

APPROVED MEETING MINUTES

REGULAR MEETING OF THE CITY OF ALAMEDA PLANNING BOARD MONDAY, APRIL 9, 2012 7: 00 p.m.

1. CONVENE: 7:06 p.m.
2. FLAG SALUTE: Board Member Knox White
3. ROLL CALL: Present: President Zuppan, Vice President Burton
Board members Ezzy Ashcraft, Henneberry, Knox White,
and Köster (arrived at 7:50 p.m.)

Absent: None

4. MINUTES:

Minutes from the Regular meeting of January 9, 2012.

Board member Ezzy Ashcraft called for approval of January 9, 2012 minutes as amended.

Board member Burton seconded the motion, which carried 4-0; abstentions (Knox White).

Minutes from the Regular meeting of February 27, 2012.

Board member Knox White moved to approve the minutes of the February 27, 2012 meeting as amended.

Board member Henneberry seconded the motion, which carried 5-0, no abstentions.

Minutes from the Regular meeting of March 12, 2012 (Pending)

5. AGENDA CHANGES AND DISCUSSION:

President Zuppan suggest reordering the Agenda to run 9A, 9C, 9D, then 9B due to the length of time required to review Item 9B.

Board member Ezzy Aschraft motioned to change the order of the agenda to run 9A, 9C, 9D, then 9B

Board member Knox White seconds the motion to move item 9B to after item 9D. Motion carried 5-0, no abstentions. Agenda is reordered.

6. STAFF COMMUNICATIONS:

Written Report

6-A. Future Agendas

Andrew Thomas, Planning Services Manager, described the future agendas.

Board member Ezzy Ashcraft asked if the City will have enough time to submit the project to the State if the Board doesn't discuss the Housing Element until May 29.

Mr. Thomas replied that staff made a few changes on the draft consistent with Board recommendations. The State has 60 days to comment on the draft. The May 29 date allows the City to draft staff reports after they have received their comments from the State.

On April 2, 2012 the Zoning Administrator approved a project on Fitchburg Avenue, which is located on Bay Farm near the Alameda Municipal Golf Course.

6-B. Park Street Phase 2 Streetscape

Barbara Hawkins City Engineer presents the rendering of Park Street Streetscape Phase 2.

Board member Ezzy Ashcraft stated concerns about the appearance of the street and said there should be some coordination with appearance and location of the metal no smoking signs that can be installed on the street and requested that it be taken into consideration.

Ms. Hawkins stated that she has contacted the City Manager's office and confirmed that the office has applied for a grant from the County to get funding for the metal street signs. The City Manager's office is also speaking with PSBA about the criteria of the signs. She will relay the concerns about the quantity, the appearance, and the criteria for posting the signs to the City Manager's office.

7. ORAL COMMUNICATIONS:

None

8. CONSENT CALENDAR:

8-A. Outdoor Market – Alameda College The Planning Board will hold a public hearing to consider a Use Permit to allow an outdoor/open air market for goods and services including but not limited to some combination of vendors for clothing, furniture, crafts, jewelry, food items, art/talent demonstration, display/information, and food trucks. Parking for motor vehicles and bicycles shall be provided. Days of operation would be every Sunday, except for the first Sunday of each month. It would also operate on the first Saturday of every month. Hours of operation shall be from 8:00 a.m. to 4:00 p.m. Set up for the events will commence at 6:00 a.m. and take down time shall extend to 5:00 p.m. **Staff is requesting a continuance**

to April 23, 2012.

- 8-B. Public Art.** A public workshop to review and discuss a proposed update of the city's public art policies including public art requirements, section 30-65 of the Alameda Municipal Code. No action shall be taken at this meeting. **Staff is requesting a continuance to June 11, 2012.**

Board member Knox White moved to approve the consent calendar.
Vice President Burton seconded, motion carries 5-0, no abstentions

9. REGULAR AGENDA ITEMS:

- 9-A. 1051 Pacific Marina- City of Alameda** The Planning Board will conduct a six month review of the existing use permit in effect for the site property. This review is being completed by the City in fulfillment of the use permit's conditions of approval.

Andrew Thomas, Planning Services Manager gave a brief presentation recommending that the Board accept the six month review. Staff is not recommending any changes to the condition of approval.

Board member Ezzy Ashcraft asked if another six month review should be scheduled.

Mr. Thomas responded staff does not recommend another review if issues arise or there are any complaints, or unusual police activity the permit can be called for review.

Board member Ezzy Ashcraft moved to accept the report.
Board member Henneberry seconded the motion. Motion carried 5-0, no abstentions

9-B. Draft TSM/TDM Plan.

Obaid Khan, Public Works Engineer gave brief presentation.

David Reinke, Associate Planner from Kittleson & Associates and Project Manager, supplemented Mr. Khan's presentation with details of the plan.

Vice President Burton requested further research on number and size of small employers in Alameda indicating it is a critical component to the analysis.

Board member Knox White submitted a series of questions and comments sent by email the morning of the 4/9/2012 meeting.

Mr. Khan stated that the intention of the plan is to provide guidance and direction, not policy. The funding requirement from Caltrans requires completion of the work, not adoption of the plan.

Oral Communication: NONE

Board member Knox White made the motion to send a report with Board member comments to City Council for acceptance, that the report come back to Planning Board for further refinement to develop policies that can be adopted as a plan for moving forward with TDM.

Board member Ezzy Ashcraft seconds the motion, Motion carries 6-0; no abstentions

9-C. 1716 Webster Street-Variance, Design Review and Use Permit Amendment for expansion of the building and the convenience store use at the 76 Gas Station at 1716 Webster Street.

Andrew Thomas, Planning Services Manager, gave a brief presentation.

Board member Henneberry asked if the setback regulations were in effect when the original building was built and if there is anyway to build the proposed building under the current regulation and setbacks without a Variance. He also asked if neighbors had received notification about the use permit and setbacks, and if the neighbors had made comment.

Mr. Thomas responded that the CC Zoning District was put into place in 2000. Staff does not know exactly what zoning was in effect when the building was built in 1955. If a Variance is not granted the best option is to remodel the existing building, which allows the existing setbacks which are grandfathered in. The neighborhood has been notified about the Variance and Use Permit and neighbors are present at the meeting

Board member Köster asked about the possibility of relocating the gas pumps.

Mr. Thomas responded that staff inquired about the feasibility of relocating the tanks, which would allow for more possibilities in the building design. Tank relocation is costly and that requirement may prevent the project from being financially viable.

Vice President Burton requested explanation of the process for revising CC code and an estimate of time required.

Mr. Thomas responded that timing depends on how specific the Board is in defining revisions. Code amendment requires a Planning Board hearing, which is then recommended to City Council for approval. Text amendments could be placed on Planning Board Agenda's as early as June or July.

Board member Ezzy Ashcraft asked how the Chevron station and convenience store on Buena Vista is able to abut the property line of the Housing Authority residence next door.

Laura Ajello, Planner II, responded that the Chevron station was built more recently than 1955 and under a CM zoning. At the time the station was constructed the neighboring uses and zoning were not residential. The Housing Authority took an industrial zoned parcel and created a housing site.

President Zuppan announces that there are more than five members and bylaws allow for speaker time to be limited to three minutes.

Board member Ezzy Ashcraft objects to limiting the speaker time because of the amount of communication this item has generated prior to the meeting,

Board member Henneberry agrees with Board member Ezzy Ashcraft.

Vice President Burton motions to limit the speaker time to 3 minutes.

Board member Knox White seconds the motion. Motion does not carry; Ayes 3, Noes 3.

President Zuppan opened the public comment.

Daniel Hoy, building architect, provides brief response to the staff report. The architects worked closely with the Public Works department to create the best traffic flow possible for delivery trucks entering and exiting the parcel. He pointed out that the alley bordering the rear and side of the building, created by current setbacks attracts vandals and is subject to illegal dumping

Carolyn Lantz, WABA Manager, WABA Board has met with architect and Planning Committee. WABA supports the renovations and finds them consistent with the 2011 Webster Street Vision and she believes they will enhance the street.

Mo Hassen, relative to the owner of Better Buy Liquor Store, requests that the Use Permit for the sale of alcohol be denied. There are five stores and three bars selling liquor on/near Webster Street already, an increase in alcohol could negatively impact other businesses.

Dave Franklin, resident and property owner of 706, 710, & 714 Buena Vista adjacent to the proposed site, opposes both the Variance and the Use Permit. Allowing the Variance will impact property value; echoes Mr. Hassen's statement about the abundance of alcohol availability on Webster Street.

Linda and Ray Baumbick, tenants at 706 Buena Vista, oppose both the Variance and Use Permit due to an increase in noise, and police activity. If the Board approves the Variance and Use Permit, they request that the Board make stipulations for a required privacy barrier.

Christopher Buckley, City Planning Consultant and WABA Design Committee Member, approves granting of the Variance. The proposed building is a convenience market and does not meet the definition of a Service Station in the Zoning Ordinance. The General Plan encourages buildings on Park and Webster Street to extend to property lines. Zoning regulations are supposed to promote implementation of Policy 33H the General Plan. He suggests that should the Board determine that the definition of a service station does not apply to this property that a Deed Restriction be recorded on the Property so any future building does not change to meet the definitions of a service station.

Board member Ezzy Ashcraft stated that she believes the Variance should be granted but the Use Permit should be denied for the following reasons:

The property is next to the only single family residence on Webster Street; it is more advantageous to public welfare to get rid of the dead space and eliminate a space where illegal dumping and vandalism regularly occur. This structure would enhance pedestrian safety. Variance should be reduced from gas station requirements to convenience store requirements. She expressed her concern about alcohol sales and the number of liquor stores in the area.

Board member Henneberry opposes granting the Use Permit for the sale of alcohol due to the number of locations to purchase alcohol in the area. He expressed his support for reduced set back for a new building.

Board member Köster, in following the General Plan, would like to see a design with the building built to the street frontage

Board member Knox White stated his view that what is proposed would significantly improve the look of Webster Street; however this abuts a residential property, which is the beginning of a residential neighborhood. He would like to see alterations to the plan in terms of limiting building height and providing at least a five foot setback and a zero setback on Webster Street. He also would like to approve the Use Permit for the sale of alcohol with the condition of prohibiting the sale of single servings.

Vice President Burton stated his interest in staff revising the Municipal Code to accommodate for five foot setbacks. Having a zero setback next to a residential property affects light, air, and their back yards; would like to see revisions to the building height and a setback providing security fences and lighting to accommodate for the residential neighbors; a five foot set back makes a big difference in terms of how lighting and air are affected.

President Zuppan questions how Use Permit Conditions to limit alcohol sales of single servings will be enforced. She expressed her concerns about additional alcohol sales in the area.

Board member Knox White moves to continue the discussion of the Variance

Board member Köster seconds the motion. Motion carried 6-0, no abstentions

Board member Ezzy Ashcraft moves to deny the Use Permit for the sale of alcohol.

Board member Henneberry seconds the motion. Motion carried 6-0, no abstentions

9-D. Alameda Municipal Code Text Amendment-Revise the regulations governing the location of Massage Therapists and associated uses including Tattoo in the Community Commercial District.

Andrew Thomas, Planning Services Managers makes brief presentation

Board member Knox White asks for specifics on how Tattoos Parlors differ from day spas, beauty salons, medical facilities, yoga studios and other non-retail facilities allowed on the ground floor.

Lori Taylor, Community Development Director, responds that one area of concern is the parking impacts. Turn around on parking for a tattoo parlor is not the same as Supercuts.

Board member Knox White responds that parking turnaround would not change whether the business is allowed on the ground floor or the second floor.

Public Comments

Carolyn Lantz, WABA Manager, support the revision. The BIA members would like to see more diversity of businesses within the area; there are already two tattoo salons in the district; limiting the studios to the second floor will allow for other businesses.

Board member Ezzy Ashcraft moves to recommend the proposed ordinance amendments to City Council for adoption.

Vice President Burton seconds the motion. Motion carried 6-0, no abstentions

10. WRITTEN COMMUNICATIONS:

President Zuppan announces that there is information about highly recommended upcoming conferences in the Agenda Packet and via email, as well as a copy of the Bay Area Monitor.

11. BOARD COMMUNICATIONS: None

12. ORAL COMMUNICATIONS: None

13. ADJOURNMENT: 10:57 p.m.