

**ALAMEDA COUNTY
BOARD OF SUPERVISORS'
TRANSPORTATION/PLANNING COMMITTEE**

Tuesday, February 14, 2006
1:00 p.m. – 3:00 p.m.

Supervisor Nate Miley, Chair
Supervisor Scott Haggerty

Location: Board of Supervisors Chamber – 5th Floor
County Administration Building
1221 Oak Street, Oakland, CA 94612

SUMMARY ACTION MINUTES

Supervisor Miley called the meeting to order.

I. SUPERSTORE CONDITIONAL USE PERMIT AND ECONOMIC IMPACT ANALYSIS

Steve Buckley, Planning Department presented a report and draft ordinance titled, “Superstore” Conditional Use Permit and Economic Impact Analysis. The ordinance relates to large retail stores that dedicates a large percentage of their floor area to non-taxable merchandise. The intent of the ordinance is to address a variety of concerns raised by the large retail stores, s, including employee pay and benefits, unfair competition, community character, public costs and revenues.

The ordinance would be part of the Zoning Code Chapter 17 would define the procedures for considering conditional use permits for superstores and define the zoning districts in which they could be considered as a conditional use. The Planning Commission narrowed the focus to zoning districts C-1 and C-2.

Recommendation from Planning Department staff and Planning Commission: That the Board of Supervisors finds the ordinance exempt from The California Environmental Quality Act (CEQA) review; that CEQA would apply at the time that such a Conditional Use Permit (CUP) would be considered, when a specific site or development plan has been brought forth; the CUP be considered by the Board of Zoning Adjustments.

Speakers

Liana Molina, East Bay Alliance for Sustainable Economy (EBASE), expressed support for the proposed ordinance.

Miriam Montesinos, Steefel, and Levitte & Weiss, on behalf of Wal-Mart Stores, Inc. expressed concerns about the ordinance: It unfairly targets super centers, goes beyond land use issues and is a deterrent to businesses.

Mark Wolfe, on behalf of UFCW Local 870, expressed support for the ordinance and recommends it be submitted to the full Board as presented by the Planning Commission.

Questions/Discussion

Supervisor Scott Haggerty: Superstores where originally in zone H-1 (highway and commercial), what was the justification for moving them out of that zone?

Steve Buckley: The H-1 zone has an intent clause in the ordinance related to visitors serving hotels, gas stations, truck stops, the Planning Commission felt the superstore did not fit that intent.

Recommendation from the Transportation and Planning Committee: Move to the full Board of Supervisors, with the exception of that the Conditional Use Permit be considered by the Planning Commission and not the Board of Zoning and Adjustments.

II. PROPOSED STATE INFRASTRUCTURE BOND MEASURE

Bruce Kern, Executive Director, Economic Development Alliance for Business (EDAB), presented an overview on the Goods Movement adopted by the Metropolitan Transportation Autor and introduced additional speakers on the proposed State Infrastructure Bond Measure, Leslie Barness, Deputy Director South Bay, Office of Governor Arnold Schwarzenegger, Rachel Weinstein, District Director, Office Senator Don Perata and Richard Nordahl, Chief, Office of Goods Movement, CalTrans.

Leslie Barness presented the Committee with an overview of the transportation portion of the Governor's Strategic Growth Plan, in addition to a list of proposed transportation projects by region.

Rachel Weinstein presented the Committee with an overview of SB 1024, Senator Perata's proposed infrastructure bond.

Richard Nordahl presented an overview of CalTrans Goods Movement Plan, in addition to a list of preliminary improvements to the I-880, I-238 and I-580 corridors.

Questions/Discussion

Supervisor Nate Miley: Why doesn't the governor feel that regional decision making would be the best approach?

Leslie Barness: The strategic growth plan determines projects based on performance outcomes that have the greatest need with respect to safety and traffic congestion. Local input would be incorporated by way already existing organizations, such as MTC and regional bodies.

Supervisor Nate Miley: Does the Governor's proposal provide for grade separation?

Richard Nordahl: In the CalTrans Goods Movement Action Plan some of the grade separation needs have been identified in inventorying of projects.

Supervisor Nate Miley: What would be the impact of the Strategic Growth Plan on the high speed rail?

Leslie Barness: The high speed rail is not included in the plan but there is full support behind it.

Rachel Weinstein: In the Senators plan there is a proposal to distribute \$1 billion among five (5) top priority corridors for inter-city and high speed rail service.

Steve Wallauch: Both proposals from the governor and senator are considering postponing or repealing the High Speed Rail Bond Act.

Supervisor Miley expressed that Proposition 42 needs to be protected and decision making on projects should be localized.

Supervisor Scott Haggerty expressed that counties that have invested in a ½ cent sales tax measure, such as Alameda County should be given more consideration on projects. This County will put a minimum of \$90 million in projects into local streets and roads, transit, bike-ped and capitol projects. The Governor's project list does not mentioned I-580, which is one of CMA's priority projects.

The three speakers Leslie Barness, Rachel Weinstein and Richard Nordahl, thanked the Committee for inviting them to report on the proposals and all expressed that they would take the input received today back to their respective departments.

Speakers

Dennis Fay, Alameda County Congestion Management Agency (CMA), gave a review of CMA's Goods Movement Corridor concept, which includes I-880, I-238 and I-580.

Frank Gallo, Ditching Dirty Diesels, Environmental Coalition Group, Minority Citizen's Advisory Committee (MCAC) of MTC, expressed that air cargo is an important part of the goods movement and has been consistently been excluded.

Sandra Threlfau, League of Women Voters of the Bay Area, expressed support for regional decision making.

Steve Lowe, Vice-President, West Oakland Commerce Association, member of the West Oakland Project Area Committee, under the banner of the West Oakland Toxic Reduction Collaborative reported that a letter was circulated and signed and submitted to the Board of Supervisors, the City of Oakland and other agencies asking that the truck situation in West Oakland be solved before any other planning goes forward.

Brian Beveridge, West Oakland Environmental Indicators Project, expressed that the plans need to address the health issues of the residents in West Oakland.

Diane Bailey, Natural Resources Defense Council expressed that the goods movement needs to address air quality and public health issues.

Jose Dueñas, Bay Area World Trade Center

Margaret Gordon, West Oakland Environmental Indicators Project, expressed that the plans need to address the health issues of the residents in West Oakland.

Calvin Benton

Supervisor Miley and Supervisor Haggerty thanked the panel for their presentations.

III. PUBLIC COMMENT

None

Adjourn

The meeting was adjourned to March 13, 2006.

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