

**MINUTES OF MEETING**  
**ALAMEDA COUNTY PLANNING COMMISSION**  
**MAY 18, 2009**  
**(Approved June 1, 2009)**

**REGULAR MEETING: 1:30 p.m.**

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

**MEMBERS EXCUSED:** Commissioner Ken Carbone, Chair.

**MEMBERS ABSENT:** Commissioners Frank Imhof and Alane Loisel.

**OTHERS PRESENT:** Albert Lopez, Planning Director; Rodrigo Orduña, Senior Planner; Brian Washington, County Counsel's Office; Eileen Dalton, Manager, Redevelopment Agency; Nilma Singh, Recording Secretary.

There were three people in the audience.

**CALL TO ORDER:** The Chair called the meeting to order at 1:30 p.m.

**ANNOUNCEMENTS BY THE CHAIR:**

**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.*

**CONSENT CALENDAR:**

1. **APPROVAL OF COMMISSION MINUTES ~ May 4, 2009.**  
*Commissioner Ready made the motion to approve the May 4<sup>th</sup> Minutes as submitted and Commissioner Kirby seconded. Motion carried 4/0.*

**REGULAR CALENDAR:**

1. **PROPOSED ASHLAND YOUTH CENTER REDEVELOPMENT PROJECT - *Informational Item* ~** A community facility and park in the Transit Corridor, Ashland Cherryland Business District Specific Plan, located at 16285-16343 East 14<sup>th</sup> Street, Ashland area of unincorporated Alameda County. **(Presentation by Redevelopment Agency)**

Eileen Dalton, Manager, Redevelopment Agency, presented the staff report and introduced Lane Bailey, Project Manager. Mr. Bailey, with a PowerPoint presentation, pointed out the location of the project site, and discussed the user and agency meetings;

Holland Park Master Plan – study and details; Edendale Park Site Plan; proposed floor plan, building design and programs. This proposal will be heard by the BoS on June 6<sup>th</sup>. Commissioner Ready asked if the center will be self sustaining or will need County support, who will be in charge for the up-keep and if Ashland Little League will lose their big diamond. Ms. Dalton replied that the building estimate cost is \$15 million and the Redevelopment Agency will pay for the construction (bond financing) and will be operated by a qualified organization/operator, most probably a non-profit or another government entity, to also up-keep the building and programs. Commissioner Rhodes requested clarification on the timing of equipment purchase and up-keep. A discussion followed on funding, out-fitting, LEED Certified building; non-profit programs and equipment; security; replacement costs; HARD and School District involvement, and whether it will be a ‘membership only facility’. Commissioner Kirby noted the complexity of the elevation/design/roof lines which could drive up the construction costs. He requested future project updates. Ms. Dalton explained that they had specifically ruled out a ‘boxed’ design. Instead, they would like a signature structure for the Ashland area. Mr. Bailey also introduced Sheriff’s Deputy Martin Neideffer and Hillary Bass, of the Youth Activities League. Commissioner Jacob also expressed concern with the reality of maintaining multi-media equipment once purchased, and timing of implementation. In response, Ms. Dalton provided detailed background information -- research completed to-date, on-going discussions with the Executive Director of Youth Up-rising; inclusion of a requirement of experienced operators for the facility; and space flexibility.

## 2. EDEN AREA LIVABILITY INITIATIVE’S (EALI) MODELS OF GOVERNMENT

Mr. Washington, County Counsel, presented the staff report and discussed the following three issues: 1) Ordinance regulating membership of PC; 2) BoS’ draft policy regarding appointment of Commissioners and BZA members; and legal issues as reflected in the March 11<sup>th</sup> memo. Commissioner Kirby said he would like to see this Commission’s decision upheld more by the BoS and to change the appeal process to be more affirmative. Regarding the amendment to the appeal process to allow projects to be remanded back would lengthen the process and be more frustrating to the applicants. As such, he supported a one-level appeal process.

No public testimony was submitted. In reference to the vacancy application process, Commissioner Kirby felt that, with a variation, this could be a useful process, especially when a new Commissioner has not been identified by the deadline. Commissioner Ready thought this amendment was due to the public’s request to have more input in the selection of a candidate who is actively involved in the community. Commissioner Rhodes noted that Section 2.40.020 would not change the Commission composition but would codify the present practice. Commissioner Jacob suggested deleting the words “**At all time**, there shall...” to be applicable in all circumstances, especially if there is not a full Commission. He also pointed out that the Board policy and the Ordinance language did not match as the application process is not reflected in the Ordinance and discussed establishing the record, the evidentiary process and different standards of reviews. A discussion followed regarding the review standard, staff’s recommendation (for and against the decisions made by PC, BZA...) to the BoS, appeal process, appeals

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referred back to the Commission; a 'soft remand'; and, if required, authority to provide input to the BoS.

Public testimony was re-opened. Suzanne Barba, 5282 Highwood Road, Castro Valley, said that a study was done on decisions made at various levels (PC, BZA, MAC) which had been over-turned by the BoS. She recommended the following: perhaps tabling an item if significant new information has been submitted to the BoS to allow the matter to be reheard by the decision making body; publishing Ordinance revisions in well-read newspapers; and posting a vacancy on the county website is not fully accessible to the public.

Public testimony was closed. Commissioner Kirby noted the improved communication between the Commission and the Planning Department; and, that the public should be made aware of the increasing problems with legal ad publications with the major newspaper group. Commissioner Ready thought that the legal ads should be placed in a newspaper which the area residents read and agreed that not everyone checks the County websites. Commissioner Rhodes thought that it was important to maintain statistics in a public record. Mr. Lopez said that statistics of BoS actions (over-turns) will be provided to the Commission in future. He further described and discussed the other two attachments: copy of the PowerPoint presentation and informational summary of community comments. Commissioner Kirby noted that previously the public had expressed concerns with the Discretionary Permit process, specifically the SDR which had a Planning Director approval. Mr. Lopez pointed out that all Planning Director decisions are appealable.

**STAFF COMMENTS & CORRESPONDENCE:** Staff announced that the Construction & Demolition Ordinance will be on the June 1<sup>st</sup> agenda. Commissioner Jacob asked if the matter could be discussed with the Green Building Subcommittee prior to the full Commission meeting. Staff replied that the Subcommittee could meet before the regular meeting. Commissioner Jacob said he would also check with Chair Carbone and suggested perhaps meeting after the Field Trip.

**CHAIRS REPORT:** *None.*

**COMMISSION ANNOUNCEMENT, COMMENTS AND REPORTS:** *None*

**ADJOURNMENT:** *There being no further business, Commissioner Ready moved to adjourn the meeting at 2:55 p.m. Commission Kirby seconded the motion. The motion was carried 4/0.*

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**ALBERT LOPEZ, SECRETARY**  
**COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY**