

APPROVED MINUTES
SPECIAL JOINT MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD AND THE TRANSPORTATION COMMISSION
MONDAY, MAY 10, 2021

1. CONVENE

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

The meeting was via Zoom.

ASL Interpreters were present at this meeting and can be seen in the video.

2. FLAG SALUTE

Commissioner Rebecca Kohlstrand led the flag salute.

3. ROLL CALL

Transportation Commission: Chair Soules, Vice-Chair Nachtigall and Commissioners Yuen, Kohlstrand, Weitze and Rentschler.

Absent: Commissioner Hans.

Planning Board: President Teague and Board Members Curtis, Hom, Rothenberg, Ruiz, Saheba, and Teague.

Absent: Board Member Cisneros.

4. AGENDA CHANGES AND DISCUSSION

None.

5. ORAL COMMUNICATIONS

Ariana Bindman, a freelance reporter with the SF Gate, wanted to check in with the parklet on Park Street and Alameda Avenue. She had recently written a story about the situation. She believed this story shined a light on class disparity and how city officials were being apathetic towards certain Alameda residents.

6. CONSENT CALENDAR

6-A 2021-904

Proposed Citywide Text Amendments to the City of Alameda Zoning Ordinance (AMC Chapter 30) to Modify Public Art Requirements. Applicant: City of Alameda. Public hearing to consider proposed amendments to Alameda Municipal Code Chapter 30. The proposed amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15061(b)(3) and 15303. (Item Continued to May 24, 2021, Planning Board Hearing)

Board Member Ron Curtis made a motion that item 6-A be continued to the May 24th meeting and Board Member Rona Rothenberg seconded the motion. A roll call vote was taken and the motion passed 6-0.

7. REGULAR AGENDA ITEMS

7-A 2021-905

Public Hearing on the Alameda General Plan Update.

Andrew Thomas, Director of 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=4928037&GUID=63163F6E-A2D6-48B5-A4A5-6CE722E8D07D&FullText=1>.

President Teague opened public comment.

There were no public speakers.

President Teague closed public comments and opened the board/commission questions and commentary.

Vice President Asheshh Saheba wanted to know if they had looked at the different parking requirements for the different programs offered for the city.

Director Thomas said that parking and parking management are going to be a major focus of the city staff's work, and are working on a comprehensive rewrite of the Off-Street Parking Zoning Code. He explained how it would be different from how it had been in the past.

Vice President Saheba believed this was critical to a sustainable future.

Vice-Chair Alysha Nachtigall wanted to know since the plan is to have paid parking at the ferry terminals if there would also be an increase in transit connections to provide an incentive for commuters.

Director Thomas said having additional transit connections were critical and AC transit is working on a plan with WETA (Water Emergency Transportation Authority). He gave a background on the work those organizations had been planning for Alameda and when it is expected to start. He brought up that AC Transit's plan was dependent on Alameda managing and charging for parking at the ferry terminals as an incentive to take the bus.

Vice-Chair Nachtigall stated that with equity in mind getting the word out about these services would be critical.

Director Thomas agreed.

Board Member Rothenberg wanted to know if the climate action elements had been incorporated and if Residential Parking Permits had been addressed and discussed. Director Thomas said they did acknowledge the progress on the green initiatives and the General Plan would keep pushing on what else they can do to deal with Climate Change and Greenhouse Gas Emissions. For parking management, the General Plan did not talk a lot about the city's existing Residential Permit Parking Program, which is available for every neighborhood in Alameda. There was a discussion about parking controls in areas around public transportation.

Board Member Teresa Ruiz wanted to elaborate on the connectivity aspects of the mobility elements. She wanted to see more specifics (bike/scooter/rideshare) folded into the smart street planning in terms of storage and parking for those elements. She also wanted to see specific elements for safety (no right turn on red or cyclist specific traffic lights) to see if they were appropriate or could be adapted for Alameda. She also gave some ideas on

how to encourage public transportation, such as Portland's Far-less Square, which they had for over 30 years, that relieved the burden of having to carry a bus pass. She brought up the speed limit on the estuary and how it was not being enforced, they needed to find a way that with ferries and water taxis everyone felt safe and comfortable on the water.

Director Thomas said they were also working on other plans such as the Active Transportation Plan, which would get into more detail about bicycle and pedestrian improvements for the city over the next 5-10 years. Then there was the Vision Zero Action Plan which would deal with some of the questions raised about safety.

Board Member Ruiz suggested having all the plans and policies listed in the front and what they cover so the information was easily located.

Commissioner Scott Weitze said he did not see a plan to get bikes to the water shuttles and wanted to know if they would create bus-only lanes in Alameda. He brought up the issue of Enterprise Zone and if they would need to rewrite anything in the General Plan.

Director Thomas said the vision is to have great pedestrian and bicycle connections throughout the city between parks, open spaces, commercial spaces, and the waterfront. He discussed how development on the waterfront is required to build a public water shuttle dock. He said it was a good note to go back and make sure that concept was very clear. For dedicated bus lanes, they would need to go back and take a look at that, they certainly had mentioned dedicated bus lanes in a few places. He then described the new state law, the Surplus Lands Act, and how it was essentially a new housing bill.

Commissioner Weitze said he appreciated and applauded the quiet streets and reduction in parking and described a great experience at Almanac Brewery being outside. He believed that was in line with the true character of Alameda. He added that reductions in parking would free up land.

Director Thomas said they were trying to get the concept across, and yes there were people in the city who had to drive, that if you are able it should be super easy and safe to use public transportation or use another option.

Commissioner Weitze asked about accessible parking and if there had been a discussion about making those the only parking spots available.

Director Thomas said they had discussed those options and this would be where the idea of a maximum parking standard comes in.

Commissioner Tina Yuen suggested having a table in the front of the plan showing which policies and plans overlap to make it easier for the reader to see the intersectionality of certain elements.

Director Thomas liked that idea not just for the reader but also for the staff.

Commissioner Yuen asked about the estuary crossing and she thought that the language in that section was very neutral. She wanted to hear more about where the city was in prioritizing this and how they were pushing this forward. She was specifically asking about the West Alameda bike to Oakland Bridge.

Director Thomas said they had given a lot of time and effort to that project. He discussed how long that project had been discussed, first brought up 10 years ago, and while he did not see it happening during his time with the City of Alameda, he believed it was important to get the ball rolling on it. He discussed where they were with planning and how they had been working with Oakland and Chinatown to get people excited about this project.

Commissioner Yuen agreed it wasn't a pipe dream and it was a necessity for the city. She then asked if there was anything that didn't make it into the General Plan that he wished had.

Director Thomas said honestly there wasn't. He gave credit to the city staff, Amie MacPhee, Candice Miller, Sheffield, and the consultant team. He also thanked the community members of Alameda for their input and their goal is to write the best General Plan they could.

Board Member Hanson Hom found the plan very readable and well laid out. He commented on the truck routes and wondered how the proposed bike routes and pedestrian access would affect those truck routes. He said he didn't see much attention on Senior mobility options and wanted to hear more about that. He was also interested in hearing more about Park Policies, he wanted to know if they had discussed having a dedicated park fund like the Quimby Act. He asked about Fire Services and that Alameda might need a ladder truck. He agreed there should be a cross-reference table at the beginning and to have in the Implementation Section the more granular plans with a timeline of the plans.

Director Thomas said they were still working on the Transportation Element Appendix, which would have the truck routes on it. He also discussed park dedication and while they don't have a Quimby Act requirement they did have a significant Open Space Development Impact Fee.

Commissioner Kohlstrand agreed with everyone that the second draft was a big improvement. She had questions about the Land Use Designation for Neighborhood Mixed-Use and gave examples of some around the city that had been labeled residential and was curious as to why that was.

Director Thomas said that was a great question and that they needed to go back and take a look at the Neighborhood Mixed-Use qualifications on the map. The intent was to maintain the zones wherever they existed. He then explained how the zoning in some areas still allowed for commercial use and a wide variety of mixed uses.

Commissioner Kohlstrand also asked about business and employment and pointed out there were no services in certain business parks. Then she asked about Land Use Policy #31 and wondered why the High Street Bridge had been let out.

Director Thomas discussed what the intent was for the business park, they would like to see more food and restaurant uses. For policy #31 they would need to go back and take a look at that and he would also need to check on why the High Street Bridge was left out.

Commissioner Kohlstrand pointed out conflicting information about accidents per year. She also discussed policy #15, the congestion at the tubes, and that the language needed

to be very clear. She was concerned about making a lane transit only during certain times. Then for policy #24, she felt that Bay Farm was overlooked on the issue of sea-level rise, and for open spaces, she said that Neighborhood Park was missing from the map. She also wanted the Bay Area Water Trail mentioned for people who want to enjoy the waterways.

Director Thomas thanked her for her notes.

Board Member Curtis brought up parking concerns for seniors and families with small children that still heavily relied on driving their cars and couldn't rely on public transit for their needs. He did feel that the second draft was a big improvement and was proud of the work that had gone into it.

Commissioner Randy Rentschler referred to the map showing where most of the traffic collisions happened (at traffic lights) and discussed how roundabouts would be beneficial both for safety and money-wise. He also urged for simple policies that didn't put a burden on the Public Works Department.

Director Thomas said that the city staff agreed 100% and thanked Gail Payne, a Senior Transportation Coordinator, for really encouraging and researching roundabouts. He added that people would be seeing roundabouts more in the next 20 years in Alameda.

Commissioner Rentschler also addressed the "Idaho Stop" that allowed cyclists to treat a stop sign as a yield sign. He felt that this created friction between people and suggested that stop signs should say that cyclists were allowed to do that.

Chair Samantha Soules believed this plan was a shift in what had been done and was very ambitious. The goals were difficult but achievable and she was happy to see the connections between land use and mobility. She also discussed the importance of how this plan took into account all the different needs when it came to transportation and had to offer choices. She added that they should now focus on safety and evacuation needs.

President Teague told staff this was an amazing document and there was so much good in it. He was very proud to have their names on it. On pages 23-26 he addressed how he wanted to keep the Planning Code out of the General Plan since it would create too much cost to ever change or adjust it. He added that with low-density anything less than 21 units per acre was not acceptable, but that should be in the Planning Code and not in the General Plan. On page 29 for LU-2 the "Complete Neighbors" that went into F: The Multi-Family Shared Housing and how non-traditional housing was discussed and how it was limited to medium density, he was not in favor of that and it should be available to any districts that involved residents. He wanted it to be clearer that they supported all types of non-traditional housing, all different types of structures. He was unclear if LU:15 or LU:2 were where they would call out that they needed to optimize their land for housing. He gave examples of ways to use the land for the best effect. For LU-10, which discussed Alameda's two main streets, he felt that Alameda Point was being overlooked. He said it was a shame that they say they only had two main streets when they were spending all these resources to build a community at Alameda Point, he really wanted to see Alameda Point designated as a main street or something like that. On page 44, which discussed Historic Preservation, he felt that they had done a terrible job on protecting their architecture resources that weren't monuments and wanted to see something like the Mills

Act, or they define the subset for the Study List such as the ones that were N rated for historic preservation. On page 65 which discussed solar panels in new development, he felt that solar panels shouldn't just be encouraged for new development but also existing structures. Then on page 66 that discussed water, he felt they should be doing more for water preservation such as using greywater not just for new but for existing buildings. Make it so they could use the water they had as efficiently as possible. He brought up a topic that Chair Soules had talked about, equity in transportation, and how it needed to be addressed more. He felt that this was an amazing document and thanked everyone for their comments.

Director Thomas thanked everyone and that this conversation had set them up nicely for the next workshop. He said everything President Teague said made sense to him and felt right. He then explained why they had added the Planning Code information in the General Plan, he did however understand President Teague's thoughts and agreed 100%. He thanked everyone for their comments and said that the next workshop would be with the Historic Advisory Board on June 15th.

7-B 2021-906

Mixed-Use Commercial Districts and COVID-19 Commercial Streets Program. The Planning Board and Transportation Commission will consider public comments, receive updates from City staff, and discuss the role and management of mixed-use commercial districts, transit corridors, and transit-oriented development in Alameda. The purpose of the discussion is for information sharing and provide an opportunity for public comments and suggestions.

Director Thomas gave a background on this issue and why it was added to the agenda. The attachments and public comments can be found at <https://alameda.legistar.com/LegislationDetail.aspx?ID=4928215&GUID=4144A61E-DFD5-42A3-9D17-C3ECA32E3A4B>.

President Teague opened public comments.

Brett Bye discussed the problems with the Clubhouse Bar including many abrasive conversations and encounters that had spanned the last ten years. He said the goal was not to close the bar but the clientele, which included people wearing gang colors was not something they wanted in the neighborhood. He also addressed that it was a well-known bar that they do not cut off patrons, he even accused the previous owner of drinking himself to death in the bar. There had also been issues of DUIs and cyclists afraid to ride by because they might get hit.

Cari Lee Donovan described her own awful experiences of living next to the Clubhouse Bar that included people staring at her as she enjoyed in her yard and verbal harassment. She said she and her neighbors (that included children) could not get away from the noise, cursing, and drunken bar fights. As a Social Worker who worked from home the Clubhouse Bar was making her work impossible. She had video proof of people urinating on the shared fence, sexual harassment, and people looking over the fence. She said she could not live like this anymore and begged the board to take away their Use Permit.

Kyle Montez, a resident on Alameda Ave and was representing his entire building, wanted to address the closure of his street or a parklet. He described stolen packages, people

gathering without masks, and harassment. He said their concerns had gone unheeded from the Downtown Alameda Business Association (DABA), the Mayor, and even the City Council. He also had video proof of the harassment and had even given suggestions of better places that the benches and tables could be moved to. His building was mainly occupied with educators, essential workers, unemployed folks, and veterans. No one in the building was consulted about the street closure and some people had even decided to move and others were considering moving due to the benches out front.

Robin Lynn Wilson, a customer of the Clubhouse Bar, called all the previous comments against the bar lies. She was an educator and worked with the local youth activists and the other people who go to the Clubhouse Bar were educators, City Officials, people from all walks of life. The Clubhouse Bar was a place where people could relax and wind down with a drink and she had never seen any of the bad behavior described tonight over the last 20 years of being a customer of the bar. She called out all the numerous calls made to the police with false information and stated the owner had tried many ways to work with the neighbors. The bar was there first and many people who work there have families that rely on that income. She was highly offended by the way the patrons of the Clubhouse Bar had been labeled.

Joe Millosovich, the husband of the owner of the Clubhouse Bar, gave his personal history with Alameda (born here) and the Clubhouse Bar (his grandfather went there). He defended his father-in-law, who had died in a hospital, not at the bar, and his patrons by saying none of them were gang members. He said a typical night was people over 50 having a nice night. He called out Cari Lee Donovan* for making false statements against the bar and that a friend of hers once jumped on a table to yell at a patron of the bar. Ms. Donovan had also made false statements about people peeing in the yard and as for noise the bar had been taking their decibel readings and they had been around 60-62. The Clubhouse Bar was an Alameda establishment and said that Ms. Donovan was a known neighborhood bully who had tried to keep Spinning Bones from getting their Use Permit and had even barked at an elderly Asian couple as they did yard work in their yard.

**President Teague reminded Mr. Millosovich to keep his remarks to the agenda item and not directed at another speaker.*

Ariana Bindman, a freelance reporter from SF Gate, had reported on the parklet that was affecting the residents at the building where Kyle Montez lived on Alameda Ave. She discussed that this was a much bigger and complicated issue than the City Officials realized. After her story was published she got many emails from citizens in Alameda and the county that had been having similar issues. She said after interviewing Kathy Weber with DABA, Mayor Ashcraft, and Andrew Thomas she did not feel optimistic that Alameda citizens and businesses were being treated fairly or evenly. She said she would follow up closely on this story.

Clare Hayward described the unacceptable level of noise that she had dealt with over the last two weeks since the Clubhouse Bar had reopened. She said her bedroom window was approximately 25 to 30 feet away from the bar's backyard space and had been subjected to swear words and unacceptable types of conversation. Her job was very demanding and she needed a peaceful living environment. Her garden was adjacent to the bar's backyard space where they share a fence and she was having privacy issues as people from the bar had been heard commenting on the neighbors. She also described

the harassment her roommate had also experienced while exercising in the garden. She believed that the bar's use of the outdoor space was an invasion of her privacy and asked the board not to allow them to use the backyard area.

Aaron Kraw, who also lives in the area on Park St near the Clubhouse Bar, said he had never seen major issues with the Clubhouse Bar but could understand both sides of the story. He said that it would set a dangerous precedent if the city shut down businesses that were already hurting due to COVID, it would be a bad thing for Alameda period. He added that there were many different types of noises all up and down Park Street and everyone knew what they signed up for living in a mixed-use commercial area. He had been to the Clubhouse Bar and had never seen anyone peeing in the yard, he thought that was absurd. He added that he thought that Alameda should be promoting their business as much as they could after the last year.

Joel Baron, owner of a business on the same block of the Clubhouse Bar, hoped that everyone could take a step back, take a breath and start to communicate in a productive way to find a compromise. There was no way to find a perfect solution for everybody. He said he had never had a bad experience with the Clubhouse Bar and their noise level was no worse than expected. He knew this was a tough issue and hoped that a compromise could be reached.

Casey Byrnes (his comments were translated by the ASL interpreter) a resident adjacent to the bar, described the dangerous activities happening around the bar. He saw people on the street and said it felt very dangerous. He had been in Alameda for 32 years and had seen dangerous behavior around the bar.

President Teague closed the public comments and reminded the Planning Board and the Transportation Commission there were no actions they could take tonight.

Vice President Saheba asked if the Use Permit at the Clubhouse Bar had been renewed regularly.

Director Thomas said currently the Clubhouse Bar did not have a Use Permit to be able to use their backyard. Nevertheless, they were operating legally under the Covid Use Permit that applied to all commercial businesses. Once that expired, they would not have a Use Permit, which is why they are coming before the Planning Board next month. He added that Use Permits go with the land and they typically don't have expiration dates but what the Planning Board had done in the past was to establish a set of rules for the space.

Vice President Saheba clarified that pre-Covid the bar never had use of the backyard area.

Director Thomas said that was correct, when complaints came in previously city staff had reminded the bar that they did not have a Use Permit for the backyard. He discussed how the owner was keen to get this before the Planning Board and discuss it. He had also been in the backyard with the owner and manager and had discussed what they could do to improve things.

Vice President Saheba asked if there had been a discussion about when the City-Wide Covid Use Permit would expire.

Director Thomas said it would expire when the County-Wide Health Order ended. He added that the owner did not want to operate without a Use Permit and wanted to be before the Planning Board to have this conversation.

Vice President Saheba said that dialogue was important and encouraged that in a mixed-use area it can feel that things could leaner further in one direction than the others. This is part of creating vibrant cities and neighborhoods and he appreciated the conversation on this.

Vice-Chair Nachtigall appreciated hearing all the comments from the folks who spoke. She requested that the report, which would look at the future of parklets and closed streets, would have data that spoke to the true impact both good and bad on the community.

Director Thomas said they would be taking note of that and would try and bring back as much information as they could. For the benches on Alameda Ave, they were struggling with the normal daytime activities vs the nighttime activities. They knew going in that it was not going to be perfect, and they embraced a lot of changes to deal with the impact of the pandemic.

Board Member Rothenberg thanked the commenters and agreed with Vice-Chair Nachtigall that the gathering of data was very important. She gave some suggestions of information that she would like to see that would also provide a diversity of metrics.

Board Member Ruiz thanked the members of the public for their emotional comments that would help the board create better policies moving forward. She said it sounded like there were two issues. First being when they change the use of a street neighbors should be notified. Then the second issue was looking at mixed-use areas that did not take into account density and growth. Perhaps the Noise Ordinance should be updated. There were lessons to be learned here as they moved forward with future planning.

Commissioner Weitze also agreed it was two separate issues here. For the bar, the truth was probably somewhere in the middle of everyone's comments. For the closed street, he pointed out that the area was in the busiest section of Park Street, and trying to control the noise didn't really make sense. He understood how notifying residents may be helpful but was unsure what it would have done since no one likes change. He believed there were many options here and while he understood how those residents felt it was still a commercial district and that was important to recognize.

Commissioner Yuen thanked everyone for their thoughtful comments. She also addressed that there were two separate issues. She was happy to hear that Director Thomas had been speaking with the owner of The Clubhouse Bar to try and figure out solutions for everyone. She agreed with Commissioner Weitze that for the closed street it was a commercial area and that control the noise was going to be tricky. She felt that now was the time to take stock and evaluate what works and what could be better.

Board Member Hom discussed the broader concept of mixed-use and outdoor dining. He believed that this added life and character to Alameda. The problems were not an indictment against mixed-use but there were opportunities to improve them. He suggested looking at how other cities dealt with these issues. There were a lot of positives but

definitely, operational improvements could be made. He gave his thoughts on the Use Permit and gave Director Thomas some ideas on information he would like to see.

Commissioner Kohlstrand thanked everyone for their comments and said she looked forward to addressing this issue when the Commercial Streets comes back to the Transportation Commission.

Board Member Curtis thanked everyone on both sides of this issue for their courage in speaking on this matter. He was concerned about the impact on Grand and Broadway, those streets had taken the increased flow since the reworking of Park and Webster.

Commissioner Rentschler agreed with Commissioner Kohlstrand and said he is looking forward to further discussions. He is interested in seeing what worked and what didn't.

Chair Soules said she also heard two different conversations, public right of way and private/patio permit use. They would need to look at the use of parklets and what that means. She too looked forward to looking into the data and seeing the impact and the safety for the community.

President Teague said he had looked into the Municipal Code and read the Noise Ordinance. It stated that you could file a complaint with the Planning Department and the Public Works Department and they are supposed to investigate. He asked if this is what happened.

Director Thomas explained how the Noise Ordinance worked for the City of Alameda and what struggles they had been having with enforcing it. He also discussed how Noise Complaints are typically handled and what sort of penalties can happen.

President Teague said the Noise Ordinance was problematic and thought that a review was in order. He also agreed there were many lessons to be learned here.

8. MINUTES

8-A 2020-900

Draft Meeting Minutes – March 22, 2021

Board Member Rothenberg had two corrections. First, it was the Business and Professions Code she was referencing too on her second comment for the first item. The second item was the EIR should capture schedule implications, and then it should say a 30-day statute of limitations.

Board Member Ruiz had a correction for comment on page 2, she wanted her statement clarified and stated what it should have said.

Board Member Hom made a motion to approve the minutes with the corrections that had been noted. Board Member Curtis seconded the motion. A roll call vote was taken and the motion passed 6-0.

9. STAFF COMMUNICATIONS

9-A 2020-902

Planning, Building and Transportation Department Recent Actions and Decisions

Recent actions and decisions can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=4928034&GUID=CF725A65-7801-4A05-94A8-CDDEF30FC0A8&FullText=1>.

No member of the Planning Board wanted to pull an item for review.

9-B 2020-903

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

Director Thomas said the Planning Board's next meeting would be May 28th. They would have a review on the Encinal Terminals, Public Art Ordinance, and the Draft Leaf Blower Prohibition.

Staff Member Payne said the next Transportation Commission Meeting would be on May 26th. They would discuss the latest Status Report on transportation and equity issues with intersections.

10. WRITTEN COMMUNICATIONS

None.

11. BOARD COMMUNICATIONS

Chair Soules stated that it was National Bike Month.

12. ORAL COMMUNICATIONS

Kyle Montez asked if he could clarify a statement from earlier in the agenda.

Director Thomas said that he could reach out to the Planning Staff the following day.

13. ADJOURNMENT

President Teague adjourned the meeting at 10:46 p.m.