

APPROVED MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, APRIL 10, 2017

1. CONVENE

President Köster convened the meeting at 7:00pm

2. FLAG SALUTE

Board Member Knox White led the flag salute.

3. ROLL CALL

Present: President Köster, Board Members Burton, Curtis, Knox White, Mitchell, Sullivan. Board Member Zuppan arrived at 7:03pm.

4. AGENDA CHANGES AND DISCUSSION

Staff Member Tai added an update on a previously approved project to Staff Communications, item 9.

5. ORAL COMMUNICATIONS

None

6. CONSENT CALENDAR

6-A 2017-4156

Alameda Landing Residential Street Name Revision

The staff report and attachment can be found at:

<https://alameda.legistar.com/LegislationDetail.aspx?ID=3010217&GUID=AC80A05C-4F1C-47A9-9FC8-80C2F2CA2E9D>

Board Member Curtis asked who the new street name "Morrison" was referring to.

Board Member Knox White said that it was Jim Morrison, who attended Alameda High School.

Board Member Knox White made a motion to approve the item. Board Member Sullivan seconded the motion. The motion passed 5-0 (Burton & Zuppan not present for voting).

7. REGULAR AGENDA ITEMS

7-A 2017-4157

Alameda Marina Planning Board Subcommittee Recommendations Study
Session

Staff Member Tai introduced the item. The staff report can be found at:
<https://alameda.legistar.com/LegislationDetail.aspx?ID=3010218&GUID=D909D69D-C500-421B-A54A-B2ECE3A2858D&FullText=1>

Sean Murphy, Bay West Development, introduced Jim Musbach, who spoke about their market study. Mr. Musbach said there has been a decrease in maritime business activities over the years. He said most maritime related businesses cannot support rents required for new construction. He added that there will be some refurbished spaces at Alameda Marina that will be appropriate for maritime and other makerspaces.

President Köster reported on the subcommittee's meetings (Köster, Knox White, Mitchell) regarding the maritime core of the project. He said they envisioned a working waterfront for smaller boats. He said they wanted to retain as many historical buildings as possible that would support businesses that require lower rents. He said they want a flexible plan with the space to adapt to different uses.

Board Member Knox White said the infrastructure costs for the site will force the communities to make tradeoffs and this process is meant to prioritize the tradeoffs. He said they wanted to maintain the maritime commercial focus and their access to the water.

Board Member Mitchell said this site is different than all the other projects they have evaluated, given the large number of businesses currently operating there now. He said he liked the interesting design feature that the graving dock presented. He said he did not want to spend two years moving the project along and then have BCDC deny the project over plans to fill in the graving dock.

Board Member Zuppan asked what was learned about the buildings being difficult to save.

President Köster said the wall of buildings along Clement do not conform to design standards. He said there is one historic building near the entrance that would be worth preserving. He said others would be impacted by reconstruction of the seawall.

Board Member Knox White explained that the high voltage power lines along the sidewalks create ADA issues if the old buildings along Clement remain.

Board Member Sullivan asked if they did research on what would be lost economically if those existing businesses were displaced.

Board Member Knox White said the market report does not get into that level of detail.

President Köster opened the public hearing.

Peter Brand said we are an island city and different than the rest of California. He said we cannot be expected to solve California's housing problem. He listed all the housing that is already approved for construction. He said the plan does not provide enough dry boat storage.

Liz Taylor said small businesses need long leases to make investments in their operations.

Brian Schumacher said the board needs to consider the safety impacts of all the added housing.

Anthony Lawson said he came to Alameda for the marine industry. He said he has not met anyone that wants more high density development in Alameda.

Joan Wilson said there are many other places to build housing and we need to preserve low cost industrial space.

Nancy Hird said we have a jobs/housing imbalance and should not erode commercial space. She said the city should conduct a new study to see how much of the bulkhead really needed to be rebuilt. She said the rent the city collects could be set aside for repairs of the bulkhead. She said the plan needs more dry boat storage.

Tom Charron said he has two boats and uses Alameda's boatyards frequently. He said we need to preserve the last of our industrial maritime waterfront spaces.

Maggie Sabovich says we should think about the waterfront as a very limited and special commodity in California. She said we are losing waterfront. She said sometimes it takes her an hour and a half to get through the tunnel from Oakland Yacht Club. She supported saving the maritime usage of the site.

Sylvia Earle said the working waterfront businesses provide the character of Alameda. She said Alameda Marina is home to a unique collection of small businesses and that housing can be built elsewhere.

Christopher Buckley said he was pleased at the recommendation to preserve as many buildings as possible. He said there appears to be a historic district at the site.

Leslie Cameron, owner of Bay Ship and Yacht, said they are the new owners of Svendsen's. She said she believes there is room for everyone at the site and it does not have to be adversarial.

Brock de Lappe said he believed a development could be done while preserving the boatyard and dry storage space. He said the boatyard is a top sales tax generator for Alameda.

Woody Minor said the buildings on the site are the most significant remnant Alameda has of its shipbuilding history.

President Köster closed the public hearing.

Board Member Curtis said the subcommittee did a good job listing the priorities. He said that once the maritime businesses are gone, they will be gone for good. He said we need to be very careful in doing what is necessary to preserve the boatyard and other businesses. He suggested using an improvement district to fund site improvements. He said we won't be able to get people off the island in the event of a big earthquake.

Board Member Sullivan asked for information on how the tideland lease money has been allocated.

Staff Member Tai said they can provide that information to the board in the future.

Board Member Sullivan suggested considering \$2-3 Million homes to help offset infrastructure costs of the site.

Board Member Zuppan said she had concerns about the conclusions drawn in the economic study. She said the sales tax and employment information would be helpful to see. She said the maritime commercial focus needs to be the number one priority for the site. She said we need more dry boat storage than currently proposed. She supported preserving the graving dock. She said she wants to preserve a thriving maritime community.

Board Member Knox White said that most of the dry boat storage was not used by active boaters. He said the number of 50 was a bare minimum and not a final recommendation. He said the desire to keep existing buildings was for historic preservation reasons as well trying to keep rents down.

Board Member Zuppan asked for more information about possible soil contamination issues.

Mr. Murphy said they have done extensive soil sampling and there are high lead contaminants on the site. He said they plan to remediate the site and those costs are included in the \$60Million infrastructure estimate. He said they pay \$106,000 in rent for the tidelands. He said they are evaluating the use of CFDs to pay for infrastructure.

Board Member Mitchell said his understanding is that they cannot dictate who the applicant can lease the space to, so they want to make sure the spaces are programmed to allow the right types of uses if viable. He said there are many compromises to be weighed on the site.

President Köster said this site is different than others and they are trying to systematically preserve the maritime core.

7-B 2017-4167

Study Session to Consider Draft Text Amendment to the City of Alameda Zoning Ordinance (AMC Chapter 30) for Modification of Regulations Pertaining to Second Units (Accessory Dwelling Units), Accessory Structures, and Residential Parking Requirements for Additions of Floor Area to Comply with State Law. The proposed amendments are Statutorily Exempt from the California Environmental Quality Act pursuant to Section 15282(h).

Staff Member Tai introduced the item. The staff report and attachments can be found at: <https://alameda.legistar.com/LegislationDetail.aspx?ID=3010219&GUID=8E1C5881-F0F5-4B72-94D4-96556F28B15D&FullText=1>

Staff Member Diamond gave the staff presentation.

Board Member Knox White asked why the detached ADUs could only be 600 square feet and attached units can be 750 square feet.

Staff Member Tai said they are trying to minimize the footprints and impacts that detached ADUs can have. He explained that the attached ADUs are typically basement conversions that have larger spaces.

Board Member Knox White asked for clarification of the “owner occupied” rule.

Staff Member Diamond said they are encouraging the owner living on site and have that be deed restricted.

Board Member Knox White said that it would lower the property value by limiting the pool of potential buyers for their property.

Board Member Curtis said the property should always require an owner occupancy to prevent blight. He asked if a home that was not in compliance with parking requirements would be able to build an ADU.

Staff Member Diamond said that if they met the requirements, they would not be required to provide additional parking.

Board Member Curtis asked if there would be areas that would be exempt from approving ADUs because of a shortage of street parking in the neighborhood.

Staff Member Diamond said that they can only require the parking if an existing garage is being converted.

Board Member Zuppan presented a scenario of a possible hardship for the owner of a deed restricted ADU.

Staff Member Diamond explained the difficulty in enforcing and administering the deed restricted provision and the process for declaring a hardship.

Board Member Zuppan sought clarifications about how the setback, lot coverage, and unit size requirements would apply.

Board Member Sullivan asked if HOAs could still prohibit ADUs.

Staff Member Tai said most Harbor Bay lots are not large enough for a detached ADU. He said any restrictions from the HOA are a private agreement with the homeowner and separate from the permit.

Board Member Sullivan said she supports having the applicant be owner-occupied, but not having a deed restriction go with the property. She said she does not think the parking exemption is good planning.

Board Member Burton asked how the design review and permitting process would work for projects with an addition and an ADU.

Staff Members Diamond and Tai discussed the different fees and process that would be needed for that scenario and said it would create questions about noticing.

Board Member Mitchell asked if the ADU process would be a loophole for people who really want to just do a large addition and avoid design review or parking requirements.

Staff Member Tai said that people could possibly use that as a workaround in some circumstances.

Board Member Knox White asked if there was any appeal process in case staff gets an ADU design review wrong.

Staff Member Tai said the design review has to be ministerial and would not be appealable.

President Köster opened the public hearing.

Alexandra Saikley said she supports ADUs. She said the board should consider changing the requirement that design of the backyard cottages should be consistent in design. She said prefabricated cottages can make many ADUs financially. She said the cottages should be allowed to be larger than 600 square feet. She suggested 900 or 1,000 square feet would be appropriate.

Christopher Buckley said that AAPS sent a letter with comments on the ordinance. He listed guidelines they would like to see included.

President Köster closed the public hearing.

Board Member Knox White said we have lot coverage requirements, therefore should not also require the accessory buildings to be smaller. He said 900 square feet might be appropriate. He said he could not support a deed restriction for properties to be owner occupied. He said he would like to see a combination application to help applicants keep costs down.

Board Member Curtis said he feels strongly that there should be an owner occupied requirement.

Board Member Zuppan said the square footage limitations raise accessibility concerns. She said she is concerned about extending walls of accessory buildings along property lines. She said she supports requiring the original permit be issued to an owner occupied unit, but that enforcing that after the ADU is constructed would be impractical. She said she has a problem with the inconsistency in the parking requirements. She says she does not fully understand the CC&R issue.

Staff Attorney Brown said those covenants restricting ADUs could still be applied even though the city and state would be willing to issue a permit. She said the HOA could still initiate action against them.

Board Member Knox White said that he would like to get clarification from the state on the HOA issue, saying it does not seem right that the state can say this use needs to be allowed while allowing entire HOA communities to opt out of the regulations.

Board Member Mitchell said he does not think the 750 square foot parking rule for additions is working the way it was designed to work and we should get rid of it. He said

he thinks the lot coverage requirements are enough and we should not further limit the size of the ADUs. He said there are very interesting prefabricated designs that he would be okay with.

Board Member Sullivan said 750 square foot size limit for ADUs was appropriate. She said she would like to keep the 750 square foot parking rule.

Board Member Burton said he was glad the state is forcing us to act. He said he would support allowing larger ADUs and letting the lot coverage rules apply. He said he would be in favor of eliminating the parking rule for 750 square foot additions. He said he would like to be able to combine the applications for additions and ADUs.

President Köster said the visitability standards they are trying to implement would mean that they could allow the unit sizes to be a little larger than they are now. He said he does not need to require the units to be owner occupied.

Board Member Curtis suggested that the neighbors be notified of additions that lead to homes larger than 3,000 square feet.

8. MINUTES

None

9. STAFF COMMUNICATIONS

9-A 2017-4168

Zoning Administrator and Design Review Recent Actions and Decisions

Staff Member Tai summarized recent decisions made by staff.

9-B 2017-4169

Future Public Meetings and Upcoming Community Development
Department Projects

Staff Member Tai gave an update on agenda items for the upcoming meetings.

Staff Member Barrera gave a presentation on the previously approved Sterling Ave.
addition.

10. WRITTEN COMMUNICATIONS

None

11. BOARD COMMUNICATIONS

11-A 2017-4170

Subcommittee for Alameda Marina

see item 7-A

11-B 2017-4171

Subcommittee with Commission on Disability Issues regarding Universal Design Ordinance

None

12. ORAL COMMUNICATIONS

None

13. ADJOURNMENT

President Köster adjourned the meeting at 10:42pm.