

MEETING MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, APRIL 13, 2015

1. CONVENE: 7:03 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, Tang and Zuppan

4. AGENDA CHANGES AND DISCUSSION:

Mr. Andrew Thomas, City Planner, asked the President Henneberry to continue the item at 2100 Clement St. President Henneberry approved the continuation.

5. ORAL COMMUNICATIONS:

Mr. Kurt Peterson, resident, spoke about the ferry maintenance project. He said there was very little information about the potential noise at the project site. He said that the approval of extended hours for the project was concerning.

6. CONSENT CALENDAR: None

7. REGULAR AGENDA ITEMS:

7-A. 2015-1546

PLN14-0731 – 1777 Shoreline Drive. Public hearing to consider an application for Design Review approval for a new enclosure on the rooftop of an apartment building to house 12 new panel antennae and other associated equipment for an AT&T wireless telecommunication facility. The project is located within an R-3-PD (Garden Residential Planned Development) zoning district.

PLN14-0729 – 1538 Saint Charles Street. Public hearing to consider an application for Design Review approval for a new enclosure on the rooftop of an apartment building to house nine new panel antennae and other associated equipment for an AT&T wireless telecommunication facility. The project is located within an R-4 (Neighborhood Residential) zoning district.

Ms. Deborah Diamond, representing City Staff, gave a presentation. She clarified that there were two separate projects being discussed, but they were jointly called for review. The proposed antennas are meant to replace the ones currently being moved off Alameda Unified School District (AUSD) property.

Board Questions:

Board Member Burton asked Ms. Diamond about the possibility of co-locating the towers with those of other carriers at a nearby site. Ms. Diamond said that the applicant provided alternative site analyses. Ms. Misako Hill, representing AT&T, said that the adjacent apartment site has limited space for the ground equipment necessary for the operation of the towers.

Board Member Tang asked Ms. Diamond if there would be any interference from T-Mobile's antennas. Ms. Diamond replied in the negative.

Board Member Köster asked about the minimum distance required from the school district property. Ms. Diamond replied that the school district has no authority on this matter.

Board Member Alvarez asked about some of the boxes that were in the nearby area.

Mr. Allen Tai, Planning Services Manager, said that the boxes are intended to be auxiliary equipment for the towers.

Board Member Tang asked about the antennas' service area. Ms. Diamond said that these antennas are intended to fill an area that will lose coverage when the current antennas are removed from the school district's property.

President Henneberry asked Ms. Farimah Faiz, Deputy City Attorney, about the appeal process. Ms. Faiz explained that there is a 10-day appeal process for those who want to appeal the issue to the City Council.

Mr. Ken Mintz, representing AT&T, said that the public depends heavily on mobile phones, and that this project is needed to avoid an expected gap in service.

Board Member Zuppan asked Ms. Hill about the potential negative effects from the proposed radiation levels. Mr. Bill Hammond, registered professional engineer, explained about the mitigation efforts that were conducted for AT&T. He explained that the roof of the building is accessible from a locked outdoor staircase. Board Member Zuppan said that there is no ability to keep unauthorized people off of the roof of the Saint Charles site. Mr. Hammond replied that his company recommended to AT&T to install an alarm bar to prevent unauthorized access.

Vice President Alvarez asked Mr. Hammond what would constitute a safe allowable distance from the antennas. Mr. Hammond explained that only trained professionals would be allowed to service the antennas.

Vice President Alvarez explained the Board heard about a similar issue in the recent past. She said that the Board was told that cell phone use is more dangerous than cell phone antennas. She asked if schoolchildren are exposed to more radiation in a classroom. Mr.

Hammond explained that each phone has a rating absorption rate up 20 times the allowable limit for a cell phone tower. He reassured the Board that there is no measurable risk of children using phones.

Board Member Knox White asked what would happen if a building manager needed to do roof work on either building. Mr. Hammond explained that it would be safe to work on a roof, unless one was painting the antennas themselves. A worker would have to be notified that he or she could be exposed to radiation, in accordance with OSHA and FCC regulations.

Board Member Burton asked if energy was being emitted in all directions from the site. Mr. Hammond replied that these antennas would be focused on three specific areas of Alameda.

The Board opened public comment.

Public Speakers:

Ms. Jessica Reed said that she was concerned about both proposals, but said that the 1777 Shoreline Drive location was more worrisome to her. She read from the AUSD resolution, and said that the Shoreline location was an unrealistic alternative for these antennas. Ms. Reed said that AT&T failed to fully explain the proposed gap in service if these antennas were not erected at this location.

Ms. Carol Taylor, resident, said that she is concerned about the noise these towers might cause. She said that she lives at the Saint Charles site, and that T-Mobile does not have any signs or access restrictions to the towers. She said she appreciates that AT&T plans to install safety restrictions at the site.

Isabella, Charlotte, and Ania, students at Maya Lin Elementary School, said that they were part of an organization called Students for Antenna Free Environments. They said that the proposal violates the AUSD ban on or near school district property, and that the antennas are ugly.

Mr. Charles Archipeque, resident, said that he had no idea that his children were being exposed to a health hazard on school district property. He said he volunteers at an AUSD school, and he cannot believe that there is a debate on how these towers will be maintained. He urged the Board to think about the children who would be negatively affected by these towers.

Ms. Sarah Cruz, AUSD teacher, said that at least one student has expressed fear about these towers to her. She said that children should be concerned about their education and not about these towers. She said she understands that the Board cannot base their decision on health concerns, but reminded the Board that AUSD has banned cell phone antennas on or adjacent to school campuses.

Mr. Joseph Hannakuna, resident, said he worked for a cell phone company many years

ago. He said he wanted to clarify that while an individual can choose to carry a phone, someone who is near a tower cannot choose when the cell tower emits its signal. He said that AT&T has been responsive to community concerns about the placement of the Saint Charles site, but said that the public safety concern for the Shoreline site leads him to oppose the project.

Mr. Lester Cabral, resident, said he owns property adjacent to the Saint Charles site. He said that he opposed the project. The generators would lead to negative effects on the residents in the area. He urged the Board to add conditions that would require ongoing reviews to any of the plans in order to prevent any incident from taking place.

The Board closed public comment.

Board Comments:

Board Member Knox White said he is frustrated by the lack of control that the community has on this subject. He said that Ms. Faiz sent him some extra legal information on the issue. He noted that he had watched some legal presentations on the issue, and said that he understood that there is little flexibility on the issue. He added he would like to add conditions of approval, which would copy the City of Burbank's methods for Design Review for cell towers, including inspections and limited use permit times. He said he wanted to recommend that the City Council to adopt similar Design Review guidelines in Alameda. He echoed Ms. Taylor's concerns about noise after business hours, and wanted to make sure that part of the Design Review conditions would include security systems to limit access to the roof.

Board Member Burton said he agreed with Board Member Knox White's comments. He said he understood the concern about the distance of the towers from the schools, and said that the towers are a small enough addition to the building that it will not affect the skyline.

Board Member Tang asked the City and AT&T to find a way to limit exposure. He also asked if the owner of a building would have to disclose potential health effects to prospective tenants. Mr. Thomas said he is unsure if the landlords are obligated inform their tenants about the potential cell-tower hazards. Ms. Faiz said that the proposal at the Saint Charles site is a private agreement reached between the carriers and the landlords.

Board Member Köster said that the design of the towers will not negatively affect the building, but they should be co-located wherever possible. He asked if the antennas could be located on the elevator towers, if possible.

President Henneberry asked for more clarification on the height issue.

Mr. Thomas explained that the City ordinance does not allow for a height exception for commercial projects. He asked for the Board to deal with each project separately. Board Member Zuppan asked if these towers would be subject to noise regulations.

Mr. Thomas replied in the affirmative. Board Member Zuppan said she supported Board Member Knox White's call for Design Review guidelines for cell towers in the future.

Mr. Tai said that co-locations do have streamlined regulations, and that the proposed design is compatible with the site, given the FCC standards. Board Member Zuppan said that she would be in favor of limiting maintenance hours as a condition of approval. She said she cannot make the findings on Design Review.

Board Member Tang asked that regular maintenance be done during regular business hours. Mr. Thomas replied in the affirmative. He urged business leaders, the public, and City staff to meet together to solve the issue.

President Henneberry thanked staff for bringing the issue forward and the Board members and the public for their comments.

Board Member Knox White motioned to approve the towers at the Saint Charles site with conditions limiting normal construction and maintenance to regular business hours, adding alarmed doors, and informing the tenants about these facilities on the roof. Vice President Alvarez seconded the motion.

The motion carried, 7-0.

Board Member Knox White stated that the City Council can call any Planning Board decision for review. He said that he called these projects for review to the Planning Board in order to have a conversation on the issue. He motioned to approve the Shoreline site with the same conditions. Board Member Burton seconded the motion.

The motioned carried, 5-2. (Board Members Zuppan and Köster voted against the motion.)

Board Member Knox White motioned to recommend to the City Council to adopt Design Review guidelines for cell towers similar to those currently in place in Burbank. Board Member Burton said he would second the motion, if it was allowed to talk about it at this meeting. Ms. Faiz said it would be allowable.

The motion carried, 7-0.

7-B 2015-1549

PLN14-0305 – 2350 Harbor Bay Parkway – Applicant: Mina Patel
Study Session for a Final Development Plan and Design Review to allow the construction of a 99-room hotel on the Harbor Bay Business Park Shoreline. This project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332-Infill Development Projects.

Mr. Thomas introduced the project. He explained that there would be no vote tonight on

the issue, but said that the architect wanted Board comment and input on the current design.

Ms. Patel introduced Mr. Nikhil Kahn, architect. Mr. Kahn gave a presentation.

Board Questions:

Board Member Zuppan asked Mr. Khan about the poles on the terraces in the illustrations. Mr. Khan explained that the poles are meant to hide the parking garage from the public view.

Vice President Alvarez asked about the size of the parking garage. Mr. Khan said the garage would be one story tall on one side and two stories tall on the other.

Board Member Köster asked about the possibility of shrinking the size of the hotel. Mr. Khan said he discussed the idea with staff, but it would come at the expense of the building's design. Board Member Köster asked how irrigation would work on the top of the building. Mr. Khan described the various irrigation and planting designs the team was considering.

The Board opened public comment.

Mr. Dan Reidy, on behalf of the Harbor Bay Business Park Association, said that his group felt that the project would help the business park and expressed support.

Mr. Ty Hudson, with Unite Here! Local 2850, said that there are other, non-structural issues with the plan. He said there were issues with the adjacent parking agreements. Mr. Hudson said that the project might not merit the claims for an infill exemption from CEQA.

The Board closed public comment.

Board Comments:

Board Member Tang asked if the hotel's proposed meeting room would be used exclusively for guests. Mr. Thomas said that is what the applicants are proposing. Board Member Tang asked if the parking ratio would be the same as other hotels in the area. Mr. Thomas replied in the affirmative. Board Member Tang asked about the setback requirements. Mr. Thomas said that the applicants met the setback requirements.

Board Member Zuppan said that the hotel sharing parking is her chief concern. She added that the plan to limit use of the meeting room limitation to guests only is meaningless to her. She said there should be some way to accommodate those who want to use the meeting room without having to rent a hotel room. She said that she would be open to a shared parking agreement between the hotel and other businesses. She asked if there are other ways to refine the massing of the building and expressed concern about the amount of water use that the plants might use depending on the conditions.

Board Member Köster asked Mr. Thomas if there was an agreement for shared parking offsite currently in place. Mr. Thomas explained that the applicant had planned to buy a parcel only for parking, but staff is not enthusiastic about that proposal. The applicant is waiting for approval for the plans before they enter into a shared parking agreement with other businesses. Board Member Köster said that the massing of the building is getting better, but said that the design is getting away from the basic ideals that make a building unique. He said that some materials could be changed to address this issue.

Board Member Burton said the project is moving in the right direction. The sculpting of the building is an improvement. He said that the central mass housing the elevator and other utilities do not fully establish the identity of the building and urged the architects to keep the design simple.

Board Member Knox White said he agrees with staff's parking solution and said that the applicant's proposal for limiting access to the meeting room shows good faith from the parties. He said that he agreed with his fellow Board Members' comments.

Vice President Alvarez said that she finds it hard to visualize the hotel as it is currently designed. She wondered how much creativity the architects would have from Marriott. She said there are issues with the lot size and location.

Board Member Tang said he is excited about the shared parking arrangement, but wanted to know if there might be a limitation on the parking arrangement. Mr. Thomas said that previous hotels were required to enter into a long term arrangement to resolve any parking issues they might have had.

Board Member Burton motioned to continue after 10:30 P.M. Vice President Alvarez seconded the motion. The motion carried, 6-1. (Board Member Knox White voted against the motion).

President Henneberry said that the color scheme for the building is better than before, but called for more analysis on the issue. He said he needs more information about the building's design before he can vote for it.

Mr. Thomas and Ms. Faiz explained the reasoning behind the infill exemption from CEQA for the project.

President Henneberry called for a five-minute break.

President Henneberry called the meeting back to order.

7-C 2015-1547

Public Hearing to consider approval of a Transportation Demand Management Plan for Marina Shores (formerly "Marina Cove II") located at 1551 Buena Vista Avenue and bounded by Ohlone Street,

Buena Vista Avenue, Clement Avenue, and Entrance Way. The properties are zoned R-4/PD (Neighborhood Residential with a Planned Development overlay) with a MF (Multifamily Residential) overlay. A Mitigated Negative Declaration was adopted by the City Council on January 2, 2013 for the Tentative Map pursuant to the California Environmental Quality Act.

Mr. Thomas gave a presentation. He introduced Mr. Gordon Jones, President of Lennar Bay Area. Mr. Jones gave a presentation.

Board Questions:

Board Member Burton asked if there is a requirement for the new development to join the Northern Waterfront TMA, and if there is a procedure for them to do so. Mr. Thomas explained the developer is required to join either the Northern Waterfront TMA or the West Alameda TMA. Currently, they are the only development at the site, and they would join the cross-estuary shuttle on a temporary basis.

The Board opened public comment:

Ms. Erin Fisher, resident, asked the Board to encourage mass transit for all Alameda residents. She said she was concerned that she would have to pay for the shuttle service as a current resident of the area, while her nearby neighbors might not have to but nevertheless would benefit from the increased public transit serving the area.

The Board closed public comment.

Board questions:

Board Member Knox White asked for clarification on the language in the text in order to give the developer the option to create their own TMA or to join a current one. He suggested that a welcome packet be introduced for future residents to inform them of their transit options, and said that an annual transportation survey would be a good idea in order to plan for future development in the area. He said that the TMA is otherwise very easy to read and understand.

Board Member Burton said he agreed with Board Member Knox White's comments. He asked about the position of a TDM services coordinator, and stated that the person or entity must conduct the survey and the vehicle count in the area.

Board Member Tang asked if there would be a limit on passes per household. Mr. Thomas said that each household would pay an annual fee, and the people who move in would first have access to AC Transit and the cross-estuary shuttle. This arrangement could change over time, depending on the necessities of the residents.

Board Member Köster said that he would like to add in the survey what specific types of

transit are being used the most.

Board Member Burton motioned to extend the meeting past 11 P.M. Board Member Knox White seconded the motion.

The motion carried, 7-0.

Board Member Knox White motioned to approve the amendments with the clarifications to the TMA, extending the shuttle to the development, adding the annual survey and vehicle counts, and including a welcome packet and car sharing services. Board Member Burton seconded the motion.

The motion carried, 7-0.

7-D 2015-1532

PLN14-0701 – 2100 Clement Street. (Clement, Willow, Eagle Project) Design Review, Development Plan, Density Bonus and Vesting tentative Map. – A public hearing to consider applications to permit construction of 58 attached townhomes on a 2.78 acre site located at 2100 Clement Street. **Continued to a future date.**

8. MINUTES:

8-A. 2015-1540

Draft Meeting Minutes—January 13, 2014

Board Member Knox White motioned to approve the minutes. Vice President Alvarez seconded the motion.

The motion carried, 7-0.

8-B. 2015-1541

Draft Meeting Minutes—March 9, 2015

The Board asked to continue these minutes.

8-C. 2015-1542

Draft Meeting Minutes—February 23, 2015

The Board asked to continue these minutes.

9. STAFF COMMUNICATIONS:

9-A. 2015-1544

Zoning Administrator and Design Review: Recent Actions and Decisions: None

10. WRITTEN COMMUNICATIONS:

10-A

2015-1545 Transportation Commission Report on Point-to-Point Car Sharing
Policy: None

11. BOARD COMMUNICATIONS:

11-A 2015-1543

Report from the Alameda Point Site A Ad-Hoc Subcommittee

President Henneberry said that the subcommittee has not met yet.

12. ORAL COMMUNICATIONS:

13. ADJOURNMENT: President Henneberry adjourned the meeting at 11:05 P.M.