

Approved Meeting Minutes

REGULAR MEETING OF THE CITY OF ALAMEDA PLANNING BOARD MONDAY, MAY 10, 2010

1. CONVENE: 7:10 p.m.
2. FLAG SALUTE: Board Member Lynch
3. ROLL CALL: Present: President Ezzy Ashcraft, Board members, Cook, Cunningham, Kohlstrand, Lynch, and Zuppan.

Absent: Vice-President Autorino

Staff Present: Laura Ajello, Planner I; Jon Biggs, Planning Services Manager; Farimah Faiz, Attorney; Nancy McPeak, Recording Secretary; Jennifer Ott, Deputy City Manager, Andrew Thomas, Planning Services Manager;
4. MINUTES: Minutes from the meeting of April 12, 2010
Minutes from the meeting of April 26, 2010

Motion by Board Member Kohlstrand, seconded by Board member Cunningham to approve the minutes of April 12, 2010. Motion passes 5-0-1, Board Member Cook abstaining.

Motion by Board Member Cook, seconded by Board member Kohlstrand to approve the minutes of April 12, 2010. Motion passes 4-0-2, Board members Cunningham and Lynch abstaining.

5. AGENDA CHANGES AND DISCUSSION:

None.

6. STAFF COMMUNICATIONS:

Written Reports

6-A Future Agendas

Mr. Biggs provided an overview of upcoming projects coming to the Planning Board for review.

Board Member Kohlstrand asked whether the form based code is still being proposed to be heard in conjunction with the Economic Development Commission (EDC). She cautioned that the agenda for this date is very large.

Mr Thomas stated that staff was still working on the agenda for that meeting and coordinating with the EDC.

Board Member Lynch seconded Board Member Kohlstrand's concern about a large agenda for that meeting.

President Ezzy Ashcraft requested that all Board members submit their availability for the summer months to Nancy McPeak to schedule additional meetings if needed.

6-B Zoning Administrator Report

Mr. Biggs noted that a Use Permit for a second unit on 2515 Otis Drive was approved on May 4, 2010.

Oral Report

Mr. Thomas announced that two public outreach efforts will be undertaken in the near future. The first open house/ public outreach effort will focus on presenting the Civic Center Plan and Carnegie Building to the public and to allow the public to interact with the consultants and get more public feedback on the plan. The second public outreach effort will focus on the Webster Street Visioning effort. A series of events around June 3rd, 4th, and 5th 2010 will allow the public to make recommendations and interact with the consultants. The visioning effort for Webster Street would be taken back to the City Council sometime in September.

7. ORAL COMMUNICATIONS:

None.

8. CONSENT CALENDAR:

None.

9. REGULAR AGENDA ITEMS:

- 9-A **Planned Development Amendment/Design Review – PLN09-0409 – 1801 North Loop Road – Bay Area Chinese Bible Church.** Modify master site plan and design of Final Development Plan and Design Review, FPD 01-05/DR-01-08 (originally approved on April 21, 2002 by City of Alameda Resolution 13444). The applicant is requesting approval to modify an existing Final Development Plan and Design Review, which is valid through 2014. Two of the planned buildings are to be redesigned and reconfigured with a slight decrease in overall floor area.

Ms. Ajello, Planner I, presented the project.

Board member Cook asked for clarification on the site plan and whether the operation of a separate pre-school would be established for this site.

Mr. Grumen, project manager, explained that the pre-school is planned to be used during services or events at the site and will not be an independently operated school.

Board member Cunningham asked if sustainable features have been incorporated into the building design.

Mr. Grumen, stated that although the building has not been registered with the US Green Building Council for Leed certification yet, but they are following the requirements closely.

Board Member Kohlstrand expressed concern with the design of the building and its exterior materials. She questioned whether the architecture of the new building related or complimented the existing structure, pointing out that the exterior materials and finishes do not match those of the existing two-story building.

Mr. Grumen acknowledged the difference in design and materials, but stated that the project team had selected colors that were important in Chinese culture.

Board Member Lynch motioned to approve the project, seconded by Board member Cunningham. The motion passes 5-1, with Board member Kohlstrand voting no.

9-B Public Scoping Session for Proposed Alameda Point Project and Draft Environmental Impact Report.

Mr. Thomas presented the project.

Mr. Kosla, a Forward Planner with the Sun Cal Company, Developer of Alameda Point, presented the project.

President Ezzy Ashcraft asked whether Peter Calthorpe and Phil Tagami are still involved in with this project and part of the design team.

Mr Kosla confirmed that both are still involved as lead designer and adaptive reuse specialist respectively.

On a motion by Board Member Kohlstrand, seconded by Board member Cunningham, the Board voted 6-0 to limit public comment to 3 minutes per person.

President Ezzy Ashcraft opened public comment.

Mr. Needle, Alameda resident, noted opposition to the redevelopment of Alameda Point by the developer Sun Cal, citing that Measure B was not passed by the people of Alameda and that the submittals provided by Sun Cal are inadequate and delay tactics by SunCal have caused mistrust within the community.

Mr. Sweeney, Alameda resident, stated his opposition to the redevelopment of Alameda Point by the Sun Cal. He added that the lengthy planning process has yielded no proposal that meets the development objectives of the residents of Alameda. He recommends that the Development agreement not be extended in July.

Ms. Sweeney, Alameda resident, discussed Sun Cal's expenditures for the development of

a development plan.

Ms. Rogers, Alameda resident, expressed concern that during Measure B campaign leading up to the February 2010 election, volunteers had received feedback from the community that the trust placed in Sun Cal at the onset of the planning process had significantly eroded. She recommended developing a proposal that limited the number of dwelling units to 1,800 and stated that the City of Alameda be the master developer.

Mr. Biggs, from the Alameda Point Collaborative, supports the redevelopment plan in Alameda Point, but cautioned that the plan requires increased specificity, which could be attained through the Environmental Impact Report analysis. He pointed out that the proposed plan needs to be evaluated in light of environmental justice impacts, sustainability, and impacts on low-income, vulnerable residents with chronic health conditions. He stated that to nothing at the site puts existing infrastructure at risk, as well as the local job creation.

Ms. Hird, Alameda Architectural Preservation Society representative, spoke about preserving the historic resources at Alameda Point and they are important and need to be saved. She recommended commencing an adaptive reuse study that would help preserve the historic buildings and allow for their continued use.

Mr. Karvasales, Alameda resident, stated his opposition for the Sun Cal plan because it increases density.

Mr. Stevens, Alameda resident, added his opposition to the the Sun Cal proposal, as it does not meet the City of Alameda charter.

Ms. McNally, Alameda resident, expressed her opposition to the Sun Cal proposal because of the political climate it has created. She is concerned that the decision of the electorate is being ignored in the light of investment pressures.

Mr. Ingram, Alameda resident, stated opposition to the Sun Cal proposal because traffic impacts are too severe and the community's vote was a clear indication that it opposed this company.

Mr. Khan, Alameda resident, opposes the Sun Cal proposal, as Sun Cal does not have the best interest of Alameda in mind especially when they ask for significant fee waivers and financial contributions from the City.

Ms. Freeman, Alameda resident noted her opposition to the Sun Cal proposal because Sun Cal does not respect the vote of the people and will develop a proposal that will only increase the population density. She noted Alameda is already 4th densest city in the East Bay.

Ms. Morrison, Alameda resident, is concerned that the project is not feasibility as the flood plain issues will impact the ability to construct this project. She is also concerned that sustainability of the project is not sufficient.

Ms. Gordon, Alameda resident, is concerned about the environmental and traffic impacts that the project would generate.

Mr. Smallman, Alameda resident, stated that the trust between the people and the developer is insufficient to sustain a working relationship.

Mr. Daysog, Alameda resident, noted support for an appropriate development at this site.

Ms. Turpen, Alameda resident, noted her opposition to a development with 3,800 dwelling units that will generate significant traffic impacts. She is upset that the current proposal is the same as the one that was rejected in the special election.

Ms. Fetherolt, Alameda resident spoke in opposition to the Sun Cal plan, citing increased traffic impacts on Alameda and Chinatown, placement of residences on toxic land in a seismically vulnerable area. She also noted redevelopment of Alameda Point in the proposed manner is disrespectful of its this site's past.

Mr. Dileo, Alameda resident, supports the return to the original Preliminary Development Concept that meets density requirements and recommended that the City's relationship with Sun Cal be discontinued.

Mr. Bangert, Alameda resident, is concerned about the misleading placement of a solar farm on all maps on the Northern Territories at Alameda Point especially when the solar farm has not been vetted by the Public Utilities Commission. He is also concerned that the regional park has been downgraded without obtaining approval from citizens.

Ms. Dieter, Alameda resident, expressed concern with the amount of land fill that will be required during the life construction of this project and that it will have a significant transportation impact, which should be analyzed in the EIR. She is also concerned with building in a seismically active zone and stated this needs to be included in the environmental analysis as well. She recommended including the preferred alternative from the 1999 Alameda Point EIR as an alternative in the next EIR.

Mr. Jordan, Alameda resident, expressed opposition to extending the exclusive negotiating agreement with Sun Cal. He recommended restoring Alameda Point to its original function as a wetland and he noted concern with traffic impacts. He also supports the City of Alameda being the master developer.

Mr. Sikora, Alameda resident, stated his opposition to this project and added that Sun Cal is a developer that will not keep its promises to the City.

Mr. Arnerich, Alameda resident, expressed opposition to the project.

President Ezzy Ashcraft closed the public comment period.

Board Member Zuppan thanked the Planning staff for the excellent staff report.

Board Member Lynch and Board Member Kohlstrand asked for clarification on how proceeding with the Environmental Impact Report will ultimately assist in the Council when it considers the extension of the Development Agreement.

Ms. Ott, Deputy City Manager, explained that the Exclusive Negotiating Agreement (ENA) between Sun Cal and the City of Alameda stipulates that two milestones be met before July 20, 2010, which is when the ENA expires. The two remaining milestones are that Sun Cal must provide a Navy Term Sheet and a fully negotiated Disposition Development Agreement (DDA) or a best offer statement. Negotiations are underway to complete these two items in a timely manner. Once these items are completed, then the term of the ENA can automatically be extended and the EIR can continue, until a final decision is made on the project.

Board member Cunningham asked who has authority to approve the DDA.

Ms. Ott stated that the Alameda Reuse and Redevelopment Authority (ARRA) and Community Improvement Commission (CIC) would approve the DDA, subject to compliance with the California Environmental Quality Act (CEQA).

Board Member Kohlstrand asked for clarification if the City's intent is to continue the DDA based on the basis of the proposed plan.

Ms. Ott confirmed this and stated that the DDA is indeed predicated on a scope of work, such as this plan. In order to properly negotiate the terms of the DDA, the involved parties need to have a good understanding of the needs and desires of the Planning Board and other parties at large. The purpose of presenting the project to the Planning Board is to receive input on the proposed plan.

Board Member Lynch asked whether the DDA has to be submitted or approved by July 20th, 2010.

Ms. Ott explained that the DDA or best offer statement has to be submitted to the City, but the decision on this DDA or best offer statement can be made after the July 20th, 2010 deadline. If the DDA or best offer statement and the Navy Term Sheet are submitted, then the ENA can automatically be continued and the development process can continue without further deadlines.

Board member Cunningham asked if the Board is being asked to provide comments on the EIR and the proposed development plan.

Ms. Ott confirmed that this was the purpose of this Planning Board meeting.

Board member Cook supports allowing maximum flexibility for land uses, but finds that the proposed design guidelines are insufficient to ensure high quality development that will be compatible with the rest of Alameda. She also recommends developing a phasing document that clearly outlines which buildings will be retained, what uses will be allowed in

each phase and when transportation measures will take effect. She would like to see more flexibility in residential areas for commercial uses, such as the inclusion of stores and small-scale retailers as in the existing Alameda Stations. She commented that some commercial uses should be included in denser residential areas, such as cafes for coffee and food, which will allow for activity on the edges of the transportation pathways and parks.

Board Member Kohlstrand seconded Board member Cook's comments on allowing commercial uses amongst residential areas. She pointed out that the proposals maximize the square footage of commercial and residential development. She commended the staff report for the clarity of its report.

On a motion by Cunningham, seconded by Lynch, the Board voted 6-0 to extend the meeting to 11:15 pm..

Board member Cunningham asked if all comments need to be made at the present meeting, or if the discussion could continue at the next meeting.

Mr. Thomas stated that the discussion can be continued to the next meeting. He requested that the Board members focus their discussion of the scope of the EIR on specific environmental concerns they have.

President Ezzy Ashcraft stated that she is concerned with impacts to the Least Tern population and traffic impacts on Alameda and Chinatown.

Mr. Thomas stated that the EIR is a very extensive undertaking that has not been fully scoped at this point and added it would cover potential impacts to things such as air quality, noise and other issues evaluated in and EIR.

Board member Cook requested that the EIR include climate change impacts and an economic analysis of this project. Specifically she would like to see an analysis that addresses how some parts of the development, such as schools or park and recreation land, would transition into the hands of the City over the long term and how that would impact the City financially. In addition, she would like to see that environmental justice impacts be analyzed for those residents that currently live there and the impacts of the relocation of the housing collaborative within the development. She stated that she would like to see the alternatives structured differently, so that the focus is not only density but transportation issues. Instead, she suggested that the focus be placed on the best transportation strategy, which would then drive the dispersion of density. She would like to see an analysis of what the tipping point in order for public transportation to become truly feasible. A similar analysis should be done for the adaptive reuse of the historic structures.

Board member Cunningham said he would like to see an analysis on threats and risks on adjoining properties, such as the Northern Territories. He requested that there be an analysis of the utility infrastructure to assess the impacts to the entire island when new utilities come online. He recommended a carbon footprint analysis be undertaken to assess local as well as regional impacts on greenhouse gas emissions and what can be undertaken to reach a zero net impact. He seconded Board member Cook's request for a

transit-driven alternative.

Board Member Zuppan stated that the plan lacks specificity and commitment. She requested that infrastructure, such as storm drains and streets be adequately evaluated. She requested that the public transportation system outlook in 20 years be included. She asked for a careful analysis of the economic impacts, such as jobs creation, be included in the EIR. In addition, she is concerned that the habitat of the Least Terns abuts the residential portions of the development, and raised the question whether the development could be programmed differently to avoid the close proximity to these birds.

Board Member Kohlstrand would like to see that the project be redeveloped so that the approval is not dependent on a slew of mitigation measures, but done in a way that embraces all potential concerns and impacts especially the traffic concerns. She would like to see an analysis of proposed building heights and how they would impact the existing neighborhoods. She seconded Board member Cook's comments on preserving the most historically significant buildings.

Board member Cook supported the master application for the density bonus concept. She requested information on what benefits could accrue to the City from granting a density bonus application, be it open space, parks.

Ms. Ott pointed out that the City Council is briefed on the status of the project at each of their meetings and noted the comments from the Planning Board would be transmitted to the City Council.

On a motion by Zuppan, seconded by Cunningham, the Board voted 6-0 to continue deliberation of this project to its next meeting.

10. WRITTEN COMMUNICATIONS:

None.

11. BOARD COMMUNICATIONS:

None.

12. ADJOURNMENT: 11:17 pm