

APPROVED MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, JANUARY 14, 2019

1. CONVENE

President Sullivan convened the meeting at 7:00pm

2. FLAG SALUTE

Board Member Teague led the flag salute.

3. ROLL CALL

Present: President Sullivan, Board Members: Cavanaugh, Curtis, Rothenberg, Saheba, Teague.

Absent: Mitchell.

4. AGENDA CHANGES AND DISCUSSION

President Sullivan said the Shipways project has been removed from the agenda indefinitely.

Board Member Curtis said he would like to see all the numbers of units and parking spaces provided in all approved and upcoming projects.

Staff Member Thomas said the audio visual system is being worked on which is preventing the microphones from amplifying within chambers but are being captured for the recording (audio only.)

5. ORAL COMMUNICATIONS

None

6. CONSENT CALENDAR

None

7. REGULAR AGENDA ITEMS

7-A 2019-6401

Public Hearing to Consider a Recommendation to Approve the Development Plan, Design Review, and Density Bonus application, and Environmental Impact Report (SCH No. 2017042021) for the Alameda Shipways Residential project located at 1100-1250 Marina Village Parkway (APN 074-1334-067, 074-1334-024 and 074-1334-023)

This item has been continued indefinitely.

7-B 2019-6414

PLN18-0490 - 2175 North Loop Road - Applicant: Joe Ernst on behalf of North Loop 3, LLC. - Public Hearing to consider a recommendation to approve a Parcel Map to subdivide a 2.81 acre parcel with a 46,000 square foot office building, currently under construction, into two (2) commercial condominium units and creating one common area parcel for associated parking and landscaping. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 - Minor Land Divisions

Staff Member Sablan introduced the item. The staff report and attachments can be found at: <https://alameda.legistar.com/LegislationDetail.aspx?ID=3825736&GUID=7C35FA28-A9A0-4B4F-B26D-76F6F440855C&FullText=1>

Board Member Saheba asked if only the building would be split in half, or if the parking area would also be assigned.

Staff Member Sablan said that only the building would be split. He said the rest would be a common area and an association with CC&Rs would be created to govern the rest of the site.

Board Member Curtis said the CC&Rs are the key for the success of the project.

A member of the audience said that much of the discussion can not be heard due to the microphone issues.

Staff Member Thomas explained the purpose of the condominium of the commercial buildings in order to satisfy customer demand for ownership of portions of the building instead of leasing.

President Sullivan closed the public hearing at the conclusion of the public speakers.

Board Member Teague said reading through the issue was difficult to understand. He said his understanding is that they can specify it will be two units, but not necessarily the sizes of the units. He said he is concerned with the CC&Rs and the parking within them.

Board Member Teague made a motion to recommend that City Council approve the condominium plan with the following changes: the final map shall be prepared in full compliance with section 30-81.4 requirements; insert the words regarding extensions from the relevant municipal code.

Staff Member Thomas said our subdivision codes are old and may be superseded by state law.

Board Member Teague continued his motion. Regarding the second change pertaining to extensions, he added "unless contradicted by state law." He added a condition that the

CC&Rs may not specify more than two dedicated parking places per 1000 square foot of a unit with the remainder to be shared. Board Member Curtis seconded the motion.

Board Member Curtis said that the parking spaces should be divided equally between the two properties rather than have common spaces which could be utilized inequitably.

Board Member Sablan asked if the parking can be unbundled from the units.

Board Member Teague clarified that his motion left the door open to not dedicating parking spaces and leaving them shared.

Staff Member Thomas said the applicant is trying to create options.

Board Member Curtis said the CC&Rs should be written to preserve the ability for future business owners to claim their fair share of the parking spaces.

Brian Graves, representative of the owner, said they are trying to preserve flexibility since they do not know who the eventual tenants or buyers will be.

Board Member Teague said his motion was to try and provide flexibility within the constraints of the parking code requirements.

Board Member Saheba seconded the motion in place of Board Member Curtis.

President Sullivan said the parking should just be split and then up to the tenants to work out if they want to change it.

Board Member Cavanaugh asked what the advantages were of a 50/50 split instead of the motion that has been made.

Board Member Curtis said the 50/50 split would go with the property and balance the property rights in case of resale in the future.

Board Member Teague said he would be willing to change his motion to allow the CC&Rs to assign parking up to the proportional number of spaces, but provide flexibility if they wanted to not assign some or all of the parking spaces.

Board Member Curtis asked what gives the developer the best chance of selling equal pieces of property to two buyers coming in. He said you are looking for the most flexibility for the tenants.

Mr. Graves said they believe Mr. Teague's proposal provides adequate flexibility.

Board Member Teague repeated his motion's conditions: the final map should be prepared in compliance with section 30-81.4; the extension of time should comply with the wording in our code except where superseded by state law; and that the CC&Rs may not dedicate more than 2.5 parking places per thousand square feet per unit. He emphasized that the motion is that they are not required to dedicate spaces, but may do so. Board Member Saheba seconded the motion. The motion passed 6-0.

8. MINUTES

8-A 2019-6389

Draft Meeting Minutes - October 8, 2018

Board Member Teague made a motion to approve the minutes. Board Member Curtis seconded the motion. The motion passed 6-0.

8-B 2019-6390

Draft Meeting Minutes - October 22, 2018

Board Member Teague made a motion to approve the minutes. Board Member Cavanaugh seconded the motion. The motion passed 6-0.

9. STAFF COMMUNICATIONS

9-A 2019-6413

Community Development Department Recent Actions and Decisions

Staff Member Thomas said they made two routine approvals today. The staff report can be found at:

<https://alameda.legistar.com/LegislationDetail.aspx?ID=3825735&GUID=8B875BF6-2DC2-4886-80B7-C63688E07480&FullText=1>

President Sullivan asked whether the live oak removal was ready to fall or just under the garage.

Staff Member Thomas said the tree was right up against the building and undermining the foundation.

9-B 2019-6415

Future Public Meetings and Upcoming Community Development Department Projects

Staff Member Thomas previewed upcoming meetings. The schedule can be found at:

<https://alameda.legistar.com/LegislationDetail.aspx?ID=3825737&GUID=672C0943-8390-4F37-A4C2-E91FBAD702A4>

Board Member Teague asked that the housing element piece be provided well ahead of time for review.

Staff Member Thomas explained the ownership dispute regarding the Shipways site that prevents that item from moving forward. He said until they reach an agreement, the application is on hold.

10. WRITTEN COMMUNICATIONS

None

11. BOARD COMMUNICATIONS

President Sullivan said that as a group she would like to visit recently completed projects to learn what has worked well and what has not. She asked if there was interest by the group in doing that, perhaps on a Saturday.

Staff Member Thomas said he can work with President Sullivan to come up with a plan. He said they would notice the event as a public meeting.

President Sullivan said that she is bothered by our requirements forcing new residents to purchase bus passes regardless of where they work. She said it does not seem equitable.

Board Member Teague summarized new housing legislation passed by the state. He said a bill passed allowing BART to build dense housing on property they own near their stations. He said a bill passed adding requirements in how the RHNA numbers get assigned.

President Sullivan asked who is responsible for the RHNA locally.

Staff Member Thomas said that the state gives a number for the region to ABAG, who then allocates those numbers to localities.

Board Member Teague continued his summary with SB 828 which could impact Measure A. He said there was a bill enabling floor area ratio density bonuses. He said SB 1227 allows density bonuses for student housing. He said a law closed loopholes for charter cities that allowed them to avoid certain responsibilities.

Staff Member Thomas said the League of Cities training is in Long Beach this year. He said he will forward the info to the board if anyone is interested. He said that if the Planning Board reviews the EZ Pass issue, they should have a broader conversation about the City's transportation strategies.

Board Member Cavanaugh asked how much control we have over transportation issues, given that we are required to build housing whether transportation issues are solved or not.

Staff Member Thomas said they are working on the General Plan and Housing Element reports, and on the Transportation Choices Plan. He said he is considering bringing the Transportation Choices Plan to the Planning Board in addition to its stops at the Transportation Commission and City Council.

Board Member Teague said he would like the board to make recommendations to the City Council subcommittee reviewing potential charter amendments.

Board Member Saheba asked whether the hotel across from the Raiders would be coming back.

Staff Member Thomas said they are trying to work out some access issues that impact their site plan. He added that the board can create subcommittees to work on specific projects.

Board Member Rothenberg asked if there was a peer review design process for applicants. She said they can be extremely helpful to applicants without being cost prohibitive.

President Sullivan said she has been discussing something similar with Staff Member Thomas.

12. ORAL COMMUNICATIONS

None

13. ADJOURNMENT

President Sullivan adjourned the meeting at 8:09pm.