

APPROVED MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, MAY 9, 2022

1. CONVENE

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

**Pursuant to Assembly Bill 361, codified at Government Code Section 54953, Planning Board members can attend the meeting via teleconference.*

2. FLAG SALUTE

Board Member Rona Rothenberg led the flag salute.

3. ROLL CALL

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

Absent: Board Member Hanson Hom.

4. AGENDA CHANGES AND DISCUSSION

None.

5. ORAL COMMUNICATIONS

None.

6. CONSENT CALENDAR

9-C 2022-1991 - *Alameda Parking Enforcement Announcement*

This item was moved forward.

Lisa Foster, Transportation Planner, gave an update to the change in parking enforcement, from the Police Department to Public Works, which would take effect on May 23rd. She also shared upcoming Transportation Workshops.

7. REGULAR AGENDA ITEMS

7-A 2022-2000

Design Review for Fire Tower Beautification Project - Clubhouse Memorial Road and Island Drive - Applicant: Greenway Golf Associates, Inc. A design review application to beautify the fire tower located at Clubhouse Memorial Road and Island Drive on the City of Alameda Chuck Corica Golf Complex property. This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 Existing Facilities.

Amy Wooldridge, Director of Recreation and Parks, introduced the item and gave a brief background on the project. The staff report and attachments can be found at <https://alameda.legistar.com/LegislationDetail.aspx?ID=5571113&GUID=126F8D1D-FE2A-4473-B9F5-A0BEA7D66D95&FullText=1>.

Tracy Craig, Green Golf Associates, introduced Umesh Patel, Chief Executive Officer of Greenway Golf, and Zac Wald, the designer who then all made presentations.

President Saheba opened the board clarifying questions.

Board Ron Curtis wanted to what would happen if the work wasn't done by September. He also wanted to know more about why the building couldn't just be razed.

Mr. Patel discussed how they had requested an extension and how they were denied due to being in default of their lease. He then discussed how the Second Amendment stated that the city and the golf course needed to come to an agreement. The building could only come down if it was structurally unsound. He further discussed why it was decided to save the building from its history and its potential benefits to the community.

Staff Member Wooldridge explained more about the timeline and what could happen administratively.

Allen Tai, City Planner, clarified that this was not a designated historic building.

Board Member Rothenberg asked what the basis was for keep the building in regards to the terms. She also wanted to know about safety and access. She also questioned the terms in regards to a mural and how they would comply with the City's ordinances about public art and green infrastructure (the asphalt was not being removed).

Mr. Patel discussed the wording and the understanding of the Second Amendment and that the building should be kept if it was sound. He also discussed potential future uses and community benefits. He then discussed the importance of how access was defined, he did not envision this with 24/7 access similar to a park.

Mr. Wald explained the choice for crushed gravel was for water conservation and also discussed other conservation work that had been done at the golf course. He also discussed what toxic materials could be under the asphalt.

Ms. Craig added that they were still studying the condition of the spoil. She also added that any art they decided on they would showcase on their website. Their goal was to find something local and vibrant.

Director Wooldridge added that she had checked with Community Development at the start of this project and this project was not under the Public Art Ordinance since it was not on public land.

Staff Member Tai further clarified how the Public Art Ordinance worked.

Vice President Ruiz brought up "painting a mural" that was in the Second Amendment and asked if it would be an amendment to the agreement if applicant decided not to have a mural. She felt that the applicant was trying to deviate from the agreement.

Celena Chen, Staff Planning Counsel, discussed her understanding of the lease. The parties would need to come to an agreement on the changes.

Vice President Ruiz wanted clarification on who would have access to this location. She also wanted to know if the parking spaces had been reviewed by Public Works.

Ms. Craig clarified that this was not a park. She said they were open to studying public access.

Mr. Patel said as the operator they would deem that decision. He discussed how parts of the golf course had been made open for public events. This location was fenced off from the rest of the property.

Director Wooldridge answered that the parking spaces in front had not be reviewed by Public Works.

Board Member Xiomara Cisneros asked if they were to deny this proposal tonight was there a path to demolition and what was that cost. She wanted to know more about how the Bay Farm HOA felt.

Director Wooldridge explained that her understanding of the lease was that demolition would not require City Council approval.

Mr. Patel said they had not explored the cost of demolition but that it would be far more than beautifying the space.

Ms. Craig said that the Bay Farm HOA wants something done, they wanted something more understated than a mural.

President Saheba asked if Greenway had done any type of traffic study for this project. He also had questions about infrastructure and if sidewalks would be added. He then questioned if there was a lighting design for the landscaping.

Ms. Craig said they had not done a formal study and added that those parking spaces in front could easily come out.

Mr. Patel said that gold patrons either drove or rode bikes in. He said that golf carts were used to move people.

Mr. Wald said there were no plans to add lighting at this time.

President Saheba opened public comment.

Joe Choi was confused as to why they had to keep the structure. He was concerned it would attract vandals and trespassers. He also said that it was aesthetically unpleasing.

Matt Reid felt that plans were great and believed that a fresh coat of paint would really go a long way to help, he even volunteered to do so himself. He believed that the applicant had put a lot of care and thought into this project and urged the board to approve.

Bill Pai, Board President for the Primary Board of Harbor Bay Isle, expressed his frustration that the building couldn't be razed. He thought that "the building was structurally sound" was not a reason but was an excuse. He wanted the city to just admit that no one

wanted to incur the cost of razing the building. If this was the only option for improving this eye sore then so be it, but he called it “putting lipstick on a pig”.

Catherine Bierwith said she too had thought about just painting the building herself. She also felt that it was an eye sore and something desperately needed to be done.

President Saheba closed public comment and opened board discussion.

Board Member Alan Teague discussed the legalities of the contract. He said this proposal was not substantially consistent with the lease and he could not approve it as much as he might want to. He discussed options for low key murals that would be within the guidelines of the lease amendment. He could not support this design at this point.

Vice President Ruiz agreed with the public that this building was an eyesore but what was being proposed was not in the amendments that was agreed between the two parties. If they were not going to have a mural then there needed to be an amendment to the lease. On this reason she could not approve this design.

Board Member Cisneros agreed with her fellow board members on the legal analysis. She wanted the possibility of demolition and access to be explored.

Board Member Rothenberg concurred with her fellow board members. This proposal was not consistent with the terms and there was very little merit for keeping the building. She wanted the City and the applicant to renegotiate the terms.

Board Member Curtis said this was an opportunity to do something good for the City and the golf course by razing the building.

President Saheba discussed the importance of finding good uses for derelict buildings and investing in safe infrastructure. He could not support this proposal due to these priorities not being addressed in this proposal.

Staff Member Tai explained how this Design Review was different from other Design Review and laid out options that the board could take.

Board Member Curtis made a recommendation that the board deny this design proposal. The applicant would work with the city to explore safety features, public access and the potential of razing the design.

Vice President Ruiz could not support the notion of public access into private property. If the City wanted public access then that should have been agreed in the lease.

Board Member Curtis clarified that these concepts would be explored not forced.

Vice President Ruiz still saw that as a reach for this board. She wanted to be very careful and clear about what the board’s purview was.

Counsel Chen explained what the board could ask, this would just be seen as a recommendation and not binding.

Board Member Teague agreed a lot with Vice President Ruiz and gave a recommendation of better wording for the motion.

Board Member Curtis made a motion that the board deny this design proposal with the following non-binding recommendation. The applicant would work with the city to explore safety features, public access and the potential of razing the design. Board Member Cisneros seconded the motion. A roll call vote was taken and the motion passed 6-0.

7-B 2022-2001

Public Hearing to consider a Resolution Recommending that the City Council Amend the Health and Safety Element and Conservation and Climate Action Element of the Alameda General Plan 2040 to align with the Climate Adaptation and Hazard Mitigation Plan 2022. The City Council certified a Final Environmental Impact Report for Alameda General Plan 2040 (State Clearinghouse #2021030563). No further environmental review with respect to the General Plan Amendment EIR is required

Danielle Mieler, Sustainability & Resilience Manager, introduced the item and gave a presentation. The staff report and attachments can be found at <https://alameda.legistar.com/LegislationDetail.aspx?ID=5571114&GUID=8D442E1A-4849-40EA-9405-69DFE89A5661&FullText=1>.

President Saheba opened the board clarifying questions.

Board Member Curtis asked about the changes to the Building Code that were proposed.

Staff Member Mieler explained those changes would be for new construction only. She added they would clarify that language.

Vice President Ruiz wanted to know if the Storm Water Management Plan needed to be updated to reflect FEMA (Federal Emergency Management Agency) latest Flood Plane Map. She also questions about Sewer Management. She was also curious as to why AMP was left off the table for Key Partners.

Staff Member Mieler did not have an answer for her but she would speak to Public Works about both those issues. She then explained the table was to show outside City agencies.

Board Member Teague had questions about the new language for retro-fitting for existing construction. He wanted to know what types of retro-fitting was going to be required.

Staff Member Mieler discussed existing polices for earthquake and floods and what the intent was behind the wording. She was open to suggestions from the board to make it clearer.

Andrew Thomas, Director of Planning Building and Transportation, added information on what the intent was and what the General Plan needed to address. Sea rise was something that needed to be addressed and planned for.

President Saheba asked about the actions proposed for ground water rise.

Staff Member Mieler discussed the studies and analyses that had taken place. She believed that Alameda would need to do its own studies.

Board Member Rothenberg asked about ABAG (Association of Bay Area Governments) and wanted to know how Alameda was working with other districts.

Staff Member Mieler discussed the role of ABAG with cities as they work on their Disaster Mitigation Plans.

President Saheba opened public comments.

There were no speakers.

Vice President Ruiz closed public comments and opened board discussion.

There was no further discussion.

Board Member Rothenberg made a motion to adopt the draft resolution recommending that the City Council Amend the Health and Safety Element and Conservation and Climate Action Element of the Alameda General Plan 2040 to align with the Climate Adaptation and Hazard Mitigation Plan 2022 subject to the edits for existing buildings. Board Member Curtis seconded the motion. A roll call vote was taken and the motion passed 6-0.

7-C 2022-2002

Public Workshop to Review and Comment on the April 2022 Draft Housing Element and the proposed Zoning Code Amendments to Accommodate the Regional Housing Needs Allocation for the Period 2023-2031 in Compliance with State Law.

Director Thomas introduced this item. Staff report and attachments can be found at <https://alameda.legistar.com/LegislationDetail.aspx?ID=5571115&GUID=9F360158-AA6D-40F9-A57F-F4E7A72BB8DE&FullText=1>.

President Saheba opened board clarifying questions

Board Member Teague asked about the date in August when they hoped to hear back from HCD (Housing and Community Development) but that was when board and commissions were in recess. He also wanted to know if the City Attorney's office was concurring with the state's view of Article 26.

Director Thomas said it would more than likely be the first week in September.

Counsel Chen stated the City Attorney's view was to the extent that Measure A was in direct conflict with State Housing Law it was preempted and unenforceable.

Board Member Curtis asked for clarification on the Vacancy Tax and how it was implemented.

Counsel Chen said she believed it would need a vote from the people.

Director Thomas added that a Vacancy Tax was a way to get vacant units back into use. It would be discussed further.

President Saheba wanted to know when the State had let Alameda know that Article 26 was out of compliance.

Director Thomas said the first letter was in 2006-07, there was also some concerns in 2012-14. Then they received a letter in November 2021 and that was the one he had quoted from.

President Saheba opened public comments.

Melissa Donahue was opposed to getting rid of Article 26 and the proposed height adjustments. She didn't know why people weren't considering parking, transportation, or the effects on residents in the neighborhoods. She assumed that members of the board did not live in Alameda and these changes would not affect them.

Betsy Mathieson discussed all the different types of housing in Alameda and that existing buildings could provide more housing. She was concerned that Alameda would turn into a soulless wind tunnel with no city planning if these changes take place.

Matt Reid pointed out that the agenda and the presentation weren't available, he thought the Brown Act was not being followed. He also wanted to see the letter from November in its entirety. He also believed the data they were using was out of date and that it was absurd that Alameda Point was being carved out just for low income housing. He gave ideas for a better way to get information out there.

Chris Buckley, Alameda Architecture Preservation Society, was still concerned about the proposed upzoning and had come up with an ADU concept. He also discussed strategies to get the RHNA numbers.

Carmen Reid wanted lower height limits on Park and Webster. She believed that inequities weren't as much here due to the size of Alameda. She wanted infrastructure needs to be addressed before new housing came in. She wanted the Planning Department to explore Light Rail.

President Saheba closed public comments and opened board member discussion.

Board Member Rothenberg asked if moderate housing need was in fact a lower need than low. She discussed what information she thought was missing from the table.

Director Thomas said it was and explained the percentages and pointed out information in the Housing Needs. He discussed that the Bay Area median income effects those percentages and further explained the 2021 Income Limits Table.

Board Member Cisneros was very excited by this draft. She discussed ways to incentivize ELI (Extremely Low Income) Housing Production. She also brought up other ways to combat homelessness. For changes on Webster she didn't want to put unnecessary barriers up for developers.

Vice President Ruiz asked about a link in the staff report and wanted to make sure that it covered the Brown Act. She also clarified that every board member on the Planning Board was a member of this community and they did understand these issues.

Counsel Chen did not believe that they were in violation of Brown Act and that the public and the board should have all the information to understand what was discussed this evening.

Board Member Teague discussed in detail the distribution of inclusionary housing and the breakdown of the numbers. He pointed out that the HCD letter from November was attached to one of the agendas and was confusing. He discussed what needed to happen to void Article 26 and the frustration on dealing with the City Attorney's Office. He couldn't support the densities in this draft until Measure A was officially preempted.

Director Thomas said that staff disagreed with Board Member Teague's take on the proposed densities. He pointed out that Appendix E had exact numbers of projected housing with these upzonings.

Director Thomas and Board Member Teague debated densities and legal terms.

President Saheba discussed the strategies in navigating the Housing Element with the presence Measure A. He brought up things he had liked from a workshop that Director Thomas had recently done and how to bring those items to this formal board setting.

8. MINUTES

8-A 2022-2003 - *Draft Meeting Minutes - February 28, 2022*

8-B 2022-2004 - *Draft Meeting Minutes - March 14, 2022*

These items were continued to the next meeting due to the lateness of the hour.

9. STAFF COMMUNICATIONS

9-A 2022-1989

Planning, Building and Transportation Department Recent Actions and Decisions

Recent actions and decisions can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=5571110&GUID=9C1B4D9F-605B-4C3C-AA56-E12C3028D9BC&FullText=1>.

No item was pulled for a review.

9-B 2022-1990

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

Staff Member Tai said the Housing Element and Zoning Amendments would be coming up over the summer.

Staff Member Cisneros wanted to confirm that there would be a Housing Element Sub-Committee meeting on Thursday.

Staff Tai confirmed that was correct.

10. WRITTEN COMMUNICATIONS

None

11. BOARD COMMUNICATIONS

Board Member Curtis wanted Director Thomas's answer to what No Net Loss was be expanded on in the March minutes.

12. ORAL COMMUNICATIONS

None.

13. ADJOURNMENT

President Saheba adjourned the meeting at 10:37 p.m.