



**MINUTES
FREMONT ZONING ADMINISTRATOR
REGULAR MEETING OF JANUARY 9, 2023**

CALL TO ORDER: **Acting Zoning Administrator David Wage** called the meeting to order at 3:00 p.m.

PRESENT: Acting Zoning Administrator, David Wage
Mark Hungerford, Senior Planner
Marc Cleveland, Planner II

**PUBLIC/ORAL
COMMUNICATION** None

PUBLIC HEARING ITEMS

Item 1. **APPLIED MATERIALS R&D FACILITY – 48401 Fremont Boulevard – (PLN2022-00402)** – To consider a Zoning Administrator Permit for use of hazardous materials, Modification of Zoning Standards requests for an increased floor area ratio allowance and a reduced on-site parking allowance, and a Discretionary Design Review Permit in conjunction with a semiconductor research and development lab facility fit-out of the existing cold-shell industrial building at 48401 Fremont Boulevard in the Bayside Industrial Community Plan Area, and to consider adoption of a Negative Declaration prepared and circulated for the project in accordance with the requirements of the California Environmental Quality Act (CEQA).

Senior Planner Mark Hungerford introduced the item and briefly described the proposed project.

Acting Zoning Administrator David Wage opened and closed the public hearing, as there were no public speakers.

The Zoning Administrator took the following action on Item 1:

HELD PUBLIC HEARING;

AND

FOUND THAT THE DRAFT NEGATIVE DECLARATION AND INITIAL STUDY AS SHOWN IN EXHIBIT “D” WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF CEQA, THAT THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROJECT WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT, AND THAT THIS ACTION REFLECTS THE INDEPENDENT JUDGEMENT OF THE CITY OF FREMONT;

AND

FOUND THAT THE REQUESTED ZONING ADMINISTRATOR PERMIT, MODIFICATION OF ZONING STANDARDS REQUESTS, AND DISCRETIONARY DESIGN REVIEW PERMIT ARE CONSISTENT WITH THE CITY'S GENERAL PLAN, THAT THE PROPOSED SITE IS PHYSICALLY SUITABLE FOR THE TYPE, DENSITY, AND INTENSITY OF THE PROPOSED USE, WOULD BE COMPATIBLE WITH DEVELOPMENT IN THE VICINITY, AND WOULD NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE OF PERSONS OR PROPERTY IN THE VICINITY AS ENUMERATED WITHIN THE STAFF REPORT;

AND

APPROVED PLN2022-00402, AS SHOWN IN EXHIBITS "A" AND "C," SUBJECT TO THE FINDINGS AND CONDITIONS CONTAINED IN EXHIBIT "B".

Item 1 was approved based on findings and subject to conditions.

Item 2. **AIRGAS USA ZA PERMIT – 4567 ENTERPRISE STREET – (PLN2023-00119)**

– To consider a Zoning Administrator Permit for the conversion of an existing tenant space into a new showroom and storage for a distributor of industrial, medical and specialty gases as well as a line of safety products, welding equipment, and specialty tools located at 4567 Enterprise Street in the South Fremont Community Plan Area; and to consider a categorical exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301, Existing Facilities, and CEQA Guidelines Section 15183, Projects Consistent with a Community Plan, General Plan or Zoning. Each of the foregoing provides a separate and independent basis for CEQA compliance.

Planner II Marc Cleveland introduced the item and briefly described the proposed project.

Acting Zoning Administrator David Wage opened and closed the public hearing, as there were no public speakers.

The Zoning Administrator took the following action on Item 2:

HELD PUBLIC HEARING;

AND

FOUND THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND CEQA GUIDELINES SECTION 15183 (PROJECTS CONSISTENT WITH A COMMUNITY PLAN, GENERAL PLAN OR ZONING). EACH OF THE FOREGOING PROVIDES A SEPARATE AND INDEPENDENT BASIS FOR CEQA COMPLIANCE;

AND
FOUND THAT PLN2023-00119, A ZONING ADMINISTRATOR PERMIT FOR A
USE THAT WOULD STORE AND DISTRIBUTE MEDICAL AND INDUSTRIAL
COMPRESSED GASSES, IS IN CONFORMANCE WITH THE RELEVANT
PROVISIONS CONTAINED IN THE CITY'S GENERAL PLAN.

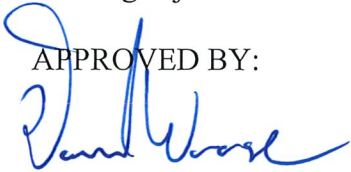
AND
APPROVED PLN2023-00119, AS SHOWN ON EXHIBIT "A," SUBJECT TO
FINDINGS AND CONDITIONS OF APPROVAL IN EXHIBIT "B."

Item 2 was approved based on findings and subject to conditions.

ADJOURNMENT

Meeting adjourned at 3:06 p.m.

APPROVED BY:



David Wage
Acting Zoning Administrator