

APPROVED MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, JULY 26, 2021

1. CONVENE

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

Due to Governor Executive Order N-29-20 and Urgency Ordinance No. 3271, Planning Board members can attend the meeting via teleconference. The City will allow public participation via Zoom, for information please see the agenda at <https://alameda.legistar.com/Calendar.aspx> under Planning Board.

Members of the public can watch the meeting via Livestream (http://alameda.granicus.com/MediaPlayer.php?camera_id=3) Comments submitted during the meeting will be read into the record. Comments submitted prior to the meeting will be included in the meeting record. City Hall will NOT be open to the public during the meeting.

2. FLAG SALUTE

Board Member Ron Curtis led the flag salute.

3. ROLL CALL

Present: President Teague, Vice President Saheba, and Board Members Curtis, Hom, Rothenberg, Cisneros, and Ruiz.

Absent: None.

4. AGENDA CHANGES AND DISCUSSION

Allen Tai, City Planner, requested that item **7:B Public hearing on the Alameda General Plan Update** and item **7-C: Public hearing to review and comment on the Draft Vision Zero Action Plan** be continued to Monday, September 13th.

President Teague thought this was a good idea and no one objected to this change.

5. ORAL COMMUNICATIONS

None.

6. CONSENT CALENDAR

President Teague pulled Consent item **6-B** and added it to the Regular Agenda Items.

6-A 2021-1156

A public hearing to consider a Final Development Plan Amendment (PLN 21-0299) to reduce the front yard setback for a two-story R&D office building located at 1310 Harbor Bay Parkway from 50 feet to 49 feet. The project is located in the C-M-PD (Commercial

Manufacturing, Planned Development) Zoning District. A Final Environmental Impact Report for Harbor Bay Isle, including the Harbor Bay Business Park, was certified in 1974 and the 1988 Addendum to the EIR was prepared in 1989 in accordance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15162, no new significant impacts have been identified and no additional CEQA review is required.

Attachments and the staff report can be found at
<https://alameda.legistar.com/LegislationDetail.aspx?ID=5031885&GUID=A74D0BA0-9E68-44C5-BCA9-3C7084DE49A0&FullText=1>.

Board Member Rona Rothenberg made a motion to approve the Consent Calendar and Board Member Curtis seconded the motion. A roll call vote was taken and the motion passed 7-0.

7. REGULAR AGENDA ITEMS

6-B 2021-1169

1435 Webster Street - Temporary Use Permit for Use of Parking Lot for Outdoor Commercial Entertainment Events - Applicants: West Alameda Business Association, West End Arts District, and the Fireside Lounge. Consideration of a Temporary Use Permit to allow outdoor use of an existing parking lot at 1435 Webster Street for outdoor commercial entertainment activities. The project is located within the C-C-T (Community Commercial, Theater Combining) Zoning District. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 - Existing Facilities and 15183 - Projects consistent with General Plan and Zoning.

Andrew Thomas, Director of Planning Building and Transportation, was joined by Rochelle Wheeler, Senior Transportation Coordinator, and Commercial Streets Planner, and together they introduced this item. Attachments and the staff report can be found at
<https://alameda.legistar.com/LegislationDetail.aspx?ID=5031895&GUID=2B4DC733-244E-468D-910E-FBE75989A417&FullText=1>.

President Teague opened the board's clarifying questions.

Board Member Teresa Ruiz asked about a public comment asking that the events end in October. Why was October requested and why was it extended to December?

Staff Member Wheeler explained how the original Special Events Permit went through October and maybe through November, it was a little vague. Then when the applicants came before them they had been interested in doing some events in December. Since there were already holiday events that happened a long Webster they wanted to have those at this space. There were only 3 events scheduled for December.

Board Member Ruiz clarified that the Special Events Permit was supposed to end in October or November.

Staff Member Wheeler said that was right.

Board Member Ruiz stated there was some ambiguity there. This Temporary Use Permit was requested just to add the 3 events in December and this was for the whole WABA (West Alameda Business District) not just for the Fireside.

Staff Member Wheeler said this was a group effort with the programming and doing events on the lot. The West End Arts District, WABA, and the Fireside Lounge, all are working together and it was a joint effort to program the space, technically the applicant was WABA.

Director Thomas clarified that this was a Use Permit for the use of a particular piece of land, the parking lot at Taylor and Webster Street. It would apply to whoever used the land. If someone else were to take over programming they would have to comply with this Use Permit.

Board Member Ruiz asked about maximum occupancy and wanted to know how the applicant had arrived at the occupancy load.

Staff Member Wheeler said the original occupancy level in the original Special Event Permit was 220. That was calculated then by the applicant for the Special Event Permit. She explained how the applicant had used social distancing rules to generate that number but then as restrictions lifted in June that number went up to 350. She added that the applicant was available to explain more.

Vice President Asheshh Saheba wanted to know if the applicant had shown any desire to have events at the location post-December.

Staff Member Wheeler said at this time their understanding was no. The lease they have with the owner goes until the end of the year.

Director Thomas added that the property owner had a permit to build a project on that site.

Board Member Curtis said he had gone to the space when an event was happening and said the noise level coming off was a bit much. He wanted to know who profited from the ticket sales. He thought the venue had drifted from its original mission.

Director Thomas said that staff did not know where the money went. He said that was something the applicant could address.

Board Member Curtis stated if this was a for-profit venue that unconvinced a high degree of the immediate neighborhood then he had a problem with that.

Staff Member Wheeler added that there was a mix of events that would involve amplified sound. Some were ticketed events and some were more cultural/community events, such as record swaps or Rhythmix Cultural Events. It was also a mix of people programming the area.

Board Member Rothenberg did not take exception to the changes in the conditions. She asked about the popularity and high use of community centers in Alameda in general. She wanted to know if this type of feedback and activity over one Conditional Use Permit informed planning on the types of spaces people utilized for both private and public events.

Director Thomas said that this originally came in as a Covid Special Event Permit due to Covid restrictions. The staff's first reaction was that this was a great idea but did not realize how popular this would be. It did show there was a real demand in Alameda for this type of event and opportunities for the community to come together. This site itself might not be the perfect spot but there was an absolute need for something like this. He also discussed the importance of people working together to make the programming and event schedule work.

Board Member Rothenberg said as a Planning Board and when they look at locations for uses and future uses they need to make sure they are appropriate for the use.

Board Member Hanson Hom thanked WABA for clarifying the actual number of scheduled events, a question he had asked from a previous meeting. He then asked how city staff or code enforcement had responded to complaints and how are they planning on handling future complaints.

Director Thomas said as the site became more popular and the events grew they started to get complaints. City Staff first talked to the applicant telling them they had to get things under control and that was when the applicant made a number of changes. However, despite their effort, the complaints continued to come into the Planning Department. At first, this was approved at the staff level without a public hearing but staff quickly realized that was not the right process for this. This really needed to be handled through the Use Permit process where the neighbors would have an opportunity to express their concerns and the applicant could express their situation and then a judgment call would need to be made by the Planning Board.

Linda Asbury, an applicant and an Executive Director of WABA, said no profit was being made. The ticket cost, whatever it was, did not cover the cost of the event. They had secured grants and sponsorships to even breakeven because the goal has always been to create community events. She also discussed who was on the payroll to make this site successful, there was no money to be made here.

Board Member Hom asked again about complaints and how those would be handled in the future.

Ms. Asbury said they had always tried to reach out to people and to be available so complaints would not have to go through the Planning Department. She said they had hired a Sound Technician and now had the appropriate draping to mitigate the sound. They also had someone on-site with a decibel reader and it never went above 80-90 decibels which from her understanding was the same as what a vacuum cleaner put out. The music stopped at 8 pm and there was a Sound Technician on-site during events. She wanted to make this work for the neighborhood and was not sure what else they could do to mitigate the sound.

Board Member Hom asked if the canopies and curtains to mitigate the sound had already been installed and if the fire department had confirmed those items had met fire safety requirements.

Ms. Asbury said they reached out to neighbors and had mitigated everything they could. The fire department had come out and had approved what they had done. The only thing they were not able to do was close Taylor St which they wanted to do for sound mitigation.

Board Member Ruiz asked a follow-up question to Ms. Asbury. She asked since due to the uptick in Covid and the Delta variant would she consider lowering the maximum occupancy load of the site to 220.

Ms. Asbury said the 220 was based on a 5000 square foot lot and how many people could be accommodated according to the guidelines last year and 350 was based on the success and the lifting of restrictions. She said they would be happy to mitigate the occupancy as well and did not want all the good work to go aside.

Board Member Xiomara Cisneros was still confused on the matter of how many amplified sound events were scheduled per weekend. She was thrown off by the dates in the staff report. She was concerned they were having more than 2 loud events per weekend as were outlined in the mitigation.

Staff Member Wheeler explained how listing the events in the Use Permit was a way of giving everyone a head's up of when neighbors could expect amplified sound. She was not sure where Board Member Cisneros was seeing the two events. She pointed out that under item 3 they had the events allowed per week and it varied by month.

Board Member Cisneros said it was under Exhibit 1, it stated: "live music concerts would be restricted to a maximum of 2 events per weekend or possibly 1 per weekend".

Staff Member Wheeler said that was something developed on June 29th by the applicant but after going back and forth with them since then and working out dates that was no

longer a condition. It was an offer they had made, they had instead focused their efforts on the live events that were already scheduled.

Board Member Cisneros said she thought that had been a good offer, it sounded like a compromise.

Director Thomas added that Exhibit 3 was the resolution of approval, which would be the guiding and regulating document. If there was a conflict between Exhibit 3, the Planning Board resolution, and any other document it would be Exhibit 3 that would rule.

Board Member Cisneros said, in that case, she wanted to respect the offer that was made by the applicant to the community where they said they would do their best to have it limited to two events per week.

President Teague said she could propose that as an amendment to the resolution at that stage if that was something she wanted to do.

Staff Wheeler proposed that might already be the case.

Board Member Cisneros said exactly, she wanted it to be consistent and for the resolution to reflect that.

Staff Member Wheeler said they were all trying to work with the feedback from the applicant on things they had already scheduled and committed to. There might be some variance of that then they would have to cancel that event and possibly lose money and the staff tried to be aware of that as well. That was her only concern if that was added in.

President Teague asked if all of the events on the list, provided by the applicant, were things they had committed to prior to the start of this whole process and wanted to finish out.

Staff Member Wheeler said not all of them, but some of them. They would have fit under the Special Event Permit so they were already scheduling things.

President Teague asked how many of the events had been scheduled in the last two weeks.

Staff Member Wheeler probably none in the last two weeks since they had started working on this two weeks ago.

Ms. Asbury answered that anything on the list had been scheduled probably around when they were doing the Use Permit or before. They had booked some talent with a contract and they owed them money but that had all been done on Good Faith since the Special Events Permit had been approved by the city. Since the start of this mitigation and the conversation with the city and the neighbors, they had not added any additional events.

President Teague said in looking between number 5 and the list, the dates where there were events and the list did not match up.

Staff Member Wheeler said there were more events on the list because that included both the amplified events and the ones with no amplified sound. The list was just a restriction on the amplified sound events since that was what they saw as the most important issue to regulate.

President Teague pointed out that the Use Permit listed August 29th as a sound event date and yet there was nothing scheduled.

Director Thomas and Staff Member Wheeler both agreed that should be dropped. Staff Member Wheeler stated that as they take public comment she could go through the list and check dates.

President Teague also pointed out that there was an event scheduled for October 10th that was not on the Use Permit. He wanted to know what types of properties border this site since the Noise Ordinance covered decimal ratings. Were there residential immediately adjacent to the parking lot?

Director Thomas said there was.

President Teague asked wouldn't the Noise Ordinance restrict the decimals to 70? 80 if it were commercial and 70 if it's residential.

Director Thomas asked if he wanted to make that a condition of approval.

President Teague said they would have to be in compliance with the Noise Ordinance.

Director Thomas agreed.

President Teague said they could potentially clarify exactly what they were talking about in terms of the decimal ratings which were significantly less than the 80-90 that had been mentioned earlier.

Director Thomas said they could certainly add that clarification.

President Teague stated that would be a significant change in volume.

Board Member Horn wanted to know if the noise was measured from the edge of the property.

Director Thomas said that was correct they measured from the property line.

Board Member Curtis said he had looked up what the decibels ratings were for a vacuum cleaner and it was 65-80 tops. However, 85 caused irreparable damage to hearing. He discussed how this could still cause an inconvenience to the neighbors.

President Teague opened public comments and reminded everyone not to make any derogatory comments against staff, staff's actions, or any other people involved in this item.

Tara Pilbrow addressed the future and vision plan for this event space. She discussed other similar things in Alameda and why they hadn't worked and why this was so unique because it was successful. Even with that success, they knew this was not the future of this type of programming and their ambition was to find a suitable place at The Point. For sound, she said that average decibel readings at the edge of the site were 65-74 and never more than 80 at the stage limit.

Tina Blaine, Executive Director of Rhythmix Cultural Works, discussed the work they had done with West End Arts District and WABA to provide free events at this site. She added that all of this elevated Alameda as a whole to have these high-profile art events happening. She had worked with neighbors on many occasions, saying that sometimes no matter what you do people just don't like music. She felt that everyone involved had worked extremely hard to keep the sound down and did not want to upset any of the neighbors.

Melissa Milam discussed a list of concerts that Linda Asbury had sent out on May 28th, there were 14 concerts scheduled and 12 had already been done which left 2 events. The new schedule still had 15 concerts, when they found out people were upset and had complained they added more events. If this was a vacuum she would not be complaining, this was more than that. She said she loved music and went to concerts at appropriate places. She said she could not escape the music and the neighbors had to hear the music whether they liked it or not.

Constance Garcia, the owner of the Menagerie Oddities Market and manager of the West End Mercantile, pointed out that this space was not just being used for the Tiny Town Concert Series and asked that the board consider it in its entirety. She ticketed her events to make it easier to track people coming and going, and you could find free tickets on Eventbrite. She also discussed her future plans which were to help the West End Arts District find a permanent location.

Stacy Marino, who lived on the far end of 600 Taylor on the lot, said she supported the Healing Garden but was against approving extending the permit for events until the end of the year. She said if this was all about the community then why didn't they allow local bands to play for free instead of the ones that charge artist's fees. She also believed that neighbors shouldn't have to plan their days around events that were scheduled, which seemed unacceptable for nearby families. She pointed out there was smoking in the lot

and that was against the City-Wide Second Hand Smoking Ordinance. She said she had talked to local businesses and they said this event space was not helping their businesses.

Marie Milam discussed how difficult this had all been. She had been bombarded with too many load events and on top of that trying to find out how City Hall Works. She felt like she was not being heard. She said she was very disappointed in WABA, The Fireside, and West End Arts District; all they had to do was lower the sound. They had 3 months to do just that and that she would never forget how many people could be so inconsiderate and not care. She begged the board not to renew and extend the permit, end this in October.

Sandy Russell, an applicant, thanked the board for hearing this item again and clarified that no event with amplified sound had been booked in over a month. The only events that were listed were ones that they were bound by contract for. She discussed all the things they had done to mitigate the sound and stated they were not without concerns for the neighbors. She had herself walked the sidewalk with the decibel reader and it was always below 74 at most outside of the property line and 80 at the stage. She apologized that this was a discomfort that was never the intention of this group. She discussed her role as the President of WABA, to bring people to the street and to support the businesses. She also had quotes from businesses that were in the provided packet, that said how good and helpful this had been for businesses. She also discussed all the money that had gone into making this work and that a portion of the proceeds had gone back to support the West End Arts District.

Zac Bowling supported this project. This was not in the middle of a neighborhood, it was on one of the main streets of Alameda, this is where you would put something like this. He thought it was a great use of a parking lot, a parking lot that had never been very full. He was very much in support of this type of event to bring people to the streets and to encourage more business in the commercial corridors.

Janet Koike, Rhythmix Cultural Works, discussed that they were using this space as a fundraising location that supported their performance art and learning program. This program brought arts to schools not only in Alameda but also to 7 different cities in Alameda County. Due to Covid a lot of their funders had had to move their funding to Covid related issues so without this location to raise funds they would be unable to provide their program to school children. She said how grateful she was to WABA and the West End Arts District for creating a beautiful gathering space for people to have a shared community experience during such a difficult time.

Staci Lewis, a vendor at these events and a resident of the West End area, said this was an opportunity for the high tide rising a lot of boats here. She had been supported as an arts and craft vendor by the West End Arts District and had supported the parklets. She believed it was an important street that continued to develop. This was an opportunity to

develop this area and to bring businesses to the area. She added that WABA and the Fireside had done so much work with the community to accommodate everyone's needs.

Mike Van Dine discussed a better location for these types of events, the historic Merchant Marine Building at McKay Ave*. He said these buildings would be made available for the community if the homeless cannot use them.

President Teague closed public comment and opened board discussion and potential action.

Board Member Ruiz thanked the community members for coming out and for speaking so passionately about this item. She appreciated the efforts all the stakeholders had taken to mitigate the situation. She discussed that since this use was on Webster which was dedicated as a Main street and the ambiguity around the Special Use Permit, she was in support of the Temporary Use Permit with conditions. First, that the permit was nonrenewable, and secondly that they limit the maximum occupancy to 220 from 350 as an added effort to reduce noise and potential exposure to the covid (Delta) variant.

Vice President Saheba appreciated all the commentary and the notes that had been distributed. He addressed that this was a challenging situation and that Covid had created new opportunities, some that might be kept and others that would not be kept beyond the time of the pandemic. He agreed that tying things like this to the Noise Ordinance was critical and he brought up a similar situation on Park St and how that was mitigated. He said with where this situation was now, with bookings already scheduled and the desire to keep this temporary space open he was in support of how this was moving forward. He added that it needed to be continuously monitored to ensure that the Noise Ordinance was maintained and if not changes would need to occur. He was in support of allowing this to go through December; it just needed to be managed to ensure that the situation did not continue to be an issue for the neighbors.

Board Member Curtis addressed the good that this project had done for the community and had brought a lot of things together with regard to its original mission. However, he believed that when it expanded into a venue with amplified events it had created a real inconvenience to the neighbors to the point that it affected some neighbors emotionally. He also agreed with Board Member Ruiz about keeping the occupancy down due to Covid. He also suggested no more amplified events after October. He believed that the weekend events during the holiday season would cause a real imposition to the neighbors coming home from work and with daylight savings ending soon the value of the park would diminish substantially for daylight events. He didn't think this was something the neighbors should have to put up with through the end of the year and supported ending things in October. He would not approve this going through to the end of the year.

Board Member Rothenberg thanked the public speakers and her fellow board members for their thoughtful discussions and comments. She concurred that this was a meritorious

temporary use of the site, consistent with the General Plan and the appropriate zoning of a mixed-use commercial district. She saw that the charged ticketed events were a direct consequence of paying musicians and they had only continued with contracts that were already executed. She pointed out the suggestions about lowering occupancy and no more amplified events after October, these might be contractually very difficult for the business associate who had signed contracts and wanted to take that under consideration. She agreed with the comments about conformance by the staff on the exact dates so that dates in the Use Permit match. She also agreed on the strict compliance with the Noise Ordinance and should be added to the terms of the Resolution. She was pleased to support this and added that people who lived around urban areas (she herself had lived around Golden Gate Park for many years) did organize their lives around public venues. She thanked the neighbors for accommodating an important venue like this during these times and said she would work to make sure they had more events like this in appropriate places in the future.

Board Member Hom thanked WABA and the West End Arts District for organizing this event, the origin and the purpose behind it was all very positive but at the same time, he recognized the concerns expressed, fairly loudly, by residents. He also believed the key was the enforcement of the noise ordinance, he was not opposed to adding that as a condition. He was supportive of limiting the number of tickets for the events. He wanted to know if there were contractual events made after the Use Permit was changed to allow 350. Unless there was a contractual obligation he was in support of keeping the occupancy to 220. He thought this would not only help with potential exposure to Covid but would also help with the limited parking concerns that had been brought up.

President Teague asked Ms. Asbury if their contracts specify ticket sales over 220 as a requirement.

Ms. Asbsury said they do not.

Board Member Hom asked if there was no contractual obligation that they had with the musicians they had booked with an offer of tickets sales up to 350.

Ms. Asbury said that was correct, the contract was based on their fees for the performance not how many people came.

Board Member Cisneros thanked everyone and said she appreciated the public for sharing their sentiments, she recognized that this was very contentious and emotional for people on both sides. She was still in support and was consistent with her comments from the last meeting. She wanted to see this move forward and agreed with some of the suggestions laid out. She agreed with limiting the occupancy to 220 both for public health reasons and to help with noise issues. She also wanted to make sure that the Resolution was consistent with what had been committed to by the applicant in their mitigation efforts, such as limiting the number of concerts to two events per weekend.

President Teague asked Ms. Russell about the issue of reducing the occupancy.

Staff Member Wheeler said that he could accept Ms. Asbury's answer on that issue.

President Teague thanked everyone for their feedback, thoughts, and work on this. He stated that this was an absolutely appropriate use with the Use Permit for this location, it was the sound that wasn't appropriate. He discussed what the Noise Ordinance allowed and said the applicant would need to bring the noise down according to that ordinance. He was concerned they would need more grant money to make up the difference in ticket sales if they lowered the occupancy to 220, so he could support either number. He was insistent though that the applicant had to monitor the property line to keep the decimals compliant with the Noise Ordinance.

Staff Member Tai made a suggestion in accordance with the Noise Ordinance.

Board Member Hom asked for clarification on what a quiet street was.

President Teague said a quiet street was 60. He explained more about how the police handle noise complaints.

There was further discussion about scheduled events.

President Teague made a motion to approve the amended resolution with the correct dates, with the specification from the mitigation list regarding the number of events per weekend to be limited to two, to require the applicant to monitor sound at the property line to comply with the 50 decimals at the residential side and 60 decimals otherwise. Also to reduce the 350 tickets to 220 tickets. Board Member Ruiz seconded the motion. A roll call vote was taken and the motion passed 6-1 with Board Member Curtis voting against.

7-A 2021-1165

PLN21-0077 - 1245 McKay Avenue - Design Review - Applicant: Alameda Point Collaborative. Public hearing to consider Design Review for an approximately 29,810-square-foot, two-story medical respite facility in a contemporary architectural design. General Plan designation: Office. Zoning: A-P, Administrative Professional District. CEQA Determination: Design Review approval for a permitted use is not subject to CEQA. McCorkle Eastside Neighborhood Group v. City of St. Helena (2018) 31 Cal.App.5th 80, Public Resources Code Section 21080. As a separate and independent basis, the City of Alameda adopted a Mitigated Negative Declaration and an Addendum thereto in compliance with CEQA and no further environmental review is required.

Henry Dong, Planner III, introduced the item and gave a presentation. The staff report and attachments can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=5031891&GUID=164A0DE7-A13A-41FF-9A71-993AE1305D2A&FullText=1>.

Doug Biggs, the applicant, discussed a few things then introduced the architect for the project, Chris Ebert of Ankrom Moisan and Sarita Govani of Mantle Landscape Architecture.

Mr. Ebert presented where he discussed the design intent and goals.

Ms. Govani also presented where she discussed how the landscaping would support the building design and programming at the facility.

President Teague opened the board clarifying questions.

Board Member Ruiz thanked everyone for their presentations. She asked how users and visitors would arrive. She wanted more elaboration on why they turned the front door away from the street.

Mr. Biggs discussed the 3 major uses of the center, a respite center for patients requiring aftercare, and those patients would be picked up from the hospital and brought to the site by staff. There would be no walk-in opportunities. The downstairs will be a clinic that would serve the patients in the respite center but also serve residents of the senior living facility. Those patients will get to the clinic by a little walkway. The front area will be a resource center for residents of Alameda only who are at risk of becoming homeless or recently homeless and will be by appointment only. They normally would have an opening at the front but one of the concerns by neighbors was that people would loiter at the front or lines forming on the street. This is why all entrances will be off the street.

Board Member Ruiz then wanted clarification on the materiality of the building.

Mr. Ebert said the plan was for it to be an Exterior Insulation Finishing System (EIFS) and they were thinking of a standard smooth texture.

Board Member Ruiz also asked about the visibility of the vents on the roof.

Mr. Ebert said you would be able to see them a bit but this was the least visible he had ever used.

Board Member Ruiz asked about the vents and roof design. She also asked if he had thought about using a concrete tile roof instead of a shingle roof.

Mr. Ebert explained what type of vents they would use and how it would work with the roof. He said that they had not looked at concrete tiles but had looked at asphalt and

standing seam. Concrete tended to be too heavy and would add enough weight to be a structural consideration.

Vice President Saheba asked if and where would the staff parking be.

Mr. Biggs said it would be adjacent to the East Bay Regional Park area. He added that some staff would also be taking public transit.

Vice President Saheba asked when the decision for the roof would be made.

Mr. Ebert said the asphalt shingles was the one they were confident they could afford, the standing seam were the ones they wanted if they could get there.

Vice President Saheba asked about the wood-look siding.

Mr. Ebert explained the properties of the product and what made it an excellent choice.

Vice President Saheba asked about the exterior lighting plan.

Mr. Ebert said it should have been in the full Design Review Package.

Vice President Saheba asked about the gable roof and how that space was being used.

Mr. Ebert said they were getting double use out of that area that was where they would store mechanical equipment. It was not really a usable space for programming.

President Teague informed Vice President Sahaba that the exterior lighting design was on page 53.

Board Member Curtis stated that he had met with Mr. Biggs prior to this meeting and had answered a lot of his questions. He had no other questions at this time.

Board Member Rothenberg thanked the staff and applicant for the presentation. She asked about how they had chosen the occupancy class. She also asked about how the building would be powered.

Mr. Ebert explained how his background had helped with this design and how the clinical use of the buildings also dedicated what it needed to be classified as.

Board Member Rothenberg asked if the clinic would be open 24/7.

Mr. Biggs said the clinic would be open during the daytime hours and there will be staff on duty all night as well.

Mr. Ebert added there would not be licensed medical care 24 hours a day, licensed medical care would only be available in the clinic. He then discussed that they would be all-electric. They had been looking at all the code requirements and would meet all the Title 24 California Code Requirements and the City of Alameda's requirements.

Board Member Hom thanked the applicants for the presentation and had no further questions at this time.

Board Member Cisneros stated that she too had previously met with the applicant and had no further questions.

President Teague asked how the trash would be handled on-site for this building.

Mr. Ebert explained how trash would work.

President Teague opened public comments. He reminded everyone that this was an opportunity to speak on the proposed design only. He stated if anyone deviated from this he would ask that they hold their comments until the Oral Comments section of the meeting.

Zac Bowling thought this was a great addition to Alameda and fit in well with the other buildings on McKay Ave. He thought it would well serve the people who needed a facility like this. He was in strong support and asked that the board support this as well.

Jay Garfinkle was unsure of what fell under "Design Review" and wanted to discuss the uses as well. He wanted to discuss the function of the building*.

**President Teague clarified again what fell under the Design Review and cut off Mr. Garfinkle when he kept discussing the use of the building.*

Bronwyn Harris was very excited about this addition to the neighborhood. She thought it looked beautiful and went really well with the setting. She hoped the board would approve the design.

Carmen Reid wanted to discuss the preservation of the building and wanted to make the applicant use adaptive reuse*.

**President Teague reminded her that this was a Design Review and when she continued to speak off-topic she was cut off. He reminded her that her comment would be best at the Oral Communication portion.*

John Healy discussed the application and how this was the first they had heard of it. He also thought the EIR was wrong*.

**Prescient Teague reminded him to stay on topic and told him to bring up these issues in the Oral Communication section.*

Mike Van Dine thought it was a beautiful design but felt that the designer had wasted an opportunity to embrace the history of the building.

Lis Cox wanted to know what area of the building the homeless would be welcomed into the building to use the resource center on an appointment basis. She also wanted to know if there would be a screening area for the public who did not have an appointment.

Harvey Rosenthal, a neighbor, said he had received no notification of this Design Review meeting and thought that was unfortunate. He then discussed how the nature of the program had changed over time. He wanted to know more about how the homeless would be homed.

Scott Hamilton thought it was a beautiful building but it did not match the neighborhood or the history of Alameda. He also thought that the designer could have done more to honor the original history of the building and the Merchant Marines.

President Teague, before closing public comments, asked Celena Chen, City Attorney's Office, and Staff Counsel, if public notice for this Design Review had been sent out and how far was it noticed.

Counsel Chen deferred to the staff for comment on the public noticing of this item.

Staff Member Dong answered that public notice was sent out to all properties within 300 feet of the project site.

President Teague made a last call for public speakers and asked if the board wanted to hear from Ms. Reid a second time.

Board Member Curtis said why not since it was a public hearing and others agreed.

Carmen Reid thanked the board for the opportunity to talk. She addressed that there was a violation of public access, the Zoom link for tonight's meeting was broken. She wanted the board to know that the public had not been able to fully access this meeting. In regards to the Design Review, she discussed the goals for the 2040 General Plan, CC-18 "Building Renovation and Reuse" talked about reusing existing buildings.

President Teague thanked her for only discussing the design. He then closed the public comments and opened board discussion and potential action. He also asked the staff to confirm that the meeting ID that was published matched the meeting ID. He wanted to ensure that this was a properly accessible meeting.

Board Member Ruiz thanked the staff, the applicant, and the designers for their presentation. She expressed her appreciation for the public's passionate comments. She then stated that yes the General Plan did encourage the reuse and preservation of existing buildings however that was not the purview of this meeting and this agenda item. The demolition of the building had already been approved by the City Council and now as Planning Board members, their duty was to act upon the agenda item which was a Design Review of the building. She appreciated the designer's fresh approach and to actually make a statement. She did however want to see more street presence. She made other comments and suggestions about the materials and how they would work with the design overall. She said she was not ready to approve the Resolution yet and wanted to see another iteration of the design.

Vice President Saheba appreciated all the work and effort put into the design. He thought the design concept was clear. He did however want to see more sustainability features and questioned if this was the elevation of McKay. He explained more about what he wanted to see for the elevation. He also wanted to know if this was a phased Design Review.

Mr. Ebert said yes the senior housing portion that was originally going to be reused but it did not work out so they are relooking at that design. That was not his project but there would be another Design Review for that portion.

Mr. Biggs added that at that review they would include the landscaping for the remainder of the campus.

Board Member Curtis stated that the use of this facility had already been determined so it was a non-issue. Also, he had examined the plans and had gone over the flow with Mr. Biggs. He believed it was a good-looking building, had a great flow, and would be an asset and a benefit to the community. He cautioned that the biggest enemy of this project was time, material costs were going up and every time they had to go back to the drawing board that was adding costs. He stated he would approve the project because he thought it was a good-looking project and it suited the purpose for which it was voted on originally. He said it was well thought out and they had done a good job.

Board Member Rothenberg concurred with Board Member Ruiz and Vice President Saheba on the overall design concept; it still needed more work. She discussed items that would improve the design and what was missing overall. She also discussed how they could incorporate more sustainability features and challenged them to do so.

Board Member Hom thanked everyone for their comments and reiterated that this was a Design Review. He commented that he understood why there was a more private entrance and he agreed that the East elevation could use some more work. He believed the design would be an upgrade for the area and was compatible with the area.

Board Member Cisneros believed this was a beautiful project, thoughtfully designed, and would be a beautiful addition to the community. She was also anxious about moving the project forward and hoped there was an opportunity to approve this with some of the thoughtful suggestions and modifications since time was the enemy. She understood the desire to activate the street but privacy was something to keep in mind. She was in favor of moving this forward.

President Teague thanked everyone for working through this over a long period of time, including the staff, project developers, and speakers on both sides. He also wanted to move this forward and agreed that time was critical, especially since they would be recessed for all of August. He discussed the importance of how public art could be used to acknowledge the history of this site. He was in favor of moving this forward with the condition that staff would assist in improving the East facade.

Staff Member Tai made a comment about the public art, the ordinance stated that it was the applicant's choice if they wanted to produce on-site art or pay the in-lieu fees. Then the public art has to be approved by the Public Art Commission.

Board Member Ruiz discussed their due diligence of this highly controversial project. She did not feel comfortable leaving these changes at the staff level and wanted this project to come back after the applicant had made changes for another Design Review.

Staff Member Tai added that staff had done a check on the Zoom ID. The agenda had the correct Meeting ID but an old one was accidentally left on. The link for the meeting was correct though.

Staff Counsel Chen concurred that this meeting had been properly noticed.

There was a discussion on the Design Review process and how much time it would take if this item needed to come back. Also, there was a discussion about their due diligence for the community.

Board Member Cisneros made a motion to approve the Design Review with the following conditions: more details on the roof materials, the EIFs material would have a smooth texture, more sustainability features that were specifically mentioned, more refinement and activation on the McKay Ave elevation and that art that honors the history of the site would be considered. Board Member Curtis seconded the motion and a roll call vote was taken. The motion passed 4-3 with Vice President Saheba and Board Members Rothenberg and Ruiz voting against it.

7-D 2021-1168
Board Elections

President Teague stated how much he had appreciated being President of the board and was glad to pass the gavel on to someone else.

President Teague then nominated Vice President Saheba for President, Board Member Curtis seconded the nomination. A roll call vote was taken and the nomination passed 7-0.

Board Member Hom said it was his pleasure and honor to nominate Board Member Ruiz as Vice President, Board Member Rothenberg seconded the nomination. A roll call vote was taken and the nomination passed 7-0.

Vice President Saheba and Board Member Ruiz both said how honored they were for their nominations and this opportunity.

8. MINUTES

8-A 2021-1155

Draft Meeting Minutes – June 14, 2021

President Teague clarified his remarks on historic vs. historical. He meant to say, they don't protect their historical homes, not the historic homes. In general, whenever you see the word historic, think about what events or person made it historic not its age or architecture.

Board Member Ruiz asked about a call for review that she no longer needed and wanted to know how the minutes would reflect that.

Staff Member Tai said there was a note made during the last meeting, she had been absent.

Board Member Ruiz made a motion to approve the minutes as amended. Board Member Hom seconded the motion. A roll call vote was taken and the motion passed 5-0 with Vice President Teague and Board Member Curtis abstaining due to their absence at the meeting.

9. STAFF COMMUNICATIONS

9-A 2021-1153

Planning, Building and Transportation Department Recent Actions and Decisions

Recent actions and decisions can be found at
<https://alameda.legistar.com/LegislationDetail.aspx?ID=5031882&GUID=26A81772-8C1E-4212-8EC9-B13D9FC42B91&FullText=1>.

No board members wished to pull an item for review.

9-B 2021-1154

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

Staff Member Tai announced they would be recessed for the month of August, their next meeting would be Monday, September 13. At that meeting, there would be a General Plan Update, a parking code update, a review and comment on the Commercial Street Program, and a review and comment on the City Council's Street and Facility Naming Policy.

Director Thomas added they would also bring back the update on the Vision Zero Action Plan.

9-C 2021-1171

Staff Communication Regarding Building Permits for Block 11 at Alameda Point.

Information and attachment can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=5035695&GUID=47F8B149-7237-4C26-9272-342F02CB06B0>.

No one had any objections.

10. WRITTEN COMMUNICATIONS**10-A 2021-1170**

Written Communication from Bike Walk Alameda July 15, 2021

The letter can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=5035694&GUID=AFBDD155-B95C-4F4C-A417-DFE393C0589D>.

11. BOARD COMMUNICATIONS

President Teague said it had been an honor presiding as President of the board and thanked everyone for their help and assistance. The other board members together thanked President Teague for his hard work.

Board Member Hom mentioned California's APA Conference was coming up and that it had a lot of timely issues that might be of interest.

Director Thomas let everyone know how to register.

12. ORAL COMMUNICATIONS

Carmen Reid stated again that the Zoom link was broken and was very disappointed that public commenters were cut off while talking. She also did not believe that people had tried to discuss the use of the building and brought up 17 letters that had argued for reuse.

Lesa Ross pointed out that it was really hard to find the Zoom link.

Jay Garfinkle discussed that the design for the respite center needed to support the function of the building. He did not believe that any board member knew what was planned for the facility. He thought that the Planning Staff was very politically influenced and had been trying to push this through.

President Teague reminded him and everyone not to say disparaging comments about the Planning Staff. They do a very difficult job and they should be appreciated.

John Healy was dismayed that he had been cut off. He thought that the law was not being applied correctly and he was concerned about the homeless. He discussed the many changes in this project. He also believed he should be able to speak freely on his opinions about the staff.

13. ADJOURNMENT

President Teague adjourned the meeting at 10:51 p.m.