

**Minutes of the Regular Planning Board Meeting
Monday, February 26, 2007**

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

Member Mariani was absent from roll call.

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

4. MINUTES: Minutes for the meeting of January 31, 2007.

Board member Ezzy Ashcraft motioned to continue the minutes of January 31, 2007, to the Planning Board meeting of March 12, 2007.

Board member Cunningham seconded the motion, which carried by unanimous voice vote – 6. [Absent: Member Mariani – 1.]

5. AGENDA CHANGES AND DISCUSSION:

Member Cunningham suggested that if there were no speaker slips for Item 8-A, it may be moved to the Consent Calendar.

Vice President Cook noted that she had a question about that item.

6. ORAL COMMUNICATION: None.

7. CONSENT CALENDAR:

- 7-A. **Use Permit UP06-0019 – Applicant: Harry Hwang for Alameda Grill - 1520 Park Street (LA).** The applicant requests a Use Permit to allow an existing 125 square-foot patio space to be used for customer seating. Pursuant to AMC Subsection 30-4.9A(c)(b), a Use Permit is required for any permitted or conditional use, which is not conducted within an enclosed structure. The site is located within the C-C Community Commercial District.

Board member Kohlstrand moved to adopt Planning Board Resolution No. PB-07-05 to approve a Use Permit to allow an existing 125 square-foot patio space to be used for customer seating. Pursuant to AMC Subsection 30-4.9A(c)(b), a Use Permit is required for any permitted or conditional use, which is not conducted within an enclosed structure.

Board member McNamara seconded the motion, which carried by unanimous voice vote – 6. [Absent: Member Mariani – 1.]

8. REGULAR AGENDA ITEMS:

- 8-A. **Planned Development PD07-001/Parcel Map PM06-005 – Applicant: Will Harrison - 700 Grand Street (BS).** The applicant requests approval of a Planned Development overlay on an existing R-1 (Single-Family Residential) district and a Parcel Map to allow the division of an existing 25,000 square foot residential lot into two parcels: each with an existing single-family dwelling. The property is located within an R-1 (Single-Family Residential) Zoning District.

Member Ezzy Ashcraft noted that she would recuse herself from this item because of a *personal* ~~professional~~ conflict.

Mr. Thomas presented the staff report, and recommended approval of this item.

In response to an inquiry by Vice President Cook why this item was not presented as a variance, Mr. Thomas replied that the planned development overlay approach provided the flexibility. Staff did not feel the findings could be made for the variance in this case because the lot was so large. Staff did not feel the historic location of the existing homes or the historic quality of the wall qualified the project for a Planned Development.

Vice President Cook expressed concern about the curb cut on Grand because the sidewalk narrowed in that area, as well as the presence of bike riders and the fact that the bridge rose slightly. She noted that drivers would be backing in and out, and believed it would be a risk to pedestrians and bicycle riders. She noted that the proximity of the school was also a concern. Mr. Thomas noted that staff identified six parking alternatives in the staff report.

In response to an inquiry by Member McNamara whether the sea wall would be demolished, Mr. Thomas replied that was not the part that staff would consider historic. He noted that it did not have structural significance with respect to the water, and that it was the portion along Grand Street.

The public hearing was opened.

Mr. Will Harrison, applicant, representing the property owner, noted that they agreed with the staff's recommendation regarding the tandem parking. Their first choice would be to do nothing extra, because there was adequate on-street parking. He added that both buildings had historical significance, and believed the parking design should be addressed thoroughly. He noted that only the first five feet of the wall would be removed, because the side yard of the house would be increased.

The public hearing was closed for Board discussion.

Member Kohlstrand suggested an additional condition requiring that any changes made to the property or structures in the future would trigger a reevaluation of the off-street parking situation.

Member Cunningham believed that as part of the planned development, the off-street parking must come back to the Planning Board.

Vice President Cook moved to adopt Planning Board Resolution No. PB-07-06 to approve a Planned Development overlay on an existing R-1 (Single-Family Residential) district and a Parcel Map to allow the division of an existing 25,000 square foot residential lot into two parcels: each with an existing single-family dwelling, with the modifications that Alternative 5 would be examined, and that any future changes made to the property or structures would trigger a reevaluation of the off-street parking situation.

Board member Cunningham seconded the motion, which carried by unanimous voice vote – 5. [Absent: Member Mariani – 1. Abstain: Member Ezzy Ashcraft]

Mr. Thomas noted that the PD overlay and the subdivision action required action by City Council, and staff would revise the resolutions before taking the item to City Council.

8-B. **Northern Waterfront General Plan Amendment GPA 07-0002 – Applicant: City of Alameda (AT).** The City requests a General Plan amendment to designate approximately 110 acres of industrially designated properties to a specified mixed use designation. The project area is generally bounded by Sherman Street on the west, Buena Vista Avenue on the south, and Grand Street on the east. The Oakland/Alameda Estuary forms the northern border of the area. The Northern Waterfront project area is within several zoning districts; including R-2 (Two Family Residence District), R-3 (Garden Residential District), R-4-PD (Neighborhood Residential District, Special Planned Development District), M-1 (Intermediate Industrial), M-2 (General Industrial), C-M (Commercial-Manufacturing District), and M-1-PD (Intermediate Industrial, Special Planned Development District).

Member Ezzy Ashcraft returned to the dais.

Mr. Thomas summarized the staff report.

President Lynch advised that more than five speaker slips had been received.

Vice President Cook believed this was an important issue that justified allowing the full five minutes for the speakers.

Member Ezzy Ashcraft agreed with Vice President Cook's comment.

The public hearing was opened.

Ms. Barbara Walker, 1920 Bay Street, noted that the preservation of the community garden was very important, as was ensuring that Bay Street was not extended.

Ms. Sue McIntire, 1821 Bay Street, echoed the concern about maintaining the community garden, and was also concerned about the traffic impacts in the neighborhood, especially given the number of children in the neighborhood. She noted that there was a lot of truck activity at the Del Monte site, which she believed had a negative impact on the environment.

Mr. Tom Mills noted that he owned a property on the corner of Bay and Eagle, and that the speed and volume of the traffic should preclude any building in that area.

Mr. James Bramell, Northern Waterfront Advisory Committee, presented the Board with a letter asking to reschedule a meeting. He believed there was a Brown Act violation due to the failure of personnel within the Planning Department who mixed the dates up. He noted that they had addressed pollutants on the property, as well as what the best use of the property would be. He understood that the mitigation of the spillage had not been entirely adequate, and noted that he was concerned about loss of property value from underground fumes, such as what occurred at Hamilton Air Base. He was concerned that would be a litigable item. He noted that the Committee was not negligent because it

recommended that that site only be used for open-air usage such as boat storage or maintenance. He believed the discussion of this item should have been in the last meeting's minutes, which they had requested.

President Lynch requested that Mr. Brammell submit the letter to staff to be entered into the record. He noted that Planning staff would have a response to his remarks.

Ms. Barbara Kerr, President Northside Association, thanked Mr. Mills for clarifying that Bay Street was included in the prohibition against the Northwood Extension, and that the community garden was included in the definition of the park. She prepared amendments to clarify these items that were not in the existing amendments, and would distribute those documents to staff. She noted that there was a legal agreement signed by the City Council that the community garden and the park at Park Village would never be developed. She noted there should be adequate landscaping on Sherman and Buena Vista so the surrounding residences do not get a view of asphalt and cars. She noted that the Marina Village Business Park was a good example of what should be done, using berms and hedges, as well as well-designed lighting. She believed that Wind River was a good example of what not to do, including klieg lights that glare into neighboring residents' bedrooms. She believed that the property owners and residents would be affected by this project, and thanked Vice President Cook and Member Ezzy Ashcraft for believing they should have as much time to speak as the developer.

Ms. Debra Arbuckle, 1854 9th Street, Northern Waterfront Specific Plan Committee, noted that this group was formed to address many issues, including traffic in the beltline, not having through streets, and trying to mitigate traffic, which she believed was a major issue, especially with the D and F Levels of Service. She noted that hundreds of people have invested time and energy in the neighborhood meetings and workshops. They were concerned about traffic, development, open space. She noted that much of the plan assumed that Railroad would be open space, and that it had been changed to Industrial zoning. She detailed the legal background of this project, and inquired how the contract which had been tied to the deed was no longer tied to it. She also noted that the traffic reports seemed to have been altered. She was pleased to hear there would be more time to consider this item.

In response to an inquiry by President Lynch whether an entitlement plan was before the Planning Board, Mr. Thomas confirmed that it was not at this time. President Lynch added that the Planning Board would not discuss Mr. Wang's project, but that they were charged with discussing the Northern Waterfront General Plan Amendment.

Mr. Richard Rutter, 2205 Clinton Avenue, noted that he had worked with Christopher Buckley, who could not attend and had submitted a letter to the Planning Board. He read the contents of the letter:

- "1. Do not allow future residential development in close proximity to Clement Avenue, since Clement Avenue will be a truck route. Unfortunately, residential development was allowed along Clement as part of the Marina Cove project. This was a mistake that should not be compounded.

Although a notice was recorded on the Clement Avenue lots within Marina Cove, informing property purchasers that Clement Avenue was to be a truck route, I fear that the residents of these houses will experience an unpleasant surprise when a truck route becomes operational. Prohibiting residential uses along Clement should be reflected in guiding and implementing policy group 10.3, policy 10.4(c), the General Plan Use Diagram, and possibly other provisions.

- “2. Height limits: There are a number of height limits all over town in certain locations that allow building up to 100 feet. Address height limits in the General Plan Amendment. The Plan Amendment area is now zoned M-2 and R4-PD. The M2 zone has a 100-foot height limit, and the R-4 zones 35 foot height limit is waived under the PD overlay. Maximum building height within the plan amendment should be somewhere between 35 and 60 feet, depending on the subarea in use. 60 feet should probably be the maximum height limit citywide. 100 feet is too tall for new development anywhere in Alameda.
- “3. Design guidelines: Add an implementing policy to Section 10.8, Urban Design, calling for design guidelines for each subarea, and addressing such issues as building, siting, architectural style, exterior materials and landscaping. These guidelines should be fleshed out in Section 10.8. The City’s Guide to Residential Design, although very good as far as it goes, is primarily focused on existing neighborhoods, and needs to be expanded to address the production housing that’s likely to occur within the Plan Amendment area.
- “4. Policy ET-5 (Encinal Terminal site): Amend the building height provisions to express height in feet, as well as number of stories. The four-story maximum height proposed for this site would be probably translate to 50 feet.”

Mr. Rutter believed the height limit issues were important, as was the way the City would plan Clement. He agreed completely with Mr. Buckley’s comments.

Ms. Jean Sweeney expressed concern about the benzene plumes moving towards the water, and believed they should be cleaned up. She noted that the soil should be cleaned up before any new developments were to be considered. She requested that no through streets go through the Beltline. She believed there was more housing in this area than was originally intended. She believed the EDC recommendations were a good idea, and requested the minutes of the October neighborhood meeting. She agreed with the previous speakers.

Mr. Nick Cabral, 1544 Buena Vista, spoke in support of this project, and believed there was a segment in Alameda that opposed every development project. He noted that he lived across the street from this site, and added that with 250 trucks in general street traffic, he never heard from anyone from the NWSP Committee regarding this site. He believed this project would be an asset for the community, and that it would bring residential and commercial uses to the neighborhood. He believed it would enliven the neighborhood, and that it would bring in more tax revenue. He encouraged the Board to move forward on this

item.

Mrs. Norma Arnerich, 3275 Encinal Avenue, submitted a speaker slip, but was not in attendance to speak.

Mr. “Lil” Arnerich, 3275 Encinal Avenue, spoke in support of this item. He noted that when he was on the City Council, he believed the Planning Board carried a tremendous responsibility in determining projects for decades to come.

Ms. Ellen Lou, Skidmore, Owings & Merrill LLP, One Front Street, 24th Floor, San Francisco, representing Mr. Peter Wang, property owner, Encinal Terminal/Grand Marina, displayed a PowerPoint presentation and described some suggested changes to the proposal.

The public hearing was closed for Board discussion.

Vice President Cook noted that in her waterfront planning experience, the goal had often to be flexible with respect to land use. She noted that access points, preservation of historical aspects and the quality of development were all important points. She wanted to see this item move ahead, but wanted to ensure that the conflicts between the comments had been resolved first. She wanted further clarification on Ms. Kerr’s comments regarding the pilings, which most of the City was built on.

President Lynch wanted to avoid wordsmithing the document at this meeting, and would like to discuss reactions to the comments and policy matters.

Member Ezzy Ashcraft commended Mr. Thomas and the Planning staff on the quality and thoroughness of the staff report. She had questions about how the childcare element fit into the project. She believed that height restrictions were a major issue, and noted that the upcoming green building workshop would address Bay-friendly elements. She wanted to know about the intended green design elements.

President Lynch believed the Board should begin with Attachment A.

Mr. Thomas detailed the background of the creation of this set of policies.

Member Kohlstrand stated that she would like to ensure that people had an adequate opportunity to comment on the childcare policy, and would like it to be noticed as a separate item.

Mr. Thomas noted that the childcare policies in Attachment B were implemented Citywide, and believed that Member Kohlstrand’s comments were fair. He noted that the focus on childcare would be separately re-noticed.

Vice President Cook noted that she had many detailed comments that she would provide separately.

Mr. Thomas noted that staff could return in a month. He was concerned about the height limits brought up by AAPS, and noted that there were no Citywide height limits in the General Plan. Height limits were generally addressed in the zoning or by the Master Plan applicable to the project.

President Lynch did not believe the height limits should be addressed in the General Plan, which is a policy document, not a zoning document. He would prefer to see the Planning Board move towards the policies, and should state that in striving towards a certain design goal, it may be met without the designs appearing to be cookie-cutter. He believed those restrictions would belong in a zoning document, such as a PD overlay.

Member Cunningham noted that by setting rigid requirements such as wedding-cake step-downs, the design would appear to be cookie-cutter, which he could not endorse.

Member McNamara supported the comments about fostering architectural creativity, but was concerned that the heights of some of the buildings in Towne Centre were excessive. She would support imposing some kind of height limit on the waterfront, with sensitivity to the surrounding neighborhoods.

President Lynch did not differ with that opinion, but believed those restrictions were more appropriate to the design review and zoning rather than a General Plan Amendment.

Vice President Cook was uncomfortable about the waterfront development guidelines lagging behind, and believed they should be more than guidelines; she would like them to have more teeth.

Member Cunningham noted that there were several instances the document that used the word “consider,” and inquired whether it may be helpful to provide more concrete direction. Mr. Thomas noted that it would be helpful for the Planning Board to create a list of potential requirements with respect to those items. He noted that other items, such as an assessment district or other concepts that may remain advisory, and that they should not be forgotten as time passed.

Vice President Cook emphasized that she did not want to see any sound walls or gates.

President Lynch noted that the Board generally agreed on the first section.

Member Kohlstrand believed the traffic mitigation measures, especially with respect to the striping, was fairly specific for a General Plan. Mr. Thomas noted that these particular mitigations were called for after analyzing the EIR. He described the approach taken by staff and the applicant, and noted that better solutions, such as a traffic circle, may be appropriate. Member Kohlstrand preferred that such specific mitigations not be specified in the document because of the long-range nature of the General Plan.

President Lynch noted that they seemed to be conditions of approval, and while they had

merit and value, he did not feel they belonged in the General Plan Amendment.

Vice President Cook acknowledged Jean Sweeney's contribution to this issue, and noted that the current traffic grid pattern was an egalitarian pattern, and was reluctant to rule out one particular street configuration in perpetuity. She noted that the potential for the linear park would be an incredible asset to the City that she believed should be accessible to the City.

Mr. Thomas noted that a year ago, staff recommended that the Beltline be removed from the Northern Waterfront General Plan because the City was trying to acquire the property and because it was involved in a lawsuit at the time.

Member Ezzy Ashcraft suggested that the Transportation Commission be approached regarding the transit district for the Northern Waterfront, since the City did not yet have an existing transit district.

Member Kohlstrand requested a staff *clarification recommendation* for the transit district, and inquired how this would change the existing EIR. Mr. Thomas replied that so far, the discussions would not affect the conclusion of the EIR.

Ms. Mooney noted that there was a decision in the trial court in favor of the City last August, and that it expected an appeal to be filed.

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Member Ezzy Ashcraft noted that she strongly supported this concept, as long as it was understood that it was not an ending point.

Mr. Thomas noted that it was important for future homeowners to be aware that Clement would be extended, and that it would be a truck route. He noted that Alameda was an island community with little room, but that Clement could be designed so the trucks would move through slowly, and so pedestrians would be properly accommodated.

Member Cunningham noted that 10.8.g addressed the gateway enhancement, and would like to include Grand Street and Fruitvale Bridge.

Mr. Thomas noted that Member Ezzy Ashcraft suggested a Citywide gateway program.

Vice President Cook agreed that it should be the Citywide policy that addressed all gateways.

Member Cunningham noted that Ms. Kerr brought up a good point about fire services on the waterfront, and inquired whether the City had fireboats. Mr. Thomas replied that the City had two fireboats.

Member McNamara expressed concern about DM-6 and inquired about whether it was appropriate to restrict some big box retail uses, given that the big box study group had not convened. Mr. Thomas noted that it sent a message to the property owner that this neighborhood did not want to see very large retail uses. He noted that specific retailer names could not be used in a General Plan.

Vice President Cook suggested caution in using the phrase “public schools” when some preschools were private. She felt that any uses on the waterfront should also be open to enliven the water’s edge, and would like to propose language to encourage two front doors.

Member Kohlstrand did not believe it was feasible to have every use spill out onto the waterfront.

Vice President Cook agreed, and would like a qualitative statement.

President Lynch did not argue with the 25% affordable housing figure, but believed that it did not often meet the needs of the community it was intended to meet. He noted that some communities made units available for teachers and other municipal workers, and if a city used only census or ABAG numbers, part of the population would be missed. He suggested that the definition be expanded.

Mr. Thomas noted that the next round of housing numbers were expected in March, and those numbers would be updated.

Member Kohlstrand noted that with respect to 10.6.j (extension of streets), she would like to reserve judgment until she saw more details.

Member Ezzy Ashcraft noted that not everyone wanted to buy a home, and suggested that affordable housing be available for rent as well. *She paraphrased a conversation with a friend who had cited a declining student population because families with young children could not afford housing in Davis. She noted that the City of Davis experienced student-housing shortages because of the high price of the housing stock.*

Vice President Cook inquired whether there could be a Measure A-compliant houseboat community in Alameda.

Member Cunningham would like to introduce language to encourage reduction of vehicle trips. Mr. Thomas noted that the Transportation Commission was working towards that goal through Catellus and the TDM program to use shuttle services and alternate transit services. He noted that the City had been meeting with AC Transit and described the proposed EcoPass project.

Mr. Thomas noted that he would provide a brief presentation with graphics on March 26, including detailed graphics on the Clement Street alignment, and how it was envisioned to run through the Northern Waterfront. Staff would also provide information on the

Pennzoil property with respect to hazardous materials. The policies addressing the quality and character of properties at the waterfront would be included, and the item would be re-noticed to include the childcare policies. The sound walls would be revisited, and “discouraged” should be changed to “prohibited.”

Member Cunningham noted that with respect to open space on the waterfront, there was a lot of discussion around the City’s ability to purchase open space. He inquired whether there was a document to address open space development *priorities*.

Vice President Cook noted that she had recently visited Venice, California, and was excited to see the improvements on that waterfront. She believed that Alameda should be respectful of its maritime heritage without being a slave to it.

President Lynch wanted to see an environment that would be welcoming to people, and did not want a repeat of Bridgeside.

Member Kohlstrand requested a redlined version of the suggested changes made by the Planning Board.

Board member Cunningham moved to continue this item to the meeting of March 26, 2007.

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

8-C. Planning Board Rules and Procedures. Discussion and action on possible amendments to the Planning Board Rules and Procedures.

Member Kohlstrand stated that she was very interested in seeing Staff Communications moved up to follow either Agenda Changes and Discussion or Oral Communications to receive the Director's report at the beginning of the meeting.

A discussion of the Zoning Administrator's report ensued. Ms. Woodbury noted that the Zoning Administrator's report would not need to be approved, and that the report was informational.

Mr. Thomas suggested that the Zoning Administrator's report be included in Staff Communications.

Member Cunningham suggested that Written Communications be moved up on the agenda, so that members of the audience could hear and comment on it.

Member McNamara suggested that "by an applicant or other interested parties" be included in the language referring to materials received on behalf of the applicant. Mr. Thomas wanted to ensure that submission of materials by other members of the public would not be restricted. He noted that the noticing information requested that submissions be received by a certain time to be included in the packet.

Member Kohlstrand did not believe it would be possible to restrict written public input before a hearing.

Member McNamara noted that page 6, number 1 (Conditions) stated that conditions may only be submitted by staff, and inquired whether Board members may do so as well. President Lynch noted that the staff report may only be provided as written by staff. Once the Board sees the staff report, it has the ability to accept, modify or reject the conditions.

Member McNamara noted that with respect to the Method of Documentation, she inquired whether a CD or DVD may be used to archive the meeting. Mr. Thomas suggested using best available technology. President Lynch noted that would be under the purview of City Council and the IT Department.

Board member Cunningham moved to accept the amendments to the Planning Board Rules and Procedures as amended.

Board member Kohlstrand seconded the motion, which carried by unanimous voice vote – 6. [Absent: Member Mariani – 1.]

Ms. Mooney noted that the amended rules would return to the Planning Board for a Resolution, and that they may be changed by motion if the Board so chooses.

9. WRITTEN COMMUNICATION:

- a. 2007 – 2014 Regional Housing Needs Allocation and Housing Element Update.

President Lynch noted that some cities were not fulfilling their housing targets, and noted that the housing numbers in the region were likely to change.

10. BOARD COMMUNICATION:

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

Member Mariani was not in attendance to present this report.

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

Member Kohlstrand advised that there was no action.

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

Member Cunningham advised that another meeting would be held in two weeks, and were generally held on the third Thursday of each month.

11. STAFF COMMUNICATION:

- a. Future Agendas and work program

Mr. Thomas described the future agenda items for the next six months.

President Lynch noted that the Northern Waterfront item would be held on March 26, and that the April 9 meeting would be cancelled due to spring break attendance issues. He did not see the Measure A Planning Board forum on the schedule. Mr. Thomas noted that was not placed on the schedule yet. March 29 would be specifically held for Alameda Point.

Mr. Thomas suggested that the Planning Board may want to form a subcommittee to address some of the agenda issues.

Member Ezzy Ashcraft inquired when the joint meeting between City Council and the Planning Board would take place.

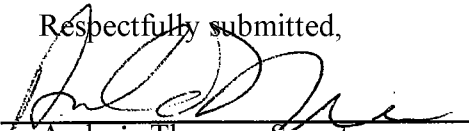
President Lynch noted that he had previously worked in jurisdictions where the joint meetings were part of the regular schedule, and the work plans were included in that discussion. He was surprised that had not happened in Alameda.

Ms. Woodbury noted that the Recreation and Park Commission and the Utilities Board had met with the City Council.

Mr. Thomas suggested that the Board advise staff that they would like to have a joint meeting. He recalled that there had been one joint meeting within the last five years. He understood the Board wanted to hold one, and staff would begin the process to set it up after March 12, 2007. He noted that the April 9 meeting should be rescheduled so the work did not back up. He noted that it would be difficult to address Harbor Bay and Alameda Landing in the same meeting.

12. ADJOURNMENT: 11:00 p.m.

Respectfully submitted,



Andrew Thomas, Secretary
City Planning Board

These minutes were approved at the Planning Board meeting of March 26, 2007. This meeting was audio and videotaped.