

**DRAFT MINUTES OF VIRTUAL MEETING  
ALAMEDA COUNTY PLANNING COMMISSION  
April 4, 2022**

**REGULAR MEETING**

**CALL TO ORDER:** *The Chair called the meeting to order at 3:04 p.m. Albert Lopez said since the Chair and Vice-Chair are absent, Commissioner Moore will act as the Chair for this meeting.*

**MEMBERS PRESENT:** Commissioners Kastriotis, Kelley, Crawford and Moore.

**MEMBERS EXCUSED:** Chair Goff, Vice-Chair Gin and Commissioner Ratto

**OTHERS PRESENT:** Albert Lopez, Planning Director, William Chin and Michael Flemming, Planning staff. Rose Sicam, recording secretary. Rachel Sommovilla, County Counsel.

**PLEDGE OF ALLEGIANCE**

**Adopt Findings Authorizing Remote Teleconference Meetings for the Alameda County Planning Commission - ACTION ITEM -** Staff Recommendation: Adopt the findings that the board meetings will be held by teleconference in accordance with the Brown Act, due to state and local measures to promote social distancing.

Commissioner Kastriotis moved to adopt the findings. Commissioner Kelley seconded the motion. *Albert Lopez conducted the roll call. Yeas: Commissioners Kastriotis, Moore, Kelley, Crawford Excused: Chair Goff, Vice-Chair Gin and commissioner Larry Ratto. Motion passed 4/0/3.*

**ANNOUNCEMENTS BY THE CHAIR:** None

**OPEN FORUM:** Open forum is provided for any member of the public wishing to speak on an item not listed on the agenda. Each speaker is limited to three (3) minutes. The Chair gave instructions on how to participate via Zoom. There were no public speakers.

**FIELD TRIP REPORT –** None

**COMMITTEE REPORT –** Permit Streamlining – No update

**APPROVAL OF MINUTES FROM PREVIOUS MEETING**

**APPROVAL OF COMMISSION MINUTES –** March 21, 2022. Commissioner Crawford moved to approve the minutes of March 21, 2022 as submitted. Commissioner Kastriotis seconded the motion.

*Albert Lopez conducted the roll call. Yeas: Commissioners Kastriotis, Moore, Kelley, Crawford Excused: Chair Goff, Vice-Chair Gin and commissioner Larry Ratto. Motion passed 4/0/3.*

**CONSENT CALENDAR:** None

**REGULAR CALENDAR:**

**PLN2021-00157, SITE DEVELOPMENT REVIEW AND VARIANCE, DAVE AYRES** - Site Development Review and Variance application to allow construction of a 1,509 sq. ft. addition and side yard setback of 15-foot 11-inch and 10-foot where 20' is required for a single-family home at 247 Bond St., west side, 120 ft north of Main St. in the unincorporated Sunol area of Alameda County, zoned SD (Sunol Downtown), with *East County Area Plan* land use designation of SD (Downtown Sunol), bearing Assessor's Parcel Number 096-0140-008-00. This Site Development Review and Variance would be exempt from the requirements of the California Environmental Quality Act (CEQA, 1970 as amended), per Article 19, Section 15303, Class 3, New Construction of small facilities or structures. **Staff Planner: Michael Flemming. Action Item**

Michael Flemming presented the staff report. He said the site development review is needed because the addition is greater than 1,000 square feet. He shared the site plan with the addition to the current home. Staff recommends that the commission approve the variance and site development review to allow the construction of a 1,509 square foot addition and side yard setbacks of 15 ft and 11 inches where 20 feet are required for a single-family residence based on drawings at the Planning Department.

Commissioner Kastriotis said the report does not say what the recommendation of the Sunol Advisory Committee was regarding this application. He asked about the septic tank. Michael Flemming said the Sunol Advisory Committee recommended approval and the septic tank will remain the same. The application will be referred to the Environmental Health Department for their approval and recommendations on the septic system.

Mr. Ayres, the applicant, said he is present for any questions from the commission.

Commissioner Kelley said that it is interesting that if the property owner had kept and added to the ADU due to state laws he would not have needed a variance, but because he tore down the ADU, and is adding to the current unit he needs a variance.

There were no public speakers.

Commissioner Crawford move to approve PLN 2021-00157 per staff's recommendation. Commissioner Kelley seconded the motion.

*Albert Lopez conducted the roll call. Yeas: Chair Goff, Vice-Chair Gin, commissioners Kastriotis, Moore, Kelley, Crawford and Kelley. Absent: Chair Goff, Vice-Chair Gin and Commissioner Larry Ratto. Motion passed 4/03.*

**SITE DEVELOPMENT REVIEW (SDR) AND VESTING TENTATIVE TRACT MAP SUBDIVISION (TR-8630)** for condominium purposes, PLN2021-00221, application to allow a mixed-use multi-family project consisting of 47 townhome style units, 24 Accessory Dwelling Units (ADUs) and 4,300 square feet of commercial space. The project is part of the Castro Valley General Plan (part of the Alameda County General Plan) as Central Business District, Residential – Downtown Mixed Use (CBD-RMU) and within the Castro Valley Central Business District Specific Plan – Subarea 10 Zoning District, located at 3765 and 3789 Castro Valley Blvd. south side, corner of Norbridge Ave and Castro Valley Blvd., unincorporated Castro Valley area of Alameda County, designated Assessor's Parcel Number: 084C-0625-001-03 and 084C-0625-002-

05. The project is exempt from CEQA, under the Public Resources Code Section 21159.25 (“Infill Exemption”). **Staff Planner: Albert Lopez and William Chin. Action Item**

William Chin presented the staff report. He described the proposed project and spoke on the recommended approval from the Castro Valley Municipal Advisory Council. In response to the Council’s recommendation the developer made the following changes:

- 13 total parallel parking spaces on Norbridge Ave as opposed to the 4 diagonal spaces
- Kids play area, located at the rear of the property, replaced with passive turf
- Trash area relocated and attached to the interior of Building A
- Plumbing available for future grease trap interceptor
- Retail on ground floor for Building A reduced from 2,400 sq ft to 1,900 sq ft
- Provided entrances to units above commercial units via Castro Valley Boulevard
- 24 on-site parking spaces provided as opposed to the previous 21 parking spaces
- Retail on ground floor for Building B increased to 2,400 sq ft from 2,150 sq ft
- 6-foot precast wall on shared property line on the boulevard side
- Provided conceptual Norbridge Ave bicycle and parking layout in the plan set
- Proposing a left turn lane into the project, eastbound on Norbridge, so residents will not have to take multiple turns to get to the project.

Staff recommends that the commission approve the vesting tentative trac map (TR-8630) PLN2021-00221 and recommend approval of the Site Development Review application to the Planning Director allowing the development of a mixed-use project with 47 townhome condominium units and 24 accessory dwelling units based on drawings at the Planning Department. If the Commission determines that the use is appropriate, the enclosed conditions of approval should be considered.

Commissioner Kelley said the commission has not seen a plan that includes pre constructed ADUs. This is new. Albert agreed, it is a unique characteristic and due to the new state law, they do not need any approval and they do not have to provide any parking. Commissioner Kelley asked if they are for rent. Albert said they are part of the townhomes to be sold together.

Kian Malek, City Ventures, a bay area developer, said they are a sustainable developer and an infill developer. This project kicked off in August of last year, met with Chair Carbone and Commissioner Crawford and received good feedback at the time on the ADUs and the commercial space for the project. The CVMAC recommended approval of the project with some changes. This is an awesome opportunity for new retail on the boulevard and close to public transportation. He expanded on the proposed project. The target will be first time home buyers. These will be great for an in-law unit or for rental income. He said they also met with the Alikian family, owners of the adjacent property, and got some feedback on the project. He spoke about moving the playground, trash locations and the precast wall. He thanked all the stakeholders and County staff for the input and work on the project.

Public comment was open.

Ken Carbone, Chair for CVMAC, said the applicant has made every effort to meet the conditions of the council. He said he supports the project.

Kelly Abreu said it is a good project. It is about 30 units per acre. He expressed a few issues that can be looked at for future projects. He is bothered when people distort the numbers. The distance

from BART is about double of what the report says. The Castro Valley Library is very unique, it is the concept of a castle surrounded by a moat. At the Hayward and Fremont library, people walk from all directions and there are different entrances. The Castro Valley Library is blocked off from this project by a concrete wall. There is no concept of pedestrian mobility, not just from the applicant but also the planners, CVMAC and Planning Commission members. He disagrees with the concept of building a cul-de-sac surrounded with concrete walls so people have to go around the block. Still, it is a good project and better than what is around there.

Hera Alikian, representative for the adjacent property, said she is excited about this project. She said they met with the developer on some of the issues. She sent a letter on the 31<sup>st</sup> to the planner, addressing the landscape and the trees that are being proposed to be planted. She requested that they be slow growing, short to medium height, canopy trees, so they grow on the project site and does not create a maintenance issue for her property. She also asked that the comcast line not be disturbed so the service to her tenants is not interrupted. She expressed concern with building A and gathering in the area. She asked for an accent wall to prevent people from loitering. It is the after-hours component that she is concerned with. There is currently trespassing on to the property and she has contacted the property owners. She asked for contact information when the construction begins in case there are issues. She said she appreciates that they have added parking. She said to keep in mind that the parking on Norbridge is for everyone not just this site. She asked that Building A be enhanced with blocking off the residential on the Norbridge side. She asked for feedback on the open space between building A and her property.

Public comment was closed.

Kian Malek said he would like to address the issues brought up by Ms. Alikian. He said they will address the issue of the trees. They will make sure that Comcast service is not disconnected. Regarding the gathering area close to Building A, it is an outdoor patio. Ms. Alikian spoke of a fence but would like to keep the area open to the public and there will be landscape. He will provide the contact information for the construction manager to Ms. Alikian when construction begins. The hours of construction are set by the Building department, they are not set by the developer. He will post signs on the property regarding the hours of construction.

Samantha Hauser addressed the parking area by building A. She said signage will be posted on the construction site so that the public may contact the construction manager regarding any issues that may arise during construction.

Commissioner Crawford asked if there is going to be a fence separating the seating area from the boulevard or the parking. He said he does not see the logic in instituting a solution before a problem arises. The trespassing on the property is happening right now because it is a vacant lot. Samantha Hauser said they are still thinking about a low wall. Commissioner Crawford said as long as one can see the sitting area. Samantha agreed, they are not blocking it off, it is a sitting area.

Commissioner Moore announced Commissioner Ratto's arrival. Commissioner Ratto commented that the project is a great addition to the area. He spoke on the playground area and how it was moved to a miniscule area, but he said it is fine. It is a very good project. He apologized for being late.

Commissioner Kelley said he likes the project. It is a very interesting project and it could be a model for other projects. He commented on the street facing yard which is a very interesting choice

versus having it face into the interior of the property. He would rather have a yard not face the street. It would be very nice to have the interior with pavers instead of asphalt, which would make it more walkable. Understand the wall to the library, if it was open, it could be a safety issue for the children playing in the back yard. The 94 parking spaces is plenty for a very walkable project which is near public transit. Like that the units are for sale and for first time homebuyers. Interesting combination with the ADUs. Interesting to see who is going to be buying these units.

Commissioner Ratto said maybe the play area could be back to where it originally was located. Commissioner Kelley said it is fine where it is located.

Commissioner Crawford said he would like to make a motion but he asked William to read the changes to the report. William said the staff report on page 1, the square footage of the retail space should read 4,336 in the proposal section and last paragraph of page 1 is 4336 as well. Commissioner Crawford asked William to read the corrections to the resolution only. William said the first paragraph which should read 4,336 square feet of retail space and also the last bullet number 2, it should also read 4,336. The second page, starting with be it resolved, should also read 4,336.

Commissioner Crawford moved to approve the vesting tentative trac map (TR-8630) PLN2021-00221 and recommend approval of the Site Development Review application to the Planning Director allowing the development of a mixed-use project with 47 townhome condominium units and 24 accessory dwelling units with 4,336 square feet of commercial space based on drawings at the Planning Department. Commissioner Kelley seconded the motion.

*Albert Lopez conducted the roll call. Yeas: Chair Goff, Vice-Chair Gin, commissioners Kastriotis, Moore, Kelley, Crawford, Ratto and Kelley. Absent: Chair Goff, Vice-Chair Gin. Motion passed 5/0/2*

**STAFF COMMENTS & CORRESPONDENCE:** *None*

**CHAIRS REPORT:** *None*

**COMMISSION ANNOUNCEMENT, COMMENTS AND REPORTS:** *None*

**ADJOURNMENT:** *The meeting was adjourned at 4:12 p.m.*

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**ALBERT LOPEZ, SECRETARY**  
**COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY**