

APPROVED MINUTES  
REGULAR MEETING OF THE  
CITY OF ALAMEDA PLANNING BOARD  
MONDAY, APRIL 11, 2022

1. CONVENE

Vice President Teresa Ruiz convened the \*meeting at 7:00 p.m.

*\*Pursuant to Assembly Bill 361, codified at Government Code Section 54953, Planning Board members can attend the meeting via teleconference.*

2. FLAG SALUTE

Board Member Alan Teague led the flag salute.

3. ROLL CALL

Present: Vice President Ruiz, and Board Members Curtis, Hom and Teague.

Absent: President Asheshh Saheba and Board Members Xiomara Cisneros and Rona Rothenberg.

4. AGENDA CHANGES AND DISCUSSION

None.

5. ORAL COMMUNICATIONS

None.

6. CONSENT CALENDAR

None.

7. REGULAR AGENDA ITEMS

**7-A 2022-1917**

*1435 Webster Street -Use Permit for Use of Parking Lot for Outdoor Commercial Entertainment Events - Applicant: West Alameda Business Association. Consideration of a Use Permit to allow use of an existing parking lot at 1435 Webster Street for outdoor commercial and entertainment events. The project is located within the C-C (Community Commercial) Zoning District. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 - Existing Facilities and Section 15183 - Projects Consistent with General Plan and Zoning*

Brian McGuire, Planner, introduced the item and gave a brief presentation. The staff report and attachments can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=5544815&GUID=92833593-C1A5-4513-8C3B-5D129D944FCB&FullText=1>.

Vice President Ruiz opened the board clarifying questions.

Board Member Teague asked how the owner would be monitoring the amplified sound, if it would be continuously monitored. He also asked about attendance for non-ticketed events and then wording in connection to how the noise was monitored.

Allen Tai, City Planner, discussed how WABA (West Alameda Business Association) would monitor noise. He added that they had the readings from last year.

Staff Member McGuire discussed non-ticketed events and how the Noise Ordinance was worded and how they had to work with that to make it clear.

Board Member Hanson Hom wanted to know the changes to how amplified sound was handled. He also wanted to know if there were any changes to the parking conditions.

Staff Member McGuire discussed how this Use Permit was clearer and more specific in regards to amplified sound and what days that was allowed. He added that there were no changes to the parking conditions.

Board Member Ron Curtis discussed noise levels and decibel readings. He wanted to know where the 85-107 decibel limits came from.

Staff Member Tai answered that the numbers came from readings they had gathered last year and from Santa Monica's Noise Ordinance.

Board Member Teague asked if there was a condition of where speakers could go.

Staff Member McGuire discussed the layout of the location and where the stage was located.

Vice President Ruiz asked about past noise complaints and wanted to know if they could instead do another Temporary Use Permit.

Staff Member Tai discussed past complaints and how the board could ask for a review in one year to make sure the noise was being handled appropriately.

Vice President Ruiz opened public comment.

Melissa Milam was very much against this Use Permit. She described how the noise was awful and that it was not fair to their community. She discussed how these events had effected their lives and that the people in charge were not abiding by the rules and the laws.

Maria Milam was in total shock that this being proposed. She said the events at this location last summer had caused stressed and anxiety. The noise was too much. She

didn't understand that with things opening back up why this was still needed. She urged the board to ban all amplified sound, she felt like she was being slapped in the face by the board and the city.

Gina Ledesma, leader for recent event, clarified that time that the high school band played. She thought it was a wonderful event that brought the community together. She added that that they were very respectful of the parking and the noise levels.

Johanna Hall was against this Use Permit. She wanted to know more about the wording in the Use permit and was afraid that these events would negatively affect the daily lives of the neighborhood. She wanted to see street barricades to keep people from taking non metered parking spots and more communication with the residents. She even urged for a Street Liaison to be assigned. \*Cheryl, who was on the call, seconded Johanna and believed there were more than just two complaints.

Stacy Marino was in favor of the Healing Garden and outdoor dining but was very against any event with amplified sound. She discussed how the past events negatively affected the lives of her and her neighbors. She was shocked that this was happening since last time it was said this was a temporary event space.

Dede Lewis, PTA President of Maya Lin School, discussed how appreciative the PTA was to be able to use this space for events. She discussed planned events and that since the pandemic was still going having outdoor events was important.

Linda Asbury, Executive Director of WABA, clarified past events and that this was only for 6 amplified sound events and the Taylor lot had always been a private lot. She said that events never go past 9pm and that they were listening to their neighbors and had even canceled events that clashed with neighbor's needs.

Vice President Ruiz closed public comment and opened board discussion.

Board Member Hom wanted to know if the applicant would be fine with revising the condition to be a maximum of one amplified sound event per month.

Ms. Asbury said absolutely she would.

Staff Member McGuire said the 3 per month was to give flexibility and allowances for different types of events.

Board Member Teague wanted details about the proposed schedule of events and wanted to see a corrected list. He was not in favor of the amplified music or having events on Thursdays. He discussed what decibel readings he was comfortable approving and that he wanted this to come back in a year. He wanted to see the space used but not at the sacrifice of the neighbors.

Board Member Curtis agreed with Board Members Hom and Teague. He discussed conditions that he wanted to see added.

Vice President Ruiz was very concerned with the noise and the negative impact the residential neighbors. She discussed the conditions around the previous temporary Use Permit. She also wanted to see a time limit on events with amplified sound.

**Board Member Hom made a motion to approve the Use Permit with the following conditions. Limit the amplified (related to DJs and live bands) sound events to 1 calendar day (limited to 3 hours on Friday and Saturday) a month. The Use Permit will expire in one year. Decibel readings for amplified sound would be 85 decibels and be measured at the residential property lines. Applicant must also provide a formal schedule of events to the Planning Staff. Board Member Curtis seconded the motion and the motion passed 4-0.**

#### **7-B 2022-1918**

*Alameda Point Site A Development Plan and Development Agreement Amendment (PLN22-0172) - Applicant: City of Alameda and Alameda Point Partners. Planning Board Study Session to consider a Development Plan and Development Agreement Amendment to increase housing capacity at Alameda Point Site A to meet the Regional Housing Needs Allocation. General Plan Designation: Mixed-Use. Zoning: AP-TC, Alameda Point Town Center District. CEQA Determination: Use of Alameda Point Final Environmental Impact Report (FEIR), State Clearinghouse No. 201312043, and Alameda General Plan 2040 FEIR, State Clearinghouse No. 2021030563. No further environmental review is required.*

Before the presentation Board Member Teague asked for the City Attorney to address the issue with Exhibit 1 and how that was being handled.

Celena Chen, Planning Staff Counsel, explained that the link to Exhibit 1 was broken. She added that the Planning Board could still conduct this Study Session and that Director Thomas could provide options on how to move forward.

Andrew Thomas, Planning Building and Transportation Director, introduced the item and gave a presentation. The staff report and attachments can be found at <https://alameda.legistar.com/LegislationDetail.aspx?ID=5544816&GUID=3BEB565C-9B2D-441F-A214-E6B383E2EC52&FullText=1>.

Vice President Ruiz opened the board clarifying questions.

Board Member Teague asked about waivers requests combined with Density Bonus for this project.

Director Thomas said that was allowed and further explained as the property owner what they could allow.

Board Member Curtis wanted details on what developers made up Alameda Partners.

Director Thomas answered that the two main partners were Trammell Crow Residential and Cypress Equity Investments (CEI).

Vice President Ruiz asked about what units were included in the Housing Element Update.

Director Thomas said that the additional units had been included in the update and discussed the 600 units that needed to be built on Site A and what had to happen in order for that to happen.

Vice President Ruiz opened public comments.

There were no speakers.

Vice President Ruiz closed public comments and opened board discussion.

Board Member Teague questioned why they were building so many townhomes on the area, he would rather see more houses there which would make the Universal Designer easier to achieve. He liked the idea of having the pedestrian/bike area.

Board Member Curtis still wanted more clarification on the Alameda Partners.

Vice President Ruiz reopened public comments.

Stephanie Hill, Trammell Crow, discussed Trammell Crow's involvement with Alameda Point and a background on the type of development they specialize in. She discussed in detail the complexities of building at the Point.

Karen Bey, resident, discussed the work that Trammell Crow was required to do at Point form Affordable Housing and community benefits. She pointed out that they had done the community benefits in Phase 1 which was very unique. She felt that the developer had done a wonderful job and they should be rewarded for the work they had done.

Vice President reclosed public comments and reopened board discussion.

Board Member Hom agreed that this location was ideal for an increase in density. He also acknowledged that the commitment to 25% affordable housing was very positive and that moving the building to increase the pedestrian corridor was also very positive. He was supportive of the parking decision recommended by staff and discussed ways to achieve the Universal Design Standards.

Board Member Teague encourage a type of design similar to what Alameda Marina did to their townhouses that would accomplish more of the Universal Design.

Vice President Ruiz supported the proposed revision on Coronado St but wanted the connection between Coronado St and Main St to be evaluated for safety to cyclist. She has similar concerns brought up by Board Member Teague about the amount of townhomes. She discussed the importance of job/housing balance and where the retail components could fit. She also discussed the difficulties of townhomes to achieve Universal Design.

Director Thomas thanked everyone and stated that they would be working with the Commission on Persons with Disabilities and what the next steps were.

### **7-C 2022-1919**

*Public Workshop to Review and Comment on the April 2022 Draft Housing Element and the proposed Zoning Code Amendments to Accommodate the Regional Housing Needs Allocation for the Period 2023-2031 in Compliance with State Law.*

Director Thomas introduced this item. Staff report and attachments can be found at <https://alameda.legistar.com/LegislationDetail.aspx?ID=5544817&GUID=C4CD068A-5603-425A-AF2E-A59409B20A26&FullText=1>.

Vice President Ruiz opened board clarifying questions

Board Member Curtis pointed out that he wanted to see just the changes that the board had suggested and what had been implemented. He also wanted clarification on the definition shared living.

Director Thomas discussed what the state required for the Housing Element and what parts of the appendixes were brand new.

Board Member Teague asked about the 15-30% Buffer being required in the staff report but in the reference it says recommended. He wanted clarification. He also wanted clarification on the definition shared living. He pointed out discrepancies in the definitions. He also wanted to see where his commentary had been reflected.

Director Thomas said the words from HCD were “highly recommended”. He then went into detail about what the benefits of the Buffer were. He then went into detail about the definition of shared living. He discussed what the focus had been with every update of the Housing Element and added that they had received comments from a huge amount of people.

Board Member Hom had questions about the Zoning Code and asked about the discussed design requirements for Park and Webster St.

Director Thomas discussed the takeaways from the last workshop and how staff had interpreted the board's notes.

Staff Member Tai added information about height limits on Webster St and that the takeaway had been to make them uniformed.

Vice President Ruiz asked about the process of submitting to HCD (Housing and Community Development) and next steps. She also had questions about upzoning vs overlays and State Density bonus.

Director Thomas described in detail what HCD needed and what was next in the process for the staff. He added that there will be comments back from HCD which would be another opportunity for the board to comment. He then discussed using a combo of both upzoning and overlays and how developers could and have used the State Density bonus in Alameda.

Vice President Ruiz opened public comments.

Karen Bey supported the amendments to make a uniformed zoning amendment for both Park and Webster Street. She supported higher building heights in high opportunity sites. She discussed areas where retail spaces should be preserved.

Drew Dara-Abrams asked to make sure that R1-R6 equally contribute to the housing goals. He was very excited at the proposed zoning changes to Park and Webster and gave suggestions on height limits.

Chris Buckley, Alameda Architecture Preservation Society, did not think that the massive upzoning proposed was necessary and was overkill. He also discussed in detail issues and concerns with Density Bonus and the proposed height limits for Park and Webster St.

Vice President Ruiz closed public comments and opened board member discussion.

Board Member Teague discussed his concerns with the wording around Article 26. He wanted to see the Neighborhood Commercial station called out separately, he was not in favor of putting the density into each one of the zones. He believed that all parcels in all residential zones should be eligible for 4 units. For the transit overlay he believed that a quarter mile was too far. He felt that the section for SB-9 left a lot of information out. He then discussed the changes he wanted to see for height limits for the Stations and the Mixed-Used locations. He added that he wanted to see 7 units by right to every parcel for the Transit Route. He also discussed the Design Standards for ADUs and how to make them contemporary compatible. He then discussed definitions Density Bonus.

Director Thomas replied in detail about what was considered Shared Living and other definitions. He also went into detail about Density Bonus.

Board Member Hom discussed his concerns about the geographical distribution of fair housing units. He had questions about the Inclusionary Housing Ordinance and how to strengthen it. He also had notes about tables in the Housing Element and how they could be clearer. He also gave notes on the Zoning Ordinance and the North Park Street District. He also discussed the Transit Overlay Districts, he agreed with Board Member Teague that a quarter mile was too far.

Vice President Ruiz discussed ways to strengthen communication with the citizens of Alameda and how to best work with the State Density Law. She agreed with the AAPS's recommendation that the Transit Overlay was difficult to implement. She pushed for neutrality in dealing with Article 26 and not make the wording politically charged, she wanted to remain nonbiased in the public documents. She then pointed out conflicts with the wording connected to Density Bonus and vacancies in Alameda's rental pool. She agreed with Board Member Hom about having a legend for Table D-1.

There was a conversation about the differences between Park and Webster and what height limits would work best.

## 8. MINUTES

### **8-A 2022-1912** - *Draft Meeting Minutes - February 28, 2022*

This item was continued due to a lack of a quorum.

## 9. STAFF COMMUNICATIONS

### **9-A 2022-1910**

#### *Planning, Building and Transportation Department Recent Actions and Decisions*

Recent actions and decisions can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=5544812&GUID=897EC6D8-2F54-4171-AFC5-7DABDAB0A3CB&FullText=1>

No item was pulled for a review.

### **9-B 2022-1911**

#### *Oral Report - Future Public Meetings and Upcoming Planning, Building and Transportation Department Projects*

Staff Member Tai announced that the April 25<sup>th</sup> meeting had been canceled and the next meeting was May 9<sup>th</sup>.



10. WRITTEN COMMUNICATIONS

None

11. BOARD COMMUNICATIONS

Board Member Hom announced that he would be unable to attend the May 9<sup>th</sup> meeting.

Vice Chair Ruiz announced that she had submitted Alameda's ADU Policy to The Urban Land Institute for a leadership award. She also announced that the Housing the Bay Conference was coming up.

Board Member Hom believed that Alameda's General Plan should be put forth for an American Planning Association Award and the deadline was coming up.

12. ORAL COMMUNICATIONS

None.

13. ADJOURNMENT

Vice President Ruiz adjourned the meeting at 10:45 p.m.