

**Minutes of the Regular Planning Board Meeting**  
**Monday, March 14, 2005 – 7:00 p.m.**

1.     CONVENE:             7:05 p.m.
2.     FLAG SALUTE:     Ms. McNamara
3.     ROLL CALL:        President Cunningham, Vice President Cook, Kohlstrand, and McNamara.

Board members Lynch, Mariani and Piziali were absent.

Also present were Interim Planning Director Jerry Cormack, Deputy City Attorney Julie Harryman, Supervising Planner Judith Altschuler, Planner III David Valeska, Leslie Little, Development Services.

4.     MINUTES:           Minutes for the meeting of February 28, 2005.

Mr. Cormack advised that staff distributed revised pages of the minutes to the Board; page 3, Item 7-A reflected the change of number of parcels from nine to 16 parcels. Pages 19 and 20 contained corrected wording for the motions to more accurately reflect the Board's intentions.

M/S McNamara/Cook and unanimous to approve the minutes for the meeting of February 28, 2005, as presented.

AYES – 4 (Lynch, Mariani, Piziali absent); NOES – 0; ABSTAIN – 0

5.     AGENDA CHANGES AND DISCUSSION:       None.

6.     ORAL COMMUNICATION: None.

Mr. Sam Caponio, 1316 Hanson Street, expressed concern about the limited ingress and egress from the Island and the state of the infrastructure. He noted that the traffic congestion had been serious for some time, and would like to see the issue of Island access and infrastructure be agendized for Board discussion.

President Cunningham noted that there would be a Transportation Commission public hearing on March 23, 2005.

7. CONSENT CALENDAR:

- 7-A. **TM04-0005 SRM Associates Harbor Bay Parkway (MG).** Applicant requests approval of Tentative Map 8574 in order to subdivide three parcels into nine parcels. The parcels are located within the Harbor Bay Business Park and are zoned C-M-PD, Commercial Manufacturing, Planned Development District. **(Continued from the meeting of January 24, 2005.)**

President Cunningham advised that the applicant requested continuance of this item, and that the motion from the last meeting must be rescinded because it did not reflect the applicant's request of the City.

Mr. Cormack advised that the item was readvertised for this meeting.

M/S Kohlstrand/Cook and unanimous to rescind the prior action taken by the Planning Board at the meeting of February 28, 2005, and to continue this item to the meeting of March 28, 2005.

AYES – 4 (Lynch, Mariani, Piziali absent); NOES – 0; ABSTAIN – 0

8. REGULAR AGENDA ITEMS:

- 8-A. **Study Session Theater (DSD/JA).** Study Session to review revisions for Design Guidelines to construct a new 7-screen Cineplex and 352-space parking structure on the Video Maniac site. This site is located at 2305 Central Avenue within the CC – CCPD, Community Commercial and Special Planned Development Districts. **(Continued from the meeting of February 28, 2005.)**

Ms. Kohlstrand advised that she would recuse herself from this item because she was a principal with the firm of EnviroTrans Solutions, which prepared the traffic analysis for the combined parking garage/theater analysis.

Ms. Leslie Little, Development Services, advised that with Ms. Kohlstrand's absence from the discussion, there would not be sufficient Board members to act on this item at this time.

Ms. Cormack advised that because Mr. Lynch had not yet arrived, there would not be quorum for this item, and suggested that Item 8-B be heard before Item 8-A.

President Cunningham advised that public testimony would be heard, and that no action would be taken by the Board. The item would be heard by City Council on Tuesday, March 15, 2005.

Ms. Little provided a status update on the theatre design following the last public testimony and Board comments. She noted that concerned parties would like the word "contemporary" to be removed from any description of the building; the balance of the definition came from the Secretary of the Interior's standards, including the word "contemporary." Item C-3 specified a general vertical emphasis, and she did not believe that there was community consensus regarding that design element. Item C-4 addressed the lobby projection on the second floor, and she believed that element has engaged people's imaginations about the additional activity at the theater. Other issues included studying the public space along Oak Street, widening the sidewalks; public parking and a bike route would be accommodated along the street. Bike racks would be included in the parking garage.

Mr. Michael Stanton, project architect, provided an update on the parking structure.

The public hearing was opened.

Mr. Carl Minns, 1820 Hibbard Street, would like to see a more pragmatic approach for a theater, with no more than three screens. He would like to see an emphasis on the restoration and preservation of the existing theater.

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Mr. Richard Rutter, 2205 Clinton Avenue, noted that he was not speaking for the AAPS at this time, and noted that Oak Street was very narrow. He believed that Oak Street was overloaded with pedestrians and bicycle traffic, and that the traffic on Oak Street would become more congested. He suggested that the City pick up an underdeveloped strip of land from Video Maniacs to Santa Clara in order to widen the public right-of-way on the street.

Mr. Christopher Buckley, AAPS, 1017 San Antonio Avenue, noted that they submitted comments to the Board and summarized the significant issues. He did not want the design to be too modernistic. Regarding his discussion with Cynthia Eliason regarding the Secretary of Interior standards, Ms. Eliason raised the question whether the Cineplex and the parking garage were actually subject to those standards; she would check with the City Attorney regarding that question. He suggested that all references to those standards be deleted. He suggested that the reference to the 20-inch projection continue to be deleted in the document. AAPS believed the upper-level lobby was a potentially intrusive element that would upstage and block views of the historic theater. He suggested that the sidewalk be at least 12 feet wide. He noted that Attachment 3 addressed a parking garage in Stanton, Virginia, and would be a good model for the subject garage.

Mr. Jon Spangler, 1037 San Antonio Avenue, agreed with Mr. Buckley's comments. He would like Oak Street to be changed into a pedestrian mall by removing the parking; this would be necessary for bike safety. He supported lockable bike lockers in the garage,

Ms. McNamara left the meeting at this time.

Ms. Elizabeth Krase, 2520 Chester Street, spoke in opposition to this item, and believed that the Secretary of Interior's standards applied to the Cineplex, but not the garage. She believed the projections on Central Street did not comply with those standards. She believed the rosette design element was very important. She believed the glazed lobby would obscure the pedestrian's view of the historic portion of the building.

The public hearing was closed for Board discussion.

President Cunningham did not believe it would be negative to have a contemporary piece of architecture in the City, if it was included in the HBS guidelines.

Vice President Cook did not object to a contemporary design, or the inclusion of the word in the guidelines. She believed that a very vertical design detracted from the verticality of the theater.

President Cunningham suggested that the inclusion of a vertical emphasis be optional, rather than mandatory. He would like to see a design developed, and then discuss the rationale behind it to make

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progress on the project.

Vice President Cook agreed, and would like the architecture team to solve the issues of the projections. She agreed with Ms. Krase that the rosette was very important. She would like more information on the view impact of the projection. She did not favor design by committee, which would result in a hodge-podge design.

No action was taken.

- 8-B. **ZA05-0003 Zoning Ordinance Text Amendment/City-wide (JC/JA)** 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. **(Continued from the meeting of February 28, 2005.)**

Mr. Cormack advised that this item had been before the Board previously when Phase I of the Development Code revisions were reviewed. Five items were deferred to Phase II at that time. He noted that before the Phase II items were taken before the City Council, a Customer Service Committee for the Permit Center had been organized; they identified the Code Amendments as being important and requested time to address the Board. The parking issue would be the primary focus; the Mayor suggested that tandem parking be examined during Phase II review. He advised that Council had not yet seen the Board’s previous recommendations on Phase II.

The public hearing was opened.

Mr. Christopher Buckley, Alameda Architectural Preservation Society, 1017 San Antonio Avenue, advised that the Customer Service Improvement Group included two AAPS members who had submitted comments. AAPS requested that the changes be amended to modify the off-street parking requirements for single-family houses only to allow any parking, including tandem parking within the first 20 feet of existing driveways, as measured from the front property line. Such parking is currently prohibited, but rarely enforced. The second change requested by AAPS is to delete the existing required one- to five-foot-wide landscaping strips between driveways and property lines, fences, buildings and streets; many existing driveways do not have such landscaping at this time because it is difficult to maintain. Those landscaping provisions make it difficult to provide off-street parking, and additional areas often must be paved. AAPS reviewed the proposals and found them to be acceptable.

Ms. Marilyn Schumacher, 1829 Clinton Avenue, Customer Service Improvement Committee, noted that she was a real estate broker. She noted that many people who wished to make additions to their property were unable to meet the requirement for an additional parking space. AAPS suggested that the first 20 feet of the driveway be allowed to be used as parking; the current ordinance dated from the 1950s and was no longer practical for current-day Alameda. She displayed several examples of parking scenarios on the overhead screen. She supported an effective parking ordinance that allows people to improve their homes.

Mr. Italo Calpestri, 1504 Park Street, supported the work performed by the Customer Service Committee and had written a letter to the Planning Board to bring the issue to the Board’s attention.

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He requested that wording be changed to extend the time from six months from the date of destruction to be completed within one year of a permit being issued. He noted that homeowners who had suffered a catastrophic loss due to fire or flood need additional time to settle with the insurance company and obtain funding for rebuilding. Responding to Ms. Kohlstrand's request, he explained the structural implications of the (k) & (l) findings as it relates to this item.

President Cunningham believed that the (k) & (l) findings advocate a two-foot setback.

Mr. Cormack advised that the Board's previous recommendation to the City Council under this proposal was to still require the 7'-0" setback for the second floor and two-story structures. Mr. Calpestri noted that he did not agree with that.

Mr. Ken Gutleben, 3021 Thompson, spoke in support of the two proposed amendments to the Zoning and Development Standards, particularly with respect to the building height definitions. He believed this change would encourage residents to retrofit and strengthen their older homes, replace foundations and install basements. He supported the Building Department's Customer Service Committee's proposed amendment regarding residential parking. He offered examples of the problems associated with the current ordinance, and believed that it obstructed retrofits that could improve the seismic and structural safety of Alameda's older homes. He noted that the hazardous Hayward Fault was the closest fault to Alameda. He requested that the Board reconsider the priority given to cars and parking over retrofitting and protecting Alameda's architectural heritage and its citizens.

The public hearing was closed for Board discussion.

In response to an inquiry by President Cunningham whether Mr. Calpestri's letter regarding the time frame prior to rebuilding was within the Board's purview for discussion, Mr. Cormack advised that this item would have to be advertised for public hearing. Ms. Altschuler confirmed that this item was included in Phase II and could be acted on by the Planning Board.

Regarding projections and encroachments, Ms. Kohlstrand expressed concern about requiring the second story additions to be set back two feet; she was also concerned about the resulting aesthetics of that setback. She noted that some earlier second story additions had been unattractive, but that many more recent additions were more sensitive and responsive to the original character of the house. She was uncomfortable supporting that particular text amendment, requiring that all houses have the second story two-foot setback. President Cunningham advised that if a house had an existing seven-foot setback, the wall could go straight up. A general discussion of the setback requirements as they relate to the (k) & (l) findings ensued.

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Mr. Cormack inquired whether the Board would consider amending the section of the Code which required two additional feet of sideyard for two stories. The five-foot minimum sideyard for one story could also be the standard for a two-story building. Anything less than five feet that was nonconforming would be allowed to use the (k) & (l).

Vice President Cook believed that a conforming sideyard that is to be built higher is not as much of a problem as a nonconforming sideyard to be increased in height, which would create a very narrow setback; the additional setback would allow adequate light at the property line.

Ms. Altschuler stated that would allow for the shading study to prove whether or not the second story would impact the neighbors.

Ms. Kohlstrand would like the setback requirements to be more equitable, and would support a second-story setback that matched the first-story setback.

In response to an inquiry by Vice President Cook regarding shading, Ms. Altschuler replied that shading would not be as critical for a bathroom as for a living room. She noted that design solutions were available to neighbors to mitigate shading effects. A house with a conforming setback would not require shadow studies. She added that staff would create a summary of the Board comments to be included the next time the Development Code is examined. She noted that most (k) & (l) issues brought before staff were generally resolved equitably between the neighbors, and she expected that trend to continue; very few issues have been brought before the Board.

The Board had no concerns regarding Building Height Limits and the Definition of Replacement-in-Kind.

Regarding parking, Ms. McNamara did not support deleting the 20-foot parking restriction requirement, but was open to reducing it to a 10-foot requirement in order to increase parking.

President Cunningham advised that he advocated tandem parking, and believed it would relieve the City's parking pressures and minimize the amount of hardscape on a lot.

Ms. Altschuler advised required parking may not be developed in a front yard, and believed the Board supported parking in a driveway that led to the rear of the lot.

President Cunningham suggested that new construction not be allowed to utilize this parking scheme.

Ms. Altschuler advised that tandem parking was currently allowed to serve one unit, but the parking space must be developed in accordance with the ordinance with respect to landscaping and setbacks.



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President Cunningham advised he opposed removing garages and using the front yard as a parking lot.

Vice President Cook did not want to encourage people to park numerous cars all along a driveway.

Ms. Kohlstrand requested that staff draw up a document reflecting the concerns of the Board.

Ms. Altschuler stated that the Board generally supported some kind of tandem parking, and allowing required parking in the front 20 feet. The Board did not support paving over the front of the lot to provide parking.

President Cunningham believed that relaxing the landscaping requirement of three feet on either side is appropriate, which he believed was onerous. He believed that a one-foot strip was sufficient.

M/S Kohlstrand/Cook and unanimous to adopt the Building Height Limits, and the Definition of Replacement-in-Kind as recommended by staff. The remaining items would be brought back to the Planning Board after further review by the Customer Service Committee.

AYES – 4 (Lynch, Mariani, Piziali absent); NOES – 0; ABSTAIN – 0

Ms. Kohlstrand left the meeting after Item 8-B.

9. WRITTEN COMMUNICATIONS: None.

10. BOARD COMMUNICATION:

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

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

Vice President Cook advised that there was nothing new to report since the last meeting.

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

Board Member Piziali was not in attendance to present this report.

d. Oral Status Report regarding the Golf Course Committee (Board Member Mariani).

Board Member Mariani was not in attendance to present this report.

10. STAFF COMMUNICATIONS:

11. ADJOURNMENT: 9:47 p.m.

Respectfully submitted,

Jerry Cormack, Interim Secretary  
City Planning Department

These minutes were approved at the March 28, 2005, Planning Board meeting. This meeting was audio and video taped.

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