

MINUTES OF MEETING
ALAMEDA COUNTY PLANNING COMMISSION
MAY 1, 2006
(APPROVED JUNE 5, 2006)

FIELD TRIP:

MEMBERS PRESENT: Commissioners Ken Carbone; Glenn Kirby, Vice Chair; and Edith Looney.

MEMBERS EXCUSED: Commissioners Richard Hancocks; Frank Imhof, Chair; Mike Jacob 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. **AMENDMENTS TO THE SPECIFIC PLAN FOR THE UPPER MADISON AVENUE/COMMON ROAD** (hereinafter referred to as the “Madison Area Specific Plan” and “Madison Area”) which establishes zoning regulations for all those parcels accessed from Madison Avenue and Common Road north of Seaview Avenue in Castro Valley. Proposed Plan amendments include requiring Site Development Review for significant construction, allowing flexible side yard setbacks, refining maps of the Plan area and reinforcing slope controls.

REGULAR MEETING: 1:30 p.m.

MEMBERS PRESENT: Commissioners Ken Carbone; Richard Hancocks; Frank Imhof, Chair (arrived late); Mike Jacob; Glenn Kirby, Vice Chair; and Alane Loisel and Edith Looney.

OTHERS PRESENT: Steven Buckley, Assistant Planning Director; Amoroso, Alex, Assistant Planning Director; Louis Andrade, Planner III; Gary Moore, Grading Department, Public Works Agency Liaison; Brian Washington, County Counsel’s Office; Nilma Singh, Recording Secretary.

There were approximately eighteen people in the audience.

CALL TO ORDER: The Vice-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.

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CONSENT CALENDAR:

1. **APPROVAL OF PLANNING COMMISSION MINUTES** - April 17, 2006 - to be continued to May 15, 2006.
2. **TENTATIVE TRACT MAP, TR-6864, ONE STOP DESIGN, INC. ~** Petition to subdivide one parcel into five lots, located between 25129 and 25165 Second Street, south side, approximately 903 feet west of Winfeldt Road, Fairview area of unincorporated Alameda County, bearing County Assessor's designation: 0425-0150-006-00. (Continued from January 18, March 7, May 2, June 20, July 18, August 15, September 19, October 17, November 21, December 19, 2005 February 6 and April 3, 2006; to be continued to June 19, 2006).
3. **ZONING UNIT, ZU-2202 and TENTATIVE PARCEL MAP, PM-8560 - HOPSON ~** Petition to reclassify two parcels totaling 1.96 acres from the R-1 (Single Family Residence) and R-1-B-E (Single Family Residence, one acre per 1976th Zoning Unit) Districts to the R-1-B-E District (allowing for a 30,000 square foot Minimum Building Site Area for parcels 2 & 3), and to allow subdivision of one site into three lots with the existing dwelling to remain, located at 22750 Valley View Drive, east side, approximately 850 feet north of Kelly Street, Hayward area of unincorporated Alameda County, bearing County Assessor's Parcel Numbers: 417-0140-028-00 and 417-0151-001-00. (Continued from April 18, 2005, February 6 and April 3, 2006; to be continued to June 5, 2006).
4. **MODIFIED TRACT MAP, MTR-7118 – COURTNEY ~** Petition to allow modification to TR-7118 to subdivide one site containing 4.60 acres into 19 parcels in a PD-ZU-1762 (Planned Development, 1762nd Zoning Unit) District, located on Page & Miramar, east side, corner south of Page Street, San Leandro area of unincorporated Alameda County, bearing Assessor's Parcel Number: 080A-0197-001-06. (Continued from September 19, October 17, November 21, December 19, 2005 and January 23, March 6 and April 3, 2006; to be continued to June 19, 2006).
5. **TENTATIVE TRACT MAP, TR-7747 and SITE DEVELOPMENT REVIEW, S-2048 – K & Z HOMES ~** Application to construct eight condominium units on one parcel containing approximately 0.46 acres, in a R-S-D-15 (Suburban Residence, 1,500 square feet Minimum Building Site Area per Dwelling Unit) District, located at 20378 Stanton Avenue, east side, approximately 187 feet south of Denning Court, Castro Valley area of unincorporated Alameda County, bearing County Assessor's Parcel Number: 084A-0181-014-00. (To be continued to June 5, 2006).

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6. **ZONING UNIT, ZU-2230th 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 and April 17, 2006; to be continued to June 5, 2006).

 7. **ZONING UNIT, ZU-2231st 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 April 17, 2006; to be continued to June 5, 2006).

Commissioner Carbone made the motion to approve the Consent Calendar per staff recommendation and Commissioner Looney seconded. Motion carried 6/1. The Chair was excused.

REGULAR CALENDAR:

1. **AMENDMENTS TO THE SPECIFIC PLAN FOR THE UPPER MADISON AVENUE/COMMON ROAD** (hereinafter referred to as the “Madison Area Specific Plan” and “Madison Area”) which establishes zoning regulations for all those parcels accessed from Madison Avenue and Common Road north of Seaview Avenue in Castro Valley. Proposed Plan amendments include requiring Site Development Review for significant construction, allowing flexible side yard setbacks, refining maps of the Plan area and reinforcing slope controls.

Mr. Amoroso presented the staff report.

Public testimony was called for. Commissioner Jacob asked if the small southeast parcel will be included in the Plan. Mr. Amoroso explained that it is an island parcel which is dedicated as permanent open space with private ownership. Commissioner Kirby thought that the Implementation plan raises a number of issues.

The Chair arrived.

Open testimony was called for. John Aufdermauer, 17580 Madison Avenue, said he also owns three other undeveloped lots. Parcels will be included under the Plan at the owner's choice. Two home associations exist on the Common Road side of Madison Avenue, one for tract map 5845, a sewer line for 1,000 feet and a recorded easement for 10 homes and the homeowners pay for the weed and road maintenance. Culverts already exist on the three undeveloped parcels. He felt that property owners should have the right to build on a 30% slope.

Christine Sarantakis, property owner at 17627 Madison Avenue, said she supports the changes and urged an approval.

Roxann Lewis, another Madison Avenue resident, thanked staff for their work and urged adoption with the modifications. Her property was on the opposite side of Mr. Aufdermauer and although there is no road agreement, the residents have paid for the repaving of their side of the road along with some creek clean-up. She strongly felt that no development should be allowed on a 30% slope and that all owners be included as Madison Avenue is the only access for all.

Gerry Thompson, 17764 Madison Avenue, spoke in support. He provided the vote details and the location of the three culverts. Commissioner Carbone explained that the Commission's concern is the impact of increasing impervious surface and the inadequate storm drains in the area. He asked if there is an existing policy for on-site ground water management. Although there is no policy, one property owner has installed a system to reduce siltation and flow volume.

The Chair asked for the status of dry wells in the County. Gary Moore, Public Works Agency, confirmed that dry wells were allowed and under the jurisdiction of Zone 7.

Jan Bissell, 17480 Madison Avenue said she was also speaking on behalf of the Gossetts, the oldest property owner. They did not want to be included in the Plan as their properties were on the far north of the original Plan geographic area and already had numerous development constraints.

Todd Stinn, 17961 Madison Avenue, said he owns two parcels. He felt that all properties should be developed and since the property owners are paying for creek maintenance, they should be the responsible party, and the property owners upstream should not contribute towards the up-keep of the creek since they are not affected. Most of the water is from the Columbia development and the creek does dry out during the year. The property owners on Commissioner Kirby explained that there is a distinction between regulatory authorities and responsible parties.

Connie Deets, 18413 Madison Avenue, thanked staff for their work. This is a natural creek that runs all year and floods annually due to logs and man-made problems. All property owners were made aware of the unbuildable 30% slope and the existence of the creek. She supported the modifications except for a few minor details. The road cannot take any additional traffic. Commissioner Carbone asked if any developments had contributed to the flooding. Ms. Deets replied that the creek will not be able to take any more water if there are any new developments.

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Lyle Bogue said his property, 17800 Madison Avenue, is located between Coyote and Kelly Creeks. He supported the modifications as it addresses most of the community concerns. He felt that the three deleted paragraphs under History of Development on page 7 and the last sentence of paragraph 4 on page 16 should not be deleted. Any properties on the north, when developed, should be responsible for any creek damage. Mr. Bogue was also concerned that the water diverting system of the Columbia development will fail sometimes in the future. He thanked staff for the work.

Howard Beckman pointed out that last year, in response to the Boundary Creek project, Friends of San Lorenzo Creek had proposed the creation of a public task force. There are many questions, concerns and issues that are neither addressed fully nor can be addressed by land use studies/policies. The first meeting is scheduled for May 9th at the United Congregational Church on Birch Street. He urged all Commissioners and property owners to attend.

Public testimony was closed. In response to Commissioner Looney's request for clarification on the suggested deletion on page 7, Mr. Amoroso explained that he thought a variance is no longer required to gain access from a private road. He will verify this information. Commissioner Jacob thought the language for the first paragraph under Regulations and Required Improvements on page 11 was not definitive enough and similarly the two paragraphs under #6 on page 15. The 30% requirement should be established to prevent future confusion and requested further clarification on the two paragraphs under Slope Control on page 15. Commissioner Jacob suggested modifying the language of the first sentence to read: 'No development shall be permitted on areas of 30% slope or more'. Commissioner Kirby felt that it was very broad and suggested that any areas identified on the exhibit map as being 30% or more, the higher standard be applied. A discussion followed regarding the two paragraphs, alternative language, building sites, contour lines, 30% slope and the map. Mr. Gary Moore confirmed that 5 -2 feet contour lines were commonly used. Commissioner Kirby recommended that the Plan include a section on storm water retention and run-off and suggested that these issues be discussed in the early stages of planning/design phase instead of inclusion with the Public Works requirements.

Commissioner Jacob recommended a continuance to allow staff ways to explain the implementation plan including storm water alternatives and also contexts for homeowners' model whether appropriate within an assessment district in conjunction with language for storm water retention plan and site development review; different layouts of different contour lines. Commissioner Kirby added a request for an explanation on whether or not to require variance on parcels with no frontage on county road as on page 7 and Commissioner Looney added that she thought that all home owners should be included in the Specific Plan.

Commissioner Jacob made a motion for a month's continuance for additional alternatives as stated above and commissioner Carbone seconded. Motion carried unanimously.

2. **DEFINITION OF MIXED USE DEVELOPMENT** – Planning Commission-initiated discussion of how to define “mixed use”

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development within the context of the Alameda County General plan, the County Zoning Ordinance, and other pertinent County documents.

Mr. Buckley presented the staff report. Commissioner Hancock explained that the community's concern is that the mixed use not be considered only as token commercial but viable commercial and not be limited solely to describing residential over retail but other non-residential components be considered also. He asked if this matter has been referred to the Ordinance Review Committee and Unincorporated Services Committee. Staff replied no. Commissioner Loisel recommended a working session to discuss all related issues.

Public testimony was opened.

Howard Beckman stated that the discussion has to focus on the definition and regulation, and not spill over into an economic plan. It is important not to think strictly of preservation of existing commercial properties that are dilapidated and commercial corridors, but also look at as an incentive to development elsewhere.

Public testimony was closed. Commissioner Jacob recommended that the Chair set up a Committee of the Whole with a timeline to report back to the Commission in three months, perhaps a workshop and also refer the matter to the Ordinance Review Committee and Castro Valley MAC. A discussion followed regarding the possible definition and mechanism for implementation, how much detail is needed, consideration of public transportation corridor, areas that will support mixed uses, walkability, density, and commercial percentage. Commissioner Jacob suggested looking at outside resources, for example, the two BART stations that have TOD planning processes for high density and guidelines in place. Commissioner Kirby suggested that perhaps developers who have completed mixed use projects could provide information on their success and/or otherwise at the next meeting. The Chair recommended that the first workshop be held at the next evening meeting and Mr. Buckley added that staff will begin with the 'road show' to other groups. Commissioner Jacob also suggested looking at Fremont's new SDR review process together with 'by-right' density bonus provisions.

Commissioner Kirby made the motion for a continuance to allow time for staff to begin the road show and the Committee as a Whole to begin the workshop discussion. Commissioner Loisel seconded and the motion carried unanimously.

STAFF COMMENTS & CORRESPONDENCE: None.

CHAIR'S REPORT: None.

COMMISSION ANNOUNCEMENTS, COMMENTS AND REPORTS: Commissioner Kirby asked if a trial date has been set for the Redwood Christian School. Mr. Washington replied that trial date has been set for July 28th, the same date as the Summary Judgment.

ADJOURNMENT: There being no further business, Commissioner Kirby moved to adjourn the meeting at 8:10 p.m. Commissioner Loisel seconded the motion. The motion was carried 7/0.



CHRIS BAZAR, SECRETARY
COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY