



**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

STAFF REPORT

TO: CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL

HEARING DATE: June 10, 2019

GENERAL INFORMATION

APPLICATION TYPE

& NUMBER: Site Development Review, PLN-2019-00056

OWNER/

APPLICANT: Castro Valley Marketplace, LLC/Semmelmeier

PROPOSAL: To allow for a mural on two walls at the northeast corner of the Castro Valley Marketplace building

**ADDRESS AND
SIZE OF PARCEL:** 3295 Castro Valley Boulevard, south side, 280 feet east of Chester Street in the unincorporated Castro Valley area of Alameda County, designated Assessor's Parcel Number: 084A-0040-018-04.
The parcel is approximately 44,724 square feet (1.03 acre) in area.

ZONING: Subarea 7 (Central Castro Valley Boulevard/Redwood Road - Intensive Retail Core) within the Castro Valley Central Business District Specific Plan.

**GENERAL PLAN
DESIGNATION:** The site lies within the boundaries of the Castro Valley Plan, adopted by the Board of Supervisors on March 27, 2012. The Plan designates the site as Core Pedestrian Retail within the Central Business District General Plan Land Use. This designation is intended for the intensive pedestrian-oriented retail and service uses that form the heart of the Castro Valley community.

**ENVIRONMENTAL
REVIEW:** The project is exempt from the requirements of the California Environmental Quality Act (CEQA, 1970 as amended) according to Article 19, Section 15301, Class 1 (Existing Facilities project consists of minor alteration of an existing structure, involving no expansion beyond that existing at the time of such determination.

RECOMMENDATION

Staff recommends that the Castro Valley Municipal Advisory Council recommend to the Planning Director approval of Site Development Review, PLN2019-00056, to allow the mural shown on the attached drawings dated March 26, 2019, marked "Exhibit A", on file with the Alameda County Planning Department. If the Council determines that the mural is appropriate, the enclosed conditions of approval should be considered.

PARCEL ZONING HISTORY

June 21, 1951, the 12th Zoning Unit designated the subject sites to C-1 (Retail Business) District.

September 12, 1974, the 1164th Zoning Unit reclassified the subject site to C-1-S (Retail Business with Commercial Sign Regulations) District.

August 4, 1983, the Castro Valley Central Business District Specific Plan was adopted by the Board of Supervisors and designated the subject parcel as Group A: Intensive Retail Commercial providing Group D Offices as a mixed use.

January 7, 1993, the Castro Valley Business District Specific Plan revised the 1983 Specific Plan and was adopted by the Board of Supervisors and rezoned the subject parcel to Sub Area 7 – Intensive Retail Core.

DEVELOPMENT APPLICATION HISTORY

November 26, 1963, Variance, V-2670 conditionally approved a retail building on a lot with reduced off-street parking.

January 23, 1974, Variance, V-5921 conditionally approved an existing sign to be maintained within a Special Building Line.

June 21, 1996, Sign Review, S-1484 conditionally approved an outdoor sign to be mounted on a canopy of a building, Family Billiards.

February 15, 2008, Site Development Review, S-2129 conditionally approved exterior remodel of an existing building and new commercial uses subject to the recordation of a notarized letter acceptable to the Redevelopment Agency agreeing to grant access and the owners shall participate in a shared parking lot with each of the adjoining commercial properties.

July 6, 2010, General Plan Conformance, PLN2010-00094, the Planning Commission approved a General Plan Conformance request by the Redevelopment Agency under Government Code Section 65402 to purchase assessor's parcel number 84A-0040-018-04.

February 29, 2016, Site Development Review, PLN2014-00207, approval of a shared parking lot between five parcels located at 3295-3359 Castro Valley Boulevard and 20853-20861 Wilbeam Avenue.

January 8, 2018, Site Development Review, PLN2017-00229, approved the of renovation of existing building and operation of a multi-tenant commercial site, the Castro Valley Marketplace.

SITE AND CONTEXT DESCRIPTION

Physical Features The level rectangular shaped site contains a 3-story, 15,335 square foot commercial building. A parking lot and common area (the "Paseo") are shared by easement amongst the adjacent property owners and wrap around three sides of the building. The site is approximately 1-acre in size.

Adjacent Area: Along the south side of Castro Valley Boulevard is a mix of commercial uses that front on

the Boulevard, including retail and service commercial uses. Behind the lot, to the south, that front on the Boulevard are single and multi-family residential uses. Across the street is a restaurant, a bank and the Castro Village Shopping Center. To the east is an auto repair shop, Sal's Foreign Car Services, and to the west is a tailor and cleaners store, AA's Tailors and Cleaners.

3295 CASTRO VALLEY BOULEVARD
Approximate Site (red) and Proposed Project Area (yellow)



PROJECT DESCRIPTION AND BACKGROUND

This Site Development Review (SDR) is to consider the design of a mosaic mural at the northeast corner of the Castro Valley Marketplace building. The proposed mural will have a total of four panels, approximately 10'-10" wide by 8'-6" high each. Two panels would face north towards Castro Valley Boulevard, and two would face east toward the "Paseo". The proposed mural is within the vicinity of the approved outdoor seating area associated with the Marketplace restaurant unit. The proposed mural design has been reviewed at recent CVMAC subcommittee meetings and the subcommittee members have indicated their general support of the mural design and location.

REFERRAL RESPONSES

Alameda County Fire Department, Fire Prevention Bureau: In a referral response dated April 15, 2019, Fire Department Staff stated the material used for the mural shall comply with any flame spread or fire resistance requirements set forth in Building and/or Fire Code requirements. A condition of approval requiring flame resistant materials is included.

Alameda County Sheriff's Office: In a referral response dated April 17, 2019, Sheriff's Office Staff stated there are no objection to the request and recommend that the murals be created with graffiti resistant

materials and that adequate lighting be provided to discourage vandalism. A condition of approval requiring graffiti resistant materials is included.

Building Inspection Department: In an electronic response dated April 25, 2019, Building Inspection Department Staff stated there are no objections to the installation of four new murals, and provided the following conditions of approval:

1. Murals need to be structurally secured and seismically anchored.
2. Building permit is required.
3. If illuminated, Energy Forms (LTS or LTO) will be required.

Land Development, Public Works Agency: In a referral response dated April 22, 2019, Land Development Staff stated there are no comments on the application.

STAFF ANALYSIS

Conformance with the General Plan

This site lies within the boundaries of Castro Valley General Plan, adopted March 2012. The Plan designates the site as Central Business District (CBD) with a land use designation of Core Pedestrian Retail. The Core Pedestrian Retail designation is intended for the intensive pedestrian-oriented retail and service uses that form the heart of the Castro Valley community. In addition to the land use designation, the following General Plan Goal applies to this SDR:

Goal 4.7.1: Enhance the Central Business District to create a pedestrian-orientated district of shops, restaurants, and services with a distinctive small-town character that reflects Castro Valley's history and culture. Improve the overall appearance of Castro Valley Boulevard. Attract and retain small local retail and restaurant businesses that will enhance the quality of life in Castro Valley.

The proposed four-panel mosaic mural is designed by a local mural artist and would include a large tree with roots as a focal point, with the hills and harvests of Castro Valley behind and around the tree. Each of the harvest objects is dual-purpose and depicts an activity or attribute which reflects the history and unique character and culture of Castro Valley. The overall design concept is apparent from a distance, while the individual details become more evident in close proximity. The design is intended for viewing from multiple vantages and to draw passersby and site users closer to the mural. The mural will create an inviting feature and conversation piece in a location surrounded by small local businesses, and would enhance the area for the Castro Valley community and visitors.

Conformance with the Zoning Ordinance

The proposal is for a decorative building feature on an existing building for which the use and majority of the improvements were recently approved through the SDR process. Since there is no land use element associated with the mural, no new structures are proposed, and the mural is less than 1,000 sq. ft., there is no zoning ordinance section which applies specifically to the proposed mural.

Conformance with the Castro Valley Central Business District Specific Plan dated January 7, 1993

Page 85 of the Specific Plan requires an SDR for façade changes which require a building permit, in order to ensure consistency with the goals, intent and provisions of the Specific Plan that pertain to building design. The proposed mural requires a building permit.

The *Design Policies* for Subarea 7, contained on page 58 of the Specific Plan, refer to the *Design Guidelines* contained in the Specific Plan. Page 127 contains the *Design Guidelines* for building facades. Guideline 2 recommends murals as a way to add interest to blank walls which are visible from adjacent uses and considers them to be public art requiring public review through the CVMAC. The proposed mural location and SDR process are consistent with this Guideline.

Summary: The proposed four-panel mosaic mural meets the policies of the *Castro Valley General Plan* and *Castro Valley Central Business Specific Plan* by providing an appropriate building design element to a blank wall, ensuring that element is at a pedestrian scale, providing a design theme that is reflective of the historic and present Castro Valley community, and by enhancing the streetscape in a Core Pedestrian Retail area.

CONCLUSION

Should the Castro Valley Municipal Advisory Council recommend approval as recommended by staff, the following are suggested conditions of approval that the Council may consider:

1. This permit authorizes a new mosaic mural, with four panels, approximately 10'-10" wide by 8'-6" high each, at the northeast corner of the Castro Valley Marketplace building, with two of the panels facing north towards the Castro Valley Boulevard, and two of the panels facing east onto the "Paseo".
2. Compliance with all laws and Regulations. Prior to issuance of any County issued permits, the applicant, property owner, or successor shall provide to the satisfaction of the Alameda County Public Works Agency, and the Alameda County Planning Director, evidence of compliance with all laws, policies, and regulations applicable at the time of application for permits.
3. The Permittee shall comply with all Federal, State and Local Laws, Regulations and Alameda County Ordinances
4. Indemnification. Applicant, property owner, or successor shall defend, indemnify, and hold harmless Alameda County or its agents, officers, and employees from any claim, action, or proceeding against Alameda County or its agents, officers or employees to attack, set aside, void, or annul PLN2019-00056, Site Development Review, or any subsequent Permit. Such indemnification shall include, but not be limited to, an award of costs and attorney's fees incurred by Alameda County in its defense. The County shall promptly notify owner or successor of any such challenge.
5. Applicant shall obtain appropriate Building Permits prior to installing the mosaic mural.
6. The mural design and colors shall match those approved by the Castro Valley Municipal Advisory Council.
7. All mural panels on the property shall be maintained in an attractive manner at all times.
8. The permittee shall meet all of the requirements of the following County Agencies:
 - a. Alameda County Sheriff's Office:

- The murals shall be created/coated with graffiti resistant materials
 - Adequate lighting shall be provided to discourage vandalism
- b. Alameda County Fire Department:
- The materials used for the mural shall comply with any flame spread or fire resistance requirements set forth in Building and/or Fire Code requirements
- c. Building Inspection Department:
- Murals shall be structurally secured and seismically anchored.
 - If illuminated, Energy Forms (LTS or LTO) will be required

ATTACHMENTS

Referral Responses Plans

PREPARED BY: Pat Anekayuwat
REVIEWED BY: Christina Horrisberger

H:\APPLICATIONS - 2019\PLN2019_00056\Staff Report\PLN2019-00056 MAC Report.doc



Alameda County Fire Department

Fire Prevention Bureau

Plan Review Comments

399 Elmhurst Street, Room 120 , Hayward, California 94544 (510) 670-5853 Fax (510) 887-5836

04/15/2019

Alameda County
Community Development Agency
Planning Department
224 West Winton Ave., Room 111
Hayward, California 94544

To	Christina Horrisberger	PLN #	2019-00056
Address	3295 Castro Valley Blvd		
Job Description	Mosaic Mural on Exterior of Marketplace Building		
Reviewed By	Bonnie S. Terra, Division Chief		

Review of Planning referrals are usually based on information and plans that lack enough information and details for specific comments. The primary focus of our review is to assure fire access to the site. Specific fire and building code issues will be addressed during the regular building permit submittal and review process.

Conditions of Approval

The following conditions shall be met prior the issuance of a building permit and fire clearance for occupancy.

1. The material used for the mural shall comply with any flame spread or fire resistance requirements set forth in Building and/or Fire Code requirements.

Alameda County Sheriff's Office

Eden Township Substation
15001 Foothill Boulevard, San Leandro, CA 94578-1008



Gregory J. Ahern, Sheriff

Director of Emergency Services
Coroner - Marshal

April 17, 2019

Alameda County Community Development Agency
224 West Winton Avenue #111
Hayward, CA 94544

Attention: Christina Horrisberger

RE: PLN 2019-00056

My staff reviewed the referenced application and has no objection to the request. They did recommend, however, that the murals be created with graffiti resistant materials and that adequate lighting be provided to discourage vandalism. If further assistance is needed, please contact Deputy Steve Sweeney at (510) 667-3620.

Gregory J. Ahern,
Sheriff-Coroner

A handwritten signature in blue ink, appearing to read "DAB".

David A. Blanchard, Captain
Eden Township Division

GJA:DAB:sgs

Re: PLN2019-00056 - CV Marketplace Mural - Referral Follow-up

Tan, Samuel

Thu 4/25/2019 9:24 AM

To: Horrisberger, Christina, CDA <Christina.Horrisberger@acgov.org>;

Cc: Tam, Alan <alant@acpwa.org>;

Christina,

BID takes no objection to planning process for installation of four new murals. A few comments:

1. Murals need to be structural secured and seismically anchored. Building permit is required.
2. If illuminated, Energy Forms (LTS or LTO) will be required.

Regards,

Samuel Tan, P.E.

Supervising Plans Checker

Building Inspection Department | Alameda County Public Works

Office: (510) 670-5557

Mobile: (510) 461-8731

Fax: (510) 293-0960

samuelt@acpwa.org

From: Horrisberger, Christina, CDA

Sent: Tuesday, April 23, 2019 11:43:09 AM

To: DNR - Kaufman, Maurice; Valderrama, Arthur; Tam, Alan; Tan, Samuel

Subject: PLN2019-00056 - CV Marketplace Mural - Referral Follow-up

All--

I routed a referral for the above referenced application on 4/11/19 and am following up on outstanding responses. County comments are due to the applicant no later than 4/25/19. If you have any comments/conditions, please submit them ASAP. Any comments/conditions submitted after close of business tomorrow may not make it into our comment letter, and may delay the application.

The plans are attached.

Best regards,

Christina Horrisberger

Senior Planner

Alameda County

Community Development Agency

510.670.6118



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

Chris Bazar
Agency Director

PROJECT REFERRAL

Albert Lopez
Planning Director

Date: April 11, 2019

RE: Case No. PLN2019-00056

Site Development Review

224
West Winton Ave
Room 11

Hayward
California
94544

Due Date: April 22, 2019

phone
510.670.5400
fax
510.785.8790

www.acgov.org/cc

ACPWA LAND DEVELOPMENT

**DEPUTY S. SWEENEY, SHERIFF'S OFFICE,
ETS**

**ALAMEDA CO. ECONOMIC & CIVIC
DEVELOPMENT**

ALAMEDA CO. FIRE DEPT.

ACPWA BUILDING DEPARTMENT

ALAMEDA CO. ZONING ENFORCEMENT

PLANNING TECHNICIAN

**CASTRO VALLEY MUNICIPAL ADVISORY
COUNCIL**

The following application is referred to you for your information and recommendation:

To allow for a mural, located at 3295 Castro Valley Blvd (Castro Valley), Side: S.; Distance: 280'; Direction: East; Of Cross Street: Chester, unincorporated area of Castro Valley.

APN: 084A-0040-018-04

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), and State and County CEQA Guidelines (Section 15301 - Class 1, Existing Facilities project is limited to the operation, maintenance, and permitting of an existing use, structure(s) facilities with minor repair or alteration, involving negligible or no expansion of the use beyond existing at the time that the County takes action on this project, or is otherwise consistent with Guidelines for Class 1 projects.

Receipt of your comments by the indicated due date will enable the inclusion of relevant information in the preparation of a written staff report; otherwise, please initial and date below that your organization, department or agency has no comment and return this notice by the indicated due date.

Please send a copy of your recommendation(s) to the applicant.

PROJECT REFERRAL

Date: April 11, 2019

RE: Case No. PLN2019-00056

If you have any questions, please contact me at the above number.

Sincerely,

A handwritten signature in black ink, appearing to be 'Christina', followed by a long horizontal line. A yellow highlighter mark is visible on the line.

Christina Horrisberger
Development Planning Division
christina.horrisberger@acgov.org

cc: Applicant: CRAIG SEMMELMEYER 3295 Castro Valley Blvd., Castro Valley, Ca 94546

Owner: COUNTY ALAMEDA 224 W Winton Ave, Hayward, Ca 94544

7/6 No Comment - Date 4/22/19

Attachments

Rosemarie De Leon
X 55209

Seating

These four mosaic panels adorn the corner of the Castro Valley Marketplace. The mosaic will be viewed in close proximity from restaurant seating as well as at a distance from across the street. This unique seating inspires a design that plays with scale and perspective to create an inviting, joyful gathering space for the Castro Valley community and visitors to the Marketplace.

At the center of the composition is the tree, a universal symbol of the bounty of harvest, of grounded roots providing shelter and promoting growth for the individual and community. The placement of the tree at the corner of the building, symbolically reaching its branches to embrace the Marketplace, takes advantage of the location to the proposed four mosaic panels. The tree depicts visitors to the Marketplace to gather under its canopy, growing branches and reflect on the history and future of Castro Valley.

The landscape behind the tree represents the Valley's gifts: beautiful hills and vegetables to the community. The giant trees dwarf the people in the scene. Thus, the beauty

of this larger-than-life harvest represents the community's collective achievement of coming to Castro Valley and the labor of the hard workers who cultivated the land.

Playing with scale, the figures of musicians, dancers, and families within the produce celebrate this achievement, and the unique place and opportunity that nourishes them.

The mosaic texture invites restaurant visitors to adore the world teeming of each fruit and be carried through the composition by the cascading scale of human figure and fruit. Across its four panels, the composition achieves a harmony of the uniqueness of the mosaic medium and the ecological, to unite distinct and diverse pieces of people, environment, and place into one whole. The composition successfully adorns the new Marketplace, helping it to promote this same mission for Castro Valley when, upon and beyond its walls.

Historic references from Castro Valley



EXHIBIT A

RECEIVED

MAR 26 2019

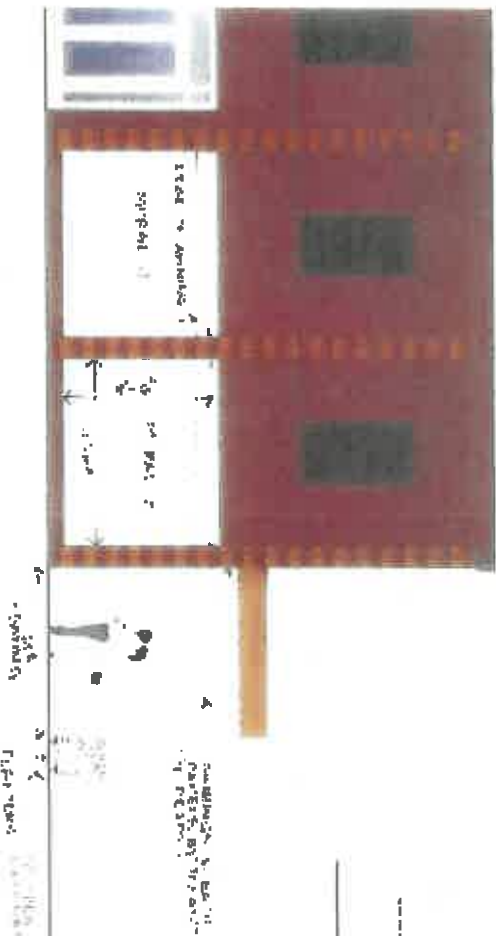
BY: SDA

AL-ND-019-20056



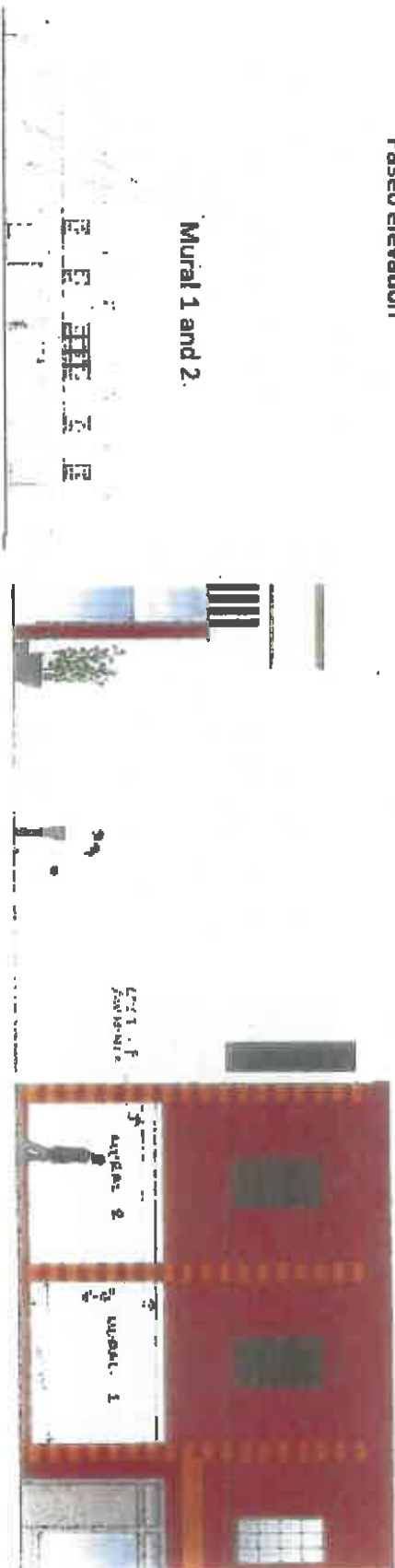
Murals at Castro Valley Marketplace

RITA SOFFERTIS



Mural 3 and 4

Paseo elevation



Mural 1 and 2

Castro valley boulevard elevation





MURAL 4



MURAL 3

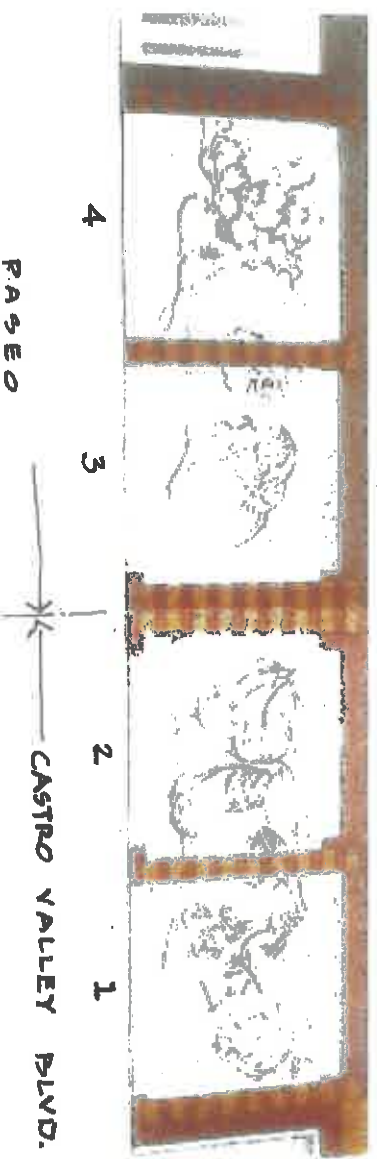


MURAL 2



MURAL 1

(ALL MURALS TO BE 10'-10" x 8'-6")



Murals at Castro Valley Marketplace

RITA SOYFERTIS



MURAL 4



MURAL 3

Enlarged vignettes



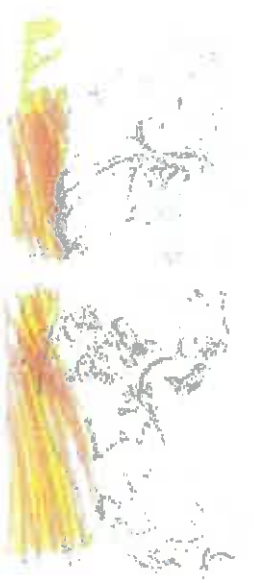
MURAL 2



MURAL 1



Murals at Castro Valley Marketplace



MONDAY - 2ND

WED, MAY 2 11:25 AM - 12:00 PM



THURSDAY



FRIDAY - 3RD



Murals at Castro Valley Marketplace

RITA SOYFERTIS

Technique

Tesserae means "piece" in Greek. Pieces of stones or glass are used to create a mosaic picture. I chose this name for my artistic business as a good symbol of my work.



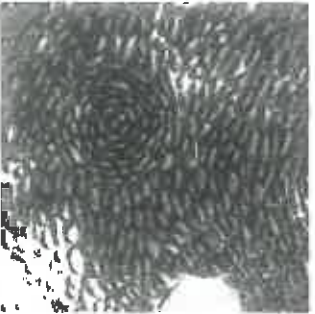
Murals at Castro Valley Marketplace

RITA SOYFERTIS

materials



GLASS
PIECES
→ MOSAIC



STONE PEBBLES ↑
→

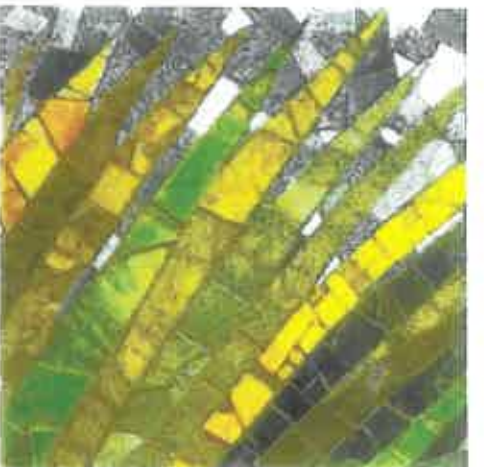


STONE PEBBLES @ VALLEY FLOOR & TREE OF LIFE
GLASS MOSAIC PIECES @ UPPER PART OF MURAL

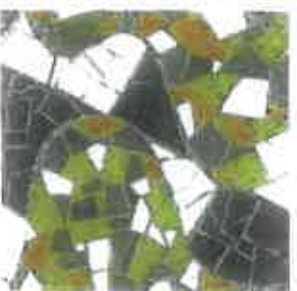


Murals at Castro Valley Marketplace

Colors



RANGE OF
PREDOMINANT
COLORS



RITA SOYFERTIS