

MINUTES OF MEETING
ALAMEDA COUNTY PLANNING COMMISSION
FEBRUARY 20, 2007
(APPROVED MARCH 5, 2007)

REGULAR MEETING: 1:30 p.m.

MEMBERS PRESENT: Commissioners Ken Carbone, Vice-Chair; Richard Hancocks; Mike Jacob; Glenn Kirby, Chair; and Kathie Ready.

MEMBERS EXCUSED: Commissioners Frank Imhof and Alane Loisel.

OTHERS PRESENT: Chris Bazar, Planning Director, Phil Sawrey-Kubicek, Senior Planner; Gail Odom, Planner III; Arthur Valderrama, Public Works Agency Liaison; Brian Washington, County Counsel's Office; Nilma Singh, Recording Secretary.

There were six people in the audience.

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

ANNOUNCEMENTS BY THE CHAIR: None.

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.

CONSENT CALENDAR:

1. **APPROVAL OF PLANNING COMMISSION MINUTES - February 5, 2007.**
2. **POTENTIAL AMENDMENT TO ZONING ORDINANCE REGARDING SLURRY POND OPERATIONS IN THE UNINCORPORATED ALAMEDA COUNTY** ~ Consideration of the appropriateness of, and the regulation of, activities involving the construction and operation of settling ponds for ground concrete slurry, derived from highway grinding activities performed by contractors under the authorization of Caltrans or other agency. (Continued from January 8, to be continued to March 5, 2007).

Commissioner Hancocks made a motion to approve the Consent Calendar, including the February 5th Minutes as submitted. Commissioner Ready seconded and the motion carried unanimously.



REGULAR CALENDAR:

1. **BICYCLE MASTER PLAN** – Presentation by Public Works Agency regarding the Draft Bicycle Master Plan for the unincorporated area.

Paul Keener, Senior Transportation Planner, with a powerpoint presentation, discussed the update, the Evaluation of Existing Conditions and Needs, Goals and Policies, Recommended Bicycle Network, Support Facilities and the Implementation Plan. Commissioner Carbone requested an up-date on the Castro Valley Blvd bike lane. Mr. Keener said he was not aware of the current status. Commissioner Ready said her main concern was enforcement, especially on Crow Canyon Road. The Chair announced that he has been working with TA on the funding aspect, noted the omission of the Bay Area Ridge Trail, requested clarification on the signage descriptions on page 33, discussed the Vasco Road project (NEL 7) on page 55 which did not reflect a cost estimate, felt that it was important to have an Advisory Committee and pointed out that Appendix J was incomplete as it lacked other signs instead of just Route Signs. Commissioner Jacob questioned the viability and funding of trails on private properties, and discussed the safety issue and expansion feasibility. Mr. Keener said he is working with LARPD and EBRPD, the Master Plan will have one main route map with the responsible maintenance agency; and agreed that there are expansion feasibility/funding issues in some cases which he will be working with the Advisory Committee. The Chair indicated that he had other issues/points which he would follow-up with Mr. Keener.

2. **ZONING UNIT, ZU-2241 and TENTATIVE TRACT MAP, TR-7834-PAK** ~ Petition to reclassify from the R-S-D-25 (Suburban Residence, 2,500 square feet Minimum Building Site Area per Dwelling Unit) District, to a PD (Planned Development) District, so as to allow fifteen townhouse units with attached garages on a site of 44, 568 square feet (1.02 acres) and site-specific development standards, located at 1630 – 159th Avenue, northwest side, approximately 400 feet northeast of E. 14th Street, Ashland area of unincorporated Alameda County, bearing Assessor’s Parcel Number: 080-0040-071-00. (Continued from November 20 and December 18, 2006).

Ms. Odom presented the staff report.

Public testimony was called for. Ron Perner, Project Architect, agreed that the project had weaknesses and in response to the Commission’s comments at the last hearing, the project has been modified to include sidewalks and additional open space with the reduction of one unit. He had a meeting this morning with John Rogers, Public Works Agency, who has indicated that a 20-foot setback from the channel would not be required. This project is not within the flood plain as reflected in the insurance map. Mr. Perner agreed to eliminate another unit making a 12-unit project to provide additional open space, re-locate the road, and provide a 20-foot setback from the channel which is not required by Ordinance. This project is in close proximity to public transportation and shopping center, and will be an asset to the community. Water run-off was another concern and needs to be re-studied. He requested a continuance.



No public testimony was submitted. The Chair said his concern had been the possibility of converting the downstairs into a second unit which has been addressed by the CC&R. Resolving the channel issue could be step towards an approval and the property can support the proposed density. He suggested perhaps an engineered solution to mitigate the setback requirement and asked if this channel is designed to be used for storm water run-off. Mr. Valderrama replied yes, and confirmed that it is part of the San Lorenzo watershed and designated as a flood control line. Commissioner Hancock felt that there was not much design difference between this project and the initial project presented in January. New development needs to be of a higher standard than the existing neighborhood. Commissioner Ready concurred with Commissioner Hancock adding that she did not support the design, the project eliminates the needed rental units, she was unsure of the community benefit, expressed concern with the lack of open space and play areas, and the 3-story building height. Commissioner Carbone discussed the run-off calculations and indicated that he too had concerns regarding the design and the building height. The Chair recommended that the applicant work on the deficiencies outlined in bold in Table 3. He felt that the shadowing of the 3-story is mitigated by the roof line. Commissioner Jacobs also had similar design concerns together with the concern of a 3-story street frontage along 159th Avenue. Although project walkability and safety have been much improved, he also expressed concern with the juncture of the pedestrian walkway, the one-car parking area in the driveway, and the driveway for one of the front units and further recommended relocation of the walkway to the northeast side of building C. Ms. Odom requested Commission comments on the redesign of locating the street in the middle with units on both sides which would minimize the asphalt area and allow for backyards. The Commission was in consensus with the recommendations of units facing the street, the importance of open space and private open space, and splitting the front units with architectural facades.

Motion for a continuance to March 19th was made by Commissioner Hancock and seconded by Commissioner Carbone, which carried 5/0.

3. **TENTATIVE TRACT MAP, TR-7866 – GHOSH** ~ Petition to resubdivide Tract Map, TR-7115, to reflect as-built conditions that vary from the original map, for ten lots with zero setbacks on one side and reduced setbacks on other sides according to MZU-1862, in a P-D (Planned Development, MZU-1862) District, on one site containing ten lots and one private street known as Bali Terrace, comprising a total of approximately 28,000 square feet (0.65 acres), located adjacent to 16100 Maubert Avenue, north side, approximately 280 feet west of the intersection with 162nd Avenue, Ashland area of unincorporated Alameda County, bearing Assessor's Parcel Numbers: 0080-0084-002-00, 0080-0084-003-00, 0080-0084-004-00, 0080-0084-005-00, 0080-0084-006-00, 0080-0084-007-00, 0080-0084-008-00, 0080-0084-009-00 and 0080-0084-010-00.

Mr. Sawrey-Kubicek presented the staff report.

Public testimony was called for. Indarjeet Chadha, Project Engineer, said he was available for any questions. Commissioner Hancocks expressed his concern regarding guest parking for the Tentative Map. Mr. Chadha said that a parking plan for the Tract Map has not been submitted as no modifications are proposed. Per the original plan, guest parking would be provided on Maubert and Liberty Streets. Commissioner Carbone said he also had similar concerns. The Chair announced that he had visited the site with Commissioner Imhof during the Field Trip and had noted several other contractor errors. Commissioner Ready added that no allowances have been made for garbage cans, open space and cars. One solution would be to eliminate 1-2 units.

Public testimony was closed. The Chair indicated that a thorough inspection report by the architect/engineer be submitted before consideration is given to this request as this could be liable for a law suit against the County. He was concerned with the condition of the units that were near completion. Commissioner Hancocks pointed out that the project is not complete yet hence there is an opportunity to correct the errors. He could not support an approval without the required guest parking. One option would be to require the additional five guest parking spaces for the undeveloped lots. The Commission recommended a site visit by staff. In response to Commissioner Jacob, staff explained that per Building Department, there are two options: 1) merge the lots together and consider the units as rental; or 2) seal the windows on the zero lot line sides and install larger windows on the other sides. County Counsel agreed that there was an imperfection with the map and he could work with staff on other remedies. Commissioner Jacob concurred with the Chair and pointed out that he had supported the minor modification but had voted against the project, and agreed with the continuance recommendation to consider the legal options. Commissioner Carbone discussed the option of a 'Stop Work Order' and the Chair added that it could be issued based on the location of the buildings instead of a life-safety issue.

Commissioner Hancocks made a motion for a continuance to the second meeting in April for staff to explore solutions and Commissioner Carbone seconded. Motion carried 5/0.

- 4. **ZONING UNIT, ZU-2246 – MOLINARO** ~ Petition to amend the General Ordinance of the County of Alameda, California, by reclassifying from the PD (Planned Development) District to a PD (Planned Development) District to allow expansion of the allowed building envelope, the property generally described as: One site containing approximately 20.79 acres, located at 7986 Tesla Road, north side, corner northeast of Greenville Road, Livermore area of unincorporated Alameda County, bearing Assessor's Parcel Number: 099A-1602-013-02.

Commissioner Hancocks made the motion for a continuance without discussion and Commissioner Ready seconded. Motion carried 5/0.

STAFF COMMENTS & CORRESPONDENCE: Mr. Bazar announced that a survey has been conducted with other jurisdictions regarding Commission stipend and the result will be made available at the next meeting.

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CHAIR'S REPORT: None.

COMMISSION ANNOUNCEMENTS, COMMENTS AND REPORTS: Commissioner Hancocks requested the status of Commissioner Ready's business cards. Mr. Bazar said he would look into it.

ADJOURNMENT: There being no further business, Commissioner Hancocks moved to adjourn the meeting at 3:05 p.m. Commissioner Carbone seconded the motion. The motion was carried 5/0.

CHRIS BAZAR, SECRETARY
COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY