TRADE STANDARDS WHICH GOVERN EACH PHASE OF WORK, INCLUDING BUT NOT LIMITED TO: CALIFORNIA BUILDING CODE (CBC), CALIFORNIA MECHANICAL CODE (CMC), CALIFORNIA ELECTRICAL CODE (CEC), CALIFORNIA PLUMBING CODE (CPC), AND ALL APPLICABLE LOCAL CODES AND LEGISLATION. 13. ALL PUBLIC IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE LATEST ADOPTED CITY STANDARDS. THE STORING OF GOODS AND MATERIALS ON SIDEWALK AND/OR STREET WILL NOT BE ALLOWED UNLESS THE CONTRACTOR HAS APPLIED AND SECURED A SPECIAL PERMIT WHICH ALLOW SUCH STORAGE TO BE PLACED.	ARCHITECTURAL: A-0.0 TITLE SHEET A-1.0 EXISTING SITE PLAN A-1.1 PARKING DETAILS A-2.0 FIRST FLOOR-EXISTING PLAN, PROPOSED PLAN, REFLECTED CEILING PLAN A-2.1 SECOND FLOOR-EXISTING PLAN, PROPOSED PLAN, REFLECTED CEILING PLAN	CLIENT: Dr. Preetha Nair 2805 Whipple Rd. Union City, CA 94587 TEL: (510) 825-2505 Email: preetha@tncitypt.com  ARCHITECT: IDA, inc. John Ha, AIA 510 Lawrence Expressway, #201 Sunnyvale, CA 94085 TEL: (408) 245-0991 FAX: (408) 245-0711 Email: Contact@IDA88.com JohnHaHa99@gmail.com  DESIGNER: IDA, inc. Jacky Kuang 510 Lawrence Expressway, #201 Sunnyvale, CA 94085 TEL: (415) 218-7207 FAX: (415) 218-7207 Email: hkuang@da88.com																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
				<div>TABULATION</div> <div>ASSESSOR'S PARCEL NUMBER: 463-103-18</div> <div>ZONING: MS</div> <div>YEAR BUILT: 2005</div> <div>SITE AREA: EXISTING</div> <div>IMPROVEMENT AREA: ≈2,717 sq ft</div> <div>CONSTRUCTION TYPE: V-B</div> <div>BUILDING USE GROUP: B-BUSINESS</div> <div>FIRE SPRINKLER SYSTEM: EXISTING</div> <div>PREVIOUS USE: B (RETAIL)</div> <div>PROPOSED USE: B (PHYSICAL THERAPY CLINIC)</div> <div> </div> <div>PARKING: NO CHANGE</div> <div> </div> <div>BUILDING SETBACK: EXISTING</div> <div>FLOOD ZONE: NO</div> <div>HISTORIC: NO</div> <div> </div> <div>FIRE SPRINKLER SYSTEM: EXISTING</div> <div>NUMBER OF STORIES: 2</div>		<div>PROJECT DESCRIPTION</div> <div>THIS PROJECT IS TO PROPOSE PHYSICAL THERAPY CLINIC AT RETAIL STORE. THE OBJECTIVE IS TO DESIGN A PHYSICAL THERAPY CLINIC WITH RECEPTION AREA, WAITING AREA, THERAPY MACHINE ROOM, PHYSICAL EXAM ROOM, EQUIPMENT STORAGE ROOM AND OFFICE.</div> <div>REMOVE EXISTING NON-BEARING WALLS TO FIT THE NEW LAYOUT. CREATING NEW STORAGE ROOM AND OFFICE IN THE EXISTING OPEN SPACE. ADD ADDITIONAL T-BAR CEILING. UPDATE ALL EXISTING LIGHTINGS. ADD ADDITIONAL HVAC. ADD ONE HAND SINK AND ONE WASHER. ALL THE EXISTING ROOF WILL REMAIN.</div>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
				<div>CODE COMPLIANCE</div> <div>CA. BUILDING CODE: 2022</div> <div>CA. FIRE CODE: 2022</div> <div>CA. ELECTRICAL CODE: 2022</div> <div>CA. MECHANICAL CODE: 2022</div> <div>CA. PLUMBING CODE: 2022</div> <div>CA. ENERGY CODE: 2022</div> <div>CA. GREEN BUILDING CODE: 2022</div> <div>UNION CITY MUNICIPAL CODE: 2023</div>		<div>PARCEL MAP</div> 																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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REFERENCE SITE PLAN

1/16" = 1'-0"

1

GENERAL NOTES

- CONTRACTOR/OWNER SHALL ENSURE ACCESS TO BUILDING UNDER CONSTRUCTION WILL NOT BE IMPEDED AND/OR OBSTRUCTED BY RESPONDING PERSONNEL AND/OR WORKERS THAT MUST EVACUATE THE PROPERTY IMMEDIATELY.

PUBLIC WORKS STANDARD NOTES

- CONTRACTOR/OWNER SHALL INSTALL "NO DUMPING - DRAINS TO BAY" STENCILS AT ALL STORM DRAIN FIELD INLETS ON THE SUBJECT LOT.  
- CONTRACTOR/OWNER SHALL REPAINT ALL FADING CROSSWALKS ON SITE.  
- CONTRACTOR/OWNER SHALL INSTALL TRUNCATED DOMES ON BOTH ENDS OF THE CROSSWALKS.  
- CONTRACTOR/OWNER SHALL ENSURE THAT ALL ADA PARKING STALLS MEET THE CURRENT REQUIREMENTS.

KEY NOTE

- 1 PROVIDE A FIRE DEPARTMENT KEY BOX AT THE MAIN ENTRANCE TO THE BUILDING. THE KEY BOX SHOULD BE INSTALLED APPROXIMATELY 6 FEET ABOVE GRADE. THE BOX SHALL BE SIZED TO HOLD THE MASTER KEY TO THE FACILITY AS WELL AS KEYS FOR ROOMS NOT ACCESSIBLE BY THE MASTER KEY. SPECIALTY KEYS, SUCH AS THE FIRE ALARM CONTROL BOX KEY AND ELEVATOR CONTROL KEYS SHALL ALSO BE INSTALLED IN THE BOX.
- 2 EACH MANUALLY OPERATED GATE THAT SERVES AS A MEANS OF FIRE ACCESS SHALL HAVE INSTALLED A KNOX KEY BOX ACCESSIBLE FROM THE ENTRANCE SIDE OF THE GATE.

SITE PLAN LEGEND

- ▶ ▶ ▶ ▶ ACCESSIBLE PATH OF TRAVEL  
\*TRAVEL DIRECTION 5% MAX.  
\*CROSS SLOPE 2% MAX
- ⊙ EXISTING TREES TO REMAIN
- ⬢ EXISTING LANDSCAPE AREA

Innovative Design Architecture, Inc.

**IDA**

REGISTERED ARCHITECT  
C-26137  
RENEWAL: 9-30-25  
STATE OF CALIFORNIA

**JOHN HA, AIA**  
510 LAWRENCE EXPWY.  
SUITE # 201  
SUNNYVALE, CA 94085  
TEL: (408) 245-0991  
TEL: (408) 245-0711

OWNER:  
DR. PREETHA NAIR  
TRI-CITY PHYSICAL THERAPY  
2805 WHIPPLE RD.  
UNION CITY, CA 94587  
(510)-825-2505  
PREETHA@TRICITYPT.COM

TRI CITY PHYSICAL THERAPY  
TENANT IMPROVEMENT  
29400 KOHOUTEK WAY #150  
UNION CITY, CA 94587

REVISIONS:

SHEET TITLE:  
EXISTING SITE PLAN

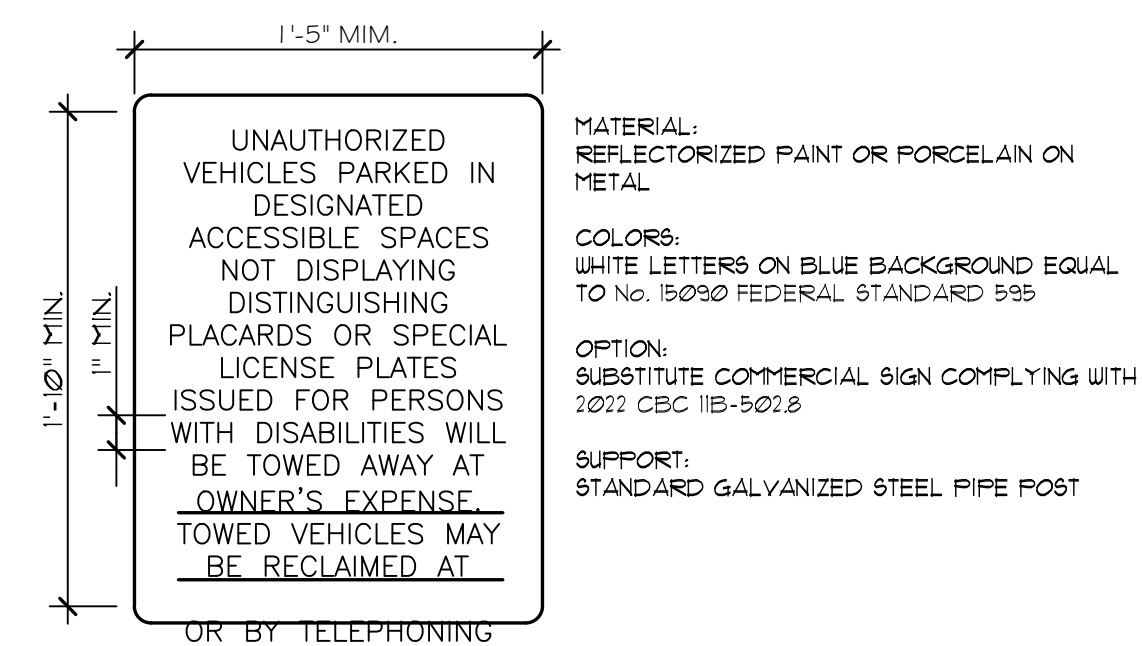
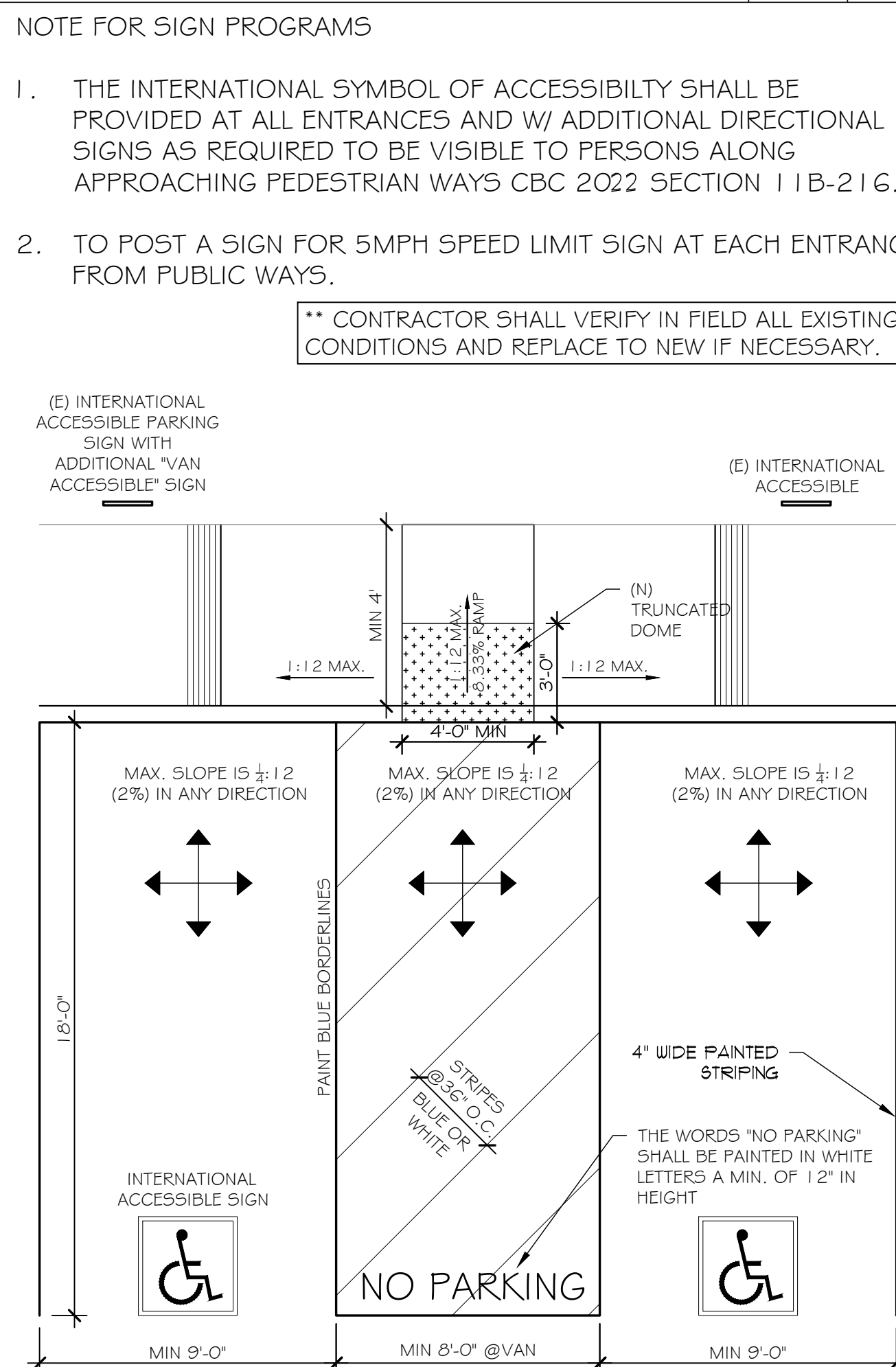
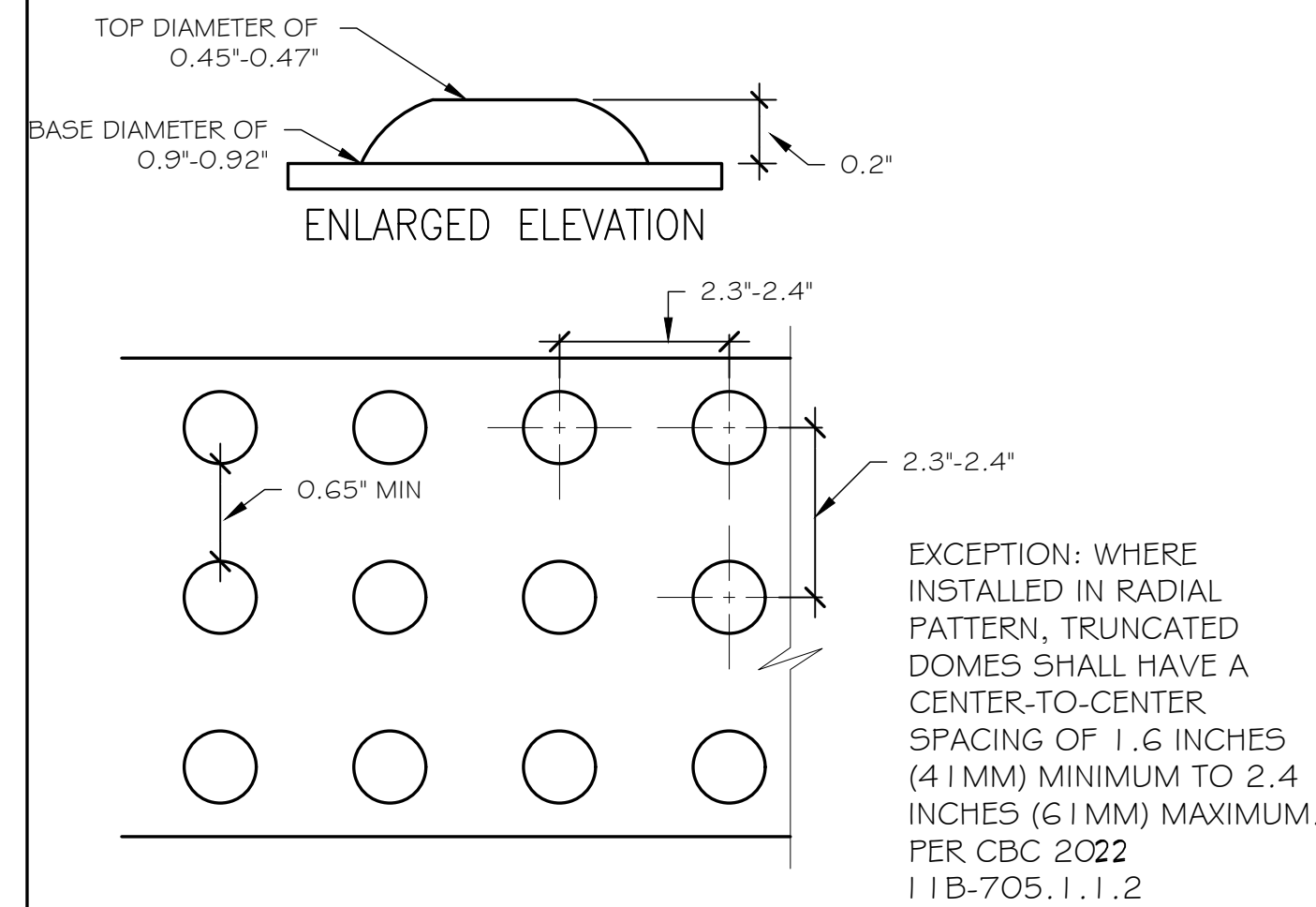
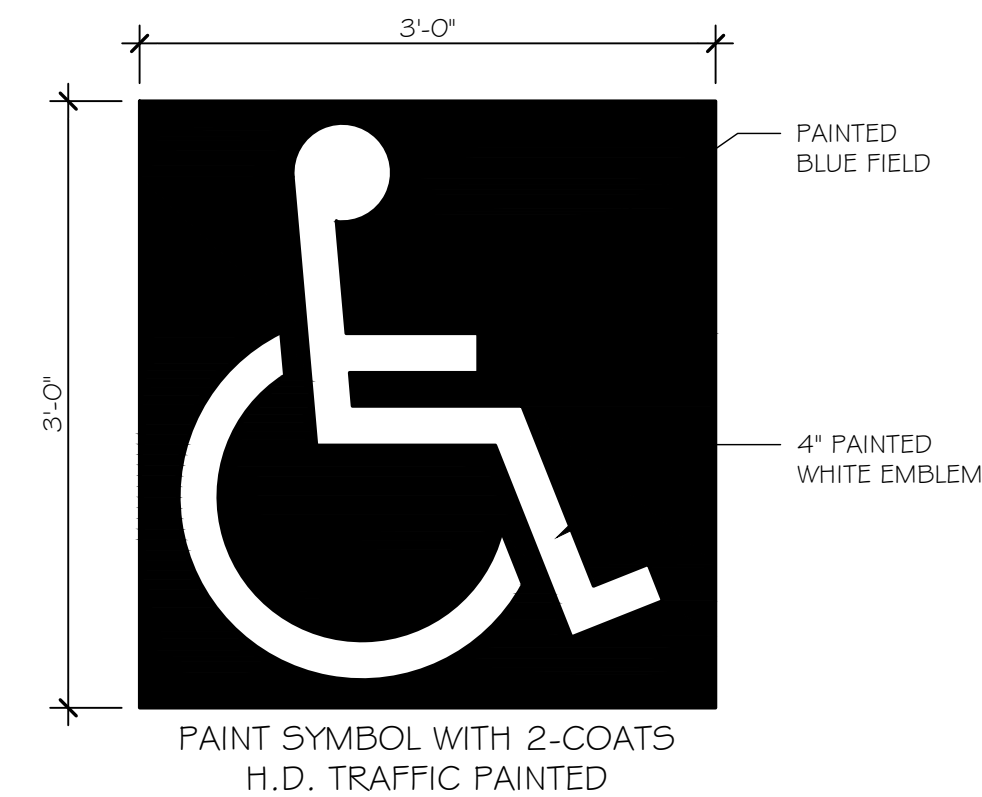
DATE: 2-1-24 PROJECT NO.: 23-1990  
SCALE: AS SHOWN DRAWN: JOHN HA, JACKY KUANG

SHEET

OF SHEETS

A-1.0





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29400 KOHOUTEK WAY #150  
UNION CITY, CA 94587**

REVISIONS:

SHEET TITLE:  
PARKING DETAILS

DATE	PROJECT NO.
2-1-24	23-1930

SCALE DRAWN  
AS SHOWN JOHN HA

SHEET

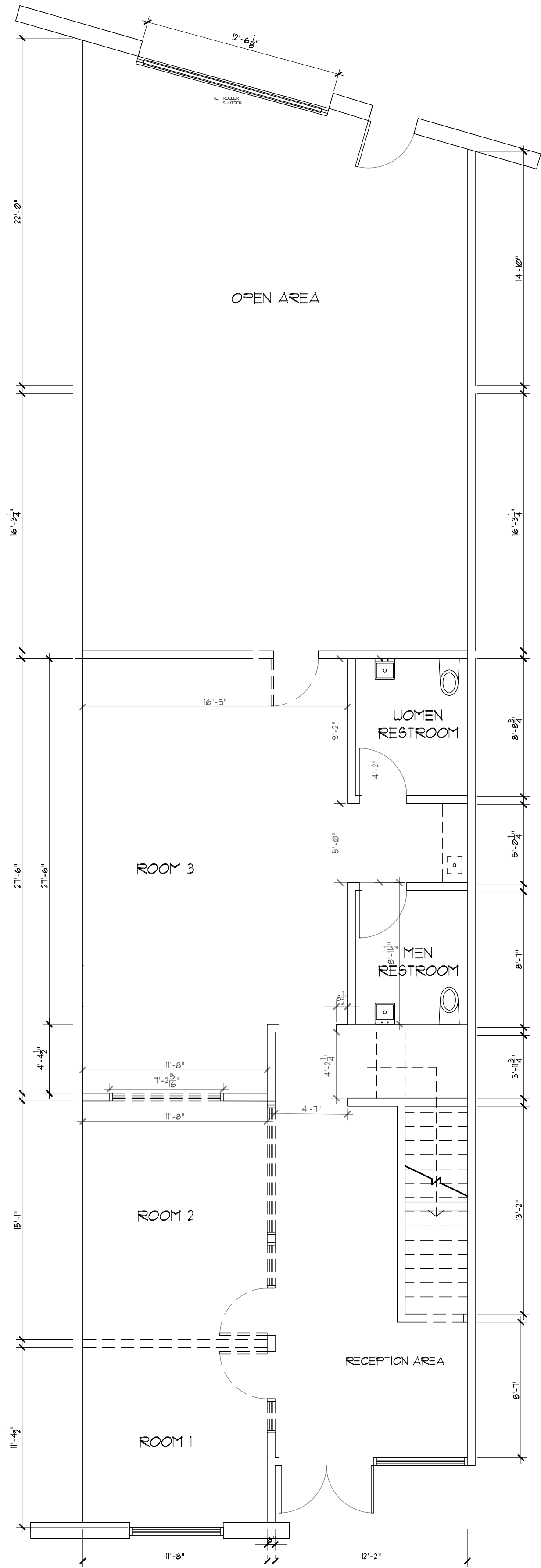
## A-1.1

OF SHEETS

LEGEND

	EXISTING WALL TO REMAIN, REPAIR AND REPAINT AS REQUIRED		EXISTING ROLLER SHUTTER
	DEMO EXISTING WALL		DEMO EXISTING DOOR
	EXISTING WINDOW		
	DEMO WINDOW		

NOTE  
TENANT GENERAL CONTRACTOR IS REQUIRED TO PROVIDE MEASURES DURING DEMOLITION AND OTHER DUST CREATED WORK TO ENSURE DUST CONTAMINATED AIR DOES NOT GO INTO ADJACENT TENANTS PREMISES



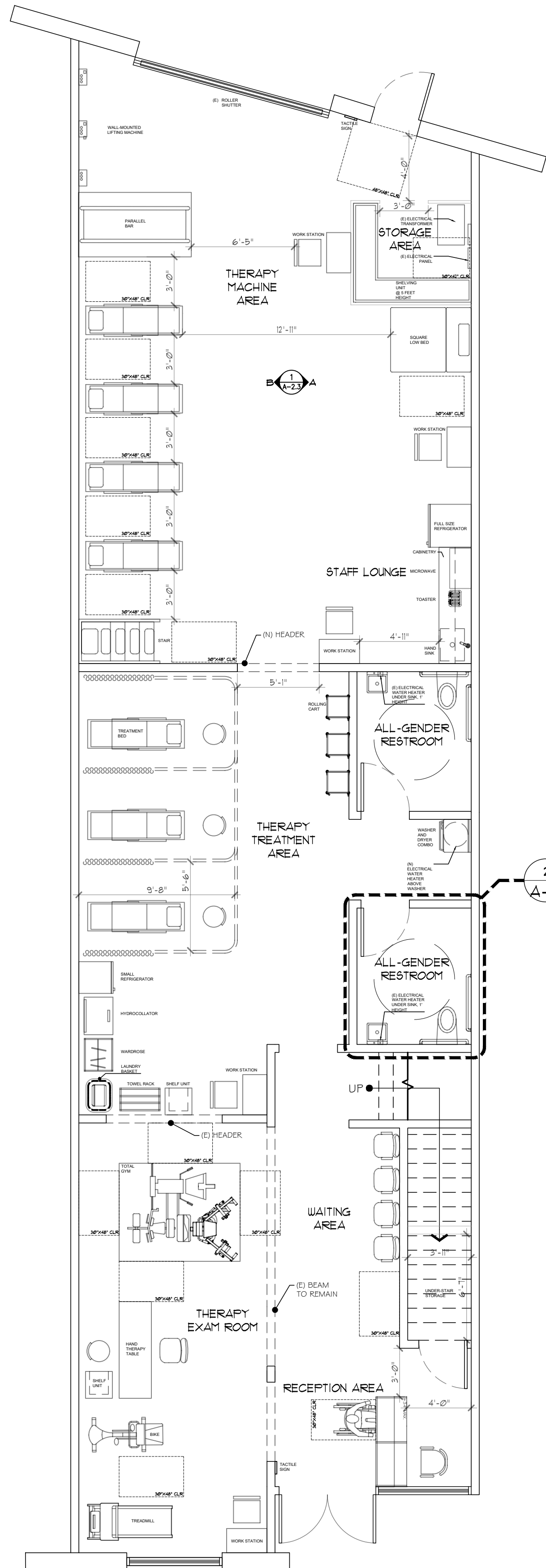
EXISTING FIRST FLOOR PLAN

3/16" = 1'-0"

1

FLOOR LEGEND

	(E) WINDOW		(N) WINDOW
	(N) 2IN THICK MOVEABLE PARTITION		



PROPOSED FIRST FLOOR PLAN

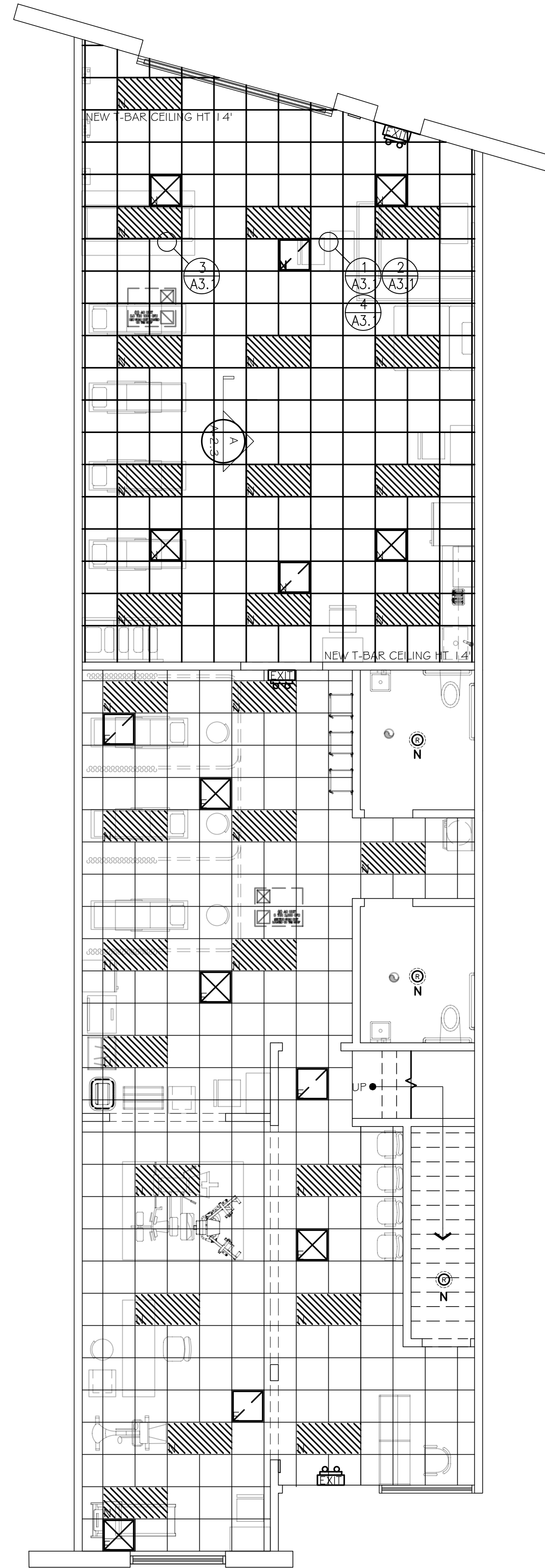
3/16" = 1'-0"

2

CEILING LEGEND

	(E) WASHABLE 2'X4' T-BAR CEILING ARMSTRONG-CLEANROOM V.L. UNPERFORATED		(E) EMERGENCY LIGHT		(N) WASHABLE 2'X4' T-BAR CEILING ARMSTRONG-CLEANROOM V.L. UNPERFORATED
	(E) 2' X 2' T-BAR CEILING		(E) EXIT LIGHT		(N) 2' X 2' T-BAR CEILING
			(E) SUPPLY AIR REGISTER		(N) 2'X2' FLUORESCENT LT-375 TYP 2 LT (L-U)
			(E) RETURN AIR REGISTER		
					(N) SUPPLY AIR REGISTER
					(N) RETURN AIR REGISTER

NOTE  
CHANGE ALL THE EXISTING LIGHTING TO NEW LIGHTING.



REFLECTED CEILING PLAN

3/16" = 1'-0"

3

TRI CITY PHYSICAL THERAPY  
TENANT IMPROVEMENT  
29400 KOHOUTEK WAY #150  
UNION CITY, CA 94587

REVISIONS:

SHEET TITLE:  
FIRST FLOOR-  
EXISTING PLAN  
PROPOSED PLAN  
REFLECTED CEILING PLAN

DATE  
2-1-24  
PROJECT NO.  
23-1930  
SCALE  
AS SHOWN  
DRAWN  
JOHN HA  
JACKY KUANG

SHEET

OF SHEETS

A-2.0

Innovative Design Architecture, Inc.



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OWNER:

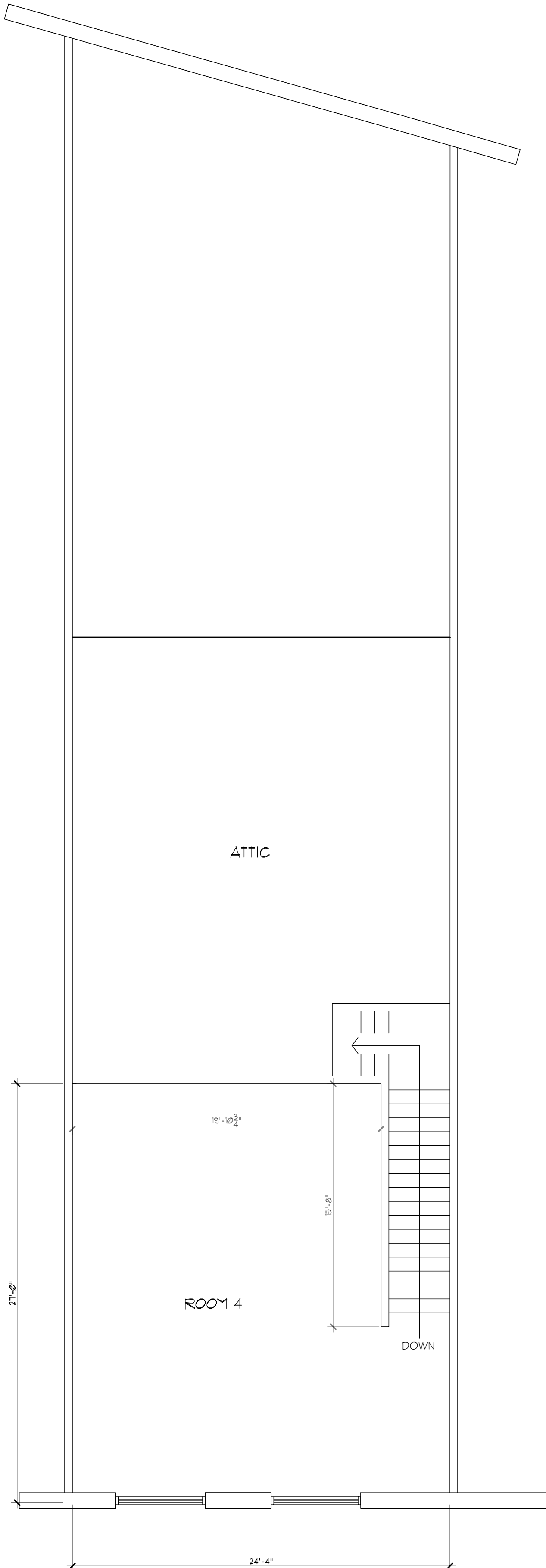
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PREETHA@TRICITYPT.COM



LEGEND

- EXISTING WALLS TO REMAIN, REPAIR AND REPAINT AS REQUIRED
- DEMO EXISTING WALL
- (E) WINDOW

NOTE  
TENANT GENERAL CONTRACTOR IS REQUIRED TO PROVIDE MEASURES DURING DEMOLITION AND OTHER DUST CREATED WORK TO ENSURE DUST CONTAMINATED AIR DOES NOT GO INTO ADJACENT TENANTS PREMISES



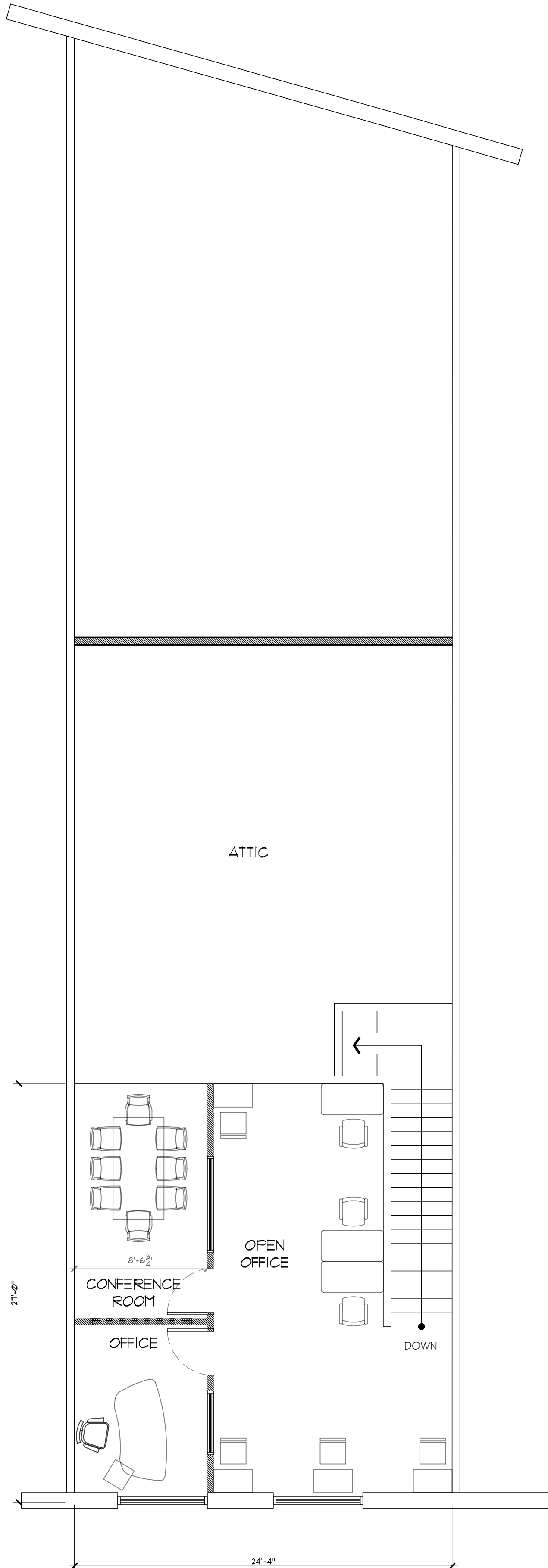
EXISTING SECOND FLOOR PLAN

3/16" ±1'-0"

1

FLOOR LEGEND

- (E) WINDOW
- (N) WINDOW
- (N) 3-5/8"X25 GA. METAL STUDS @ 24" O.C. W/5/8" GYP. BD. BOTH SIDES. USE 2@ GA. METAL STUD FOR WALLS EXCEED 14'-0" IN HEIGHT



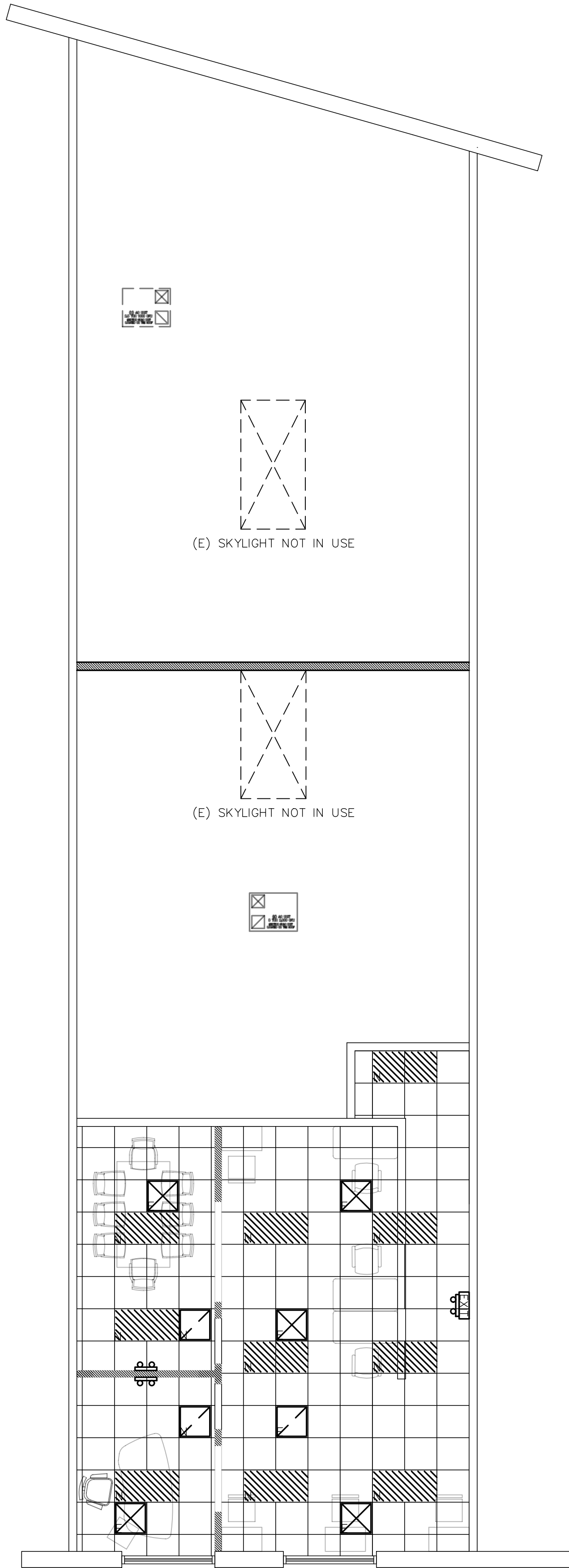
PROPOSED SECOND FLOOR PLAN

3/16" ±1'-0"

2

CEILING LEGEND

- (E) WASHABLE 2X4 T-BAR CEILING ARMSTRONG-CLEANROOM VL UNPERFORATED
- (E) 2 X 2 T-BAR CEILING
- (E) 2X FLUORESCENT LT-STU TYP. 2 LT (L-U)
- (E) SKYLIGHT
- (E) EMERGENCY LIGHT
- (E) EXIT LIGHT
- (E) SUPPLY AIR REGISTER
- (E) RETURN AIR REGISTER
- (N) SUPPLY AIR REGISTER
- (N) RETURN AIR REGISTER



REFLECTED CEILING PLAN

3/16" ±1'-0"

3

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UNION CITY, CA 94587

REVISIONS:

SHEET TITLE:  
SECOND FLOOR-  
EXISTING PLAN  
PROPOSED PLAN  
REFLECTED CEILING PLAN

DATE: 2-1-24 PROJECT NO.: 23-1930  
SCALE: AS SHOWN DRAWN: JOHN HA, JACKY KUANG

SHEET

A-2.1

OF SHEETS

**STATEMENT OF USE**

**PERMIT NUMBER: UP-24-001**

1. Business description and activities: Physical Therapy Clinic
2. Days and hours of operations:  
Mon-Fri 8am to 5pm  
Working hours- 8:00am to 5:00pm  
Lunch hour- 12:00 noon to 1:00pm
3. Shift description: 1 shift 8am to 5pm
4. Number of employees, employment status (full time, part-time, etc.), their roles: 5 full time.
5. Number of customers anticipated (average and maximum for weekday and weekends):  
Staff- 5 at the most including part-time to be parking in the back parking lots.  
Customers- No more than 6 in a 1 hour window between 8:00am and 12:00pm and 1:00pm and 5:00pm  
Please feel free to drive by the location at any time, there is ample parking space at any given time.



## Desk Item

**DATE:** APRIL 4, 2024  
**TO:** PLANNING COMMISSION  
**FROM:** CARMELA CAMPBELL, ECONOMIC AND COMMUNITY  
DEVELOPMENT DIRECTOR  
**SUBJECT:** USE PERMIT (UP-24-001) TO OPERATE A PHYSICAL THERAPY  
CLINIC WITHIN AN EXISTING 2,717 SQUARE-FOOT SPACE  
WITHIN SUITE 150, BUILDING B, OF THE CHESS COMMERCE  
CENTER

Staff received questions/comments from Commissioner Lew regarding the above-referenced project. The following are the questions/comments received and staff's responses (*shown in italicized font*).

1. Staff report, page 3, Section I, last paragraph, the second sentence refers to Section 18.40.330.E of the Union City Municipal Code. This section was updated pursuant to Ordinance Number 918-23 dated October 24, 2023. The reference cited in the staff report should be Section 18.40.020, Table 18.40.020, under the section titled "Office/Laboratory/Research and Development." Please acknowledge receipt of updated information.

*The updated code reference is acknowledged. The sentence is revised to read as follows: "Medical office uses are conditionally permitted in the MS district, subject to issuance of a Use Permit, per Section 18.40.020, Table 18.40.020, of the Union City Municipal Code (UCMC)."*

2. Staff report, page 3, Section I, last paragraph, the third sentence contains no citation. To assist readers in their research of sources, I recommend that future staff reports contain the citation attributable to the Planning Commission's authority to approve an application for a use permit, which is Section 18.56.070. Please acknowledge receipt of this recommendation.

*Recommendation for inclusion of ordinance citation in future staff reports is acknowledged.*

3. Staff report, page 5, Section C, 3<sup>rd</sup> paragraph, 4<sup>th</sup> line, "do" should be "due." Please acknowledge this correction.

*Correction is noted. The sentence is revised to read as follows: "The proposed facility is in an appropriate location for a physical therapy clinic ~~do~~ due to its compatibility with surrounding businesses and because it will not occupy a significant amount of valuable industrial space."*

4. Staff report, page 6, the citation for use permit findings has been provided in past staff reports, but is lacking in this report. I recommend the City continue to provide a reference to Section 18.56.060 in future staff reports for use permits when it is appropriate to list the required findings. Please acknowledge receipt of this recommendation.

*Acknowledgement of code reference is noted and will be included in future staff reports.*

5. Exhibit A, Sheet A-2.0, the Proposed First Floor Plan shows an "All Gender Restroom" highlighted by a broken line which seems to refer to Sheet A-3.1. However, the legend does not explain the broken line and Sheet A-0.0 does not show a Sheet A-3.1 in the Drawing Index. Please explain all proposed changes to this "All Gender Restroom."

*Sheet A-3.1 refers to construction-level accessibility details to the all-gender restroom in compliance with the accessibility requirements and provisions per the latest updates to the California Building Code. **Please see attached Sheet A-3.1, which has been added for reference to Exhibit A.***

6. Exhibit B, Item #2 indicates the days of operation are Monday through Friday. However, Item #5 refers to number of customers anticipated on weekdays and weekends. There appears to be a conflict between Items #2 and #5. Please clarify whether the business will be operating on weekends and provide a corrected Exhibit B showing the days of operation.

*Exhibit B has been revised confirming that no weekend hours of operation are proposed for the physical therapy facility. **Please see attached, revised Exhibit B, Statement of Use.***





**STATEMENT OF USE**

**PERMIT NUMBER: UP-24-001**

1. Business description and activities: Physical Therapy Clinic
2. Days and hours of operations:  
Mon-Fri 8am to 5pm  
Working hours- 8:00am to 5:00pm  
Lunch hour- 12:00 noon to 1:00pm
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5. Number of customers anticipated (average and maximum for weekday ~~and weekends~~):  
Staff- 5 at the most including part-time to be parking in the back parking lots.  
Customers- No more than 6 in a 1 hour window between 8:00am and 12:00pm and 1:00pm and 5:00pm  
Please feel free to drive by the location at any time, there is ample parking space at any given time.



# Planning Commission Meeting

## April 4, 2024



29400 Kohoutek Way, Suite 150

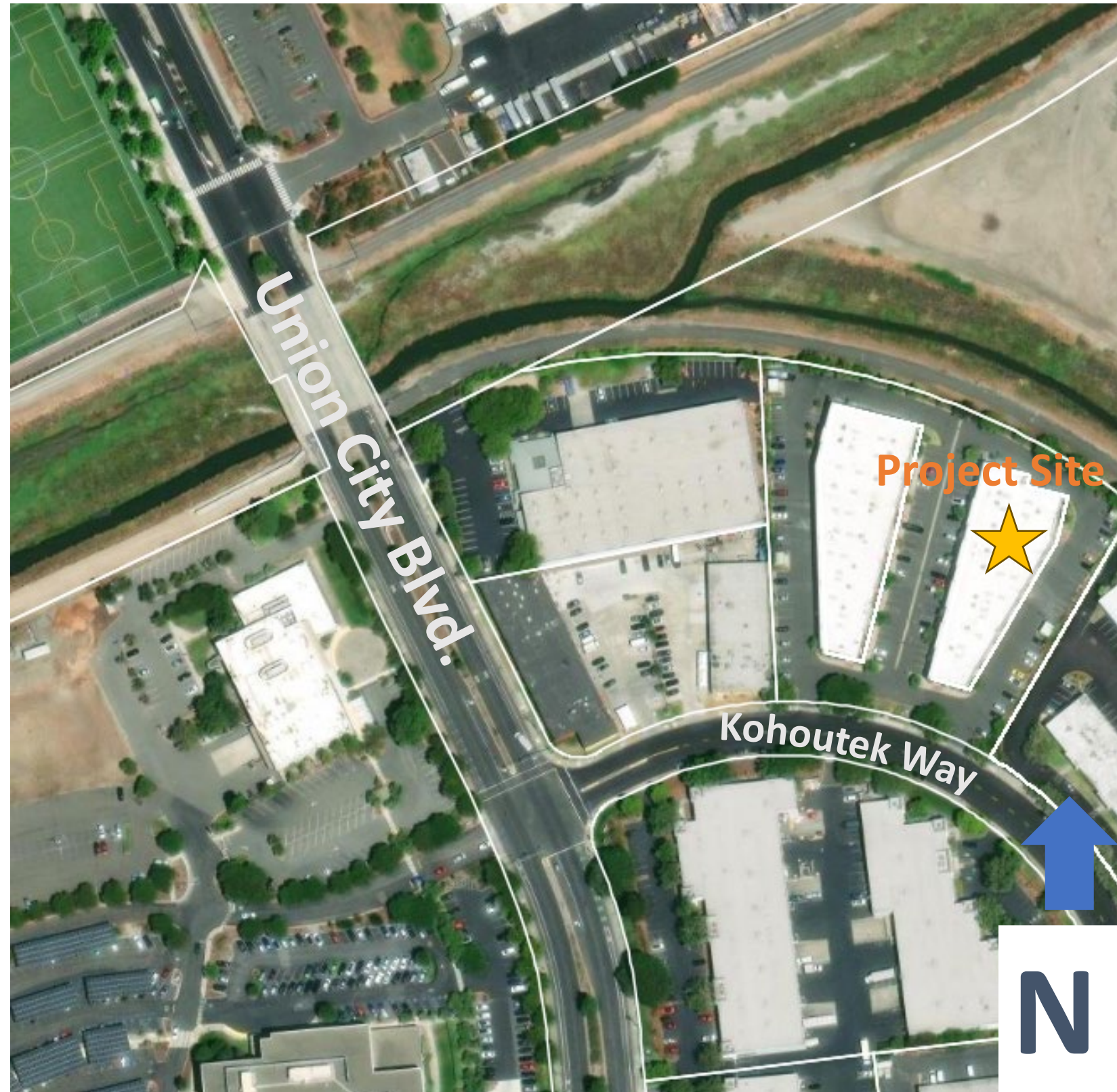
Tri-City Physical Therapy

UP-24-001

April 4, 2024



# I Project Overview



**Owner:** Chess Commerce Center Owners Association | Dr. Preetha Nair

**Applicant:** Tri-City Physical Therapy

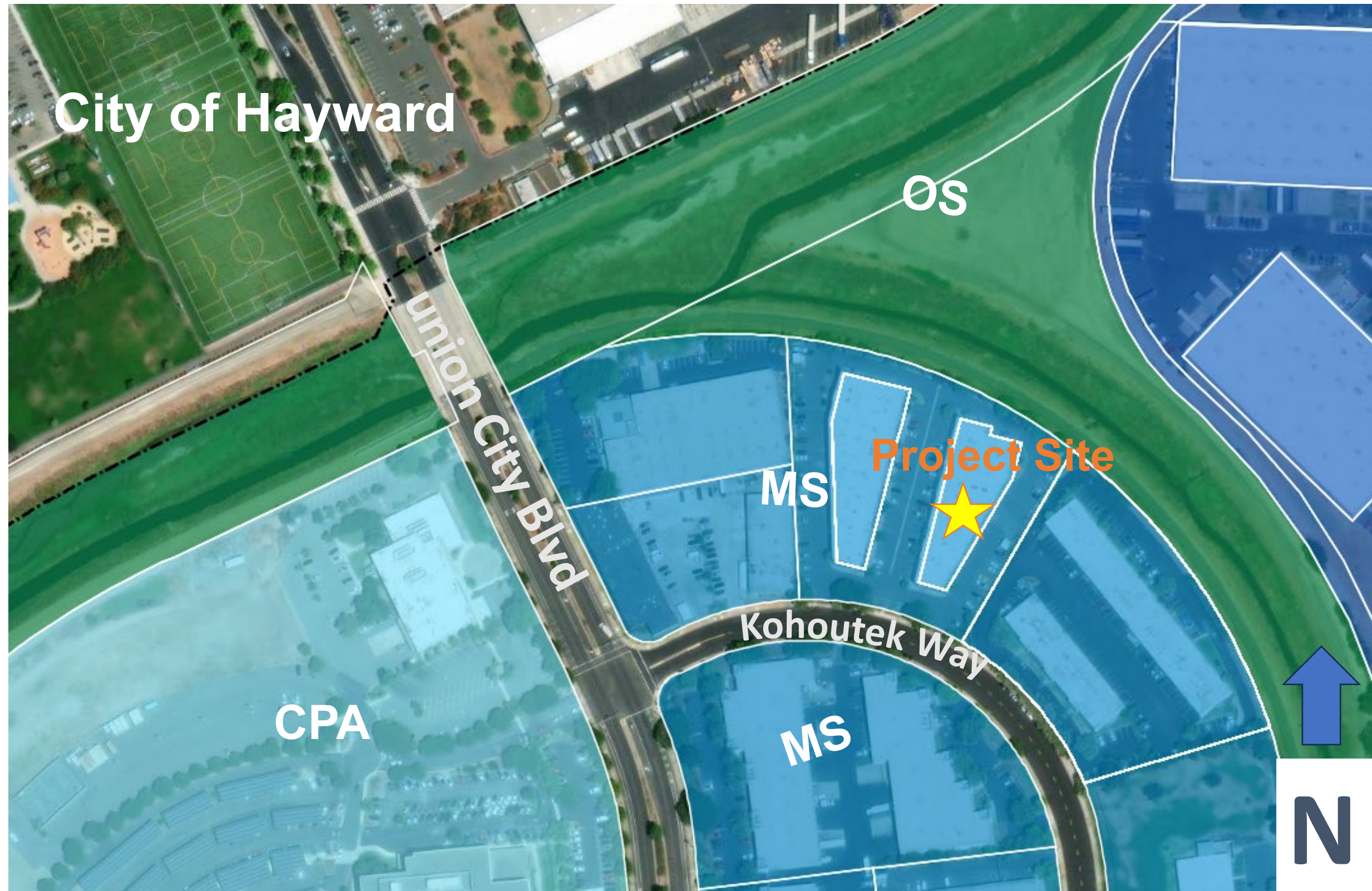
**Location:** 29400 Kohoutek Way, Suite 150  
(APN: 463-103-22)

**Lot Size:** 3.16 Ac

**Proposal:** Use Permit (UP-24-001) to operate a physical therapy clinic within an existing 2,717 square-foot space within the Chess Commerce Center.



# I Project Site – Zoning







## Background

### **Chess Commerce Center**

- Approved in 2003 (SD-14-03)
- Certificates of Occupancy Approved in 2005
- 2 Buildings (29300 and 29400 Kohouteck Way)
  - Both Buildings Are Approved For Commercial and Light Industrial Uses



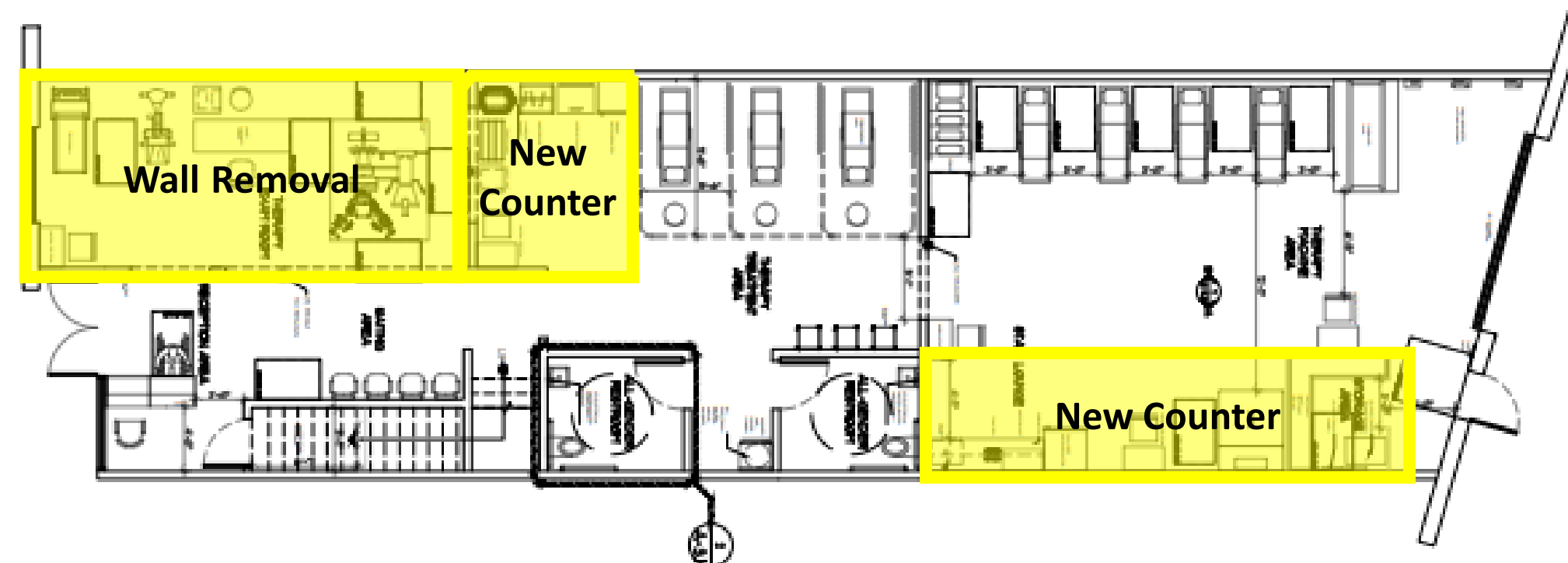
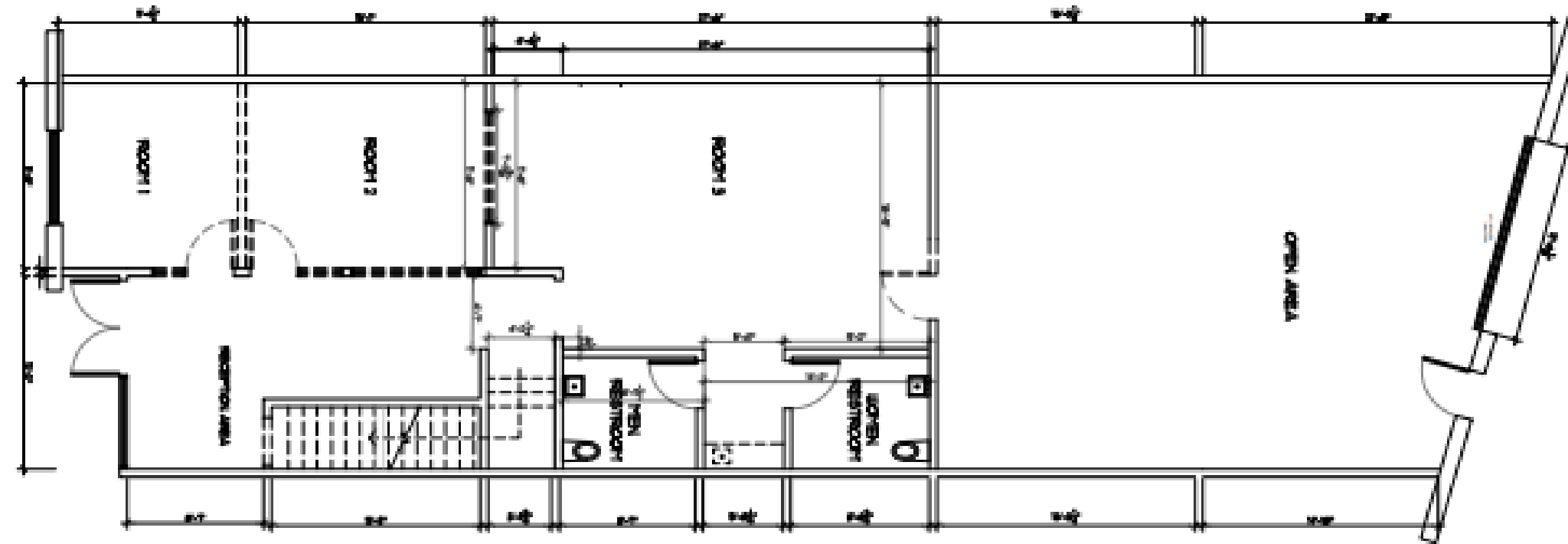
## Use Permit (UP-24-001)

- Establish physical therapy clinic
- Existing 2,717 square foot space within Building B
- No external changes or signage proposed



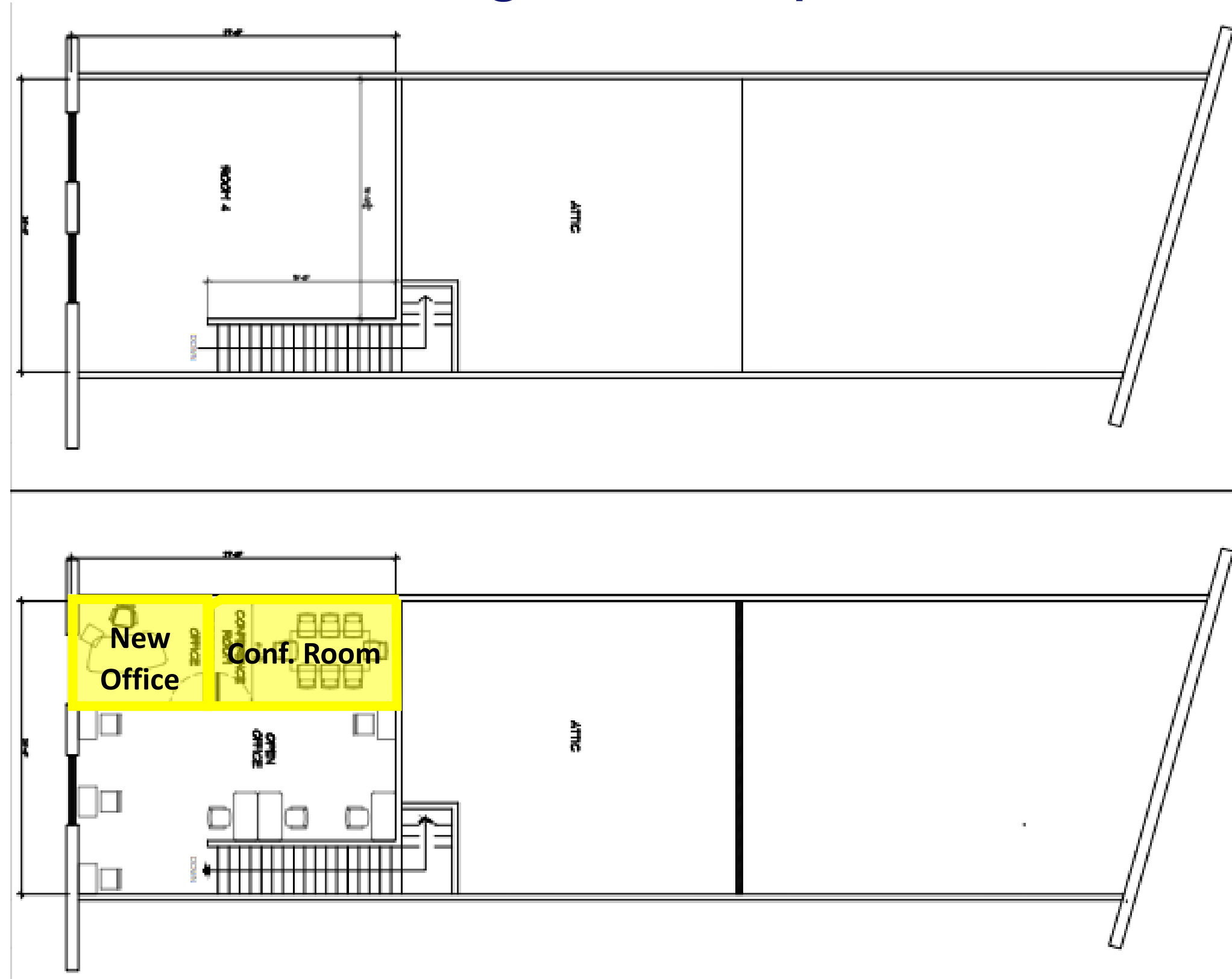
# | First Floor Plan

## Existing and Proposed



# | Second Floor Plan

## Existing and Proposed



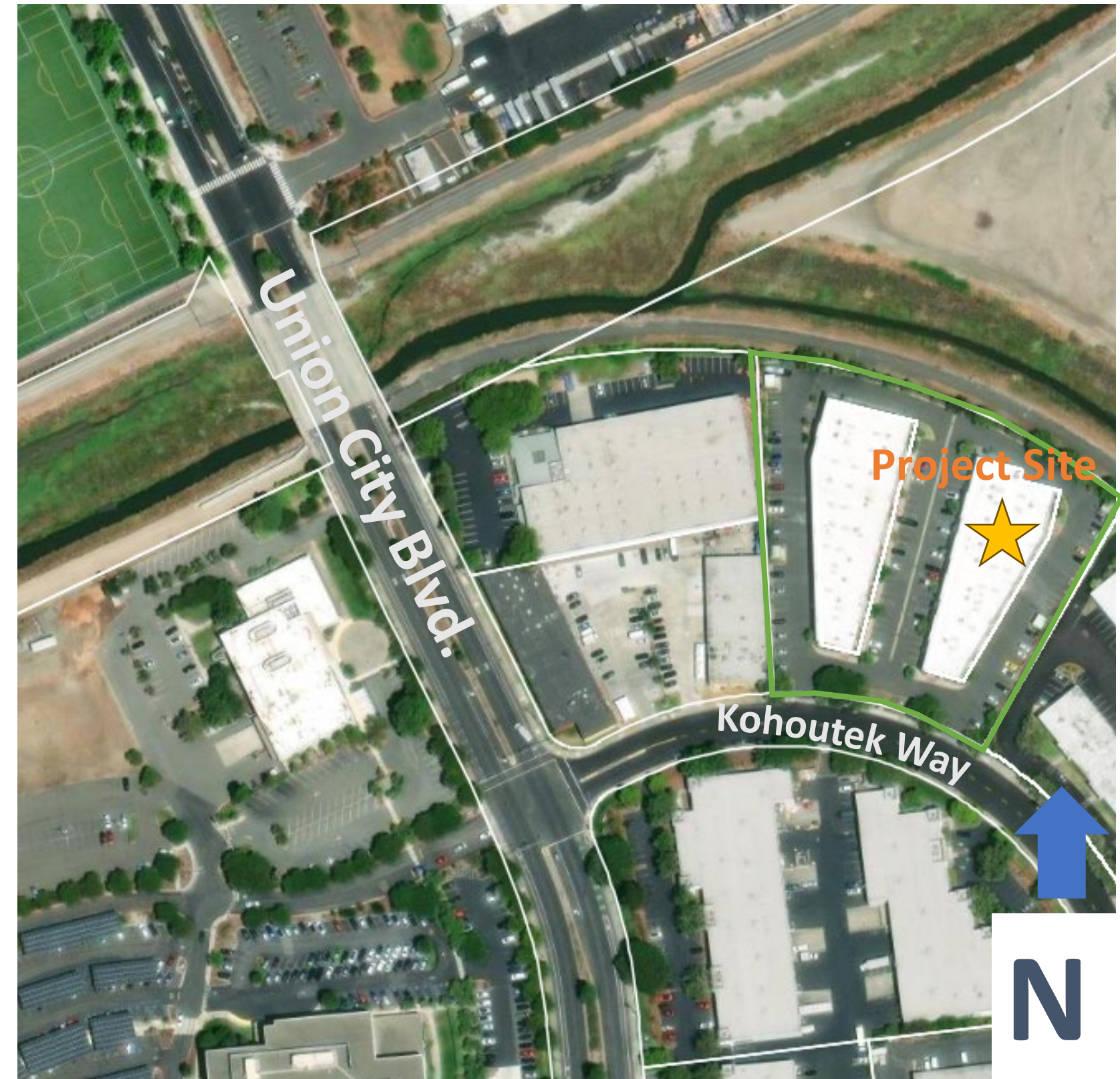






# I Parking

- UCMC Sections 18.36.150 and 18.28.070 require 14 parking spaces for this use.
- Expected a minimum of 11 spaces need per hour (5 for employees | 6 for patients).
- Per CC&Rs, there are 3 assigned spaces for the suite, and 25 unassigned spaces shared with other suites.
- There are 2 ADA spaces in front.



- **Special Industrial (MS)**

- This land use designation allows for limited industrial uses along major arterials with no nuisance characteristics.

- **Proposed Medical Use**

- Consistent with the purpose of the Special Industrial (MS) designation
  - Supports surrounding industrial uses, by providing medical service to employees nearby where they work
  - Consistent with General Plan Policy HQL-5.2 *Expand Health and Social Services and Programs*, as the project would establish a physical therapy clinic that would serve the local community.



- **Corrections and Clarifications to Staff Report**

- Updated code references and citations for findings.

- **Revised Exhibits**

- Exhibit A, Sheet A-3.1: restroom details and elevations
- Exhibit B, Revised Statement of Use
  - No weekend hours



# I Recommendation

Staff recommends the Planning Commission approve Use Permit (UP-24-001), making the specific finding as listed in Section VI of the staff report, subject to the Conditions of Approval and adopt a resolution confirming this action.



# Planning Commission Meeting

## April 4, 2024