



**MINUTES  
FREMONT ZONING ADMINISTRATOR  
REGULAR MEETING OF MAY 23, 2023**

**CALL TO ORDER:**                    **Zoning Administrator Clifford Nguyen** called the meeting to order at 3:00 p.m.

**PRESENT:**                            Zoning Administrator Clifford Nguyen  
Marc Cleveland, Planner II  
Sahithi Pusarla, Planner I  
Kim Salazar, Recording Clerk

**PUBLIC/ORAL  
COMMUNICATION**                    **Kelly Abreu** commented on City Zoning Ordinances related to hazardous land uses, compatible land uses, and restricted parking near Mission Peak Regional Park, specifically along Antelope Drive.

**PUBLIC HEARING ITEMS**

Item 1.    **BLUGLASS INC. – 40931 Encyclopedia Circle – (PLN2022-00504)** – To consider a Zoning Administrator Permit in accordance with the High Intensity Hazardous Materials Ordinance to allow a Medium User Site associated with the manufacturing of laser diode semiconductors in an existing 36,106 square-foot building in the Bayside Industrial Community Plan Area; and to consider a categorical exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301, Existing Facilities.

**Project Planner Marc Cleveland** introduced the item and briefly spoke to the project.

**Zoning Administrator Clifford Nguyen** opened the public hearing.

**Peter Tiernhaara**, US Facilities Manager and Safety Officer for BluGlass Inc., briefly spoke to the project.

**Kelly Abreu**, Fremont resident, stated his support of the project, and then commented on the following:

- Solar panels on the roofs of industrial warehouses.
- Notification of the project to address within 300 feet of the proposed site.
- The redundancy of chemicals used at the project site and their potency.
- Proposal of a new recreational trail.
- Filth and garbage piling up on city streets.

- Relocation of unhoused/vehicle dwellers near the proposed project site, for safety reasons.
- Inadequate parking for people going to Mission Peak Regional Park.

**Zoning Administrator Clifford Nguyen** closed the public hearing for this item, and took the following action:

HELD PUBLIC HEARING;

AND

FOUND THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTION 15301, EXISTING FACILITIES, BECAUSE THE PROJECT WOULD ESTABLISH AN INDUSTRIAL USE WITHIN AN EXISTING BUILDING AND WOULD INVOLVE NO EXPANSION OF BUILDING FLOOR AREA;

AND

FOUND THAT ZONING ADMINISTRATOR PERMIT PLN2022-00504 IS CONSISTENT WITH THE CITY’S EXISTING GENERAL PLAN; THAT THE PROPOSED SITE IS PHYSICALLY SUITABLE FOR THE TYPE, DENSITY, AND INTENSITY OF THE PROPOSED USE; THAT THE PROPOSED USE WOULD BE COMPATIBLE WITH DEVELOPMENT IN THE VICINITY OF THE PROJECT SITE; AND THAT THE PROPOSED USE WOULD NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE OF PERSONS OR PROPERTY, AS ENUMERATED WITHIN THE STAFF REPORT;

AND

APPROVED PLN2022-00504, AS SHOWN IN EXHIBIT “A”, SUBJECT TO THE FINDINGS AND CONDITIONS IN EXHIBIT “B”.

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

- Item 2. **SNOWFLAKES MONTESSORI – 38162 Glenmoor Drive – (PLN2023-00144)** – To consider a Zoning Administrator Permit to allow the establishment of a child day care center use in the Centerville Community Plan Area, and to consider a categorical exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301, Existing Facilities.

**Project Planner Sahithi Pusarla** introduced the item.

**Zoning Administrator Clifford Nguyen** opened the public hearing.

**Neelu Yadav** and **Raj Yadav**, of Yadav Design Group, briefly spoke to the project.

**Kelly Abreu**, Fremont resident, stated his support of the project, and commented on potential noises related to the daycare center.

**Zoning Administrator Clifford Nguyen** asked clarifying questions of the applicant and then closed the public hearing for this item.

The Zoning Administrator took the following action on Item 2:

HELD PUBLIC HEARING;

AND

FOUND THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTION 15301, EXISTING FACILITIES, BECAUSE THE PROPOSED USES WOULD OPERATE WITHIN THE SITE'S EXISTING BUILDING AND PLAY YARD AREAS;

AND

FOUND THAT ZONING ADMINISTRATOR PERMIT PLN2023-00144, IS CONSISTENT WITH THE CITY'S EXISTING 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 THAT THE PROPOSED USE 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 PLN2023-00144, AS SHOWN IN EXHIBIT "A", SUBJECT TO THE FINDINGS AND CONDITIONS IN EXHIBIT "B".

Item 2 was approved with the following amendments to Exhibit "B":

Addition to Condition of Approval No. 15: Drop-off and pick-up activities shall be split into at least two time blocks each to the satisfaction of the Zoning Administrator. Details of drop-off and pick-up periods shall be provided for review and approval prior to final inspection.

Modification of Condition of Approval No. 18: ~~The play yard areas shall be enclosed with a 48-inch-high redwood fence at the property lines on Glenmoor drive and Mattos drive.~~ A solid fence or wall shall enclose the outdoor play areas. Final design of the enclosures shall be to the satisfaction of the Zoning Administrator.

## ADJOURNMENT

Meeting adjourned at 3:21 p.m.

APPROVED BY:



Clifford Nguyen  
Zoning Administrator