

APPROVED MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, OCTOBER 26, 2020

1. CONVENE

President Alan Teague convened the meeting at 7:00 p.m.

This meeting was Via Zoom.

2. FLAG SALUTE

3. ROLL CALL

Present: Board Members Curtis, Hom, Rothenberg, Cisneros, Ruiz, Saheba, and Teague.
Absent: None.

4. AGENDA CHANGES AND DISCUSSION

None.

5. ORAL COMMUNICATIONS

None.

6. CONSENT CALENDAR

None.

7. REGULAR AGENDA ITEMS

7-A 2020-8420

Del Monte Development Agreement Annual Review and Proposed Amendment- Applicants: TL Partners I, LP and Alta Buena Vista Owner, LLC. The applicants are requesting: 1) a periodic review of the Del Monte Warehouse Project Development Agreement, and 2) a Planning Board recommendation that the City Council approve a Third Amendment to the Development Agreement to address delays in construction schedules for the Clement Extension Improvements. The consideration of an Annual Report is not a project under the California Environmental Quality Act (CEQA), and the proposed time extension would have no impact on the environment that was not already considered under the original project environmental documents. No further environmental review is required.

Board Member Teresa Ruiz recused herself from this discussion and vote.

Andrew Thomas, Director of Planning Building and Transportation, introduced the item. The staff report and attachments can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=4669281&GUID=42749C90-34A2-43DE-A040-6EC485AE21B5&FullText=1>.

President Teague opened up the board's clarifying questions.

Board Member Hanson Hom asked if the new road completion date was also tied to the completion of a certain amount of affordable housing units.

Director Thomas said yes and explained more about the language in the development agreement and with monthly reports, they would be aware of any issues that would cause a delay.

Board Member Xiomara Cisneros wanted to know if the board could allow extensions without public hearings.

Director Thomas explained what the board's options were.

President Teague offered other options for the board in case of delays.

Board Member Rona Rothenberg suggested adding language to the resolution and to the development agreement about what to do in case of delays.

Director Thomas said yes, they would add language that allows the City Manager to grant one 1-year extension. If and when they do that the staff would report to the Planning Board.

President Teague opened the public hearing.

There were no public speakers.

President Teague closed the public hearing and open board discussions.

Board Member Ron Curtis pointed out a typo on the resolution. He also believed it was very important for the board to be aware of any delays and the reasons for those delays.

Board Member Hom supported the extension and agreed with the additional language.

Board Member Curtis made the motion to approve to accept the annual report, the draft resolution with the amendment that any future extensions be allowed by the City Manager with a caveat it comes before the board on the Consent Calendar. Board Member Rothenberg seconded the motion. The motion passed 6-0. Board Member Ruiz abstained.

7-B 2020-8427

Conditional Use Permit for Alameda Commercially Zoned Properties. Public hearing to consider an Amendment to Use Permit PLN20-0215 to allow the temporary use of privately owned outdoor space and parking lots and City-owned sidewalks and on-street parking spaces in certain commercially zoned districts for retail and commercial purposes during the COVID-19 Health Emergency. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 - Minor Alteration of Existing Facilities, 15304(e) - Minor Temporary Use of Land, and 15305 - Minor Alterations to Land Use Limitations.

Director Thomas introduced this item. The staff report and attachments can be found at <https://alameda.legistar.com/LegislationDetail.aspx?ID=4669283&GUID=01CEDDCC-6817-4A45-BA6F-368FEC6D6F785&FullText=1>.

President Teague opened the board's clarifying questions.

Board Member Hom asked about any other updates or provisions that should be amended in the operational conditions.

Director Thomas said the permit needs and issues are ever-changing and they had been handling them as they come up. He then explained what the permits cover and what additional needs arise case by case depending on the business and district.

Board Member Ruiz asked about the draft conditions 4,5, and 6 and wanted there to be clear language about what type of tent is and isn't allowed. She noted a particular tent she had seen in use that had 3 closed sides and a roof and that did not seem safe.

Director Thomas said the intent was to follow the County Health Order and the tent she described was not allowed. The enforcement of the County Health Order had been a major effort by the staff. He further explained that they now had code enforcers walk around the neighborhoods.

Vice President Asheshh Saheba wanted to know if this use permit would address what most businesses were asking for.

Director Thomas said yes and that staff has been meeting regularly with the business community and this resolution does everything they need.

Board Member Cisneros wanted to know if there could be any discounts on the permit fees for businesses.

Director Thomas said yes and gave details about what the city-wide use permit meant fee-wise to businesses and recently City Council waved the encroachment permit fee for all encroachment fees. He also discussed the Alameda Strong Program that issues grants and financial aid.

Board Member Rothenberg asked about consistency in resolution conditions 4,5, and 6 and what the blanket use permit meant for pre-existing use permits and encroachment permits.

Director Thomas explained how this blanket use permit overrides any previous use permits and how the city has handled encroachment permits to make things as smooth and quick as possible.

President Teague asked for clarification on existing use permits for businesses.

Director Thomas said this use permit supersedes any other use permit for a temporary time, in this case when Covid restrictions are lifted.

President Teague opened up public comments.

There were no speakers.

President Teague closed public comments and opened board discussions.

Board Member Ruiz wanted to amend conditions 4 and 6 to include the same tent and umbrella usage that is listed under condition 5 for consistency.

Board Member Rothenberg wanted to amend the language in condition 6 to have the proviso listed under condition 5 “and meet the current county health orders”.

Board Member Ruiz made a motion to approve the resolution with the following amendments, incorporate usage of tents and umbrellas under conditions number 4 and 6 and change the wording in condition 6 to have the proviso listed under condition 5 “and meet with the current County Health Order”. Board Member Hom seconded the motion. The motion passed 7-0.

7-C 2020-8429

PLN17-0600 - 1051 Harbor Bay Parkway - Development Plan and Design Review - Applicant: Arris Studio Architects for Shriji Hospitality, Inc. Public hearing to consider Development Plan and Design Review Application No. PLN17-0600 to allow construction of an approximately 133,611-square-foot, five-story hotel with 236 guest rooms located at 1051 Harbor Bay Parkway. The property is located within the C-M-PD, Commercial Manufacturing Planned Development zoning district. The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15332, In-fill Development.

Henry Dong, Planner III, gave a presentation. Staff report and attachments can be found at <https://alameda.legistar.com/LegislationDetail.aspx?ID=4669285&GUID=94E406E1-8FDF-4525-8D55-CA986CC18DF1&FullText=1>.

Adriana Cook, the applicant, also gave a presentation describing all the major changes to the project.

Vijay Patel, the owner, also addressed the board and talked about the changes they were making as well as all the green initiatives they were taking.

President Teague opened the board’s clarifying questions.

Board Member Curtis suggested they add page numbers to the traffic report. He asked about the Federal Aviation Administration’s suggestion on a larger sprinkler system and smaller windows.

Ms. Cook said they will use a full NFPA13 sprinkler system and for the window sizing, they will address that acoustically.

Board Member Hom asked about what type of materials the finished Trespa panels were.

Ms. Cook answered the Trespa panels were laminated resin type of panel. It has no texture on it but it does have a high-resolution print on it. Very long-lasting and of higher quality.

Board Member Hom asked about what tree removal was planned.

Ms. Cook referred to the landscape architect who explained which trees they were keeping and removing. She said the tree removal was due to the grading requirements of the site.

Board Member Hom wanted to know who maintained the trees between the sidewalk and the roadways.

Allen Tai, City Planner, believed it was maintained by the Business Park Association.

Board Member Hom asked about the restaurant in the hotel and wanted to know if it would be open to the general public.

Ms. Cook said it would be for hotel guests and customers only.

Board Member Ruiz asked about some of the larger trees slated for removal and wanted to know if any effort had been made to preserve or relocate them.

Kay, the landscape architect, said it is very difficult to relocate a tree of that size. For the ones they are removing they are planting new ones that are more sustainable to the site.

Board Member Ruiz asked about what material was used for the cantilever metal awnings.

Ms. Cook answered they were aluminum or steel depending on weight.

Board Member Ruiz asked about window color, in some places it was described as clear anodized, and in others, it's described as clear or dark grey, she just wanted clarification.

Ms. Cook said it would be clear anodized glass. \

Board Member Ruiz wanted to know the final material and the color for the metal roofing used for the trash enclosures.

Ms. Cook said it would stucco to match and the color for the roofing would match the colors for the rest of the building.

Vice President Saheba asked about the parking lot and wanted to know if the office building would be parking there as well if they need overflow parking.

Ms. Cook said that is not the agreement and the office building has a sufficient parking area.

Vice President Saheba wanted to know the staff's perspective on the parking.

Staff Member Dong explained how the parking agreement works and what the parking analysis had shown.

Staff Member Tai explained more about the zoning and how the shared parking arrangements worked.

Board Member Saheba asked if all the stucco would be smooth and wanted to know if the design on the laser cut metal screen was the final design.

Ms. Cook said yes the stucco would be smooth and that was a concept design, it's meant to be a visual buffer from the office building and the entrance of the hotel.

Board Member Saheba asked other questions about design choices from a custom metal awning and material choices.

Ms. Cook explained the plans and changes that were made according to the staff's recommendations.

Board Member Cisneros wanted to know some background on the project.

Staff Member Dong explained what changes had happened since 2018.

Board Member Rothenberg asked about resolution number 1, permit conditions, and wanted to make sure they had researched fire access. She also questioned if the work would be done in two years. She also had questions about public art, bird-safe windows, and the type of lighting that would be used. Also like Board Member Saheba, she thought the parking analysis was not very clear.

Ms. Cook answered they had done research into fire access and how they worked with City Staff on fire access. She also said that with Mr. Patel's background they feel confident they can make the two-year mark for completion.

Staff Member Tai explained how the staff requires a final building plan to make sure the project is compliant with the dark sky ordinance and bird-safe windows. For the two year vesting that comes from the zoning code. For CEQA, this project meets the requirements criteria for infill development.

Board Member Ruiz asked what type of bike parking would be provided and what the lighting in the parking lot would look like.

Ms. Cook said they would provide whatever is the city standard.

Staff Member Tai added that the city had adopted bike standards, the inverted U is what they typically used but that is a detail that can be addressed at building plan review.

Staff Member Dong pointed out the lighting design on the plans.

President Teague opened up to public comment.

There were no public speakers.

President Teague closed public comments and opened the board's discussion.

Board Member Curtis was willing to support this project with the existing resolution.

Board Member Hom believed the revised design was improved and could support this project.

Board Member Ruiz did agree that this was an improved design however she was concerned by the lack of sunshade on the southern elevation. She wanted to continue the item and have the applicant come back after addressing many issues. She felt that the Planning Board was being put in the position to approve the project due to economic reasons without further review. She made a motion to continue the item but there was no second.

Vice President Saheba considered this a “gateway site” due to it being one of the first buildings you see coming from the airport. He still had concerns with every window not have solar shading on the south elevation and an overall consistency needs to be carried through. He also thought the parking analysis should be presented in a way that offers more clarity. He felt that if the staff could help with these concerns and revisions there was no need to bring this project back and could support.

Board Member Cisneros thought the design was very well thought out and appreciated the comments made by Board Members Ruiz and Saheba and agreed that plans for sustainability could be improved. She did not want perfect to be the enemy of the good and she would support.

Board Member Rothenberg would support the project subject to the aesthetic and sustainability refinements proposed by Board Members Saheba and Ruiz. Also with validation of the parking requirements and entitlements as described in the documents.

President Teague wanted something on the corner that made it a gateway welcoming people to Alameda but would not hold up the project for that. He would support the project.

Staff Member Tai wanted the applicant to confirm they were willing to work with staff on the issues brought up this evening.

Ms. Cook said they were of course happy to continue to work with the staff.

Staff Member Tai offered the idea that if the board was uncomfortable with a particular elevation that could come back or a condition can be worded where the staff can do the final review.

Board Member Hom made a motion to approve the design review and development plan for this project and find the project is exempt from CEQA, with the added condition, to revise the sheets as necessary. Also, alterations to the south side elevation and review of the massing as it steps down would be handled by the staff. Board Member Curtis seconded it and the motion passed 6-1 with Board Member Ruiz voting against.

8. MINUTES

8-A 2020-8415

Draft Meeting Minutes - May 11th, 2020

Board Member Curtis wanted a correction on page 4, "the applicant needed more time" and then ended the sentence there.

Board Member Curtis made a motion to approve the minutes with the correction. Board Member Rothenberg seconded the motion. The minutes passed 6-0, Board Member Cisneros abstained.

8-B 2020-8416

Draft Meeting Minutes - June 8th, 2020

President Teague wanted to add "Board Member Teague was in favor of having *the elections* that evening."

Board Member Rothenberg made a motion to approve the minutes with the correction. Board Member Hom seconded and the motion. The minutes passed 6-0, Board Member Cisneros abstained.

9. STAFF COMMUNICATIONS

9-A 2020-8417

Planning, Building, and Transportation Department Recent Actions and Decisions.

No board member wanted to call any item for review.

9-B 2020-8418

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

Staff Member Tai said the next meeting would be another forum on the General Plan, and after that would be a regular board meeting with two items on the agenda. The two items

would be the Alameda Municipal Power Solar Proposal and a residential project on Santa Clara.

10. WRITTEN COMMUNICATIONS

None.

11. BOARD COMMUNICATIONS

None.

12. ORAL COMMUNICATIONS

Billy tried to speak but unfortunately they were having technical difficulties.

13. ADJOURNMENT

President Curtis adjourned the meeting at 9:37 p.m.