

APPROVED MEETING MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, MARCH 9, 2015

1. CONVENE: 7:04 P.M.
2. FLAG SALUTE: Board Member Tang led the flag salute.
3. ROLL CALL: Present: President Henneberry, Vice President Alvarez and Board Members Burton, Knox White, Köster (arrived at 7:25 PM) and Tang. Absent: Board Member Zuppan.
4. AGENDA CHANGES AND DISCUSSION: None
5. ORAL COMMUNICATIONS: None
6. CONSENT CALENDAR: None
7. REGULAR AGENDA ITEMS:

7-A. 2015-1403

Hold a Public Hearing to Consider an Appeal of an Administrative Use Permit to Allow Sale of Beer, Wine, and Spirits for Off-Site Consumption as an Accessory Use at the Existing Walgreens Store at 1600 Park Street; and Adoption of Related Resolution.

Mr. Allen Tai, Planning Services Manager, gave the presentation. He explained that the agenda item was an appeal of the Zoning Administrator's decision to grant a Use Permit to allow alcohol sales at Walgreens.

Board Member Burton asked Mr. Tai to compare the amount of space available for alcohol sales at Walgreens and the Pit Stop Market. Mr. Tai said that the Pit Stop Market, being a liquor store, has more liquor space.

The Board opened Public Comment:

Mr. Daniel Smith, representing, Walgreens, said that alcohol sales were very important to Walgreens business model. Walgreens' competitors sell alcohol and other items as well, and if his company could not sell alcohol, it will be at a competitive disadvantage. He said that Walgreens closes at 10 PM, and sells types of alcohol that does not typically attract vagrants.

Mr. Ryan Shutt, the store manager of the Walgreens on Park Street, said that he manages three stores and the Park Street location is his favorite. He said he sees his customers every day, and any customers to whom Walgreens cannot not sell alcohol is a customer

that he potentially loses.

Mr. Jaspal Sekhon, owner of the 7-11 across the street, opposed the project. He said that Walgreens is a big store that threatens the nine other liquor stores in the area. He said that there are vagrancy issues in the area, as well as at South Shore Center. He reminded the Board that the Zoning Administrator denied a similar use permit for the 76 gas station. He said that other cities have prohibited the sale of alcohol at downtown Walgreens locations.

Ms. Preethi Swetha, resident, said she supported the appeal. She said that big-name chains are convenient for the public, but they can have a negative impact on the small businesses in the area.

Mr. Dominic Carrion, Alameda resident, said he was a victim of a felony drunk driver about eight years ago. He said that the City should be restricting, not increasing, alcohol sales. He said he has nothing against Walgreens, but questioned the need for more places that sell alcohol in Alameda.

Mr. Dave Salazar, resident, said that many of the vagrants on Alameda come from Oakland. Many of them come to Alameda in search of alcohol. He urged the board to reconsider the use permit, because vagrants negatively affect the quality of life in Alameda.

Mr. Joel Gutierrez said that big chains have a history of forcing smaller businesses to close. He feared that a Walgreens that can sell alcohol on Park Street would lead to negative effects on the businesses in the area.

Mr. Jerry Coulon stated his opposition to granting Walgreens a liquor license. He said that part of Alameda's charm is the small businesses on Park Street. He said he shops at Walgreens for many convenience items, but he said that he does not support alcohol sales from a big corporation.

Mr. Yagumeet Sindhu said that the Walgreens on Park Street made no economic sense. He said that the Walgreens in San Leandro does not have a liquor license, and their sales are quite fine.

The Board closed public comment.

Board Member Knox White asked Mr. Tai about the description of this particular liquor license. Mr. Tai explained that this particular license allows for the sale of beer, wine, and spirits. Mr. Tai explained that other business on Park Street also have this type of liquor license.

Board Member Knox White asked if the Board had to make findings to make a decision. Mr. Thomas explained that the Board should, for the record, make findings in order to approve or deny the liquor license. If the Planning Board cannot make findings, they should state so for the record.

Board Member Köster said that Walgreens is indeed convenient, but he thinks of the chain as a drugstore. He said he disagrees with the appellant's claim that alcohol sales would impair the revitalization of Park Street, and suggested that the Board could call the Use Permit for review in a year if there are vagrancy issues. He agreed with Board Member Knox White that it could potentially have a negative effect on surrounding businesses, but said that the small businesses could reinvent their business model.

Board Member Tang asked Mr. Tai if any other stores in the area have a similar liquor license and operate later than 10 P.M. Mr. Tai responded that the appellant sells liquor after 10 P.M, and the Walgreens on South Shore is open for 24 hours.

Board Member Tang asked if there are statistics regarding vagrancy at the Walgreens on Park Street. Mr. Tai said he talked to the Chief of Police, who said that the Police Department is not concerned about vagrancy at the Walgreens' store.

Board Member Burton said that the over-saturation of alcohol sales on Park Street is not an issue. He said that he understands the concerns of small businesses, but said that Walgreens sells other products as well. He said he would support bringing the Use Permit back for review in six months.

Vice President Alvarez said that she understood the feeling of big business competing against small business. She said that many other businesses, such as restaurants, are moving into the area and would apply for liquor licenses.

President Henneberry clarified that the Board denied liquor licenses on Webster Street because they were at gas stations. He also argued that the vagrancy issue is a policing issue and that he was in favor of bringing the Use Permit back for review in six months.

Board Member Burton motioned to uphold the Zoning Approval's decision, with the condition bring the Use Permit for review six months after the beginning of sales. Vice President Alvarez seconded the motion. The motion carried, 4-2 (Board Members Knox White and Köster voted against, Zuppan absent.)

7-B 2015-1402

Annual Reviews: 1) Alameda Landing Mixed Used Project Development Agreement and 2) Transportation Demand Management Program – Applicant: Catellus Alameda Development, LLC. The applicant requests a periodic review of two Development Agreements and a Transportation Demand Management Program (TDM) related to the Alameda Landing Mixed Use Residential Project and the Alameda Landing Mixed Use Commercial Project.

Mr. Thomas gave the presentation. He said staff believed that Catellus and Tri-Pointe Homes have a made a good-faith effort to uphold their agreements.

Board Member Knox White asked if the reports have gone to the Transportation Commission and the City Council. Mr. Thomas replied in the negative.

Board Member Köster asked Mr. Thomas to describe the City's current shuttle services. Mr. Thomas listed the different shuttles.

Board Member Knox White asked about the inclusion of energy-efficient amenities into the homes and businesses being constructed.

Mr. Bill Sadler, of Tri-Pointe Homes, said that these energy-efficient options are important for his company's business. Typically, there are not very many requests for such options, but he said that his company does provide conduit for solar panels on homes sold in Alameda. Because Alameda Municipal Power is less expensive than other electric companies in the area, the firm decided against offering solar power as an option for homes sold in Alameda.

Mr. Sean Whiskerman, representing Catellus, said he could not recall the requirement of EV charging stations being part of the Development Agreement, but planned to provide them for the benefit of customers. If the Development Agreement did indeed call for EV charging stations at the Point, his firm would include them.

Board Member Knox White asked for contact information for the TMA office. Mr. Atkinson said that he and Catellus have to deal with public complaints, but they are few and far between. He said that he and the Catellus staff field public calls. He said that he is planning on adding additional stops for the current shuttles.

Board Member Knox White noted that the majority of Alameda is residential. He asked how the TMA would include these new residential areas currently under construction. Mr. Atkinson said that his team plans on asking new residents as they move in to the new areas regarding shuttle service.

Board Member Knox White said that the current TDM requires an annual survey of current employees. Mr. Atkinson said this report will be finished in October of this year.

Board Member Tang asked about shuttle utilization rates, and if Mr. Atkinson's team had approached Target to offer initiatives. Mr. Atkinson replied that Target, which is based in Minnesota, is not used to such plans. The company's transportation policies and their corporate advertising budget, are decided by their corporate executives in Minnesota. However, since Safeway opened in Alameda Landing, many shoppers now use the shuttle service to get to and from the store. There has been about a 12 to 15 percent increase of riders.

Vice President Alvarez asked about the ridership numbers mentioned in the report. Mr. Thomas said about 11,000 riders have used the service in the past year. Vice President Alvarez said that 11,000 riders seems like a low number, but she understands the

parameters on which the shuttle was set up.

The Board opened public comment.

Ms. Courtney Sheffler, homeowner, questioned why her house is being built to 2010 energy efficiency standards. She said that the builders of the house were violating no laws, but the City should be forcing all builders use the most updated energy standards for new development in the City. She said she cannot wait to use the new shuttle, but wanted to make sure that the taxpayers who pay for the shuttle should be given priority to use it.

The Board closed public comment.

Board Member Tang said that, in the long run, the Board needs to make the TMA as efficient as possible. If the shuttle is not user-friendly, it will lead to low ridership. He suggested that businesses in Alameda offer incentives to consumers to ride the shuttles, and said that there has to be an enforcement mechanism to make sure that the shuttle is a success.

Board Member Burton said he is encouraged by the progress of the shuttle. He said that he likes how businesses are also trying to increase shuttle ridership. He said he agrees with the speaker's comments about residents and businesses being given priority to use the shuttle.

Board Member Knox White encouraged Tri-Pointe and Catellus to be more proactive in adding energy-efficient upgrades to their constructed buildings. He said if the Board were to make a recommendation to the Transportation Commission, he would suggest that the current TDM is inadequate, and that there are still many flaws with the current shuttle operation. He said that Target is the only retailer mentioned in the TDM, and said he had questions about how many roundtrips per day are taken by people going to and from the store. He said that he would like to see the marketing material by the Target store to encourage employees to take the free shuttle.

Board Member Köster said that he is glad that the program is working well, and that other businesses are encouraging use of the shuttle. He said he would like to expand the shuttle service to other parts of Alameda to discourage cross-Island car trips.

Vice President Alvarez said she had a hard time with the proposed draft resolution. She said that she does not know if there was a good faith effort for compliance of the TDM. Mr. Thomas replied that the Board could approve the report without the TDM language, and that staff would pass on the comments of the Board to the Transportation Commission and the City Council.

Vice President Alvarez asked if it is possible for all buildings to be updated to the current code, even if they were built before the code was updated.

Board Member Burton explained that the City could not force developers to conform to the current code for buildings approved under the prior code. Mr. Thomas agreed.

President Henneberry said his views on the issue were reflected by the Board's comments.

Board Member Knox White motioned to approve the TMA, noting that the TDM activities have not met the City's requirements. He suggested that the report should revise the dates covered in the report, the TMA board setup, the fact that the shuttle to BART must run 7 hours per day, how Day One activities, including employee marketing, a useable website, annual employee service are not in place, and for the report to include an analysis of impact relative to the 30% reduction request. Board Member Köster seconded the motion. The motion carried, 6-0.

7-C 2015-1404

PLN13-0175 - 2100 Clement Street – Applicant: City Ventures.
Study Session for Design Review, Development Plan, Vesting
Tentative Map and Density Bonus to Permit Construction of 58
Townhome Units on a 2.78 Acre Parcel Located at 2100 Clement
Street. The Project is Subject to Environmental Review Under the
California Environmental Quality Act.

Mr. Thomas explained that staff is not ready to give a final recommendation on the project; he asked the public for their input. He introduced Mr. Andrew Warner, of City Ventures, the applicant, who gave the presentation.

Board Member Köster asked Mr. Warner about the details of the solar panels. Mr. Werner explained that some of the panels will be flat on the roof, and others will be mechanized.

Board Member Tang asked Mr. Warner about concerns from the neighbors. Mr. Werner replied that the neighbors are concerned about parking, and that there are 21 parking spaces for general use in the project.

Vice President Alvarez asked if the access roads are available for emergency vehicle address. Mr. Thomas said that the fire department is still looking at the specifics of the plan.

Board Member Köster asked Mr. Thomas if the City has any ordinances regarding guest parking spots. Mr. Thomas responded that there is a ratio of 1 guest space per 2 housing units in this development, as compared to 1 space per 4 housing units in other cities.

The Board opened public comment.

Ms. Keri Thompson, Treasurer of the Alameda Chamber of Commerce, spoke in favor of this project. She said that the project site is served by AC Transit, and that the project's applicants are very receptive to the community's concerns.

Mr. Andrew Packee, resident, said he was impressed with the presentation, but wondered

if Alameda was ready for more houses. He believed that it was a great idea to repurpose old and abandoned buildings in the City. These townhouses will be very expensive, and wondered how many future residents will be taking the bus to and from their destination. He appreciated that the City is looking to improve Clement Avenue as a thoroughfare, but said that there needs to be more infrastructure in the city.

Ms. Jennifer Heflin, resident, said that Alameda's small businesses are part of the City's charm, but wondered if the condominiums and townhomes would add to the community feel. She feared that the addition of condominiums and townhouses would lead to a destruction to the feeling of community that makes Alameda unique.

Ms. Dorothy Freeman, resident, spoke against the project. She said that there is not enough infrastructure to support the new residents moving into the area. She said that the Northern Waterfront has only 1/6 of the park space it should have. There is not enough open space for current residents, and asked for the Board to consider the effects of new development on the current residents of the Northern Waterfront.

Mr. Bill Smith, of Renewed Hope Housing Advocates, said he was encouraged by the project. He said his group wanted to see more open space at the site, and said he agreed with previous speakers about parking and traffic issues. Mr. Smith said that he wanted to see affordable housing spread throughout the development, and was concerned that all of the homes would be owner-occupied, which presents issues for affordable housing groups.

Ms. Karen Bey, resident, spoke in favor of the project. She said she likes that there are many wonderful aspects to the project. The current market for housing suggests that homeowners are going to use transit. They are paying high property taxes, and that homeowners in this development will be near public transit, which will also alleviate traffic issues. Ms. Bey said that the new residents will also walk to Park Street and spend their money there. She spoke favorably of the developer's other projects in Oakland, and expressed hope that the developers will create a similar project in Alameda.

Mr. Noe Valenzuela, resident, said that he recently bought a rehabilitated Victorian house. He said that there are many economic and environmental benefits of having a walkable community in Alameda. He said he was very excited about the project, and that it should proceed if it follows the City's guidelines.

The Board closed public comment.

Board Member Tang asked Mr. Thomas if the parcel was originally zoned commercial. Mr. Thomas said that the property was rezoned for residential use in 2009.

Board Member Burton said that his neighbors ride public transit as much as anyone else in the City, even though their houses are much more expensive. He is supportive of having housing on this site, but is less supportive of the project as a whole. He said that there need to be more access points to the development in order to disperse the cars coming in from one point. He agreed with the developer's attempt to keep the buildings in proportion

with the new buildings, but suggested that the houses could be reconfigured to incorporate more open space into the area. There are other, less gracious issues with the design of the houses that also need to be addressed, including the small private balconies on some of the units. Board Member Burton also said that Alameda does not need any air conditioning units for the houses, and suggested that it would help the developer's plans to exclude them in the houses.

Board Member Köster said he agreed with Board Member Burton's comments. He said that the walkability of the community is an important factor in the neighborhood. He said that the density could be lowered a little bit in order to increase the open space on the site. Board Member Köster asked if some ground-floor commercial space could be incorporated into the new buildings if possible.

Board Member Knox White said that there was too much asphalt and not enough open space in the proposed development. He said that he is confused by the size of the housing, and questioned if the sizes of the proposed housing is appropriate for the neighborhood. He suggested building a through street and building housing along that street instead of having four cul-de-sacs.

Vice President Alvarez said that the major entrance to Eagle Avenue needs to be moved closer to Mulberry Street. The architecture on Eagle, Willow, and Clement Avenues are all different from each other, and the developers need to marry the three different architectural styles in this new development. She suggested that the neighbors concerned about parking organize themselves as they did at the Del Monte.

Board Member Burton said that the two-story buildings along Willow Street are nicely integrated with the existing neighborhoods, but the townhouses with the first floor bedrooms are not truly in-line with universal design guidelines.

President Henneberry said that there is unanimity that this is a good project for the City, but it is not ready in its present form. He said he looks forward to seeing an update of this project.

8. MINUTES: None

9. STAFF COMMUNICATIONS:

9-A. 2015-405

Zoning Administrator and Design Review: Recent Actions and Decisions.

10. WRITTEN COMMUNICATIONS:

11. BOARD COMMUNICATIONS:

11-A 2015-1341

Report from the Alameda Point Site A-Ad-Hoc Subcommittee

President Henneberry said that the subcommittee has not met yet.

12. ORAL COMMUNICATIONS: None

13. ADJOURNMENT: President Henneberry adjourned the meeting at 10:26 p.m.