

September 22, 2022

Re: Alameda Planning Board, 9/26/2022, Public Hearing to consider a resolution recommending that the City Council approve the General Plan Housing Element and associated zoning amendments to accommodate the City's Regional Housing Needs Allocation (RHNA) for the period 2023-2031, affirmatively further fair housing, and maintain consistency with State Law

Dear Planning Board members, Director Thomas, and Planning staff,

The Housing Element Working Group is pleased to review the draft Housing Element document and proposed Zoning Amendments to be heard by the Planning Board on September 26.

We do want to share our disappointment that many of our comments on the August 12 draft of the Housing Element have not impacted this version of the Housing Element. Alameda can and should do more to enable the development of housing at all price points in all parts of the city. To be frank, it is disappointing to read the following in the staff report:

“In response to community desires to minimize development within existing neighborhoods, only 10% of the RHNA is accommodated through in-fill development in the R-1 through R-6 Districts on existing residential properties. [...] The additional 3% is accommodated by zoning amendments to allow residential property owners to add additional units within existing residential buildings. The residential districts include over 16,000 parcels on over 2,500 acres or residentially zoned land.”

Compared to the magnitude of the housing crisis in Alameda and the Bay Area, we are still doing so little to meet pressing needs in our most resource rich neighborhoods.

With our eyes on this bigger picture, we do want to offer feedback within the structure of your current version of Housing Element and Zoning Amendments:

First, it is important to retain the proposed parameters for multi-family housing in the Park and Webster business districts and in the “R” zones. We appreciate that the staff report correctly identifies counterproposals to “nip and tuck” height limits, max densities, unit limits, etc. for what they really are: attempts to preserve underlying patterns of exclusion. Alameda cannot affirmatively further fair housing in only certain zoning districts. Neither can Alameda affirmatively further fair housing if our zoning code is strategically crafted to make it impossible for property owners to plan and finance actual projects on actual parcels.

Second, toward the goal of enabling achievable housing projects that fit into their surroundings, we strongly recommend revising setbacks and lot coverage in the “R” districts. The current parameters do not provide property owners with enough flexibility to successfully add appropriately sized residential units to narrow, shallow, or otherwise oddly shaped lots.

We propose using the same side-yard setback, rear-yard setback, and max lot coverage percentage as required for new ADU construction for all residential plans in R-1 parcels within the transit overlay and all parcels in R-2 through R-6 districts. These parameters are: 4' side-yard setback, 4' rear-yard setback, and 60% max overall lot coverage (see Zoning Amendments p. 97). Alternatively, PB and staff may consider a series of setbacks and lot coverage percentages to scale with R-1 (in transit overlay) and R-2 through R-6 districts.

The key point is that we strongly recommend revising these values to enable multi-family housing that is an appropriate fit into existing parcels and neighborhoods. In Alameda's pre-war "streetcar suburb" neighborhoods, so many existing buildings would currently be illegal to build — it's well past the time to make it legal again to have a mixture of single-family, multi-family, and mixed-use structures that serve as homes for a wide range of residents.

Third, we appreciate the addition of an action bullet to the draft Housing Element regarding a local bond measure:

"Hold public hearings before the Planning Board in 2023 to provide a forum for a public discussion of the merits of placing a local bond measure on the ballot to help fund affordable housing in Alameda. Planning Board to make a recommendation to the City Council for Council consideration by January 2024."

The housing crisis is so large and multifaceted that we must pursue multiple solutions in parallel. We appreciate how Planning staff and the Planning Board are planning next steps for after the Housing Element is adopted for this cycle. We look forward to participating in these future conversations.

Thank you for taking this feedback to fine tune and improve the Zoning Amendments to make a better effort to affirmatively further fair housing.

Sincerely,
Alameda Housing Element Working Group

Zac Bowling
Kevis Brownson
David Burton
Drew Dara-Abrams
Mike Friedrich
Josh Geyer
Josh Hawn
Lynette Lee
Gaylon Parsons
Laura Thomas

Nancy McPeak

From: Alameda Citizens Task Force <announcements@alamedacitizenstaskforce.org>
Sent: Saturday, September 24, 2022 10:32 AM
To: Hanson Hom; Diana Ariza; Teresa Ruiz; Asheshh Saheba; Alan Teague; Ronald Curtis; Xiomara Cisneros; Nancy McPeak
Cc: Andrew Thomas; Manager Manager; Yibin Shen; Marilyn Ezzy Ashcraft; Malia Vella; John Knox White; Trish Spencer; Tony Daysog
Subject: [EXTERNAL] Item 7-A Sept. 26 Planning Board Agenda-Housing Element and Zoning Amendments
Attachments: We sent you safe versions of your files; HCDLetter9-13-23.pdf

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

ACT

Alameda Citizens Task Force

Vigilance, Truth, Civility

Dear Planning Board Members:

This letter supplements our Sept. 10 letter now filed to Item 7-A of your current agenda and responds to the Planning Department's (PD) report attached to Item 7-A. We submit that your role is to review the proposed Housing Element (HE) and zoning amendments to assure that we adopt a land use plan that addresses state law while still protecting the vital interests of our citizens.

1. **HE Fair Housing Requirements & Program 4:** We agree with the PD statement that "the Measure A prohibitions... are fundamentally contrary to State Fair Housing Law". That is why ACT did not object to the 5th cycle HE which upzoned about 100 acres of vacant land resulting in the construction of over two thousand new units with projects in progress that will double that number. Therefore, the claim in the PD report that the Measure A densities are, "citywide, and are embedded in every zoning district in Alameda." is patently untrue. Moreover, ACT has voiced no objection to any of the upzoning proposed in the proposed HE other than the R-1 through R-6 zoning districts.

We see no legal or practical requirement that the prohibitions of Measure A require the broad upzoning of every residential district in the city. At your Sept. 12 meeting you asked whether HCD has advised that they will not approve our HE without this broad upzoning. Mr. Thomas responded in the affirmative. We concluded that such an important conclusion should be validated by the original source, so this writer sent the attached email (Word doc. copy) to Paul Mc Dougall of HCD on Sept. 13. **There has been no response.**

Lacking a response from HCD, we implore you to treat this as a local discretionary policy issue as to whether this broad upzoning is appropriate land use planning. This would be subject to HCD review, so nothing would be lost if you recommend a HE without this element.

2. **The Appropriateness of Program 4:** The Program 4 upzoning proposal contains two parts concerning the R-1 through R-6 zoning districts. The first part is the upzoning specifically related to Site Inventory Item 15 (b), which provides for adding additional dwelling units within existing building envelopes. This is an arguably

appropriate land use policy. It provides additional dwelling units without impacting the outward appearance of structures and provides for needed smaller units. Moreover, it allows and projects the construction of lower income deed restricted housing in every residential district in the city. However, we continue to suggest development be limited to four added dwellings per parcel and requiring at least tandem off-street parking for one car per new unit.

The second part of Program 4 allows density increases of 30, 40, 50 and 60 du/acre respectively, in the R-3 thru R-6 zoning districts and unlimited density in all six districts for parcels within ¼ mile of a good commuter service bus line. **These broad provisions will allow developers to demolish existing structures and replace them with much more densely populated buildings or add additional structures on current yard space and will not constrict developers from aggregating contiguous parcels to create even larger structures.**

The PD report argues that if development becomes too excessive downzoning can be adopted. However, state law requires any downzoning to provide for the upzoning of other sites so that there is no net loss, making downzoning problematic.

More importantly, the PD totally ignores the impact of these massive changes on the people already living in these fully built-up districts. Some owners may get a financial windfall from having their property upzoned, thus increasing land value, but others will find the physical character of the neighborhood in which they invested a good part of their lives significantly changed in both structure and density. However, the greatest challenge will be faced by current tenants in these neighborhoods. This will be treated in our discussion of displacement below.

3. Displacement of Tenants: The risk of displacement of tenants will occur in the 15 (b) part of Program 4 because providing more units within an existing building envelope may require reconfiguration of existing units, thus demolishing those units. The risk of displacement will be much greater in the broad upzonings of part 2 of Program 4 as demolition of existing structures and replacement by new denser units will be allowed.

The PD report conveniently predicts, “that most residential property owners will build additional units in their backyards, basements and attics to avoid the financial costs of moving their household or eliminating monthly rental income from rental units.” **This is pure speculation unsupported by any data or expert opinion.** In addition, development inside an existing structure is allowed by part 1 of Program 4 and backyard development could be accomplished by expansion of ADU allowances. Thus, the demolitions allowed by part 2 of Program 4 are unnecessary and jeopardizing tenants.

The PD report cites Programs 8, 9, 13, and 14 that they believe mitigate the displacement risk. A reading of these programs reveals that only Program 14 guarantees such replacement housing but limited to the lower income groups. Not a shred of evidence has been produced that any current R-1 through R-6 tenants fall within those categories.

The PD report also claims that our current Fair Housing and Tenant Protection Ordinance has strong protections for tenants. Generally speaking, it does. However, since it was adopted when no displacement of tenants by new development was anticipated it has very weak protection for these displaced tenants. It guarantees no support other than dislocation payments, leaving it to the displaced tenant to fend for themselves in a very tight rental market. They may need to leave Alameda to find affordable housing. These innocent tenants will often be replaced by tenants able to pay the higher cost of the new units, thus gentrifying these neighborhoods. See the detailed discussion of displacement in our Sept. 10 letter filed to Exhibit 1 of your current agenda.

The PD’s minimization of the displacement issue is consistent with the treatment of the issue in the General Plan 2040 EIR at PDF page 119 where it is asserted that no consideration of mitigating tenant displacement is required. Clearly there is no support for this conclusion. Before adoption of the HE and zoning amendments a

supplemental EIR is required to mitigate the broad impacts of displacement as described by Dr. Rajiv Bhatia in ACT's August 21, letter to Andrew Thomas, filed to Exhibit 1 of Item 7-A in your current agenda.

We do not know how many tenants will suffer this fate, but regardless of how small or large the number, the risk is very real and the lack of a guarantee of replacement housing is unconscionable.

We are reminded of the 2005 Harbor Bay Apartments scenario when 380 tenants received no-fault eviction notices to allow for upgrading of these low-cost units to market rate rentals. Our city council, to their chagrin, could do nothing to stop it, because no ordinance was in place to protect those tenants. That city council may have had no reason to anticipate such radical action, but in the current case you are forewarned and should not be lulled to sleep by the PD's rosy projections. **You need to insist that any tenant displaced by this new development receives comparable replacement housing before they leave their current unit.**

In addition to the enumerated items above, please note the suggestion contained in our Sept. 10 letter filed to Item 7-A in your current agenda that consistency requires that limiting upzoning to allowing additional units within existing building envelopes also apply to the small North Park Street NP-R and NP-MU zoning districts

Regardless of your final recommendations to the City Council we thank you for your contribution of so much time and energy on a volunteer basis. You are all real credits to the community.

Sincerely,

Alameda Citizens Task Force

By Paul S Foreman Board Member and Authorized Correspondent.

Dear Mr. McDougall:

You have approved a draft of the Alameda 6th cycle Housing Element. Site Inventory Item 15 (b) projects 160 units toward our RHNA to be drawn from our non-vacant R-1 thru R-6 zoning districts limited to the addition new units within the walls of existing structures. However, the draft Housing Element, separate and apart from the site inventory, also includes as part of Program 4 the amendment of the ordinances governing these districts to allow for broad increases in density far beyond the limits of Item 15 (b).

Our Planning Director maintains that this is required by the fair housing provisions of the Housing Element Law (HEL) that every zoning district in our city provide lower income deed restricted housing. I see no such requirement in the HEL. I believe that it only requires that lower income housing availability not be limited to low opportunity areas but also be made available in higher opportunity areas. I believe our site inventory clearly complies with that requirement.

To support my interpretation, I reviewed the first 14 approved housing elements in the SCAG region. All these housing elements were approved in letters under your signature. None of them upzoned every zoning district in their city to allow lower income deed restricted housing. Many of them contain density limits far below Alameda's 22 du/acre.

Please understand this is not about Article 26 of our Charter. Any metropolitan city with zoning districts providing for less than 30 du/acre presents the same issue. It is about whether the HEL **requires** the broad upzoning proposed in the draft housing element. I certainly can understand that a majority of our city council may choose **as a matter of policy** to upzone the entire city to allow deed restricted lower income housing. My problem is that our Planning director is presenting this as a mandate from HCD, thus leading our Planning Board, City Council and Alameda citizens to believe that they have no discretion in the matter. I think the citizens of Alameda have a right to know if HCD is mandating this broad upzoning and, if so, why at least 14 other cities in California were not so mandated.

You have not responded to any of my previous letters. I hope this will be the exception.

Sincerely,
Paul Foreman



September 25, 2022

City of Alameda Planning Board
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501

Subject: Revised draft zoning amendments related to Housing Element (Item 7-A on 9-26-22 Planning Board agenda)

Dear Planning Boardmembers:

The Alameda Architectural Preservation Society (AAPS) would like to thank staff for responding in the September 26 Planning Board staff report to some of the recommendations in our September 11, 2022 letter. However, the staff report does not address all of the recommendations and some of the responses do not describe our recommendations accurately or need clarification as follows:

1. **Program 4.** Parts of the staff report suggest that AAPS recommends removal of **all** of Program 4. This is not correct. Program 4 has 14 components, of which AAPS addressed only three: (i) recommending removal of the residential density increases in the R3 through R6 zoning districts; (ii) recommending removal of the Transit Overlay Housing Waiver (TOHW); and (iii) reducing the proposed unlimited density within existing buildings to four regular residential units per parcel¹ plus ADUs, with the number of ADUs potentially increased above existing by-right limits, especially if some of them are deed restricted affordable. **We believe that retaining the remaining components of Program 4 are sufficient to meet the state fair housing requirements, especially the allowance of up to four regular residential units on a parcel in existing buildings plus ADUs.**

Also, if the TOHW is retained, we offered modifications which the staff report did not respond to.

See Items 2 and 3 in our September 11 letter.

We would like to thank Board Member Alan Teague for asking staff at the September 12 Planning Board meeting whether allowing unlimited density within an existing buildings and five or more regular dwelling units per parcel could trigger state density bonus projects and therefore allow new units to be constructed outside the existing building envelope as well as other waivers. We appreciate staff's acknowledgment at the meeting that allowing five or more units per parcel in existing buildings, could trigger state density bonus projects. But staff's suggestion allow unlimited density within existing buildings and monitor development activity as part of the annual

¹ Note: The staff report incorrectly states our recommendation as four units *per building* rather than per parcel.

Housing Element review to see if this creates problems and later reducing the number of units per building to address any problems, does not recognize the greater difficulty of downzoning rather than upzoning, due in part to state law. **It would be more prudent to begin with a four units/parcel limit and then upzone, if necessary, as a result of the annual reviews.** There was concern that a limit of four regular units per parcel would apply regardless of parcel size, inhibiting desirable projects on large parcels, but that concern could be addressed by subdividing large parcels.

2. **Park and Webster Street height limits.** The staff report states that AAPS would like lower height limits on Park Street and Webster Street. This is not accurate. AAPS is only recommending: (i) for Webster Street, *retaining the existing 40 foot height limit and only within the historic portion of Webster Street between Central and Lincoln*; and (ii) for Park Street reducing the existing by-right 60 foot height limit for properties fronting the historic portion of Park Street south of Lincoln to 40 feet (with a use permit to 60 feet), retaining the existing 40 foot height limit (60 feet with a use permit) on the cross streets south of Lincoln and reducing the by-right height in the historic portion of Park Street on the west side between Lincoln and Buena Vista to 40 feet, with 60' allowed with a use permit or Planning Board approval. In previous letters we also suggested allowing greater height within portions of the cross streets outside the historic area. See Item 6 in our September 11 letter.
3. **Requiring pitched roofs for residential development over 30 feet.** The staff report states that the AAPS recommendation applies to *all* residential buildings. The recommendation actually applies only to buildings in residential zoning districts. See Item 10 in AAPS's September 11 letter.

In addition, we were surprised that the staff report is recommending against this proposal, since at the September 12 meeting, staff seemed to express openness to incorporating the proposal and there was some support and no opposition from Planning Board members. The staff report argues, among other things, that "Alameda has many beautiful residential buildings that do not have pitched roofs and which are over 30 feet in height". Staff has told us that this statement refers to three and four story apartments built in the 1920s and 1930s. Some of these apartments could be considered attractive, but most are grossly out of scale with adjacent one and two-story residences. Some of these apartments also have wide facades and are very bulky. See attached photos.

4. **Environmental review.** The staff report states that the AAPS environmental review comments in Item 16 of our September 11 letter apply only to Program 4. This is only partially correct. The comments also apply to Program 3.

In addition, the staff report does not specifically respond to most of the environment review issues presented in our September 11 letter, including but not limited to Housing Element statements that "multi family" and various other projects will be permitted "by right" with no "discretionary review or approval", thus suggesting that all of these projects will be "ministerial" rather than "discretionary" and therefore exempt from CEQA. As stated in our September 11 letter, if this interpretation is correct, **environmental review of the impacts of such projects on historic properties at the Housing Element and zoning amendments level is the only opportunity for evaluating these impacts, since the analysis normally cannot be tiered to the project level. Is it actually the City's intent to exempt all of the above project types from CEQA, even when**

the projects adversely affect historic properties? It our understanding that such a broad exemption goes beyond the requirements of State law.

In addition, deeming all multi family and various other projects as ministerial seems inconsistent with the staff report statement that

“the zoning amendments do not change how the City treats historic properties or the review process for alterations or demolition of a Study List property” ,

since such treatment involves discretionary approvals. As stated in our September 11 letter, **how can all of these seemingly contradictory and somewhat ambiguous statements be sorted out?**

Finally, the staff report states

“The General Plan EIR also concludes that adoption of housing supportive policies and increasing the supply of housing in Alameda will not result in significant impacts on historic resources due to the City’s Historic Preservation Ordinance, which requires a Certificate of Approval to demolish a historic building. The Housing Element and zoning amendments do not remove or alter the Historic Preservation Ordinance.”

(Note: This statement’s reference to General Plan EIR text is only a paraphrase of the text and not an exact quotation.)

This statement essentially asserts that the Historic Preservation Ordinance will be sufficient to prevent adverse effects on historic properties from projects resulting from the Housing Element. However, the statement is inconsistent with the statements by the City discussed above advising that projects utilizing the increased densities proposed will be processed as 'by right,' which presumes ministerially. **If that is the case, how would the City’s Historic Preservation Ordinance apply to projects with the potential to harm historic resources, since Historic Preservation Ordinance decisions are discretionary, rather than ministerial?**

Moreover, even if the Historic Preservation Ordinance were to apply, that would not avoid the potential for the increased across-the-board density increases to have a potentially significant impact on historical resources, given the foreseeable increase in projects potentially adversely affecting historic properties and the lack of any hard standards for protection contained in the Historic Preservation Ordinance. The Historic Preservation Ordinance requires Historical Advisory Board (HAB) approval of demolition of Historical Monuments, properties on the Historic Building Study List, properties constructed prior to 1942 (if determined eligible for the Study list by the HAB) and alterations to Historical Monuments, but development applications due to the opportunities provided by the intensity increases, are likely to significantly increase the numbers of demolition and adverse alteration proposals above current and previous levels. **The best protection for historic properties is to ensure that the zoning does not exceed the intensity of the historic property and neighborhood, thus minimizing the incentive for demolition or adverse alteration to the historic property or overscaled incompatible new construction on or in proximity to the historic property.** Even if the HAB denies a demolition or adverse alteration, the HAB decision can be appealed to the City Council, which can approve the demolition or adverse alteration if the Council finds that “Upon the evidence of qualified sources, that the historical resource is incapable of earning an economic

return on its value”. Given the significant discretion offered by this finding, the discretionary nature of the HAB and City Council approvals overall, and potential political pressure to approve developments that adversely affect historic properties, the Historic Preservation Ordinance provides only limited protection for historic properties relative to the existing zoning. It also does not address new construction in proximity to historic properties and is unclear regarding its applicability to new construction (other than additions) on historic property sites. **The staff report’s apparent assertion based on a paraphrase of the General Plan EIR that the Historic Preservation Ordinance will be sufficient to prevent adverse effects on historic properties from projects resulting from the Housing Element is therefore overstated.**

Now that we are nearing the end of the Planning Board review of the Housing Element and related zoning amendments, we would like to say that we have sought to be faithful to the public input process, and diligent in our responses to the Planning Board, City Council, Historical Advisory Board and staff. Over the past 20 months, we have reviewed multiple drafts of the Housing Element and related documents, submitted 20 letters with extensive recommendations (both technical and policy oriented), spoken at numerous public meetings, and provided illustrations, photos and other documents not provided to the Planning Board to elucidate Housing Element impacts.

Prior to initiation of the Housing Element process and concurrent with its early stages, we also reviewed multiple drafts of the General Plan and related documents, including the EIR and submitted numerous letters. We would like to thank Planning Board members and staff for your consideration of the recommendations we have submitted and for responding to many of our recommendations.

Thank you for the ongoing opportunities to comment. Please contact me at (510) 523-0411 or cbuckleyAICP@att.net if you would like to discuss these comments.

Sincerely,

Christopher Buckley, Chair
Preservation Action Committee
Alameda Architectural Preservation Society

Attachment: Examples of four story 1920s-30s apartment buildings with flat roofs.

cc: Mayor and City Council (by electronic transmission)
Historical Advisory Board (by electronic transmission)
Andrew Thomas and Allen Tai, Planning, Building, and Transportation Department (by electronic transmission)
California Department of Housing and Community Development (by electronic transmission)
AAPS Board and Preservation Action Committee (by electronic transmission)





September 26, 2022

To: Planning Board Members
Nancy McPeak

From: Karen Bey

Subject: Agenda Item 7-A
Housing Element and Zoning Code Amendments

Housing Element Comments:

(1)

Most of the very low housing/supportive housing and low income housing units are on the West End and are at Alameda Point. In addition, the West End has lost both of our hotels on Webster Street to build supportive housing and affordable housing units. Both hotels are at the gateway entrance to the West End. Neither projects have market rate housing in the plan.

Recommendations:

Consider the Coral Reef Hotel at 400 Park Street as an affordable housing project to expand affordable housing units on the East End. Currently, the project includes a plan for market rate housing.

For purposes of equity, identify other projects on the East End that will allow the affordable housing units to be spread throughout the City.

(2)

The Alameda Landing Shopping Center was approved for 285,000 sq ft. and is being reduced to 216,000 sq ft in the Housing Element.

The shopping center includes two anchor tenants – Target at 137,343 sq ft and Safeway Store at 45,000 sq ft. totaling 182,343 sq ft.

Housing Element and Zoning Code Amendments

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By reducing Alameda Landing to 216,000 sq ft, this will only leave us with 33,657 sq ft of retail (216,000 minus 182,343).

Most of the new growth in Alameda will be on the West End – including jobs and housing.

Coupled with the removal of our two hotels on Webster Street – this reverses the hard work we’re doing to make the West End a high resource area for the residents of the West End.

In addition, this could increase sales tax leakage, something the City has worked hard to reverse.

Recommendation:

Allow for the redevelopment of the southeast corner of the shopping center where the owners have expressed an interest in development; however, do not re-zone the remainder of the 40-acre Alameda Landing Shopping Center for housing development.

The community serving retail is needed for the residents on the West End and for future growth.

Zoning Code Amendments Comments:

(1)

Retail

We are losing already approved ground floor retail in several previously approved housing developments, as the proposed zoning codes combines “Retail” with “Commercial”. This retail was also approved in the General Plan 2040.

Commercial Use allows for Work Live Units, ADU’s and Bed & Breakfast Units in place of Retail.

Housing Element and Zoning Code Amendments

Page 3 of 4

The loss of ground floor retail in our mixed-use housing developments will create sales tax leakage, and take away a very important amenity for Alameda residents.

The Del Monte Warehouse project was entitled for over 11,000 sq ft of retail. My concern is that with the proposed zoning changes to combine Retail with Commercial, we may lose this retail.

The original plan also allowed community access to the Del Monte warehouse for community serving retail, something the community has been waiting for several years. The community serving retail was also supposed to provide new food and coffee shops for the Research Park at Marina Village, which has seen significant growth in the last several years.

Instead, an Estuary Water Shuttle will provide lunch time pick-ups from Marina Village to Jack London Square.

This information was taken from the Status on Transportation Projects coming before the Transportation Commission on Wednesday, September 28, 2022

Estuary Shuttle – Page 4

Service would operate five days each week, with morning and evening commute services between the (coming) water shuttle dock at Alameda Landing (at the foot of Fifth Street) and Jack London Square (at Broadway). Midday/lunchtime services would be provided between Jack London and Marina Village. There would be 11 hours of daily service hours from March to October, and 8 hours from November to February

This is what sales tax leakage looks like when we remove retail from our Mixed-Use projects along the Northern Waterfront, and significantly reduce retail at the Alameda Landing Shopping Center. Community serving retail in the Northern Waterfront was also approved in the General Plan 2040.

Housing Element and Zoning Code Amendments

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Recommendations:

1. Split out Retail Uses from Commercial in the Zoning Code Amendments
2. Consider requiring a percentage % of ground floor retail on new projects going forward, based on the capacity of units for each MU development.
3. Monitor previously entitled Mixed Use (MU) projects to ensure we're getting the retail that was already approved.
4. Require retail projects to come before the Planning Board for review instead of the Zoning Administrator Hearing. See item 9-A on tonight's agenda.
5. Do not allow for ADU's, Work Live Units, and Bed & Breakfast units in areas that were previously approved for retail or ground floor retail.
6. Allow for the Permitted Retail uses (Cafes, Restaurants, and Coffee Shops) at the Research Park at Marina Village.

By removing our hotels on Webster Street, significantly reducing our retail at Alameda Landing Shopping Center, and converting our previously approved ground floor retail along the Northern Waterfront and at Alameda Point to Work Live Units, ADU's, and Bed and Breakfast units – we remove very important amenities for Alameda residents on the West End – and reverse the hard work we're doing to make the West End a high resource area.

We also increase sales tax leakage from Alameda – something we worked hard to reverse.

(2)

Heavy Industrial Zoning Land Use – in the E4 Sub-District at Alameda Point

Recommendation:

Change the zoning use from Permitted to Conditional. This matches the use in the Northern Park District, and allows us the chance to review projects that come before the City before final approval.

Nancy McPeak

From: Alameda Citizens Task Force <announcements@alamedacitizenstaskforce.org>
Sent: Monday, September 26, 2022 1:32 PM
To: Hanson Hom; Diana Ariza; Teresa Ruiz; Asheshh Saheba; Alan Teague; Ronald Curtis; Xiomara Cisneros; Nancy McPeak
Cc: Andrew Thomas; Manager Manager; Yibin Shen
Subject: [EXTERNAL] Item 7-A Sept. 26 Planning Board Agenda-Housing Element and Zoning Amendments-Addendum to Sept. 24 ACT Letter

ACT

Alameda Citizens Task Force

Vigilance, Truth, Civility

Dear Planning Board Members:

In our letter to you of Sept. 24, we urge you to consider significant reductions in the broad upzoning proposed for our R-1 through R-6 residential districts, stating in the fourth paragraph that:

“This would be subject to HCD review, so nothing would be lost if you recommend a HE without this element.”

On reflection, we believe that you deserve more than just a bald assertion from us. Therefore, we refer you to a short ABAG technical memo entitled “Timing Requirements for Adoption of the Housing Element and Zoning Amendments” at:

https://storage.googleapis.com/proudcity/santaclaracountycities/uploads/2022/08/ABAG_Timing-Requirements-for-HE-Adoption.pdf

The memo reveals that, notwithstanding the Jan 31, 2023, due date, HCD approval of a housing element may be delayed until May 31, 2023, without penalty. However, HCD has 60 days to review any proposed changes, so the effective deadline for submitting a revised draft is April 1.

Based on the above you should feel no pressure to rush to judgement on the housing element and zoning amendments. The only possible significant impact of your not approving the resolution submitted tonight is political. On Dec. 20, 2022, a new city council will be sworn in which may include new council members who have different views than the current council. You are an apolitical body, so this should not be a factor in your review of the resolution.

I am also including a link to Paul McDougall’s November 29, 2021, letter to Mr. Thomas. Mr. McDougall’s letter roundly condemns Article 26 as invalid and unenforceable, but his suggestions for dealing with it do not include upzoning the entire city.

<https://alamedamgr.files.wordpress.com/2021/12/2021-11-29-hcd-letter-to-thomas.pdf>

Sincerely,

Alameda Citizens Task Force

By Paul S Foreman Board Member and Authorized Correspondent.