

**Minutes of the Regular Planning Board Meeting  
Monday, September 11, 2006**

1. CONVENE: 7:06 p.m.
2. FLAG SALUTE: Member Kohlstrand
3. ROLL CALL: President Lynch, Ezzy Ashcraft, Cunningham, Kohlstrand, Lynch, and McNamara.

Vice-President Cook and Board member Mariani were absent.

Also present were Planning Services Manager Andrew Thomas, Assistant City Attorney Donna Mooney, Supervising Planner Cynthia Eliason and Supervising Planner Douglas Garrison.

4. MINUTES: Minutes for the meeting of August 14, 2006

Member Ezzy Ashcraft noted that page 6, paragraph 1, should be changed to read: "With respect to green building elements, they had been using sustainable features in recent projects, including PV panels for all eight panels *units*..." She believed that Mr. Bergdahl indicated that the Alameda project would include photovoltaic panels for all eight units, and advanced framing techniques to save lumber.

Member Ezzy Ashcraft noted that page 6, paragraph 4, should be changed to read: "Member Ezzy Ashcraft respected the historical aspect of the buildings and *wanted to see the project* ~~noted that the City moved forward as well.~~"

Member Ezzy Ashcraft noted that page 6, paragraph 7, should be changed to read: "Member Ezzy Ashcraft noted that it would be preferable not to *look at the development from the street and see rows of parked cars* ~~have a row of cars parked on the street if possible.~~"

Member Ezzy Ashcraft noted that she did not make the statement on page 8, paragraph 3: "She would like to see a proposed ballot measure to understand the issue more completely." She had said, "*We have not even seen a ballot measure on this issue.*"

Member Kohlstrand noted that page 5, paragraph 3, should be changed to read: "~~She would like to see~~ The staff report noted that the City would like continuous sidewalks for *trash* ~~traffie~~ removal and *she also felt they should be* there for pedestrians to use."

Member Cunningham noted that he was not present at the meeting, but noted that he was recorded as having spoken on page 7.

M/S Kohlstrand/Ezzy Ashcraft to approve the minutes for the meeting of August 14, 2006, as amended.

AYES – 4 (Cook, Mariani absent); NOES – 0; ABSTAIN – 1 (Cunningham)

5. AGENDA CHANGES AND DISCUSSION:

Mr. Thomas advised that the applicant for Item 7-C requested that the item be continued to September 25, 2006, and added that because of incomplete noticing, staff requested that Items 7-A and 7-B be continued to September 25, 2006.

Regarding Items 7-A and 7-B, Member Kohlstrand expressed concern with the layout and design of the proposals the Board has seen for the Harbor Bay Business Park. She had seen very major developments coming in the Harbor Bay area, and while the activity was good, she was concerned about the way the buildings were laid out with the parking in front of the structures adjacent to Harbor Bay Parkway. She could not support that type of parking configuration any more. She believed the buildings should have been oriented differently, and believed that this should be the case in these and future applications. She also believed the buildings were functional but very pedestrian in terms of their architecture. She was concerned about the lack of services in this area.

Member Ezzy Ashcraft believed that green building practices should be a consideration in every new project considered by the Board, and did not see much mention of sustainable design in reading the reports.

Member McNamara expressed concern over the designs in 7-A and 7-B, which seemed to repeat the boxy appearances of the other structures in the area. She would like to see more creative architectural design at Harbor Bay.

President Lynch requested that staff engage the applicant in the issues and concerns raised by the Board. He noted that the design elements should reflect environmentally conscious practices, including materials, infrastructure, plumbing, mechanical and electrical systems. The site layout, pedestrian access and general services were also an important consideration in relation to the Bay.

6. ORAL COMMUNICATION:

President Lynch noted that three speaker slips had been received for oral communication regarding Item 8-A, and that those speakers may speak at that time.

Mr. Keith Dines noted that they had spoken with the representative from SRM Associates. They hoped to be in agreement with the applicant at the September 25 meeting. He was concerned about the lack of notice for this project.

Mr. Dines believed that in Venture Corporation's development of the office condominiums, the contractors violated the regulations in the Municipal Code and the conditions of approval regarding noise limits and hours of construction work. He noted that they had time and date stamped video showing when the contractors started work and his complaints to the vice president of Venture Corporation did not result in any change. He requested that the requirements be enforced, and noted that the Board of Directors was considering legal action.

“President Lynch noted that the noticing practices were regulated by the State, and that the City *may want to consider extending* ~~often extended~~ the noticing parameters.” He suggested that he leave his contact information with City staff to be including in the noticing. He recommended that he bring the videotapes to City staff as well.

7. CONSENT CALENDAR:

7-A. **Applicant requests a Final Development Plan and Major Design Review to allow five new buildings totaling approximately 100,795 square feet in floor area with a total of 268 parking spaces to be constructed on a 7.7 acre site (CL).** The site is located at 1900 - 1980 North Loop Road within the Harbor Bay Business Park in the C-M-PD, Commercial Manufacturing, Planned Development Zoning District. Applicant: SRM Associates (FDP06-0003 and DR06-0071).

M/S Kohlstrand/Member McNamara and unanimous to continue Item 7-A to September 25, 2006.

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

7-B. **Applicant requests a Final Development Plan and Major Design Review to allow a one-story building of approximately 36,899 square feet in floor area with 69 parking spaces to be constructed on a 4.1 acre site (CL).** The site is located at 2275 Harbor Bay Parkway within the Harbor Bay Business Park in the C-M-PD, Commercial Manufacturing, Planned Development Zoning District. Applicant: Harbor Bay Acquisition LLC (FDP06-0002 and DR06-0062)

M/S Kohlstrand/Member McNamara and unanimous to continue Item 7-B to September 25, 2006.

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

7-C. **DR06-0027 and V06-0006 – Applicant: Fargo Farnesi Inc. – 2427 Clement Ave. (DG).** The applicant requests Design Review approval to construct a new two-story commercial cabinet shop with a penthouse apartment on the third floor, to be used as a caretaker’s unit, and a free-standing single-story wood frame structure to be used as an administrative office for the cabinet shop. The project will provide four full-size parking spaces and one ADA compliant parking space. The applicant proposes to pay parking in lieu fees pursuant to Alameda Municipal Code Section 30-7.13 for any additional spaces that may be required by the City. The applicant is also applying for a Variance to the City onsite vehicle backup distance and minimum driveway and parking area perimeter landscaping requirements. The site is located at 2427 Clement Ave. within an M-2, General Industrial, (Manufacturing) District. **(Applicant requests continuance to the meeting of September 25, 2006.)**

M/S Kohlstrand/Member McNamara and unanimous to continue Item 7-C to September 25, 2006.

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

8. REGULAR AGENDA ITEMS:

- 8-A. **DR06-0002 – Jenny Wong – 3292 Washington Street (CE).** Public Hearing to consider a Call for Review of a decision of the Planning and Building Director approving Major Design Review, DR06-0002, to allow construction of an approximately 1,350 square foot second story addition, new deck and patio. The property is located in an R-1, One Family Residence Zoning District. [Former Planning Board President Andrew Cunningham]. **(Continued from the meeting of May 8, 2006.)**

Ms. Eliason summarized the staff report, described the shading study, and recommend action to approve this item.

The public hearing was opened.

Mr. William Weir, 3279 Washington Street, requested a correction on page 3 of the staff report (Staff Analysis), which should be changed to read, “This will be the *first* second-story addition on the block.” He requested that the applicant’s request to add a second story be denied, and believed the neighborhood should remain a single-story neighborhood. He noted that three other vacant houses on the street were for sale, including one across the street from the subject site. He opposed setting a precedent which would allow any new owner to add a second story. He believed that if the applicant wanted a two-story home, she should have purchased one in Alameda, which would not disrupt a single-story neighborhood.

Mr. David McCarver spoke in opposition to this project, and commented on the shade study. He noted that the previous shade study did not contain a side by side comparison for 8:00 a.m. He then included his own evidence showing that there was indeed a difference in his home at 8:00 a.m. He noted that the homes were designed to take advantage of the morning sun in the kitchen, and if this addition were to be built, he would be the only home on the street to not have that benefit. He was very concerned that he was now unable to park in front of his house because of the numerous vehicles from the subject site. He believed this addition would have a substantial negative effect on his family’s quality of life. He believed that the addition would completely transform the building and clash with the dominant verticality of the neighborhood by dominating the neighborhood. He believed this addition would be a detriment to the property values in the neighborhood.

Mr. Charles Wolf, 3284 Washington Street, spoke in opposition to this project. He believed that the aesthetics of this neighborhood would be ruined by a two-story home on the corner. He expressed concern about toxic materials that may be buried under the homes.

The public hearing was closed for Board discussion.

Member McNamara was pleased that the applicant had made changes to address Mr. McCarver's concerns about shading and his quality of life in the main area of the house. She respected the applicant's property rights, as well as the feedback from the neighborhood. She was inclined to deny this project as presented at this time.

Member Cunningham did not believe the Municipal Code restricted a two-story extension, and was similarly compelled by property rights and the concerns of the neighbors. He did not believe the elevations had been drawn correctly. He noted that when the bedroom was pulled back, the roof pitch was pulled back as well, affecting the stair. He noted that the shading study for the morning of February 28, the side of Mr. McCarver's house showed two shaded areas, including by the stairs. *"The eave ridge line of the main roof had been incorrectly drawn, and was about three feet higher than it should have been above the grade level at that point."* He had considered ways to eliminate the shadow cast by the stair. He described the details of his suggestion and displayed them on the overhead screen.

Member Kohlstrand agreed with Member Cunningham's assessment, and also understood the interests of the neighbors as well as the property owner. She was uncomfortable with the idea of restricting the ability of anyone on the street from adding a second story to their house in the future. She was encouraged to see redesign of the structure to address the shading issues, and would like to see a solution to further reduce the shading impacts. She did not feel comfortable denying this project because it caused additional shadow on the adjacent property.

Member Ezzy Ashcraft appreciated staff's responsiveness to the Planning Board's concerns, and expressed concern about parking. In response to her inquiry about parking, Ms. Eliason confirmed that two off-street parking spaces were required for this property because it is less than 3000 square feet total; it met Code with respect to parking. Member Ezzy Ashcraft noted that while it met the letter of the law, it may not meet the spirit of the law. She appreciated staff meeting with the involved parties, but was concerned that there was no mention of communication between the applicant and the homeowners. She was very concerned that the Board had not heard from the applicant. She did not know whether the driveway could be made larger to address parking congestion on this street. She understood the property owners' concerns, and added that it was more economical to add on to the existing house than to buy new for more space. She was mindful of balancing the needs of property owners and their neighbors. She wondered if another solution for Mr. McCarver's house could be found, and was not persuaded that this was a street of homes that should always remain one-story; this was not a historically designated neighborhood.

President Lynch did not believe it was appropriate to revisit documents that have already been adopted by City Council. He noted that if the neighborhood would like to be known as a historical neighborhood, there was a process to accomplish that goal. He noted that property changes because people change; he noted that this design legally fit within the City's guiding documents. He suggested allowing the applicant and the design team to look at Member Cunningham's architectural suggestions, and possibly incorporating them with an eye towards voting the project up or down at that time. In response to an inquiry by President Lynch whether the Board had that option, Mr. Thomas noted that

staff would prefer to explore the ideas regarding shading and parking. He would rather have the option to explore the ideas and then bring it back to the Board. President Lynch noted that he was inclined to support this project, and was very reluctant to place a condition about parking in addition to something that was outside the purview of the Code. He did not want to step onto a slippery slope about numbers of cars allowed.

Member Kohlstrand expressed concern about the Board advocating for additional off-street parking, and also had issues about scale with respect to the garage and paving in front of the house, which may dominate the house. She did not want the street view of the house to be adversely affected, and would not recommend additional parking on the site.

Member McNamara noted that the nearby Lincoln School parking lot was heavily utilized, and did not know how the Board could control parking for school events as it related to this matter.

Member Cunningham believed that a benefit of cutting the roof back would increase privacy, by eliminating the windows on the side property face, looking into Mr. McCarver's property. He suggested using a skylight instead for natural daylight, which would reduce the cost of construction.

Mr. Thomas suggested that the item be continued in order to incorporate these design ideas.

M/S Cunningham/ Ezzy Ashcraft to continue this item to the meeting of September 25, 2006.

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

9. WRITTEN COMMUNICATION:

Mr. Thomas noted that the Board received the AB1234 Mandatory Ethics Training Requirement packet, and added that the Board members were required to comply with this requirement. He noted that Ms. Woodbury encouraged the Board members to contact her with any questions.

Member Cunningham received several communications in his packet from the Alameda and Islandia homeowners association, stating their displeasure at, and encourage the Board to reject, the proposal to build over 100 homes in Harbor Bay Business Park on North Loop Road.

Mr. Thomas noted that the Draft EIR on that project had not been released for public review yet. He estimated that the earliest the Board may see that would be the second meeting in October or the first meeting in November. He added that the public hearing on the Target EIR would be held at the next meeting, as well as the Grand Marina project.

10. BOARD COMMUNICATION:

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

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

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

Member Mariani was not in attendance to present this report.

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

Member Kohlstrand noted that there had been no activity since the last meeting.

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

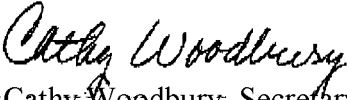
Member Cunningham noted that he did not have a status report at this time.

Ms. Eliason noted that staff was working with ICLEI, the body that was doing the modeling with StopWaste.com. Staff would provide the data that would enable them to create a picture of the City's energy usage. They were still in the data collection phase, and hoped to run the model by the end of the week. Data from PG&E on gas had not been received yet. Following that step, the Task Force would meet, and goals and objectives to create a local action plan would be examined.

11. STAFF COMMUNICATION: None.

12. ADJOURNMENT: 8:37 p.m.

Respectfully submitted,

  
-Cathy Woodbury, Secretary  
Planning & Building Department

These minutes were approved at the September 25, 2006, Planning Board meeting. This meeting was audio and video taped.