

**MINUTES OF MEETING**  
**ALAMEDA COUNTY PLANNING COMMISSION**  
**MARCH 5, 2007**  
(APPROVED MARCH 19, 2007)

**FIELD TRIP:**

**MEMBERS PRESENT:** Commissioners Mike Jacob; Glenn Kirby, Chair; and Kathie Ready.

**MEMBERS EXCUSED:** Commissioners Ken Carbone, Vice Chair; Richard Hancocks; Frank Imhof 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. **TENTATIVE TRACT MAP, TR-7553 - ATWAL** ~ Application to create a 49-unit residential condominium subdivision and a two-unit commercial condominium subdivision, in an ACBD-TA (Ashland Cherryland Business District Specific Plan – Transit Access) District, located at 15954-15960 East 14<sup>th</sup> Street, northeast side, approximately 220 feet southeast of 159<sup>th</sup> Avenue, Ashland area of unincorporated Alameda County, bearing Assessor's Parcel Number: 080-0057-014-00.
  
2. **ZONING UNIT, ZU-2235 and TENTATIVE TRACT MAP, TR-7756 - LANGON** ~ Petition to reclassify one parcel comprising 15,120 square feet from the R-S-D-25 (Suburban Residence, 2,500 square feet Minimum Building Site Area per Dwelling Unit) District to a P-D (Planned Development) District, so as to allow demolition of one existing dwelling and construction of six town-homes, each on its own parcel, located at 20026 San Miquel Avenue, east side, approximately 680 feet north of Jeanine Way, Castro Valley area of unincorporated Alameda County, bearing Assessor's Parcel Number: 084A-0109-009-02.

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

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

**OTHERS PRESENT:** Chris Bazar, Planning Director, Steven Buckley, Assistant Planning Director; Karen Borrmann, Public Works Agency Liaison; Ray McKay, County Counsel's Office; Nilma Singh, Recording Secretary.

There were five people in the audience.

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

Lowell Shira, Assistant Superintendent for the San Lorenzo Unified School District, stated that the District is opposed to the Eden Area General Plan proposal to change the land use designation and zoning of the District's properties, and further outlined the reasons for their opposition including severe financial consequences and the need to utilize these assets to improve educational programs and student services. Mr. Shira also complained that there has been no direct contact from the County regarding these changes and statement from staff asserting their unwillingness to work with the District. He will provide additional information at the next meeting and stated a willingness to work with staff. The Chair pointed out that this is Open Forum and, as such, no Commission response will be made but directed Mr. Shira to the Planning Director and staff. Mr. Bazar replied that the draft Eden Area General Plan has been agendized for the Planning Commission's first meeting in April.

Adam Ferber, School and College Legal Services, stated that he will provide County Counsel a brief on the public comment aspect of Education Code and Government Section 65852. He reiterated Mr. Shira's statement that the proposed changes will have dire financial consequences and disrupt 30 years of District planning and management of surplus properties which provides financial security.

**CONSENT CALENDAR:**

1. **APPROVAL OF PLANNING COMMISSION MINUTES** - February 20, 2007. Commissioner Carbone made the motion to approve the minutes as submitted and Commissioner Hancock seconded. Motion carried 5/0 with Commissioners Imhof and Loisel abstaining.
2. **ZONING UNIT, ZU-2230<sup>th</sup> 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. (Continued from January 23, February 21, April 3, 17, May 1, June 5, July 17, August 21, October 16 and December 4, 2006, and January 8, 2007). **Withdrawn.**
3. **ZONING UNIT, ZU-2231 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. (Continued from January 23, February 21, April 3 and 17, May 1, June 5, August 21, October 16 and December 4, 2006, and January 8, 2007). **Withdrawn.**

4. **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, 2007; to be continued to March 19, 2007).

Commissioner Carbone made the motion to approve the remainder of the Consent Calendar as submitted and Commissioner Imhof seconded. Motion carried unanimously.

**REGULAR CALENDAR:**

1. **ZONING UNIT, ZU-2225 and TENTATIVE TRACT MAP, TR-7679 - OGBEIDE** ~ Petition to allow reclassification of one parcel containing approximately 22,016 square feet from the R-S-D-35 (Suburban Residence, 3,500 square feet Minimum Building Site Area per Dwelling Unit) District to a P-D (Planned Development) District so as to allow demolition of two existing dwellings and construction of five town-homes, each on its own parcel, located at 574 and 578 Blossom Way, north side, approximately 250 feet west of Western Boulevard, Cherryland area of unincorporated Alameda County, bearing Assessor's Parcel Number: 429-0019-045-00. (Continued from January 8 and February 5, 2007).

Mr. Buckley presented the staff report pointing out the proposed modifications in response to staff input and the Commission's previous preliminary review hearing for the project.

Public testimony was called for. Tony Ogbeide thanked the neighbors, staff and the Commission. His project will be an asset to the neighborhood.

The Chair appreciated the re-orientation of the units and requested that the proposed modifications be correctly reflected with the Final Map application.

Kathy Gill, President, Cherryland Community Association, stated that the Association had concerns with the play area and the units facing the street issue, and the revised plans show these issues have been resolved.

Public testimony was closed. Commissioner Jacob requested clarification to the recommended modification to Condition #21. Mr. Buckley clarified the following: amended Condition #21 be inserted under Condition #38 which will be a standard condition in the future; original Condition #21 remain as recommended; and Condition #9 be renumbered as #8 under Subdivision Standards. Commissioner Hancock made the motion for an approval with the above modifications and Commissioner Imhof seconded. Motion carried unanimously.

2. **TENTATIVE TRACT MAP, TR-7553 - ATWAL** ~ Application to create a 49-unit residential condominium subdivision and a two-unit commercial condominium subdivision, in an ACBD-TA (Ashland Cherryland Business District Specific Plan – Transit Access) District, located at 15954-15960 East 14<sup>th</sup> Street, northeast side, approximately 220 feet southeast of 159<sup>th</sup> Avenue, Ashland area of unincorporated Alameda County, bearing Assessor's Parcel Number: 080-0057-014-00.

Mr. Buckley presented the staff report and noted that Condition #21 will be amended to include the storm water features, the Commission visited the site today and estimated project completion date is the end of this year. Commissioner Ready requested clarification on the SDR process adding that her concerns included the lack of a landscape plan, guest parking, lack of a response from the Sheriff's Department, play area conformity for a 49-unit complex to be determined after completion as reflected on Page 11, safety issues and the condition of the construction site. Mr. Buckley explained the landscape plan and that the SDR approval is a Planning Director action. Commissioner Hancock felt that project will be an asset as rental units as originally approved and urged that the Commission not approve the conversion to condominiums.

Public testimony was called for. Amrit Sra thanked staff for their work. The apartment project had been designed by the previous partner and Mr. Sra apologized for the changes and undue burden on the process, but stated that the intent now is to have ownership housing units.

Howard Beckman said his concerns included the process of reviewing SDRs and subdivisions separately, the amount of commercial frontage, and that such a large apartment complex would be approved without much community discussion. The staff report lacks details including the layout and the configuration of the maximum potential usage of the commercial space.

In response to Commissioner Imhof, Mr. Buckley explained that neither the use nor the design is being changed. The project would only result in a change of ownership to air-space condominiums.

Public testimony was closed. Commissioners Hancock, Loisel and Carbone all thought that the project should move forward as rental units, especially considering the size. Commissioner Jacob pointed out the need of entry level housing and this applicant has fulfilled all guidelines. The Chair said he liked the project as presented and thought that the Guidelines is not intended to apply for such a project because of its location in a Specific Plan area that encourages high density.

Commissioner Hancock made the motion for a denial and Commissioner Ready seconded.

Motion carried 6/1 with Commissioner Jacob dissenting.

#### **STAFF COMMENTS & CORRESPONDENCE**

Mr. MacKay announced that the County has prevailed in the Redwood Christian Schools lawsuit. Brian Washington has suggested a Closed Session to further discuss the item. Mr. Bazar noted the Daily Review article as a good summary of the trial outcome.

Mr. Bazar announced that Mr. Beckman has provided a copy of the School District public hearing notice regarding its March meetings to discuss future uses and options at different District sites.

Mr. Buckley said that copies of a survey result on Planning Commission salaries has been distributed to the Commission which reflects that this Commission is paid similarly to others in the area.

#### **CHAIR'S REPORT**

The Chair reminded the Commission of the CCPCA Spring Conference in Stockton on March 10<sup>th</sup>.

#### **COMMISSION ANNOUNCEMENTS, COMMENTS AND REPORTS**

Commissioner Jacob said that he will be unavailable for the next meeting, April 2<sup>nd</sup>.

Commissioner Imhof discussed the possibility of using bio-swales instead of storm drains. Ms. Borrmann replied that the County has approved some projects with bio-swales and the Public Works Agency and Planning Department are working together to make sure they are included in the design review and presented to this Commission. The Chair suggested a workshop on the concept.

#### **ADJOURNMENT**

There being no further business, Commissioner Carbone moved to adjourn the meeting at 7:00 p.m. Commissioner Loisel seconded the motion. The motion was carried 7/0.

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