

**APPROVED MEETING MINUTES**  
REGULAR MEETING OF THE  
CITY OF ALAMEDA PLANNING BOARD  
MONDAY, JANUARY 15, 2013

1. CONVENE: 7:04 p.m.
2. FLAG SALUTE: Board Member Henneberry
3. ROLL CALL: President Zuppan, Vice-President Burton, Board members Knox White, Henneberry and Köster.

4. AGENDA CHANGES AND DISCUSSION:

Item 7.A moved to after 7.C.

Board member Knox White

Board member Burton seconded the motion

Motion carried, 5-0, no abstentions

5. ORAL COMMUNICATIONS:

None

6. CONSENT CALENDAR:

**6.A.** Annual Review of the City of Alameda Food Truck Program and Recommend Adoption of Revised Program Guidelines. The Planning Board will review and make a decision on a staff recommendation to revise the program guidelines.

President Zuppan pulled item from consent.

Eric Fonstein, Development Manager, gave a brief update on the guidelines.

Board member Henneberry questioned the experience relating to brick and mortar establishments at SouthShore Center.

President Zuppan asked if permits of use could be adjusted, and would that cost anything.

Andrew Thomas briefly described the process.

President Zuppan opened for public comment.

Mr. Young Han Yi, owner of Pearls Burgers reported the food truck events have negatively impacted his business. He asked for a review of other food establishments. His loss has been up a major hit on Saturdays. He asked for them to look at each food truck running on a generator and waste oil disposal. He has health and safety concerns, and are those food trucks required the County food handling certification. He stated concerns that parking in the area is over crowded.

Vice President Burton asked what the percentage of loss on a Saturday.

Mr. Yi stated as much as 33%. They opened in August 2010, and had food truck been in the marketing plan for the Center he would have looked at that further.

Board member Henneberry asked if he knew the impact on the other local eateries at South Shore.

Mr. Yi stated he didn't know the numbers.

Mr. Robb Ratto, Executive Director, Park Street Business Association (PSBA), stated that the PSBA Board of Directors voted not to allow the food trucks in the Park Street retail area. PSBA Members feel that the permit fees for food trucks should be in line with the fees for brick and mortar eateries, but they are not.

President Zuppan closed the public comment.

Vice President Burton stated his support of the proposed changes. At a future date, he would like to revisit the ordinance. He has concerns about limitations on the location of food trucks and would like to see a study on the impact the trucks have on brick and mortar establishments and whether new areas could be added with no adverse impact current vendors.

Board Member Köster agreed with Vice President Burton.

Board Member Knox White would like to talk more about the generators, and is in support of bringing the ordinance back for further discussion.

President Zuppan stated she is supportive of the changes to the guidelines.

Board member Knox White motioned to approve.  
Board member Henneberry seconded the motion.  
Motion carried, 5-0; no abstentions

## 7. REGULAR AGENDA ITEMS:

**7.B.** Use Permit and Design Review – PLN12-0230 – 1928 High Street – European Auto Repair. Use Permit and Design Review approval to add a smog test facility to the existing business. Exterior changes consist of removing one window facing Fernside Blvd and replacing it with a garage door. The service bay is not deep enough to completely enclose the automobiles being serviced; therefore a portion of the cars will remain outside the building. Pursuant to Alameda Municipal Code (AMC) §30-4.8 (c)(6), a Use Permit is required for uses not conducted within an enclosed building.

Planning Services Manager, Andrew Thomas presented an overview of the Use Permit.

Board member Köster asked if there will be a design review tonight. He also questioned the curb cut going directly into the garage and smog only versus a smog station.

Mr. Thomas replied that the design can come back to the Board at a later date. Yes there is a curb cut directly to garage, and the applicant can speak on the smog servicing question.

Owner/Applicant Albert Boehler, stated the state laws have changed as of January 2013 and the reason he submitted his application is that there are no longer a test only facilities. There is a star certification required by the state, and he is confident his shop can meet that standard.

Board member Henneberry asked whether the vehicles being serviced would be half way out of the bay what would the noise ramifications be, and if noise is part of the state certification.

Mr. Thomas reported they have looked at other facilities, and the noise readings have met the ordinance levels, and noise is not part of the state certification.

President Zuppan opened public comment.

Mr. Boehler wanted to clarify that cars built in the year 2000 or newer would have a simpler test then older models. New cars don't need the car to be running for a long period of time to test.

Terry Walker, resident, stated that the dynamometer makes a loud noise, the wheels roll fast and the engine revs up also making loud noise. He expressed concern on signage, and the number of cars on Fernside Boulevard.

Daryl Dorn, stated that he lives next door to the service station and is concerned about the noise and pollution. He is concerned about the impact to the elderly community across the street, along with the High Street business corner.

Jon Spangler, stated that he doesn't live close to the area in question but has been a longtime customer of Engine Works in a similar neighborhood. He suggested a one-year review for the use permit and he supports the application.

President Zuppan closed public comment period.

Board member Henneberry asked the noise pollution issues.

Mr. Thomas stated that the use permit could be reviewed and compliance with noise standards a condition of the permit.

Board member Henneberry asked if the owner operates on Saturdays.

Mr. Boehler stated they do not typically operate on Saturdays.

Mr. Thomas stated that the Board could limit the use to Monday through Friday.

President Zuppan inquired as to the testing and which car is being checked for noise ordinance when a complaint comes in.

Mr. Thomas stated it is the machine and not specific to which car is being tested at the time of complaint. He isn't sure if the car or the machine is louder.

Board member Knox White asked if the car is hanging out of the bay, how is the tailpipe being filtered.

Mr. Boehler replied that the testing is the probe inside the exhaust pipe and adding a ventilation system at the test location would cause a negative reading.

Board member Knox White stated the rolling up door would not be improving this site. This is a commercial property and would like to review this in six months. There is a design review attached but he doesn't feel this is enough to approve the design right now.

President Zuppan asked for more staff input on discussion with applicant.

Board member Köster stated that when the site comes back for Design Review approval there will need to be substantial improvements.

Mr. Thomas summarized the Board's options on this item.

Vice President Burton motioned to approve the Use Permit resolution but not the Design Review with edits to the findings and additions of landscape, parking and a signage plan in the design review permit and a six-month review.

Board member Knox White seconded . Approved 5-0.

**7.C. Historic Preservation Workshop.** The Planning Board will hold a public workshop to discuss the ongoing effort to revise and amend the Historic Preservation Ordinance. No final actions will be taken by the Planning Board on this item.

Planning Services Manager, Andrew Thomas provided the Board an update on the ordinance.

President Zuppan opened public comment period.

Robb Ratto, Executive Director of PSBA, stated he would like the ordinance to include a commercial building component. He stated all business districts agree.

Christopher Buckley, AAPS, added some more information regarding the historic

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ordinance and how it relates to the historic study list.

President Zuppan closed the public comment period.

Vice President Burton commented on pages 5 and 6, regarding definitions.

Mr. Thomas reported that definitions were an ongoing item for review.

Board member Köster asked if the historic trigger year of a building will change in the future.

Mr. Thomas stated it could change to anything older than 50 years, but possibly getting rid of the language and define the design review system.

Board member Köster asked about the Commercial component mentioned by Mr. Ratto.

Mr. Thomas reported the process currently, and that the process can change eliminating the duplication with other Boards.

Board member Henneberry commended staff on the direction they are moving.

Board member Knox White commented that the Purpose of the ordinance should be clearer and how will the ordinance do what it is saying. He talked about the word, "enhance" and its definition, but asked if the Purpose could be taken to Council before moving forward with the ordinance. He suggested a joint meeting with HAB soon.

President Zuppan agreed with member Knox White regarding the Purpose. She stated the scope should be more in line with the Purpose. It would be valuable to have a secondary process. She wanted to emphasize the commercial component for residents in the business districts, and specifically Alameda Point.

**7.A. Draft Zoning Ordinance Amendments, Design Review Manual Amendments, related General Plan Amendment Final EIR for the North Park Street Planning Area and Associated Zoning Ordinance and General Plan Amendments.** The Planning Board will review and make a decision on a staff recommendation to certify the Final EIR, approve the revised zoning, approve amendments to the Design Review Manual, and approve an associated General Plan Amendment for an area located between Oak Street, the Oakland Estuary, Tilden Way, and Lincoln Avenue. **Moved to end of meeting.**

Board member Köster recused himself from the meeting.

Planning Services Manager, Andrew Thomas provided a presentation on the item.

Board member Henneberry asked for clarification on the height limits. He asked what the height is of a specific building on Clement. He asked staff to brief him on the yellow house incident on Buena Vista. He further asked for clarification on the retail matrix.

Mr. Thomas provided the brief clarification, along with explaining the alcohol definitions.

Board member Knox White further asked about the grocery and alcohol definition.

Board member Henneberry stated to make the definition consistent for alcohol.

President Zuppan opened the meeting for public comment, and stated there are 11 speakers.

Vice President Burton motioned to limit speakers time from 5 minutes to 3 minutes.

Board member Henneberry seconded the motion.

Motion carried, 4-0-1.

David Baker, resident, stated his main concern was with the height limit going from three to five-stories and in the past 12 years there has only been one request. Why review this debate again. There is a wonderful view because power lines are underground.

President Zuppan clarified the current height limit is 100', and ten stories.

Patsy Paul, stated her concerns are with the proposed new height limit, along with parking lots and parking garages. She stated further concerns with proposed mixed-use zones. She asked for more green building.

Robb Ratto, PSBA, stated that he supports the staff recommendations and thanked the subcommittee. He proposed looking at further options per specific buildings. He provided a review of the yellow house property and process.

Christopher Buckley, Alameda Architectural Preservation Society (AAPS), stated he would like to see this go to City Council as soon as possible. He approves of the changes and thanked staff, the subcommittee and the Board for the work done. He commented on the height limit and is concerned with the scale proposed. He commented on office space and mixed use zones.

Corinne Lambden, expressed concerns about the height limit being too high. The gateway shouldn't swallow the street. She commented that the yellow house had a reuse / recycle condition attached that didn't happen and the owner wasn't held accountable.

Helen Sause, Housing Opportunities Make Economic Sense (HOMES), absent but provided written comments.

Jon Spangler, resident, provided a briefing on his involvement with development projects. He supports AAPS comments. He feels this project isn't ripe yet. He expressed concerns with creating non-friendly walk and bike tunnel effected areas when buildings are too tall, and each new development needs open space areas. The 40' limit should be maximum, asked there be more consideration before approving this item.

President Zuppan called for motion to extend the meeting.  
Board member Knox White motioned to go until midnight.  
Vice President Burton seconded the motion.  
Motion carried, 4-0-1; Koster recused

Laura DiDonato, resident, provided written comments and asked for this item to reconsider the property that is the former Island High School on Eagle Avenue. The Alameda Unified School District (AUSD) Board is meeting to talk about this specific property.

Melanie Wartenberg, resident, previously provided written comment along with 60 signatures from neighbors. She asked that more green space and open space be considered to balance the neighborhood. She mentioned that she is a member of Project Leaf.

Karen Bey, resident, expressed thanks to the Board and staff. She suggested the purpose statement to include 'promote historic tourism', and to also include it in the vision statement.

She asked the Board to consider the West End's Neptune Beach District. She asked if there were funds for park streetscape on this project.

President Zuppan closed the public comment period.

Mr. Thomas reported there are no funds for public streetscape, or park space. There is no scenario where the city purchases the property on Eagle Avenue. The only comment he has heard is the Housing Authority might have the funds to purchase the site. He reiterated that it is AUSD's property.

Board Member Henneberry mentioned the railroad property along Tilden Way and questioned whether the City can acquire it as imminent domain.

Mr. Thomas stated that imminent domain properties still have to be purchased.

Board member Knox White had one comment regarding parking stating that reciprocal parking should be a default.

President Zuppan asked for clarification on reciprocal parking.

Board Member Henneberry suggested that a change on the retail language to be uniform and be incorporated city-wide.

Vice President Burton pointed out a typo, and asked about clarification on industrial lighting, and asked for clarification of electrical language. He expressed thanks to staff and members, also to the community members for helping with the process. He stated that without the higher buildings there would be no mixed-use development.

President Zuppan expressed appreciation to all members of the community for staying  
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involved with the long process. She stated support of the changes from other Board members.

Board member Knox White motioned to approve with requested changes.

Board member Henneberry seconded the motion.

Motion carried, 4-0-1; Koster recused.

#### 8. MINUTES

Minutes from the Regular meeting of September 10, 2012 - No quorum

Minutes from the Regular meeting of December 10, 2012 (Pending)

#### 9. STAFF COMMUNICATIONS

9.A. Future Agendas

10. WRITTEN COMMUNICATIONS - None

11. BOARD COMMUNICATIONS - None

12. ORAL COMMUNICATIONS - None

13. ADJOURNMENT- 11:32 p.m.