

**MINUTES OF MEETING**  
**ALAMEDA COUNTY PLANNING COMMISSION**  
**FEBRUARY 6, 2006**  
**(APPROVED MARCH 6, 2006)**

**FIELD TRIP:**

**MEMBERS PRESENT:** Commissioners Glenn Kirby, Vice Chair; and Edith Looney.

**MEMBERS EXCUSED:** Commissioners Frank Imhof, Chair; Ken Carbone; Richard Hancocks; Mike Jacob and Alane Loisel.

**OTHERS PRESENT:** Steve Buckley, Assistant Planning Director.

The Commission convened at 224 W. Winton Avenue, Room 111, Hayward, California, at the hour of 1:30 p.m., and adjourned to the field to visit the following properties:

1. **2206<sup>th</sup> ZONING UNIT and TENTATIVE TRACT MAP, TR-7592 – LANCAR DEVELOPMENT, INC.,**~ Petition to reclassify one parcel approximately 31,115 square feet (0.71 acre) from the R-S-D-20 (Suburban Residence, 2,000 square feet Minimum Building Site Area/Dwelling Unit) to a P-D (Planned Development) District, allowing subdivision into ten parcels intended for single family dwellings, located at 20345 Forest Avenue, west side, approximately 1,050 feet north of Castro Valley Boulevard, Castro Valley area of unincorporated Alameda County, bearing Assessor's Parcel Number: 084C-0724-083-00.
2. **2214<sup>th</sup> ZONING UNIT - CAHILL** ~ Petition to reclassify one 27, 412 square feet (0.63 acre) parcel from the R-1-CSU-RV (Single Family Residence, Conditional Secondary Unit, Recreational Vehicle) District, to a P-D (Planned Development) District, allowing ten residential units (seven new and three existing), located at 3629 Lorena Avenue, south side, approximately 180 feet east of Santa Maria Avenue, Castro Valley area of unincorporated Alameda County, bearing Assessor's Parcel Number: 084A-0075-004-00.
3. **TENTATIVE PARCEL MAP, PM-8860 – LAMB SURVEYING, INC./CONNIFF** ~ Petition to subdivide one 11,968,545 square foot (274.76 acre) parcel into two lots, located in the "A" (Agricultural) District, located on 10550 Patterson Pass Road, both the north and south sides, just east of Cross Road, Livermore area of unincorporated Alameda County, bearing Assessor's Parcel Numbers: 099A-1830-001-05; 099A-1830-001-06 and 099A-1830-003-00.
4. **2230<sup>th</sup> ZONING UNIT and PARCEL MAP, PM-8910 – LAMB SURVEYING INC./CAMPBELL** ~ Petition to reclassify one parcel from R-1-L-B-E (Single Family Residence, Limited Agricultural Uses, 5 acre Minimum Building Site Area) District to a P-D (Planned Development, allowing one acre parcels) District, and to allow

subdivision of one lot into four parcels, located at 1365 Hilliker Place, east side, corner south of Las Positas Road, Livermore area of unincorporated Alameda County, bearing Assessor's Parcel Number: 099-0015-026-06.

5. **2231<sup>st</sup> ZONING UNIT and PARCEL MAP, PM-8909 – LAMB SURVEYING, INC./WATERMAN** ~ Petition to reclassify one parcel from R-1-L-B-E (Single Family Residence, Limited Agricultural Uses, 5 acre Minimum Building Site Area) District to P-D (Planned Development) District, and to allow subdivision of one lot into four parcels, located at 1339 Hilliker Place, east side, approximately 320 feet south of Las Positas Road, Livermore area of unincorporated Alameda County, bearing Assessor's Parcel Number: 099-0015-025-04.
  
6. **VESTING TENTATIVE TRACT MAP, TR-7270, PARAMOUNT HOMES / VAN EEGHAN** – Application to subdivide two parcels comprising approximately 7 acres to develop 10 new single-family houses and retain one existing house on approximately 3 acres, and one common lot with conservation easements over undeveloped portions of the site, in an R-1-B-E (Single Family Residence, 6,000 square feet minimum building site area, 60 foot median lot width, 20 foot front yard and 7 foot side yard setbacks) District, located at 25329 and 25415 Second Street, in Hayward, California; Assessor's Parcel Numbers: 425-0160-006, 425-0160-007.

**REGULAR MEETING: 6:00 p.m.**

**MEMBERS PRESENT:** Commissioners Ken Carbone; Richard Hancocks; Frank Imhof, Chair; Mike Jacob; Glenn Kirby, Vice Chair; and Edith Looney.

**MEMBERS EXCUSED:** Commissioner Alane Loisel.

**OTHERS PRESENT:** Chris Bazar, Planning Director, Steven Buckley, Assistant Planning Director; Brian Washington, County Counsel's Office; Nilma Singh, Recording Secretary.

There were approximately ninety-three people in the audience.

**CALL TO ORDER:** The Chair called the meeting to order at 6:05 p.m.

**ANNOUNCEMENTS BY THE CHAIR:** The Chair announced that Regular Calendar #7 be moved as the first item.

**OPEN FORUM:** Open forum is provided for any members of the public wishing to speak on an item not listed on the agenda. Each speaker is limited to three (3) minutes. No one requested to be heard under open forum.

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**CONSENT CALENDAR:**

1. **APPROVAL OF PLANNING COMMISSION MINUTES - January 9, 2006.**
2. **Motion to Reconsider Action Taken at 7/18/05 - AMENDMENT TO CONDITIONAL USE PERMIT, C-4158, REPUBLIC SERVICES – VASCO ROAD LANDFILL -** Application to extend the term of the Conditional Use Permit for this facility (“Permit”) from 2008 to December 31, 2022; and to formalize permission to continue to conduct waste diversion and materials recycling operations that have been ongoing for a number of years on the site. The Vasco Road Landfill (VRL) (formerly Vasco Road Sanitary Landfill) is an existing permitted landfill in an A (Agriculture) District, located at 4001 North Vasco Road, east side, approximately 1 mile north of Dalton Road, Unincorporated Livermore area, designated as Assessor's Parcel Numbers 99B-4901-2-3; 99B-4926-1-1, 1-2, 2- 4, and 2-5; and 902-6-2-2. (Continued from August 1, September 6 and 19, October 17, November 21 and December 5, 2005; to be continued to February 21, 2006).
3. **ZONING UNIT, ZU-2199 and TENTATIVE TRACT MAP, TR-7584 –NEWPORT AVALON INVESTORS, LLC –** Petition to reclassify from a PD (Planned Development) District to another PD (Planned Development) District, to allow the subdivision of one site into 10 parcels, located at 255 Happy Valley road, south side, approximately 125 feet east of Pleasanton-Sunol Road, Pleasanton area of unincorporated Alameda County, bearing County Assessor’s designation: 0949-0010-001-07. (Continued from December 20, 2004, February 7, May 2, July 18, October 3 and December 19, 2005; to be continued to April 3, 2006).
4. **TENTATIVE TRACT MAP, TR-6864, ONE STOP DESIGN, INC. –** Petition to subdivide one parcel into five lots, located between 25129 and 25165 Second Street, south side, approximately 903 feet west of Winfeldt Road, Fairview area of unincorporated Alameda County, bearing County Assessor’s designation: 0425-0150-006-00. (Continued from January 18, March 7, May 2, June 20, July 18, August 15, September 19, October 17, November 21 and December 19, 2005; to be continued to April 3, 2006).

January 9<sup>th</sup> Minutes was not available. Commissioner Jacob made the motion to approve the remainder of the Consent Calendar per staff recommendation and Commissioner Kirby seconded. Motion carried 6/0/1 with Commissioner Loisel excused.

**REGULAR CALENDAR:**

1. **ZONING UNIT ZU-2209, TENTATIVE TRACT MAP TR-7623, AND GENERAL PLAN AMENDMENT GPA-135 – THE OLSON**

**COMPANY** ~ Petition to allow demolition of the existing commercial structures on approximately 6.4 acre site, and the construction of approximately 99 townhome units and 4,500 square feet of commercial space, located at 1210 to 1415 Bockman Road, San Lorenzo area of unincorporated Alameda County, bearing Assessor's Parcel Numbers: 411-063-017-00, 411-069-001-01 and 411-069-001-02. (Continued from November 7 and December 5, 2005).

Mr. Buckley presented the staff report. The Final EIR is now available for public review and will be coming back for the Commission's final consideration on February 21<sup>st</sup>. Mr. Bazar added that San Lorenzo Village Home Association will have a meeting regarding this application on February 16<sup>th</sup>.

Public testimony was called for. Phil Kerr, representing the Olson Company, provided a powerpoint presentation on the initial and the revised proposal and further discussed the following key issues/concerns: the retail component, height, density and traffic. The project has been reduced to 82 two-story townhomes with a maximum building height of 25 feet, and increased floor area of 1,500-1,700 square feet; the total retail space has been increased to 5,000 square feet; additional parking is provided for the retail portion; and additional landscaping on the south side will eliminate privacy concerns.

Kristin Richards, 1485 Via Buena Vista, reiterated her comments from the last hearing and further read her written letter of support. The site continues to be an eye-sore and a problem. She appreciated the revised plans.

Jeff Taylor, property owner at 1405 Via Buena Vista, stated that the site is an attraction to problems and is considered a 'rats nest'. He discussed assumptions and risks, and urged an approval.

Pat Davis, 50 year resident at 1568 Via Toyon, agreed that the area needs a change and her main concern was the number of units. Though reduced to 82 units, there would be about 165+ additional cars on Bockman and additional children for the existing schools.

Evelyn Asker, 15980 Via Marlin, urged an approval.

Kathie Ready, a 40 year San Lorenzo resident and as the President of San Lorenzo Village Home Association, spoke in support of the revised project. The Association will hear this item on February 16<sup>th</sup>. Since traffic is the main concern, Ms. Ready urged that traffic mitigation fees be put back in the community.

Nancy Van Huffel, Administrator, San Lorenzo Village Homes Association, submitted an eight-paged report to the Commission on the loss of community retail space in this area. Five retail brokers had attended a public meeting with the Association, BRAC members, the community and other interested parties. According to Browman Development, a new retail project in excess

of 4,000-5,000 square feet would not be viable at this location.

Carlene Tillson, 17216 Via Melina, though in support, felt that 82 units would be too many. She was also not sure how the peak hour traffic congestion would be mitigated.

Patricia Hoke, a 53 year resident of San Lorenzo, said she lives three blocks from the site. She applauded the Olson Company for listening to the community, felt that this project will enhance San Lorenzo and urged an approval.

Sandra Aguilar, 934 Delano Street, in support, stated that the site is an eyesore and felt that it was time for a new development.

Wayne Criger submitted his written comments in support.

Tom Silva, property owner at 1374 Via San Juan, said that the revised plan reflects the concerns of the community. The site currently is an eyesore and a blight which needs to be developed, and he felt that traffic mitigations could be worked out with the school district. He supported an approval.

Joe Persons, 17453 Via Francis, submitted his written comments.

Leonard Riedel stated that he lives in close proximity. Although disappointed in the lack of retail viability, he was in support of the project.

Ron Hampton said he also lives in close proximity of the subject site. Although the density is high, it is time for a change. The project will be an asset to the community.

Mel Medeiros said he lives on Via Del Rey and he can see the site from his property. He appreciated the revisions and also concurred with other speakers that a traffic problem exists for this area. Mr. Medeiros urged the Olson Company to consider the children, the lack of schools, the elderly and perhaps reducing the number of units.

Public testimony was closed. Commissioner Looney said she also lives in San Lorenzo and appreciated the proposed revisions but thought that perhaps 82 units would be a high number. She would also like to see a children's recreation area, a tot-lot. Commissioner Carbone concurred with Commissioner Looney regarding density and revisions. He added that perhaps additional open space and/or a day care be provided around the commercial areas thus reducing the number of units.

The Chair re-opened the public testimony. Marj Johnson, resident at 17138 Via Margarita, discussed her concerns regarding traffic and the road condition as a result of heavy truck traffic. The road condition including the shallow road bed has not been addressed in the EIR.

Public testimony was closed. Commissioner Hancocks said his main concern was the capacity

of the school district. He also felt that the County has allowed the site to be in its current situation. He requested that the owners of these parcels be available at the next hearing. Commissioner Kirby appreciated the work of Olson Company and stressed the need for neighborhood serving businesses to support the density. Commissioner Jacob thanked Nancy Van Huffel for her dedication and competency as an Administrator. He recommended that Appendix A (traffic comparison of different development types) of the FEIR be included in all future EIRs. He made the motion for a continuance to the evening meeting on February 21<sup>st</sup>. The Chair asked for the possibility of changing Bockman Road as a one-way street. Mr. Bazar replied that options have to be discussed with Public Works Agency, specifically relating to the traffic mitigation fees. He also commended Ms. Van Huffel's work and the community's involvement/responses. Commissioner Kirby seconded the motion which carried 6/0/1. Commissioner Loisel was excused.

2. **Overview of the Redevelopment Strategic Plan Update – Marita Hawryluk.**

Ms. Hawryluk provided an over-view on the development of the Castro Valley Strategic Plan, copies of which had been distributed to the Commission earlier. In 2004, the Redevelopment Agency hired a consulting team to identify how to spend funds in Castro Valley. Six community meetings have been held for input and the result is reflected in the draft Plan. The purpose was to create a strategy for retail enhancement and to develop physical improvements primarily along Castro Valley Boulevard, to focus on improving a pedestrian environment and creating destination districts connected by a main-street shopping corridor. A retail analysis was also completed and the traffic flow was studied to identify options for pedestrian and parking. Three catalyst sites were identified. The Streetscape Plan involves two lanes in each direction with bike lanes and wider sidewalks. Commissioner Jacob requested an up-date on the plans for the BART parking lot. Ms. Hawryluk replied that although three other parcels including the BART parking lot have been identified as under-developed lots, they will be considered under the second level of priority.

3. **2206<sup>th</sup> ZONING UNIT and TENTATIVE TRACT MAP, TR-7592 – MORRISON / BERG / LANCAR DEVELOPMENT, INC.,**~ Petition to reclassify one parcel approximately 31,115 square feet (0.71 acre) from the R-S-D-20 (Suburban Residence, 2,000 square feet Minimum Building Site Area/Dwelling Unit) to a P-D (Planned Development) District, allowing subdivision into ten parcels intended for single family dwellings, located at 20345 Forest Avenue, west side, approximately 1,050 feet north of Castro Valley Boulevard, Castro Valley area of unincorporated Alameda County, bearing Assessor's Parcel Number: 084C-0724-083-00.

Mr. Buckley presented the staff report. Commissioner Looney stated that the Commission had made a site visit today and she felt that the proposal was appropriate for the neighborhood. In response to Commissioner Jacob, Mr. Bazar indicated that the PD Findings will be on the March Board of Supervisor's agenda. In reference to the issue of public benefit, Mr. Buckley said that there is an area on-site for a possible recreation/tot-lot. Commissioner Kirby thought that the public benefit issue was related to density. Mr. Buckley agreed adding that although fifteen

units would be allowed, only ten is being proposed.

Public testimony was called for. Nick Maggi representing Lancar Development, used the overhead to describe the project in detail including an aerial over-view of the area. Commissioner Carbone asked for CVMAC's recommendation. Mr. Buckley replied that the Council had recommended an approval with a vote of 6/0. Commissioner Looney requested clarification on the 'Hollywood garage' and Commissioner Jacob asked for the reasons for the deep turnaround between units 8 and 9. Mr. Maggi replied that this was a Fire Department requirement because of its shallowness and the parking areas will be outlined in the CC&R. Commissioner Kirby recommended landscape buffering between the end of the turnaround and the fence. He preferred off-setting garages but, overall, he felt that this was a good project.

Public testimony was closed. Commissioner Jacob made the motion to move staff recommendation for an approval with an amendment to the Exhibit C to allow Planning Director discretion to change the landscape plan per approval of the Fire Department regarding parking spaces. Commissioner Looney seconded. Motion carried 6/0/1 with Commissioner Loisel excused.

4. **2214<sup>th</sup> ZONING UNIT - CAHILL** ~ Petition to reclassify one 27, 412 square feet (0.63 acre) parcel from the R-1-CSU-RV (Single Family Residence, Conditional Secondary Unit, Recreational Vehicle) District, to a P-D (Planned Development) District, allowing ten residential units (seven new and three existing), located at 3629 Lorena Avenue, south side, approximately 180 feet east of Santa Maria Avenue, Castro Valley area of unincorporated Alameda County, bearing Assessor's Parcel Number: 084A-0075-004-00.

Mr. Buckley presented the staff report. Commissioner Looney asked for CVMAC's recommendation. Mr. Buckley replied that the Council had recommended approval with a vote of 5/0.

Public testimony was called for. Mr. Cahill explained the proposal. Commissioner Kirby said he appreciated Mr. Cahill's ability to eliminate the neighbors' concerns.

Mark Stoklosa, project architect, added that the object was to create single family appearance from the street with the two-story units in the rear, screened with landscaping thereby eliminating any impacts. Commissioner Kirby recommended a wider driveway for rear access. Mr. Stoklosa replied that the Fire Department's requirement is 18 feet.

Public testimony was closed. Commissioner Carbone made the motion to move staff recommendation for an approval and Commissioner Kirby seconded. Motion carried 6/0/1. Commissioner Loisel was excused.

5. **2224<sup>th</sup> ZONING UNIT and TENTATIVE PARCEL MAP, PM-8814 – SINGH** ~ Petition to reclassify from the R-2-B-E (Single Family

Residence, 7,500 square foot Minimum Building Site Area) District to a P-D (Planned Development) District, one site containing approximately 0.17 acre, located at 1315 and 1345 Apple Avenue, south side, corner east of Locust Street, Hayward area of unincorporated Alameda County, bearing Assessor's Parcel Number: 414-0086-046-00.

Mr. Buckley presented the staff report. A discussion followed regarding City of Hayward and Cherryland Home Association responses. Mr. Buckley said he disagreed with the City's statement that future developments would be constrained since the lots have already been development with no future potential developments. In reference to the Association's response, he concurred that a PD may be unnecessary. Currently, it is zoned R-2 which allows two dwellings on a lot, and so a condominium development could be pursued instead of a lot split.

Public testimony was called for. Mr. B. Singh, Applicant, spoke in support of the density. Mr. H. Singh, co-applicant, explained that initially the lot had been in a poor shape but building the two houses has increased the value of the property and the area. The property has been maintained in a good shape. Commissioner Looney asked for the purpose of rezoning and subdivision. Mr. Singh replied that a subdivision would lower the property taxes and loan interest for the owners.

Public testimony was closed. Commissioner Jacob requested clarification on the motion if the Commission opted to vote for a condominium conversion. Staff explained that motion would reflect a denial of the reclassification, without taking action on the parcel map. The application would then be re-submitted as a condo conversion. Commissioner Hancocks felt that an approval would set a precedent, especially in the Cherryland area and made the motion to deny the application for rezoning and Commissioner Looney seconded. Motion carried 5/1/1 with Commissioner Jacob dissenting and Commissioner Loisel excused.

6. **TENTATIVE PARCEL MAP, PM-8860 – LAMB SURVEYING, INC./CONNIFF** ~ Petition to subdivide one 11,968,545 square foot (274.76 acre) parcel into two lots, located in the "A" (Agricultural) District, located on 10550 Patterson Pass Road, both the north and south sides, east of Cross Road, Livermore area of unincorporated Alameda County, bearing Assessor's Parcel Numbers: 099A-1830-001-05; 099A-1830-001-06 and 099A-1830-003-00.

Mr. Buckley presented the staff report and in response to Commissioner Jacob, he further explained that Patterson Pass Road is partly a public road and not recorded as a legal road. Properties along the road have to be defined and resolved through deeds.

Public testimony was called for. Mick Lamb, Surveyor, with the aid of area map, further explained that the north property line was pre-existing, not all the property on the north was owned by the applicant and pointed out the locations of the house and Cross Road. Mr. Conniff, the applicant, does not plan to develop the other lot but use it for grazing. According to records obtained, Patterson Pass Road, is described only from the intersection of Cross Road to



Greenville Road as a County road, and an approval of this Parcel Map would establish the right of way for the remainder of Patterson Pass Road.

Public testimony was closed. Commissioner Kirby made the motion to move staff recommendation for an approval and Commissioner Jacob seconded. Motion carried 6/0/1 with Commissioner Loisel excused.

7. **VESTING TENTATIVE TRACT MAP, TR-7270, PARAMOUNT HOMES / VAN EEGHAN** – Application to subdivide two parcels comprising approximately 7 acres to develop 10 new single-family houses and retain one existing house on approximately 3 acres, and one common lot with conservation easements over undeveloped portions of the site, in an R-1-B-E (Single Family Residence, 6,000 square feet minimum building site area, 60 foot median lot width, 20 foot front yard and 7 foot side yard setbacks) District, located at 25329 and 25415 Second Street, in Hayward, California; Assessor's Parcel Numbers: 425-0160-006, 425-0160-007. (Continued from October 3, 2005).

Mr. Buckley presented the staff report adding that the Final EIR was circulated last week and, as such, staff is recommending a continuance to allow time for review and for staff to prepare the report on the tract map. In compliance to the litigation settlement agreement, the Board of Supervisors rescinded the prior approval and asked that a new EIR be prepared. The FEIR has reached the same conclusion as the DEIR regarding the range of potential impacts, necessary mitigation measures and feasible alternatives. County Counsel added that the agreement also stated that the Applicant did not have to re-apply but staff to consider the same project under the old rules.

Public testimony was called for. Mr. Van Eeghan opted to reserve his comments for the next hearing.

Jerry Feiger, 2738 Lancaster Road, stated that the community was still interested in the project. Together with three other neighboring property owners, they represent both the County and the City's side of the creek.

Public testimony was closed. Commissioner Carbone said his concern was the location of the road which could be reconfigured away from the creek to lessen the impact on neighboring properties. Staff explained that the proposed location behind the existing homes was to provide emergency access, a greater setback between the existing and proposed homes and to allow back yards of the new homes to face the front yards of the existing homes. And, so far, no complaints have been received. The Chair said his preference was adjacent backyards. Commissioner Jacob made the motion to continue the matter to the evening meeting on February 21<sup>st</sup> and Commissioner Kirby seconded. Motion carried 6/0/1. Commissioner Loisel was excused.

**STAFF COMMENTS & CORRESPONDENCE:** Mr. Buckley announced that the Board of Supervisors confirmed approval of the two rezonings which were heard by this Commission at the last hearing.

**CHAIR'S REPORT:** The Chair announced that he had attended the Park, Recreation and Historical Commission (PRHC) and Agricultural Advisory Commission meetings and invited the Commission to attend at least one of each Commission meeting. Mr. Bazar announced that PRHC meets on the first Thursday of the month at 3:30 p.m. at the EBRPD facility in Oakland and the Ag Commission on the fourth Tuesday of the month in Dublin. In reference to the Hwy 84 Scenic Corridor, the Chair requested staff to schedule a meeting between City of Fremont, Union City and the Commission Sub-committee regarding the removal of the oak trees along the corridor. The Chair also suggested a letter be submitted to the Board of Supervisors requesting an increase to the Commission's stipend. Perhaps the matter could be agendized for the next meeting. He thanked staff for providing coffee during the meeting.

**COMMISSION ANNOUNCEMENTS, COMMENTS AND REPORTS:** Commissioner Carbone requested an up-date on the mixed use discussion. Mr. Bazar stated that the Economic Development Consultant has prepared a detailed scope of work but since there is no resource available, he suggested that Mr. Wallace would begin working internally. Meanwhile, literature was available on other jurisdictions. Commissioner Kirby suggested having, at least, a working definition.

Commissioner Jacob recommended combining all items from both the day and evening meetings to an evening meeting only to avoid having two meetings in one day. Perhaps the By-Laws could be reviewed. Commissioner Hancocks agreed. Commissioner Kirby suggested a compromise of deferring the afternoon session to begin later at 3:00 or 4:00 p.m. and continuing to the evening meeting to accommodate the needs of staff. Mr. Buckley pointed out the noticing requirements and items that have been continued from previous agendas. Commissioner Carbone said his concern was placing incomplete controversial items on the agenda and the absence of the applicants at the hearings.

Commissioner Kirby thanked staff for the copies of the board letters and suggested that the results be also provided to the Commission. Mr. Bazar stated that copies of the Board Minute Orders could be included in the Commission packets.

Commissioner Looney asked for the next Ordinance Committee meeting date and Mr. Bazar replied that he will check with Ms. Sandy Rivera.

**ADJOURNMENT:** There being no further business, Commissioner Kirby moved to adjourn the meeting at 9:00 p.m. in commemoration of the Chair's birthday. Commissioner Jacob seconded the motion. The motion was carried 6/0.

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**CHRIS BAZAR, SECRETARY  
COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY**