

DRAFT MEETING MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, JULY 13, 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 Knox White, Köster, Tang and Zuppan.
4. AGENDA CHANGES AND DISCUSSION: None
5. ORAL COMMUNICATIONS: None
6. CONSENT CALENDAR: None
7. REGULAR AGENDA ITEMS:

7-A. 2015-1869

PLN14-0701 – 2100 Clement Avenue – Applicant: City Ventures.
Public Hearing to consider a draft Vesting Tentative Map, Density Bonus Application, Development Plan, and Design Review to Permit Construction of 52 Units on a 2.78 Acre Parcel Located at 2100 Clement Avenue. The proposal is categorically exempt from further review under the California Environmental Quality Act pursuant to CEQA Guidelines Section 15332 Infill Development Projects.

Mr. Andrew Thomas, City Planner, introduced revisions to the project including the Vesting Tentative Map, new park design, reduction in guest parking from 12 to 7 spaces, and architectural design. Staff recommended approval of the Vesting Tentative Map and Development Plan. However, the architectural design revision was not complete and staff recommended a condition of approval requiring that the revised architectural design be completed for Planning Board review and approval before any building permits are issued.

Board Member Knox White asked Mr. Thomas whether the Design Review included review of the park design. Mr. Thomas said it did.

The Board opened public comment.

Mr. Mike McDonough, of Alameda Chamber of Commerce, spoke in favor of the project and said the project would positively affect business. He said the revised proposal fits in well with the Alameda Housing Element.

Ms. Dorothy Freeman, resident, spoke in favor of the project. She emphasized the open

space design would encourage interaction in the community and was pleased with the parking revisions. She would like to see increased setbacks, stronger language in the resolution to protect street trees, and community involvement in the Design Review. She recommended delaying planned resurfacing until the project is complete.

Mr. Christopher Buckley, of Alameda Architectural Preservation Society, said the project would be an asset to Alameda. He submitted a letter to the Board which listed AAPS's concerns, including setbacks being too small and language in conditions of approval regarding building footprints. He said he would like language in resolution indicate that the building footprints are not locked in and wanted Board to defer action until new design came in.

Mr. Scott, Bay Farm Island resident, was in favor of the project and asked the Board to approve it unanimously. He said he would like to see newer homes in Alameda to buy in the future.

The Board closed public comment.

Board Member Köster asked Mr. Thomas whether the building footprint would be locked in. Mr. Thomas replied that the conditions of approval require Design Review and changes in the footprint can be considered.

Board Member Köster proceeded to thank the applicant for listening to previous concerns and coming up with a better plan. He said the challenges for this project were well addressed in the CC&Rs and that he felt comfortable with the setbacks. He was ready to move on and approve the project.

Board Member Tang agreed with Board Member Köster. He asked Mr. Thomas whether the applicant can revisit the parking design to expand it. Mr. Thomas said it would be difficult because with the new park design there is not much space left.

Board Member Knox White was also ready to approve the plan. He asked Mr. Thomas whether the Street Tree Plan would be brought back to the Planning Board for approval if trees do need to be removed. Mr. Thomas said it would.

Board Member Knox White said he had a problem with the strict rules and financial penalties in resolution item 11D because people should not be restricted on how they use their garages and the City would have to enforce it. He wanted to limit what HOA can govern to common areas.

Board Member Zuppan asked for clarification on the Pedestrian Walkway Sections on page L-2 and on the Universal Design aspect of the plan. Mr. Thomas explained that the section is showing a bike/ped walkway away from cars on the east side of the development which does not go across to the school but the applicant is in conversation with the school to allow cut through. Board Member Zuppan asked if fire trucks can go through.

Mr. Thomas said that the fire department has reviewed the plans. He explained that the eight universal design units are easily ADA accessible, having ground floor bedrooms and minimum 32 inch primary doorways, and four of the eight do not have steps to enter (the other four have one step).

Board Member Zuppan wanted to ensure that homeowners are notified that the park their HOA dues pay for are open to the public. She indicated including language in resolution that would support those who do not have two cars to be able to use their garages to the fullest extent.

Board Member Alvarez asked if the emphasis in the Tree Plan was only to keep mature trees. Mr. Thomas said the goal is to keep all trees and that there will be a public notice if any trees will be removed. Board Member Alvarez was in agreement with Board Member Knox White regarding item 11D. She was in favor of the project.

Board Member Knox White motioned to approve the project with the exception of resolution item 11D and to include language that HOA cannot control color, or block ADA ramps. Board Member Köster second the motion.

The motion carried, 6-0.

7-B. PLN14-0305 – 2350 Harbor Bay Parkway – Applicant: Mina Patel.

Public hearing for a Final Development Plan and Design Review to allow the construction of a 100-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.

Board Member Köster recused himself from this project because of his association with SB Architects. The Board called for a short break and verified that Board Member Tang was not within 500' radius of the project.

Mr. Thomas introduced the proposal for the Marriot Fairfield Inn at the Harbor Bay Business Park. He said this was the third time the Planning Board was reviewing this project. The first time was in February and there were issues with the site plan, parking plan and with the architecture. The second time was in April in which the applicants identified changes to address parking and set back. The revised parking matched neighboring hotels which have adjacent shared parking and the site plan had been changed as well. The applicants replaced the original architect team with SB Architects since the last revision. The project provides service by Harbor Bay shuttle and private hotel shuttle to the Oakland Airport, Park Street, and the ferry terminal. Mr. Thomas said that staff was recommending approval.

Mr. Greg Lehman gave a presentation on the revised design concept.

Board Member Tang asked if the adjacent parking lot is owned by the hotel. Mr. Thomas answered that is not and clarified that it is shared parking with a permanent agreement

that the hotel leases from the neighboring business.

Board Member Tang asked whether the conference room square footage was considered in the calculation for parking. Mr. Thomas said that parking calculations were based on room count only and that this is a typically way of calculating hotel parking and mentioned it has never been a problem in other places. Board Member Tang said he was concerned that the conference room square footage was not counted in the parking calculations.

President Henneberry said that parking concerns had been an issue from early on and that the agreement is not set in perpetuity. He asked what would happen to the adjacent parking agreement if in the future the area reached full build out. Mr. Thomas answered that the hotel would still need to provide parking.

President Henneberry asked if shared parking across the street from a site had ever been done in Alameda. Mr. Thomas answered that it has been done twice in Alameda and it has worked for both projects.

Board Member Tang asked if the height of the hotel has any special foundation requirements. Mr. Thomas said yes and that those issues are handled by the building division and emphasized that the project must meet all geo-technical requirements.

Board Member Knox White appreciated the applicant addressing the previous parking issues but that the architectural design did not look very special. He was prepared to move forward with approval. He asked whether 18" above existing grade was the standard height to accommodate the potential for sea level rise. Mr. Thomas said he was not sure.

Board Member Zuppan said she appreciated the applicant's revisions. She was hoping for a design that was more impressive. She asked if item 10 in the resolution regarding off-site shared parking was a condition of approval. Mr. Thomas responded that it was and that the hotel must maintain additional parking and that the applicant must provide a copy of the signed reciprocal parking agreement in order to obtain their Certificate of Occupancy.

President Henneberry questioned how the hotel qualifies for the CEQA Infill Development Project exemption. Mr. Thomas explained that in order to qualify for that exemption the project must be consistent with the City's general plan, occur on a site less than five acres, surrounded by urban uses, and have no major environmental impacts. Since the project is in the business park and meets all of the requirements, it clearly qualifies for the urban infill exemption. He added that the entire business park has a full EIR conducted previously.

The Board opened public comment.

Mr. Michael McDonough, of the Alameda Chamber of Commerce, commended the

project's process and said it was a beautiful design considering what was feasibly feasible. He said meeting space in the business park is scarce and that the hotel would serve that need. He added that the shuttles to Park Street would benefit the business community and that the transit occupancy tax is a great for the city. He also stated that Ram Hotels have a good reputation as a community partner.

Ms. Teresa Cheng, Ms. Melody Li, and Mr. Wiley Cooper, of United Here 2850 opposed the project. Their concerns were regarding limited service hotel's poor working conditions, minimum wages, and limited benefits

Mr. Ed Choi opposed the project. He had an issue with the shared parking condition because the shared parking the hotel plans to lease belongs to his office development. He said the project is too massive, too tall, and that landscaping is lacking.

The Board closed public comment.

Board Member Tang asked why there are fewer parking spaces than the ratio. Mr. Thomas responded that the code encourages reduction in parking if they include mechanisms to reduce car use and the proposed service meets this classification.

Board member Tang reiterated that he had a problem with the conference room not being counted in the parking requirement calculation because people using the hotel for conferences will not use the shuttles.

Board Member Knox said that the parking determination was developed via parking studies not by planners making up parking numbers. He said staff did a lot of work to arrive at this recommendation.

Board Member Zuppan said the findings fit with the business park and that she supported the project.

Board Member Alvarez supported the project with the conditions.

President Henneberry said that an okay design was not acceptable and that the bar was being set too low. He did not support the project.

Board Member Knox motioned to approve the project with the condition that staff adjust the language in the resolution to indicate that reciprocal parking is an ongoing requirement. Also the building finished floor height must meet the same standards as the Alameda Point Site A buildings, 24 inches above the existing grade. Board Member Alvarez second the motion.

The motion carried, 5-1.

7-C. PLN14-0134 – 1200 Park Street – Applicant: Gary Voss for Big-O Tires. The applicant requests an amendment to an existing Use Permit (UP88-36) for 1200

Park Street. This project is determined to be Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15301, Existing Facilities.

Mr. Thomas presented the staff report. Big-O's use of public parking has had adverse effects on neighboring businesses and residents. The City has received 171 petitions against and 518 letters of support.

Staff recommended modifying the existing use permit conditions to:

1. Delete Condition #1 requiring all work to be performed within enclosed structures.
2. Amend Condition #2 to indicate "the use of public parking spaces for the storage of cars waiting for service or for customer pick up is a violation of this use permit. Receipt of three verifiable violations of this condition shall be grounds for City Staff to immediately schedule a public hearing before the Planning Board to consider revocation or modification of this use permit"
3. Retain Condition #5 requiring a sign directing customers to turn right toward Park Street.

Board Member Köster asked for details on Big-O's valet service. Mr. Guido Bertoli, Big-O Tires owner, explained that Big-O employees pick up and drop off cars to be served at the resident's home. This service is provided daily in an effort to relieve stress on public parking.

Board Member Köster pointed out that according to a complaint letter the City received, meter maids were not ticketing Big-O cars parked in metered spots. Ms. Kathleen Livermore, City staff, commented that the City has not confirmed that statement.

Board Member Tang said that when people leave their cars for service at Big-O they shop at the neighboring businesses so there is some advantage to merchants. He suggested that Big-O consider constraining how many cars they serve since there is inadequate parking for the current level of service.

Board Member Knox White motioned to limit speakers to three minutes since there were far more than five speaker slips for this item. Board member Alvarez second the motion.

The motion carried, 6-0

The Board opened public comment.

Mr. James Manning, neighboring resident, was not in favor of staff's recommendation. He asked to include limiting employee parking in public parking in Condition #2. He said that he conducted parking impact observations on street parking in his neighborhood. He counted 11 Big-O employees during peak periods taking up street parking.

Mrs. Mary Manning, neighboring resident, did not support the staff's recommendation. She said that although she does not fall within the 300' notification radius she is heavily

impacted by this issue. She said that her household's use of street parking is limited by Big-O.

Mr. Larry Wilson, neighboring resident, was not in favor of staff's recommendation, stating that retired people who live in the neighborhood come in and out of their homes regularly since they are not at work during the day when Big-O is operating. He said Big-O employees are on the look-out for parking spaces and they snatch them up quickly when one becomes available. Therefore, residents are heavily impacted by Big-O's operations.

Mr. Duane Watson, of Lee Auto, supported Big-O. He said there are no lots in the area available for Big-O. He attested that Big-O tries hard to get people in and out as quickly as possible. He supported keeping Big-O in the community.

Mr. Paul Grossman, resident, spoke in favor of Big-O stating that he uses the valet service and that this operation is the most successful Big-O in the country. He asked the Board to figure out a way to work with Big-O.

Mr. Gary Voss, Big-O Tires owner, stated that he is a part of Park Street Business Association and the Chamber of Commerce. He said Big-O is trying to be a good partner to Alameda and that Big-O brings customers to downtown and generates taxes for the City. He said it feels discriminatory to say Big-O cannot use the public parking and pointed out that other businesses have more customers that use the public parking lot. He indicated that Big-O strives not to use metered parking. Furthermore, he stated that Big-O makes their private parking available to the public after they close in an effort to contribute to the community.

Mr. Joe Martin, local business owner, was not in favor of Big-O although he is Gary's customer. He said Gary does not have adequate staff. The business is too big and has out grown the space it currently has.

Mr. Glenn Reeder, resident, spoke against Big-O. He said he lives a block from Big-O and it is impossible to park on the street during the day. As a result, residents do not want to leave their homes during the day. He said that the conditions that prompted complaints in the past have gotten much worse.

Mr. Michael Notaro, attorney representing Washboard V Laundromat, spoke against Big-O stating that when Big-O's original Use Permit was issued, they were serving 20 invoices a day. Today, Big-O serves 60-65 invoices a day. He said the congestion in the public parking lot is a cause for concern because of the fire hazard it presents. He asked the Board to require Big-O to find an extra yard for their operation.

Mr. Art Thoms, Washboard V Laundromat owner, spoke against Big-O. He noted that the parking problem began eight years ago. Since then, he has talked with Gary to try and resolve the problems but the problems have persisted. He said that when the meter maids would come by, Big-O employees would come out and talk with them and they would not get ticketed. Mr. Thoms circulated a petition against Big-O and received 9 business

signatures and 117 laundromat customer signatures. He asked the Board to reject changes to Use Permit and reinforce meter enforcement.

Ms. Melinda Hayes, Big-O customer, spoke in support of Big-O. She said she goes shopping at the neighboring businesses when she takes her car to Big-O. She asked the Board to consider the contribution Big-O brings to the community.

Ms. Penelope Pahl, local business owner, spoke in favor of Big-O. She said that parking is a problem everywhere and that the issue needs to be resolved rather than to ask Big-O to move. She said Big-O customers are entitled to use the public parking just like everyone else.

Mr. Michael McDonough, of the Alameda Chamber of Commerce, spoke in favor of Big-O stating that Big-O is an important and successful business to Alameda. He did not agree with adding employee parking to Condition #2 but does agree with the City's recommendations.

Mr. Guido Bertoli, Big-O co-owner, clarified that Big-O rarely uses metered parking and that they do not have any deals with the meter maids. He said Big-O is actively looking for alternative sites to expand the business and emphasized that they leave their private parking open to the community after business hours.

Mr. Daniel Marshall, customer of Big-O and laundromat, spoke in favor of Big-O. He pointed out that other businesses in the area also have customers that use the public parking for extended periods of time, such as the hair salons. He said that people often shop at his wine shop while their cars are at Big-O.

Mr. Ray Mazur, resident and customer, spoke in favor of Big-O. He said that parking problems are not unique to the neighborhoods near Big-O—he has them in his neighborhood too. He said Big-O is a gem in Alameda and that a solution to this issue would benefit everyone.

Ms. Lisa Crawford, resident, spoke against Big-O. She said she lives around the corner from Big-O and parking has gotten progressively worse. She said she also schedules her day around Big-O because of how problematic parking is.

Mr. Frank Martin, resident, was not in favor of Big-O. He stated that Big-O conducts work outdoors regularly and that parking is a big problem.

Mr. Jay Garfinkle, Big-O site property owner, spoke in support of Big-O stating that owners have been working diligently to find alternative parking. He said that parking has gotten worse all over the City and that he thinks the owners will be able to resolve the parking issues.

Ms. Sarah Martin, spoke in favor of Big-O, stating that Big-O is a reliable institution in the community and that Big-O customers bring business to Park Street.

Mr. Peter Balmes, of TBC Corporation, spoke in favor of Big-O stating that the owners as franchisers of Big-O are exceptional business people. He said that servicing vehicles outside of the shop is common. He came from Florida just to support the owners because of what good business people they have been for 33 years.

Mr. Bobbie Ceturion, resident, spoke in favor of Big-O. He said that Big-O has a great reputation and urged the Board to grant the amendment to the Use Permit.

Mr. Kevin Mulholland, Big-O employee, spoke in favor of Big-O. He said employees work diligently to rotate cars quickly. He asked the Board to take into consideration what Big-O contributes to the community.

The Board closed public comment.

Board Member Köster asked for clarification on Condition #2. Mr. Thomas explained that staff suggests deleting the section that states Big-O must find alternative parking for customer cars and employees and replacing it with a condition indicating storage of cars in public parking is a violation of the Use Permit—three violations would require review of the Use Permit by the Planning Board to consider revocation.

Board Member Köster agrees with the conditions recommended by staff and that meter maids must strictly enforce meters.

Board Member Tang said that Big-O needs to regulate the amount of work they conduct. He said that residents are impacted the most and brought up the idea of implementing a residential parking permit system.

Board Member Knox White asked why the “No Left Turn” sign is a condition if the City cannot enforce it. Mr. Thomas responded that it was to encourage customers to turn right. Board Member Knox White suggested either removing it or strengthening it. He said that this business is important to the City’s economy and the Board must do what they can to keep them. He also said he was not in favor of adding employees to Condition #2 and that it lacked a time frame so it would need some clarity in order for him to support it. He asked for the item to return to the Planning Board with a parking study rather than anecdotal stories. He said Condition #1 was okay but not allowing cars to be jacked up because that would affect the aesthetic of the neighborhood.

Board Member Zuppan said she patronizes other businesses when she uses Big-O. She asked what has happened since the last public hearing. Mr. Thomas answered that there have been many conversations between the City and the owners for the past two years but since there have been so many complaints they had to bring it for a public hearing.

Board Member Alvarez motioned to continue past 10:30 p.m. Board member Zuppan second the motion.

The motion carried, 6-0.

Board member Alvarez said she was surprised by Condition #2 and that she thinks it is not fair and not doable. She asked how the City would measure whether Big-O is in violation when their customers are also patronizing other businesses. She concurred with discussing permit parking in residential areas but did not agree with the staff recommendations.

President Henneberry said that he was against cars up on blocks but that employees should be allowed to park wherever they want. He asked whether Big-O was in favor of the conditions. Mr. Gary Voss, of Big-O, replied that if they can't do service outside they will be forced to move to Oakland. President Henneberry said that if Big-O is okay with the conditions then he is fine with them too.

Board Member Knox White suggested adding a condition for metered spots indicating that they are for short term use only. He thinks the issue is leading to a residential parking permit discussion but it will be a long, difficult discussion if it does get there. He suggested staff amend the resolution and come back to the Planning Board in 60 days and suggested starting with Condition #2 to include metered parking and include a time frame of one month. He said Condition #5 should be deleted since the City cannot enforce it.

Board Member Köster agreed with Board member Knox White's comments. He said Big-O should have a trial period with the conditions and should conduct a traffic study.

Board Member Alvarez asked if a continuance was possible. Mr. Thomas replied that it was and that there was no deadline for this item.

President Henneberry stated that the Board was not ready for a decision and asked staff to come back with an amended resolution.

Board Member Alvarez motioned to continue the item. Board Member Zupppan second the motion.

The motion carried, 6-0.

Mr. Thomas said staff would rework the resolution.

Board Member Zuppan motioned to continue past 11:00 p.m. Board member Alvarez second the motion.

The motion carried, 6-0.

7-D. A Request to Establish an Ad Hoc Planning Board Subcommittee to direct the next steps on the planning and design effort of the Boatworks Project.

Mr. Thomas said the subcommittee needed a panel of up to three. President Henneberry

said he would be on it and asked for volunteers. Board Member Alvarez and Board Member Köster volunteered.

The Board opened public comment.

Mr. Robert McGillis, of Boatworks Ownership Group, spoke in favor of the item stating that he looks forward to working with the subcommittee.

The Board closed public comment.

8-A. Draft Meeting Minutes – May 26, 2015.

Board Member Tang abstained from comment on the approval of the minutes.

President Henneberry asked if there were any comments on the minutes. There were none.

Board Member Alvarez motioned to approve the minutes. Board member Zuppan second the motion.

The motion carried, 5-0.

9-A. Zoning Administrator and Design Review

Mr. Thomas said staff approved a few design reviews and that there were no issues.

10. Written Communications

None

11. Board Communications

None

12. Oral Communications

None

13 ADJOURNMENT 10:21 p.m.