

APPROVED MINUTES  
REGULAR MEETING OF THE  
CITY OF ALAMEDA PLANNING BOARD  
MONDAY, SEPTEMBER 11, 2017

1. CONVENE

President Mitchell convened the meeting at 7:00pm

2. FLAG SALUTE

Board Member Curtis led the flag salute.

3. ROLL CALL

Present: President Mitchell, Board Members Burton, Curtis, Knox White, Köster, Sullivan.  
Board Member Zuppan arrived at 7:04pm.

4. AGENDA CHANGES AND DISCUSSION

**\*None\***

5. ORAL COMMUNICATIONS

**\*None\***

6. CONSENT CALENDAR

**6-A 2017-4667**

PLN17-0536 - 1435 Webster Street - Applicant: Dannan Development. Public Hearing to consider a modification to a condition of approval for Construction of a Three-Story Mixed-Use Development including Nine Residential Units and Ground Floor Retail at 1435 Webster Street (APN74-427-5-1). The project is categorically exempt from further review under the California Environmental Quality Act pursuant to CEQA Guidelines Section 15305 Minor Alterations to Land Use Limitations

**6-B 2017-4669**

PLN17-0094 - 900 Mound St (Krusi Park) - Applicant: City of Alameda Recreation and Parks Department. A public hearing to consider final approval for Design Review to construct a 2,376 square foot multi-purpose building at the center of Krusi Park. On May 8, 2017, the Planning Board approved a Use Permit to allow the construction of the multi-purpose building within the O (Open Space) Zoning District, provided comments on the proposed design to the applicant, and required a final design be brought back for Planning Board approval. The project is located within the O (Open Space) Zoning District. This project is a Class 3 Categorical Exemption and no additional environmental review is necessary pursuant to State CEQA Guidelines, Section 15303, New Construction of Small Structures

Board Member Knox White made a motion to approve the consent calendar. Board Member Curtis seconded the motion. The motion passed 6-0.

## 7. REGULAR AGENDA ITEMS

### **7-A 2017-4673**

Development Plan Application for a 66-Unit Affordable Housing Development. Applicant: Housing Authority of the City of Alameda. A Development Plan application to construct 60 new and to retain six existing affordable, multi-family, rental units, on a 1.95 acre site within the R-5 Zoning District located at 727 Buena Vista Avenue. The project is exempt from CEQA pursuant to California Public Resources Code sections 21159.21, 21159.23 (Exemption for affordable housing) and 21159.24 (Exemption for infill affordable housing), as well as CEQA Guideline section 15332 (Infill development projects). Furthermore, the project does not trigger any of the exceptions in CEQA Guidelines section 15300.2 in that the project will not have any significant effects due to unusual circumstances or any cumulatively significant impacts and will not adversely impact any designated historic resources

Victoria Johnson, Housing Authority, began a presentation. The staff report and attachments can be found at:

<https://alameda.legistar.com/LegislationDetail.aspx?ID=3142741&GUID=79DCFC0D-274E-40AD-8E20-C3D24B460F29>

Paul East, project architect, continued the presentation.

Board Member Köster asked about the ability to build up to 85 units on the site and whether that is hindered by the lack of parking.

Staff Member Thomas said a number of factors that affect the number of units. He listed the zoning, Measure A exemptions, and other requirements that apply to the site which they used to arrive at a number.

Board Member Köster asked how the low parking ratio at Shinsei Gardens has been working.

Ms. Johnson said that when they have meetings at Shinsei Gardens they have to park in the adjoining neighborhood. She said they are okay for day to day but have no extra space for visitors.

Board Member Curtis asked if there have been complaints or issues with parking at any of their other properties.

Ms. Johnson explained that daytime parking is heavily impacted due to park and ride commuters, and ample parking at night. She said they do not have significant parking issues except for sometimes seniors that need very close parking.

Board Member Zuppan asked how many EZ passes would be supplied to each unit.

Ms. Johnson said they would have a minimum of one per unit and will be trying to get a 2nd pass per unit for a discount.

Board Member Zuppan asked if there would be major utility boxes added to the property.

Ms. Johnson said they are still in discussions with AMP about what will be required.

Board Member Zuppan asked how the board can make certain findings before doing design review.

Staff Member Thomas said they can reserve judgment on the architecture while still approving the site plan.

Board Member Sullivan asked what the makeup of the tenants is, given the low ratio of cars per unit.

Ms. Johnson said they have about 50% seniors, 40% disabled, and maybe 25% working families.

Board Member Sullivan said she is concerned about the parking. She says the Bayport residents hate people who are not from the neighborhood parking there. She asked if they identify resident cars with stickers.

Ms. Johnson said they get stickers to park on the property but do not control the public streets. She said that is why they are keeping the 1 to 1 ratio which allows every household to have a car.

President Mitchell opened the public hearing.

Christopher Buckley said he would prefer the artisan design to move forward.

Alan Teague said it would be nice to have more than 66 units. He said the site is well served by transit. He said he is in favor of the project.

President Mitchell closed the public hearing.

Board Member Zuppan said she is happy to move forward if we can adapt the resolution findings to reflect the stage of the project they are in. She said she is interested in

expanding the number of bus passes to the number of bedrooms. She said she is okay with the parking as it is.

Board Member Curtis said he is supportive of the project.

Board Member Sullivan said she is okay with the project and thinks the Artisan design concept is less dated and institutional.

Board Member Burton said he would be supportive of maximizing the amount of units on the site, even if it is at the expense of some of the parking. He said he would choose the El Camino style, or perhaps the Artisan style.

Board Member Knox White asked how approving even more units would work.

Staff Member Thomas said they could make it clear that they are supportive of the 66 units and could approve more during the design review process.

Board Member Knox White said he would rather see more units built rather than a lot of parking.

Board Member Curtis said he cannot support any more than the 66 units because it would degrade the quality of life of the residents if parking became a hassle.

Board Member Köster said he would like to approve the project and allow flexibility for the possibility of more units at the next phase. He said he liked the El Camino and Monte Verde designs.

President Mitchell asked what possible tradeoffs and financing issues would come up if they tried to build more units.

Ms. Johnson said they considered tuck under parking, which would be cost prohibitive. She said they could also build higher and does not think it would negatively affect the neighborhood, which is mostly commercial and other Housing Authority property. She said that would require rezoning to add another story. She said some of their funding sources require 25% of the units to be 3 bedroom. She said times have changed and 50% of their waiting list is now single people with disabilities.

President Mitchell said he would be open to leaving the high end unit count flexible. He said he like design options 6 or number 2.

Board Member Zuppan said she liked the Artisan design the most. She said we do not need to pre-specify how many additional units. The board would be open to and could always approve more if it gets through design review.

Board Member Curtis suggested approving the extra units but specifying the ratio of parking spaces per bedroom.

Board Member Burton said he would be uncomfortable setting the parking ratio now. He said he would prefer allowing the Housing Authority to demonstrate how they are providing adequate parking based on data from other facilities.

**Board Member Zuppan made a motion to approve the development plan for 66 units with the clarifications for items D and E that they are subject to design review, and that the 66 units could be increased if the applicant demonstrates that their would be adequate parking. Board Member Köster seconded the motion.**

Board Member Knox White said going for funding needs certainty. He asked if they could give staff direction to return with a zoning change that allows them to go up another story.

Ms. Johnson said they are not averse to the flexibility. She said a taller building would increase per square foot costs beyond their already high level.

**Board Member Zuppan said she would like to amend her motion to allow 66-84 units on the site. Board Member Köster accepted the amendment. The motion passed 7-0.**

#### **7-B 2017-4674**

Public Hearing to Consider a Proposed Zoning Amendment to AMC  
Section 30-25 Appeals or Calls for Review

Staff Member Thomas introduced the item. The staff report and attachments can be found at: <https://alameda.legistar.com/LegislationDetail.aspx?ID=3142742&GUID=9E2FA4AD-E3CB-4E3D-9271-4F397B794B4E&FullText=1>

Board Member Sullivan asked what the process is for the zoning amendment.

Staff Member Thomas said they have two public hearings with the council to change the law. He said the staff report would be updated with the Planning Board's recommendations.

Board Member Sullivan asked if a resident's appeal fee could be waived if the council then calls it for review.

Staff Member Thomas said it would not.

Board Member Sullivan asked how many calls for review have been made.

Staff Member Thomas said there have been ten since 2015. He said from 2002-2014 there were five.

Board Member Zuppan asked why the recommendation included a requirement to identify a specific part of the zoning code as the cause for the call for review.

Staff Member Thomas said they are trying to identify what went wrong with the process.

President Mitchell asked how the time and materials cost would be accounted for if there are calls for review.

Staff Member Thomas said that they will track the expenses and bill the general fund.

President Mitchell opened the public hearing.

Kari Thompson, Chamber of Commerce, urged strong support for the changes. She said the businesses were incurring large expenses in time and resources to deal with calls for review.

Alan Teague said our current ordinance requires council members to specify a reason to justify the call for review and that needs to be enforced by staff. He said he is concerned about the Brown Act and serial meetings if we require two council members to call a project for review.

Board Member Mitchell closed the public hearing.

Board Member Zuppan said the ordinance should specify that they are referring to the City's cost, not anyone else's. She said she is uncomfortable with the Brown Act implications of requiring a second council member for a call for review. She said it would require some sort of notification system to prevent Brown Act violations.

Staff Member Thomas said they are considering a staff practice of sharing any written calls for review with all the other council members so they would know it has been called for review.

Board Member Curtis said he was disappointed by the portion of the staff report that talks about council members being pressured by their constituents without justification.

Staff Member Thomas explained that the questionable language came from the council referral.

Board Member Knox White said the Brown Act issue is a big one. He said we could adjust the timing required for the two calls for review. He said we could also adjust our sunshine ordinance to allow this action with limited discussion at each council meeting. He said that someone who wins an appeal should have their appeal costs paid.

Staff Member Thomas explained the options the board is considering. He said one way would be to have a two week call for review period, where the first call for review would have to be submitted within seven days. He said they would put in language that notifies all the council members when any council member submits a call for review. He said the other option would be to have a standing agenda item for recent board and commission decisions to provide an opportunity to call something for review.

Board Member Sullivan said council members are elected individually to represent the community and does not see how requiring a second member would change the frivolity of some calls for review.

Staff Member Thomas said that under the current system there is no way to have staff evaluate the merits of a call for review. He said it is the only place where one council member can determine what city business gets done or not, regardless of what business the council as a whole has determined is important.

Board Member Köster said there needs to be a little bit of checks and balances.

Board Member Burton said he would lean towards the plan where staff is notified for calls for review and staff notifies the rest of council.

President Mitchell said he likes the staff recommendation, but recognizing the Brown Act issues. He said he wants to find a way to do this without adding more work for staff and council.

Board Member Zuppan said that having the call for review discussion at city council meetings is the superior option because of potential timing issues. She said there needs to be time for people to do their research because most people do not watch planning board meetings.

Staff Member Thomas said he hears a consensus to give council early notice of decisions and to have a standing item on the city council agenda to consider calling items for review.

Board Member Zuppan said that there should be enforcement of the provision that requires a reason to justify calls for review.

**Board Member Zuppan made a motion to recommend moving the item to council as discussed with the parameters for the Brown Act included, the typos and process corrections offered including agendizing the item early in the meeting, and considering whether a similar process should be created for other boards in the city. Board Member Köster seconded the motion. The motion carried 7-0.**

8. MINUTES  
8-A 2017-4654

Draft Meeting Minutes - June 12, 2017

Board Member Zuppan made a motion to accept the minutes. Board Member Curtis seconded the motion. The motion passed 6-0-1 (Köster).

**8-B 2017-4655**

Draft Meeting Minutes - June 26, 2017

Board Member Zuppan, on item 7-A, asked to clarify a comment on Universal Design to say that innovation happens when it is required and we should create the conditions and let the builders find a way to meet them, allowing for appeals and waivers if necessary.

Board Member Sullivan offered minor clarifying edits.

Board Member Curtis said his comment about building only two units at a time and vehicle flow lacked context.

Board Member Zuppan made a motion to accept the minutes as amended. Board Member Sullivan seconded the motion. The motion passed 7-0.

**8-C 2017-4675**

Draft Meeting Minutes - July 17, 2017

Board Member Zuppan made a motion to accept the minutes. Board Member Knox White seconded the motion. The motion passed 7-0.

9. STAFF COMMUNICATIONS

**9-A 2017-4665**

Zoning Administrator and Design Review Recent Actions and Decisions

Staff Member Thomas gave an update. The staff report can be found at: <https://alameda.legistar.com/LegislationDetail.aspx?ID=3142738&GUID=9301164E-74EA-4F19-926F-3B2E0517732F&FullText=1>

**9-B 2017-4677**

Future Public Meetings and Upcoming Community Development Department Projects

Staff Member Thomas gave a preview of upcoming meetings. The list can be found at: <https://alameda.legistar.com/LegislationDetail.aspx?ID=3142744&GUID=B0607841-437D-4557-9D88-10134742E1CE>

10. WRITTEN COMMUNICATIONS

**\*None\***

11. BOARD COMMUNICATIONS

Board Member Knox White reported that he met with Rich Krinks and Board Member Curtis about a hotel proposal on Park St. He said the Economic Development Strategic Plan Task Force met.



**11-A 2017-4657**

Subcommittee for Alameda Marina

President Mitchell asked for an update on the project.

Staff Member Thomas said they are conducting an independent analysis of the costs of rehabilitating the seawall and infrastructure of the site and are working on a number of other issues with the applicant.

President Mitchell asked if they still need the subcommittee.

Staff Member Thomas said he did not believe so and that the analysis would come back to the full board.

**12. ORAL COMMUNICATIONS**

**\*None\***

**13. ADJOURNMENT**

President Mitchell adjourned the meeting at 9:34pm.