

**SUMMARY MINUTES OF MEETING**  
**CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL**  
**JULY 12, 2021**  
**APPROVED MINUTES**

The Regular Virtual Meeting was held at the hour of 6:00 p.m.

**REGULAR MEETING: 6:00 p.m.**

**MEMBERS PRESENT:** Chair Carbone, Members: Mulgrew, Moore, Prokopoff, Killebrew and Thomas.

**MEMBERS EXCUSED:** Padro

**OTHERS PRESENT:** Rodrigo Orduna and William Chin, Planning staff, and Jazmin Sanchez, recording secretary

**CALL TO ORDER:** The meeting was called to order by Chair Carbone at 6:00 p.m.

**ROLL CALL:** Chair Carbone, Members: Mulgrew, Moore, Thomas, Killebrew and Prokopoff.

Member Padro absent.

**SUBCOMMITTEE UPDATE:**

**SAFE PATHWAYS TO SCHOOL – None**

**AD HOC SUBCOMMITTEE ON CITY OF HAYWARD / 238 PARCELS – 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. – The Chair let the speakers know that this is only for items that are not on the agenda.

A resident who lives near Baywood Court said he is concerned about the construction that is currently taking place and the neighbors do not know what is going on. Parking is not sufficient for the facility. It is an imposition to the neighbors. The Chair asked if he made any attempts to contact Baywood’s director. He said yes. There is a problem with parking and hopefully the County will work on the parking issue. The Chair said at the time the project was approved, there was a lot of concern regarding parking and the impact on the neighborhood. He asked staff to check on the original conditions of approval. Rodrigo Orduna said he will check the most recent conditional use permit which was approved in 2006. He said because this item is not on the agenda, discussion is not allowed, but we can take public comment.

Jennifer said she has lived in the area for 18 years. She has a petition from the residents in the area regarding inadequate parking which has been a problem for years. Visitors, residents and employees are forced to park on the street, this is due to inadequate parking. We are currently witnessing Baywood purchasing surrounding homes and what we believe will further impact an already congested area. The main complaint from local residents is the lack of consideration from the CEO Mack Neil and he has not kept the surrounding residents informed. Baywood core values says “integrity, involvement, respect and stewardship” and these same values should be applied to the community. Fifty-five residents have signed the petition. This is something that has been under the radar and not addressed. She spoke on issues related to lack of parking and current construction equipment and demolition impacting this neighborhood and the simple fact that the community is being run over by Baywood. This community needs someone to stand up for us. The community has the right to be heard, addressed and to find a reasonable solution for all.

Lydia said she lives close to one of the homes that is being demolished. Baywood has no parking for residents or visitors. The street is congested with parking. As it is now the street can’t accommodate additional parking. The street is very narrow. The expansion of the facility has not considered additional issues with parking. Regardless the claim that these are going to be independent living they will still need parking.

The Chair said the property owner has the right to tear down the home. The responsibility of Baywood is to be a good neighbor and get neighbors input. The Chair asked staff to check planning and code enforcement issues.

Kelly Abreu said if it was a business, enough parking would be required. He spoke on redistricting and how it will affect Castro Valley. He said current district boundaries are very complicated and convoluted and are done for political reasons. He asked where does Castro Valley want to be, who is Castro Valley and where does it belong.

**APPROVAL OF MINUTES** – *May 24 and June 14, 2021. Member Moore moved to approve the minutes of May 24 and June 14 as submitted. Member Thomas seconded the motion.*

*Rodrigo Orduna conducted the roll call. Yeas: Members Carbone, Moore, Prokopoff, Killebrew, Mulgrew and Thomas. Excused: Member Padro. Motion passed 6/0/1.*

**CONSENT CALENDAR** - No items.

### **REGULAR CALENDAR**

**VARIANCE, PLN2020-00274, GREENWOOD AND MOORE**– Application to allow a lot line adjustment between two parcels, resulting in a reduced median lot width for both parcels in the “R-1-BE-CSU-RV” (Single Family Residential, 10,000 square feet minimum building site area, 80 feet median lot width, Conditional Secondary Unit, RV Parking allowed under certain circumstances) Zoning District at 4747 Ewing Road, east side, 340 feet north of Proctor Road, unincorporated Castro Valley Area of Alameda County, with Assessor’s Parcel Number: 084D-1250-021-03 and 084D-1250-022-03. This project is Categorically Exempt from the requirements of the California Environmental Quality Act; Article 19, Section 15301, Class 1, Existing facilities.  
**Staff Planner: William Chin**

William Chin presented the staff report. Staff recommends that the council recommend approval of lot line adjustment and variance application to allow a lot line adjustment between two parcels, resulting in reduced Median Lot Width for both parcels where an 80 foot Median Lot Width is required, based on drawings on file with the Alameda County Planning Department.

Rodrigo Orduna said that normally a boundary lot line adjustment does not need a public hearing. The reason this is coming to this Council is because of the reduced Median Lot Width for both parcels that should be 80 foot. The average lot width 66 foot for the front lot and the back parcel is 70 foot. The variance is needed because it is narrower than the medium lot width requirement. If the variance is approved, the boundary adjustment will be approved by the Planning Director. The chair said for clarification purposes, the approval of this project will not set precedent for future projects but due to the irregular lot size and as long as it meets the the criteria, this Council has a latitude to approve or not these adjustments. Rodrigo Orduna said the back lot has no street frontage and not buildable and in order to be developable is road frontage. The Chair wanted to confirm that no future subdivisions will be allowed. Rodrigo Orduna said that is not in today’s proposal.

Public comment was open.

Peter Rosen said he has lived in this area for the last 35 years. This neighborhood has a lot of flag lots. It is a unique development situation for the neighborhood. He wanted to make sure this does not establish a precedent. This neighborhood is special and do not want to see this project change the neighborhood character. Do not

want to see a lot of 55ft frontage lots. If this happens, there has to be some restrictions and make sure zoning requirements are still applied.

The Chair asked staff about future subdivision for the larger parcel. Rodrigo Orduna said in Castro valley is still subject to the lot size consistency regulation, so they have to be the same or bigger than the surrounding parcels.

Public comment was closed.

Member Moore asked about a document dated 2004. Wiliam Chin said the document is from a previous application. It gives background on how the back lot was created. Member Moore asked about the land locked lot. Rodrigo Orduna said the application being presented today is for the back lot only and the front lot that has frontage to the road. Member Mulgrew asked if the remainder of the garage be able to function as a garage and what will the square footage of the home be once the garage is removed.

The applicant said the plan is to remove the existing detached garage and improve the existing home by adding an attached garage. The application has already been submitted to building. He said he does not have plans for the rear lot because he did not know if the variance would be approved. The existing home, the square footage when finished will be 3200 sq ft.

Member Prokopoff asked if the access to the back of the front home will have a shared driveway. The applicant said if the home is sold, there would be an easement to the front house.

Member Moore moved to approve PLN2020-000274 as presented. Member Thomas seconded the motion.

*Rodrigo Orduna conducted the roll call. Yeas: Members Carbone, Moore, Prokopoff, Killebrew, Mulgrew and Thomas. Excused: Member Padro. Motion passed 6/0/1.*

*Member Killebrew asked for a timeline when construction will be done. The applicant said he is ready to move forward and finalize the construction. He said last Friday he received a comment from Building and has returned plans. As soon as the building permit is issued he is ready to finish construction.*

**CHAIR'S REPORT:** The Chair announced that Member Padro will be temporarily off of the council for medical reasons. He will be missing a few meetings.

**COUNCIL ANNOUNCEMENTS, COMMENTS AND REPORTS:** Tona Henninger said the general purpose meeting will take place on the 19<sup>th</sup>.

**STAFF COMMENTS & CORRESPONDENCE:** None

**ADJOURNMENT:** There being no further business, the hearing adjourned at 6:53 p.m.

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ALBERT LOPEZ - SECRETARY  
CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL