

Minutes of the Special Planning Board Meeting
Wednesday, April 18, 2007

1. CONVENE: 7:03 p.m.
2. FLAG SALUTE: Board member Mariani
3. ROLL CALL: President Lynch, Vice President Cook, Cunningham, Ezzy Ashcraft, Kohlstrand, Mariani, and McNamara.

Also present were Planning Services Manager Andrew Thomas, Assistant City Attorney Donna Mooney, Executive Assistant Latisha Jackson.

4. MINUTES: Minutes for the meeting of March 26, 2007.

Vice President Cook noted that page 3, paragraph 1, should be changed to reflect that while she thought the improvements in Venice, California, were terrific, they were not necessarily appropriate for Alameda.

Vice President Cook noted that further down on page 3 should reflect that she was concerned that the four standalone restaurants along the shore were the same scale and type of restaurant use, and she would prefer to see a mix of size and style of restaurants so people could bring takeout food to the shore.

Vice President Cook noted that with respect to residential parking on page 8, she wished to clarify that she did not think it was a unique request and that similar requests would be made in the future, and that a variance was not appropriate.

Vice President Cook noted that with the Measure A discussion on page 16, she wanted to know what the constraints on the discussion would be. She wanted to know what the legal constraints would be on the Board's ability to talk about Measure A on a forum. She did not intend that to address any legal constraints on the public's discussion of Measure A.

Vice President Cook noted that the language at the top of page 17 read, "Vice President Cook strongly believed that the discussion should take place in a developer-free zone." She noted that she intended to say that the discussion should take place before a developer was selected for Alameda Point.

Board member Cunningham moved approval of the minutes as amended.

Board member Ezzy Ashcraft seconded the motion, which carried by unanimous voice vote – 7.

5. AGENDA CHANGES AND DISCUSSION:

President Lynch noted that two speaker slips and two letters had been received for Item 8-A, and proposed that it be moved to the Regular Agenda.

Board member Kohlstrand moved to remove Item 8-A from the Consent Calendar and place it on the Regular Agenda.

Vice President Cook seconded the motion, which carried by unanimous voice vote – 7.

6. STAFF COMMUNICATIONS:

6-A. Future Agendas

Mr. Thomas provided an update on future agenda items.

6-B. Zoning Administrator's Report

None.

6-C. Alameda Point Station Area Planning Update

None.

7. ORAL COMMUNICATION:

None.

8. CONSENT CALENDAR:

- 8-A. **PDA07-0002 (Planned Development Amendment) and DR07-0006 (Design Review) – Alameda Emergency Food Bank – 1900 Thau Way (SW).** The applicant requests a Planned Development Amendment and Design Review to remove and replace the existing 1,440 sq ft modular building with a 2,016 sq ft modular building which will be used to warehouse, sort, and distribute free food to Alameda residents in need. The site is located in an M-1-PD, Intermediate Industrial, Planned Development Combining Zoning District.

Board member Kohlstrand moved to remove Item 8-A from the Consent Calendar and place it on the Regular Agenda.

Vice President Cook seconded the motion, which carried by unanimous voice vote – 7.

Mr. Thomas noted that staff recommended approval of this item, subject to the conditions in the staff report.

The public hearing was opened.

Mr. Paul Russell, Director, Alameda Emergency Food Bank, described the operation of the food bank, and noted that while the food was free, the cost to the clients was either in transportation expenses or in personal dignity. Their goal for the project was to restore dignity to the process in providing food, and he described their proposed changes to accommodate the clients and to allow them to wait inside, instead of in the elements. The second goal was to replace their aging building, which would make dramatic visual improvements to the experience and neighbors. They did not wish to serve more clients, but to improve the current environment and create a safe work environment for the volunteers. He noted that one member of the public, who also received services, was the only attendee of the community meeting; she was in favor of the project.

In response to an inquiry by Board member Kohlstrand, Mr. Russell noted that 400-500 households are served in a month. He noted that a photo I.D. and proof of residency such as a utility bill were required to receive services. He noted that in his timeframe, there had been no police activity except a case of a stolen bicycle.

Board member Kohlstrand commended the work of the food bank in Alameda.

President Lynch noted that once the litigation for the Alameda Beltline project has been concluded, he noted that that a further lease agreement may be crafted, and that the City would expect the Food Bank to stay until that lease has concluded.

Mr. Thomas noted that an inaccurate reference to the Parking Code Section, and should be AMC30-7.6(c)2.1.

Mr. Anthony Charvet noted that he owned the 30-unit apartment building adjacent to the food bank, and was very concerned about parking and traffic impacts. He noted that food bank clients often parked in the tenants' assigned parking spaces. He was concerned that the expansion of the food bank would negatively impact the traffic and parking availability. He thanked Mr. Russell for his attempts to control the parking impacts, and he supported the food bank; he did not believe the food bank provided enough parking for their clients.

Ms. Karen Wellman, Alameda Food Bank Board member, described the range of clients of the food bank and noted that they relied almost exclusively on their 100 volunteers. She hoped the new facility would be a boon to the neighborhood.

The public hearing was closed for Board discussion.

Board member Ezzy Ashcraft noted that while she was supportive of the food bank, Mr. Charvet raised a good point about the food bank being a good neighbor. She noted that the clientele to be accommodated was too much for two spaces.

Board member Mariani suggested that the patrons use the public parking lot across the street, and that the owner of the apartment building may need to tow cars violating the parking spaces.

Mr. Thomas noted that this would not be an expansion of the number of customers.

Board member Ezzy Ashcraft noted that even the current number of customers was a strain on the parking spaces, and also believed that the parking lot across the street was private parking for the stores.

President Lynch noted that the clients of the food bank should be educated on the parking restrictions, and that someone from the food bank may need to be stationed by the apartment building to discourage their customers from parking in the tenants' parking spaces.

Vice President Cook moved to adopt Planning Board Resolution No. PB-07-10 to approve a Planned Development Amendment and Design Review to remove and replace the existing 1,440 sq ft modular building with a 2,016 sq ft modular building which will be used to warehouse, sort, and distribute free food to Alameda residents in need.

Board member Cunningham seconded the motion, which carried by unanimous voice vote – 7.

9. REGULAR AGENDA ITEMS:

- 9-A. **GPA04-0002/R04-0001/DA04-00001 – Harbor Bay Isle Associates – 1855 North Loop Road (CE).** Public comment hearing on the Draft Environmental Impact Report for a proposed Amendment to the Alameda General Plan Land Use Diagram from Business Park to Medium Density Residential and to change the General Plan Land Use Element Text and Tables projecting the City's development build-out by land use category to the year 2010. To be consistent with the proposed change in land use designation, the proposed Rezoning would change the 12.2-acre site from "C-M-PD" (Commercial-Manufacturing District Planned Development) to "R-2-PD" (Medium Density Residential Planned Development). A Development Agreement Amendment will also be considered. The proposed development involves the eventual construction of approximately 104 new residential units.

Mr. Thomas summarized the staff report and presented an overview of the purpose of the public hearing, which was to submit comments. He noted that while comments and questions would be collected, there would be no response to the comments.

Mr. John Torrey, Contract Planner, elaborated on the staff report and noted that no action would be taken at this time. He described the EIR process, and described the scope of the proposed project.

Mr. Steve Brimhall, project applicant, introduced himself.

President Lynch wished to hear the Board's opinion on when the applicant could speak.

Board member Kohlstrand noted that this hearing was intended to hear from the public, and suggested that would be an appropriate time for the project sponsor to come forward.

Mr. Brimhall provided an overview of the background of this project, and described the various agreements that stated that a residential development could be built if the noise could be mitigated to a level of 45 dB inside the homes.

President Lynch noted that 15 speaker slips had been received.

Board member Kohlstrand moved to limit the speakers' time to three minutes.

Board member Cunningham seconded the motion, which carried by unanimous voice vote – 7.

The public hearing was opened.

Ms. Patricia Gannon expressed concern about building 104 homes in a noise impact zone, and believed it would be a dangerous precedent to allow this to occur.

Mr. Ringo Lui expressed concern about the traffic congestion that would be created with the addition of over 100 residents units.

Ms. Rayla Graber was concerned that there may be a request for further housing units, and noted that the EIR stated what the cumulative effect on the environment would be; she believed it would be significant. She was also concerned about emergency vehicle access and how it would affect the neighborhood. She noted that the document stated that no neighborhood should be divided by a project, and noted that Village 6 would be divided. She was concerned that it may be vulnerable to criminal activity. She noted that trips from the project to Harbor Bay Isle shopping center would affect Maitland Avenue.

Ms. Avis Cherapie has found it more difficult to walk to the Bay because of the increasing development, and added that the streets have become very crowded. She was concerned that this development would make it worse, and was concerned about pollution from cars, the airport, and powered garden equipment. She was also concerned about increased difficulty in evacuating the island in an emergency.

Mr. Jim Grimes, V.P. Operations, Peet's Coffee and Tea, expressed concern that the Draft EIR does not address the residential impact on the businesses. He noted that when residential uses get too close to businesses there can be traffic and safety issues with tractor-trailer traffic on North Loop Road. He added that there was also a quality of life consideration, including noise from the trucks backing up in pre-dawn hours.

Ms. Susan Davis, CEO, Don SueMor, noted that her company recently left Emeryville due to its conversion to a residential city, and came to Alameda because of the industrial park. She noted that there were significant safety concerns with children and other pedestrians occupying the same road as the delivery trucks.

Mr. Red Wetherall, Vice President of CLASS, and a Board member of nonoise.org, noted that he had recently attended a noise conference in New York City. He expressed concern about the low frequency noise that was very difficult to mask, even with the windows closed.

Ms. Sharon Gardner expressed concern that airplane noise and pollution would be significant for the proposed homes, as well as the rest of Alameda. She noted that the FAA has changed departure and arrival routes to avoid overflight of Alameda. She did not believe this development should be noncompliant with those efforts and regulations. She believed that the health and safety of Alameda residents should be the primary concern.

Ms. Cathy Smith expressed concern about the noise, pollution and additional traffic that would be created by the new homes.

Mr. Dave Nido noted that CLASS sent a letter to City Council in 2005 stating their strong objections to this development, and represented over 4000 residents who object to the development. He expressed concern about the low-frequency noise and the specifics of

the project as outlined in the EIR; the FAA has only recently declared the low-frequency noise to be a negative impact, and there are currently no construction mitigations to reduce that sleep-disturbing low-frequency noise. He believed that Alameda needed low-income, not market-rate housing, and that the City jobs/housing balance needed more jobs, not more housing. He did not believe that an environmentally challenged areas should be rezoned. He did not believe the City should build homes in a low-frequency noise area generated by the Port and the airport. He did not believe that the doors and windows should have to be closed all the time. The City would lose its leverage with Port and airport with respect to noise if it chose to build homes in this area. He noted that the City would have to issue a Statement of Overriding Considerations. He requested a complete discussion of the Southeast Plan of the Airport and low-frequency noise in the EIR, and noted that this was not a necessary project. He did not believe there was a need to change the General Plan

Mr. Ron Lappa submitted a speaker slip but was not in attendance to speak.

Ms. Nita Rosen noted that she has lived on Bay Farm Island for 42 years and opposed changing the zoning of the business park in order to build homes. She noted that Amelia Earhart and Bay Farm Schools have added so many modular rooms to accommodate more students that the playgrounds have become much smaller. She expressed concern about the effects of earthquakes on the fills.

Ms. Leslie Robey believed the home design was very nice, but did not believe they should be built in this area. She was very concerned about air pollution from the planes and the cars, as well as the noise.

Ms. Betty Anderson noted that her home faced Catalina, and added that the vibration noise from the freight planes between 2 a.m. and 4 a.m. often knocked her pictures askew. She was concerned about the carcinogens from the planes, and did not believe this was an appropriate site for homes. She cited the study from SeaTac regarding pollution other than noise, and had suggested it be included in the study of this site. She opposed the rezoning of this business park.

The public hearing was closed for Board discussion.

Mr. Thomas noted that the Board may submit comments, but that a dialogue would not be appropriate at this time. He added that they may be provided in writing before May 4, 2007.

Member Mariani supported submitting comments in writing.

Member Kohlstrand noted that the public comments about noise were well made, and was sure that the noise analysis met the CEQA requirements. She was interested in Mr. Nido's comments regarding low-frequency studies, and would like to see new methodologies explored in that area, even though it was not required by the EIR or the FAA. She was cautious about further contributing to the impacts by the Port and the

airport. She noted that the document had a comprehensive noise analysis. She inquired whether any comments by the Alameda Airport Commission or the Port had been received. Mr. Thomas replied that those comments had not been received yet, but would not be surprised if they did submit comments.

Member Kohlstrand believed the level of service numbers in the documents should be scrutinized further. She expressed concern about the traffic levels at Island Drive and Doolittle, which often backed up at Lincoln School *as a result of people trying to go to the school* so that traffic could not pass through the intersection. She suggested that that intersection be examined more thoroughly. She was very concerned about circulation, and understood the residents' concerns about Catalina Drive. She was concerned about creating a residential community with limited access to the rest of the Island, and that had to interact with the business park. She would like those limitations to be addressed in the EIR.

Vice President Cook agreed with Member Kohlstrand's comments, and would submit many of her comments in writing. Her concerns had to do with safety for pedestrians and bicyclists. She would like to see those concerns addressed in a staff report if they were not appropriate for the environmental document. She was concerned about traffic signals and noise, and believed there were different ways that noise was perceived and studied. She had questions about the Land Use section regarding the recreational goals for open space, and wanted to be sure it met the General Plan requirements for parklands.

Member Ezzy Ashcraft believed that common sense should be exercised in examining this document, and noted that the developer was proposing a private enclave that would be cut off from other residential units. She was concerned that isolated, fragmented neighborhoods would result from this layout. She noted that the stated objective of home ownership did not also mention the purchase price range for these homes, and did not know whether they would be entry-level, affordable or market-level homes. She noted that the business park still had a notable vacancy rate, and was concerned that if the acreage were to be eliminated to build homes, it would stifle the enlivening of the business park. She was surprised to see windows that did not open included in the document.

Member Cunningham noted that the fiscal analysis should be examined carefully, and believed there should be more in-depth analysis to validate the reasons why this project was being considered. He believed that the low-density residential and private school options should also be considered, so that the highest and best use of this land could be identified. He believed the criteria should be identified more clearly.

Member McNamara was interested in hearing how a mechanical ventilation system would create quality of life in a residential neighborhood, and could not imagine not being able to open the windows at home. She also was concerned about compatibility with an industrial park, and she had hoped to hear from the two child care centers regarding the impacts construction would have on their operation.

Member *Ezzy Ashcraft Kohlstrand* understood that the private high school was not such a viable option, and inquired whether it was still in the running.

Mr. Thomas noted that the discussion of the alternatives analysis in the EIR could be expanded in the staff report and the Final EIR.

President Lynch believed the community wanted to hold a more qualitative discussion.

Mr. Thomas noted that the potential change of the General Plan raised many issues and brought forward many discussions surrounding it. He noted that it would be a challenge for staff to address all the environmental needs, and that this policy decision would be carefully considered by the Planning Board and City Council.

President Lynch noted that comment periods were often extended, and that a supplemental document may also be considered.

No action was taken.

10. WRITTEN COMMUNICATIONS: None.

11. BOARD COMMUNICATION:

a.. Oral Status Report regarding the Oakland/Chinatown Advisory Committee (Board Member Mariani).

Member Mariani noted that a meeting would be held on April 19, 2007, and noted that Transportation Commission Chair John Knox White would make a presentation on transportation in Alameda.

b. Oral Status Report regarding the Transportation subcommittee (Board Member Kohlstrand).

Member Kohlstrand understood that this committee was defunct and noted that they would not hold further meetings until after they received the transportation report. Mr. Thomas noted that he would follow up on that issue.

c. Oral Status Report regarding the Alameda Climate Protection Task Force (Board Member Cunningham).

Member Cunningham noted that a meeting had been held this evening to collect citizen comments on issues the Task Force should address, in order to cultivate an action plan. It also planned to address language for a motion to send to City Council relative to the master developer for Alameda Point being a green developer. He noted that the next meeting would be held the following month, and that the meetings were held in the new library and were open to the public.

Member Ezzy Ashcraft would like to retain the green building ordinances on the front burner, and inquired whether green building codes would be addressed. Member Cunningham confirmed that would definitely be addressed, and the Task Force's recommendations would be brought forth by July.

Member Ezzy Ashcraft inquired whether bike racks could be added to the newly renovated Long's building on Santa Clara.

Member Mariani noted that she had previously requested an update for this project, for which the Planning Board had no input. She noted that it was a major design project, and would like to see more information on it.

Member Ezzy Ashcraft noted that the next meeting would be held May 16, 2007.

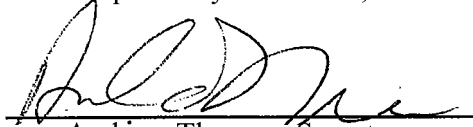
11. STAFF COMMUNICATION:

a. Future Agendas and work program

None.

12. ADJOURNMENT: 9:35 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew Thomas', is written over a horizontal line.

Andrew Thomas, Secretary
City Planning Board

These minutes were approved at the May 29, 2007, Planning Board meeting. This meeting was audio and video taped.