



**CITY OF UNION CITY
AGENDA FOR THE REGULAR PLANNING COMMISSION MEETING
ON THURSDAY, AUGUST 17, 2017 7:00 PM
IN THE COUNCIL CHAMBERS AT CITY HALL
34009 ALVARADO-NILES ROAD UNION CITY, CA 94587**

1. ROLL CALL:

Chairperson Harpal Mann, Vice-Chair Lee Guio

Commissioners: Ray Gonzales, Jr., Jo Ann Lew, Harris Mojadedi

Alternate Commissioners: Scott Sakakihara, Jeanelle Singh

2. APPROVAL OF MINUTES:

A. The regular Planning Commission minutes of July 20, 2017.

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:

6. SUPPLEMENTAL STAFF REPORTS:

A. CONTINUED REPORTS:

B. NEW REPORTS:

- 1.** OMAR MOHSENI, 33950 DEPOT RD., Administrative Site Development Review ASD-17-011

The applicant, Omar Mohseni, is requesting approval of Administrative Site Development Review ASD-17-011 for a new 2,680 square-foot, single-family residence, with an attached 650 square-foot garage, and a 620 square-foot attached accessory

dwelling unit. The property is a vacant lot located on the corner of Depot Road and Decoto Road (APN: 486-27-139). The site is located in the R 5000 zoning district. Staff is recommending that this project be considered categorically exempt under Section 15303(a), new single-family residences, New Construction or Conversion of Small Structures, of the California Environmental Quality Act CEQA Guidelines.

7. ECONOMIC DEVELOPMENT REPORTS:

8. COMMISSION MATTERS:

- A.** Follow-up on Planning Commission referrals to the City Council.
- B.** Upcoming applications for the Regular Planning Commission meeting for September 7, 2017.

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


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.

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Agenda Item

ATTACHMENTS:

Description	Type
 Planning Commission Minutes - July 20, 2017	Attachment

**CITY OF UNION CITY
MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
ON THURSDAY, JULY 20, 2017, 7:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD
UNION CITY, CA 94587**

1. **ROLL CALL:** Commissioners Ray Gonzales Jr., Jo Ann Lew, Harris Mojadedi, Scott Sakakihara

Absent: Chairperson Harpal Mann, Vice Chair Lee Guio; Jeanelle Singh

STAFF: Joan Malloy (Economic and Community Development Director); Carmela Campbell (Planning Manager); Binh Nguyen (Contract Planner); Adam Petersen (Contract Planner); Farooq Azim (Principle Engineer); Kit Faubion (City Attorney); Kris Fitzgerald (Administrative Assistant)

2. **APPROVAL OF MINUTES:**

A. The regular Planning Commission minutes of July 6, 2017 were approved with corrections.

3. **ORAL COMMUNICATIONS:** None.

4. **WRITTEN COMMUNICATIONS:** None.

5. **PUBLIC HEARINGS:**

A. **CONTINUED HEARINGS:**

1. **U. S. PIPE AND FOUNDRY, 1295 WHIPPLE RD., Site Development Review SD-15-004** – The applicant, SCS Engineers, on behalf of U.S. Pipe, is seeking Site Development Review approval for a 2.55-acre stormwater retention basin located within the vacant portion of the site along the westerly Whipple Road frontage and a new landscaping berm along the Whipple Road frontage and along a portion of the westerly property line. The property is located at 1295 Whipple Road (APN: 475-50-18). The site is located in the General Industrial (MG) zoning district. A Mitigated Negative Declaration was prepared for the project, which determined that the project would not result in any significant environmental impacts with the incorporation of mitigation measures.

Kit Faubion, City Attorney, stated that this is a continued hearing. Ms. Faubion stated that at the last meeting the Planning Commission heard a presentation from staff and opened the public hearing and did hear testimony from the applicant. Ms. Faubion stated that the public hearing is still open so that anyone who is interested from the audience can have the opportunity to speak.

Acting Chairperson Gonzales stated that the public hearing is open and anyone who wishes to speak may come to the podium at this time.

Dioni Araza, U. S. Pipe and Foundry, 1295 Whipple Rd., Union City, CA, stated that he is the environmental engineer for U.S. Pipe and Foundry. Mr. Araza stated that this project will improve the water quality and it will also improve the aesthetic of Whipple Road.

Acting Chairperson Gonzales stated that at the last meeting the commission reviewed the project and felt comfortable with the project.

Joan Malloy, Economic and Community Development Director, stated that if the Planning Commission makes a motion, the conditions of approval that are attached to the desk item are the conditions of approval that would be moved forward to the City Council as part of the recommendation. Ms. Malloy stated that those are the fully redlined conditions that took into the account all of the Planning Commission's comments at the last meeting.

Binh Nguyen, Contract Planner, presented a summary of the changes made to the conditions of approval since the previous meeting on July 6, 2017.

Commissioner Lew made a motion to recommend to the City Council adoption of the Mitigated Negative Declaration and approval of Site Development Review SD-15-004 making the findings 1 – 4, with the modified conditions of approval from the desk item dated July 20, 2017 and adopt a resolution confirming this action.

Commissioner Mojadedi seconded the motion.

AYES	4 (Gonzales, Lew, Mojadedi, Sakakihara)
NOES	0
ABSENT	0
ABSTAIN	0

B. NEW HEARINGS:

- 1. WOODSTOCK DEVELOPMENT, INC., 1320 and 1328 DECOTO RD., General Plan Amendment (AG-17-002), Zoning Text Amendment (AT-17-001), Site Development Review (SD-17-002), Use Permit (UP-17-004), and Vesting Tentative Parcel Map (TPM-17-001)** – The applicant, Woodstock Development, Inc., is seeking a General Plan Amendment, Zoning Text Amendment, and Site Development Review, Use Permit, and Vesting Tentative Parcel Map approvals to 1) reduce the minimum FAR requirement from 1.0 to .5 and clarify the list of permitted and conditional uses for the Station Mixed Use Commercial (CSMU) General Plan and Zoning designations, 2) construct a new 31,381 sq. ft. mixed-use office building and associated site improvements, and 3) facilitate dedication of right-of-way along Station Way and clean-up actions associated with existing property lines and easements. The project site is located at 1320 and 1328 Decoto Road (APNs: 87-19-18 and 87-19-19). The Planning Commission will consider a Mitigated Negative Declaration, prepared for the project, which determined that the project would not result in any significant environmental impacts with the incorporation of mitigation measures.

Adam Petersen, Contract Planner, presented the staff report.

Acting Chairperson Gonzales asked for an explanation of how the floor area ratio (FAR) calculation was determined.

Mr. Petersen replied that the floor to area ratio is calculated by taking the gross floor area of the building and dividing that by the site area. Mr. Petersen stated that in this case the building is 31,381 square foot building and this is divided by the site area. Mr. Petersen stated that in this case the City has requested a dedication along Station Way to accommodate a sidewalk so the site area is being reduced. Mr. Petersen stated that the 31,381 square foot building would be divided by approximately 61,000 square foot site area.

Joan Malloy, Economic and Community Development Director, stated that a floor area ratio of 1 means that the building on the site is the same square footage as the site, so if you have a 10,000 square foot site, your building would be 10,000 square feet. Ms. Malloy stated that when you have a floor area ratio of 2 you have twice as much building area as you do site area. Ms. Malloy stated that it works in the opposite direction as well. Ms. Malloy stated that a traditional shopping area such as Union Landing has about a .25 floor area ratio. Ms. Malloy stated that Union Square in general has a floor ratio of about .3 so they tend to be very low. Ms. Malloy stated that this project has a floor area ratio of .5 which means twice as much site area (61,000 square feet) as building square footage (31,381 square feet).

Acting Chairperson Gonzales clarified that this has to do with building intensity.

Ms. Malloy replied that is correct.

Commissioner Lew referred to the desk item and asked that Planning Manager Campbell could highlight the ones that are significant. Commissioner Lew stated that the decrease in the FAR is probably what she was most concerned about particularly because it is along Decoto Road. Commissioner Lew stated that this is going to set a precedent to some extent because there are a couple of other buildings that will fall within that amended text amendment.

Carmela Campbell, Planning Manager, stated that there were some questions from Commissioner Lew regarding the reduction in the floor area ratio and as Mr. Petersen indicated the scope of the amendment is very limited. Ms. Campbell stated that the current FAR allowed in the CSMU district ranges from 1 to 4 so it is there to accommodate higher density development. Ms. Campbell stated that the way the amendment was crafted was to apply to these smaller infill sites, specifically this site and the adjacent site that make up the business park. Ms. Campbell stated that the idea is that these are smaller sites, they are essentially underutilized, and it would be difficult to develop them at a higher FAR, generally speaking. Ms. Campbell stated that the City has processed a lot of residential development in the Station District area and there is a demand for housing, which is great. Ms. Campbell stated that when the Station District was envisioned there was always thought to be a balance of land uses; including residential and employment uses. Ms. Campbell stated that we have seen the residential come in very quickly and there is more coming soon but we haven't seen the office market take off yet. Ms. Campbell stated that the City has been focusing on that from an economic development standpoint as well as from a planning standpoint. Ms. Campbell stated that staff worked with the developer, Woodstock Development, on how to design the project to meet the FAR but there were some issues with site configuration, with the tenant mix. Ms. Campbell stated that the applicant has tenants in mind for these spaces; the bottom floor will be a dialysis clinic and the top floor will be office space. Ms. Campbell stated that when staff crafted the amendment they worked very carefully to address development on these smaller parcels. Ms. Campbell stated that it is below what we had envisioned for the Station District but at the same time it does further a goal of trying to accommodate office uses. Ms.

Campbell stated that as Mr. Petersen indicated, staff views this as a catalyst project. Ms. Campbell stated that development of office in the area will potentially demonstrate that there is an office market in the area and this project is linked to development of Blocks 1, 5 and 6 in the Station District area with up to 1.2 million square feet which will most likely be at the top level of the FAR. Ms. Campbell stated if all these properties were averaged together after all the office development is done, we'll still be within that framework or vision.

Kit Faubion, City Attorney, stated that one of Commissioner Lew's questions asked if it was okay for the Planning Commission to make a recommendation on the Mitigated Negative Declaration (MND) even though we are still in the public comment period and the answer to that is yes. Ms. Faubion stated that the Planning Commission, as a recommending body, can make its recommendation based on the draft document and there are a couple of provisions in the CEQA guidelines that are specific to this. Ms. Faubion stated that the Planning Commission will need to have read the draft document.

Acting Chairperson Gonzales clarified that the commission can use the draft document.

Ms. Faubion replied that is correct.

Acting Chairperson Gonzales noted that one of the questions asked if previously developed sites are included in this amendment. Acting Chairperson Gonzales stated that the questions on page 2 of the desk item had to do with intensity and ratios regarding the surrounding property.

Ms. Campbell stated that there was a question about the existing tenants on the site. Ms. Campbell stated that the City owns the property and provided the tenants with 10 months of notice to vacate. Ms. Campbell stated that the City also worked with the current tenants to relocate them in Union City.

Acting Chairperson Gonzales stated that was good.

Ms. Campbell referred to the applicability of the amendments and stated that out of the entire CSMU district there are only two properties to which this would apply; the current property for this application and the adjacent property which is part of a business park. Ms. Campbell stated that it is a very similar size building and intensity and it is at about a .3 FAR. Ms. Campbell stated, on a side note, that majority of the development in the Station District has come over the last ten years, the majority of it is residential that most likely is not going to be redeveloped any time soon and is already constructed at a higher intensity.

Ms. Campbell stated that there appeared to be a little confusion regarding the findings and the different applications that are before the commission. Ms. Campbell stated that Commissioner Lew pointed out that there was a land use policy that was referenced as supporting the project relating to maximizing transit use and minimizing automobile dependence and asked how did that relate back to support for the amendments to the General Plan and Zoning Text amendment.

Acting Chairperson Gonzales stated that is because the parking is reduced.

Ms. Campbell replied yes, so this specific land use policy supports the larger project and not necessarily the General Plan and Zoning Text amendment. Ms. Campbell stated that there are some General Plan policies that support the reduction in parking and there are others that support development of the project and they are all lumped together.

Acting Chairperson Gonzales asked if that was one of the factors because of the BART station; people are not using their cars if there is the BART station and buses available next to the project.

Ms. Campbell replied yes. Ms. Campbell stated that this property is directly adjacent to BART. Ms. Campbell stated that in the Station District there are similar parking standards for residential that we did for the remainder of the City but as we have been moving through and approving projects that standard has been reduced down. Ms. Campbell stated that we haven't had any office projects come through and haven't done that analysis as to what is appropriate. Ms. Campbell stated that the applicant is providing as much parking on the site as the site can accommodate. Ms. Campbell pointed out that there is a shared parking adjacent to the site. Ms. Campbell stated that the other property has parking easements with this property and so the applicant is providing 68 spaces and there are an additional 13 spaces that are shared.

Acting Chairperson Gonzales stated that it is his understanding from the study showed that over time the shared parking wasn't utilized at maximum potential as was intended.

Ms. Campbell replied that whenever they have visited the site, very little of the parking around 4 Union Square is actually being utilized, but that might be the tenant mix that is there now. Ms. Campbell stated that the applicant is proposing a reduction in parking through the Use Permit process at a ratio of 2.58. Ms. Campbell stated that in the General Plan, Appendix C there is the Intermodal Station District and Transit Facility Plan which form the basis for the design standards and policies in the Station District General Plan. Ms. Campbell stated that in that document it does say that there is an overall goal to get to 2.3 spaces per 1,000 for commercial or office use. Ms. Campbell stated that it is getting to that issue of moving the bar towards reductions in parking. Ms. Campbell stated that at that time they considered it a goal because in the year 2000, getting people out of their cars was not as widely accepted as it is now.

Ms. Campbell noted that there was a question about the fact that the City is proposing a General Plan Amendment when we are in the middle of a General Plan update. Ms. Campbell stated that the General Plan update that is moving forward really doesn't propose any changes to the Core Station District area. Ms. Campbell stated that the focus of that update is on the RDC lands to the east and a little bit on the Caltrans property, but essentially we feel like we got the Core Station District right back in 2002. Ms. Campbell stated that there are no changes in land use or standards. Ms. Campbell stated that those principles that define that area are going to be maintained and we don't feel that this is going to have an impact just because of the limited scope of the amendments.

Acting Chairperson Gonzales stated that if there was going to be a significant change then we would want to defer through the General Plan first before the commission would make the exception.

Ms. Campbell replied that would be what they would advise as well. Ms. Campbell stated that there was a pretty comprehensive evaluation with how the project conformed to the General Plan goals but Commissioner Lew found a few additional goals. Ms. Campbell stated that they have been included in the desk item and provided the analysis with how the project complies. Ms. Campbell stated those addressed a variety of aspects of the project design, utilities, having ground floor commercial uses and energy efficiency. Ms. Campbell stated that staff determined the project complied with all the components and the analysis is in the desk item. Ms. Campbell stated that some of the policies that look at intensity in the Station District area are advisory in nature so keeping that in mind there are some policies that focus on the Core Station District area that do look on increasing intensity but a lot of them are advisory in nature and not required to be complied

with to approve a project. Ms. Campbell stated that there is a policy about development around the BART station being 7 stories or taller, at the same time, there are policies in the Zoning Ordinance that allow exceptions to the height.

Acting Chairperson Gonzales asked what were the feasibility obstacles that prevented the applicant from bringing a 3 story building forward.

Ms. Campbell replied she thinks that there were several factors and it might be best to ask the applicant.

Commissioner Lew referred to the desk item question about the Greater Station District and noted that the City Council is not including the expansion of the Station District.

Ms. Campbell replied that is correct.

Commissioner Lew asked if that is dead in the water now, there is no Station District.

Ms. Campbell replied not all. Ms. Campbell stated that what we did for the General Plan is we expanded our look at this area. Ms. Campbell stated that originally the General Plan focuses on the area in purple, what we call the Core Station District area, and so what we did in the General Plan is we said well there is a lot more going on out there and there is a lot more interconnectedness than we had originally thought about in 2002, so what the General Plan update alternative analysis did is it looked at the area in pink, which we call the RDC area, the area in purple, the area in red, and then the Caltrans property close to the southerly boundary line. Ms. Campbell stated that we called this area collectively the Greater Station District area, and out of that there are some updates that are moving forward; specifically to the area in pink but we didn't really change to much of the policy related to the area in purple, nor did we expand the boundaries of that area so that will still be referred to as the Core Station District area and the entire area is referred to as the Greater Station District area.

Commissioner Lew asked if these amendments will affect the Greater Station District area.

Ms. Campbell replied that they will not.

Commissioner Lew stated that she knows that there are some buildings there too.

Ms. Campbell replied that each of the subareas has a different General Plan and Zoning designation and will have different standards because they are all so unique. Ms. Campbell noted that the RDC lands have traditionally had industrial uses and the CSMU area doesn't really allow that so every area is a unique and we will have different standards for each.

Commissioner Lew stated that she sees this as really impacting and precedent setting. Commissioner Lew stated that it may be a small lot and a small building but she believes it will set a precedent and she thinks we should keep in mind is this: what we want or do we want to wait longer for something else to come along. Commissioner Lew stated that it is a roll of the dice, we don't know what the future brings, we don't know how the economy is going to go but those are the kind of things that she thinks about as the future of this location what we are doing today has an impact on what we will be seeing in the future.

Commissioner Lew asked for a slide from the PowerPoint presentation and asked for Blocks 1, 5 and 7 to be pointed out.

Mr. Petersen pointed out the locations on the PowerPoint slide.

Commissioner Lew noted that of the four properties three are located adjacent to Decoto Road.

Ms. Campbell stated that Blocks 1 and 6 are adjacent to Decoto Road and Block 5 is on the other side of the plaza.

Commissioner Lew asked if Block 7 was the only parcel that had existing buildings on it.

Ms. Campbell replied that is correct.

Commissioner Lew clarified that these amendments have no effect on Blocks 1, 5 and 6.

Ms. Campbell replied that is correct.

Commissioner Lew asked if the blocks on Decoto Road would be considered at the edge of the Station District.

Ms. Campbell replied that in order to develop these sites at an FAR lower than 1 would require a General Plan Amendment that would come back to the commission. Ms. Campbell stated that these are on the edge of the district. Ms. Campbell stated that there is a policy in the General Plan that says you should have higher density development around the BART station and transition to lower density, lower intensity development along the edge of the Station District. Ms. Campbell stated that there are several properties, Block 7 in particular, that is adjacent to the BART station and on the edge so there is a little bit of internal inconsistency issue with that policy. Ms. Campbell stated that they will probably be looking at that as part of the General Plan update. Ms. Campbell stated that the idea is that the preliminary application that we are reviewing for Blocks 1, 5 and 6 will be developing at a much higher FAR, up to 8 stories.

Commissioner Lew asked if the FAR is around 4

Ms. Campbell replied that the applicant can provide that information.

Commissioner Lew stated that even along Decoto Road the applicant is considering 8 story buildings.

Ms. Campbell replied that is correct.

Commissioner Lew stated that it will be interesting to see because there will be a two-story building on one side of the tracks and an 8 story building on the other side. Commissioner Lew stated that it will match the nearby residential units.

Ms. Campbell stated that something to think about is originally when the Core Station District was envisioned it did not include these properties, it did not include the subject property, they were added after, so when the policies were developed they weren't really taking into consideration this project site. Ms. Campbell stated it originally had a commercial office zoning but because of its proximity it was added after the fact.

Ms. Malloy stated that the way that the City became an owner of this parcel is when we were working on the BART station, in order to provide additional access to the site we built Station Way,

and it was with the construction of Station Way that the Redevelopment Agency acquired just these two parcels that are now being merged.

Commissioner Lew asked how you got the parcels and not the buildings.

Ms. Malloy replied that there was another building and it was demolished to build Station Way. Ms. Malloy stated that Union Square as an office park was initially built as one project and, over time, was subdivided and so there are many cross access easements and parking easements and utilities so that is another encumbrance that this property has. Ms. Malloy stated that you can't enter this property without using a shared access, so that is another item that inhibits a more intense development.

Commissioner Lew asked does the height of the proposed project compare to the existing 3 story NeoCenter.

Ms. Campbell replied that the new building varies in height from 33 to 37 feet. Ms. Campbell stated that it has high floor plates and parapets so it is a little bit taller than your standard 2 story building. Ms. Campbell stated that the NeoCenter building is 3 story but in comparison it will not be a difference of a whole story just because this building is just a little bit taller.

Commissioner Lew stated that she thought for a two-story building it had a really tall roof line. Commissioner Lew asked if they saw much of a height difference when comparing it to the NeoCenter. Commissioner Lew stated that there was no picture for the commission to see if there is a big difference.

Ms. Campbell replied that it was part of the discussion and it was a consideration of the design of this building.

Commissioner Lew stated that she thinks it helps that it doesn't look like a two-story building when compared with the NeoCenter which is a 3 story building.

Commissioner Mojadedi asked if there will be any lane closures during the construction of this project.

Farooq Azim, Principle Engineer, replied that there may be limited closures and the time will be limited to non-commute hours between 9:00 a.m. to 3:30 p.m.

Commissioner Mojadedi asked if there will be any impact on BART users during the construction phase.

Ms. Campbell replied that there will be an impact to the people who park illegally in our lot.

Commissioner Mojadedi asked how many handicap parking spaces will there be.

Campbell replied 7 handicapped parking spaces.

Commissioner Mojadedi asked if there will public art and where will it be located.

Ms. Campbell replied that the public art will be located on the corner of Decoto Road and Station Way. Ms. Campbell stated that first the concept of providing public art is brought before the commission, and then the applicant engages an artist and they put together a proposal for the art

piece. Ms. Campbell stated that is vetted by staff and then brought before the Public Art Board and then eventually to the City Council for final approval. Ms. Campbell stated that they are anticipating some type of free standing art there, something that will really be a focal point. Ms. Campbell stated that benches or other amenities might be added.

Commissioner Mojadedi referred to condition #59 and asked for clarification.

Ms. Campbell replied that this condition is to facilitate future fiber optic service. Ms. Campbell stated that it is a goal of the City to install fiber optic service not only in the Station District area but beyond. Ms. Campbell stated that the biggest impediment is not having the conduit available so now this is something that you will be seeing on more Site Development Review applications coming forward.

Commissioner Mojadedi asked if there are any other dialysis clinics in Union City currently.

Ms. Campbell replied that there is one located in the Dowe Business Park.

Commissioner Sakakihara asked for the current number of parking spaces on the site.

Ms. Campbell replied that the applicant will be able to respond to that during the public hearing.

Commissioner Sakakihara asked is it the idea that even though the FAR is going to go up, the usage of the current parking spaces is low enough to accommodate the new uses.

Ms. Campbell replied that is correct.

Commissioner Sakakihara asked if 4 Union Square is privately owned.

Ms. Campbell replied that it is owned by the property owner of the NeoCenter property.

Commissioner Sakakihara asked if that is the only other property that would benefit from the Zoning Text Amendment.

Ms. Campbell replied that it would be the only other building to benefit from the amendment.

Commissioner Sakakihara asked if the General Plan and Zoning Text Amendments are only for the Station District and could not be used in other parts of the City.

Ms. Campbell replied that is correct. Ms. Campbell stated that we are looking at the potential based on feedback from the community and City Council direction of having mixed-use on Union City Boulevard and as we are going through this process we are realizing that the standards that apply in the Station District for mixed-use aren't going to be the same as we are having along Union City Boulevard. Ms. Campbell stated that they could be similar but they won't be identical.

Acting Chairperson Gonzales asked what has changed to require the clarification of what the City means by mixed-use.

Ms. Campbell replied that the propose amendments to the General Plan regarding the land use categories was simply a clarification. Ms. Campbell stated that currently the list of permitted and conditional uses in the CSMU Zoning District says mixed-use development and as far as staff was concerned we always envisioned it as being residential and/or office mixed-use because if you look

at the land use diagrams and the policies it always envisioned a more balanced land use mix in the Station District area. Ms. Campbell stated that they took the opportunity to clarify that mixed-use development was both residential and office, or both.

Acting Chairperson Gonzales asked if office included commercial.

Ms. Campbell replied that residential mixed-use would mean residential above with commercial uses on the bottom, and office mixed-use would mean office above with commercial uses on the bottom. Ms. Campbell stated that commercial uses would mean medical offices, other retail uses, services and anything that has a public access component.

Acting Chairperson Gonzales referred to the sidewalk along Decoto Road and asked what is the width of the sidewalk.

Ms. Malloy replied that the sidewalk along Decoto Road will essentially match Decoto Road in front of the Station District. Ms. Malloy stated that it will widen the sidewalk similar to 11th Street.

Acting Chairperson Gonzales asked what the width will be.

Ms. Malloy replied that from the curb to the back of the sidewalk it will be about 10 to 11 feet. Ms. Malloy stated that along Station Way the sidewalk is about six feet wide, so it will be narrower.

Acting Chairperson Gonzales asked if that six foot width will be able to accommodate the foot traffic and wheelchairs that will be coming and going to BART.

Ms. Malloy replied that on the easterly side of Station Way there is about a 10 foot wide sidewalk with tree wells in it so there is always at least six feet of clearance. Ms. Malloy stated that there will be sidewalks on both sides of Station Way.

Ms. Campbell stated that the applicant will be adding trees along Decoto Road and Station Way the pedestrian will be set back farther from the roadway.

Acting Chairperson Gonzales asked what kind of trees will be planted.

Ms. Malloy replied that they will be Chinese Elms which are the same as what is on Decoto Road at 11th Street.

Acting Chairperson Gonzales stated that the City of Union City currently owns the property and asked if the City is going to sell the property to Woodstock.

Ms. Malloy replied yes.

Acting Chairperson Gonzales asked when the sale will occur.

Ms. Malloy replied that there is a purchase and sale agreement which the City has signed with Woodstock Development and there are several milestones that need to occur before the land will be conveyed to the developer.

Acting Chairperson Gonzales asked when that sale occurs will the price and the sale amounts be made public.

Ms. Malloy replied that it is in the sales agreement and that is a public document.

Gonzales opened the public hearing.

Kirk Syme, President, Woodstock Development, 333 Primrose Road, Burlingame, CA 94010, stated that Woodstock Development has over 20 years of experience developing office and technology buildings in the Bay Area. Mr. Syme stated that they developed Crossroads Technology Park in Union City with over 325,000 square feet of space located at the corner of Union City Boulevard and Whipple Road. Mr. Syme stated that they have been selected by the City to be the developer for lots 1, 5 and 6 in the Station District and they are planning what they call the Union 1.2 which will be unveiled in the next month or so. Mr. Syme stated that it will consist of 1.2 million square feet project in four buildings that are 3, 6 7, and 8 stories. Mr. Syme stated that they plan to start construction as soon as they have City Council approval. Mr. Syme stated that they had to be very creative with the site plan due to the L-shaped parcel and several existing easements and setbacks. Mr. Syme stated that they have signed leases with the new tenants.

Commissioner Sakakihara asked what is the goal for the building to be ready for move-in.

Mr. Syme replied that the schedule includes about 7 months of construction for the shell and about 3 months after that for interior tenant improvements. Mr. Syme stated that there are 75 current parking spaces.

Commissioner Sakakihara asked if you include the shared spaces there would be increase to 86 spaces.

Mr. Syme replied that the shared spaces are not there now they are actually within an area that is a shared driveway easement. Mr. Syme stated that the current driveway has a big landscape median that separates northbound traffic from southbound traffic and that will be eliminated to make way for 13 more parking spaces.

Commissioner Lew asked if they plan to sell the building after it is constructed.

Mr. Syme replied that he doesn't know.

Commissioner Lew asked if they normally retain ownership and management rights of buildings that they built.

Mr. Syme replied that is what they normally do. Mr. Syme stated that they have not kept all the buildings they have built.

Commissioner Lew asked if they have considered a parking plan that allows guests to park closer to the building and employees to park further away from the building.

Mr. Syme replied that they will address that with the tenants and look at the usage after the first month or so.

Commissioner Lew asked if the building will have any energy efficient aspects that could qualify for LEED certification.

Mr. Syme replied that it will be built to CalGreen standards.

Commissioner Lew asked how the building will be heated during cold weather and cooled during hot weather.

Mr. Syme replied that they are looking at a couple of different kind of air conditioning systems. Mr. Syme stated that the first floor tenant has requested a split system and the second floor would be more standard rooftop package units. Mr. Syme stated that the building will be fully cooled and heated.

Commissioner Lew clarified that nothing on the outside of the building is intended to keep the building cool, such as shielding.

Nora Garcia, Ware Malcomb, 4683 Chabot Drive, Pleasanton, CA, 94583, stated that the glass that they are using is energy efficient so it will help reduce heat gain in the building. Ms. Garcia stated that with the advent of the CalGreen code in 2010 a lot of the measures that are a part of that code that are requirements for California buildings that are newly constructed or remodeled they mirror a lot of what is in LEED as well so the building will meet a lot of energy efficiencies.

Commissioner Lew asked if they still need the air conditioning.

Ms. Garcia replied yes.

Commissioner Lew noted that Exhibit A did not include a roof plan and asked if there would be equipment on the roof.

Ms. Garcia replied that there will be equipment on the roof but it will not be visible from the public right-of-way line of sight.

Commissioner Lew stated that the drawings that the commission received contained some numbered or lettered references but there was no key for those references. Commissioner Lew stated that she wasn't sure what to make of that incomplete information but she would trust City staff. Commissioner Lew referred to drawing A4.1 and asked what does composite mean in regards to the composite wood panels and the aluminum and wood composite panels.

Ms. Garcia replied that a composite material is one that is made of more than one material so it is a manufactured material.

Commissioner Lew asked where are the composite materials manufactured.

Ms. Garcia replied that they haven't made final selections of products yet.

Commissioner Lew stated her concerns about the dangers of products manufactured in China. Commissioner Lew asked if they are planning to use any products that are manufactured in China.

Ms. Garcia replied that at this time they don't have anything that is manufactured in China.

Commissioner Lew asked if they have ever used materials that are manufactured in China.

Ms. Garcia replied that she doesn't think they have.

Commissioner Lew asked if these products are or could be considered eco-friendly.

Ms. Garcia replied that she doesn't know right now which ones would fall into that category but some of the products will meet the CalGreen requirements for California.

Commissioner Lew asked if that is something that they verify before they buy and install the products.

Ms. Garcia replied yes.

Commissioner Lew asked if that is their responsibility and not the City's to verify that the materials are not hazardous materials.

Ms. Garcia replied that it is the owner's decision on the materials.

Commissioner Lew stated that if you install it you are certifying that the materials meet the environmental standards in the state of California.

Ms. Garcia replied yes.

Commissioner Lew stated that she wants to make sure that the workers are working in a safe and healthy environment. Commissioner Lew stated that there is a trade off in these amendments with allowing fewer parking spaces and lower building height in that the applicant must provide a high quality architectural and pedestrian environment and she is just not sure what makes this project high quality in its architecture. Commissioner Lew asked if it is the materials or the way it is sited on the lot.

Ms. Garcia replied that she thinks it is a combination of all of those things. Ms. Garcia stated they have put together a design that uses multiple materials as opposed to one or two materials. Ms. Garcia stated that they are using wood composite, aluminum, glass and concrete panels with reveals that give it more visual interest. Ms. Garcia stated that there will be sun shades provided and all the landscaping around the building along the street frontages is going to completely change the pedestrian experience around the building.

Mr. Syme stated that one of the focal points is the frontage along Decoto Road and the way that the building is expressed is a very tall two story lobby that has a lot of curtain wall around it. Mr. Syme stated that at the corner with vision glass people will be able to look through the glass and see the staircase behind it and at night the lobby will be lit up. Mr. Syme stated that the windows will be different along the frontage.

Commissioner Lew stated her concerns about the view of the stairway through the glass. Commissioner Lew stated that she thinks it looks more like a loft building than an office building and she really didn't care for it at all but at this point she is not sure it is worth changing. Commissioner Lew stated that she didn't care much for the view of the stairs while you are driving on Decoto Road. Commissioner Lew asked if they considered the NeoCenter building when they were designing this building.

Mr. Syme replied yes.

Commissioner Lew asked if the paint on the stucco on the building is going to be white.

Mr. Syme replied it is not a true white; it is a shade of white. Mr. Syme stated that the other colors are shades of gray.

Commissioner Lew stated that she didn't particularly care for the white either. Commissioner Lew stated that there are a few things that she really doesn't care for in the building.

Acting Chairperson Gonzales stated that he doesn't think there is another building in Union City with that much window glass and thought that it was more modern looking. Acting Chairperson Gonzales asked if drivers on Decoto Road would have any issues with sunlight glaring off the glass and if there is a mitigation.

Ms. Garcia replied that between the building and the street there is a lot of landscaping and she thinks the landscaping will filter any glare.

Acting Chairperson Gonzales asked what will the height of the trees be along Decoto Road.

Ms. Malloy replied that the trees will start out around 12 feet tall and Chinese Elms at full maturity will be about 50 feet tall. Ms. Malloy stated that they will grow fairly quickly under good conditions.

Acting Chairperson Gonzales stated that he thinks the building looks different. Acting Chairperson Gonzales stated that there is a request to reduce the FAR to .5 and reduce the height from 3 floors to 2 floors. Acting Chairperson Gonzales asked the applicant to explain the obstacles or issues that is keeping this project from meeting the current standards.

Mr. Syme replied that the project was originally driven by a requirement for 15,000 square feet of ground floor space for the dialysis center and it grew to 30,000 square feet. Mr. Syme stated that given the site constraints; L-shaped parcel, easements running through the parcel and on the perimeter, and technically it is a corner lot there are only so many ways you can put a 15,000 square foot footprint on an L-shaped parcel. Mr. Syme stated that they looked at many different variations but pushing the building to the corner was what they agreed was the best to provide a better pedestrian friendly experience walking along Decoto Road and Station Way. Mr. Syme stated that the limitation was also providing adequate parking and circulation through the site given that the only way to enter and exit the site is off of Union Square at a shared driveway and a shared driveway onto Decoto Road. Mr. Syme stated that building an underground garage and a taller building above it was not economically feasible and the market rents would not support it.

Commissioner Lew asked if they are going to construct a three story building on one of the other lots.

Mr. Syme replied that the buildings they are envisioning on lots 1, 5 and 6 are much taller buildings but they are not going to build those buildings without a user. Mr. Syme stated that the users will be paying a lot more for those buildings.

Commissioner Lew asked how tall are those buildings going to be that are planned for the other blocks.

Mr. Syme replied they are proposing six, seven and eight stories.

Acting Chairperson Gonzales stated that he understands that tenants are only willing to pay so much before going to look at other locations.

Gloria Ortega, Economic Development Manager, stated that the City has a lot of buildings but not office buildings. Ms. Ortega stated that it is very difficult for her to recruit the kind of tenants that this project is going to bring to our City because we don't have Class A office buildings anywhere in this City. Ms. Ortega stated that the commission is not just approving an office building but a project that is going to jump start the vision for the Station District which is to fill in that missing element of offices and bringing to us professional jobs. Ms. Ortega stated that she has been working with one of the tenants in this building for three years and they are the kind of jobs that any city would beg for. Ms. Ortega asked that the commission consider the importance not only of this project but of the vision for the Station District and the economic goals that this project will help us achieve in our City. Ms. Ortega stated that the City Council approved a resolution several years ago talking about the importance of our city being open for business and what does that concept mean. Ms. Ortega stated that it means that we invite developers like Woodstock and others and the businesses that they bring to come to our City.

Acting Chairperson Gonzales closed the public hearing.

Acting Chairperson Gonzales polled the commission for opposition or comments about this project.

Commissioner Lew stated that as long as it includes the revised modified conditions of approval she doesn't have a problem.

Commissioner Mojadedi stated that he thinks this is a great modern addition to Union City.

Acting Chairperson Gonzales stated that he doesn't have any opposition to this application.

Commissioner Lew stated that she worked for a federal agency that built buildings that were LEED certified and the architects won numerous awards. Commissioner Lew stated that she is not overly impressed but she thinks it will be a big improvement for Decoto although this will not be the first glass building; there is another one in the industrial area. Commissioner Lew stated that she doesn't like the view of the staircase through the glass in the corner of the building is because she used to ride BART into the city and West Oakland there are several loft type buildings where the view through the glass is staircases and that is why she is not impressed. Commissioner Lew stated that it will be a big improvement and a step forward for the City. Commissioner Lew asked if the revised findings will be included.

Ms. Campbell replied that there were no modified findings prepared for this.

Commissioner Lew stated that she saw some text changes.

Ms. Campbell replied it was just changes to the conditions of approval.

Commissioner Lew referred to page 11, #26.

Ms. Campbell stated that there was one change to the CEQA finding.

Commissioner Lew asked if everything in the desk item will be incorporated in the approval.

Ms. Campbell replied yes, if the motion could include a reference to the desk item and the changes identified in the desk item.

Commissioner Lew asked if the CEQA recommendation has to be done separate from the other amendments.

Ms. Faubion replied that the commission will basically be taking four actions; the first would be the CEQA action to recommend approval of the MND with any changes from the desk item. Ms. Faubion stated that the second would be the General Plan Amendment, the third would be the Zoning Text Amendment and draft resolutions have been prepared for those. Ms. Faubion stated that the fourth would be the recommendation of approval for the Site Development Review, Use Permit and Vesting Tentative Parcel Map. Ms. Faubion stated that the commission could make one motion for each of these or they could make a single motion to recommend the MND resolution, the GPA resolution, Zoning Amendment resolution and recommends approval of the identified permits as recommended by staff and subject to changes in the desk item.

Commissioner Lew asked if the Vesting Tentative Parcel Map is all part that one.

Ms. Malloy replied that it would be part of the Site Development Review, Use Permit and the tentative map, which are essentially the project.

Commissioner Lew made a motion to recommend to the City Council to adopt the Initial Study/Mitigated Negative Declaration and Mitigated Monitoring Plan and approve the General Plan Amendment (AG-17-002), Zoning Text Amendment (AT-17-001), Site Development Review (SD-17-002), Use Permit (UP-17-004) and Vesting Tentative Parcel Map (TPM-17-001), including the changes from the desk item and making the findings 1 – 11, with the modified conditions of approval from the desk item and adopting a resolution approving this action.

Commissioner Mojadedi seconded the motion.

AYES	4 (Gonzales, Lew, Mojadedi, Sakakihara)
NOES	0
ABSENT	0
ABSTAIN	0

6. SUPPLEMENTAL STAFF REPORTS:

A. CONTINUED REPORTS: None.

B. NEW REPORTS: None.

7. ECONOMIC DEVELOPMENT REPORTS: None.

8. COMMISSION MATTERS:

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

B. Upcoming applications for the Regular Planning Commission meeting for August 3, 2017.

9. GOOD OF THE ORDER:

Commissioner Lew stated that on July 14th there was an interview of Mark Evanoff, Deputy City Manager and V. Fei Tsen about the Windflower lofts on ABC new and it was aired twice and was very positive coverage.

Commissioner Lew stated that Congressman Swalwell will be in Union City at the Mark Green Sports Center on Saturday, August 5, 2017 to meet with his constituents between 2:00 p.m. and 3:30 p.m.

Commissioner Lew asked if Union City is considering changing its standards for roads and streets to accommodate self-driving cars.

Ms. Malloy replied that it has not been discussed.

Acting Chairperson Gonzales asked for an update on the construction of the Shell Station at the corner of Decoto Road and Alvarado-Niles Road.


Ms. Malloy replied that it is moving along.

10. ADJOURNMENT: 9:12 p.m.

APPROVED:

HARPAL MANN, CHAIRPERSON

ATTEST:



JOAN MALLOY, SECRETARY



Desk Item

DATE: 07/20/2017

TO: PLANNING COMMISSION

FROM: JOAN MALLOY, ECONOMIC AND COMMUNITY DEVELOPMENT

SUBJECT: COMMISSIONER QUESTIONS AND STAFF RESPONSES
REGARDING SD-15-004 (1295 WHIPPLE ROAD)

Staff received an inquiry from Commissioner Lew regarding the project. She noted some issues with the draft conditions, which were updated by staff to reflect the Planning Commission's feedback from the July 7, 2017 meeting. Following are the questions received and staff's responses. An updated list of draft conditions are attached that reflects the prior feedback received from the Commission as well as the proposed changes listed below.

1. Pg 1, last bullet item states Condition 37 was removed. However, it is shown on page 11 and on page 13 as Condition 42k. Please clarify this discrepancy.

This was an error; the duplicate condition (Condition 38, with the addition of Condition 10) that required the labeling of "No Dumping - Drains to Bay" for onsite storm drain inlets has been removed.

2. Pg 11, old Condition 36 was deleted but no explanation was provided in the Analysis section of the staff report. What is the reason for deleting this condition?

This was an error; the condition should not have been removed and has been added back to the list of draft conditions.

Attachment 1: Revised Draft Conditions of Approval

IV. CONDITIONS OF APPROVAL

Planning Department

1. All actual site improvements shall be made with strict adherence to plans marked Exhibit A, except as they may be modified by other conditions of approval.
2. This application shall expire one year from the date of City Council approval unless building permits have been issued and construction diligently pursued.
3. The applicant and/or property owner shall attach an annotated copy of the approved City Council Resolution with the conditions of approval to each set of detailed construction plans, civil and working drawings submitted for plan review prior to issuance of a grading permit. Notations to the plans shall be made to clearly indicate how the project complies, or will comply, with the conditions of approval. Construction plans shall not be accepted without the annotated final conditions of approval included with each set of plans.
4. Prior to the issuance of a grading permit for the retention basin, the applicant and/or property owner shall be responsible for the payment of all City fees as set forth in the Master Fee Schedule in effect at the time such fees are due and payable.
5. Plans submitted for grading permit issuance shall reflect the following:
 - a. The maximum berm slope shall be 3:1.
 - b. Along Whipple Road, the minimum width of the berm at the top shall be eight (8) feet.
 - c. Along Whipple Road, the minimum width of the berm at the bottom shall be 25 feet.
 - d. Along Whipple Road, the minimum height of the berm shall be three (3) feet as measured from the edge of roadway.
 - e. Along the westerly and easterly boundaries of the site, the height and width of the berm may be reduced or increased, subject to review and approval by the Public Works Department and the Economic and Community Development Department.
 - f. Along the easterly boundaries of the site, the berm must be eliminated if it is not landscaped.
 - g. Along Whipple Road, a minimum three (3) feet buffer area between the toe of the berm and the Alameda County Water District easement shall be provided.

- h. The berm along Whipple Road shall be aligned with the existing parking located to the east of the site, subject to any modifications required by other conditions of approval.
6. Prior to the issuance of permits, the exact location and extent of the berm shall be staked for review and approval by the Public Works Department and the Economic and Community Development Department.
7. 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.
8. Prior to the issuance of the grading permit, the applicant and/or property owner shall submit a final landscape package, which is consistent with the preliminary landscape package except as may be modified by the following requirements or by other conditions of approval. Landscape package shall also be consistent with Chapter 18.112, Water Efficient Landscape, of the Municipal Code and the Landscape Standards Policy Statement. Final landscape plan will be subject to review and approval by the City's consulting Landscape Architect. Additional fees for consultant's review and inspection are required to be paid with the grading permit fees. A final inspection of the installed landscaping and irrigation shall be completed prior to release of any bonds associated with site work. The applicant/property owner shall be responsible for maintaining all irrigation and landscaping and shall replace any dead or dying vegetation for the life of the project.
 - a. The area in front of the berm shall be hydroseeded with native wild flowers and grasses.
 - b. The berm soil shall be amended as recommended by the landscape architect to ensure successful growth of the trees, shrubs and groundcover.
9. A certificate of deposit shall be submitted in the amount of 50% of the estimated installation cost of the landscaping, up to \$10,000.00, in order to insure installation of the planting shown on the approved landscape plan. The property owner shall enter into a private landscape maintenance contract for the maintenance of the required landscaping for a minimum period of two years after installation. The required certificate of deposit shall be submitted to the Economic and Community Development Department prior to the issuance of the grading permit. The project landscaping shall be completed, pursuant to the above-stated requirements, prior to the release of the bonds associated with the site work.
10. The applicant and/or property owner shall submit a check to the Economic and Community Development Department for the Department of Fish & Game Notice of Determination Filing Fee in the amount of \$2,266.25 in compliance with the California Environmental Quality Act Guidelines. The check shall be made payable

to the Alameda County Clerk and shall be submitted within two (2) working days of City Council approval of the project.

Mitigation Measures

11. Mitigation Measure AQ-1 (Air Quality): ~~The applicant and/or property owner shall require the construction contractor to comply with the following control measures:~~ The project applicant shall require the construction contractor to reduce the severity of project construction period dust impacts by complying with the following control measures:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - g. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
 - h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
12. Mitigation Measure BR-1 (Biological Resources): ~~Prior to issuance of a grading permit, the applicant and/or property owner shall hire a qualified biologist to conduct an initial protocol-level survey during the peak of the breeding season (mid-April to mid-July) to determine whether the burrowing owl breeds on the site. A~~

~~preconstruction survey shall also be conducted no more than 30 days prior to any ground-disturbing activities. If owls are encountered during either survey, a Burrowing Owl Mitigation Plan shall be prepared, approved by the Union City Community Development Department and the California Department of Fish and Wildlife (CDFW), and implemented; this plan must be approved by the City prior to issuance of a grading permit. Prior to issuance of a grading permit, a qualified biologist shall conduct an initial protocol-level survey during the peak of the breeding season (mid-April to mid-July) to determine whether the burrowing owl breeds on the site. A preconstruction survey shall also be conducted no more than 30 days prior to any ground-disturbing activities. If owls are encountered during either survey, a Burrowing Owl Mitigation Plan shall be prepared, approved by the Union City Community Development Department and the California Department of Fish and Wildlife (CDFW), and implemented; this plan must be approved by the City prior to issuance of a grading permit. The mitigation plan may include passive relocation during the non-breeding season (September 1st to January 31st). No burrowing owls shall be evicted from burrows during the nesting season (February 1st through August 31st) unless evidence indicates that nesting is not actively occurring (e.g., because the owls have not yet begun nesting early in the season, or because young have already fledged late in the season). During the nesting season, a 250-foot buffer, within which no new activity will be permissible, shall be maintained between project activities and occupied burrows.~~

13. Mitigation Measure BR-2 (Biological Resources): ~~Prior to issuance of a grading permit, the applicant and/or property owner shall hire a qualified biologist to conduct a reconnaissance-level biological resources analysis of the project site, which shall include a site survey and query of the California Natural Diversity Data Base (CNDDDB) maintained by the California Department of Fish and Wildlife (CDFW).~~ Prior to issuance of a grading permit, a qualified biologist shall conduct a reconnaissance-level biological resources analysis of the project site, which shall include a site survey and query of the California Natural Diversity Data Base (CNDDDB) maintained by the California Department of Fish and Wildlife (CDFW). The biologist shall identify any protected or special-status species plant or animal that may be present on the site and shall identify any potential impacts that could occur to such species from implementation of the proposed project. The biological resources analysis report shall identify appropriate mitigation measures sufficient to reduce any potential impacts to less-than-significant levels. The City of Union City shall ensure proper implementation of the mitigation measures by the project applicant prior to issuance of a grading permit.

14. Mitigation Measure BR-3 (Biological Resources): ~~If any site grading or project construction will occur during the general bird nesting season (February 1 through August 31), the applicant and/or property owner shall hire a qualified raptor biologist to conduct a bird nesting survey prior to any grading or construction activity. If conducted during the early part of the breeding season (January to April), the survey shall be conducted no more than 14 days prior to initiation of grading/construction activities. If conducted during the late part of the breeding season (May to August),~~

~~the survey shall be performed no more than 30 days prior to initiation of these activities. Actions described in the MND shall be taken if active nests are found onsite. If any site grading or project construction will occur during the general bird nesting season (February 1 through August 31), a bird nesting survey shall be conducted by a qualified raptor biologist prior to any grading or construction activity. If conducted during the early part of the breeding season (January to April), the survey shall be conducted no more than 14 days prior to initiation of grading/construction activities, due to the higher probability that new nest construction could be initiated during this time. If conducted during the late part of the breeding season (May to August), when the potential for new nest creation is much lower, the survey shall be performed no more than 30 days prior to initiation of these activities. If active nests are identified, a 250-foot fenced buffer (or an appropriate buffer zone determined in consultation with the California Department of Fish and Wildlife) shall be established around the nest tree and the site shall be protected until September 1st or until the young have fledged. A biological monitor shall be present during earthmoving activity near the buffer zone to make sure that grading does not enter the buffer area.~~

15. Mitigation Measure CR-1 (Cultural Resources): ~~The applicant and/or property owner shall arrange a pre-construction meeting with City Staff and the Project Construction Superintendent, Project Inspector, and Building Inspector to discuss the potential for encountering cultural resources during construction and the applicant's responsibilities per CEQA should resources be encountered. This advisory shall also be printed on the Plans and Specification Drawings for this project. City Staff shall advise the Project Construction Superintendent, Project Inspector, and Building Inspector at a pre-construction conference of the potential for encountering cultural resources during construction and the applicant's responsibilities per CEQA should resources be encountered. This advisory shall also be printed on the Plans and Specification Drawings for this project.~~
16. Mitigation Measure CR-2 (Cultural Resources): ~~If any cultural artifacts are encountered during site grading or other construction activities, the applicant and/or property owner shall ensure that all ground disturbance within 100 feet of the find are halted until the City of Union City is notified, and a qualified archaeologist can identify and evaluate the resource(s) and, if necessary, recommend mitigation measures to document and prevent any significant adverse effects on the resource(s). If any cultural artifacts are encountered during site grading or other construction activities, all ground disturbance within 100 feet of the find shall be halted until the City of Union City is notified, and a qualified archaeologist can identify and evaluate the resource(s) and, if necessary, recommend mitigation measures to document and prevent any significant adverse effects on the resource(s). The results of any additional archaeological effort required through the implementation of Mitigation Measures CR-2 or CR-3 shall be presented in a professional-quality report, to be submitted to the project sponsor, the Union City Community Economic and Development Department, and the Northwest Information Center at Sonoma State University in Rohnert Park. The project sponsor shall fund~~

and implement the mitigation in accordance with Section 15064.5(c)-(f) of the CEQA Guidelines and Public Resources Code Section 21083.2.

17. Mitigation Measure CR-3 (Cultural Resources): ~~In the event that any human remains are encountered during site disturbance, the applicant and/or property owner shall ensure that all ground-disturbing work cease immediately and a qualified archaeologist shall notify the Office of the Alameda County Coroner and advise that office as to whether the remains are likely to be prehistoric or historic period in date.~~ In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and a qualified archaeologist shall notify the Office of the Alameda County Coroner and advise that office as to whether the remains are likely to be prehistoric or historic period in date. If determined to be prehistoric, the Coroner's Office will notify the Native American Heritage Commission of the find, which, in turn, will then appoint a "Most Likely Descendant" (MLD). The MLD in consultation with the archaeological consultant and the project sponsor, will advise and help formulate an appropriate plan for treatment of the remains, which might include recordation, removal, and scientific study of the remains and any associated artifacts. After completion of analysis and preparation of the report of findings, the remains and associated grave goods shall be returned to the MLD for reburial.
18. Mitigation Measure CR-4 (Cultural Resources): ~~If any paleontological resources are encountered during site grading or other construction activities, the applicant and/or property owner shall ensure that all ground disturbance are halted until the services of a qualified paleontologist can be retained to identify and evaluate the scientific value of the resource(s) and, if necessary, recommend mitigation measures to document and prevent any significant adverse effects on the resource(s).~~ If any paleontological resources are encountered during site grading or other construction activities, all ground disturbance shall be halted until the services of a qualified paleontologist can be retained to identify and evaluate the scientific value of the resource(s) and, if necessary, recommend mitigation measures to document and prevent any significant adverse effects on the resource(s). Significant paleontological resources shall be salvaged and deposited in an accredited and permanent scientific institution, such as the University of California Museum of Paleontology (UCMP).
19. Mitigation Measure HM-1 (Hazards and Hazardous Materials): ~~Prior to disposal or relocation, soils dredged from the retention basin shall be sampled by a certified Environmental Professional, as defined in 40 CFR 312.10, and submitted to laboratory analysis for hazardous materials by a State-certified laboratory and disposed of according to State regulations.~~ Prior to disposal or relocation, soils dredged from the retention basin shall be sampled by a certified Environmental Professional, as defined in 40 CFR 312.10, and submitted to laboratory analysis for hazardous materials by a State-certified laboratory. If contaminant levels do not exceed established limits for nonhazardous waste, the soil may be disposed of at a Class II or III solid waste landfill. If the soil is classified as a hazardous waste, it shall

be handled and hauled in accordance with State and federal regulations for hazardous waste and disposed of at a licensed Class I hazardous waste disposal facility.

Each time the retention basin is dredged, U.S. Pipe shall provide a copy of the laboratory results from the soil sampling to the Union City Economic and Community Development Department, along with a copy of the waste manifest if the soil is deemed hazardous, so that the City can confirm appropriate disposal of the collected sediment.

20. Mitigation Measure WQ-1 (Hydrology and Water Quality): ~~Prior to issuance of a grading permit the applicant and/or property owner shall obtain National Pollutant Discharge Elimination System (NPDES) construction coverage as required by Construction General Permit (CGP) No. CAS000002, as modified by State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ.~~ Prior to issuance of a grading permit the project sponsor shall obtain National Pollutant Discharge Elimination System (NPDES) construction coverage as required by Construction General Permit (CGP) No. CAS000002, as modified by State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ. Pursuant to the Order, the project applicant shall electronically file the Permit Registration Documents (PRDs), which include a Notice of Intent (NOI), a risk assessment, site map, signed certification, Stormwater Pollution Prevention Plan (SWPPP), and other site-specific PRDs that may be required. At a minimum the SWPPP shall incorporate the standards provided in the Association of Bay Area Governments' Manual of Standards for Erosion and Sedimentation Control Measures (2005), the California Stormwater Quality Association's California Stormwater Best Management Practices Handbook (2009), the prescriptive standards included in the CGP, or as required by the Clean Water Program Alameda County, whichever are applicable and more stringent. Implementation of the plan will help stabilize graded areas and reduce erosion and sedimentation. The SWPPP shall identify Best Management Practices (BMPs) that shall be adhered to during construction activities. Erosion-minimizing efforts such as hay bales, water bars, covers, sediment fences, sensitive area access restrictions (for example, flagging), vehicle mats in wet areas, and retention/settlement ponds shall be installed before extensive clearing and grading begins. Mulching, seeding, or other suitable stabilization measures shall be used to protect exposed areas during construction activities.

21. Mitigation Measure WQ-2 (Hydrology and Water Quality): ~~The applicant and/or property owner shall ensure that all cut and fill slopes shall be stabilized as soon as possible after completion of grading. No site grading shall occur between October 15 and April 15 unless erosion control measures, approved by Public Works, are in place.~~ All cut-and-fill slopes shall be stabilized as soon as possible after completion of grading. No site grading shall occur between October 15th and April 15th unless approved erosion control measures are in place.

Public Works

22. The applicant shall apply for an Encroachment Permit, pay a fee and post a bond for all work in the public right-of-way, including trenching, roadwork, concrete, striping and paving, etc. The applicant and/or property owner shall be responsible for any required repairs associated with the development, including streets and paving, trenching, curbs and gutters, sidewalks, damaged striping, street lights, or installation of same where not existing, as determined by the City Engineer.
23. Plans submitted for grading permit issuance shall include a structural section for the proposed access road, which is adequate to accommodate vehicular loads.
24. The applicant and/or property owner shall install all new utility lines underground. No new overhead services to the property or to the proposed development will be permitted.
25. The applicant and/or property owner shall install all public utilities in the Public Utility Easement (PUE) or in the Public right-of-way. No public utilities shall be installed on private property outside the PUE.
26. The applicant and/or property owner shall provide drainage facilities to carry storm water runoff in the area to be developed, and for contributory drainage from adjoining properties. The applicant and/or property owner shall submit a drainage plan, including hydrologic and hydraulic calculations to the City Engineer for review and approval, as required.
27. The applicant and/or property owner shall submit a grading plan to the Public Works Department and obtain a Grading Permit prior to proceeding with any demolition and grading operations. The grading plan shall include erosion control measures installed during construction, including the protection of the downstream inlet on Whipple Road.
28. The applicant and/or property owner shall pay all Public Works Department fees such as Plan Check & Inspection fees, Grading Permit Fee (and associated bonds) and Encroachment Permit fee. Except for the Encroachment Permit fee, all other fees shall be paid prior to the issuance of the Grading Permit.
29. The applicant and/or property owner shall provide a detailed breakdown of the engineer's estimate for all on-site work including grading, detention pond, storm drainage facilities, Stormwater treatment facilities, access road, fencing, sidewalk, curb & Gutter, lighting and landscaping.
30. The applicant and/or property owner shall preserve all existing trees on the site until a tree removal permit, consistent with the Site Development Review approval, is issued by the City Arborist. The City Arborist will assess the condition and size of any trees proposed to be removed and determine the number of replacement trees

to be planted. If replacement trees cannot be accommodated on-site, an in-lieu fee will be paid prior to tree removal permit issuance.

31. Prior to issuance of grading permit, the applicant and/or property owner shall provide correspondence from the Alameda County Flood Control District regarding any requirements applicable to the project.
32. The applicant and/or property shall stabilize all graded areas by hydro seeding or other acceptable means to ensure the disturbed or graded areas do not erode or generate dust.
33. The applicant and/or property owner shall submit a comprehensive traffic control plan to minimize impact to traffic on Whipple Road from construction related traffic entering or exiting the site. This may include traffic arrow boards and/or traffic control personnel. City may require contracting with a dedicated traffic control firm to perform this function. Traffic control plan shall show the route the construction traffic, including hauling trucks, will take from Whipple Road to the construction area and vice versa. The traffic control plan shall also note that hours of work that impact traffic on Whipple Road, such as those associated with hauling dirt or movement of large construction vehicles, shall be limited to the hours of 9:00 a.m. to 3:30 p.m.
34. The applicant and/or property owner shall ensure that on-site and off-site construction activity complies with Section 9.40.053 of the Union City Municipal Code, and is limited to the following hours:
 - Monday through Friday - 8:00 a.m. to 8:00 p.m.
 - Saturday - 9:00 a.m. to 8:00 p.m.
 - Sundays & Holidays - 10:00 a.m. to 6:00 p.m.
35. The applicant shall submit a completed 'Applicability of C.3 & C.6 Stormwater Requirements' form for review and approval by City Staff prior to the issuance of the grading permit.
36. The applicant and/or property owner shall install a new storm drain inlet or field inlet in the public right of way just before where the storm drain is proposed to tie into the existing manhole on Whipple Road. The applicant shall also install a full trash capture device (TCD), as approved by the City Engineer, at this new structure or in any existing storm drain inlets located along the perimeter of the development in order to prevent trash from entering the public storm drainage system. Details shall be shown on plans submitted for grading permit issuance.
37. The proposed berm shall be sited outside of the future right-of-way line for Whipple Road. The curb line of the future widening is expected to line up with the existing curb line to the west in Hayward. A minimum of 10 ft. from the future face-of-curb should be allowed to install sidewalk and landscaping. In addition, a minimum 5 ft. buffer area between the berm and Whipple Road right-of-way should be allowed to

enable the future widening without impacting the berm during grading and construction.

~~38. The applicant and/or property owner shall ensure that on-site storm drain inlets shall be labeled "No Dumping - Drains to Bay" using a stencil approved by the Public Works Department. Detail shall be shown on plans submitted for grading permit issuance.~~

38. The applicant and/or property owner, prior to issuance of grading permit, shall submit a plan showing the proposed measures to minimize impacts to water quality in conformance with the most current requirements of the Alameda Countywide Clean Water Program as detailed in the California Regional Water Quality Control Board's (RWQCB) Municipal Regional Stormwater Permit (MRP 2), Order R2-2015-0049, NPDES Permit No. CAS612008, dated November 19, 2015. Project plans and specifications for Storm Water controls shall be prepared and stamped by a California licensed Professional Engineer who is also a Qualified Stormwater Designer (QSD). The applicant shall ensure that the project complies with the most current requirements of the Alameda County Clean Water Program.

39. The applicant and/or property owner shall ensure that the design of detention basin and stormwater facilities include the treatment control design guidance for vector control (Alameda Countywide Clean water Program's Vector Control Plan). Details shall be shown on plans submitted for grading permit issuance.

40. The applicant and/or property owner shall initiate an ongoing program of litter control and general clean up in the parking lots and along the property frontage, including the dirt strip, grass strip and the landscaped area adjacent to the parking lot fence.

41. The applicant and/or property owner shall ensure that there is no standing water at the entrance to the U.S. Pipe site, especially at the western end of the driveway during the wet season. The area may need to be regraded and repaved to allow positive drainage. Details shall be shown on plans submitted for grading permit issuance.

42. Stormwater "During Construction" Best Management Practices: The following best management practices relating to construction site controls shall be implemented during construction activities. These best management practices shall be shown as notes on the approved grading and building permit plan sets:

- a. The applicant and/or property owner shall ensure compliance with the all of the following best management practices by making sure that all contractors, subcontractors and suppliers are aware of all storm water pollution prevention measures and their implementation requirements.
- b. The applicant and/or property owner shall ensure that concrete/gunite supply trucks or concrete/plaster and finishing operations discharge washout water into

a designated cleanout area, designed to prevent pollutants from entering the storm water and/or sanitary sewer system.

- c. The applicant and/or property owner shall ensure that discharge restrictions shall also apply to the operation of general construction machinery including masonry cutting equipment, and the washing of tools, brushes, containers, etc. These operations shall not be performed in the street, gutter, or where pollutants can enter the storm water system. Failure to comply with the approved construction requirements will result in the issuance of correction notices, citations, or project stop work orders.
- d. The applicant and/or property owner shall minimize the removal of natural vegetation or ground cover from the site in order to minimize the potential for erosion and sedimentation problems. All cut and fill slopes shall be stabilized as soon as possible after completion of grading. No site grading shall commence unless approved erosion control measures are in place.
- e. The applicant and/or property owner shall install filter materials (sand bags, filter fabric, straw wattle, etc.) at the storm drain inlet nearest the downstream side of the project site prior to:
 - 1) Start of the rainy season (October 1st);
 - 2) Site dewatering activities;
 - 3) Street washing activities; and
 - 4) Saw cutting asphalt or concrete.

Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Filtered particles shall be disposed of in an appropriate manner based upon constituents.

- f. The applicant and/or property owner shall gather all construction debris on a regular basis and place in a dumpster or other container, which is emptied or removed at a minimum on a weekly basis. When appropriate, tarps shall be used on the ground to collect falling debris, paint over-spray, etc. that could contribute to storm water pollution.
- g. The applicant and/or property owner shall ensure that trash enclosures and/or recycling containers, paved outdoor storage, staging, or lay down areas shall be designed and constructed to prevent pollutants from entering storm drain system.
- h. The applicant and/or property owner shall ensure the availability of a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential of becoming a pollutant and/or being discharged to the storm drain system.

- i. The applicant and/or property owner shall ensure that dirt, gravel, debris and green waste shall be removed from the sidewalk, street pavement, and storm drains adjoining the project site. These areas shall be broom swept on a daily basis. Caked on mud or dirt shall be scraped before sweeping. During wet weather, the applicant should avoid excavation and other activities that lead to pollutants entering storm water such as driving vehicles on unpaved areas, etc.
- j. The applicant and/or property owner shall ensure that outdoor washing or pressure washing shall be managed to prevent pollutants from getting into storm water and/or into the storm drain system.
- k. The applicant and/or property owner shall ensure that on-site storm drain inlets shall be labeled "No Dumping - Drains to Bay" using a stencil approved by the Public Works Department.

Alameda County Water District

43. Prior to the issuance of grading permits, the applicant and/or property owner shall apply for and receive all required permits from Alameda County Water District prior to destruction of the monitoring well and any applicable permits for the retention basin.



Desk Item

DATE: 07/20/2017

TO: PLANNING COMMISSION

FROM: JOAN MALLOY, ECONOMIC AND COMMUNITY DEVELOPMENT

SUBJECT: DESK ITEM FOR GENERAL PLAN AMENDMENT, AG-17-002
ZONING TEXT AMENDMENT, AT-17-001
SITE DEVELOPMENT REVIEW, SD-17-002
USE PERMIT, UP-17-004 &
PARCEL MAP, TPM-17-001 (1320 and 1328 Decoto Road)

Staff received questions /clarifications from Commissioner Lew regarding the proposed project. Following are the questions received and staff's responses. In addition, staff is proposing some edits to existing conditions and the addition of conditions based on feedback from City staff and Union Sanitary District. An updated condition of approval document is attached for the Commission's consideration. See page 13 for an overview of the updated /added conditions.

1. Pg 4, 2nd para. states the applicant is proposing a two-story building. Union City's Zoning Code (Title 18), Chapter 18.38, Section 18.38.140 requires a minimum height of three stories for buildings in the CSMU district. What efforts has the applicant put forth to meet this requirement?

The applicant provided feedback that development of a three-story structure proved infeasible for the following reasons:

- *The applicant's lead tenant needed approximately 15,000 sf. on one level on the ground floor. Therefore, three 10,000 sf. floor plates was not an option for the applicant.*
 - *Underground parking with three 15,000 sf. floor plates above is a lot more expensive to build and is not economically feasible as current rental rates do not support the construction costs.*
 - *Two stories of approximately 15,000 sf. is all the applicant can fit on the site and still achieve an acceptable number of surface parking spaces.*
 - *The site has an irregular "L"-shaped configuration, which is very inefficient and challenging to manage circulation and setback requirements.*
2. Pg 5, 1st para, regarding Union City's ownership of the property, does Union City also own the two buildings on the property? Did Union City arrange for the previous tenants to move from the buildings? Please provide information on the arrangements made to vacate the two buildings.

The City currently owns the buildings on the property. The City provided more than 10 months' notice to tenants for relocation. Leases were not broken, and many tenants relocated within Union City.

3. Pg 5, 4th para, 1st sentence refers to “previously developed sites.” What other sites are included in this amendment?

The proposed General Plan and Zoning amendment applies to “previously developed sites that do not meet the minimum 1.0 FAR.” The only property that falls within these parameters is the adjacent property (4 Union Square) that currently accommodates a low-rise office building similar in design to the buildings proposed for demolition on the project site.

4. Pg 5, 4th para, last sentence refers to General Plan (GP) policy LU-B.1.4 as seeking to lower building intensity as the edges of the Station District. I have several comments regarding this statement:
 - a. Policy LU-B.1.4 on page LU-19 of the GP dated February 2002 states “The City shall ensure that the Station District land uses and urban design maximize transit use and minimize automobile dependence.” This policy contains no reference to lowering building intensity at the edges of the Station District. Please clarify the relevance of Policy LU-B.1.4 to lowering the FAR for this project.

The project consists of multiple entitlements, including site development review and amending the General Plan and Zoning Ordinance. While the policy is not directly relevant to the General Plan and Zoning Ordinance amendments, Policy LU-B.1.4 does apply to the remaining applications that facilitate development of the project site. Approval of the proposed project would allow for development of employment uses near the Intermodal Station, providing opportunity for employees and visitors to the site to maximize transit use and minimize automobile dependence.

- b. Policy LU-B.5.2 on page LU-22 of the GP refers to “lower intensity/density land use toward the edge of the Station District.” However, this policy also states “land use intensity/density should be highest adjacent to the intermodal facility. The location of this project is at the corner of Decoto Road and Station Way, which is adjacent to BART parking and the BART station. Please explain how the applicant determined this location is at “the edge of the Station District.”

The project site is uniquely located near the BART station as well as at the edge of the Station District. The project proposes an increase in intensity from what is currently developed but is also lower in intensity than some of the other developments in the Core Station District area, which is generally consistent with the last portion of the policy.

- c. A draft of the GP update dated September 15, 2016, shows an expansion of the Station District. This expansion is referred to as the Greater Station District or GSD. Every alternative for the GSD designates this location as station mixed-use commercial and this parcel is located in the middle of the GSD. What thought process was used to determine this location is at “the edge of the Station District”?

The General Plan update currently underway included an analysis of alternative land uses for several focus areas in the City including the Greater Station District. This portion of

the update process wrapped up in October 2016 and provided a framework for the update of the draft policy document and the related CEQA review. The final direction provided by the City Council on the Greater Station District did not include an expansion of the core Station District area that this policy is referring to nor did it modify any land use designations within the vicinity of the project site.

- d. Union City is amending its GP. Why is this project being considered while the applicable elements—land use and community design—are being amended? How will this project, if approved by the City Council, impact the GP amendments?

If this project is approved, there will be no direct impact to the ongoing General Plan Update. The proposed project is being evaluated under the current General Plan. At this time, the general theme of high-density development in the core of the Station District is being carried forward into the new General Plan Update.

The project is being considered at this time because a Request for Proposals was released by the City in 2016 seeking a developer for the City-owned parcels around the BART Station. Woodstock Development, Inc. was awarded the opportunity to develop the lands. The development of Block 7 is the first phase of the broader project to construct 1.2 million square feet on Blocks 1, 5, and 6.

- e. What is the FAR for the two neighboring buildings located at 2 Union Square and 4 Union Square?

*Neo Center, built 2003: **FAR 1.17** (building 19,059 sf/lot 16,220 sf)
4 Union Square, built 1980: **FAR .21** (building 8,156 sf/lot 38,333 sf)*

5. Pg 6, 3rd para, the last sentence states the project fulfills the intent of the CSMU designation. However the request to lower the FAR from 1.0 to 0.5 via a GP amendment contradicts the current GP. Please see pg LU-4, 5th para, last sentence, wherein it states “the floor area ratio (FAR) for buildings in this area is between 1.0 and 4.0 (with an average of 2.0), and increasing density as the parcels near the BART station.” Please provide the justification that supports approving this project at a FAR of 0.5 taking into consideration its proximity to the Union City BART station.

The CSMU General Plan designation is “primarily commercial in nature and is intended to promote retail and office opportunities.” The General Plan also states that the City envisions the Station District as a mixed-use district with an emphasis on a town center/central business district with residential, commercial, office and research and development type uses serving as an important regional employment center. The project would provide a high-quality, mixed-use development that enhances the City and District’s status as an employment center and would replace an existing underutilized office development. As stated previously, the General Plan supports tapering intensities near the edge of the Station District where the project site is located.

6. Pg 8 table does not address the project’s consistency with Policy LU-B.5.2. Please include this discussion in the table.

This discussion has been added to the General Plan Goal and Policy evaluation table.

7. Pg 8 table, item titled “Goal LU-B.9” refers to accommodating new light industrial uses. This project proposes to provide medical and general office space, not industrial uses. Therefore, it appears the proposed project is not consistent with Goal LU-B.9. In addition, this project’s Initial Study/Mitigated Negative Declaration (IS/MND) dated July 2017 excludes this goal (please see pgs 74 and 75). Please clarify the inclusion of Goal LU-B.9 in the table.

The project complies with the first part of the Goal, which is to increase local employment opportunities. The project site did not accommodate existing light industrial uses nor would light industrial uses be appropriate in the Station District, and is not applicable to the project as noted in comment 28.

8. The table on pgs 8 and 9 excluded and does not address the following GP policies: CD-A.1.1, CD-A.1.13, CD-A.1.15, CD-B.1.8, CD-B.1.10, CD-B.1.13, and CD-B.1.28. Please include a discussion for these policies or explain their omissions.

The table has been updated per the comment above:

Goal/Policy	Discussion
Policy LU-A.1.2 The City shall promote infill development and reuse of underutilized parcels, consistent with maintaining or enhancing the positive qualities of the surrounding neighborhoods.	The project would reuse an underutilized infill parcel by occupying the site with a new mixed-use office development. This would enhance the Station District by providing a mixed-use development in close proximity to transit and residential uses.
Policy LU-A.1.4 The City shall encourage project sites to be designed to increase the convenience, safety, and comfort of people using public transportation, walking, or cycling.	The project includes provision of a new sidewalk along Station Way, widened sidewalks along Decoto Road, and pedestrian pathways connecting these facilities to the project site in addition to new landscaping in these areas, which increases the convenience, safety, and comfort of people walking to and from the site or the adjacent BART station. The project shall also provide secure bicycle parking for visitors and employees.
Policy LU-A.5.3 The City shall encourage automobile-oriented uses to locate parking away from the street (e.g., reverse frontage commercial centers).	The project locates the building along street frontages with parking behind. The parking located adjacent to Decoto Road is set back approximately 40 feet and separated by an extensive landscape area.
Policy LU-A.5.4 The City shall require major new commercial projects to be designed to support mass transit and alternative modes of transportation.	The project supports mass transit because it is located a walkable distance from the BART station.
Goal LU-B.1 To create an environment surrounding the intermodal facility that is mixed-use and transit-oriented	The project contributes to the mixture of uses surrounding the intermodal facility by providing a mixed-use commercial development in the Station District.

<p>Policy LU-B.1.3 The City shall ensure that the Station District includes opportunities for light industrial, office, commercial, high-density mixed-income residential, ground floor retail, and community uses.</p>	<p>The project proposes medical and general office space in the Station District.</p>
<p>Policy LU-B.1.4 The City shall ensure that the Station District land uses and urban design maximize transit use and minimize automobile dependence.</p>	<p>The project reduces dependency on automobiles by locating a mixed-use commercial development adjacent to public transit and reducing the minimum parking requirements.</p>
<p>Policy LU-B.1.7 The Station District should be pedestrian-friendly with a design that minimizes the impact of parking on the quality of the streetscape and the neighborhood.</p>	<p>The project includes pedestrian friendly amenities including new or enhanced sidewalks and landscaping for people walking to and from the project site or to the adjacent BART station as well as new pedestrian pathways that connect the sidewalks to the building. Further, the project has been designed to minimize the impact of parking on the quality of the streetscape by screening parking areas through building orientation, extensive setbacks from the street, and landscaping.</p>
<p>Policy LU-B.2.3 The City shall ensure that within the Station District there is sufficient right-of-way for all new roadways to provide landscaping along the roadsides and, where appropriate, within median strips, bike lanes, pedestrian ways, and other amenities.</p>	<p>The project is required to dedicate right-of-way along Station Way to provide additional area for installation of a separated sidewalk and landscaping.</p>
<p>Policy LU-B.4.1 The City shall promote opportunities for consolidation of lands so that preferred land uses can be developed in the short, rather than long term.</p>	<p>The project will result in the consolidation of two parcels into one.</p>
<p>Policy LU-B.8.1 The intermodal facility shall be designed and linked to reduce the need for area residents to use private automobiles for daily work, shopping and service needs.</p>	<p>The project would reduce the need for area residents to use private cars for work because it locates an office project within walking distance to residents and publicly accessible transit.</p>
<p>Policy LU-B.8.2 The City shall create opportunities for mixed uses within the Station District so that people can live close to work, shopping, and service activities.</p>	<p>The project provides a mixed-use development close to where people live and shop.</p>

<p>Goal LU-B.9</p> <p>To increase and diversify local employment opportunities, and retain existing and accommodate new light industrial uses that are compatible with City objectives for safety, environmental quality, visual quality, and revenue enhancement.</p>	<p>The project increases and diversifies the local employment opportunities by providing a mixed-use development that supports professional uses.</p>
<p>Policy CD-B.1.1</p> <p>The City shall require that development in the Station District be of the highest architectural quality and reflect the image of Union City in the 21st century. The City shall avoid visual monotony by encouraging variety in architectural styles.</p>	<p>The proposed building is well designed and modern in style. The building elevations include a substantial amount of glazing and are enhanced by form lined fluted concrete and metal panels, wood paneling including a 30-foot architectural feature near the building entrance, and scoring on the building exterior. The elevations along Decoto Road and Station Way have been further enhanced due to their visual prominence.</p>
<p>Policy CD-B.1.3</p> <p>The City shall require that the Station District be pedestrian-friendly with a design that minimizes the impact of parking on the quality of the streetscape and the neighborhood.</p>	<p>The project includes a pedestrian friendly design. Wide pedestrian pathways provide access to the building on the internal portion of the site from Decoto Rd. and Station Way. Further, the project proposes to enhance the pedestrian environment on Decoto Rd. and Station Way by installing new or upgraded sidewalks and landscaping.</p>
<p>Policy CD-B.1.6</p> <p>The City shall require that all new projects be designed to achieve visual harmony and quality within the Station District. Views to and from the hills should be preserved. A graceful transition from the flatlands to the hillsides should be promoted.</p>	<p>The project has been designed to achieve visual harmony and quality within the Station District. The building design is modern, similar to other buildings in the area. Further, the project preserves views of the hills.</p>
<p>Policy CD-B.1.14</p> <p>The City shall promote visual excitement within individual projects through building design and the way components of the project are assembled on the site. Massing of structures and arrangement of spaces should add interest, provide separation between public and private areas, and offer relief from parking areas and busy streets.</p>	<p>The building design is visually exciting due to its modern architecture and variation in exterior materials. The design of the project site adds visual excitement due to the building massing and orientation and includes substantial landscaped areas along Decoto Road that provide a buffer for the building and parking areas.</p>

<p><i>Policy LU-B.5.2</i> Where necessary, the City shall provide a transition from existing or planned lower density residential uses to new office, light industrial, and service commercial areas and/or retail commercial use areas. Land use intensity/density should be highest adjacent to the intermodal facility and transition to lower intensity/density land use toward the edge of the Station District.</p>	<p><i>Policy LU-B.5.2 addresses a transition from existing or planned lower density residential uses to new office areas, which is not applicable to the project as there are no residential uses directly adjacent to the project site. The second half of the policy notes that land uses “should be” highest adjacent to the intermodal facility and transition to lower intensity land uses toward the edge of the Station District, which the project does.</i></p>
<p><i>Policy CD-A.1.1</i> The City shall encourage development that is visually and functionally compatible with the surrounding neighborhoods by:</p> <ul style="list-style-type: none"> <i>a. Maintaining a height and density of development that is compatible with adjacent developed neighborhoods;</i> <i>b. Accenting entrances to new neighborhoods with varied landscaping, hardscaping, and signage treatment; and</i> <i>c. Providing various points where residents can enter the wetland/baylands and access the internal bicycle and pedestrian circulation systems.</i> 	<p><i>The proposed project is visually and functionally compatible with the surrounding development. The project site is located at the edge of the Station District, which is primarily developed with low-rise commercial and residential uses.</i></p> <p><i>The project proposes a more intensive and taller development than what currently exists, which is more visually compatible with the NeoVision building located to the west of the project site. In addition the project’s .51 FAR is within the range of intensity of the adjacent office parcels. Section b. and c. of Policy CD-A.1.1 address residential developments and are not applicable.</i></p>
<p><i>Policy CD-A.1.13</i> The City shall require undergrounding of utility lines in new development and as areas are redeveloped, except where infeasible for operational or financial reasons.</p>	<p><i>The project has been conditioned to require undergrounding of any utility lines consistent with applicable Municipal Code requirements.</i></p>
<p><i>Policy CD-A.1.15</i> This policy addressed the need for energy efficiency design and construction techniques. In 2006, the policy was modified and moved from the Land Use Element to the Sustainability Element.</p>	<p><i>The project will comply with the 2016 CalGreen Building Code, which requires projects meet very stringent energy efficiency standards.</i></p>
<p><i>Policy CD-B.1.8</i> The City shall ensure that mixed use development around the intermodal facility includes ground-floor retail commercial uses.</p>	<p><i>Per Section 18.38.020 of the Municipal Code, commercial uses, including health services (i.e. medical, dental, optical, physical therapy, and pharmacies), are permitted as part of an approved mixed-use development.</i></p>

<p><i>Policy CD-B.1.10</i> <i>The City should ensure overall visual integration of site improvements in the design of commercial, office, and similar non-residential uses, but allow for structural diversity that will result in an attractive and vibrant environment.</i></p>	<p><i>The project consists of an orderly, attractive, and harmonious development. The proposed structure's location contributes to the sense of order because it screens parking from public view and the materials used in the building are consistent throughout the facades. The building design is attractive through the use of large expanses of clear vision glass, spandrel glass, and tempered glass placed along all elevations of the building, fluted concrete panels, wood panels and an enhanced entrance. These materials, an articulated façade, and a roof with visual bounce and projections create a harmonious development because they establish a sense of rhythm to the building and site identity. These features are found in buildings located to the west of the project, which contributes to the harmony of the Station District.</i></p>
<p><i>Policy CD-B.1.13</i> <i>Where appropriate, the City shall encourage taller buildings in order to help provide identity to the area. The City should encourage tall mixed-use buildings adjacent to the intermodal facility designed to provide a landmark image for the area. However, in allowing taller buildings, the City should take special care to avoid blocking significant views from adjoining existing and planned uses.</i></p>	<p><i>The Policy notes that the City shall encourage taller building. Staff strongly encouraged the applicant to increase the building height, but the applicant determined it was not feasible.</i></p>
<p><i>Policy CD-B.1.28</i> <i>The City shall encourage that development immediately around the BART station be seven or more stories in height and that buildings further away from the BART station decrease in height to meet the scale of the existing neighborhoods, as recommended in the Intermodal Station District and Transit Facility Plan.</i></p>	<p><i>The Policy is advisory in nature and not prescriptive. Further, the Zoning Ordinance allows for an exception process to reduce the minimum height of three stories, which the applicant has applied for.</i></p>

9. Pg 10 table, the minimum site area of the proposed project is shown as 62,192. Is this square footage? Pg 1 of the staff report and Sheet A0.1 of Exhibit A show the parcel or lot size as 64,192 square feet. Please explain the use of both numbers, which appears to be an inconsistency.

The minimum site area in the table on page 10 is measured in square feet. The 62,192 is a typographical error; the total site area is 64,192 sf and the net site area is 61,392 sf.

10. Pg 10 table, the frontage depth for the proposed project is shown as 135 ft to 340 ft. Where the depth is less than 200 ft, how did the city determine the proposed project is compliant? Please explain.

The proposed project is merging two existing properties into one lot, and does not propose subdividing the property to for a new parcel. Therefore there are no changes to the lot dimensions and the existing conditions satisfy the lot dimension requirements.

11. Pg 10 table does not address whether the proposed project meets the requirement that street rear yards shall be 15 feet from the face of the parking curb. Please clarify whether the proposed project will provide a street rear yard and, if so, whether it will meet the aforementioned requirement.

The front property line is along Decoto Road. The Zoning Ordinance identifies the property line opposite the front as the rear property line, which is located along the BART parking lot. A "rear street yard" setback is required when the rear property line abuts a street, which the site does not. As such, the requirement does not apply. The project is setback more than 110 ft. from the rear property line.

12. Pg 10 table, the demand for vehicle parking is shown as 109 spaces. However, Exhibit A, sheet A0.1, indicates the required parking is 105 spaces. Please explain the discrepancy.

The correct number of required parking spaces is 105. The 109 number was from a prior calculation.

13. Pg 15, 2nd para, the reference to 18.32.250 appears to be incorrect. Chapter 18.32 is titled "Residential Districts" and it does not contain a section numbered 18.32.250. I believe the correct reference should be to section 18.38.250. Please confirm a correction is needed.

Duly noted. The correct code section, as noted, is 18.38.250.

14. Pg 16, 2nd para, 3rd sentence refers to GP policy that encourages lower intensity land uses toward the edge of the Station District. As I previously commented, I do not believe this project site is located "toward the edge of the Station District." Please explain how the City reached the conclusion this project site is located toward the edge of the Station District, particularly in light of the GP update for the GSD.

See response to comment numbers 4a, 4b, 5, and 6.

15. Pg 17, 2nd para under the section titled "California Environmental Quality Act" – the City is providing a 20-day public review and comment period. Please confirm a 30-day period is not applicable to this IS/MND and provide a brief explanation.

Pursuant to Government Code Section 21091(b), a 30-day review period is only required when a negative declaration or mitigated negative declaration must be sent to the State Clearinghouse. Submittal to the State Clearinghouse is required when one or more of the responsible or trustee agencies is a state agency or when a project is of statewide, regional, or areawide environmental significance, as defined in Guidelines Section 15206. None of these conditions apply to the project allowing for a 20-day review period.

16. Pg 19, Section III, 1st para, the City recommends the Planning Commission make the finding that lowering the FAR from a minimum of 1.0 to a minimum of 0.5 “promotes flexibility” and “promotes an increased intensity of development in the Station Mixed Use Commercial land use.” The current FAR ranges from 1.0 to 4.0. Given the current FAR range, I am unclear as to how lowering the minimum FAR will increase flexibility and promote increased intensity. I believe lowering the FAR decreases intensity. Did the City conduct a study to prove both assumptions? Please respond to my concerns and provide supporting data for the recommended finding.

The proposed amendments are narrowly crafted to accommodate higher intensity infill development, while still providing for high-intensity development on sites that do not have existing buildings and other constraints of existing cross access easements and shared parking. Therefore, the amendments facilitate flexibility in the Station District because it allows sites with existing structures to redevelop at a market determined intensity while also retaining the standards for high intensity development on other parcels.

17. Pg 19, Section III, 2nd para, the City recommends the Planning Commission make the finding that amending the zoning code, specifically 18.38.020 and 18.38.030B.5, would clarify ambiguous language for better consistency with the existing GP. Please clarify the areas that are considered ambiguous and inconsistent. Also, where the amended language contains the phrase “residential or office”, please confirm there is no intent to exclude projects that contain both residential units and office space.

The proposed amendments to the list of uses clarifies that both residential and office mixed-use developments are conditionally permitted, which has always been the intent and is supported by policies and exhibits in the Land Use Element

There is no intent to exclude projects that contain both residential units and office spaces. Should a project be submitted that includes both residential and office uses with ground floor commercial, staff would consider the use conditionally allowed similar to either residential or office mixed use.

18. Pg 21, under section titled “Use Permit”, Item #1 refers to “this title.” Does “this title” mean “Title 18”? Please clarify.

“This title” refers to “Title 18.”

19. Pg 23, Item #4, last sentence states “the site is larger than required by the Zoning Ordinance....” However, the report is unclear as to why the applicant is requesting the minimum FAR be lowered from 1.0 to 0.5 (a 50% reduction). Please explain the applicant’s inability to meet the minimum FAR considering the size of the site.

See responses in question 1, 4a, 4b, 5 and 6.

20. Pg 25, Condition #10 shows 105 required parking spaces. Pg 10 of the staff report shows 109 required parking spaces. Please correct this discrepancy.

The correct number of required parking spaces is 105. The 109 number was from a prior calculation.

21. Pg 26, Condition #11a does not identify the responsible party. I recommend this condition be amended to insert “the applicant shall” at the beginning of the first sentence.

Condition 11a is a subset of Condition of Approval 11 and the requirement that the applicant submit a final landscape package would apply to 11a as well.

22. Pg 28, Condition #26, the first bullet item restates the text above it. Is this necessary? If not, I recommend deleting the first bullet item.

Staff supports removing the first bullet item.

23. Did the Union City Police Department provide any comments or recommendations in regards to this project? Please clarify.

The Union City Police Department reviewed the project and stated that they do not have comments.

24. Pg 32, Condition #37, and pg 41, Condition #88 – both conditions do not identify the responsible party. I recommend both conditions be amended to insert “the applicant shall” at the beginning of the first sentence.

Duly noted. Adding the phrase “the applicant shall” will help.

25. Pg 37, Condition #72 appears to exclude the easement for cross-access, which is mentioned in the last para on pg 4. Please confirm the easement for cross-access will be included in the Vesting Tentative Parcel Map.

The Vesting Tentative Parcel Map includes existing easements including the easement for cross-access for reference purposes only. The easement is not affected by the map, and it will continue to exist.

26. Pg 41, under the Findings section, Item #1, I believe the finding can be made by the Planning Commission if it is modified to include a reference to the incorporation of mitigation measures in the conditions of approval. The last two lines can be modified as follows “...record, there is no substantial evidence that the project, **with the incorporation of mitigation measures in the conditions of approval**, will have a significant effect on the environment.” The **bold print** represents the additional text.

Duly noted. Staff supports revision of the finding to incorporate the reference as noted.

27. Pg 42, Item #2, see #16 above.

See response to question 16, above.

28. Pg 42, Item #4 includes a reference to LU-B.9. As mentioned in #7 above, I believe this reference is not applicable to this project and should be excluded.

Noted. See response to question 7, above.

29. Pg 43, Item #9, please clarify how the City relates the reduced building height and parking requirements to “an environment of stable and desirable character consistent with the objectives of Title 18.” I was unable to find a section titled Objectives in Title 18 and in Chapter 18.38 (for the CSMU district).

The objectives of the CSMU Zoning district are listed in Section 18.38.010, Purpose. Specifically, Section 18.38.010 states, “This zoning district is designed to facilitate the achievement of the following objectives...”. The reduced height and parking is required for the project. Therefore, the project fulfills applicable objectives listed in the Purpose section, including but not limited to:

- creating an environment surrounding the intermodal facility that is mixed use and transit oriented and has good connectivity with the rest of the City;*
- To ensure that the station district includes opportunities for... office;*
- To attract local-serving businesses to the area to support and balance residential, office, and research and development (R and D) uses in the district;*
- To provide a pedestrian-friendly atmosphere with development that minimizes parking impacts on the quality of the streetscape and the neighborhood.*

30. Attachment 1 contains a draft resolution of the Planning Commission’s recommendation that the City adopt the MND along with Exhibits A and B. Can the Planning Commission make this recommendation prior to the end of the public review and comment period, which is due to conclude on July 25, 2017? Please clarify.

Pursuant to Government Code Section 15025(c) and 15074(a), it is acceptable for Planning Commission’s to make a recommendation provided that the Commission considers the draft MND prior to making the recommendation on the project.

31. Attachment 3, Exhibit A, Section 18.38.080 – it appears the reduction to a minimum FAR of 0.5 will only apply to redeveloped sites which were previously built at a FAR less than 0.5. Please clarify whether this is correct and confirm whether the existing buildings on the project site meet this requirement. What is the FAR of the existing buildings?

It is correct that the amendment for a minimum FAR will only apply to redeveloped sites which were built with an FAR of less than 0.5. The existing buildings are 9,280 sf. each. The FAR on the existing site is 0.30. Therefore the project constitutes an approximately 65-percent increase in the FAR on the property.

32. Is the text amendment for Section 18.38.080 intended to apply to the entire Station District, including the Greater Station District? Please explain the City’s rationale for the intended application.

The intended rational for amending Section 18.38.080 is to achieve consistency with the General Plan development intensity. The amendment would only apply to the sites zoned Station Mixed Use Commercial (CSMU).

After publication of the staff report, the Public Works Department, Fire Department, and Union Sanitary District provided some additional draft conditions as well as edits to some existing conditions of approval. The Public Works Department added three conditions relating to construction staging, employee parking, and ensuring that the existing shared trash enclosure remain accessible to the tenants of the adjacent building. They also provided some minor edits to address typos and duplicative wording. The Fire Department added a condition requiring a fire hydrant be installed along Station Way. Union Sanitary District added a condition regarding the need for their approval prior to demolition of the existing structures. Attached are redline edits to the draft conditions that reflect the changes proposed by City staff and Union Sanitary District staff as well as minor edits to address Commissioner Lew's feedback. The attached draft condition document supersedes the conditions listed in the staff report and should be referenced in any motion regarding the project.

**GENERAL PLAN AMENDMENT, AG-17-002
ZONING TEXT AMENDMENT, AT-17-001
SITE DEVELOPMENT REVIEW, SD-17-002
USE PERMIT, UP-17-004 &
PARCEL MAP, TPM-17-001 (1320 and 1328 Decoto Road)**

V. CONDITIONS OF APPROVAL

Planning Division:

General

1. All actual site improvements shall be made with adherence to the plans, as shown in Exhibit A, except as they may be modified by other conditions of approval listed below.
2. The Use Permit, UP-17-004, and Site Development Review, SD-17-002, approvals shall expire one year from the date of City Council approval, unless building permits have been issued and construction is commenced and diligently pursued towards completion.
3. Approval of Site Development Review, SD-17-002, and Use Permit, UP-17-004, is contingent upon approval of the related General Plan Amendment, AG-17-002, and Zoning Text Amendment, AT-17-001.
4. The Vesting Tentative Tract Map shall expire in two years (in accordance with the provisions of the Subdivision Map Act) from the date of City Council approval, unless an extension is granted in accordance with Section 66452.6 of the State Subdivision Map Act.
5. The applicant and/or property owner shall include an annotated copy of the approved City Council Resolution with each set of detailed construction plans submitted for plan check review. Notations to the plans shall be made to clearly indicate how all conditions of approval will be or have been complied with. Construction plans shall not be accepted without the annotated final conditions of approval included as a note sheet with each set of plans.
6. The applicant and/or property owner shall apply for and take out all required building and fire permits prior to beginning any on-site work. Plans submitted to the Building Division and Fire Department must demonstrate compliance with all applicable local and State requirements.
7. The applicant, property owner, or occupant's failure to adhere to any conditions of approval shall be cause for revocation of the Use Permit.

8. Prior to the issuance of building permits, the applicant and/or property owner shall submit samples of color palette (i.e. full size brush-outs) and exterior materials for review and approval by the Economic and Community Development Department. Prior to actual painting of building, brush-outs shall be applied on building for review and approval by the Economic and Community Development Department. Any future amendments or changes to the approved painting schemes shall be submitted to the Economic and Community Development Department for approval prior to the repainting of any buildings or structures on site.
9. All rooftop equipment shall be sited, to the extent feasible, so that it is not visible from the public way. Building permits for installation of rooftop equipment shall include a line-of-sight drawing, drawn to scale, depicting the extent of visibility of any rooftop equipment from the public way. If it is determined that rooftop equipment is visible from the public way, adequate screening shall be included in plans submitted for building permit issuance.
10. Plans submitted for building permit issuance shall show a minimum of 21 bicycle parking facilities to satisfy Section 18.38.190 (C) (3), which requires an amount equal to 20 percent of the required parking demand of 105 spaces. A minimum of 60 percent or 13 bicycle parking spaces shall be enclosed and secure to accommodate long term users. Facilities shall be designed consistent with Chapter 18.28.080, Design criteria for bicycle parking facilities located in industrial or commercial zoning districts, of the Municipal Code.
11. Prior to the issuance of building permits, the applicant shall submit a final landscape package, which is consistent with the preliminary landscape package except as may be modified by the following requirements, other project conditions of approval, and feedback from the City's consulting Landscape Architect. Landscape package shall also be consistent with Chapter 18.112, *Water Efficient Landscape*, of the Municipal Code and the Landscape Standards Policy Statement. Final landscape plan will be subject to review and approval by the City's consulting Landscape Architect. Additional fees for consultant's review and inspection are required to be paid with building permit fees. A final inspection of the installed landscaping and irrigation shall be completed prior to issuance of the Certificate of Occupancy. The applicant/property owner shall be responsible for maintaining all irrigation and landscaping and shall replace any dead or dying vegetation for the life of the project.
 - a. Revise planting plan to show any trees planted within 10 feet of any paved area to include a root control barrier and deep watering sleeve. Design shall be subject to review and approval by the City Arborist.
12. The applicant shall provide a cash deposit equal to 50% of the estimated installation cost of the landscaping, up to \$10,000.00, in order to ensure

installation of the planting shown on the approved landscape plan. The applicant shall enter into a private landscape maintenance contract for the maintenance of the required landscaping for a minimum period of two years after installation. The required certificate of deposit shall be submitted to the Economic and Community Development Department prior to the issuance of building permits. The project landscaping shall be installed and inspected, pursuant to the above-stated requirements, prior to issuance of a Certificate of Occupancy for the building.

13. Trash and recycling enclosure shall be designed consistent with Section 7.04.055, Enclosures for solid waste, organic waste and recycling containers, of the Municipal Code. Details shall be shown on plans submitted for issuance of building permits.
14. Prior to building permit issuance, the applicant and/or property owner shall submit a photometric/lighting plan that reflects a minimum of 1.0 foot-candle lighting level throughout the site and in all parking areas. Motion sensors shall be provided for areas inside and directly adjacent to trash enclosure areas. Lighting plan shall include proposed lighting levels (in foot candles) and exterior fixture design and shall be reviewed and approved by the Economic and Community Development Department and Police Department.
15. Prior to issuance of building permits, the applicant and /or property owner shall submit a sign program for the project, which is consistent with the City's Sign Ordinance (Chapter 18.30 of the Municipal Code), and includes the location and sign area for two tenant building signs, allowed building sign materials, maximum letter height, and illumination. Plan shall include references to applicable requirements listed in the City's Sign Ordinance. Sign plan shall also include details of the monument signs and an overall site plan showing the location of the buildings and monument signs.
16. The applicant and/or property owner shall subsurface all new transformers, switching boxes, and similar appurtenances, or shall screen them by locating them at the rear of the site in an enclosure with walls matching the material and color of the building. The enclosure shall include gates of heavy gauge corrugated steel and shall be surrounded by trees, shrubs and climbing vines. The applicant and/or property owner shall arrange the location and treatment of the appurtenances with gas, electric and communication providers prior to issuance of building permits.
17. The applicant and/or property owner shall screen all meters, telecommunications equipment, and appurtenant structures from public view. A detail of such screening shall be shown on the plans submitted for issuance of building permits.
18. The applicant and/or property owner shall provide factory processed color finishes, such as baked enamel, on all exterior metal surfaces.

19. The applicant and/or property owner shall pay a General Plan Cost Recovery Fee in the amount of \$1.00 per \$1,000.00 of building valuation per City Council Resolution Number 3379-07.
20. 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.
21. The applicant and/or property owner shall provide illuminated addressing on the forwardmost portion of the building with a minimum of six-inch high numerals and painted addressing on curbs.
22. The applicant and/or property owner shall grant an easement to the Alameda County Water District to allow the installation of all backflow prevention devices. Devices shall be setback as far as possible from sidewalk area. Devices shall be screened from public view by landscaping. Location of backflow prevention devices shall be shown on plans issued for building permit. Location of backflow prevention devices and adequate landscape screening shall be shown on landscape plan.
23. Applicant and/or property owner shall comply with Chapter 12.40, The Art In Public Places Program, of the Municipal Code. Prior to the issuance of building permits, applicant and/or property owner shall submit a detailed public art proposal, consistent with the contribution requirements listed in Section 12.40.030, for review and approval by the Public Art Board and the Economic and Community Development Department. Prior to issuance of a Certificate of Occupancy for the building, public art shall be installed consistent with approved proposal. Public art shall not block line of sight of existing BART sign located at the northerly corner of Station Way and Decoto Road.
24. The applicant and/or property owner shall submit a check to the Economic and Community Development Department for the Department of Fish & Game Notice of Determination Filing Fee in the amount of \$2,266.25 in compliance with the California Environmental Quality Act Guidelines. The check shall be made payable to the Alameda County Clerk and shall be submitted within two (2) working days of City Council approval of the project.
25. Applicant and/or property owner shall pay fees in effect at time of permit issuance including any new fees that are added after project approval.

Mitigation Measures (CEQA)

Air Quality

26. The property owner/applicant shall require the construction contractor to reduce the severity of project construction period dust and equipment exhaust impacts

by complying with the following control measures:

- ~~• The property owner/applicant shall require the construction contractor to reduce the severity of project construction period dust and equipment exhaust impacts by complying with the following control measures:~~
- All exposed building pad surfaces shall be watered two times per day. Other unpaved areas—such as parking areas, staging areas, soil piles, graded areas, and unpaved access roads—shall either be watered three times per day, be paved, or have non-toxic soil stabilizers applied, per City requirements.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. (Mitigation Measure AQ-1)

Biological Resources

27. If any site grading or project construction will occur during the general bird nesting season (February 1st through August 31st), a bird nesting survey shall be conducted by a qualified raptor biologist prior to any grading or construction activity. If conducted during the early part of the breeding season (January to April), the survey shall be conducted no more than 14 days prior to initiation of grading/construction activities; if conducted during the late part of the breeding season (May to August), the survey shall be performed no more than 30 days prior to initiation of these activities. If active nests are identified, a 250-foot fenced buffer (or an appropriate buffer zone determined in consultation with the California Department of Fish and Wildlife) shall be established around the nest tree and the site shall be protected until September 1st or until the young have fledged. A biological monitor shall be present during earth-moving activity near the buffer zone to make sure that grading does not enter the buffer area.

(Mitigation Measure BR-1)

Cultural Resources

28. City Staff shall advise the Project Construction Superintendent, Project Inspector, and Building Inspector at a pre-construction conference of the potential for encountering cultural resources during construction and the applicant's responsibilities per CEQA should resources be encountered. This advisory shall also be printed on the Plans and Specification Drawings for this project. (Mitigation Measure CR-1)
29. If any cultural artifacts are encountered during site grading or other construction activities, all ground disturbance within 100 feet of the find shall be halted until the City of Union City is notified, and a qualified archaeologist can identify and evaluate the resource(s) and, if necessary, recommend mitigation measures to document and prevent any significant adverse effects on the resource(s). The results of any additional archaeological effort required through the implementation of Mitigation Measures CR-2 or CR-3 shall be presented in a professional-quality report, to be submitted to the project sponsor, the Union City Community Economic and Development Department, and the Northwest Information Center at Sonoma State University in Rohnert Park. The project sponsor shall fund and implement the mitigation in accordance with Section 15064.5(c)-(f) of the *CEQA Guidelines* and Public Resources Code Section 21083.2. (Mitigation Measure CR-2)
30. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and a qualified archaeologist shall notify the Office of the Alameda County Coroner and advise that office as to whether the remains are likely to be prehistoric or historic period in date. If determined to be prehistoric, the Coroner's Office will notify the Native American Heritage Commission of the find, which, in turn, will then appoint a "Most Likely Descendant" (MLD). The MLD in consultation with the archaeological consultant and the project sponsor, will advise and help formulate an appropriate plan for treatment of the remains, which might include recordation, removal, and scientific study of the remains and any associated artifacts. After completion of analysis and preparation of the report of findings, the remains and associated grave goods shall be returned to the MLD for reburial. (Mitigation Measure CR-3)
31. If any paleontological resources are encountered during site grading or other construction activities, all ground disturbance shall be halted until the services of a qualified paleontologist can be retained to identify and evaluate the scientific value of the resource(s) and, if necessary, recommend mitigation measures to document and prevent any significant adverse effects on the resource(s). Significant paleontological resources shall be salvaged and deposited in an accredited and permanent scientific institution, such as the University of California Museum of Paleontology (UCMP). (Mitigation Measure CR-4)

Hazards/Hazardous Materials

32. Prior to issuance of a demolition permit for the existing buildings on the site, a comprehensive survey for asbestos-containing building materials (ACBM) shall be conducted by a qualified asbestos abatement contractor. Sampling for ACBM shall be performed in accordance with the sampling protocol of the Asbestos Hazard Emergency Response Act (AHERA). If ACBM is identified, all friable asbestos shall be removed prior to building demolition by a State-certified Asbestos Abatement Contractor, in accordance with all applicable State and local regulations, including Bay Area Air Quality Management District (BAAQMD) Regulation 11, Rule 2 pertaining to demolition, removal, and disposal of ACBM. BAAQMD shall be notified at least ten business days in advance of building demolition, in compliance with Regulation 11, Rule 2. To document compliance with the applicable regulations, the project sponsor shall provide the City of Union City Building Division with a copy of the notice required by BAAQMD for asbestos abatement work, prior to and as a condition of issuance of the demolition permit. (Mitigation Measure HM-1)
33. Prior to issuance of a demolition permit for the existing buildings on the site, a survey for lead-based paint (LBP) shall be conducted by a qualified lead assessor. If LBP is identified, lead abatement shall be performed in compliance with all federal, State, and local regulations applicable to work with LBP and disposal of lead-containing waste. A State-certified Lead-Related Construction Inspector/Assessor shall provide a lead clearance report after the lead abatement work in the buildings is completed. The project sponsor shall provide a copy of the lead clearance report to the City of Union City Building Division prior to issuance of a demolition permit (Mitigation Measure HM-2).

Hydrology/Water Quality

34. Prior to issuance of a grading permit the project sponsor shall obtain National Pollutant Discharge Elimination System (NPDES) construction coverage as required by Construction General Permit (CGP) No. CAS000002, as modified by State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ. Pursuant to the Order, the project applicant shall electronically file the Permit Registration Documents (PRDs), which include a Notice of Intent (NOI), a risk assessment, site map, signed certification, Stormwater Pollution Prevention Plan (SWPPP), and other site-specific PRDs that may be required. At a minimum the SWPPP shall incorporate the standards provided in the Association of Bay Area Governments' *Manual of Standards for Erosion and Sedimentation Control Measures* (2005), the California Stormwater Quality Association's *California Stormwater Best Management Practices Handbook* (2009), the prescriptive standards included in the CGP, or as required by the Clean Water Program Alameda County, whichever are applicable and more stringent. Implementation of the plan will help stabilize graded areas and reduce erosion and

sedimentation. The SWPPP shall identify Best Management Practices (BMPs) that shall be adhered to during construction activities. Erosion-minimizing efforts such as hay bales, water bars, covers, sediment fences, sensitive area access restrictions (for example, flagging), vehicle mats in wet areas, and retention/settlement ponds shall be installed before extensive clearing and grading begins. Mulching, seeding, or other suitable stabilization measures shall be used to protect exposed areas during and after construction activities. The SWPPP shall also be reviewed and approved by the Union City Public Works Department. (Mitigation Measure WQ-1)

35. All cut-and-fill slopes shall be stabilized as soon as possible after completion of grading. No site grading shall occur between October 15th and April 15th unless approved erosion control measures are in place. (Mitigation Measure WQ-2)
36. Prior to issuance of a grading permit, the project applicant shall prepare a C.3 Stormwater Control Plan in accordance with current construction and post-construction requirements specified by State Water Resource Control Board (SWRCB) Order No. 2009-0009-DWQ and the post-construction requirements specified by National Pollutant Discharge Elimination System (NPDES) Order No. R2-2015-0049 and the Alameda Countywide Clean Water Program (ACCWP). The C.3 Stormwater Control Plan shall be developed in accordance with the provisions of ACCWP's *C.3 Stormwater Technical Guidance* manual (Version 5.1, May 2, 2016). Additionally, as required by the C.3 Provisions, building permit applications must be accompanied by a Stormwater Control Plan, for review and approval by the City Engineer, which specifies the treatment measures and appropriate source control and site design features that will be incorporated into project design and construction to reduce the pollutant load in stormwater discharges and manage runoff flows.

The C.3 Stormwater Control Plan shall be submitted for review and approval by the Union City Clean Water Program (UCCWP). The plan and a Stormwater Requirements Checklist shall be prepared by a qualified civil engineer or landscape architect. The applicant shall demonstrate to UCCWP via drawings and engineering calculations that the proposed project includes site design features sufficient to capture and treat on site all stormwater runoff from the project site, in compliance with Provision C.3 of the ACCWP. Landscape features shall be used in lieu of structural features to the degree feasible. As part of compliance with the ACCWP, the applicant shall execute and implement a maintenance agreement with the City of Union City to provide for the maintenance of all onsite stormwater treatment features and devices in perpetuity, including specification of how the maintenance will be financed. Prior to issuance of the building permit, the applicant shall provide proof of recording this agreement from the Alameda County Clerk Recorder's Office. The applicant shall submit to the Union City Public Works Department annual certificates of compliance with the operations and maintenance requirements stipulated in the maintenance agreement. (Mitigation Measure WQ-3)

Transportation

37. Extend the existing raised median on Union Square at the intersection with Decoto Road to prohibit left-hand into the existing driveway on Union Square, which provides access to the project site. Final design subject to review and approval by the Union City Public Works Department. (Mitigation Measure T-1)

Building Division:

38. Project construction shall fully comply with the Uniform Codes in effect at the time of building permit issuance.
39. 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. 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.
40. The applicant and/or property owner shall maintain the property to be free of litter, weeds, debris, etc., both before and after issuance of building permits. Daily litter and debris collection rounds shall be conducted on the site and an adequate number of trash receptacles shall be provided to minimize litter accumulation.
41. 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 shall submit a completed Construction and Demolition Waste Management Plan with their application for a construction or demolition permit.
42. The applicant and/or property owner shall remove any graffiti appearing on the site within forty-eight (48) hours after discovery. If not removed in a timely manner, the City may, at its option, remove the graffiti and charge the property owner a fee for the services performed.
43. The applicant and/or property owner shall not locate construction debris boxes within the public right-of-way (ROW), driveways or on adjacent private properties.

Fire Department:

44. The project shall comply with the California Building and Fire Codes and current and local ordinances in effect at the time of building submittal.

44.45. The applicant or property owner shall provide a fire hydrant along Station Way to the satisfaction of the Fire Department.

Public Works Department:

45.46. The applicant and/or property owner shall secure an Encroachment Permit(s) from the Public Works Department for all work in the public right-of-way. The applicant shall be responsible for any required repairs associated with the development, including paving, trenching, curbs and gutters, sidewalks, driveways, street lights, traffic signals or installation of same where not existing, as determined by the City Engineer.

46.47. The applicant and/or property owner shall design and construct the onsite and offsite storm drainage system to the satisfaction of the City Engineer to ensure proper drainage, in accordance with City Standards.

a. The applicant and/or property owner is encouraged to discharge the on-site storm drainage to Station Way and install a storm drainage system on Station Way to convey the flows to the existing storm main on Decoto Road.

b. The applicant and/or property owner if he chooses to accept public drainage from Station Way and conveys it to the public storm drainage system on Union Square through the easement on his private property and through those on private properties to the south, shall hold the City harmless against any consequences of placing public drainage on private property. The City may require additional assurances through recorded agreements which will run with the title of the property, to ensure indemnification against any risk of combining public and private storm drainage on-site. In addition, the applicant shall ensure that the existing and proposed easements on all private properties that are located between the two public streets are adequate to accept both the public and private storm drainage. All storm drainage pipes and other appurtenances between the two public streets shall be designed to accommodate the anticipated public and private drainage and shall be maintained by the private property owners. Any City Attorney's costs associated with reviewing the proposed storm drain related easement documents shall be borne by the applicant.

47.48. The applicant and/or property owner shall provide structural paving sections for the proposed streets, drive aisles, and parking lots that are adequate to accommodate the vehicular loads, including loads from garbage trucks.

- | ~~48-49.~~ The applicant and/or property owner shall ensure that the proposed drive aisles and driveways meet the minimum width requirements and required turning radii per City and Fire Code standards.
- | ~~49-50.~~ The applicant and/or property owner shall present for review and approval by the City Engineer and Fire Department, a turning radius analysis for fire trucks entering the site from Decoto Road.
- | ~~50-51.~~ The applicant and/or property owner shall conform to the City Standard for Commercial & Industrial Driveways which calls for the driveways to be at least 28 ft. wide for a two-way driveway with 2 ½ ft. wide apron approaches on each side for a total driveway width of 33 ft. (Due to the presence of a large utility vault just north of the driveway, most of the widening may be limited to extending the south end of the driveway and will require securing a Temporary Construction Easement (TCE) and agreement from the adjacent property owner to the southwest (NeoCenter) since the work will need to be done on adjacent property and may impact some landscaping at the back of sidewalk on adjacent property.
- | ~~51-52.~~ The applicant and/or property owner shall note that the driveway aisle which is shared with the private property to the southwest (NeoCenter) may be narrowed from 28 ft. at the driveway on Decoto Road to a minimum of 26 ft. after approximately 50 ft. into the site.
- | ~~52-53.~~ The applicant and/or property owner shall replace the entire existing driveway on Decoto Road which is to be widened due to the presence of cracks in the middle of the driveway.
- | ~~53-54.~~ The applicant and/or property owner shall ensure that the shared driveway on Decoto Road will meet the current ADA standards since it also serves as a sidewalk due to the presence of monolithic sidewalks on both sides. Caltrans Detail A87A calls for the sidewalk portion of the driveway to be at least 4'-2" wide and have a max. slope of 1.5%. The non-pedestrian portion of the driveway may have a slope of up to 10%.
- | ~~54-55.~~ The applicant and/or property owner shall ensure that the cracked and failing asphalt pavement of the main shared drive aisle adjacent to the driveway on Decoto Road is repaved. This also applies to the other failing pavement areas on adjacent properties that will be used by the new development and will exacerbate the poor condition of the pavement. [Condition No. ~~5385~~, which refers to the easement documents, may help answer the maintenance needs.]
- | ~~55-56.~~ The applicant and/or property owner shall remove any existing driveways that will no longer be needed and replace them with sidewalk and/or landscaped area.

- | ~~56-57~~. The applicant and/or property owner shall install all new utility lines underground. No new overhead services to the development or overhead extensions of main lines will be permitted.
- | ~~57-58~~. The applicant and/or property owner shall install all public utilities in the Public Utility Easement (P.U.E.) or in the Public right-of-way. No public utilities shall be installed on private property without an easement.
- | ~~58-59~~. The applicant and/or property owner shall dedicate P.U.E. for utilities such as PG&E, AT&T, Comcast cable and future fiber optic providers.
- | ~~59-60~~. The applicant and/or property owner shall install two 2-inch conduits, pull ropes and associated vault in public right of way for future fiber optic service to the building. Complete specifications are available from the Public Works Dept. for the fiber optic infrastructure. Conduits will also be installed within the building along with electrical and communications lines to serve future use.
- | ~~60-61~~. The applicant and/or property owner shall submit a grading plan to the Public Works Department and obtain a Grading Permit prior to proceeding with any demolition and grading operations, unless allowed by the City Engineer.
- | ~~61-62~~. The applicant and/or property owner shall submit an application for a Tree Removal Permit to the Public Works Department which will include an arborist's report detailing the size, number and species of trees to be removed as well as those to be retained on the site. A summary of the new trees proposed to be installed shall also be provided. City Arborist will evaluate this information and may seek a tree-replacement in-lieu fee if an equivalent number of trees cannot be replanted onsite. An in-lieu fee is likely since the City Arborist requires up to 10 replacement trees for each mature tree removed, depending upon the health and quality of the tree being removed. The Tree Removal Permit shall be obtained prior to proceeding with any demolition, tree removal or grading operations.
- | ~~62-63~~. The applicant and/or property owner shall preserve all existing trees on the site until a tree removal permit, consistent with the Site Development Review approval, is issued by the City Arborist.
- | ~~63-64~~. The applicant and/or property owner shall replace any damaged or uplifted sidewalk, curb and gutter and replace any uplifted gutters that impede drainage flow along Decoto Road and Station Way.
- | ~~64-65~~. The applicant and/or property owner shall ensure that any existing or proposed street lights are relocated at least 5 ft. from driveways, in accordance with City Standards. Any new lights shall be LED, as approved by the City Engineer, and fixture design shall be reviewed and approved by the City Engineer

- | ~~65-66.~~ The applicant and/or property owner shall provide a separated sidewalk along Station Way and Decoto Road. Final design, including landscaping, shall be subject to review and approval by the Public Works Department. Any street lighting that may be removed from Station Way during construction will be replaced with street lights that match the existing street lights. Pedestrian lighting may also be required along the new sidewalk on Station Way.
- | ~~66-67.~~ The applicant and/or property owner shall paint the curb red for a distance of 30 feet to the south of the widened driveway on Decoto Road.
- | ~~67-68.~~ The applicant and/or property owner shall provide all public utility and access easements for the development to the satisfaction of the City Attorney and the Director of Public Works.
- | ~~68-69.~~ The applicant and/or property owner shall provide a detailed breakdown of the engineer's estimate for all on-site work including parking lot demolition, grading, storm drainage facilities, stormwater treatment facilities, street structural section including paving, pavers, sidewalk, curb & Gutter, lighting and landscaping. The Plan Check & Inspection Fees will be based upon this estimate.
- | ~~69-70.~~ The applicant and/or property owner shall pay a Traffic Signalization fee of \$5,241 per acre for the proposed development in Commercial zoning.
- | ~~70-71.~~ The applicant and/or property owner shall apply for a Grading Permit, pay a grading fee and post a Grading Permit Bond. The fees and bond will be based upon the earthwork in cubic yards of dirt estimated to be moved, including cut, fill and import, etc.
- | ~~71-72.~~ The applicant and/or property owner shall apply for an Encroachment Permit, pay a fee and post a Bond for all work in the public right-of-way, including trenching, roadwork, concrete, striping and work related to intersection and traffic signal modifications, etc.
- | ~~72-73.~~ The applicant and/or property owner shall ensure that the Parcel Map will be in substantial compliance with the Vesting Tentative Parcel Map and will address the following:
 - a. Dedication of sufficient width of property along the west side of Station Way (the side adjacent to proposed development) for public street purposes. The exact width of the right-of-way dedication will be finalized later but is between 9-11 ft. to roughly match the existing sidewalk on the east side of Station Way and shall be fitted with a sidewalk and a planter strip.
 - b. Lot merger of the two lots located on the project site.

- c. Quitclaim all existing easements that are no longer needed and are to be vacated such as Public Utility Easement (PUE), Sanitary Sewer Easement (SSE), Water Line Easement (WLE) and Private Vehicular and Pedestrian Easement (V.P.E.) on private property.
- d. Either create new, update existing, or document existing easements, to facilitate shared improvements including for utilities and parking.
- e. Include agreement or Memorandum of Understanding to be referenced on the Parcel Map for the trash enclosure which is to be located on subject property but shared with the adjacent property owner.
- f. Include any needed new storm drain easements on the subject private property, to enable conveyance of on-site drainage and the off-site drainage from the public Station Way, through the property and to the existing public storm drain system on Union Square. The developer, should he choose to opt for taking the public flows through the property as described above, shall indemnify the City, as well as the adjacent properties, against any resulting damage, to the satisfaction of the City Attorney. The developer shall also indemnify the City against any claims from the adjacent properties as a consequence of draining Station Way through private properties. To avoid such liability, the developer may choose to drain its flows to Station Way instead, and extend the storm drainage system on Station Way to connect with the existing storm drainage system on Decoto Road.

| ~~73-74.~~ The applicant and/or property owner shall show the removal of all existing utilities on the plans that will no longer be needed for the new building and propose any new utilities, to the satisfaction of the City Engineer and the utility providers.

| ~~74-75.~~ The applicant and/or property owner shall contact the Alameda County Water District, Engineering Department, at (510) 659-1970 to determine water service and permit requirements and Union Sanitary District at (510) 477-7500 to determine sewer service and permit requirements.

| ~~75-76.~~ The applicant and/or property owner shall ensure that on-site and off-site construction activity complies with Section 9.40.053 of the Union City Municipal Code, and is limited to the following hours:

Monday through Friday - 8:00 a.m. to 8:00 p.m.
 Saturday - 9:00 a.m. to 8:00 p.m.
 Sundays & Holidays - 10:00 a.m. to 6:00 p.m.
 Roadwork on Decoto Road & Station Way – 9:00 a.m. to 3:00 pm.

| ~~76-77.~~ The applicant and/or property owner shall ensure that the project complies with the most current requirements of the Alameda County Clean Water Program as

detailed in the California Regional Water Quality Control Board's (RWQCB) Municipal Regional Stormwater Permit (MRP 2), Order R2-2015-0049, NPDES Permit No. CAS612008, dated November 19, 2015.

- | ~~77-78.~~ The applicant and/or property owner shall submit the 'Stormwater Requirements Checklist demonstrating that the project meets the requirements of the Municipal Regional Stormwater Permit (MRP 2) for approval by City Staff.
- | ~~78-79.~~ The applicant and/or property owner shall dedicate sufficient areas to treat Stormwater per the requirements of the MRP and consistent with information in the Stormwater Requirements checklist. Plans shall show the tributary areas used for sizing of the treatment areas, such as bio-retention areas, the storm drain system in and out of the treatment areas throughout the site and the cross-sectional details of such areas.
- | ~~79-80.~~ Prior to release of grading permit, the applicant and/or property owner shall enter into a storm water treatment measures maintenance agreement with the City of Union City assuring both the responsibility for the post-construction operation and maintenance (O&M) of the treatment measure (bio-treatment basins) and the access by public agency personnel strictly for the purpose of O&M verification. This maintenance agreement shall be recorded by the property owner at the Alameda County Recorder's Office.
- | ~~80-81.~~ The O&M Plan and associated inspection reports shall be provided for review and approval to the Public Works Department on an annual basis showing the activities undertaken throughout the year to keep the Stormwater and bio-treatment facilities in good working order, in compliance with the requirements of California RWQCB Order R2-2015-0049, NPDES Permit No. CAS612008, dated November 19, 2015. The 'boiler plate' of this agreement, prepared by the City Attorney's office, is available from the Public Works Department for use on this project.
- | ~~81-82.~~ The applicant and/or property owner shall install a full trash capture device (TCD), as approved by the City Engineer, at all new and existing storm drain structures just prior to connection with the public storm drain system. TCDs shall also be installed at all existing storm drain inlets located along the perimeter of the development in order to prevent trash from entering the public storm drainage system.
- | ~~82-83.~~ The applicant and/or property owner shall ensure that Onsite storm drain inlets shall be labeled "No Dumping -Drains to Bay" using a stencil approved by the Public Works Department.
- | ~~83-84.~~ The applicant and/or property owner shall ensure that the design of any Stormwater quality treatment measures incorporated in the project includes the

treatment control design guidance for vector control (Alameda Countywide Clean water Program's Vector Control Plan).

- | ~~84-85.~~ The applicant and/or property owner shall review the easement documents to ascertain if the existing easements, including those with in the adjacent properties, continue to be relevant or if they need to be modified. A copy of the easement documents will also be provided to staff for their evaluation of location and use of trash enclosure and trash bins, respectively, and pavement maintenance responsibilities for drive aisles that are used by the various neighboring property owners. The pavement maintenance responsibilities may need to be carefully reevaluated to ascertain the extent of any detrimental impact on the pavement condition due to the substantial increase in traffic resulting from the new development.
- | ~~85-86.~~ The applicant and/or property owner shall ensure that no work is done on neighbors' property without their explicit consent. For example, the existing median island in the main drive aisle between 1320 Decoto Road and the parking lot to the east is shown to be removed and paved. This median island and the proposed parking are located on adjacent property. An agreement and/or easement need to be executed, as well as a Temporary Construction Easement (TCE) needs to be reached to enable the proposed concept.
- | ~~87.~~ The applicant shall show a construction staging plan which will include area for stockpiling materials, construction access route and parking areas belonging to the adjacent property owners that are to be fenced off and not to be impacted during construction.
- | ~~88.~~ The applicant shall provide a staging and phasing plan prior to issuance of the grading permit. The plan will show the location(s) designated for stockpiling of materials during the various phases of construction and will require coordination with the adjoining businesses to minimize impact, maintain parking and provide safe access to their employees and clients.
- | ~~89.~~ The applicant shall ensure that trash service to the adjoining businesses is maintained during the course of construction. The existing trash enclosure located along the property line with BART may not be accessible during construction and a new temporary location may need to be agreed upon with the neighbors and the garbage and recycling companies.
- | ~~90.~~ The applicant shall ensure that sufficient parking is made available to the construction workers and they are directed to the availability of such parking. Parking on other businesses will not be permitted without mutual consent. As an option, metered paid parking is available on the east side of the BART tracks which is a short walk to the project site.

| ~~86-91.~~ The following best management practices relating to construction site controls shall be implemented during construction activities. These best management practices shall be shown as notes on the approved grading and building permit plan sets:

- A. The applicant and/or property owner shall ensure compliance with all best management practices by making sure that all contractors, subcontractors and suppliers are aware of all storm water pollution prevention measures and their implementation requirements.
- B. The applicant and/or property owner shall ensure that concrete/gunite supply trucks or concrete/plaster and finishing operations discharge washout water into a designated cleanout area, designed to prevent pollutants from entering the storm water and/or sanitary sewer system.
- C. The applicant and/or property owner shall be ensure that discharge restrictions shall also apply to the operation of general construction machinery including masonry cutting equipment, and the washing of tools, brushes, containers, etc. These operations shall not be performed in the street, gutter, or where pollutants can enter the storm water system. Failure to comply with the approved construction requirements will result in the issuance of correction notices, citations, or project stop work orders.
- D. The applicant and/or property owner shall minimize the removal of natural vegetation or ground cover from the site in order to minimize the potential for erosion and sedimentation problems. All cut and fill slopes shall be stabilized as soon as possible after completion of grading. No site grading shall commence unless approved erosion control measures are in place.
- E. The applicant and/or property owner shall install filter materials (sand bags, filter fabric, straw wattle, etc.) at the storm drain inlet nearest the downstream side of the project site prior to:
 - 1. Start of the rainy season (October 1st);
 - 2. Site dewatering activities;
 - 3. Street washing activities; and
 - 4. Saw cutting asphalt or concrete.

Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Filtered particles shall be disposed of in an appropriate manner based upon constituents.

- F. The applicant and/or property owner shall gather all construction debris on a regular basis and place in a dumpster or other container, which is emptied or removed at a minimum on a weekly basis. When appropriate, tarps shall be

used on the ground to collect falling debris, paint over-spray, etc. that could contribute to storm water pollution.

- G. The applicant and/or property owner shall ensure that trash enclosures and/or recycling containers, paved outdoor storage, staging, or lay down areas shall be designed and constructed to prevent pollutants from entering storm drain system.
- H. The applicant and/or property owner shall ensure the availability of a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential of becoming a pollutant and/or being discharged to the storm drain system.
- I. The applicant and/or property owner shall ensure that dirt, gravel, debris and green waste shall be removed from the sidewalk, street pavement, and storm drains adjoining the project site. These areas shall be broom swept on a daily basis. Caked on mud or dirt shall be scraped before sweeping. During wet weather, the applicant should avoid excavation and other activities that lead to pollutants entering storm water such as driving vehicles on unpaved areas, etc.
- J. The applicant and/or property owner shall ensure that outdoor washing or pressure washing shall be managed to prevent pollutants from getting into storm water and/or into the storm drain system.
- K. The applicant and/or property owner shall ensure that On-site storm drain inlets shall be labeled "No Dumping - Drains to Bay" using a stencil approved by the Public Works Department.

| 87.92. The applicant shall ~~E~~extend the existing raised median on Union Square at the intersection with Decoto Road to prohibit left-hand into the existing driveway on Union Square, which provides access to the project site. Details shall be shown on required improvement plan drawings. Final design subject to review and approval by the Union City Public Works Department.



Agenda Item

ATTACHMENTS:

Description	Type
☐ Staff Report - ASD-17-011	Staff Report
☐ ASD-17-011, Exhibit A Plans	Exhibit

STAFF REPORT

Omar Mohseni

ASD-17-011

**Corner lot at Depot Road and Decoto Road
New Single-Family Residence and Accessory Dwelling Unit**



Agenda Item

DATE: 08/17/2017

TO: PLANNING COMMISSION

FROM: JOAN MALLOY, ECONOMIC AND COMMUNITY DEVELOPMENT

SUBJECT: ADMINISTRATIVE SITE DEVELOPMENT REVIEW (ASD-17-011)

APPLICANT: Omar Mohensi

LEGAL OWNER: Nafisa Mohseni

REQUEST: Administrative Site Development approval to construct a new 2,682 square-foot, two-story, single-family house with an attached 654 square-foot garage, and a 620 square-foot attached accessory dwelling unit (ADU).

LOCATION: Corner lot at Depot Road and Decoto Road (APN: 486-27-139)

SIZE OF PARCEL: 7,030 square feet

GENERAL PLAN

LAND USE: R6-10 (Residential, 6 to 10 dwelling units per acre)

ZONING: R 5000 (Residential, minimum lot size 5,000 square-feet)

SURROUNDING LAND USES:

LOCATION	GENERAL PLAN DESIGNATION	ZONING DISTRICT	LAND USE
North	R6-10	R 5000	Single-family houses
South	R6-10	R 5000	Single-family houses
East	Research & Development Campus	RDC	PG&E transformer station
West	R6-10	R 5000	Single-family houses

ENVIRONMENTAL ASSESSMENT:

Staff recommends that the Planning Commission find that the project is categorically exempt under Section 15303, New Construction or Conversion of Small Structures, of the California Environmental Quality Act (CEQA) Guidelines.

LOCATION MAPS:

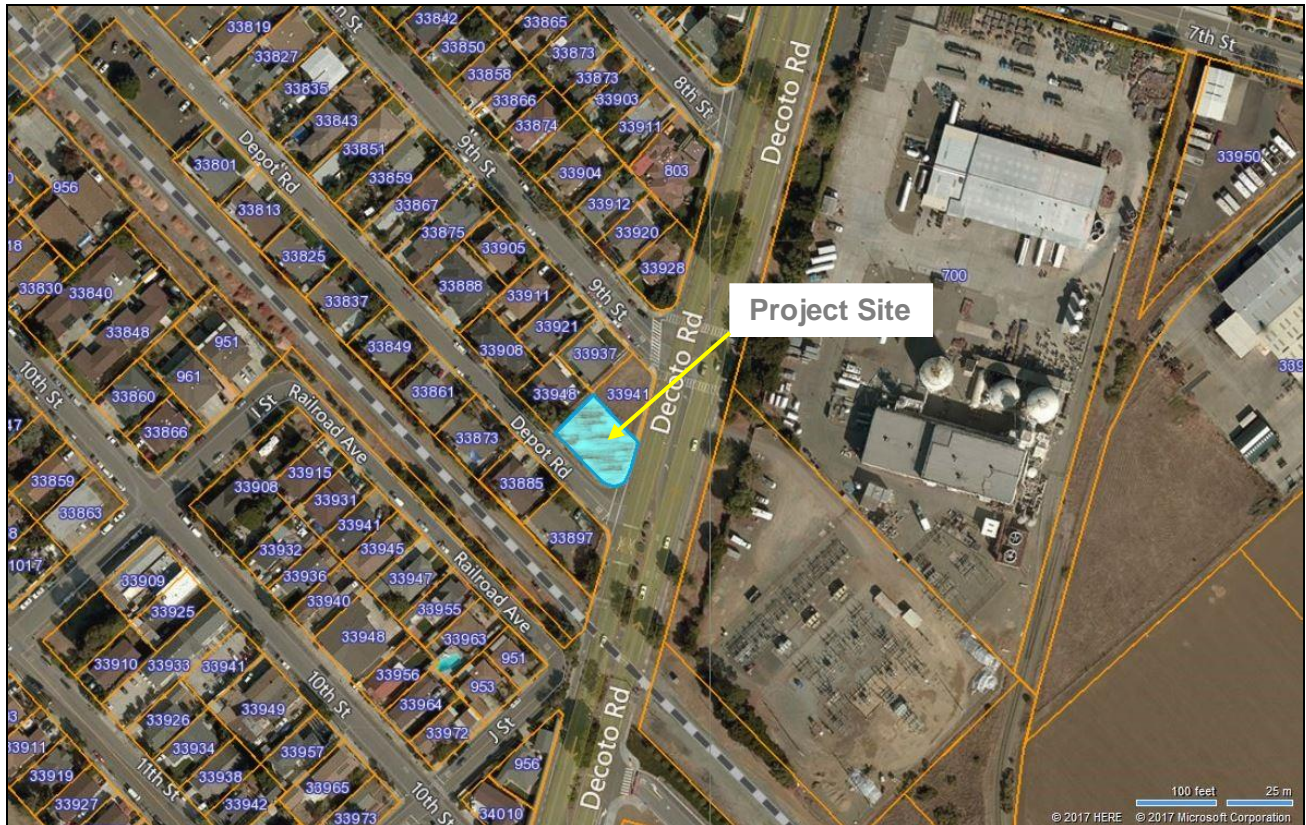


Figure 1: Location Map



Figure 2: Zoning Map



Figure 3: Aerial Map

I. BACKGROUND & PROPOSAL

A. Project History

On March 9, 2004 the City Council approved Parcel Map 8306, which subdivided one large parcel on Decoto Road, between 9th Street and Depot Road into two lots (Resolution No. 2596-04); the subject property is one of the two lots. This approval required future developments on the two lots to have driveway access from 9th Street or from Depot Road.

B. Project Site

The proposed project is on one of two undeveloped lots on Decoto Road between 9th Street and Depot Road. The subject lot is on the corner of Depot Road and Decoto Road and measures approximately 7,000 square-feet. Due to its location and configuration, development on this lot will be highly visible on three sides, the front side from Depot Road, and the rear and right side from Decoto Road. Figures 1, 2 and 3, above, show the location of the project site.

C. Neighborhood

The project site is on the border of the Decoto neighborhood, one of the Union's City's older districts. The surrounding residences are newer homes that were built since 1990 in various modern-historic styles; but as one moves further west into Decoto, older single-family dwellings, built in the 1950's and earlier, become more prominent.

Across the street from the property are lands that are designated Research and Development Campus (RDC), and a short distant in the southeast direction (approximately 0.5 mile) is the Union City BART Station and the Commercial Station Mixed-Use (CSMU) lands. The RDC and the CSMU districts have higher density development standards for office, commercial, residential, and R&D because of the close proximity to BART.

The project site is adjacent to Decoto Road, a main corridor in Union City that connects to major roads (e.g. Mission Boulevard and Alvarado-Niles Road), Interstate 880, and the Dumbarton Bridge (State Route 84). In addition, behind the homes on the other side of Depot Road is the Union Pacific (formerly Southern Pacific) railroad right-of-way, which bisects the Decoto neighborhood and is an active rail line that carries both freight and passenger trains.

II. PROJECT ANALYSIS

A. Administrative Site Development Review

The project requires Administrative Site Development Review approval per Municipal Code 18.72.020(E), as the applicant is proposing development of a new two-story, single-family dwelling. At the Commission's request, new single-family homes are forwarded to the Commission for their review. State law requires ministerial review for the Accessory Dwelling Units (ADU). Information for the ADU is included to demonstrate that it complies with City regulations.

B. Proposed Project

The applicant, Omar Mohensi, is requesting approval of an Administrative Site Development Review to construct an approximately 2,700 square-foot, two-story, single-family house on a 7,000 square-foot lot in the R 5000 Zoning District. The project includes a 650 square-foot, three-car attached garage. A 620 square-foot ADU on the ground floor is attached to the main house on the north side of the property, and is also part of the proposal. The total floor area of the structure will be approximately 4,000 square feet with a lot coverage of 40 percent. The proposed plans are provided as **Exhibit A**.

Floor Plan

The plans for the first floor features the ADU, a three-car garage, and the main living area of the main house. The ADU contains a separate living/dining and kitchen area, a bedroom with a bathroom. The project has been conditioned to designate the third parking spot in the garage to the ADU (Condition 6). Plans for the ADU can be found on sheet A102.

The living areas of the main house are connected to the grand entry located within the turret. This grand entry serves as the focal point of the home as one can access the living room, kitchen, dining room, family room, guest bedroom, and the second floor from this space (sheet A102). The primary sleeping quarters are located on the second floor and consist of two bedrooms, one bath (to which a shower will be added), two master suites, and a loft area with a balcony that looks out to the hills above Mission Boulevard (sheet A103).

Architecture & Design

The applicant's proposed Mediterranean-inspired home sits on the border of the Decoto neighborhood and is adjacent to the RDC/CSMU districts. It will serve as transition point as one enters the Decoto neighborhood, and, as noted, will be highly visible on Decoto Road.

The elevation drawings (A104 and A105) and renderings (A101.1) show a two-story home with concrete tiled roof and neutral colored stucco walls. The front of the house features a two and a half-story turret with a covered porch entry. The three-car garage will have arched, carriage-style doors in a wooden finish. There is a light-colored, stacked stone decorative treatment at the base of the house along Depot Road and Decoto Road. This stone treatment is carried all the way to the top of the first floor around the garage opening and around the entryway on the turret. Condition 12 has been added to the project to extend the stacked stone treatment to the privacy wall along Decoto Road to enhance the appearance of the wall and the busy corridor.

Many of the openings on the house are currently shown to be a combination of a double-hung window paired with two side lights; this is an atypical arrangement and Condition 17 has been added to require a revised window schedule at the building permit stage. Staff will work with the applicant to ensure that the final window schedule provides the appropriate proportion and treatment to the openings at the various frontages.

As noted above in the neighborhood description, the project is close to an active railroad line and next to a major traffic corridor. To minimize potential noise concerns from the

railroad and traffic noise, Condition 16 requires the applicant to incorporate into the building design noise attenuation measures such as multi-paned windows and/or other soundproofing methods to ensure that interior noise standards can be met. The project is also required to provide forced-air ventilation (air conditioning) to ensure that the windows do not have to be open to maintain a comfortable temperature in the summer.

Landscape

The landscaping plan (L101) will be revised to comply with the Union City Water Efficient Landscape Ordinance (Chapter 18.112 of the Zoning Ordinance), the Bay Friendly Landscape Practices, and to ensure that the selected plants and vegetation are appropriately located and spaced. The project will be required to provide five (5) street trees, staff recommends that trees located along Decoto Road be Chinese elm (*Ulmus parvifolia*) trees; Chinese elms are fast growing trees, and this species is also planted along the public right of way in the Station District. Including them along Decoto Road will help to connect the two areas. The City Arborist will have the final decision regarding the species, size, and location of the street trees. Staff has included Conditions 7 to 9 to mandate the landscaping requirements for the project.

Development Standards Compliance

As conditioned, the project complies with the R 5000 Zoning District development and design standards, as summarized in the following table.

DEVELOPMENT AND DESIGN STANDARDS R 5000 ZONING DISTRICT			
Category	Standard or Guideline	Proposed project	Complies?
Chapter 18.88 (R 5000 Zoning District)			
Front setback	20 feet	20 feet	Yes
Rear setback	10 feet	10 feet	Yes
Side setback	5 feet	5 feet	Yes
Exterior side setback	10 feet	10 feet	Yes
Lot coverage	50%	40%	Yes
Height	2 stories, 30 feet	2 stories, 29.75 feet	Yes
Parking	2 off-street, covered, and enclosed spaces	3-car garage	Yes
Section 18.32.100.A.5 (Side yards and second stories)			
Second story and side yards	On two-story single-family dwellings, side wall windows at the second-story level adjoining a required side yard shall not be so placed as to directly overlook a yard on an adjoining lot unless no other alternative is possible. In such cases, obscure glazing or other appropriate mitigation measure to ensure privacy may be required.	There are no windows on the second story that faces the neighboring property on Depot Road.	Yes
Section 18.32.115 (Open Space and landscaped areas)			
Front yard	In all districts, the required front yard shall be landscaped and permanently maintained not including approved driveways and pedestrian pathways.	Shall be finalized with construction plans and is Conditions 7 to 9.	Yes
Non-living areas	Non-living landscaping shall not exceed twenty-five percent (25%) of any required landscaped area unless approval from the City Arborist or City Landscape Architect is obtained.	Shall be finalized with construction plans and is Conditions 7 to 9.	Yes
Water efficiency	New landscaping and modifications to existing landscaping shall comply with the provisions listed in Chapter 18.112, Water Efficient Landscape Ordinance, and the Landscape Standards Policy	Shall be finalized with construction plans and is Conditions 7 to 9.	Yes

DEVELOPMENT AND DESIGN STANDARDS R 5000 ZONING DISTRICT			
Category	Standard or Guideline	Proposed project	Complies?
<i>Design Criteria (Section 18.32.125)</i>			
Neighborhood Compatibility	Single-family dwellings, including site built and modular homes, when not part of a subdivision, shall be compatible with surrounding residential uses in terms of siding and roof materials, roof pitch, roof eaves, trim elements and architectural features.	The architecture, materials and colors, as conditioned, will closely match the existing adjacent houses with stucco siding and concrete tile roof.	Yes
Articulation	All residential development, including new construction and additions, shall be articulated on all elevations. A higher degree of articulation shall be provided on the front elevation defined as the elevation that faces the front property line and includes the main entry point to the residence.	All sides are well articulated, as conditioned, and the second story is set back from the first floor façade on Depot Road and Decoto Road.	Yes
<i>Section 18.32.020.M (Accessory Dwelling Unit)</i>			
Location	Must comply with all setback standards as main structure	ADU meets all setback standards.	Yes
Lot coverage	Must comply with lot coverage	ADU is included in lot coverage calculation.	Yes
Size	275 to 640 square feet	620 square feet	Yes
Number of bedrooms	One	One	Yes
Design	Shall be clearly subordinate to the principal unit, by size, location and appearance	ADU is located away from Decoto Road, and has a smaller entrance to the side of the main house.	Yes
	Exterior appearance shall reflect exterior of main unit	ADU will be built at the same time as the main unit, same finishes.	Yes
Facilities	Must have a complete independent living area for sleeping, cooking and sanitation	ADU is completely separated from the main house and has its own living, kitchen, bedroom and bathroom.	Yes
Parking	One, can be uncovered/tandem	Condition 6 requires the third garage space be designated to the ADU.	Yes

C. Consistency with the General Plan and Zoning

The project site has a General Plan designation of R6-10 (Residential, 6 to 10 dwelling units per acre). The purpose of this designation is to provide areas for a variety of moderate intensity single-family uses including detached, semi-detached, and attached single family housing, mobile home parks, and zero lot line developments. The proposed project is consistent with this purpose.

The project site has a zoning designation of R 5000 (Residential, minimum lot size 5,000 square-feet). As summarized in the table above, the proposed project is consistent with the development standards of the R 5000 Zoning District and applicable standards for ADUs.

D. Public Noticing

Public notices were sent out on August 7, 2017 to all residents and property owners within 300 feet of the site to inform them of the development proposal and the hearing date. As of August 10, 2017, no comments were received by staff regarding the proposed project.

E. Conclusion

The Development Review Committee (DRC) has reviewed the proposed project (ASD-17-011) and recommends that the Planning Commission approve ASD-17-011, subject to the conditions listed in this staff report.

The project meets the purpose of Administrative Site Development Review, the development standards of the R 5000 Zoning District, and current regulations for ADUs. The DRC has found that the design of the home would be compatible to the variation in architectural style which prevails within the Decoto neighborhood and would serve well as a transition into the Station District. The DRC considers the proposed project to be an appropriate addition to as well as a positive contribution to housing stock of the City at large. In addition, the DRC felt that the project, as conditioned, is will provide visual interests to this highly visible corner of Decoto Road.

III. REQUIRED FINDINGS

Section 18.72.070 of the Zoning Ordinance requires that the Planning Commission make the following findings in granting Administrative Site Development Review approval. Below each finding is a discussion of how the project meets the required finding.

A. Approval of this application is consistent with the General Plan and any applicable specific plans.

The project is consistent with applicable General Plan policies for the Decoto neighborhood and policies listed in the General Plan that support the redevelopment of the area to include a unifying streetscape and architectural theme and encourages new developments to have a high quality design. There are no applicable specific plans.

- B. Approval of this application is consistent with the purpose of Title 18 and the requirements of the R 5000 Zoning District.

The project, as conditioned, is consistent with the purpose of Title 18, which seeks to promote the public health, safety, and general welfare of the people; protect the character and maintain the stability of residential areas; and promote orderly and beneficial development. The project, as conditioned, is also consistent with the applicable requirements for the R 5000 Zoning District for the Decoto neighborhood and the City's ADU regulations.

- C. Approval of this application is consistent with the purpose of Administrative Site Development Review as outlined in Section 18.72.010.

The project, as conditioned, is consistent with the purpose of Administrative Site Development Review, which seeks to promote orderly, attractive and harmonious development and the stability of land values.

IV. CONDITIONS OF APPROVAL

Planning Division

1. All actual site improvements shall be made with strict adherence to plans marked Exhibit A, except as they may be modified by other conditions of approval.
2. This application shall expire one year from the date of Planning Commission approval unless building permits have been issued and construction diligently pursued.
3. The applicant/property owner shall apply for and take out all required building and fire permits prior to beginning any on-site work. Plans submitted to the Building Division and Fire Department shall demonstrate compliance with all code requirements, local ordinances and State building regulations where applicable.
4. The applicant/property owner shall attach an annotated copy of the approved Planning Commission Resolution with the conditions of approval to each set of detailed construction plans, civil and working drawings submitted for plan review prior to issuance of a building permit. Notations to the plans shall be made to clearly indicate how the project complies, or will comply, with the conditions of approval. Construction plans shall not be accepted without the annotated final conditions of approval included with each set of plans.
5. The applicant/property owner shall submit a revised three-color paint scheme and a lightweight concrete barrel roof material for review and approval by the Economic and Community Development Department prior to the issuance of building permits. The applicant shall use integral color coat for the final color coat on all stucco walls. Any future amendments or changes to the approved painting schemes shall be submitted to the Economic and Community Development Department for approval prior to the repainting of any buildings or structures on site.

6. The applicant/property owner shall designate one (1) parking space within the garage located on the subject property for use by the resident(s) of the accessory dwelling unit.
7. The applicant/property owner shall provide five (5) street trees along Decoto Road and Depot Road. The species, sizes, and locations of the plantings are subject to approval by the City Arborist.
8. Prior to the issuance of building permits, the applicant/property owner shall submit a final landscape plan, which may be modified by feedback from the City's consulting Landscape Architect and/or City Arborist. The landscape plan shall be consistent with Chapter 18.112, Water Efficient Landscape, of the Municipal Code and the Landscape Standards Policy Statement. Final landscape plan will be subject to review and approval by the City's consulting Landscape Architect. Additional fees for consultant's review and inspection are required to be paid with building permit fees. The applicant shall be responsible for maintaining all irrigation and landscaping and shall replace any dead or dying vegetation for the life of the project.
9. The applicant/property owner shall provide a cash deposit equal to 50% of the estimated installation cost of the landscaping, up to \$10,000.00, in order to ensure installation of the planting shown on the approved landscape plan. The required certificate of deposit shall be submitted to the Economic and Community Development Department prior to the issuance of building permits. The project landscaping shall be installed and inspected, pursuant to the above-stated requirements, prior to issuance of a Certificate of Occupancy for the building.
10. The applicant/property owner shall install carriage-style garage doors, with arches at the top, in a wooden finish, and equipped with automatic door openers. The design specifications and color shall be provided for review and approval by the Economic and Community Development Department.
11. The applicant/property owner shall provide a six-foot tall wooden good-neighbor fence along the northern and rear property lines of the project site. Any new fencing shall meet requirements listed in Section 18.32.040, Walls, fences, and hedges, of the Municipal Code. All front-yard fencing (20 feet behind respective property lines) shall be a maximum of three feet in height and transition appropriately to six-foot fence height where allowable by code. All new wood fencing shall be aligned with property lines. Prior to issuance of Building permit, the placement and design of fencing shall be reviewed and approved by the Economic and Community Development Department.
12. The applicant/property owner shall extend the stone wainscoting treatment along the bottom of the structure on Depot Road and Decoto Road to the entire privacy wall facing Decoto Street and cap the wall with a decorative top.
13. The applicant/property owner shall ensure that the walkway providing access from the public right-of-way to the home's entry shall be no more than five (5) feet wide and composed of pervious or permeable pavers, compatible in design and appearance with the main house and the driveway. Prior to the issuance of building permits, the design specifications and color shall be provided for review and approval by the Economic and Community Development Department.

14. The applicant/property owner shall provide enhanced driveway with a stamped concrete or permeable pavers that is compatible in appearance with the design of the home. Prior to the issuance of building permits, the design specifications and color shall be provided for review and approval by the Economic and Community Development Department.
15. Prior to issuance of building permits, the applicant/property owner shall submit a mailbox plan that meets USPS standards to the Economic and Community Development Department for review and approval.
16. The maximum interior noise with windows closed, attributable to exterior sources, shall not exceed 45 dBA Community Noise Equivalent Level (CNEL) in any habitable room within the interior of the home; structural design of the home, including, but not limited to, double- or triple-pane windows, shall be incorporated in the design to ensure that allowable maximum interior noise level is not exceeded. At the discretion of the Building Official, an acoustical analysis, prepared by an acoustical engineer, shall be submitted for review and approval by City staff. Forced-air cooling (air conditioning) shall be provided to ensure the windows do not have to be opened.
17. The applicant/property owner shall revise and submit a final window schedule to be reviewed and approved by the Economic and Community Development Department prior to the issuance of Building permit.
18. The applicant/property owner shall pay all outstanding fines, services, and staff time that arose as a result of enforcement action on the property (e.g. weed abatement and/or illegal dumping) prior to building permit issuance.
19. The applicant/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.
20. Prior to issuance of building permit, the applicant/property owner shall pay the Capital Facilities Fee in effect at the time of building permit issuance. If owner-occupied, the applicant shall record a deed restriction on the property, which states that the property owner has agreed to the restriction to live in the home for a minimum of five (5) years upon completion of the home, or shall pay the Capital Facilities Fee in the amount that would have been required prior to building permit issuance if the owner moves from the residence or the residence is sold.
21. Prior to issuance of building permit, the applicant/property owner shall pay the General Plan Cost Recovery Fee in effect at the time of building permit issuance.
22. Prior to issuance of building permit, the applicant/property owner shall pay the Affordable Housing in-lieu Fee in effect at the time of building permit issuance consistent with the City's Affordable Housing Ordinance. The fee only applies to the main house; the accessory dwelling unit is exempt. Alternatively, if owner-occupied, the applicant shall record a deed restriction on the property, which states that the property owner has agreed to the restriction to live in the home for a minimum of five (5) years upon completion of the home, or the owner shall pay the Affordable Housing in-lieu Fee in the amount that would have been required prior to building permit issuance if the owner moves from the residence, the residence is leased, or the residence is sold.

23. Prior to issuance of building permit, the applicant/property owner shall pay the Park Facilities Fee in effect at the time of building permit issuance.

24. Prior to issuance of building permit, the applicant/property owner shall pay the New Haven Unified School District Fee in effect at the time of building permit issuance.

Building Division

25. Any construction shall fully comply with the Uniform Building Codes in effect at the time of building permit issuance.

26. The applicant/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. 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.

27. Prior to issuance of a building permit, the applicant/property owner shall submit to the Building Division a site survey to establish the location of all property lines on the project site and pad elevation. A state-licensed civil engineer or surveyor shall prepare the site survey. If required by the Chief Building Official, the property lines shall be properly marked in the field prior to the first building inspection.

28. If a post-tension slab is to be used, it shall be permanently labeled in a conspicuous place approved by the Building Official, such as on the utility meter. In addition, the applicant/property owner shall record a note on the title of the property indicating the use of a post-tension slab and a statement of precaution regarding future repairs to said post-tension slab.

29. The applicant/property owner shall comply with the Construction and Demolition Ordinance 576-01 to divert recyclable debris away from landfills. The applicant/property owner shall submit a completed Construction and Demolition Waste Management Plan with their application for a construction or demolition permit.

30. The applicant/property owner shall not locate construction debris boxes within the public right-of-way (ROW), within the stripped fire lane portion of the access driveway, or on adjacent private properties.

Fire Department

31. The structure shall be provided with a Fire Protection System meeting National Fire Protection Association (NFPA) 13D standards, as adopted by Union City (the edition in effect at the time of sprinkler submittal). The applicant/property owner shall submit plans to the Fire Department for review and approval prior to doing any work on the system.

32. Residential single station smoke alarms shall be provided within any individual sleeping units. Approved smoke detectors shall be installed per the requirements of the most

current edition of the CBC Section 907. All alarms shall be interconnected to sound simultaneously. Carbon monoxide detectors shall be installed in the structure.

- 33. The applicant/property owner shall ensure that the required underground water meter and fire line meets flow demand requirements.
- 34. The building plan check construction drawings shall indicate that the bedroom windows meet emergency egress and rescue standards.

Police Department

- 35. The front doors shall be of a design that does not include any windows or clear vision panels within 36 inches of any entry door locking device, unless the glazing material is rated burglar resistant (impact resistant).
- 36. The applicant/property owner shall equip the front doors of both units with a minimum 180-degree door viewer (as appropriate).
- 37. The applicant/property owner shall provide illuminated addressing on the forward most portion of the residence with four inch high numerals and painted addressing on the curb.

Public Works

- 38. The applicant/property owner shall submit the completed Stormwater Requirements Checklist for review and approval by the Public Works Department. A copy of the Checklist is available from the Public Works Dept.
- 39. The applicant/property owner, to the extent feasible, shall maximize any opportunities for storm water infiltration on-site, such as by routing storm water to pervious areas, installing pop-up drainage emitters, and/or installing dry well(s) at the back of walk on private property prior to draining to Public Street.
- 40. The applicant/property owner shall grade the lot so that all storm water flows to and is released from the front of the property onto the public right of way. No drainage to adjacent private properties shall be approved without the applicant first securing drainage easements from adjoining properties.
- 41. The applicant/property owner shall apply for a grading permit and submit a grading plan showing the existing and proposed grades. The existing grades to be shown shall include those on the adjacent property to the rear in the vicinity of the property line. The grading plan shall show the elevations along the perimeter of the lot, at the building pad, including finished floor elevations, and the drainage route on the lot showing how the storm water is conveyed to the front of the property.
- 42. The applicant/property owner shall pay a Grading Permit fee and post a bond based upon the amount of Cut and Fill shown on the grading plan.

43. The applicant/property owner shall secure an Encroachment Permit and pay associated fees for all work in the Public right-of-way, including utility trenches. The application shall include a traffic control plan for work that might impact traffic on Public Street.
44. The applicant/property owner shall remove any existing driveway that is not located at appropriate location and replace it with curb, gutter and sidewalk per City Standard. New driveways shall be located at appropriate location.
45. The applicant/property owner shall replace any cracked or uplifted portions of the sidewalk.
46. The applicant/property owner shall install the missing portion of the sidewalk along Depot Road. The minimum width of the sidewalk shall meet current ADA standards, such as at the point where the joint pole is located.
47. The applicant/property owner shall install all utilities underground, from the closest joint pole to the lot.
48. The applicant/property owner shall pay a Plan Check & Inspection fee, the amount of which will be determined later based the engineer's construction cost estimate for all on-site civil work, such as grading, utilities, concrete, fencing and Stormwater treatment measures, etc.
49. The applicant/property owner shall pay a Traffic Signalization Fee of \$1,749 for the single family unit and \$1,398 for the accessory (In-law) unit, for a total of \$3,147.
50. The applicant/property owner shall pay all Public Works Department fees, except Encroachment Permit fees, prior to the issuance of the Grading permit.
51. Prior to building permits, the applicant/property owner shall have a licensed Land Surveyor precisely locate and stake the property lines around the entire property, so that setbacks and fence lines can be properly located.
52. The applicant/property owner shall coordinate with the property owner to the north with regards to replacing any portion of the existing good-neighbor fence.
53. The applicant/property owner shall plant the appropriate species, size and number of street trees, as determined by City staff during plan review.
54. The applicant/property owner shall ensure that construction activity on-site shall comply with Section 9.40.053 of the Union City Municipal Code, and is limited to the following hours:

Monday through Friday - 8:00 a.m. to 8:00 p.m.
Saturday - 9:00 a.m. to 8:00 p.m.
Sundays & Holidays - 10:00 a.m. to 6:00 p.m.
55. The applicant/property owner shall ensure that all contractors, subcontractors and suppliers are aware of all current storm water pollution prevention measures and their implementation requirements.

56. The applicant/property owner shall ensure that concrete/gunite supply trucks or concrete/plaster and finishing operations discharge washout water into a designated cleanout area that is designed to prevent pollutants from entering the storm water and/or sanitary sewer system.
57. The applicant/property owner shall ensure that discharge restrictions shall also apply to the operation of general construction machinery including masonry cutting equipment, and the washing of tools, brushes, containers, etc. These operations shall not be performed in the street, gutter, or where pollutants can enter the storm water system. Failure to comply with the approved construction requirements will result in the issuance of correction notices, citations, or project stop work orders.
58. The applicant/property owner shall install filter materials (sand bags, filter fabric, straw wattle, etc.) at the storm drain inlet nearest the downstream side of the project site prior to start of work. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Filtered particles shall be disposed of in an appropriate manner based upon content.
59. The applicant/property owner shall gather all construction debris on a regular basis and place it in a dumpster or other container, which is emptied or removed at a minimum on a weekly basis. When appropriate, tarp shall be used on the ground to collect falling debris, paint over-spray, etc. that could contribute to storm water pollution.
60. The applicant/property owner shall ensure that trash enclosures and/or recycling containers, paved outdoor storage, staging, or lay down areas shall be designed and constructed to prevent pollutants from entering storm drain system.
61. The applicant/property owner shall create a contained and covered area on site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential of becoming a pollutant and/or being discharged to the storm drain system.
62. The applicant/property owner shall ensure that dirt, gravel, debris and green waste shall be removed from the sidewalk, street pavement, and storm drains adjoining the project site. These areas shall be broom swept on a daily basis. Caked-on mud or dirt shall be scraped before sweeping. During wet weather, the applicant should avoid excavation and other activities that lead to pollutants entering storm water such as driving vehicles on unpaved areas, etc.
63. The applicant/property owner shall include a copy of these conditions on the approved grading plan set issued for grading.

Union Sanitary District

64. The applicant/property owner shall connect to the Union Sanitary District (USD) sewer system.
65. A Lateral Permit will be required and sewer capacity will need to be purchased for each residence. Please see USD's website for permit requirements, fees and additional information.

Alameda County Water District

66. The applicant/property owner shall connect to the Alameda County Water District (ACWD) citywide water system.
67. The District clearance requirements, such as minimum horizontal separation, must be maintained between the water facilities and other utilities, trees, driveways, etc. Reference District Standard Drawings CL-1-08 through CL-5-08.
68. According to ACWD Resolution No. 17-010, the single family unit and the accessory dwelling unit are both subject to one-time capacity (connection) fees. The capacity fees to be paid will be based on whether the accessory dwelling unit is served from the same water line service as the main house or served from separate water service line.
69. The applicant/property owner shall contact the District Engineering and Technology Services Department to initiate new water service to the property. Any existing water services which will not be used in the new development must be removed by the District at the applicant/property owner's expense.

V. RECOMMENDATION

The Development Review Committee recommends that the Planning Commission approve Administrative Site Development Review ASD-17-011, subject to the conditions, making the following specific findings in support of this recommendation of approval:

- A. That this project is considered categorically exempt per Section 15303, New Construction or Conversion of Small Structures, of the California Environmental Quality Act (CEQA); and
- B. That the project, as conditioned, is consistent with applicable General Plan policies for the Decoto neighborhood and policies listed in the General Plan that support the redevelopment of the area to include a unifying streetscape and architectural theme and encourages new developments to have a high quality design; and
- C. That the project, as conditioned, is consistent with the purpose of Title 18, which seeks to promote the public health, safety, and general welfare of the people; protect the character and maintain the stability of residential areas; and promote orderly and beneficial development. The project, as conditioned, is also consistent with the applicable requirements for the R 5000 Zoning District for the Decoto neighborhood and the City's ADU regulations; and
- D. The project, as conditioned, is consistent with the purpose of Administrative Site Development Review, which seeks to promote orderly, attractive and harmonious development and the stability of land values.

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

Prepared by

Binh Nguyen, Contract Planner

Attachments

Exhibit A

Project Plans, Date Stamped August 1, 2017

1. Site Review: Contractor shall verify all conditions and dimensions at the job site. If any discrepancies are found, Contractor shall notify the Architect /Project Coordinator.

2. **Code Compliance:** The work shall comply with and conform to all laws, rules, codes, ordinances, etc., of the governing body having Jurisdiction over the work, as well as the rules and regulations of the various utility companies serving the building. Nothing in these drawings shall be construed as directions to perform work contrary to these requirements. Applicable codes include, but are not limited to, the following: "California Building Code" 2016 edition, State and local building codes.

3. **Job Site Conditions:** Contractor by accepting contract and beginning the work shall assume sole and complete responsibility for job site conditions during the course of construction on including safety for all persons and property. This requirement shall apply continuously and not be limited to normal working hours. Contractor shall defend, indemnify and hold the Architect, Engineer and Landlord harmless from any and all liability, real or alleged, in connection with the performance or work on this Project. Contractor shall show proof of Worker's Compensation insurance, as required prior to issuing a permit.

4. Fire Protection: Additional on Site Fire Protection during construction to be provided as required by Fire Inspector or Department.

5. **Stored Materials:** All materials stored on the site shall be properly stacked and protected to prevent damage and deterioration until use. Failure to protect materials may be cause for rejection of work.

5. Utilities: Contractor shall be responsible for locating, maintaining, relocating and/or removing existing utilities as required.

7. **Changes, Additions and Revisions:** Prior to the start of any construction work, the General Contractor shall layout the work in conformity With these drawings. Any changes and/or revisions of the structure due to relocation or addition shall be brought to the attention of the Architect Prior to the commencement of said change or revisions. Structural members or elements that require changing or relocation shall be the responsibility of the trade or trades involved.

The Architect or Owner shall not be liable for the cost of the changes or revisions required.

3. **Workmanship and Materials:** All workmanship materials are subject to the approval of the Architect and the Owner.

7. **Accessibility:** All portions of the work shall be accessible to persons with disabilities as required by Chapter 11 B. of the California Building Code 2016 Edition, and Federal Laws, Rules and Regulations.

0. Details: Where certain construction features are not fully shown, the construction shall repeat similar conditions shown elsewhere.

1. **Coordination:** The General Contractor must coordinate all phases of the project, including work done by others, to insure the smooth progress of the project. The General Contractor is also responsible for the receiving and safekeeping of all items shipped to the job site for the project for his use or others.

2. Guarantee: All work is to be done in a first class workmanship manner. All work done by the General Contractor or subcontractors must be guaranteed for a minimum of one year and prompt repair or replacement of defective items must be provided at the notice of the Owner.

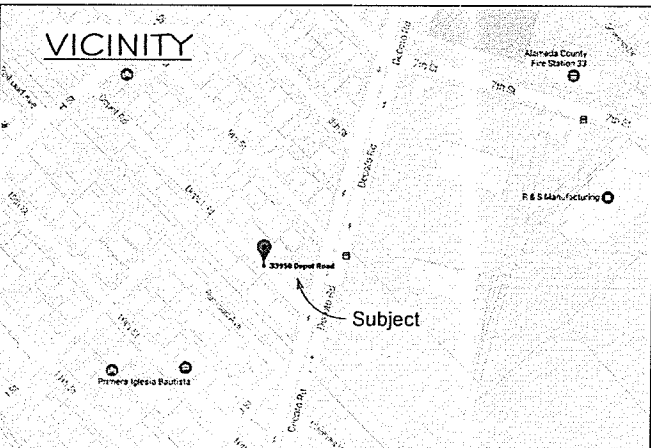
3. **Safety Measures:** At all times, the Contractor shall be solely and completely responsible for the safety and protection of the Job site including the safety of persons and property and for all necessary independent engineering and/or architectural review of these conditions. The Contractor shall also provide and maintain fire extinguishers and other equipment as required by local codes for proper fire protection during construction.

4. **Job Site Maintenance:** The General Contractor shall maintain the premises in a clean and orderly fashion during the entire construction period, removing all trash and rubbish from the Job site. Upon completion of all construction, the General Contractor shall perform a general clean-up of the premises in order to facilitate the turnover to the Tenant.

3. Mechanical: Any of the work shall be on a DESIGN/ BUILD basis. The contractor shall submit all plans and other necessary information to the local Building Official to their satisfaction. All work on the mechanical system shall conform to the requirements of the "California Mechanical Code", 2016 adopted edition, California's Title 24 and state and local codes.

5. **Plumbing:** Any of the work shall be on a DESIGN/ BUILD basis. The contractor shall submit all plans and other necessary information to the local Building Officials to their satisfaction. All work on plumbing system shall conform to the requirements of the "California Plumbing Code". 2016 adopted edition, California's Title 24 and state and local codes.

Electrical: Any of the work shall be on a DESIGN/ BUILD basis. The contractor shall submit all plans and other necessary information to the local Building Officials for their selections. All work on the electrical system shall conform to the requirements of the "California Electrical Code". 2016 adopted edition on California's Title 24 and state and local codes.

[illegible]

AF. ABOVE FINISH FLOOR	N.A.	NOT APPLICABLE
AE. EXISTING	NTS	NOT TO SCALE
AF. FLOOR DRAIN	PLBR.	PLUMBER
AF. FACE OF BLOCK	RO	ROUGH OPENING
AF. FACE OF CONCRETE	S.A.D.	SEE ARCHITECTURAL DRWG'S
AF. FACE OF MASDNRY	S.C.D.	SEE CIVIL DRAWINGS
AF. FACE OF STUD	S.E.D.	SEE ELECTRICAL DRWG'S
AF. FACE OF WALL	S.M.D.	SEE MECHANICAL DRWG'S
	S.I.D.	SEE INTERIOR DESIGN DRWG'S
GC. GEN. CONTRACTORS.	P.D.	SEE PLUMBING DRAWINGS
MFR. MANUFACTURER	S.S.D.	SEE STRUCTURAL DRAWINGS
(N) NEW	N.O.	UNLESS NOTED OTHERWISE

	EXISTING TO BE REMOVED		SPOTELEVATION
	NEW CON. WALL		REVISION TAG
	NEW 2X6 WALL		WINDOW TAG
	5/8" GYP. BD. TYPE 'X' ON THE GARAGE & STAIR SIDE 1 HOUR FIRE PROTECTION SEPARATION BETWEEN GARAGE & UNIT		DOOR TAG
	DETAIL NUMBER	Room name 150 SF	ROOM TAG
	SHEET NUMBER		
	DETAIL NUMBER		
	SHEET NUMBER		
	SYMBOLS 1/4" = 1'-0"		

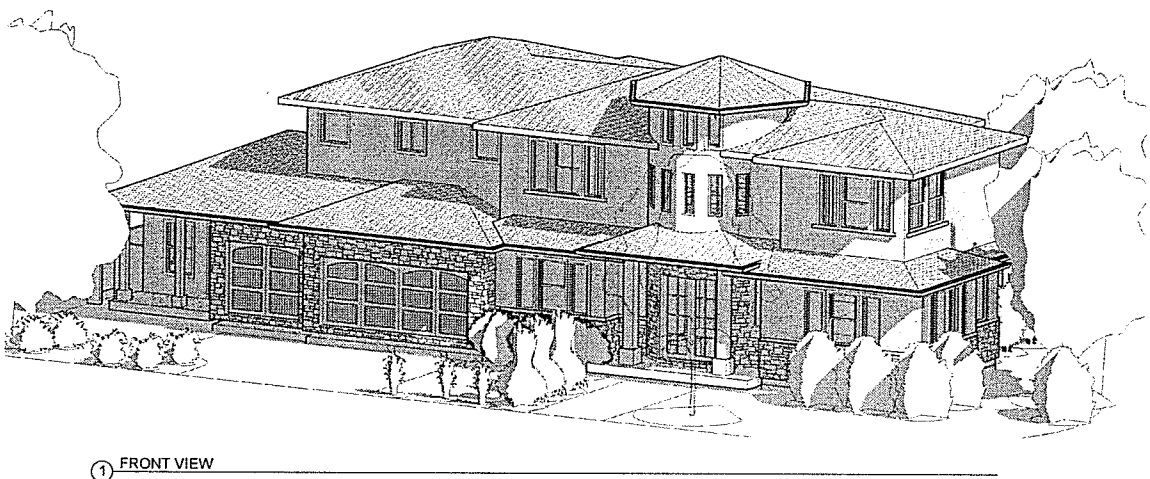
OWNER: OMAR MOHSENI
34303 TORREY PINE LN
UNION CITY, CA 94587
Ph: 510-449-1369
e-mail: omarmohseni1@gmail.com

CONTRACTOR: OWNER BUILDER

BUILDING NOTES:
1. ALL WORK CONNECTED WITH THIS PROJECT SHALL BE DONE IN A PROFESSIONAL MANNER IN ACCORDANCE WITH THE TRADITIONALLY AND LEGALLY DEFINED "BEST ACCEPTED PRACTICE" OF THE TRADE INVOLVED. ADDITIONALLY, ALL WORK SHALL COMPLY WITH APPLICABLE CODES & TRADE STANDARDS WHICH GOVERN EACH PHASE OF WORK, INCLUDING THE:
CITY OF UNION CITY Local Ordinances .
2016 CALIFORNIA FIRE CODE
2016 CALIFORNIA BUILDING CODE
2016 CALIFORNIA EXISTING BUILDING CODE
2016 CALIFORNIA ELECTRICAL CODE
2016 CALIFORNIA MECHANICAL CODE
2016 CALIFORNIA PLUMBING CODE
2016 CALIFORNIA GREEN BUILDING CODE
2016 CALIFORNIA RESIDENTIAL CODE
2016 BUILDING ENERGY EFFICIENCY STANDARDS

NEW HOUSE + IN-LAW UNIT

APN # 486-0027-139



THE PROJECT IS A NEW SINGLE FAMILY HOUSE WITH.
NEW 2,682 2 STORY HOUSE WITH 5 BEDROOMS AND 4-1/2 BATHROOMS.
620 SQ. FT IN-LAW UNIT

PROJECT DESCRIPTION:
BUILDING OCCUPANCY: *R3-U1* USE SFR *R-1*
STORIES : PROPOSED 2
PROPERTY ADDRESS: 3395C DEPOT ROAD
UNION CITY, CA 94567
APN: 486-0027-139 TRACT No BLK LOT
LOT SIZE: 7,086 SF
YEAR BUILT: VACANT LAND

PROPOSED STRUCTURE:	
FIRST FLOOR LIVING AREA	1,420.20 SF
SECOND FLOOR LIVING AREA	1,261.81 SF
GARAGE AREA	<u>654.24 SF</u>
TOTAL HOUSE AREA	3,336.25 SF
PORCH	146.36 SF
ACCESSORY DWELLING UNIT	620.00SF
LOT COVERAGE:	
2,840.80 SF / 7,086' 100=	40.00%

AUG 01 2017

UNION CITY ECONOMIC & COMMUNITY DEVELOPMENT DRAWING INDEX

Sheet List	
Sheet Number	Sheet Name
A100	GENERAL INFORMATION
A101	SITE PLAN
A101.1	3D- VIEWS
A102	NEW FLOOR PLANS
A103	2ND FLOOR PLAN
A104	NEW ELEVATIONS
A105	NEW ELEVATION
A106	Building Sections
E101	ELECTRICAL FIRST FLOOR
E102	ELECTRICAL SECOND FLOOR
L101	CONCEPTUAL LANDSCAPE PLAN
M-1	HEATING SYSTEM
P-1	WATER & GAS PIPING SUPPLY
S-1	GENERAL NOTES
S-2	FOUNDATION AND FRAMING PLAN
S-3	FRAMING PLAN
SD1	STRUCTURAL DETAILS
SD2	STRUCTURAL DETAILS
SD3	STRUCTURAL DETAILS
SD4	STRUCTURAL DETAILS
SD5	STRUCTURAL DETAILS
T-24	ENERGY CALCS.
T-24-2	ENERGY CALCS.
UCGB1	CGBC Checklist
UCGB2	CGBC Checklist

[illegible]

OMAR MOHSENI

GENERAL INFORMATION

Project number	0062-2017
Date	Issue Date
Drawn by	Author
Checked by	Checker

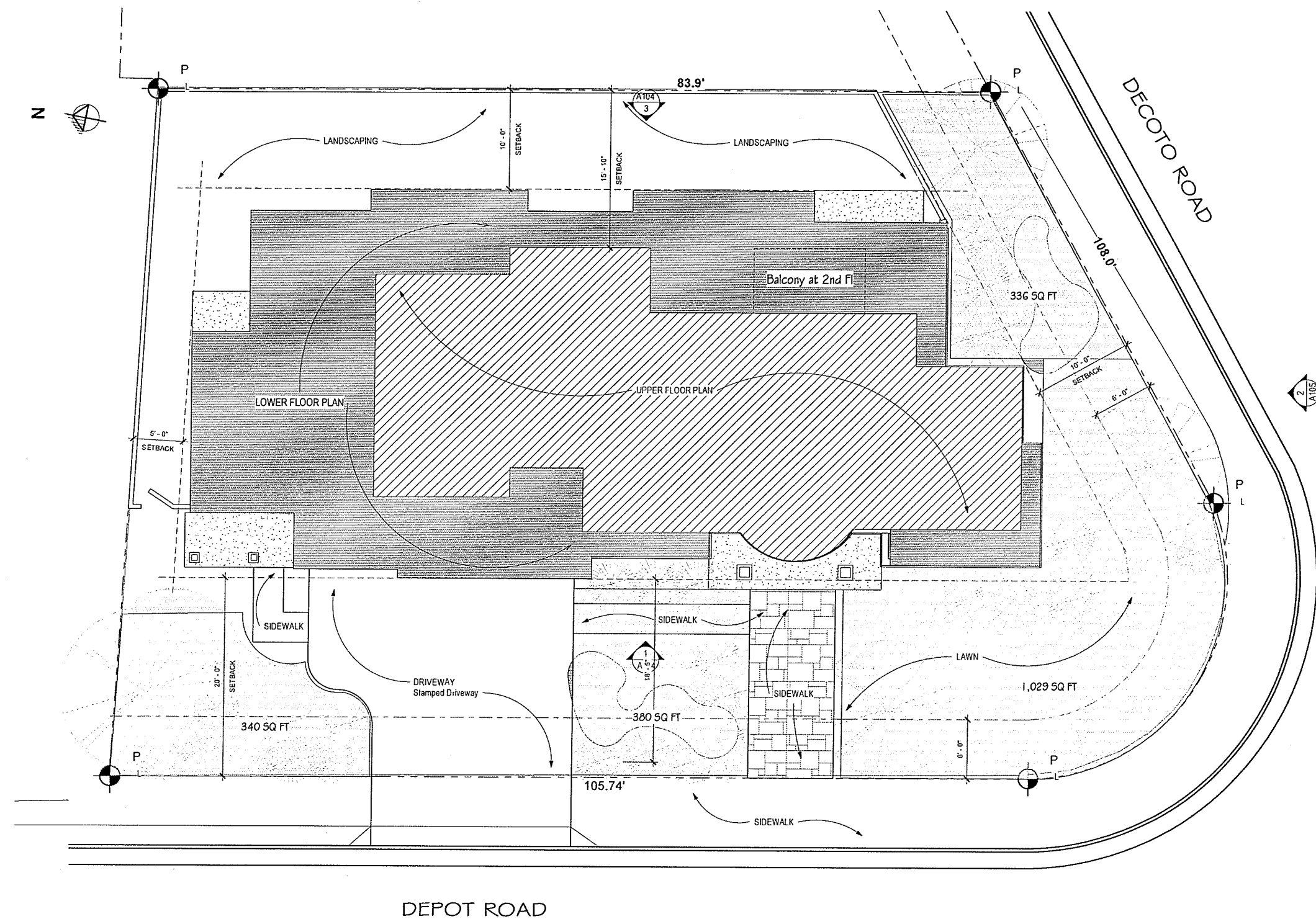
A100

Scale $1/4" = 1'-0"$



G+M Engineers
Mohamed Genidy
2051 Junction Ave
San Jose CA 95131
Ph: 650-331-7264.
Fax: 650-331-7264
mgenidy@gpmengineers.com

MOHSENI RES. + IN-LAW UNIT
33950 DEPOT ROAD
UNION CITY, CA 94587



1 PROPOSED SITE PLAN
3/16" = 1'-0"

HouseCADrafting
www.HouseCADrafting.com
Designer : Adolfo M Martinez
Address : 26088 Kay Ave#
312 Hayward CA 94545
Phone : 510-828-3033
Fax : 510-783-4523
e-mail :
adolfo@housecadrafting.com

G+M Engineers
Mohamed Genidy
2051 Junction Ave
San Jose CA 95131
Ph: 650-331-7264
Fax: 650-331-7264
mgenidy@gpmengineers.co
m
Contractor
Abdul Latif
4036 Twyla Ln
Phone: 408-509-2602
Fax:
e-mail: amlatif3@aol.com

MOHSENI RES. + IN-LAW UNIT
33950 DEPOT ROAD
UNION CITY, CA 94587

No.	Description	Date

OMAR MOHSENI

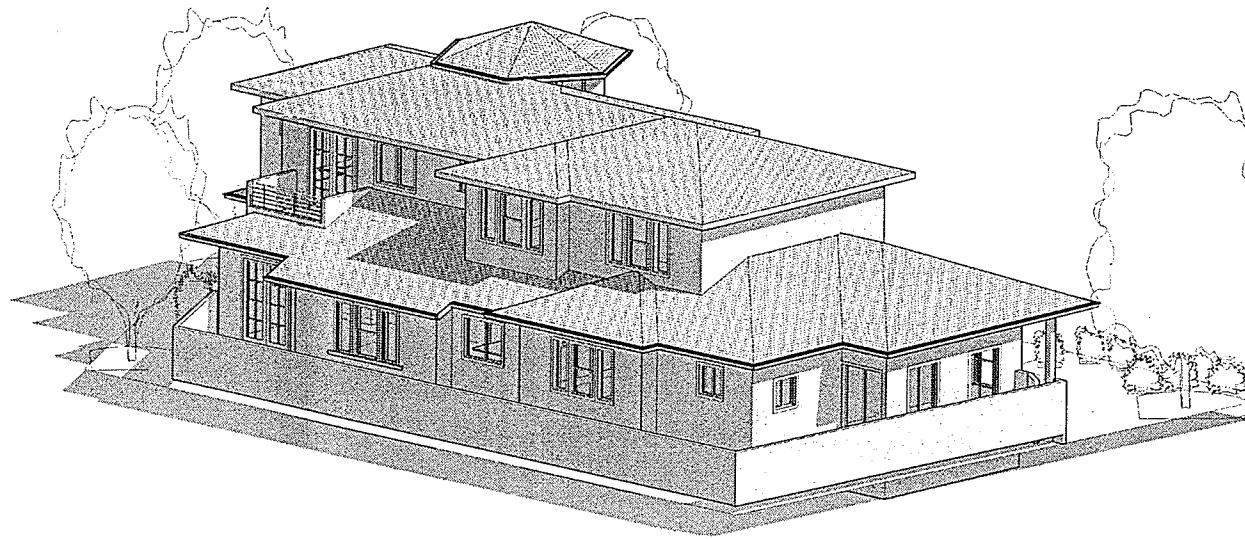
SITE PLAN

Project number: 0062-2017
Date: Issue Date
Drawn by: Author
Checked by: Checker

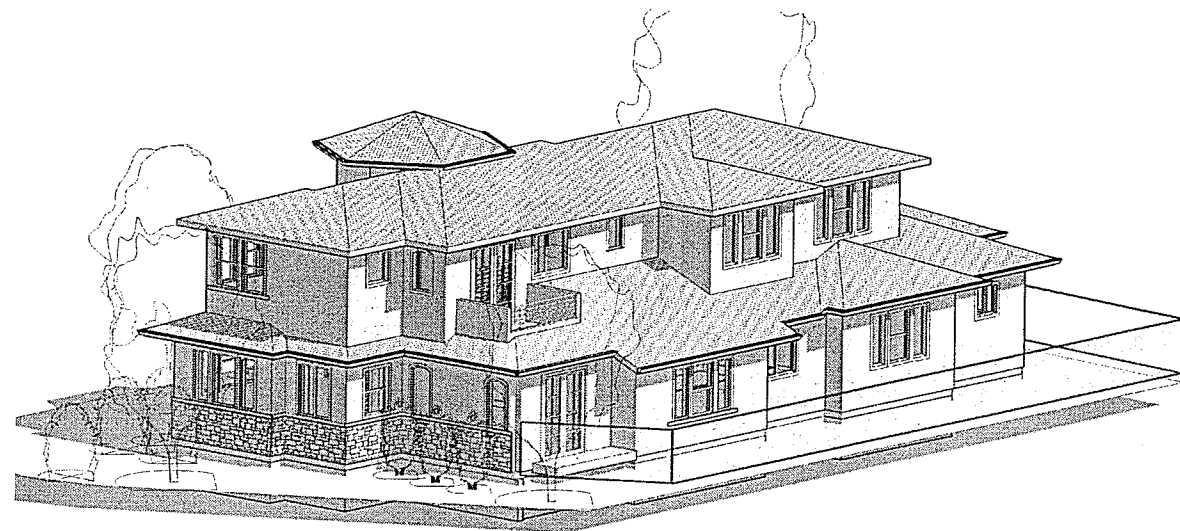
A101

Scale: 3/16" = 1'-0"

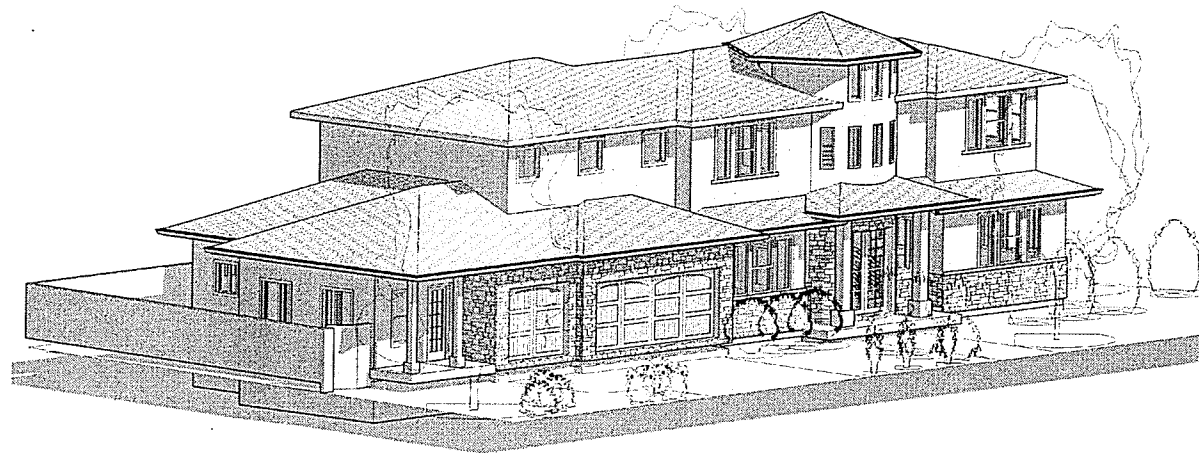
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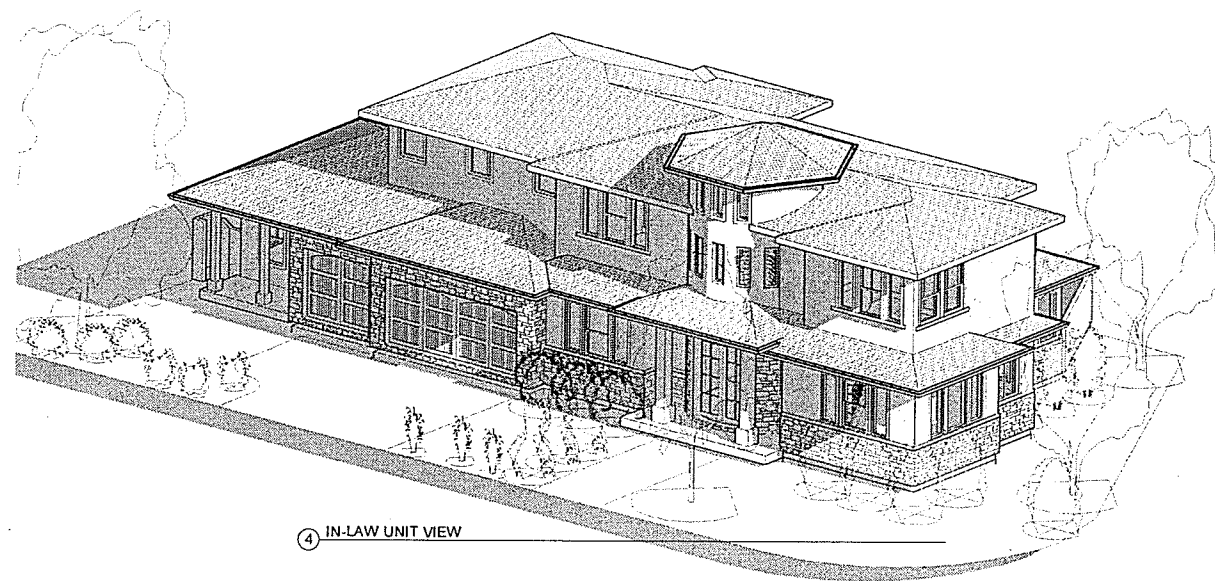
① BACK IN-LAW



② BACK VIEW



③ FRONT VIEW 2



④ IN-LAW UNIT VIEW

HouseCADrafting
www.HouseCADrafting.com
Designer : Adolfo M Martinez
Address : 26038 Kay Ave #
312 Hayward CA 94545
Phone : 510-828-3033
Fax : 510-783-4523
e-mail : adolfo@housecadrafting.com

G+M Engineers
Mohamed Genidy
2051 Junction Ave
San Jose CA 95131
Ph: 650-331-7264
Fax: 650-331-7264
mgenidy@gpmengineers.co
m
Contractor
Abdul Latif
4036 Twyla Ln
Phone: 408-509-2602
Fax
e-mail: amlatif3@aol.com

MOHSENI RES. + IN-LAW UNIT
33950 DEPOT ROAD
UNION CITY, CA 94587

No.	Description	Date

OMAR MOHSENI

3D- VIEWS

Project number 0062-2017
Date Issue Date
Drawn by Author
Checked by Checker

A101.1

Scale

- Residential walls between the garage and house are required to be 1 hour using 1 layer of 5/8" type X sheet rock applied to the garage side of the wall and must extend tightly to the under side of the roof system. All fire walls must meet the following requirements:
- All electrical outlet boxes must be metal or 1 hour rated and shall not share a common stud cell with an outlet box on the opposite side of the wall.
 - All plumbing and electrical wires penetrating the fire wall shall require a fire stop assembly rated for the application.
 - Washing machine waste boxes and water boxes installed in the fire wall shall be rated for 1 hour construction.
 - Electrical sub-panels are not permitted in fire walls. Panels may be surface mounted or furred beyond the fire wall with additional framing members, sheet rock, and fire caulking at wall wire penetrations. This additional stud cavity allows for a wire chase to the attic area.
 - Duct work passing through fire wall shall be 26 gauge and shall extend to the furnace plenum.
 - All duct joints shall require 3 sheet metal screws and beaced every 4'.
 - The furnace-water heater platform shall require the fire wall to pass behind down to the floor or blocking shall be required between studs at its top surface with minimum 1 1/8" plywood decking and 5/8" type X sheet rock around its perimeter.
 - Doors between the garage and the house shall be required to be 1 3/8" solid core material or a door rated for 20 minutes, self closing, self latching, and weather stripped.

FIRE RATED REQUIREMENTS
1/4" = 1'-0"

GLAZING CODES:
SCHEDULED WINDOWS ARE LISTED IN NOMINAL SIZES. ALL SLEEPING ROOMS SHALL MEET WITH THE FOLLOWING CRITERIA:
MIN. NET CLEAR OPENABLE AREA = 5.7 SF
MIN. NET CLEAR OPENABLE HEIGHT = 24"
MIN. NET CLEAR OPENABLE WIDTH = 20"
MAX. SILL HEIGHT ABOVE FINISH FLOOR = 44"
CLASSIC VINYL/INSULATED DBL GLASS/SUNCOAT LOW-E WITH GRIDS
FOR MILGARD WINDOWS PROVIDE A 1/4"(6.35mm) SPACE BETWEEN WINDOW FRAME & ROUGH OPENING

GLAZING NOTES
1/4" = 1'-0"

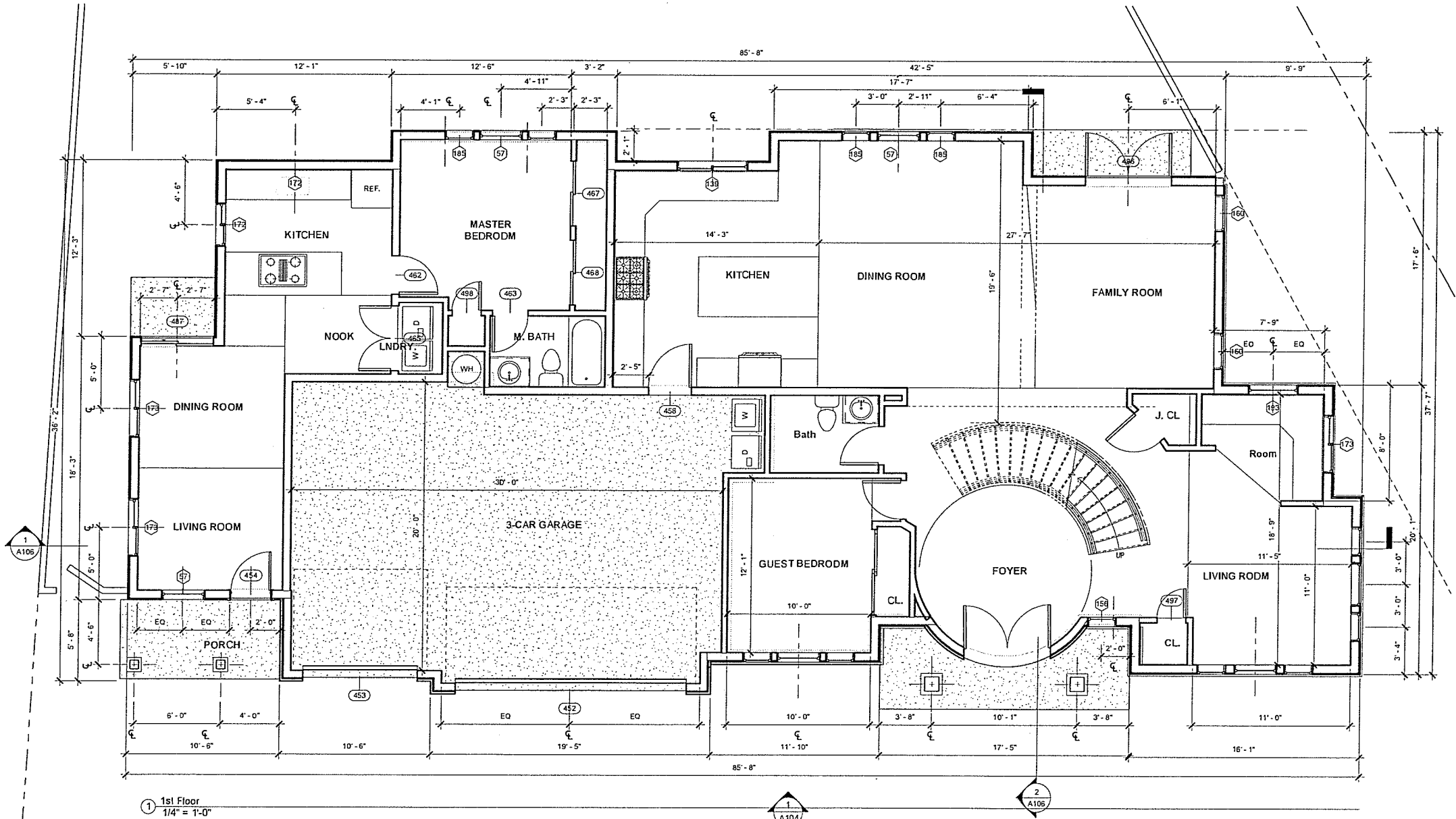
Window Schedule -1st Floor						
Type Mark	OmniClass Title	Level	Width	Height	U Value	Comments
57	Double-Hung Windows	1st Floor	3'-0"	5'-0"		
57	Double-Hung Windows	1st Floor	3'-0"	5'-0"		
57	Double-Hung Windows	1st Floor	3'-0"	5'-0"		
57	Double-Hung Windows	1st Floor	3'-0"	5'-0"		
139	Horizontal Sliding Windows	1st Floor	5'-0"	4'-0"		
156	Windows	1st Floor	2'-0"	5'-0"		
160	Windows	1st Floor	2'-6"	5'-0"		
160	Windows	1st Floor	2'-6"	5'-0"		
172	Horizontal Sliding Windows	1st Floor	3'-0"	3'-0"		
172	Horizontal Sliding Windows	1st Floor	3'-0"	3'-0"		
173	Horizontal Sliding Windows	1st Floor	4'-0"	5'-0"		
173	Horizontal Sliding Windows	1st Floor	4'-0"	5'-0"		
173	Horizontal Sliding Windows	1st Floor	4'-0"	5'-0"		
185	Fixed Windows	1st Floor	2'-0"	5'-0"		
185	Fixed Windows	1st Floor	2'-0"	5'-0"		
185	Fixed Windows	1st Floor	2'-0"	5'-0"		
185	Fixed Windows	1st Floor	2'-0"	5'-0"		
185	Fixed Windows	1st Floor	2'-0"	5'-0"		
185	Fixed Windows	1st Floor	2'-0"	5'-0"		
185	Fixed Windows	1st Floor	2'-0"	5'-0"		
185	Fixed Windows	1st Floor	2'-0"	5'-0"		
185	Fixed Windows	1st Floor	2'-0"	5'-0"		
186	Casement Windows	1st Floor	3'-0"	5'-0"		
193	Double-Hung Windows	1st Floor	3'-6"	4'-6"		

Door Schedule-1st Floor						
Type Mark	Assembly Description	Description	Width	Height	Level	Comments
95		Garage Door	16'-0"	6'-8"	1st Floor	
63		Garage Door	8'-0"	7'-0"	1st Floor	
104	Interior Doors with Frames		2'-8"	7'-0"	1st Floor	
1	Interior Doors		3'-0"	7'-0"	1st Floor	
3	Interior Doors		2'-8"	7'-0"	1st Floor	
4	Interior Doors		2'-6"	7'-0"	1st Floor	
73	Interior Doors		4'-6"	6'-8"	1st Floor	
77	Interior Doors		4'-6"	6'-8"	1st Floor	
77	Interior Doors		4'-6"	6'-8"	1st Floor	
108	Interior Doors		5'-0"	7'-0"	1st Floor	
22	Interior Doors		6'-0"	8'-0"	1st Floor	
61	Interior Doors		2'-0"	6'-8"	1st Floor	
61	Interior Doors		2'-0"	6'-8"	1st Floor	
74	Interior Doors		2'-8"	8'-0"	1st Floor	
44	Interior Doors		5'-8"	6'-8"	1st Floor	
44	Interior Doors		5'-8"	6'-8"	1st Floor	
3	Interior Doors		2'-8"	7'-0"	1st Floor	
3	Interior Doors		2'-8"	7'-0"	1st Floor	
22	Interior Doors		6'-0"	8'-0"	1st Floor	

UNDERFLOOR AREA 1,838.00
VENT AREA CALCULATIONS
AREA/150x144 REQUIRED AREA 1,764.48
WALL VENT PROVIDED 5x14= 70 SQ INCH

TOTAL MIN. VENT REQ'D 25.21
USE 26 VENTS AROUND UNDER FLOOR SPACE.

WATER CONSERVING PLUMBING FIXTURE FLOW RATE
a. WATER CLOSET 1.28 gallons / Flush
b. shower Heads 2.0 Gallons / minute.
c. Lavatory Faucets 1.3 Gallons / minute.
d. Kitchen Faucets 1.8 Gallons per minute.



1st Floor
1/4" = 1'-0"

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MOHSENI RES. + IN-LAW UNIT
33950 DEPOT ROAD
UNION CITY, CA 94587

No.	Description	Date

OMAR MOHSENI
NEW FLOOR PLANS

Project number 0062-2017
Date Issue Date
Drawn by Author
Checked by Checker

A102

Scale 1/4" = 1'-0"

ATTIC VENTILATION CALC.

ATTIC AREA	2,160.00
VENT AREA CALCULATIONS	
AREA/150x144	
REQUIRED AREA	2,073.60
AT LOW	
50% OF AREA REQ'D	1,036.80
VENTING PROVISION (3"x22")SQ IN	66.00
AREA / 66 SQ IN	15.71
USE BLOCK VENTS AT 72" o.c. or MIN 6 AT EACH SIDE	
AT HIGH	
50% OF AREA REQ'D	1,036.80
USE 24"(88 SQ IN NET) STEALTH	
EYEBROW VENTS 1,097/88.00	11.78
12 VENTS AT RIDGE SEE ROOF PLAN	

GLAZING CODES:

SCHEDULED WINDOWS ARE LISTED IN NOMINAL SIZES. ALL SLEEPING ROOMS SHALL MEET WITH THE FOLLOWING CRITERIA:
MIN. NET CLEAR OPENABLE AREA = 5.7 SF
MIN. NET CLEAR OPENABLE HEIGHT = 24"
MIN. NET CLEAR OPENABLE WIDTH = 20"
MAX. SILL HEIGHT ABOVE FINISH FLOOR = 44"
CLASSIC VINYL/INSULATED DBL GLASS/SUNCOAT LOW-E WITH GRIDS
FOR MILGARD WINDOWS PROVIDE A 1/4"(6.35mm) SPACE BETWEEN WINDOW FRAME & ROUGH OPENING

Glazing Notes

1/4" = 1'-0"

Smoke Alarms shall be installed in the following locations:

- In each sleeping room.
- Outside each sleeping area in the immediate vicinity of the bedrooms.
- On each additional story of the dwelling, including basements but not including crawl spaces and uninhabitable attics

Carbon Monoxide Alarms shall be installed in the following locations:

- Outside of each separate dwelling unit sleeping area in the immediate vicinity of the bedroom(s).
- On every level of a dwelling unit including basements.

Power and Interconnection

- Power must be supplied by the buildings primary power source for both smoke and carbon monoxide detectors and they must have a battery back up.

For existing buildings where walls are not being opened a battery only device may be used.

- Where more than one smoke detectors is installed they must be interconnected

- Where more than one Carbon monoxide alarm is installed they must be interconnected

Co & Smoke detectors

1/4" = 1'-0"

1. EXTERIOR DOOR SHALL BE SELF-CLOSING, TIGHT FITTING 1 3/8" MIN. THICKNESS, SOLID CORE & WEATHER STRIPPED.

2. ALL DOOR HINGE PINS ACCESSIBLE FROM THE OUTSIDE SHALL BE THE NON-REMOVABLE TYPE.

3. EXTERIOR SWINGING DOORS SHALL BE EQUIPPED WITH A LATCH AND KEY OPERATED DEADBOLT OR DEAD LATCH TYPE KEY LOCKING DEVICE. DEADBOLTS SHALL HAVE A HARDENED INSERT, 1" MIN. THROW AND 5/8" JAMB EMBEUREMENT.

4. EXTERIOR IN-SWINGING DOORS WITH WOOD JAMB SHALL HAVE ONE PIECE OR RABBETED DOOR STOPS.

5. PANELS IN WOOD DOORS SHALL BE MIN. 9/16" THICK AND NOT MORE THAN 30 SQ. IN. AREA. STILES AND RAILS SHALL BE MINIMUM 1 3/8" THICK AND 3" IN WIDTH.

6. ALL GLASS DOORS AND DOOR PANELS SHALL BE SAFETY-GLAZED WITH TEMPERED GLASS. IN ADDITION ALL GLASS USED WITHIN 24" OF DOORS SHALL BE TEMPERED.

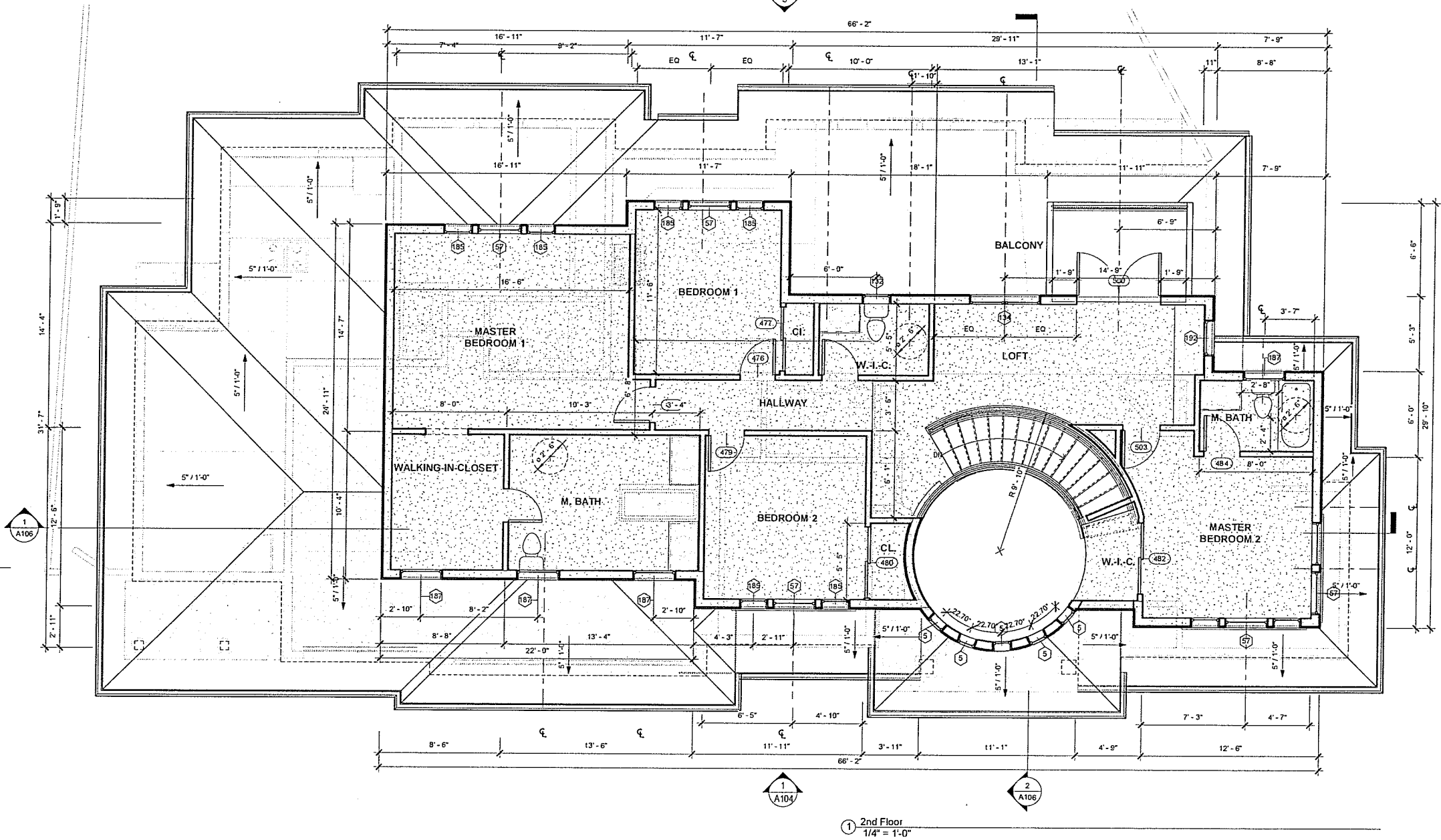
7. OVERHEAD AND/OR SLIDING GARAGE DOOR SHALL BE SECURED WITH A CYLINDER LOCK OR PADLOCK EQUIVALENT WHEN NOT OTHERWISE LOCKED BY ELECTRIC POWER OPERATION. JAMB LOCKS SHALL BE PROVIDED ON BOTH JAMBS FOR DOORS EXCEEDING 9'-0" IN WIDTH.

Door Notes

1/4" = 1'-0"

Window Schedule -2nd Floor						
Type Mark	Level	OmniClass Title	Width	Height	U Value	Comments
5	2nd Floor	Fixed Windows	1' - 4"	4' - 0"		
5	2nd Floor	Fixed Windows	1' - 4"	4' - 0"		
5	2nd Floor	Fixed Windows	1' - 4"	4' - 0"		
5	2nd Floor	Fixed Windows	1' - 4"	4' - 0"		
57	2nd Floor	Double-Hung Windows	3' - 0"	5' - 0"		
57	2nd Floor	Double-Hung Windows	3' - 0"	5' - 0"		
57	2nd Floor	Double-Hung Windows	3' - 0"	5' - 0"		
57	2nd Floor	Double-Hung Windows	3' - 0"	5' - 0"		
57	2nd Floor	Double-Hung Windows	3' - 0"	5' - 0"		
57	2nd Floor	Double-Hung Windows	3' - 0"	5' - 0"		
132	2nd Floor	Awning Windows	2' - 0"	3' - 0"		
134	2nd Floor	Casement Windows	5' - 0"	4' - 0"		
185	2nd Floor	Fixed Windows	2' - 0"	5' - 0"		
185	2nd Floor	Fixed Windows	2' - 0"	5' - 0"		
185	2nd Floor	Fixed Windows	2' - 0"	5' - 0"		
185	2nd Floor	Fixed Windows	2' - 0"	5' - 0"		
185	2nd Floor	Fixed Windows	2' - 0"	5' - 0"		
185	2nd Floor	Fixed Windows	2' - 0"	5' - 0"		
185	2nd Floor	Fixed Windows	2' - 0"	5' - 0"		
187	2nd Floor	Awning Windows	3' - 0"	3' - 0"		
187	2nd Floor	Awning Windows	3' - 0"	3' - 0"		
187	2nd Floor	Awning Windows	3' - 0"	3' - 0"		
192	2nd Floor	Windows	2' - 6"	4' - 0"		

Door Schedule-2nd Floor						
Mark	Function	Width	Height	Level	Style	Comments
475	Interior	2' - 6"	7' - 0"	2nd Floor		
476	Interior	2' - 6"	7' - 0"	2nd Floor		
477	Interior	4' - 6"	6' - 8"	2nd Floor		
479	Interior	2' - 6"	7' - 0"	2nd Floor		
480	Interior	5' - 0"	7' - 0"	2nd Floor		
482	Interior	5' - 0"	7' - 0"	2nd Floor		
484	Interior	2' - 6"	7' - 0"	2nd Floor		
500	Interior	6' - 0"	8' - 0"	2nd Floor		
503	Interior	2' - 6"	7' - 0"	2nd Floor		
513	Interior	2' - 6"	6' - 8"	2nd Floor		
514	Interior	2' - 4"	7' - 0"	2nd Floor		



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MOHSENI RES. + IN-LAW UNIT
33950 DEPOT ROAD
UNION CITY, CA 94587

No.	Description	Date

OMAR MOHSENI
2ND FLOOR PLAN

Project number	D062-2017
Date	Issue Date
Drawn by	Author
Checked by	Checker

A103
Scale 1/4" = 1'-0"

MOHSENI RES. + IN-LAW UNIT
33950 DEPOT ROAD
UNION CITY, CA 94587



- EXTERIOR ELEVATION NOTES:
- 7/8" Cement plaster, 3 coats of metal lath or layers of "D" building paper or ply sheathing (LaHabra, Pacific sand x97 base 200)
 - Roofing: S-Tile Roof lightweight over underlayment
 - Windows: Millard vinyl dual glazed windows, color white.
 - Windows Trims: Wood trim, with color accent.
 - Weep Scream: @+4" min above finished grade or +2" above conc. Porch.
 - Fascia Gutter: G.I. Fascia gutter painted.
 - Fascia Board painted, color same as gutter
 - Window Sill: Cement plasters of foam trim, color to match building.
 - G.I. wall to roof Flashing painted
 - Address shall be internally lit during non daylight hours. Switching shall be controlled by the clock or photo sensor. Address numbers shall read from left to right with 4" high minimum on a contrasting background.



No.	Description	Date

OMAR MOHSENI
NEW ELEVATIONS

Project number	0062-2017
Date	Issue Date
Drawn by	Author
Checked by	Checker

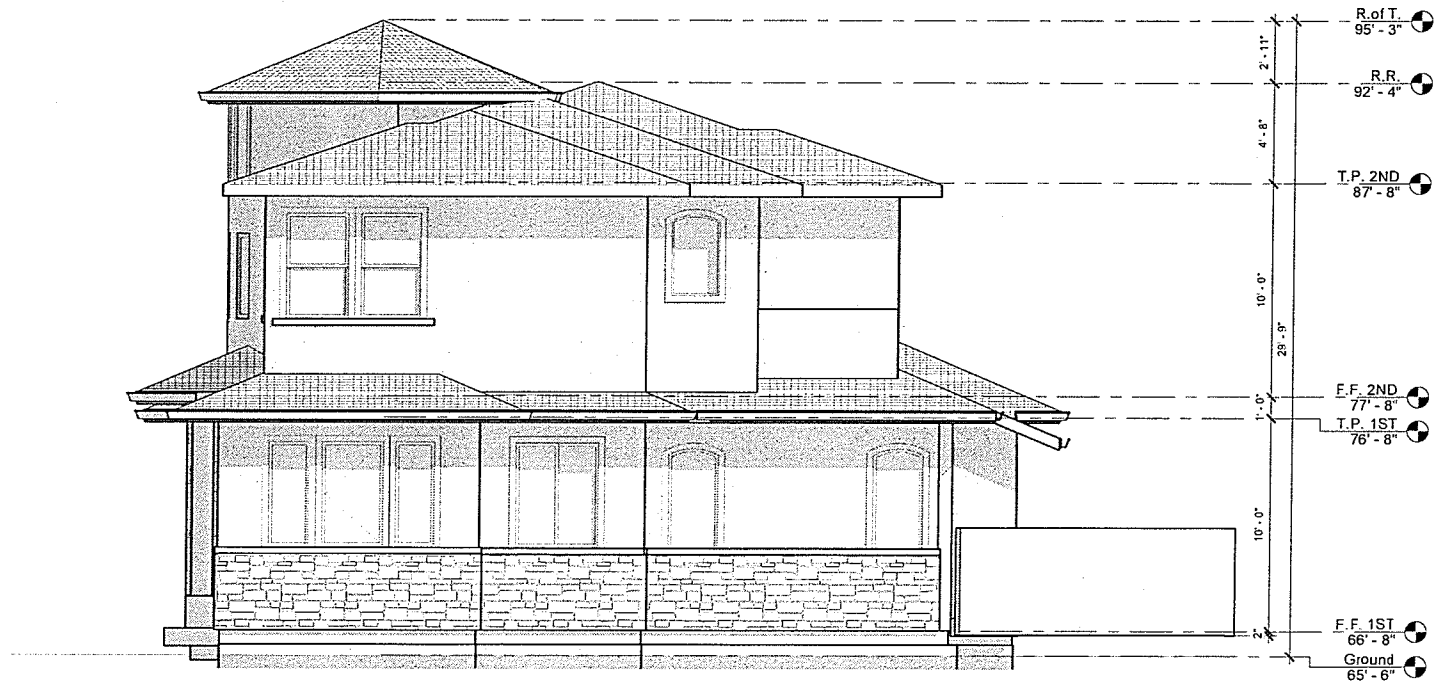
A104
Scale 1/4" = 1'-0"

EXTERIOR ELEVATION NOTES:

1. 7/8" Cement plaster, 3 coats of metal lath of layers of "D" building paper or ply sheathing (LaHabra , Pacific sand x97 base 200)
2. Roofing: S-Tile Roof lightweight over underlayment
3. Windows: Millard' vinyl dual glazed windows, color white.
4. Windows Trims: Wood trim, with color accent.
5. Weep Scream: @+4" min above finished grade or +2" above conc. Porch.
6. Fascia Gutter: G.I. Fascia gutter painted.
7. Fascia Board painted, color same as gutter
8. Window Sill: Cement plasters of foam trim, color to match building.
9. G.I. wall to roof Flashing painted
10. Address shall be internally lit during non daylight hours . Switching shall be controlled by the clock or photo sensor. Address numbers shall read from left to right with 4" high minimum on a contrasting background.



① PROPOSEO WEST ELEV.
1/4" = 1'-0"



② PROPOSEO EAST ELEVATION
1/4" = 1'-0"

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MOHSENI RES. + IN-LAW UNIT
33950 DEPOT ROAD
UNION CITY, CA 94587

No.	Description	Date

OMAR MOHSENI

NEW ELEVATION

Project number	DD62-2017
Date	Issue Date.
Drawn by	Author
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A105

Scale 1/4" = 1'-0"



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MOHSENI RES. + IN-LAW UNIT

33950 DEPOT ROAD

UNION CITY, CA 94587

No.	Description	Date

OMAR MOHSENI

Building Sections

Project number 0062-2017

Date Issue Date

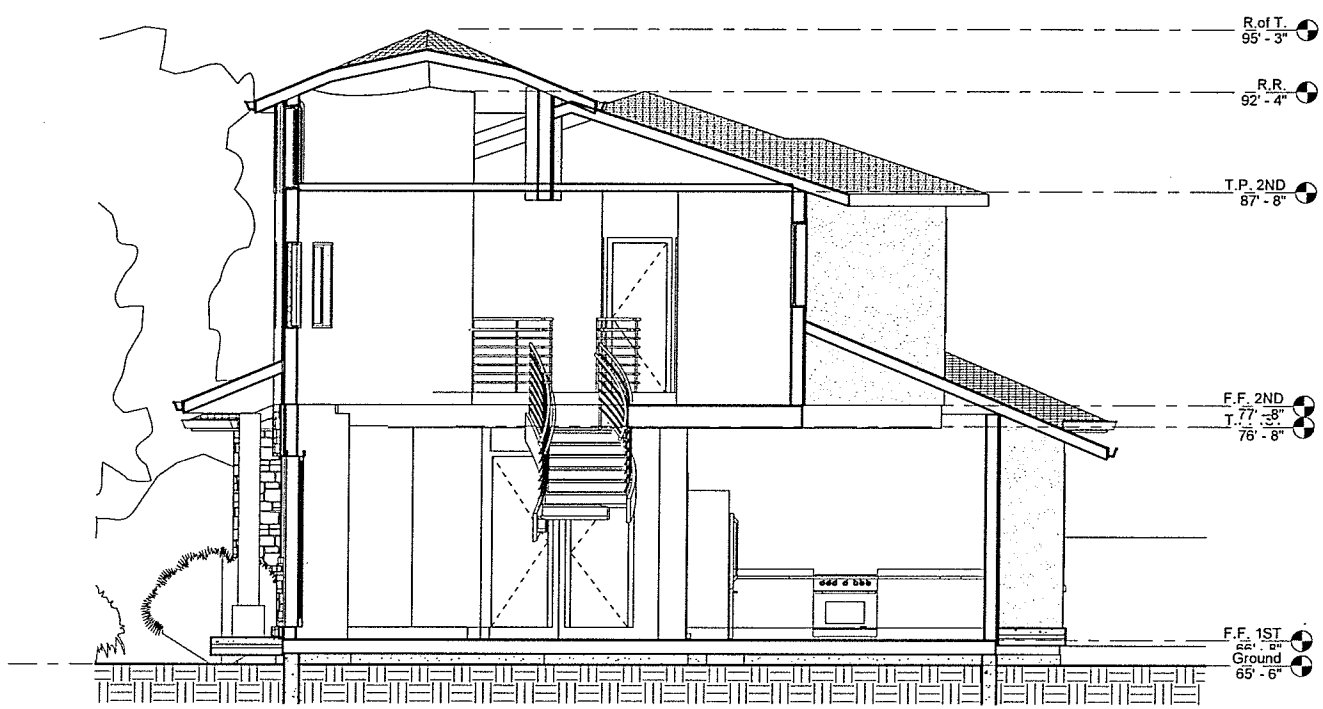
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A106

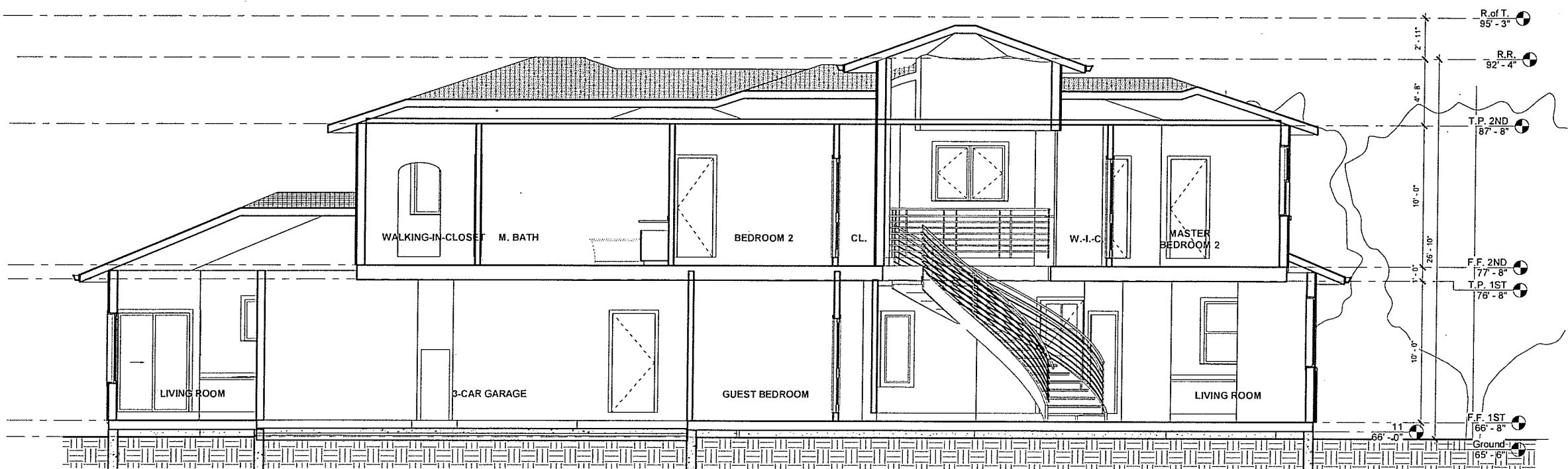
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Section 2

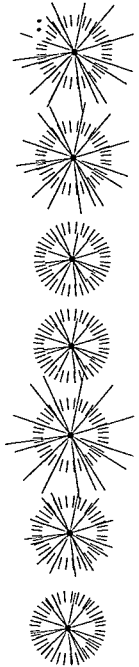
1/4" = 1'-0"



Section 1

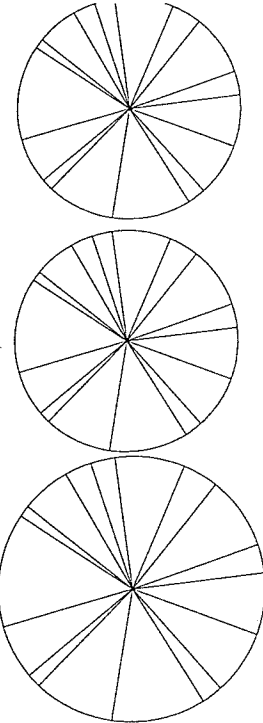
1/4" = 1'-0"

SHRUBS



- Santolina Virens
- Lilac 7'-6"
- Fraser Photina 7'-0"
- Magnolia 3'-4"
- Acacia 3'-6"
- Pampas Grass 8'-0"
- Fan Palm 5'-6"
- Switchgrass 4'-6"

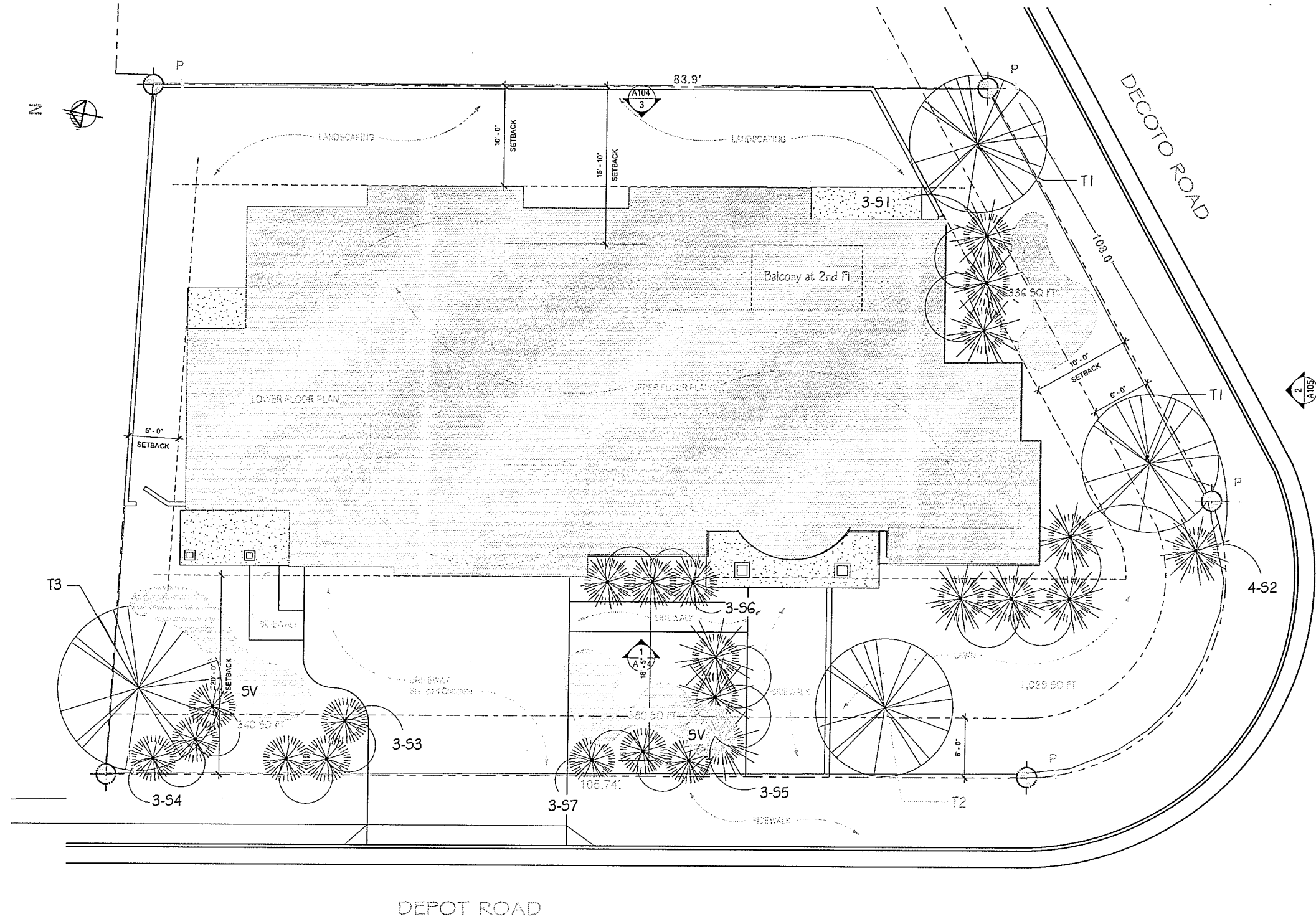
TREES



- Honey Locust 25'-0"
- Largetooth Aspen - 25'
- Schumard Oak - 30'

LANDSCAPE LEGEND
3/16" = 1'-0"

- S1
- S2
- S3
- S4
- S5
- S6
- S7
- T1
- T2
- T3



<PLANTING SCHEDULE>

A REF	B SCIENTIFIC NAME	C COMMON NAME	D SIZE	E QUANTITY
S1	Ceanothus spp	LILAC	7'-6"	
S2		FRASER PHOTONIA	7'-0"	
S3		MAGNOLIA	3'-4"	
S4		ACACIA	3'-6"	
S5		PAMPAS GRASS	8'-0"	
S6		FAN PALM	5'-6"	
S7		SWITCHGRASS	4'-6"	
		SANTOLINA VIRENS		
T1		HONEY LOCUST	25'-0"	
T2		LARGETOOTH ASPEN	30'-0"	
T3		SCHUMARD OAK	30'-0"	

PROPOSED CONCEPTUAL LANDSCAPE
PLAN
3/16" = 1'-0"

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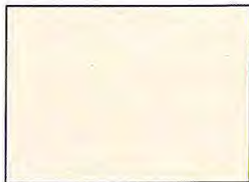
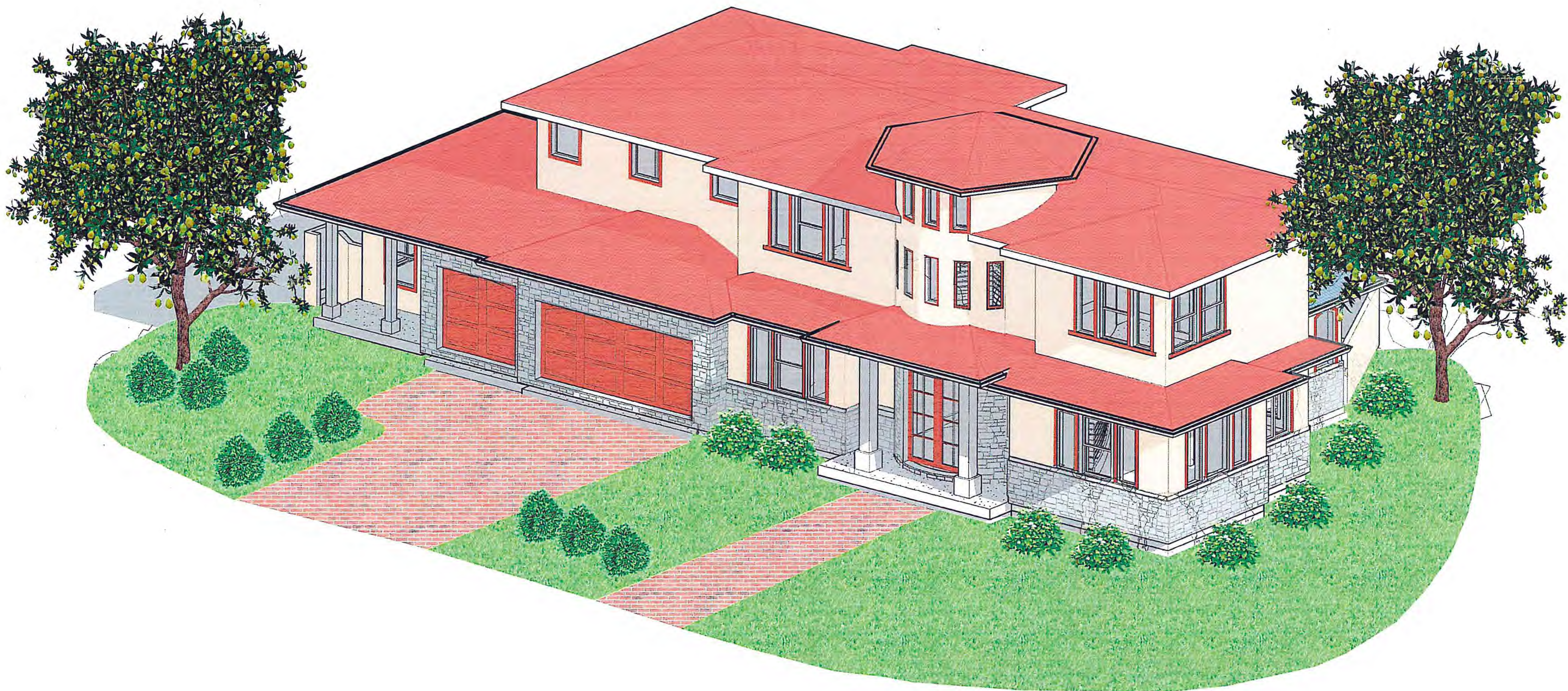
No.	Description	Date

OMAR MOHSENI
CONCEPTUAL LANDSCAPE
PLAN

Project Number 0062-2017
Date Issue Date
Drawn by Author
Checked by Checker

L101
Scale 3/16" = 1'-0"

33950 DEPOT ROAD
UNION CITY, CA 94587



PANTONE 728C



RED OAK



GRAY STONE WALL



ROOF: **S-TILE ROOF**

GARAGE DOOR:
WOOD FRAME w/ PANELS