

DRAFT MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, FEBRUARY 14, 2022

1. CONVENE

President Asheshh Saheba 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

Vice President Teresa Ruiz led the flag salute.

3. ROLL CALL

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

Absent: None.

4. AGENDA CHANGES AND DISCUSSION

None.

5. ORAL COMMUNICATIONS

None.

6. CONSENT CALENDAR

None.

7. REGULAR AGENDA ITEMS

7-A 2022-1741

PLN22-0032 - Design Review Amendment - 1051 Harbor Bay Parkway- Applicant: Shriji Hospitality, Inc. A Public Hearing to consider an amendment to the Planning Board's Design Review Approval PLN17-0600 to allow minor modifications to the southwest and southeast elevations of the hotel building approved at 1051 Harbor Bay Parkway. General Plan designation: Business Employment. Zoning: C-M-PD, Commercial Manufacturing - Planned Development zoning district. CEQA Determination: Design Review approval for a permitted use is not subject to CEQA. McCorkle Eastside Neighborhood Group v. City of St. Helena (2018) 31 Cal.App.5th 80, Public Resources Code Section 21080

Henry Dong, a Planner III, introduced the item and gave a presentation. The staff report and attachments can be found

<https://alameda.legistar.com/LegislationDetail.aspx?ID=5445281&GUID=90DA8C28-8BE1-4268-B1B4-C7933F49A1C1&FullText=1>.

President Saheba opened the board clarifying questions.

Board Member Hanson Hom asked about previous design changes the board had asked the applicant to work with the staff on and wanted an update on those.

Staff Member Dong answered that they were still working with the applicant on those. The previous conditions of approval would still apply.

Vice President Ruiz also asked about a condition that had not been addressed.

Staff Member Dong explained that they would address those conditions before the building permit.

President Saheba opened public comment.

There were no public speakers.

President Saheba closed public comment and opened board discussion.

Board Member Ron Curtis wanted to know what assurances they had that the conditions would be met in the future.

Allen Tai, City Planner, addressed those concerns and explained how the pandemic had affected timelines. He also discussed what the board could ask of the staff and the applicant.

President Saheba was happy to see this had come back but brought up the importance of this being a “gateway” site and how they addressed the corner was critical. He recommended putting a condition on the Design Review to bring this back as they updated it.

Vijay Patal, the applicant, discussed the history of the project and addressed the concerns over the design and the entry corner.

Board Member Hom asked about the timeframe for proposals about the corner elevation.

Mr. Patal hoped to have things done in the next 60 days.

Staff Member Tai reminded the board that this development was subject to Public Art and that was part of the consideration for the corner.

Director Thomas added information on the timeline and that an Ad Hoc Subcommittee could be useful.

Board Member Rona Rothenberg made a motion to approve the Design Review Amendment as submitted with the condition that the refined design options for the corner come back to a working group with staff before the design is finalized for a permit. Board Member Hom seconded the motion. The subcommittee would be President Saheba, Vice President Ruiz, and Board Member Hom. A vote was taken by a roll call and the motion passed 7-0.

7-B 2022-1743

PLN21-0459 - Design Review and Development Plan Amendment - 2607 - 2619 Santa Clara Avenue & 1514 - 1518 Broadway - Applicant: Branagh Land Inc. Public hearing to consider Design Review and Development Plan Amendment to allow the construction of eight townhome dwellings within an existing 1.29-acre residential development. General Plan designation: Medium Density Residential. Zoning: R-5-PD, General Residential-Planned Development zoning district and partly within the R-4-PD, Neighborhood Residential-Planned Development. CEQA Determination: Design Review approval for a permitted use is not subject to CEQA. McCorkle Eastside Neighborhood Group v. City of St. Helena (2018) 31 Cal.App.5th 80, Public Resources Code Section 21080. As a separate and independent basis, the development plan amendment is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15332, In-fill Development.

Staff Member Dong introduced this item and gave a presentation. The staff report and attachments can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=5445282&GUID=4AD523DE-B0F2-4DD8-9A36-421D05CA98CE&FullText=1>.

President Saheba opened the board clarifying questions.

Board Member Alan Teague clarified that the number of affordable units would stay at two.

Staff Member Dong said that was correct.

Vice President Ruiz asked about discrepancies between the site plan and the strong water control plan.

Stefan Schnider, the applicant, discussed and explained the discrepancies.

Board Member Curtis, asked where the mailboxes would be located.

Mr. Schnider said they would likely have cluster mailboxes in the center drive aisle.

Board Member Curtis also asked about where lighting for the bathrooms came from for the interior units. He also questioned the ADA (Americans with Disabilities Act) unit and if it had the appropriate space and how the flow of trash collection would work. He also wanted to know if they had considered the noise from the playground for two of the units.

Mr. Schnider explained the lighting layout and said they had followed the Universal Design Requirements for the ADA units. He also discussed the thoughts behind the playground.

Dan Hale, the architect, also shared some slides on the project and gave a presentation.

Board Member Rothenberg asked if they had considered some sort of barrier at the end of the driveway to protect the play area. She then asked if they had considered incorporating public art into the canopy.

Mr. Schnider was open to considering art with the canopy. He then discussed the fencing around the play area and that they were open to considering bollards.

Board Member Rothenberg asked for a recap on a portion of the Resolution on the Density Bonus.

Mr. Schinder explained how the Density Bonus was calculated.

Staff Member Dong said the Resolution called out which units those lots were in.

Board Member Curtis asked if there would be noise when the rain fell on the metal canopy. He also wanted to understand how garbage would be picked up.

Mr. Schnider did not anticipate a noise problem. He then explained the HOA would have to pay a bit more for the garbage bins to be pulled out for collection. He then discussed what the options were.

President Saheba asked about site-wide lighting and wanted to know if there had been a photometric study done for egress. He also wanted to know if this project fell under Fair Housing Laws. He was curious why one unit was labeled an ADA unit.

Mr. Schinder said they had not done a photometric study, he discuss what they had done.

Director Thomas explained the local Universal Design Ordinance and the Basic California Building Code and how those worked with Fair Housing.

President Saheba opened public comment.

There were no public speakers.

President Saheba closed public comment and opened board discussion.

Board Member Hom discussed options for the canopy and variety would have a nice effect. He liked the idea of removing the parking and having more open space.

Board Member Xiomara Cisneros agreed with Board Member Hom about less parking and was sad about one less unit but overall it was a better design. She believed the elimination of minimum parking made it a better fit and hoped other developers would consider eliminating parking. She supported the project.

Board Member Teague agreed with Board Member Cisneros and thought that staff should take note of the change they were approving for these canopies and add them to the list of the Design Standards.

Board Member Curtis could not support this project due to the flow. He felt that the overall flow of the garbage pick-up and the play area was unsafe.

President Saheba wanted to add to the motion that the staff works with the applicant to ensure that this project meets the Fair Housing Guidelines. Also, that staff works with the applicant that the site meets egress lighting.

Staff Member Tai explained that these issues would be reviewed during the Building Permit review.

Board Member Hom made a motion to approve the modifications to the Design Review with the acceptance to the amendment to the design of the canopy, so they have flexibility, and the amendment to Condition #9 to correct the required number of bicycle parking spaces, 8 long term, and 2 short term. Also the addition of bollards in the parking lot, review of the lighting plans as well as ensuring that the project meets Accessible and Fair Housing Guidelines. Board Member Teague seconded the motion. A roll call vote was taken and the motion passed 6-1 with Board Member Curtis voting against.

7-C 2022-1744

Public Workshop to Review and Comment on the Draft Housing Element Update and Zoning Code Amendments for Park Street, Webster Street, and Commercial Areas to Accommodate the Regional Housing Needs Allocation for the Period 2023-2031 in Compliance with State Law

Director Thomas introduced the item and gave a presentation. The staff report and attachments can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=5445283&GUID=996B7DF3-466C-4CFF-A548-D3763AAE2C7C&FullText=1>.

President Saheba opened up the board clarifying questions.

Board Member Teague asked about Zoning Changes that were not related to the RHNA (Regional Housing Needs Allocation).

Director Thomas explained why those items stilled pertained to the RHNA.

Vice President Ruiz asked if Webster had a Uniformed Height. She then wanted to know if WABA's (West Alameda Business Association) design recommendations had been vetted or approved by the Webster Street property owners.

Director Thomas said Webster Street had a Uniformed Height and that the property owners had not approved WABA's Design recommendations.

Board Member Hom asked about the intent behind raising Webster's height limit.

Director Thomas explained what the extra height would be able to allow.

Board Member Cisneros asked about Webster being a historic district.

Director Thomas explained the history and background of Webster. Park Street had a designated Historic District and Webster Street did not, he explained more on that.

Board Member Rothenberg discussed a letter sent by the AAPS (Alameda Architecture Preservation Society) that discussed height increases in and out of historic areas. She also discussed Harvey Rosenthal's thoughtful comments about Neptune Plaza. She believed he had made a very strong business case and was worthy of deliberation.

Director Thomas discussed Neptune Plaza and the several emails with Mr. Rosenthal. He believed the staff's recommendation was a compromise between what Mr. Rosenthal wanted and what WABA's Design committee wanted. He then discussed how they looked at Historic areas and why they were not looking at down-zoning.

President Saheba opened public comment.

Betsy Mathieson was excited by the return of residential over commercial on Park and Webster Street. She was also pleased to see the emphasis on visibility active uses of storefronts. She also believed that opaque storefront windows had no place in Alameda's downtowns. She also strongly agreed with the height limits suggested by the AAPS.

Karen Bey believed the height limits and zoning changes for Park and Webster Street should be the same as it would eliminate confusion. She also supported Neptune Plaza getting a Multi-Family overlay.

Josh Geyer was very excited to hear about the proposed upzoning for the main streets in Alameda. He discussed the many benefits this would allow.

Jay Garfinkle felt that Staff Member Tai's image showing building heights was not accurate. He was concerned about the lack of parking on Webster and suggested that all

staff parking at City Hall be eliminated so that employees could set a good example by taking public transit. He also felt that the Planning Board only focused on compliance and should change its name to the Compliance Board.

Harvey Rosenthal, the owner of Neptune Plaza, gave his thoughts on height limits and why not everything could have a blanket height limit. He also discussed other developments and why now was the time to increase height limits.

Zac Bowling supported the staff's proposal and believed they were on the right track. He was excited about redevelopment along Webster St.

Christopher Buckley, with the AAPS, discussed and went over the main point in a letter the society had sent.

Therese Hall was curious how the public was being notified about these workshops. She was very concerned about the creation of microclimates with these tall buildings. She was also concerned about limiting vehicular traffic since it felt that there was little or no concern for disabled people.

Marilyn Alwan supported Neptune Plaza being treated like all the other shopping centers and saw it as a great housing opportunity.

Alex Spehr expressed her approval of the staff's proposal to upzone, especially Neptune Plaza. She was shocked to hear there was no historic protection on Webster Street, she wanted to see some historic protection as well as upzoning to get more housing. She also pointed out that disabled people use motorized wheelchairs as well as transit and sidewalks, not just cars.

Daniel Hoy, Design Committee and Board of Directors for WABA, wanted to do more canvassing of parcel owners in the Webster Area to ensure they were aware of all the changes.

Drew Dara Abrams discussed the height limits and densities. He believed that they needed to encourage private developers to build units in these areas that brought a mix of amenities. He liked seeing the different ways to improve the pedestrian experience. He also hoped to see a BART station on Webster.

President Saheba closed public comment and opened board discussion.

Board Member Teague discussed the importance of being very clear so people understand why they were doing things the way they were. He wanted to use Housing Needs Overlays to deal with the Multi-Family Density issues instead of changing zoning directly. He discussed different overlays and how they would be beneficial.

Board Member Curtis addressed there was the demand for units but they needed to focus on the reality of getting them built. He discussed what the developer had to do and having the height to build those units was important. He discussed the importance of finance for these developers.

Vice President Ruiz discussed Overlay zones and the conflicts around those. She also agreed that WABA needed to talk to its business owners. She also wanted to discuss the sight line they were using to create these new height limits, having livable streets was important. She thought a Shadow Study should be a requirement as a better gauge to set building height. She thought that Webster and Park St should be kept at the same height and was in support of Neptune Plaza being in an Overlay Zone.

Director Thomas explained and discussed the issues around the Density Bonus Ordinance and the overlays. He also discussed current projects and the issues they were having.

Board Member Hom discussed the importance of balancing the historic core with where residential density is logical. He believed these two corridors were great for housing, he thought housing would be beneficial and wouldn't deter from the historic feel. He also gave his thoughts on increasing density and the Density Bonus Law.

Board Member Cisneros agreed that overlays could be a very useful tool. However, she felt it was important to change the zoning. She also agreed there should be more flexibility on Webster Street. She also discussed her concerns around zoning.

President Saheba generally was more supportive of no density limits and discussed the benefits of that. He also thought a consistent height through Webster would be good. He then discussed when an Overlay made more sense.

Director Thomas went into detail discussing Density Bonus.

8. MINUTES

8-A 2022-1745 - Draft Meeting Minutes - December 12, 2021

Board Member Teague pointed out a typo.

President Saheba opened public comments.

There were no speakers.

President Saheba closed public comment.

Board Member Teague made a motion to approve the minutes as amended. Vice President Ruiz seconded the motion. A roll call vote was taken and the minutes passed 7-0.

8-B 2022-1746 - Draft Meeting Minutes - January 10, 2022

Board Member Hom clarified his thoughts on how the parcels would work.

President Saheba opened public comment.

There were no public comments.

President Saheba closed public comment.

Board Member Hom made a motion to approve the minutes as amended. Board Member Rothenberg seconded the motion. A roll call vote was taken and the minutes passed 7-0.

9. STAFF COMMUNICATIONS

9-A 2022-1728

Planning, Building and Transportation Department Recent Actions and Decisions

Recent actions and decisions can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=5445279&GUID=12B8C3AD-64EE-43A7-88FA-C51A038B63AA&FullText=1>.

No board members wanted to pull any item for review.

9-B 2022-1729

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

Staff Member Tai announced that at the next meeting the staff hoped to bring back the Annual CARP Report, Transportation Choices Plan, and to continue the Housing Element Workshops.

10. WRITTEN COMMUNICATIONS

10-A 2022-1747 - HCD Letter dated 11-29-21

The letter can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=5445286&GUID=E384EA51-CE16-4A13-9F4B-A72DD47B61FF>.

Staff Member Tai explained this letter was about Article 26 and the City's Charter.

11. BOARD COMMUNICATIONS

Vice President Ruiz brought to the staff's attention practical application challenges with moving to all electrical, especially for Multi-Family. She wanted the staff to plan and work with Public Works and AMP to see how to work out the rules and regulations so that all the departments are ready for the challenges.

Staff Member Tai discussed what the city was already doing.

12. ORAL COMMUNICATIONS

None.

13. ADJOURNMENT

President Saheba adjourned the meeting at 10:05 p.m.