

APPROVED MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, SEPTEMBER 28, 2020

1. CONVENE

Vice President Asheshh Saheba convened the meeting at 7:00 p.m.

This meeting was via Zoom.

2. FLAG SALUTE

Board Member Teresa Ruiz led the flag salute.

3. ROLL CALL

Present: Board Members Hom, Curtis, Ruiz, and Saheba.

Absent: President Teague and Board Member Rothenberg.

4. AGENDA CHANGES AND DISCUSSION

None.

5. ORAL COMMUNICATIONS

None.

6. CONSENT CALENDAR

None.

7. REGULAR AGENDA ITEMS

7-A 2020-8320

PLN20-0365 - Use Permit - 980 Island Drive - Applicant: Rubicon Group, LLC. Public Hearing to consider a Use Permit to allow extended hours of operation for a proposed drive-through café and use of a patio for outdoor dining. The applicant is requesting that the business be permitted to open at 5:30 A.M. and is not requesting an extension of closing hours. General Plan: Community Commercial. Zoning: C-2-PD Central Business District Planned Development Zoning District. Environmental Determination: Exempt, Section 15301 - Existing Facilities

Deborah Diamond, a Planner with Planning, Building, and Transportation, introduced the item and gave a presentation. The staff report and attachments can be found at <https://alameda.legistar.com/LegislationDetail.aspx?ID=4644329&GUID=A8FF9A65-E63A-4298-8C52-A4EE869D8EE2&FullText=1>.

Jeff Neustadt, the applicant, spoke about the plans and made himself available for questions.

Vice President Saheba opened up clarifying questions from the board.

Board Member Hanson Hom asked if there would be a speaker system at the drive-thru window and wanted to know where it would be located.

Mr. Neustadt answered yes there would be and pointed out where it would be located, clarifying that it would be facing County Road.

Board Member Hom then asked the staff if there would be any lite signs added.

Staff Member Diamond said that the existing sign for the bank would be the main sign for the cafe.

Mr. Neustadt pointed out that they would be removing metal plates and asphaltting the area.

Board Member Hom asked if the extended hours were to accommodate the new tenant.

Mr. Neustadt answered that it was to accommodate any tenant, they had not been aware that any business that opened before 7 am in the neighborhood needed a Conditional Use Permit (CUP).

Board Member Ruiz asked the staff about the change in the traffic patterns for the drive-thru concerning the ingress and egress and the potential the traffic will back into the intersection.

Staff Member Diamond said that staff had consulted with the Public Works Department about the egress and ingress change and talked more about the reason for the change. There is also an intersection improvement planned for the area.

Vice President Saheba also had questions about the proposed traffic pattern change and wanted to know how the outdoor seating was going to be impacted.

Staff Member Diamond explained how the outdoor seating was going to be laid out.

Allen Tai, City Planner, added that the change in egress and ingress would allow for more cars to cue at the drive-thru window.

Vice President Saheba opened up public comments.

Marjorie was concerned about the increase in traffic this business would have. She also believed that this business would negatively affect the business at Coffee and Tea Traders, a long-standing business in the area.

Daniel hoped that the board would vote down the 5:30 am open time and stick with the 7 a.m open times. He believed that the outdoor speaker system, outdoor seating, and early deliveries will cause too much noise so early in the morning. He also said that Mr. Neustadt had not come to his home as he had stated.

Vice President Saheba closed public comments.

Vice President Saheba opened up board discussions.

Board Member Ron Curtis saw the speaker at the drive-thru window facing the residential homes as a noise concern. He wasn't sure if it were enough of a concern to turn the project down but thought that the matter deserved some thought.

Board Member Hom echoed what Board Member Curtis said. He had no issue with the outdoor dining but is concerned with the drive-thru. He was finding it difficult to make a finding on land use compatibility, having the early start time of 5:30 am so close to residential homes.

Board Member Ruiz agreed with Board Member Hom, she did not have an issue with the outdoor seating but the 5:30 am open time gave her pause. She wondered if they could differentiate between weekday and weekend start times. She was also concerned about traffic issues and wasn't sure if a wait and see what happens approach was best.

Staff Member Tai made a clarification about what the Alameda Municipal code allows for deliveries. The established Noise Regulations state that delivery trucks can deliver from 7 am to 10 pm, those hours are by right, and delivery outside of those hours was not part of this use permit.

Staff Member Diamond mentioned that the applicant was willing to put up a sound wall to block the sound from the drive-thru.

Vice President Saheba asked more about noise blocking options, he wanted any wall built to also block light from cars. He felt that the change in egress and ingress put too much pressure on one lane and wanted to know what other places had extended hours.

Staff Member Diamond described the wall and what landscaping they had planned to help with noise. She believed the Peet's on Webster had extended hours.

Staff Member Tai confirmed that Peet's and Starbucks have extended hours in the morning.

Board Member Curtis wanted this venture to be successful and hoped they could come to a compromise by having different start times on weekdays and the weekends.

Board Member Ruiz asked if the applicant was asking for an extended closing time.

Staff Member Diamond said they were not and would be closing at 7 pm.

Board Member Ruiz wanted to know what the duration of the use permit was and if they could evaluate the permit at a later date.

Staff Member Tai answered this was a conditional use permit and the board had broad latitude to impose conditions.

Board Member Hom made a motion to approve the use permit for the outdoor dining and to allow the 5:30 am start time during the week and 7 am on the weekends. Condition number 6, staff will make sure that the drive-thru speaker follows the noise ordinance. Condition number 9, staff will verify all lighting will be shielded from residents. Also, a condition will be added, staff will reevaluate the use permit

12 months after opening. Board Member Curtis seconded and the motion passed 4-0.

7-B 2020-8321

PLN20-0100 - Recommendation to Adopt a Mitigated Negative Declaration and Rezoning - 2350 Fifth Street - Applicant: City of Alameda. Public Hearing to consider a recommendation to the City Council to adopt a Mitigated Negative Declaration and rezone a 0.82-acre site at 2350 Fifth Street from M-X, Mixed-Use to R-4, Neighborhood Residential. An Initial Study/Mitigated Negative Declaration has been prepared to analyze the environmental effects of the project in compliance with the California Environmental Quality Act (CEQA).

Andrew Thomas, Director of Planning, Building, and Transportation, gave a presentation. The staff report and attachments can be found at <https://alameda.legistar.com/LegislationDetail.aspx?ID=4644330&GUID=9E5D6C6C-240E-4C7B-AEF9-9D883E75AEE0&FullText=1>.

Board Member Curtis asked if Measure Z passes would they be able to build more units on the lot.

Director Thomas said no if Measure A gets removed from the Charter all the existing zoning stays in place. He then explained how Article 26 affected zoning and housing.

Board Member Ruiz asked if the City had reached out to City College of Alameda about their opinion on this site.

Director Thomas said yes the City had tried to sell this location for years. City College was comfortable with either residential or commercial purposes for the lot.

Board Member Hom asked if the tennis courts nearby would create any noise or lighting complaints from residents in the future due to sporting events.

Staff Member Thomas talked about how staff had handled past similar situations. Staff would be working closely with the applicant and they do require the applicant to disclose everything to possible residents upfront.

Staff Member Tai said that staff had reached out to the school district about an 11 pm cut-off time for outdoor sporting events.

Board Member Hom asked if the Mitigation Monitoring and Reporting Program (MMRP) would be incorporated in the resolution.

Director Thomas said the MMRP would be referenced in the resolution.

Staff Counsel Celena Chen also agreed that it was a great idea to incorporate the MMRP into the Planning Board's resolution.

Vice President Saheba opened up the public comment.

There were no speakers.

Vice President Saheba closed the public comment.

Board Member Curtis made a recommendation to approve the resolution allowing the city to rezone the property for sale by incorporating the MMRP into the resolutions. Vice President Saheba seconded the recommendation and the board passed this recommendation 4-0.

7-C 2020-8324

General Plan Update Fall Forums. The Planning Board will discuss and provide any needed direction to staff on the preferred format for the next three forums scheduled for October 12, November 9, 2020, and December 14, 2020.

Director Thomas talked about what worked and what didn't work about the last forum and wanted the board's thoughts before the next one.

Board Member Curtis thought the last meeting was very efficient but thought they were missing the input from minorities, low-income individuals, and youths. He offered thoughts on improving outreach.

Board Member Ruiz commended Director Thomas and staff for reaching out to high school students. She agreed that they needed to be more communicative with the community but that did make the meetings run longer. She wondered if there could be more forums.

Director Thomas said they could and broke down the schedule over the next few months and what needed to be done and when.

Board Member Hom commended staff for being able to work around Covid restrictions with online meetings but talked about how some families do not have access to the internet. He mentioned he was not sure when to make certain comments under which topic.

Director Thomas said they hope to have more opportunities for people to talk. He would like to see more of a conversation happening providing that time allows.

Vice President Saheba said that a fifth forum would be beneficial and thought it would best to hear from the public before starting the board discussions.

Vice President Saheba opened up public comments.

Christopher Buckley from the Alameda Architectural Preservation Society wanted to also offer thoughts and recommendations about future General Plan forums.

Vice President Saheba closed public comments.

8. MINUTES

8-A 2020-8326

Draft Meeting Minutes – March 23, 2020

Vice President Saheba pointed out that Board Member Rothenberg's name was misspelled in places and asked that it be corrected.

Board Member Curtis made a motion to approve the minutes with this correction. Board Member Hom seconded the motion and the motion passed 4-0.

9. STAFF COMMUNICATIONS

9-A 2020-8323

Planning, Building and Transportation Department Recent Actions and Decisions

None

9-B 2020-8325

Oral Report - Future Public Meetings and Upcoming Planning, Building and Transportation Department Projects

Staff Member Tai said the next meeting would be a General Plan Forum then the meeting following that in October a hotel project would be coming back. Staff would also be bringing back a residential subdivision at 2607 Santa Clara Ave.

10. WRITTEN COMMUNICATIONS

None.

11. BOARD COMMUNICATIONS

None.

12. ORAL COMMUNICATIONS

None.

13. ADJOURNMENT

Vice President Saheba adjourned the meeting at 9:01 p.m.