

APPROVED MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, SEPTEMBER 28, 2015

1. CONVENE

Board Member Köster called meeting to order at 7:00pm.

2. FLAG SALUTE

Board Member Henneberry led the flag salute.

3. ROLL CALL

Present: Board Members Burton, Henneberry, Köster, Mitchell, Sullivan, Zuppan. Absent: President Knox White

4. AGENDA CHANGES AND DISCUSSION

None

5. ORAL COMMUNICATIONS

None

6. CONSENT CALENDAR

None

7. REGULAR

AGENDA

ITEMS

7-A 2015-2109

PLN15-0323 - 508 Taylor Ave. - Use Permit - Applicant: Catherine Cook for Da Vinci Center for Gifted Children. A public hearing to consider a Use Permit to relocate and expand an existing large family day care from 14 children to a maximum of 25 children. The property is located within an R-2, Two-Family Residence Zoning District. The project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 - Existing Facilities.

Andrew Thomas, Assistant Community Development Director, introduced the item.

David Sablan, Planner I, gave a presentation. The staff report and attachments can be found at:

<https://alameda.legistar.com/LegislationDetail.aspx?ID=2467858&GUID=584C3CE5-AB03-467D-838E-71D973EF3580&FullText=1>

Board Member Burton asked about the agreement for the overflow and staff parking.

Staff Member Sablan explained the details of the arrangement with St. Barnabus for at least two spaces.

Board Member Mitchell asked for further clarification of the off site parking availability and use.

Staff Member Thomas explained that the conditions focused on drop off and pick up rather than for staff parking.

Board Member Sullivan asked where the bus stop was. She also asked about the legal difference between a private school and large family daycare.

Staff Member Sablan said the bus stops were on Webster which is 1-2 blocks away. He also outlined the state licensing requirements of family daycares and that schools require a local use permit.

Board Member Köster asked if there were any plans for physical improvements that could open up access to the obstructed driveway.

Staff Member Thomas said that he is unaware of any plans and that the bay window protruding into the narrow driveway would make it very hard to open up the driveway.

Board Member Burton made a motion to limit public comment to three minutes per speaker. Board Member Henneberry seconded the motion. The motion passed 6-0.

Board Member Köster opened the public hearing.

Catherine Cook, the applicant, gave a presentation. She said the school specializes in highly gifted children with learning differences. She said these are not typical parents, and they have a large interest in not jeopardizing the school's use permit. She said they are on board with the staff recommendations. She summarized the difficult position the state and local licensing hurdles have created for their students.

Beth Walters said she has known and worked with the applicant and urged the board to approve the application.

Sarah Berry, a parent, says her son believes that the school is the only one that gets him.

Pradeep Madhavarapu, a parent, tried four schools that did not help his son. He said the Da Vinci school is the only one that has helped.

Cheryl Bowersox, a parent, said her daughter struggled in public school and that public schools are not equipped to help her. She said her daughter had never been so

comfortable around other children before Da Vinci. She said her daughter had contemplated suicide before, due to not fitting in.

Jack Bozick, an eleven year old Da Vinci student, said that at Da Vinci he wants to go to school everyday and likes mentoring the younger students. He said the families need the space and will be good neighbors.

Ida Shahfari, a parent, said they tried several different schools just during kindergarten for their son. She said her son is thriving in this school. She said her son told her “at Da Vinci, they see me, and know me.”

Kirstin Evans-Orville, a parent, said her school experience has improved dramatically at Da Vinci. She said finding a school for gifted children with learning differences is incredibly difficult.

Solvejg Rose, a neighbor, said the school never had any impact on them living next door for the last two years. She enrolled her older daughter in the school this year and walks. She said this school will be a benefit to Alameda.

Hailey Ashcraft, a neighbor, said she supports the school and the kids.

Jennifer Callahan, a parent, said she supports the use permit. She said her son was giving up on school and learning until they found Da Vinci. She said the parents are desperate and will do whatever it takes to make it work from a traffic and parking standpoint.

Gabriel Cohen, a parent, spoke in favor of the use permit. He said he lives in Alameda because of this school. He said it is essential to their family. He said he was upset when a women driving filmed them walking down the street the day the school was operating in the new location.

Peter Callahan, the grandfather of a student, said his grandson did not like school before and was on a bad track. He said now his grandson finds school a joyful place and loves going to school.

Shon Sherwood, a parent, said he was one of these kids and dropped out of school in eighth grade. He said he would not do anything to jeopardize the school.

Praveena Madhavarapu, a parent, said the school is very important for her child's development. She said at regular schools her child was treated as a troublemaker. She said her son thinks Da Vinci is a perfect match and they would not do anything to risk that.

Orianna Ralston, a student, said she loves the activities and field trips. She says there is a small number of kids and she gets a lot of attention.

Hila Ralston, a parent, said she will take full responsibility for being a good neighbor. She said her daughter's confidence was falling in regular school. She said finding Da Vinci was a miracle for them.

Ryan Brown, a neighbor, says the school's plan seems reasonable. He said he wanted the neighborhood to come together to build a healthy community.

Sarah Cohen, a parent, said that Da Vinci changed their lives and they will do everything they can to not disrupt that.

Brian DeGrego, a neighbor, says he loves having the kids in the neighborhood and that he sees no traffic problems in the neighborhood.

Franklin Sablan, a neighbor, said he supports the school. He said these children need this school.

David Lee, an instructor at Da Vinci, said he lives a few blocks away. He said the parents are driven to find a great education for their children and will follow whatever rules are in place to ensure their child can attend Da Vinci.

Sonali Joshi, a parent, said the parents are committed to not jeopardizing the school. She said her child felt so different in other schools and Da Vinci has given them back their child.

Harold Lee, a parent, said his family was so motivated by the school that they moved from San Jose. He said his son is thriving now, and it has been life changing.

Jennifer Williams said she supports the use permit. She said that no two children learn the same way and the school provides a vital educational need for those children.

Francis McIlveen, a neighbor, said the school has been an impeccable neighbor and he supports the use permit.

Janene Barnewolf, a neighbor, said she supports the school.

Monica Barry, a parent, said finding a school site has been difficult and the idea of jeopardizing it is crazy.

Keith Evans-Orville, a parent, said his daughter was a ball of anxiety and now, after going to Da Vinci, he feels like he has his daughter back.

Joseph Anakata, a parent, said they ride a bike to school and want to be part of this neighborhood.

Karen Bey, a neighbor, said she supports the school. She said she was surprised and kind of ashamed to hear about the opposition.

Mike Allen, a neighbor, said he believes the parents' intentions. He said he is opposed to the commercialization of a residential street in Alameda. He said he is opposed to the use permit.

Lee Tom, a neighbor, said he is opposed to the use permit. He showed a short video of traffic patterns on the street. He said many children walk and bike on Taylor to and from the nearby schools.

Steven Levy, a neighbor, said he is opposed to the application to run a commercial business on the residential street. He said the parking space at the residence does not meet the minimum dimensions to qualify. He said the block is residentially zoned, not for commercial use. He said neighborhood character would be changed and property values could dip.

Mary Levy, a neighbor, said she is opposed to the use permit. She said the proposal would change neighborhood character. She said there would be safety problems associated with the use.

Joan MacGuire, a neighbor, said the location is not viable and she is concerned about the safety of the students and staff. She said the use of the church parking will create a traffic snag on Palace Ct. where she lives.

Karen Potesta, a neighbor, said she does not think 508 Taylor is the best place for the school. She read a letter from another neighbor, who is also opposed to the use permit. She said there are safety and nuisance threats that could occur with the school.

Lis Cox, a neighbor, said she is opposed to the use permit. She said children using the sidewalk are in danger from people backing out of their driveways. She said the applicant did not do her due diligence when selecting a site for the school.

Ida Oberman, a neighbor, said she is opposed to the use permit. She said there is a safety issue. She said she founded a charter elementary school in Oakland and spent years selecting the right site.

Nancy Bonnell, a neighbor, said there is a serious parking issue on the street and it is important for her to be able to park close to her home.

Evan Phillippe, a neighbor, said they all support the mission of the school, but are opposed to the use permit due to the specifics of the location. He said there is a safety issue for kids using that street.

Carrie Huie said she wishes the two sides would work together, and that she supports the school.

Tom Hyland, a neighbor, said he is sympathetic to the parents' needs. He said the intersection at 5th street is a problem intersection with limited visibility.

Board Member Köster closed the public hearing.

Board Member Henneberry said he would be okay with a nine month review instead of one year, and that he would be voting in favor.

Board Member Mitchell said he visited the site and was surprised how quiet the street was and how little traffic there was. He said the need is very high for the school and the impact is very low. He said he supports the staff recommendation.

Board Member Sullivan asked for clarification about the lease with the church and the efforts of the parents to carpool and minimize impacts.

Board Member Zuppan asked about the ability to put in a crosswalk at 5th street. She said hearing the commitment of the parents makes her comfortable with having the school in this location, with an earlier review at six or nine months.

Board Member Burton said the vehicle traffic on the street appeared to be very minimal. He said other schools have similar circumstances. He said having the review in June, at the end of the school year, is appropriate. He encouraged the neighbors to open a dialogue with the school if any traffic issues arise. He said he would like to be able to support it.

Board Member Köster said a review at the end of the school year made sense.

Board Member Sullivan said she hoped the school would also reach out to the neighbors to see how they are doing.

Board Member Zuppan made a motion to approve the use permit with the following amendments: 1) Nine month review, targeted for June. 2) The City investigate the possibility of including a crosswalk on Fifth Street. Board Member Henneberry seconded the motion. The motion passed 6-0.

Andrew Thomas explained that the use permit has been approved by the Planning Board and the school can open tomorrow. He said that an appeal could be filed within 10 days and if it was, they would endeavor to have the City Council hear it as soon as possible.

Board Member Köster announced there would be a five minute recess.

7-B 2015-2101

Public Hearing to Consider Draft Zoning Ordinance Amendments to 1) adopt a Universal Design Ordinance, 2) amend the Second Unit Ordinance and Accessory Building regulations, and 3) amend the Multifamily Residential Combining Zone District Regulations.

Andrew Thomas introduced the item and gave a presentation. The staff report and attachments can be found at:
<https://alameda.legistar.com/LegislationDetail.aspx?ID=2467857&GUID=790CB019-8B8D-491F-8062-55BE44C1C86D&FullText=1>

Board Member Zuppan made a motion to hear remaining items on the agenda after 10:30pm. Board Member Henneberry seconded the motion. The motion passed 6-0.

Board Member Zuppan asked for clarification about the accessory building regulations.

Staff Member Tai said that current regulations were designed to preclude improvements and amenities that make secondary units possible.

Staff Member Thomas explained how the changes to the second unit ordinance were designed to work with the changes to the accessory building ordinance.

Board Member Burton asked for clarification of aspects of the multi family overlay zoning and Measure A.

Staff Member Thomas confirmed that the multi family sites would allow development of duplex projects that would fit in with the language in Measure A.

Board Member Köster opened the public hearing.

Beth Kenny, from the Commission on Disability Issues, spoke in favor of Universal Design standards. She said she was concerned with limiting it to only 15% of units. She said her commission had additional details to be considered for the ordinance.

Mayor Trish Spencer asked someone to look into placement of washers and dryers in the Universal Design ordinance.

Karen Bey said we should examine liberalizing the proposed accessory unit parameters.

Board Member Köster closed the public hearing.

Board Member Zuppan said she thinks the Universal Design ordinance should require 20-25% instead of only 15%. She said we should consider some of the other items, like outlet location and washer and dryer availability. She said transit proximity should be a factor for the secondary units. She said she does not think changing the zoning requirements for the multifamily areas is necessary.

Board Member Burton gave feedback regarding details of the Universal Design ordinance. He said he could support a higher percentage requirements, but we need to be careful. He said the second unit changes are good. He said he would support the restricting of single family residences on the multifamily overlay parcels.

Board Member Zuppan made a motion to extend the meeting beyond 11:00pm. Board Member Mitchell seconded the motion. The motion passed 6-0.

Board Member Henneberry said he would be supportive of requiring 25-30% of units to meet the Universal Design requirements. He said he supports the secondary unit changes. He said he supports restricting single family development in the multifamily zoning areas.

Board Member Sullivan said she supports the Universal Design ordinance. She said she supports the secondary unit changes, citing the need for them. She said she was opposed to restricting single family homes in the multifamily zoning areas.

Board Member Mitchell said he supports increasing the Universal Design percentage to 20-25%.

Board Member Köster said he supports raising the Universal Design percentage. He said he would support expanding the sizes allowable, both larger and smaller, for secondary units. He said he would support tandem parking being allowed to meet the requirements.

Board Member Mitchell said he would also be supportive of examining tandem parking.

No action was taken.

8. MINUTES

8-A 2015-2096

Draft Planning Board Minutes - June 8, 2015

Board Member Zuppan made a motion to approve the minutes. Board Member Henneberry seconded the motion. The motion failed 3-0 with three abstentions (Köster, Mitchell, Sullivan) because there were not four members present that were at the June 8th meeting.

8-B 2015-2097

Draft Planning Board Minutes - July 13, 2015

Board Member Burton said there was a second amendments for the hotel at Harbor Bay, requiring the finished floor levels to meet the same requirements as buildings at Alameda Point.

Board Member Köster said there was a motion to go beyond 11:00pm, but the adjournment in the minutes read 10:13pm.

No action was taken.

9. STAFF COMMUNICATIONS

9-A 2015-2100

Zoning Administrator and Design Review Recent Actions and Decisions

Andrew Thomas said there were several design reviews approved since the last meeting.

Board Member Burton said 1305 Regent St did not appear to have the legal headroom for approving habitable space in the ground floor basement.

10. WRITTEN COMMUNICATIONS

None

11. BOARD COMMUNICATIONS

11-A 2015-2098

Report from the Boatworks - Ad-Hoc Sub-Committee

Board Member Burton gave a report on the meeting with the project architect, Andrew Thomas, President Knox White, and himself.

Board Member Zuppan said Alameda Landing shopping center is not meeting the requirements to allow shopping carts to travel within the entire perimeter of their parking lot, and said they are in violation of their use permit.

12. ORAL COMMUNICATIONS

None

13. ADJOURNMENT

Board Member Köster adjourned the meeting at 11:16 pm.