

CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL

Minutes for March 22, 2010

(Approved as presented April 12, 2010)

- A. CALL TO ORDER:** The Chair called the meeting to order at 6:05 p.m. Council Members present: Dave Sadoff, Vice Chair, Sheila Cunha, Dean Nielsen, Andy Frank John Ryzanych and Jeff Moore. Council Members excused: Cheryl Miraglia, Chair. Staff present: Sonia Urzua and Bob Swanson. There were 8 people in the audience.

B. Approval of Minutes of March 8, 2010

Council Member Cunha moved to approve the minutes of March 8, 2010 as presented. Council Member Frank seconded. Motion passed 6/0 with Council Member Miraglia excused.

C. Public Announcements / Open Forum - None

D. Consent Calendar – No Items

E. Regular Calendar

- 1. SIGN REVIEW, PLN2010-00012 – GLEASON,CRAIG//WELLS FARGO** -Application to allow new signage in the *Castro Valley Central Business District Specific Plan, Subarea 7 (CVCBDSP-SUB 7)* District located at 3500 Castro Valley Boulevard, north side, corner northeast of Redwood Road, Castro Valley area of unincorporated Alameda County, bearing County's Assessor's Parcel Number: 084C-0773-005-03. **Staff Planner: Richard Tarbell**

Ms. Urzua summarized the staff report. She said that staff recommends approval with the attached conditions.

Council Member Sadoff asked about the height of the proposed sign compared to the existing sign.

Public testimony was called for.

Mark D'Alessandro, applicant, spoke in support of the project.

Council Member Cunha made a motion to approve Sign Review, PLN2010-00012 with the enclosed conditions of approval. Council Member Ryzanych seconded. Motion passed 6/0 with Council Member Miraglia excused.

- 2. SITE DEVELOPMENT REVIEW, PLN2009-00164 – PATEL/LYON** - Application to allow a new 8,100 square foot single family residence on a vacant parcel, in the P-D (Planned Development; ZU-1489) District, located at a vacant parcel on Jensen Road, northwest side, approximately 330 feet south of Cypress Ranch Road, Castro Valley area of unincorporated Alameda County, bearing Assessor's Parcel Number: 085A-0001-27-00. **Staff Planner: Howard Lee**

Ms. Urzua summarized the staff report.

Bruce Lyon, representing the applicant, Dr. Michael Patel, designed this house for the Patel family. He described the structure's architectural style. He noted that the site plan would be changed, moving the fence back 10 feet in order to accommodate the 10-foot right of way dedication requested by the Public Works Agency.

Public testimony was called for. No public testimony submitted.

Council Member Moore made a motion to approve Site Development Review, PLN2009-00164. Council Member Cunha seconded. Motion passed 6/0 with Council Member Miraglia excused.

3. **TENTATIVE TRACT MAP TR-8031, REZONING AND GENERAL PLAN AMENDMENT, PLN2009-00174 – TRAGNI / HARWOOD** – Application to rezone two existing lots from R-S-D-20 (Residential-Suburban, 2,000 square feet minimum building site area per dwelling unit) District to a Planned Development (PD) District, and amend the *Castro Valley Plan* to allow residential density of approximately 13.1 units per acre, and subdivision by Vesting Tentative Tract Map 8031 into seven lots for six new townhomes and one common lot, with site-specific development standards, located at 22243 & 22247 North Sixth Street, in the unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Numbers: 415-0100-106-00 and 415-0100-107-00. **Staff Planner: Andrew Young.**

Ms. Urzua summarized the staff report.

Council Member Nielsen asked for clarification on open space and play area in the final plans.

Council Member Frank expressed concern about the proposed density and off street parking. He suggested making the units smaller so that additional parking can be accommodated on site.

Douglass Hardwood, representing the applicant, noted that the parking and common space requirements were met.

Council Member Frank repeated his concern about density and parking.

Council Member Moore expressed concerns regarding the front yard setbacks, setbacks from the parking, the condominium conversion-type design, and density. He stated that the proposal circumvented the basic zoning requirements. He supports the development in general. He likes the architecture.

Vito Tragni, owner, described the existing condition and stated that a higher density is allowed. They thought the proposed design would be an improvement.

Council Member Moore acknowledged the economic concerns involved in the project. However, the lack of compliance with the zoning ordinance in terms of setbacks was of particular concern. He recommended that the applicant revisit the design and eliminate the setback deficiencies.

Mr. Tragni agreed with Council Member Moore but told him that they did exhaust quite a few options. However, as far as neighborhood appreciation and what is a better quality product, he said that the neighbors would agree that having six townhomes as compared to 10 to 12

apartments would be less intrusive to the neighborhood. They spent a couple of years coming up with this and did the best they could.

Public testimony was called for.

Jim Duckworth, resident at 22251 N. 6th Street, spoke in opposition to the project. He said that the site is an eye sore, there is a lot of traffic and the place is jammed with cars.

Renee Lux, resident at 18800 Almond Road, spoke in opposition of the project.

Eric Serel, spoke in opposition of the project. He was concerned with the density and preferred that the site would be developed as green space.

Mr. Tragni responded to some of the comments and said that he was aware of the concern. His other option would be to go to apartments, which is what it is zoned for. He said that he thought the new zoning would permit even higher density.

Council Member Moore responded by noting that any new development should not be evil at all. He repeated his concerns with the proposal. He said the density is too high, and the front yard and parking setbacks are way too small. Brand new developments are typically expected to have 100% of the required parking on site unless there is some compelling reason. When PD rezoning requests are considered, typically you get a benefit to the neighborhood in exchange for the deficiency. From the community standpoint, he cannot support this design.

Council Member Nielsen said that the applicants are never told to come before the Council and discuss their projects before it gets to this point. As a pattern, Planning staff never suggests to applicants to come before the Council. Planners should advise applicants to go before the MAC so they do not go through this.

Council Member Sadoff asked staff if reducing the number of units would allow the project to comply. Ms. Urzua replied that it would depend on the size of the units.

Council Member Sadoff said that this project will be back before this Council at a date to be determined.

F. Chair's Report - None.

G. Committee Reports

- **Eden Area Alcohol Policy Committee**
- **Redevelopment Citizens Advisory Committee**

Council Member Frank suggested that the Redevelopment Agency consider a shared parking arrangement with the property adjacent to the library in order to accommodate over flow parking.

Council Member Nielsen provided an update on the Castro Valley Boulevard streetscape project; changes to the Norbridge intersection; the Daugherty Building, and disposition of surplus properties for the Foothill freeway.

- **Eden Area Livability Initiative**

H. Staff Announcements, Comments and Reports

Bob Swanson said that he and Supervisor Miley attended a memorial service for Sergeant Daniel Sakai. He asked the Council to adjourn the meeting in his honor.

I. Council announcements, Comments and Reports

J. Adjourn

Council Member Sadoff adjourned the meeting in memory of Sergeant Daniel Sakai at 6:50 p.m.

Next Hearing Date: Monday, March 22, 2010