

APPROVED MEETING MINUTES

REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, MAY 14, 2012
7:00 P.M.

1. CONVENE: 7:05 p.m.

2. FLAG SALUTE: Board Member Henneberry

3. ROLL CALL: Present: President Zuppan, Vice-President Burton, Board members Ezzy Ashcraft, Henneberry, Knox White, and Köster.

4. MINUTES:

April 9, 2012; President Zuppan reviewed the minutes and felt they were not sufficient for approval.

Board member Ezzy Ashcraft motioned to continue the minutes to a later date when they are more completed. Seconded by Board member Burton;

Discussion: Board member Knox White stated that the motion for item 9B on April 9 minutes are not correct, directed staff to make sure corrections address the motion.

Motion carries 6-0

5. AGENDA CHANGES AND DISCUSSION:

Board member Knox White requested during discussion that when Agenda Item 8A is reviewed by the Planning Board that it is maintained as a single item meeting agenda, as it was originally scheduled to be.

Board member Ezzy Ashcraft concurred.

Motion carries 6-0

6. STAFF COMMUNICATIONS:

6-A Future Agendas

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

6-B Alameda Landing – Final Design Review: Target Store Building Design Improvements

Andrew Thomas, Planning Services Manager, gave brief report.

Board member Knox White stated that his understanding of this item was an update; and the Board could call it for review.

Board member Ezzy Ashcraft asked if the Board is being asked to accept the staff decision or call the action for review at a future Public Hearing. She stated she is concerned, procedurally, that the item is not being re-opened. She concluded by stating that she prefers the sign not be illuminated and asked if the Board can construe that staff has decided that it is a good idea to ask that the sign not be lighted.

Mr. Thomas replied that the sign, although on an angle, faces residential neighborhoods. According to the Board's original condition, the sign should not be illuminated. The staff decision to not allow the sign to be illuminated complies with the Board's original conditions.

President Zuppan asked that since the sign being on an angle creates a bit of a grey area, and if the sign's illuminations could come back during the design review.

Mr. Thomas responded in the affirmative.

President Zuppan opened the public comment period.

Chuck Kapelke, resident, stated that due to the size and magnitude of the project a public review process should be allowed.

Karen Bey, resident, thanked the board for bringing the item back, allowing the public to comment.

Jon Spangler, resident, stated he has been involved with the project for a decade and is glad to see it on the agenda. He expressed disappointment that Target is not constructing a building with zero net energy use.

President Zuppan closed the public comment period.

Board member Ezzy Ashcraft stated she appreciates being able to see the building materials that will be used. She referenced the letter written by John Dewes of Target to City staff and the Board on May 1 that states time has become a critical factor and an extension in the design process and any further delays in the building approval would put the project timeline in jeopardy.

Board member Burton concurred with Board member Ezzy Ashcraft regarding the characterization of the letter which has a disappointing tone and expressed a hope that the Board will not see that tone in the future.

Board member Henneberry stated he concurs with the recommendation to not allow the 12 foot sign that faces residential be illuminated.

Board member Köster asked if the display windows near the public art are going to be included in the final documents because the elevations for display windows are not displayed on the renderings.

Mr. Thomas confirmed that the display windows are included and that the perspective renderings are not up to date.

Board member Köster acknowledged Mr. Spangler's comments on energy efficiencies and asked if the building's energy efficiencies are still open for comment and review, even though the core and foundation of the building has been approved.

Mr. Thomas clarified that the Board's discretion is over the exterior of the building.

Board member Ezzy Ashcraft stated that she would like to see more brick on the front of the building.

Mr. Thomas responded that the building will be compliant with California Building Code and their energy efficiency requirements.

John Dewes, Target's Regional Development Manager, responded that Target does practice energy efficiencies and the base building design meets the requirements for LEED Certification.

President Zuppan stated her appreciation for receiving the materials board, because it helps her get a better perspective on how things are actually going to look.

Board member Ezzy Ashcraft stated that one of the challenges the Board faces is how to inform the public on what the Planning Board is doing.

Mr. Thomas replied that staff is also frustrated, and wants to inform as many people as possible. He explained that one of the ways staff is addressing the problem is by including plans in the Board packet for review, questions, and comments.

Board member Ezzy Ashcraft stated inclusion of the plans in the packet would certainly inform the Board, but she doesn't think that would inform the public at large. She inquired about individual residential notice with the Alameda Landing project and stated that perhaps there aren't many residents who live within the 300 foot required notification radius.

Mr. Thomas replied that there are residents within the 300 foot radius at the Bay Port Development.

President Zuppan stated that the Board has two options and can either accept the staff's recommendation with no formal action required or call the item for review at a future public hearing.

Board members accepted staff's recommendation.

7. ORAL COMMUNICATIONS

Anyone may address the Board on a topic not on the agenda under this item by submitting a speaker's information slip, subject to the five-minute time limit.

NONE

8. CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Board or a member of the public by submitting a speaker slip for that item.

8-A Alameda Point Conformance Rezoning. Staff is requesting a continuance to a future meeting for consideration of a comprehensive zoning amendment for the lands west of Main Street commonly referred to as “Alameda Point” to bring the zoning into conformance with the 1996 Community Reuse Plan and the 2003 General Plan Amendment for Alameda Point

Motion to approve Consent Calendar made by Vice President Burton, seconded by Board member Knox White.

Approved 6-0.

9. REGULAR AGENDA ITEMS

9-A Alameda County Transportation Expenditure Plan. A public hearing to review and make a recommendation to the City Council regarding the proposed Alameda County Transportation Expenditure Plan.

Obaid Khan, Public Works Department, gave brief presentation.

Art Dao, Executive Director Alameda County Transportation Commission (ACTC), gave a more detailed presentation.

Board member Ezzy Ashcraft asked any public meetings were held in the City of Alameda.

Mr. Dao replied that no public meetings were held in the City of Alameda.

An extensive series of questions and answers between Mr. Dao and the Board members ensued regarding the allocation of the funds in Alameda and the rest of the region.

President Zuppan opened the public comment period.

John Spangler, resident, stated that the Bike to Work Day totals in the East Bay were record breaking this year.

President Zuppan closed the public comment period.

Board member Henneberry commented that the projects are all worthy and the increase tax should be more. He stated that he is glad the plans includes improvements to curbs and gutters because allowing the infrastructure to deteriorate is to the City’s detriment.

Board member Ezzy Ashcraft commented that it appears to be a bit of an after-thought, that the Board is seeing the plan tonight, since City Council will be reviewing it tomorrow, but the

Transportation Commission unanimously signed off on it. She asked why Rapid Bus Service was not provided for the West Oakland BART station. She expressed delight that there will be applications for funds for the Shoreline Drive bike lane project.

Mr. Khan addressed the comments regarding the West Oakland BART station and explained that staff used existing plans and policies to apply for projects.

Mr. Dao addressed AC Transit service by stating that the amount of funding that is proposed will restore service to the 2009 level.

Board member Burton stated he supports recommending to City Council that they support this plan and said he is glad that there is an extended source of funding for the projects.

Board member Köster concurred with the other board members that the plan is good. He stated that a lot of the problem with the Bay Area is that if people choose to use public transportation they have to take three modes of transportation to get anywhere: car, BART, and bus. He stated that most people are not going to do that. He asked how this will get people out of cars.

Mr. Dao answered that part of the plan includes investment in technology regarding bicycle and pedestrian infrastructure.

President Zuppan asked for clarification about the administrative costs in the report stating that the report mentions 1% of revenue is spent on administrative costs, but later the report mentions that 3% of revenue will be spent on administrative costs.

Mr. Dao replied that the administrative spending cap on the ACTC is 4.5%.

President Zuppan asked if the \$750M in funding that produced \$3.1B in projects is over the entire period of the measure.

Mr. Dao stated that it is over the current sales tax measure; revenue collection began in April 2002 will terminate in 2022.

President Zuppan asked if all local projects must accommodate for all modes of transportation, pedestrians, bikes, cars, trucks, in order to receive funding.

Mr. Dao responded that he is hopeful that before ACTC funds any local project that there will be checklists and processes to guarantee that projects that do not meet the criteria will not be funded.

President Zuppan stated that all the projects are great and would like to see them all happen; however she questioned if some projects, like the highways, which CalTrans should support, are funded if the state will continue to stop funding or take even more funding away.

Mr. Dao stated that since 1977 Senate Bill 45 allowed the local agencies to make decisions on where 75% of the state money goes.

President Zuppan asked if fixing potholes in the bicycle infrastructure is included as well.

Mr. Dao replied in the affirmative.

Board member Knox White asked where the Safe Routes to School money comes from.

Mr. Dao responded that the money does and will come out of the Bike and Pedestrian fund which is \$600M.

Board member Knox White stated that Transform, his employer, runs the Alameda Safe Route to School Program. He clarified that he does not work on that program and does not receive any funding from that program; however he does receive funding from the current Measure B, and that funding will discontinue on June 30. He also expressed his concerns with cost containment of Measure B because projects can go wildly over cost and the amount voters have approved. He also proposes that the Board ask City Council to ask ACTC to adopt a policy to protect voter funds from being used on projects that go over cost. He stated he would like to formally ask City Council to adopt a policy that says when the City is in the planning process that plans will be supported that impact greenhouse gasses and support the City's Climate Initiative. He further expressed the necessity to clarify to City Council that there are only two specific projects in the TEP: the Fruitvale Rapid Bus, and the 880 Broadway/Jackson. The rest of the projects listed are examples of eligible projects. He acknowledged that it is likely that the City will get some of the money, but it is unlikely that the Park Street, High Street, and the Fruitvale Bridge will all become Lifeline Bridges in the next 15-20 years. He stressed the need to let the Council know that it is not a plan where \$250M in projects is guaranteed, when in fact we are guaranteed about \$85M.

Board member Ezzy Ashcraft asked for clarification on the geographical equity statement.

Board member Knox White responded that geographical equity should be asked for in the County-Wide plan that uses TEP funding for leveraging. The leveraged funds are significantly inequitable and going to the least populated parts of the County.

Board member Ezzy Ashcraft asked for clarification on Board member Knox White's statement about only two projects being listed as guaranteed projects.

Board member Knox White responded that of the six projects listed, only two are guaranteed; and the other four are examples of eligible corridors.

Board member Ezzy Ashcraft asked Board member Knox White if the term "to be fully funded" in the staff report means that it is guaranteed.

Board member Knox White stated that no where in the TEP does it state that the Miller Sweeny Bridge will get \$94M from the tax; although it is found in the County-wide Transportation plan, which is separate of the vote and is updated/changed every four years and one can only hope that ACTC will not change the plan.

Board member Knox White made the motion to provide Council with the written document he prepared citing certain clarifications on the TEP.
Board member Burton seconds motions

Board member Ezzy Ashcraft during discussion questions the amount of information the Board is being asked to accept on board member Knox White's good word. Stating that normally when a motion is made there is the ability to reference back to information provided to both the Board and the public. She stated she is troubled that there isn't more information and is

uncomfortable that the Board is being asked to assume “facts not in evidence;” and asks the Deputy City Attorney for an opinion on the appropriateness of the written motion.

Farimah Faiz, Deputy City Attorney, responded that, although she has not fully digested the written motion, if the Board thinks that the information in the written motion is accurate than the Board should proceed with the motion.

Board member Ezzy Ashcraft stated that her concern is that the motion references a lot of information and material beyond what is included in the report. And although she wants to ask City Council to lend their support to the TEP, there is concern about a written motion.

Board member Knox White stated he will argue against sending something to City Council with no background information because staff did not have time to prepare a report. Although he would prefer not to, he is willing to move the motion forward with just the first bullet point in the motion.

Board member Ezzy Ashcraft stated that Vice Mayor Rob Bonta sits on the Transportation Advisory Board, and although it's a bit unorthodox, she will support the motion as long as the wording is smoothed over.

Board member Zuppan stated that although it is an excellent piece of work and they are all worthy projects, it points to a number of concerns she has such as: the payoff, discipline, support, and some of the politics imbedded in the oversight. She stated that she will not support this plan.

Board member Henneberry clarified if the motion is inclusive of all four written bullet points.

President Zuppan answered in the affirmative

Ayes: Burton, Ezzy Ashcraft, Knox White, Köster

Noes: Zuppan, Henneberry

Motion carries 4-2

9-B Parcel Map 10086 Application PLN12-0073-Catellus Alameda Development, LLC. A proposed parcel map application to construct a retail center, housing, public and internal roadways and associated improvements on a 55.6-acre property located south of Mitchell Avenue and east of Fifth Street commonly referred to as the “Alameda Landing site”.

Andrew Thomas, Planning Services Manager gave brief presentation of the project.

Board member Ezzy Ashcraft asked if the plans include a network of open spaces for the public's enjoyment.

Mr. Thomas responded that the open spaces being referred to pertain, primarily to the Retail Center projected which has already been approved.

Board member Ezzy Ashcraft asked if Fifth Street and Mitchell Avenue will be dedicated to the City and if the on sight streets, drives, aisles, and walkways will be privately owned and

maintained. She also asked how continuity of the street grid will be maintained with private streets.

Mr. Thomas replied that the retail shopping center site plan and parking plan show where both the private and public roads go.

President Zuppan asked who sets the standards for maintenance of the private roads.

Mr. Thomas replied that the City sets the standards; and it is a public-private partnership.

President Zuppan clarified that the private roads will not be subject to private ownership standards.

Board member Ezzy Ashcraft stated that the project will be a great improvement from the current pile of rock, weeds, and broken concrete that currently exists.

Board member Burton stated that the project is clearly broken into four parcels, yet there is a fifth parcel that is approximately 4.8 acres. He asked who owns the "remainder" parcel, what it is for, and what its plans are.

Mr. Thomas replied that the remainder parcel is primarily the public rights of way.

Bill Kennedy, Vice President of construction for Catellus, stated that Public Works has requested that the existing easements and any future easements, be identified on the map.

Board member Ezzy Ashcraft asks if the parcel mentioned in the resolution, which is being divided in to four smaller parcels, is inclusive of the remainder parcel that is currently being discussed.

Mr. Kennedy answered that the parcel does not include that remainder

Board member Ezzy Ashcraft asked that since the 9.3 acres of land for the public right of way is not the remainder parcel currently under discussion, then where is it.

Mr. Thomas stated that the 9 acres are for the streets.

Mr. Kennedy stated that usually project maps start with the large piece, create the parcels, and dedicate the rights of way.

Board member Burton stated that it now makes sense why the remainder is included on the map and asked if the City owns it.

Mr. Thomas stated that the land was conveyed from the Navy to the City in 1999, the City still owns it, but has committed it to Catellus as part of the Catellus project in 2000.

Board member Ezzy Ashcraft asked if any mention of the remainder needs to be included in the resolution.

Mr. Thomas replied that it does not need to be stated in the resolution.

Board member Köster asked if in the future the entire Master Plan of the area could be included.

Mr. Thomas stated he would provide the Master Plan that was approved in 2006.

President Zuppan opened the public comment period.

Karen Bey, resident, stated that she does not see the parcel for the Miracle League Field on the parcel map.

Mr. Thomas explained that that the Miracle League Field that was discussed in 2006 was for the Waterfront portion of land, which is not shown on this parcel map.

President Zuppan closed the public comment period.

Board member Ezzy Ashcraft asked if the developer is still amenable to providing the field.

Sean Whiskeman, Catellus, stated that contact with Miracle League has been maintained and Catellus has committed a significant financial contribution to them.

Board member Knox White motioned to approve the parcel maps as proposed.

Board member Ezzy Ashcraft seconded the motion.

Motion carries 6-0.

9-C Bay Friendly Landscape Ordinance Amendments. A Public Hearing to Consider an Amendment to the City of Alameda Municipal Code, Article IV (Subsections 30-58.1 - 30-60.5) related to Water Conservation and Bay Friendly Landscape Requirements.

Andrew Thomas gave a brief presentation of the proposed amendment.

Board member Ezzy Ashcraft expressed concern that the language in the landscaping plans is permissive; and she asked if the language will be changed to state that bay friendly landscaping is mandatory, and practices shall be applied.

Mr. Thomas responded in the affirmative.

President Zuppan asked if the ordinance applies retroactively to projects, like Catellus, who have already received approval.

Mr. Thomas stated that the ordinance will not apply retroactively which is the general rule for all new ordinances.

Board member Knox White asked if the Bay Friendly Ordinance will preclude anything in the Urban Farming Ordinance that the City is currently working on.

Mr. Thomas answered that the overall landscape plan should conserve water.

Maria DiMeglio, Environmental Specialist Public Works, responded that with urban farming every crop requires a different amount of water and trees are watered differently from nearby plants.

Board member Knox White commented that it should be very clear with the Urban Farming Ordinance. He stated that the Park Plan that Council will review on May 15 identifies farming uses in the belt-line, and that might be something the Board wants to exempt

Board member Ezzy Ashcraft stated that one of the purposes called out is the ordinance is to support EBMUD in its efforts to promote and implement water conservation measures.

Mr. Thomas stated that staff will work with StopWaste.org on how to integrate urban farming into the community.

President Zuppan stated that urban farming is really important and knowing how it is integrated into the community and complies with EBMUD's policies is important.

Board member Knox White motioned to approve with direction as noted regarding Urban Farms. Board member Ezzy Ashcraft seconded the motion

Motion carries 6-0.

9-D Initial Review and Opportunity for Public Comment on Preliminary Plans for redevelopment of the properties at 1600 Park Street.

Board member Burton recused himself because he has a business relationship with the applicant.

Andrew Thomas gives brief presentation

Christopher Buckley, Alameda resident, stated he likes the plans and thanked the team for developing such a proposal. Expressed concern about the orientation of the building and having it conform more to the configuration of the gore lot. He suggested that it might be better to have an entrance at the corner of Tilden and Park, which would give the building a flatiron look, which would be a very striking structure. He also suggested that the sidewalk on Tilden be widened from 10 feet to at least 12 feet to match the sidewalk width on Park Street.

Board member Köster stated that the plans look good, the building is handsome, and the architecture speaks well to the Marketplace building and other historic buildings throughout Alameda. He stated that on the perspective for the front of the building, it looks as though there is park space or terrace on either side of entry drive, but on the plans it looks like very small sidewalk on one side and a walkway with a small tree on the other side. He suggested that the area could be integrated better. He also suggested that it would be better to integrate and share the parking with the Marketplace, allowing only one entrance off of Park Street instead of two.

Mr. Thomas replied that the buildings, PAD A, and PAD B have a current parking ratio of a little more than 4 per 1000 square feet, which is the minimum parking code for retail. The Marketplace site has a much smaller ratio. Going to one curb cut, as suggested would make a huge difference.

Jamie Keating with Foley Street Investments answered that PAD B is a modular building designed for up to four different units. Currently Foley Street Investments is looking at three units. PAD A is designed for a CVS.

Board member Knox White said that the windows on Park Street are display windows, not real windows, which is problematic. He stated that the Planning Board needs to start thinking about the City's urban design; what we want to see and how we want the City to grow, especially north of Lincoln. He indicated that he has significant circulation issues with the plans; the new curb cut between the buildings is opposite of what is the Gateway Plan calls for, which is to remove curb cuts on Park Street and healing the auto orientation north of Lincoln. He stated that the drive-thru pharmacy window is problematic, and it looks like an extension to Pacific is being built right through the middle of the buildings. He stated he would like to see more frontage on Park Street and see the gap between the project and Marketplace closed. He also would prefer fewer curb cuts.

Board member Ezzy Ashcraft echoed that the buildings are nice and that the architects have done well with trying to tie these buildings in to the character of that street. She stated that the stretch of Park Street is very busy and she would prefer that a driveway entrance not be included on Park Street. She is not opposed to having two entrances. Although she is not a fan of drive through pharmacy windows, she understands the need to balance competing factors. Also she would like to see Tilden Way safer for pedestrians and cyclists.

Board member Henneberry stated the buildings look good. He concurred that we would like Building A to have real windows. He shared Mr. Buckley's thoughts regarding the building orientation and giving it a "flat-iron" look.

President Zuppan stated that she also thinks the buildings are beautiful. She concurred with the comments of honoring the Form Based Code for North Park Street, and stated that in a retail area, real windows are very important.

Greg Klein, Architect with John Malick and Associates, the building designers, addressed the different styles between PAD A and B. He stated that all the buildings along Park Street have an eclectic feel because the buildings were built at different times.

Board member Ezzy Ashcraft stated she appreciates their effort to make the buildings tie in with existing buildings on Park Street and asked Mr. Klein if the Board can expect to see real windows.

Mr. Klein responded that he will take the request for real windows back to the clients.

President Zuppan stated that part of the Form Based Code is to get the business entrances onto the street.

Board member Ezzy Ashcraft replied that she does not have a problem with having a second entrance at the back of the building near the parking lot.

President Zuppan stated that the Board required the Bridgeside Shopping Center to place windows and doors all along the water and entrances on the other side of the buildings, near the parking were allowed to remain. She stated that no one walks along the waterfront side unless they are walking their dog. She concluded by stating the single entrance at the front of the building is a key issues in making the center more viable and it follows the Form Based Code.

10. WRITTEN COMMUNICATIONS

None

11. BOARD COMMUNICATIONS:

Board member Knox White stated that a number of people are asking what's happening with Alameda Landing and when is it happening. He stated that he is not able to answer those questions and would like a checklist of the key things that have to happen, in the general order of what is being approved next, etc. He also asked for a status update on the Boatworks project, especially in terms of the blight.

Mr. Thomas stated that City is pursuing code enforcement on Boatworks very strongly.

Ms. Faiz replied that a preliminary injunction is in place and the permanent injunction trial date is scheduled for September.

Ms. Faiz responded that there are no concerns with Brown Act violations.

Board member Knox White stated that he and board member Ezzy Ashcraft attended the Shoreline Bike Lane meeting on Thursday. He commended the Public Works department for hosting such a good process.

Board member Ezzy Ashcraft concurred and said that the Board should speak with the Public Works Director on how to get community members to attend meetings. She stated the Shoreline Drive Bike project is an important meeting that all should be following. She stated that she and board member Knox White also attended the Housing Element, Design Review, and Regional Housing Needs Allocation workshops hosted by the League of California Cities in San Jose.

Mr. Thomas concurred with that suggestion and stated he recently walked the Grand Marina Project with the first approved Paseo area, and it was great to see how things turned out, and see what worked and didn't work

Board member Henneberry asked that staff look at the large format language and address the feasibility of reducing the 30,000 square foot trigger for a conditional use permit to 15,000 square feet.

Mr. Thomas replied that staff will look at the scheduling.

President Zuppan stated that she hopes more bike racks will be installed on Park Street because there is one rack for the entire block, and no place to park bicycles near the coffee shops

12. ORAL COMMUNICATIONS:

None

13. ADJOURNMENT: 10:57 p.m.