

**Minutes of the Regular Planning Board Meeting
Monday, April 25, 2005 – 7:00 p.m.**

1. CONVENE: 7:02 p.m.
2. FLAG SALUTE: Ms. McNamara
3. ROLL CALL: President Cunningham, Kohlstrand, Lynch, Mariani, McNamara and Piziali.

Board member Cook was absent.

Also in attendance were Interim Planning Director Jerry Cormack, Building Official Gregory J. McFann, Deputy City Attorney Julie Harryman, Planner II Dennis Brighton, Executive Assistant Latisha Jackson, Bruce Knopf Development Services, Barbara Hawkins Public Works.

4. MINUTES: Minutes for the meeting of April 11, 2005.

Ms. Kohlstrand noted that page 12, Item 9 read, “Ms. Kohlstrand understood that the Beltway was being preserved for the light rail line, and inquired whether it would be eliminated.” She wished to clarify that she referred to the policy regarding the light rail preservation of the beltway, not whether the light rail line itself would be eliminated.

Mr. Piziali noted that page 9, third paragraph from the bottom read, “Mr. Piziali believed the driveway should be narrowed in the front, and did not believe a single curb cut would be legal.” He wished to clarify that the pavement of the driveway was very wide, and that they were parking two cars there. He wanted to see the driveway brought back to Code with respect to the project.

President Cunningham advised that in Item 9-B, he made note that he would like the Transportation Commission to identify any areas that would qualify for funding of grants to help implement policies with less of a financial impact to the City.

M/S Piziali/Kohlstrand and unanimous to approve the minutes for the meeting of April 11, 2005, as corrected.

AYES - 5; NOES – 0; ABSTAIN – 2 (Cook, Mariani)

5. AGENDA CHANGES AND DISCUSSION: None.
6. ORAL COMMUNICATION: None.
7. CONSENT CALENDAR:

- 7-A. **Endorsement of the Webster Street Strategic Plan (BK)** A request for endorsement of the Webster Street Strategic Plan. The Strategic Plan analyzes retail market opportunities and revitalization goals and strategies for the Webster Street Corridor. **(Staff requests a continuance to the meeting of May 9, 2005.)**

M/S McNamara/Kohlstrand and unanimous to continue this item to the meeting of May 9, 2005.

AYES - 5; (Cook, Mariani) NOES – 0; ABSTAIN – 0

- 7-B **DR05-0028 – City of Alameda – 1416 Oak Street (JA/JO).** Applicant requests acceptance of preliminary Design for a 352-space parking structure, at the corner of Oak Street and Central Avenue, generally on the Video Maniac site. This site is located at 1416 Oak Street site within the C-C-PB Community Commercial, Community Commercial – Planned Development Zoning Districts. **{{Continued from the meeting of April 11, 2005.} (Staff requests a continuance to the meeting of May 9, 2005.)}**

M/S McNamara/Kohlstrand and unanimous to continue this item to the meeting of May 9, 2005.

AYES - 5(Cook, Mariani); NOES – 0; ABSTAIN – 0

8. REGULAR AGENDA ITEMS:

- 8-A. **Recommendation of the Cross Alameda Trail Feasibility Study (BB).** A request for review and recommendation of alignment for the Cross Alameda Trail Feasibility Study. The Cross Alameda Trail would enhance access to destination points along the northern portion of Alameda's main island by providing improved bicycling and pedestrian facilities and would also serve as a recreational facility.

Ms. Barbara Hawkins summarized the staff report.

The public hearing was opened.

Mr. Jon Spangler, Cross Alameda Trail Steering Committee, 1037 San Antonio Avenue, spoke in favor of this item, and commended the Public Works staff for their efforts in finding a logistical solution for a difficult trail. He noted that it would provide an east-west transportation link for pedestrians and bicyclists; it will provide better links to BART; it will provide the possibility of a bus-rapid transit or ultralight rail right-of-way. The eventual development of Alameda Point would make those items necessary. He noted that it would be easier to address the section between Main Street and Webster Street, which he believed would have a great effect on the Webster/Atlantic intersection, if grant money could be obtained.

Ms. Debra Arbuckle, 9th Street, spoke in favor of this item, and noted that the neighborhood had been working on this issue for approximately nine years. She supported the use of alternative transportation, such as electric bikes, and noted that this issue needed a lot of community support.

The public hearing was closed for Board discussion.

In response to an inquiry by Ms. McNamara, Ms. Hawkins explained the difference between commuter alignment and recreational alignments #1 and #2. She noted that in the past, Bike Alameda has proposed a bicycle boulevard down Pacific, which would enhance bicycle opportunities by creating less of a desired route for vehicles.

Mr. Lynch did not believe that a bike rider considered a Class 1, 2 or 3, but that they moved to avoid traffic upon perception of that traffic. As bike paths are being created, he suggested that other traffic calming techniques be considered that are not currently in place, and that may mean additional inconvenience in terms of travel time for vehicles.

Ms. Hawkins advised that the Transportation Master Plan will feature a grid system for vehicles, pedestrians, and bicyclists.

In response to an inquiry by Mr. Piziali regarding funding, Ms. Hawkins replied that they had a grant into the MTC for \$2 million, for Atlantic to Webster to Main. She noted that they would pursue grants whenever they were available, and that the feasibility study provided the needed weight as the grant-seeking process goes forward. She noted that the grant would make a bare-bones trail with some landscaping possible; they would find out within the next week. She was optimistic about the chances of getting the grant.

Ms. Kohlstrand wished to ensure that policies ensuring bicycle uses and future transit system rights-of-way were preserved in the plan. She noted that there would be limitations to getting a continuous trail along the waterside, but believed it should be reflected as an ultimate goal to have a pathway designated along the waterfront.

Ms. Hawkins noted that the entire length was examined during the study, and a 17-foot width was reserved for potential Bus Rapid Transit or rail.

Ms. McNamara did not believe the costs of removing the rails were included in the estimates. Ms. Hawkins detailed the costs contained in the estimate.

President Cunningham inquired about the aspirations of the trail, and whether the text allowed for modifications or improvements. Ms. Hawkins replied that it was a corridor that would connect residential with commercial, and that surrounding businesses may wish to contribute to it because of their proximity to the trail.

President Cunningham inquired whether the bike path would be adopted in a landscape strip, and whether that would be a general policy. He referenced the section by Starbucks. Ms. Hawkins replied that was the most difficult section in the whole alignment. In trying to accommodate that option, along with the pedestrians, the landscaping was sacrificed. If that area is not used for the bus rapid transit corridor, it would not be sacrificed. She noted that would not be a typical policy.

M/S Piziali/Kohlstrand and unanimous to reopen the public hearing.

The public hearing was reopened.

Ms. Arbuckle indicated the train museum in Sacramento was given most of the rails from the tracks; one set of rails was retained along the south side.

Mr. Spangler noted that the Marina waterfront access on the Estuary was very important to many people. He noted that the concerns were: toxic pollution from industrial uses, such as shipyards, the ownership issues, and the security for all the boat owners, particularly those who reside on liveaboards. He noted that Pacific was a Class 1 route, which was signed, and with no extra line or striping on the pavement; stop signs were placed on every block to maintain pedestrian safety and

lower traffic speeds. He noted that those stop signs were obstructions for bicycle commuters, and a bicycle boulevard would allow straight-through, non-stop bike traffic. He believed that would enhance safety.

The public hearing was closed.

M/S Piziali/ McNamara and unanimous that the Board's comments be passed to the City Council.

AYES – 6 (Cook); NOES – 0; ABSTAIN – 0

8-B. **UP01-0022/DR01-0089: American Tower Corporation. Washington Park, 740 Central Avenue (DB).** Renewal of expired Use Permit and Major Design Review for 90 foot tall painted metal monopole communications tower in place of an existing 47 foot tall light pole along the upper baseball diamond left field fence at Washington Park. Associated ground equipment would be placed in a building of up to 825 square feet with screen-fenced ground equipment. A Use Permit is required by AMC Sections 30-4.1(c)(1) and (2) for any structure and above ground utility installation in the O Open Space Zoning District. **(Continued from the meeting of March 28, 2005.)**

Mr. Bruce Knopf, Redevelopment Manager, Development Services, summarized the staff report, wished to correct two errors in the staff report. He noted that the height of the proposed monopole was the same height as existing poles that hold up nets at the field and light standards. The Recreation & Park Commission reviewed this proposal on April 14, 2005, and recommended its approval in a 5-1 vote. Staff recommended that Section 4(b) of the resolution be modified to specify installation of two picnic tables and barbecues on a 15 x 40 foot decomposed granite pad in the area that was previously proposed for the equipment shelter. Item 4(c) should be modified to state that the approved color the equipment shelter is Sherwin Williams Oak Moss SW6180. Item 4(e) should be modified to specify the species of landscaping to be Escalonia five-gallon, two feet on center.

President Cunningham acknowledged the presence of Mr. Lil Arnerich in the audience.

The public hearing was opened.

Mr. Jay Ingram, Chair, Recreation and Parks Commission, spoke in opposition to this item and noted that the vote was and 4-1 because there were only five members. He added that he was the one “no” vote. He noted that early discussions were held to consider sinking the pole building five feet into the ground, which was not followed up on, presumably because of the cost. He was given the impression that fake trees could be used as towers, but the pictures were never provided. He expressed concern that the paint of the maintenance shed would match the fluting on the side; no pictures had been provided. He requested that American Tower be required to pay for the pulling of the electricity and any damage to the sprinkler systems when the pole is put up. Recreation and Parks supported the idea of a silver pole, and noted that it should be hidden in the body of the pole. He noted that the largest cell towers would be placed in the City’s showpiece park. He noted that if the cell industry changes while the ten-year agreement was still in force, that the lease agreement requires American Tower to remove the container and pole, and that the park is left the way it was. He expressed concern that the baseball players would be displaced by this use during before or after game time, and hoped that American Tower would pay for any associated costs as well.

Mr. Lil Arnerich reviewed the features of the field on the overhead display, and noted that the previous site for the building would have been out of balance and proportion for the park. He noted that in conjunction with the Planning Board and the Recreation Commission, the pole was moved

further to the left field line, which would be located farther from the main activities in the park. He had reservations about the Park Department's statement that grass area would die out due to lack of sunlight, and would examine that possibility further. He believed that three or four picnic tables and barbecue pits would be warranted because the area was used heavily in the summer; he did not believe that two picnic tables would be sufficient. He suggested that when the permit is resubmitted because a particular group cannot fulfill its obligation, the whole contract should be looked at in its entirety. He believed the Planning Board should be cognizant of the facts when entering into leases, and believed that a ten-year contract with five-year renewals would be sufficient. He noted that if cell phone technology did not require poles in the future, the poles would be removed.

The public hearing was closed for Board discussion.

Ms. McNamara shared Mr. Ingram's concerns about the girth of the pole, whether it would be a tree or a pole, maintenance issues, as well as the height of the tower. She inquired about the exit strategy when technology advancement made this hardware obsolete; the towers would then become an eyesore.

With respect to obsolescence, Mr. Knopf noted that the lease provided that the lessee is responsible for removing all of the above-grade improvements at their own cost within 45 days of termination of the lease, and that it should be restored to its previous condition. He noted that the question of diameter was discussed at the Recreation and Park Commission; poles of this size were generally between 3 – 4.5 feet wide at the base, and that they taper to 2 feet at the top. The applicant had not been able to discuss specific design for this pole because construction drawings had not yet been done.

President Cunningham inquired about the price for maintaining the screening, and believed it would be unfair for the City to bear that cost. Mr. Knopf noted that climbing vines were initially discussed; Recreation and Parks staff was concerned about fast-growing vines and the need for maintenance. A slow-growing species of plant was selected that would require minimum maintenance. American Tower would be obligated to maintain the facility.

Mr. Lynch suggested that the technology should be examined in the future, because it affected the line-of-sight and other technical considerations. He suggested that the carrier submit an annual report addressing the condition of the pole, and to ensure the pole is painted.

Ms. Kohlstrand expressed concern about the height and visibility of the pole. Mr. Knopf replied that the photo simulation was shot down the fence line, and noted that the poles were located at the end of that line. He added that cell sites were low-power sites that must be located every half-mile or so to provide adequate coverage, and that they were line-of-sight repeaters; they are placed as low as possible to the ground. Regarding cost, he believed the City got the best deal possible with American Tower. He described the business mission and leasing policies of American Tower. He noted that this

was a good location in the heavily used Washington Park because it was not used at all. While this monopole was larger than the pole approved several years ago, it was a better design in that all of the antennas were hidden inside the pole.

Ms. Mariani noted that the City had been in a legally binding contract with American Tower since 1991.

Mr. Piziali suggested that the additional picnic tables be added if possible.

Mr. Dale Wright, Acting Director, Recreation and Parks, deferred to Mr. Arnerich's experience, and was confident that they could work out three or four tables and barbecue pits. He noted that it was the intent to paint the building to match.

M/S Mariani/Lynch to adopt Planning Board Resolution No.PB-05-14 to approve a renewal of expired Use Permit and Major Design Review for 90 foot tall painted metal monopole communications tower in place of an existing 47 foot tall light pole along the upper baseball diamond left field fence at Washington Park. Associated ground equipment would be placed in a building of up to 825 square feet with screen-fenced ground equipment. A Use Permit is required by AMC Sections 30-4.1(c)(1) and (2) for any structure and above ground utility installation in the O Open Space Zoning District.

To include the items in the email dated 4/25/05, with the following amendments:

- a. Painting both buildings; and
- b. Additional picnic tables would be added at the selection of the Acting Director of Recreation and Parks;

AYES – 5 (Cook absent); NOES – 1 (McNamara); ABSTAIN – 0

8-C. **ZA05-0003 Zoning Ordinance Text Amendment/City-wide (JC)** Phase II of proposed revisions to the Development Regulations (ZA05-0003) contained within Chapter XXX of the Alameda Municipal Code (AMC), more commonly referred to as the Zoning Ordinance with respect to building height limits and number of stories; exceptions to minimum side yard requirements for additions to existing residences, provide a definition for “replacement-in-kind”, off-street parking regulations and simplifying reconstruction of non-conforming residential structures.

Mr. Cormack summarized the staff report.

Mr. Piziali noted that the main change would be the additional two-foot setback for a second story.

Mr. Cormack asked whether there was Board consensus to reduce the side yard to five feet.

President Cunningham noted that the key element was the opportunity for review by the neighbors in the future.

Ms. Kohlstrand noted that instead of mandating the two-foot subject, it could be looked at from the perspective to ensure there would not be adverse shadow impacts on the neighbors.

Mr. Cormack noted that the second point was to continue to use the K&L findings for encroachments into yards.

Mr. Piziali did not believe that someone with a substandard sideyard should get more of a benefit than someone who had built within the standard setback. He believed that the two-foot requirement for the second floor should be deleted, in favor of a five-foot setback.

Ms. Kohlstrand believed there was concurrence within the Board to require a standard five-foot side yard setback. The Board concurred that (c) would be acceptable with respect to cantilevering, as long as there were no shading problems. The five foot setback would apply to new construction.

Mr. Lynch believed there would be mechanisms that would encourage homeownership and maintaining the highest value of the property. He believed that losing three feet would be a disincentive to those goals.

Mr. Cormack noted that it was uncommon to tear a building down to the ground, rather than doing an extensive rebuild from the existing foundation.

Mr. Lynch believed it was important to clarify this issue, and did not agree with manipulation of the Code. He inquired whether the setback should be 7 or 5 feet; the Board consensus was 5 feet. He inquired whether the Board should take this opportunity to make the Code more uniform. He would

like to see a matrix containing what features are included in each kind of lot coverage, and believed that was a major issue.

Ms. Kohlstrand supported a uniform sideyard standard.

President Cunningham supported Mr. Lynch's idea of a matrix.

Ms. McNamara supported 20% or a five foot minimum on all districts.

President Cunningham believed the matrix would help the public.

Mr. Lynch believed this was an opportunity to make certain items in the Code uniform.

Ms. McNamara added that the issue of equitable application of the Code to nonconforming setbacks was allowed for with the building of the additional story straight up, without being required to go back two feet.

M/S Kohlstrand/Piziali to approve a setback of not less than five feet for all interior sideyards and to retain the 20% sideyard regulation for wider lots and continue to use the K&L findings for any projects that needed a variation for all districts.

AYES – 6 (Cook absent); NOES – 0; ABSTAIN – 0

Regarding tandem parking, Mr. Carvalho displayed examples of tandem parking on the overhead screen and summarized that part of the staff report.

Mr. Cormack advised that one issue was conversion of existing garages to allow for more tandem parking on the property and the second issue was the number of vehicles in tandem.

Mr. Piziali noted that he was not interested in exceeding one car for tandem parking, as cited in the regulations. He was not in favor of SK-2 as presented at this meeting, but would consider SK-1. He expressed concern about SK-3, where cars would park within the 20-foot front yard setback; he believed that would be poison for Alameda. He was especially concerned about people parking on the front lawn.

Ms. Mariani believed that was an unrealistic expectation, and that the third car would end up on the street.

Ms. Shumaker noted that planning staff were stymied as to what to do at the counter when a resident wishes to make an improvement to their house, but cannot conform to the ordinance; she understood Mr. Piziali's point of view.

Mr. Lynch did not believe this would be examined in terms of a remodel or anything dealing with construction. He believed the first question was why the Code penalized individuals for parking in their driveway, even in the front 20 feet.

A discussion regarding the pros and cons of tandem parking ensued.

M/S Piziali/Lynch and unanimous to re-open the public hearing.

Ms. Barbara Kerr noted the notion of simplifying the Residential Code by making things more uniform, eliminating differences between the different residential zones, which had been referred to as Zone Compression for the last 15 years. She urged the Board to recognize the differences in Alameda, and that she did not wish the characteristics of the neighborhoods and development rights to be impinged upon. She did not want the community to be treated as if it were a Monopoly set. She opposed simplification of the Codes in such a manner.

Mr. Jon Spangler agreed with Ms. Kerr's comments, and agreed with Mr. Piziali's point that a limit should be placed on the tyranny of the automobile and the oversized box on a tiny lot. He noted that Measure A was implemented to eliminate "Crackerjack" apartment houses, which still exist on the Island; he did not wish to see Crackerjack boxes in the R-1 districts. He believed people would be allowed to put larger homes on lots within reason of scale, and for the City to be able to waive parking requirements if the people will sign an agreement that they will not have six vehicles per residence. He did not believe that parking three cars made sense, and believed the Board should restrict that. He believed on-street parking was ugly, and created a hazard for bicyclists, especially on narrow streets like Sherman.

The public hearing was closed for Board discussion.

Mr. Lynch noted that after the public comments, there was still conflict, and wished to clarify that he had no desire to restrict or to allow people to build to the maximum limits of their lots. He noted that was an economic issue. For the documents before the Board, he understood but would not support SK-5 or SK-4; he would support SK-2. He supported the idea of being flexible based upon zoning. He believed SK-2 would apply to very few lots in Alameda, and that it need not be restricted if they were in conformity in every other sense, constituting a unique benefit to that parcel. He did not suggest opening upon tandem, triple or quadruple parking for all of Alameda.

Mr. Piziali stated that he wanted to leave the requirements as is, with two car tandem parking, no parking in the front, and a 20-yard setback.

President Cunningham would rather see more green space in the back than tell a resident to balloon their driveway out in the back and cover up more green space. He noted that if a resident is prepared

to accept the three-car tandem parking, it is a personal choice.

Ms. Mariani suggested continuing this item to a later meeting.

Mr. Lynch agreed that the uniqueness of the neighborhoods and zones should be retained, and emphasized that the wording of the text would have a significant impact.

M/S Piziali/Lynch and unanimous not to revise the current Code regulations pertaining to 20 foot setbacks.

AYES – 6 (Cook absent); NOES – 0; ABSTAIN – 0

M/S Piziali/McNamara to retain the language pertaining to two-car tandem parking.

AYES – 4 (Cook absent); NOES – 2 (Cunningham, Lynch); ABSTAIN – 0

9. WRITTEN COMMUNICATIONS: None.

10. BOARD COMMUNICATION:

- a. Oral Status Report regarding the Alameda Point Advisory Committee APAC (Vice-President Cook).

Vice President Cook was not in attendance to present this report.

- b. Oral Status Report regarding Northern Waterfront Plan (Vice-President Cook).

Vice President Cook was not in attendance to present this report.

- c. Oral Status Report regarding the Golf Course Committee (Board Member Piziali).

Board member Piziali advised he had nothing new to report.

- d. Oral Status Report regarding Oakland/Chinatown Advisory Committee (Board member Mariani).

Board member Mariani advised that there had been no meetings since her last report.

11. STAFF COMMUNICATIONS: None.

12. ADJOURNMENT: 10:02 p.m.

Respectfully submitted,

Jerry Cormack, Interim Secretary
City Planning Department

These minutes were approved at the May 9, 2005, Planning Board meeting. This meeting was audio and video taped.

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