

SUMMARY ACTION MINUTES



**BOARD OF SUPERVISORS**  
**Planning Meeting**  
**1:00 PM**

Regular Meeting

Tuesday, July 24, 2007

COUNTY ADMINISTRATION BUILDING  
SUPERVISORS' CHAMBERS  
1221 OAK STREET  
FIFTH FLOOR, ROOM 512  
OAKLAND, CALIFORNIA

SCOTT HAGGERTY, PRESIDENT	DISTRICT 1
GAIL STEELE	DISTRICT 2
ALICE LAI-BITKER, VICE-PRESIDENT	DISTRICT 3
NATE MILEY	DISTRICT 4
KEITH CARSON	DISTRICT 5

JAMES E. SORENSEN  
COMMUNITY DEVELOPMENT DIRECTOR

RICHARD E. WINNIE  
COUNTY COUNSEL

SUSAN S. MURANISHI  
COUNTY ADMINISTRATOR

CHRIS M. BAZAR  
PLANNING DIRECTOR

BRIAN E. WASHINGTON  
ASSISTANT COUNTY COUNSEL

**MISSION**

*TO ENRICH THE LIVES OF ALAMEDA COUNTY RESIDENTS THROUGH VISIONARY POLICIES AND  
ACCESSIBLE, RESPONSIVE, AND EFFECTIVE SERVICES.*

**VISION**

*ALAMEDA COUNTY IS RECOGNIZED AS ONE OF THE BEST COUNTIES IN WHICH TO LIVE, WORK AND DO BUSINESS.*

The Board of Supervisors welcomes you to its meetings and your interest is appreciated. If you wish to speak on a matter on the agenda or during public input, please fill out a speaker slip at the front of the Chambers and turn it in to the Clerk as soon as possible. When addressing the Board, please give your name for the record prior to your presentation. If you wish to speak on a matter **not** on the agenda, please wait until the President calls for public input at the end of the Regular Calendar. **NOTE:** Only matters within the Board of Supervisors' jurisdiction may be addressed. Time limitations shall be at the discretion of the President of the Board.

Pursuant to Board Policy: (1) Signs or demonstrations are prohibited during Board meetings; (2) Any Board Member may request a **two-week** continuance on any item appearing for the first time; (3) All agenda items shall be received by the County Administrator prior to 3 p.m. on Tuesday **two** weeks before the meeting date or earlier when a Holiday intervenes; (4) The Board of Supervisors will receive and consider a request to continue a Planning matter only if: (a) the request is received by the Clerk of the Board at least forty-eight (48) hours prior to the time the matter is scheduled to be heard, (b) the request is in writing (FAX acceptable), and (c) a reason for the request is included.

Hearing difficulty? Please ask the Clerk for use of a personal sound receiver. Board of Supervisors' meetings are wheelchair accessible. Call 272-6347 (voice) or 834-6754 (TDD) to request a sign-language interpreter. Five working days' notice is required. If you have questions regarding the agenda, please call 272-6347. The Board's Agenda and Summary Action Minutes are also available via the Internet at: [www.acgov.org](http://www.acgov.org).

**Attention:** The Alameda County internet address is [www.acgov.org](http://www.acgov.org). Beginning January 20, 2004, all Board of Supervisors' planning meetings held in the Board Chamber can be heard live on the Board's web page. In order to log on, please do the following: click on the County's homepage as noted above and click on the "[Board of Supervisors Meeting - LIVE! Broadcast](#)" link. You may also access archived audio recordings, meeting agenda and minutes, as well as meeting dates on the Board's web page <http://www.acgov.org/board/index.htm>. All documents are archived on the web page for a period of 6 months.

**SUMMARY ACTION MINUTES**

**1:00 P.M.**

**CALL TO ORDER AND SALUTE TO FLAG**

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

Significant exposure to litigation pursuant to Subdivision (b) of Government Code § 54956.9: (two cases)

**CONSENT CALENDAR**

**231 45 Approved as recommended**  
**XX**

1. Approve record of cost of abatement and authorize assessment liens on properties in violation of abatement orders under the Neighborhood Preservation Ordinance

**FILE 21736**

2. **Appeals of Larry Gosselin and American Civil Constructors West Coast (ACC)** from the decision of the Planning Commission to: (1) order abatement of operation of ground concrete slurry settling ponds, unregulated reclamation of property used for this purpose, and landfilling/storage of processed waste slurry material at 6550 Collier Canyon Road, near Dublin, California, APN 905-0005-006-00, and (2) the decision of the Planning Commission that the ground concrete slurry pond operation, and the stockpiling and application to land of the processed product, is not permitted in the "A" district and on the parcel at 6550 Collier Canyon Road.

**Continued to Tuesday, September 11, 2007**

**FILE 22157**

**REGULAR CALENDAR**

3. **EDEN AND CASTRO VALLEY AREA PLANS: GENERAL PLAN BOUNDARY IN THE EL PORTAL RIDGE, FAIRMONT TERRACE, AND FAIRMONT CAMPUS AREAS** - Proposal to modify the boundary between the Castro Valley General Plan (CVGP) and the Eden Area General Plan (EAGP) in the area encompassing El Portal Ridge, Fairmont Terrace and the Fairmont Campus.

**Planning Commission Recommendation:** Continue to utilize the boundary of the 1985 Castro Valley General Plan (so that El Portal Ridge, Fairmont Terrace and the Fairmont Campus will fall within the Castro Valley Planning Area).

**Castro Valley MAC Recommendation:** Continue to utilize the boundary of the 1985 Castro Valley General Plan.

**Planning Staff Recommendation:** Continue to utilize the boundary of the 1985 Castro Valley General Plan

**43251 Approved as recommended**

**FILE 22381**  
**R-2007-359**

**SUMMARY ACTION MINUTES**

4. **ZONING UNIT, ZU-2242 and TENTATIVE PARCEL MAP, PM-9255, KHAN** - Petition to reclassify one parcel from the R-S-D-20 (Suburban Residence, 2,000 square feet Minimum Building Site Area per dwelling unit) District, to a P-D (Planned Development) District, so as to allow three single family detached dwellings on three new lots of less than 5,000 square feet and site-specific development standards, located at 1630 -159<sup>th</sup> Avenue, southeast side, approximately 100 feet north of Marcella Street, Ashland area of unincorporated Alameda County, bearing Assessor's Parcel Number: 080-0051-001-14.

**Planning Commission action/recommendation:** Denied the Parcel Map and recommended denial of the reclassification.

**Planning Staff Recommendation:** Staff originally recommended approval of the request for reclassification. Although the Planning Commission could not make the needed findings in support of the reclassification for the above-listed reasons, staff believes that, with additional modifications to address the concerns of the Commission, a revised version of this project could be devised that would meet the findings.

4351 2 **Approved the tentative parcel map and reclassification**

**FILE 21811  
R-2007-360**

N

5. **CONDITIONAL USE PERMIT, C-8489, JOSE RAMIRO** – Appeal of Jose Ramiro from the decision of the West Board of Zoning Adjustments to approve the application to allow continued operation of a tavern “The Stadium Club” with a condition as to hours of operation, in an ACBD (Ashland, Cherryland Business District Specific Plan) – Transit Corridor District, located at 15698 East 14<sup>th</sup> Street, east side, corner north of Plaza Drive, unincorporated Ashland area of Alameda County, designated Assessor's Parcel Number: 080-0034-007-00.

**Board of Zoning Adjustments (West) action:** The BZA approved the application for the continued operation of a tavern which shall terminate on May 23, 2008. The BZA approved the application for one year with hours of operation as follows:

Monday through Thursday	Noon to 9:00 p.m.
Friday and Saturday	Noon to 1:00 a.m.
Sunday	Noon to 11:00 p.m.

**Planning Staff recommendation:** Staff recommends that the decision of the BZA be upheld, and the appeal be denied.

**Continued to Tuesday, September 11, 2007**

**FILE 22379**

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6. **MODIFICATION OF TENTATIVE MAP, PARCEL MAP-8204, WINKLER** – The Board of Supervisors will reconsider its decision on June 12, 2007 to allow modification of Condition of Approval No. 25 (to install a masonry wall along the eastern property line to the rear of lot 1) and a wood privacy fence for the remainder of the eastern property line, in conjunction with the subdivision of one site into two parcels, containing approximately 0.89 acre in a R-1-B-E-CSU-RV (Single Family Residence, 10,000 square foot MBSA, Conditional Secondary Unit, Recreational Vehicle Regulations) District, located at 4868 Proctor Road, north side, 840 feet northwest of Redwood Road, unincorporated Castro Valley area of Alameda County, bearing County Assessor’s designation: 084D-1275-004.

**Castro Valley Municipal Advisory Council:** On September 8, 2003 CVMAC recommended a masonry wall to block the noise to an adjacent neighbor. Subsequently on April 9, 2007, CVMAC recommended modification of this condition based on past history of subdivisions not requiring masonry walls.

**Planning Director’s decision:** Approve modification of original condition so that a soundwall would only be required along the eastern property line to the rear of lot 1.

**Board of Supervisor’s action:** On June 12, 2007, the Board of Supervisors heard the appeal of Robert Winkler to modify Condition of Approval No. 25, and approved the modification to install a masonry wall along the eastern property line for the entire length of the house and a wood privacy fence with plantings for the remainder of the eastern property line.

**Board of Supervisor’s action:** At the June 26, 2007 Board of Supervisors meeting, at President Haggerty’s request, the Board approved a motion to reconsider this item at its July 24, 2007 meeting. The motion was based on the Board’s understanding that certain testimony from interested parties at the June 12, 2007 hearing was inaccurate

- 423 51 **Sustained the action of the Board on 6/12/07; approved the modification to install a masonry wall along the eastern property line for the entire length of the house and a wood privacy fence for the remainder of the eastern property line.** FILE 22232  
XN R-2007-361

7. **ABATEMENT ORDER, NPO-0534, SUDESH**, 931 Delano Street, San Lorenzo, CA 94580 – In violation of the Neighborhood Preservation Ordinance 6.65.030 I (1), which prohibits the paving of more than 50% of a front yard in any residential district after June, 1999 including any standard walkway or driveway.

**Planning Staff recommendation:** Deny the appeal and uphold the action of the BZA.

**Continued to Tuesday, September 11, 2007** FILE 22056

8. **ALTAMONT LANDFILL SETTLEMENT AGREEMENT EDUCATION ADVISORY BOARD’S EXPENDITURE PLAN FOR FISCAL YEAR 2007-2008 (\$325,000)**

That the Board of Supervisors provide concurrence to the proposed Altamont Settlement Agreement Education Advisory Board’s proposed Expenditure Plan for Fiscal Year 2007/2008. This concurrence is required per Section 7.6.3 of the Altamont Landfill Settlement Agreement.

**Planning Staff recommendation:** Approve expenditure plan.

**Continued to Tuesday, September 11, 2007** FILE 22380

**PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)**

None

**BOARD OF SUPERVISORS’ REMARKS**

None

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**COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION**

**None**

**ADJOURNMENT**

No further business appearing, the meeting is adjourned.

REVIEWED BY: \_\_\_\_\_  
PRESIDENT, BOARD OF SUPERVISORS

REVIEWED BY: \_\_\_\_\_  
CLERK, BOARD OF SUPERVISORS

**\*\* KEY \*\***

**Left Margin Notes**

<b>1</b>	<b>President Haggerty</b>	<b>A</b>	<b>Abstained</b>
<b>2</b>	<b>Supervisor Steele</b>	<b>X</b>	<b>Excused</b>
<b>3</b>	<b>Supervisor Lai-Bitker</b>	<b>N</b>	<b>No</b>
<b>4</b>	<b>Supervisor Miley</b>	<b>BO</b>	<b>Board Order</b>
<b>5</b>	<b>Supervisor Carson</b>		

**Right Margin Notes**

<b>C</b>	<b>Contract</b>
<b>O</b>	<b>Ordinance</b>
<b>R</b>	<b>Resolution</b>
<b>LIB</b>	<b>Library</b>

F21968  
rb