

MINUTES OF MEETING
EAST COUNTY BOARD OF ZONING ADJUSTMENTS
FEBRUARY 8, 2007
(APPROVED MARCH 22, 2007)

The meeting was held at the hour of 1:30/6:00 p.m. in the Conference Room of the City of Pleasanton Council Chambers, 200 Old Bernal Avenue, Pleasanton.

FIELD TRIP: There was no scheduled Field Trip.

REGULAR MEETING: 1:35 p.m.

MEMBERS PRESENT: Members Jon Harvey, Chair; Larry Gosselin and Jim Goff.

OTHERS PRESENT: Bruce Jensen, Senior Planner; Nilma Singh, Recording Secretary.

There were approximately five people in the audience.

CALL TO ORDER: The meeting was called to order by the Chair at 1:35 p.m.

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.

ANNOUNCEMENTS BY THE CHAIR: None.

CONSENT CALENDAR: There were no items on the Consent Calendar.

REGULAR CALENDAR:

1. **RICHLAND TOWERS, LLC., CONDITIONAL USE PERMIT, C-8459 ~**
Application to allow the construction and operation of a new television antenna and tower (450 feet in height) on Mt. Allison, west side terminus Mill Creek Road, Sunol area of unincorporated Alameda County, bearing County Assessor's Parcel Number: 096-0090-005-07. (Continued from March 30, April 27, June 29, August 24, September 28, October 26, December 14, 2006 and January 25, 2007).

Mr. Jensen presented the staff report.

Public testimony was called for. Patricia Curtin, Land Use Attorney representing Richland Towers, thanked staff for his work adding that they have worked with EBRPD, concurred with all the recommended conditions and urged an approval.

Brian Holt, EBRPD, also thanked staff and concurred with the recommended conditions.

Public testimony was closed. Member Gosselin discussed the 20,000 square feet size infrastructure issue. He felt that perhaps the size should be locked in as other applications could be submitted with bigger

footprints. The Chair requested clarification on the square foot calculation of a tower. Mr. Jensen pointed out that wordings of FAR and explained that the 20,000 square feet covers all base structures. Although the size could be locked in, it could set a precedent and perhaps affect the landowner under Measure D, and he is not available here today. He further suggested including the 20,000 square feet size requirement in the Master Plan as included in Condition #33. Member Gosselin indicated that the size was not related to ECAP but he did not want to see another tower at this site.

Public testimony was re-opened. Ms. Curtin pointed out that she only represents Richland Towers and not the landowner. She expressed concern with the condition, its affect on the landowner and that perhaps it could be considered as an ECAP modification. She further concurred with staff's recommendation of requiring such a limitation under the Master Plan.

Public testimony was closed. A discussion on ECAP followed. Member Gosselin suggested omitting the 20,000 square feet requirement but requiring a determination under the Master Plan as to whether or not it is an infrastructure. Staff recommended the following at the end of Condition #33: As part of the Master Plan, all equipment, both existing and proposed, including towers and support buildings and structures shall be assessed as to whether it constitutes infrastructure. Member Gosselin made a motion for an approval with changes to Condition 33 as stated above and 34 as reflected in the staff report. Member Goff seconded. Motion carried unanimously.

Approval of Minutes – Approval of January 25th Minutes was continued.

STAFF COMMENTS & CORRESPONDENCE: None.

CHAIR'S REPORT: The Chair announced that the next scheduled meeting is March 22, 2007.

BOARD ANNOUNCEMENTS, COMMENTS AND REPORTS: None.

ADJOURNMENT: There being no further business, the hearing was adjourned at 2:05 p.m.

CHRIS BAZAR - SECRETARY
EAST COUNTY BOARD OF ZONING ADJUSTMENTS