

CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL

Minutes for August 22, 2005

(Approved as corrected September 26, 2005)

- A. CALL TO ORDER:** The Chair called the meeting to order at 6:35 p.m. Council members present: Dean Nielsen, Chair; Jeff Moore, Vice Chair. Council members: Karla Goodbody, Carol Sugimura and Cheryl Miraglia. Council members excused: Andy Frank and Ineda Adesanya. Staff present: Tona Henninger, Jana Beatty, Bob Swanson and Maria Elena Marquez. There were approximately 20 people in the audience.

Mr. Nielsen informed the audience about the Consent Calendar process.

- B. APPROVAL OF MINUTES OF July 11, July 25, and August 8, 2005.**

Ms. Sugimura moved, seconded by Mr. Moore that the minutes of July 11, July 25 and August 8, 2005, be approved as corrected. Motion passed 4/0.

- C. PUBLIC ANNOUNCEMENTS – None.**

- D. Consent Calendar**

Ms. Miraglia requested that item # 2 be moved to the Regular Calendar.

Mr. Moore made a motion to move item # 2 to the Regular Calendar. Motion passed. 4/0.

- 1. VARIANCE, V-11938, BOIM –** Application to construct an attached addition so as to result in a 28.5 foot high dwelling where 25 feet is the maximum height permitted in a R-1-B-E-CSU-RV (Single Family Residence, 10,000 square foot Minimum Building Site Area, 70 foot Median Lot Width, Conditional Secondary Unit, Recreational Vehicle Storage) District, located at 18036 Jaymark Court, east side, 81 feet south of the intersection with Reamer Road, in the unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel designation: 084D-1158-003-04.

Mr. Moore moved to approve Variance, V-11938 with staff recommendations. Motion passed 4/0.

- E. Regular Calendar**

- 1. VARIANCE, V-11946, SCOTT –** Application to allow expansion of a nonconforming use (reduced parking spaces) by construction of an attached addition and a detached accessory structure in an R-1-CSU-RV (Single Family Residence) District, located at 21522 Lake Chabot Road, east side, 25 feet south of Meg Court, unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Number: 415-0060-083-00.

Since the Applicant was not present, this item will be continued to September 12, 2005.

Councilmember Karla Goodbody arrived a few minutes late.

2. **VARIANCE, V-11954 – JONG** – Application to allow the conversion of a garage into a 703 sq. ft. secondary unit where 640 sq. ft. is the maximum allowed and a 2' side yard set back where 6' is the minimum allowed, in a R-1-CSU-RV (Single Family Residence, Conditional Secondary Unit, Recreational Vehicle) District, located at 4456 James Avenue, north side 150 feet west of Brickell Way, in the unincorporated Castro Valley area of Alameda County, bearing Assessor's parcel designation: 084C-0820-005-00. **Continued to September 26, 2005.**

3. **CONDITIONAL USE PERMIT, C-8312, GRIMES & BALDWIN** – Application to allow the continued operation of a horse boarding facility for 63 horses, and the continued occupancy of 2 mobile homes for caretakers in an "A" (Agricultural) District, located at 8018 Crow Canyon Road, west side, 25 feet north of the intersection with Norris Canyon Road, unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Number: 0085-1750-006-06. **Continued from July 11, 2005.**

Ms. Beatty presented the staff report. Ms. Beatty indicated that so far Planning staff has been included in an e-mail correspondence between the applicant and various agencies about bringing the property into compliance. Staff has not received enough information from the applicant, for that reason denial is recommended. This item will be continued to **September 26, 2005.**

Mr. Grimes said he expects to submit the necessary requirements in about a week.
Ms. Henninger said that there are two different proposals, the Fire Department has one and the Planning Department has another one. Both will be addressed in the staff report.

4. **TENTATIVE MAP, PARCEL MAP, PM-8510 – TAM** – Application to subdivide one site into two parcels, containing approximately 14,374 square feet (0.33 acres) in a R-1-SU-RV (Single Family Residence, Secondary Unit with Recreational Vehicle) District, located on 4468 Edwards Lane, north side, 163 feet west of Center Street, in the unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Number: 084C-0697-015-02.

Ms. Beatty presented the staff report. She indicated that staff researched surrounding lots in order to determine if the proposed subdivision was consistent. The staff report includes a neighboring lot sizes table and a frequency table, which illustrates that the prevailing lot size for the neighborhood is somewhere between 5,000 and 8,999 square feet in area. The proposal appears to be consistent with the lot sizes in the area.

Public testimony was called for. One neighbor spoke in favor of the project. Public testimony was closed.

Ms. Miraglia moved to approve Parcel Map, PM-8510, with the Fire Department, the Castro Valley Sanitary District, and the Public Works Grading Department recommendations. Mr. Moore seconded. Motion passed 5/0.

5. **PARCEL MAP, PM-8653 – OLSON** – Application to subdivide one parcel containing approximately 1.04 acres into two lots, in a R-1-B-E-CSU-RV (Single Family Residence, Conditional Secondary Unit, Recreational Vehicle) District, located at 4794 Proctor Road,

north side, approximately 295 feet east of Lamson Road, Castro Valley area of unincorporated Alameda County, bearing County Assessor's designation: 084D-1270-010-01.

Mr. Moore recused himself.

Ms. Beatty presented the staff report. Ms. Beatty indicated that staff suggests that the access easement be widened to 20 feet for the first 20 feet for the property in from the street, and that a Joint Maintenance Agreement for the proposed easement should be made a condition of approval. The application meets the Castro Valley Plan for suburban and low density residential, recommending the condition that the easement be extended for parcels.

Mr. Nielsen asked Ms. Beatty the reason she was recommending that the easement be widened.

Ms. Sugimura indicated that at the bottom of page 2 says that if future development is proposed that the requirement for a 20 foot access driveway be revisited at that time.

Mr. Olson, the applicant, stated that he and his family have lived in Castro Valley for many years. He grew up in this house and is planning to build another house. He does not want to remodel the existing home because it is too expensive.

Doug Rogers, from Greenwood and Moore and representing the applicant, said they are proposing a 16 foot wide driveway. They are proposing 2 lots, maximum that would be developed on the site. There are no plans to subdivide the parcel further into a third lot. There is more future development potential for adjacent parcels with a common driveway. Currently, the adjoining property owner has no plans to develop the property. At some point in the future there will be one additional lot developed behind the house, so we are considering a maximum of 4 lots. Other lots could potentially be subdivided, but everybody seems comfortable with the 16 foot width. The consultant's position is that a 16 foot access is adequate for an additional two parcels, maintaining the existing utility pole on Proctor Road. The applicant is proposing a one foot landscape strip between the back of the curb and the driveway.

Ms. Miraglia asked if a 20 foot driveway is staff's recommendation. Ms. Beatty said that ideally the 20 foot driveway is the best situation for cars exiting and entering the property. Ms. Sugimura said that for future development she would prefer a 20 feet driveway.

Mr. Nielsen said that from the safety standpoint, it makes sense to go for a 20 foot driveway.

Public testimony was called for. No public testimony submitted.

Ms. Miraglia moved to approve PM- 8653 with planning conditions and any future development of the parcel requires that the easement be extended to 20 feet. Ms. Goodbody seconded. Motion passed. 4/0

6. **PARCEL MAP, PM-8654 – MENDONCA** – Application to subdivide one parcel containing 0.80 acres into two lots, in a R-1-B-E-CSU-RV (Single Family Residence, Conditional Secondary Unit, Recreational Vehicle) District, located at 4838 Proctor Road, north side,

approximately 621 feet east of Lamson Road, Castro Valley area of unincorporated Alameda County, bearing County Assessor's designation: 084D-1270-032-00.

Mr. Moore recused himself

Ms. Beatty presented the staff report. She indicated that staff calculated the average lot size in the surrounding area by taking a sample of lots within 10,560 feet of the subject property. The proposed net lot area of both parcels are consistent with what is commonly found in the surrounding area.

Doug Rogers said that the applicant currently has an access utility easement for the 25 foot wide access and utility easement across the adjacent parcels to the east. The neighbor is agreeable to that easement to provide an access to this additional parcel. Mr. Rogers said that this parcel had been subdivided once before and that there was likely a maintenance agreement required at that time. If an agreement does not exist, all property owners are agreeable to having such an agreement put into place.

Public testimony was called for. No public testimony submitted.

Ms. Miraglia moved to recommend approval of Parcel Map, PM-8654 with Planning considerations and recommendations. Ms. Sugimura seconded. Motion carried. 4/0.

F. Open Forum

Kirk Knight, resident at 20546 Center Street, realtor representing a potential buyer. Mr. Knight indicated that his client is seeking to buy two parcels on Center Street and asked if a PUD would be acceptable. Mr. Moore mentioned that 20 lots on that location would be very crammed. Mr. Knight asked if the Council would prefer to have single family homes.

Discussion ensued amongst councilmembers on traffic, drainage and density issues for the parcel.

G. Chair's Report – None.

H. Committee Reports – None.

I. Staff Announcements, Comments and Reports – Mr. Swanson invited everyone to attend Farmer's Market this Saturday.

Ms. Henninger indicated that an informational item, MS-1874, was included in the packets. .

J. Council Announcements, Comments and Reports – Mr. Nielsen commented on the new format for the agenda including a consent calendar.

K. Adjourn – The meeting was adjourned at 7:15 p.m.

Next Hearing Date: September 12, 2005