

CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL

MINUTES FOR October 11, 2004

(Approved as corrected October 25, 2004)

A. CALL TO ORDER: The Chair called the meeting to order at 6:30 p.m. **Councilmembers present:** Andy Frank, Chair; Councilmembers Ineda Adesanya, Ken Carbone, Karla Goodbody, Jeff Moore, and Carol Sugimura. **Councilmembers excused:** Dean Nielsen, Vice Chair. **Staff present:** Tona Henninger, Ron Gee, Bob Swanson and Maria Elena Marquez. There were approximately 3 people in the audience.

B. APPROVAL OF MINUTES OF September 13, 2004 was continued to October 25, 2004.

C. PUBLIC ANNOUNCEMENTS: None

D. REGULAR CALENDAR

- 1. SITE DEVELOPMENT REVIEW, S-1944 – TRUMAN FOOD SERVICE** – Application to allow the exterior remodel and new signage of an existing drive-in restaurant (Wendy's) in the CVCBD, Sub 1 (Castro Valley Central Business District, Sub Area 1), located at 2415 Castro Valley Boulevard, southwest side, at the corner of Strobridge Avenue, in the unincorporated Castro Valley area of Alameda County, designated Assessor's Parcel Number: 084A-0007-008-06.

Mr. Gee presented the staff report. He noted that the Castro Valley Chamber of Commerce is recommending approval of the project. The ordinance does not specifically prohibit neon signs, although it is being discouraged.

Mr. Dave Coberly, representing Superior Electrical Advertising, stated that the general contractors working on this project will be replacing the existing mansard made of wood, with a new concave mansard made of metal. The new mansard is designed to update the look of the building, and reduce the maintenance cost of keeping the existing mansard maintained. The new sign is the same square footage as the existing signage. As an architectural feature, the applicant is proposing a red plexi-neon outdoor trim band on top and the bottom of the new mansard. The trim is considered an architectural element and not part of the sign.

Mr. Carbone asked if there are signs like the proposed signage in Castro Valley. He expressed his concern with the site being at the entrance of Castro Valley and the plans that redevelopment has for this project area. He mentioned other areas like Danville do not have this type of signage.

Mr. Coberly showed color pictures of the proposed sign to council members. Mr. Carbone inquired about the sand color in the background. Mr. Coberly said they are just doing the signage and that the façade improvement is being done by a general contractor.

Mr. Carbone noted the red lines of the sign and commented that the impact is dramatically reduced without the red band around it. Mr. Coberly said this façade is the same as they use in the new buildings. Discussion ensued amongst councilmembers in regards to the colors of the sign. Ms. Adesanya asked if the painting of the building was part of the Site Development Review application. Councilmembers noted that the red color of the sign is not attractive.

The matter is closed for public comment.

Mr. Coberly stated that if councilmembers feel that there is too much red on the proposed sign, they could reduce the single line on the top, even though he felt that the double line is preferable. Mr. Carbone stated that he does not have a problem with the sign but with the color red. The copper element of the sign looks clean but the red color needs to be a natural color.

Mr. Gee asked that Council be more specific as far as the conditions of approval. Discussion ensued amongst councilmembers, the contractor and county staff in regards to the color of the sign and the timing of the completion of the sign if it was to be brought back to the council for review. Ms. Adesanya suggested that council should go ahead and approved the proposed sign as submitted with the condition that it not be red.

Mr. Carbone moved, seconded by Mr. Moore to recommend approval of the site development review with the condition that the red trim of the existing mansard be eliminated and to use the original beige color and re-paint the monument sign base with an earth tone color.

The motion passed 6/0.

2. **CONDITIONAL USE PERMIT, C-8336 – KOSZEWSKI** – Application to allow the operation of a therapeutic massage business in a CVCBD SUB 7 (Castro Valley Central Business District Specific Plan, Sub-area 7) District, located at 20212 Redwood Road, west side, 110 feet south of Modesto Street, Castro Valley, and designated Assessor's Parcel Number: 084C- 0770-001-00.

Mr. Gee presented the staff report. The applicant is proposing a massage therapy establishment in an existing suite of 3 offices. The office suite is to be shared by the applicant, a licensed psychologist, and a licensed marriage and family therapist. The applicant is the leaseholder, and therefore is requesting that additional licensed massage therapists be allowed to sublease in the event that one of the current tenants vacates. No problems have been reported to the Sheriff's Department.

Ms. Koszewski, the applicant, stated that she previously was operating a massage therapy business on Lake Chabot Road and has moved to the present location on Redwood Road because of the impending Eden Medical Center construction. The previous permit would have expired in October, 2005, however a new permit must be obtained as the location has changed. She stated that she would like to have this conditional use permit apply to all three suites. Anyone that shares the space has to comply with all county requirements and conditions of the permit.

The matter is closed before the public.

Mr. Moore moved, seconded by Ms. Goodbody to approve the conditional use permit to allow up to maximum of 3 massage therapist with the condition that the applicant will be responsible for the other tenants and comply with all county the requirements and to grant the permit for 10 years.

Motion passed 6/0.

- E. OPEN FORUM** – Richard Lawrence, representing Mr. and Mrs. Mehra, addressed the council in regards to a subdivision being proposed by Mr. and Mrs. Mehra. He asked for council's opinion in regards to a road easement for the proposed subdivision.

Discussion ensued amongst councilmembers, Mr. Lawrence and county staff in regards to size of proposed homes, adequate parking, setbacks, and possibly variances. Mr. Moore asked Mr. Lawrence if by moving the house he would be creating variances. Mr. Lawrence said the new house is designed to meet all the set-backs. Mr. Lawrence stated that he will proceed with the application and discuss with county staff the various options his clients have in regards to the subdivision.

- F. CHAIR'S REPORT** – None.

- G. COMMITTEE REPORTS** – None.

- H. STAFF ANNOUNCEMENTS, COMMENTS AND REPORTS** – Ms. Henninger noted that the November 22nd meeting has been set aside for an informational item. County staff will have a presentation in regards to existing conditions of the Castro Valley General Plan.

Council members asked about the stipend for attending the general purpose meeting. Ms. Henninger said she will contact Tisa Potter, Clerk at the Board of Supervisors, and update councilmembers at the next meeting.

Mr. Bob Swanson informed council and audience members that Nate Miley's office is currently putting together an ordinance to regulate medical marijuana dispensaries and that there are currently 5 dispensaries in the unincorporated area of the County.

Mr. Carbone informed county staff that he had spoken to Ms. Sonia Urzua at the Planning Department, and she provided him with a document about Hosanna Homes regarding a site development review for a proposed new single family home. He is interested in knowing if there are any conditions for this property. He stated that there should be conditions placed on this property because of all the past problems related to this applicant. The Chair asked staff if council needs to re-visit the issue. Ms. Henninger replied that the current application is for a new single family home and does not involve the Hosanna Homes. Mr. Moore said we are wasting thousand of dollars in staff resources and we need to reduce the amount of future work. Mr. Gee said this is a separate site review application. Mr. Frank said that we should not re-visit unless the County makes a determination.

- I. COUNCIL ANNOUNCEMENTS, COMMENTS AND REPORTS** – None.

- J. ADJOURN** – The meeting was adjourned at 7:30 p.m.

NEXT HEARING DATE: MONDAY, OCTOBER 25, 2004

