

From: [Andrew Thomas](#)
To: [mary anderson](#)
Cc: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Gerry Beaudin](#); [Allen Tai](#); [Lara Weisiger](#); [Tony Daysog](#)
Subject: RE: [EXTERNAL] Item 7-C April19 Council agenda, housing Element
Date: Wednesday, April 20, 2022 5:22:09 PM

Ms. Anderson,

I completely understand what you are saying. The whole Bay Area is changing. I have been here only 30 years, and I can notice the changes over the years. Change is happening, its not just Alameda.

Our job is to manage it the best we can. We can't make it stop. We cannot reverse it.

Some of that change is more people living on the streets. More Seniors living in cars. Kids living in cars! We have to do something, right? We do need more housing. Those people need us to do something. We cant just look the other way. So we are planning on building some more housing.

I think it is a good thing, since we cannot wind back the clock, right?

- Andrew

From: mary anderson [mailto:mtlanderson@gmail.com]
Sent: Wednesday, April 20, 2022 5:07 PM
To: Andrew Thomas <athomas@alamedaca.gov>
Cc: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>; Allen Tai <ATai@alamedaca.gov>; Lara Weisiger <lweisiger@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>
Subject: Re: [EXTERNAL] Item 7-C April19 Council agenda, housing Element

Thank you for your reply. You questioned why anyone would be likely to move if present residential zoning is rezoned to allow high density and other housing regulations not presently allowed. Greater traffic, fewer parking spaces, greater pressure on schools, greater demand on local services, including police, greater traffic on tunnels and bridges, etc. would make Alameda a less desirable place to live.

Our police already are stretched too thin. We avoid going to Webster street.. Park street is also becoming more and more of a challenge.I have talked with a number of people who are planning to move, or considering it, including my neighbors.

No one could deny that Alameda is not so nice a place as it used to be.

Alameda is an ISLAND and should not be required to meet the same expectations as other cities.

Sincerely, Mary Theresa Anderson

On Tue, Apr 19, 2022 at 6:31 PM Andrew Thomas <athomas@alamedaca.gov> wrote:

Dear Ms. Anderson,

Thank you for your email. I am sure the City Council would prefer not to deal with these issues and these changes, but it is State Law. They do not have the choice to simply keep everything the same. State Law requires that the City Council decide how to accommodate 5,353 housing units over the next 8 years. It is a very difficult job that they must do, but it is not a job they can avoid.

The State of California is facing a housing crisis and every city, including Alameda, must do its part to increase the availability of housing. It's the law.

But there is no reason that you and your husband would be forced to move. The neighborhoods of Alameda can easily absorb additional housing without changing the character and atmosphere that you are currently enjoying. I don't know who is trying to scare you, but it is not fair to make you think that you and your husband will need to move. Whoever is telling you this is not being honest with you.

If you have any questions about this process, please do not hesitate to contact me directly.

- Andrew Thomas 510-774-5361.

From: mary anderson [mailto:mtlanderson@gmail.com]

Sent: Tuesday, April 19, 2022 4:01 PM

To: Marilyn Ezy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>

Cc: Andrew Thomas <athomas@alamedaca.gov>; Allen Tai <ATai@alamedaca.gov>; Lara Weisiger <lweisiger@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>

Subject: [EXTERNAL] Item 7-C April19 Council agenda, housing Element

Dear Alameda officials,

By now you have read and heard many reasons to save our present residential zones. I submit one more appeal to please protect our homes and neighborhoods. We bought our home and moved here, carefully selecting a residential neighborhood which is protected by zoning laws.

Now my husband is 86 and permanently disabled. He needs 24 hour care. His greatest entertainment and only social interaction is to walk with an escort twice a day through the neighborhood. He sees and talks with many neighbors. If we are forced to move or many of our neighbors move he will lose this and his quality of

life will be irrevocably diminished.

It is unjust and immoral to let us move here under legal conditions which you then change. This is BAIT and SWITCH.

You have a sacred responsibility as public officials to protect the citizens under your care. Please act honorably.

Sincerely, Mary T Anderson
Resident of Alameda

From: [mary anderson](#)
To: [Andrew Thomas](#)
Cc: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Gerry Beaudin](#); [Allen Tai](#); [Lara Weisiger](#); [Tony Daysog](#)
Subject: Re: [EXTERNAL] Item 7-C April19 Council agenda, housing Element
Date: Wednesday, April 20, 2022 5:07:33 PM

Thank you for your reply. You questioned why anyone would be likely to move if present residential zoning is rezoned to allow high density and other housing regulations not presently allowed. Greater traffic, fewer parking spaces, greater pressure on schools, greater demand on local services, including police, greater traffic on tunnels and bridges, etc. would make Alameda a less desirable place to live.

Our police already are stretched too thin. We avoid going to Webster street.. Park street is also becoming more and more of a challenge.I have talked with a number of people who are planning to move, or considering it, including my neighbors.

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The State of California is facing a housing crises and every city, including Alameda, must do its part to increase the availability of housing. It's the law.

But there is no reason that you and your husband would be forced to move. The neighborhoods of Alameda can easily absorb additional housing without changing the character and atmosphere that you are currently enjoying. I don't know who is trying to scare you, but it is not fair to make you think that you and your husband will need to move. Whoever is telling you this is not being honest with you.

If you have any questions about this process, please do not hesitate to contact me directly.

- Andrew Thomas 510-774-5361.

From: mary anderson [mailto:mtlanderson@gmail.com]

Sent: Tuesday, April 19, 2022 4:01 PM

To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>

Cc: Andrew Thomas <athomas@alamedaca.gov>; Allen Tai <ATai@alamedaca.gov>; Lara Weisiger <lweisiger@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>

Subject: [EXTERNAL] Item 7-C April19 Council agenda, housing Element

Dear Alameda officials,

By now you have read and heard many reasons to save our present residential zones. I submit one more appeal to please protect our homes and neighborhoods. We bought our home and moved here, carefully selecting a residential neighborhood which is protected by zoning laws.

Now my husband is 86 and permanently disabled. He needs 24 hour care. His greatest entertainment and only social interaction is to walk with an escort twice a day through the neighborhood. He sees and talks with many neighbors. If we are forced to move or many of our neighbors move he will lose this and his quality of life will be irrevocably diminished.

It is unjust and immoral to let us move here under legal conditions which you then change. This is BAIT and SWITCH.

You have a sacred responsibility as public officials to protect the citizens under your care. Please act honorably.

Sincerely, Mary T Anderson

Resident of Alameda

From: [Andrew Thomas](#)
To: [Marie Kane](#); [Marilyn Ezzy Ashcraft](#); [Trish Spencer](#); [John Knox White](#); [Malia Vella](#); [Tony Daysog](#)
Cc: [Lara Weisiger](#)
Subject: RE: [EXTERNAL] Please keep upzoning of our city to the minimum requirements
Date: Tuesday, April 19, 2022 8:35:58 PM

Dear Ms. Kane,

Thank you for your email regarding the Housing Element. Updating the Housing Element and up-zoning to accommodate additional housing is being done to comply with State Law and preserve Alameda's access to State funding and avoid significant financial penalties imposed by the State for cities that do not comply with State law.

This is not being done for "developers to profit".

As the author of the draft Housing Element, I can promise you that we drafted this Element to meet state law and not to exceed the minimum requirements of state law. (Just meeting the minimum requirements is hard enough.)

- Andrew Thomas, Planning Director

-----Original Message-----

From: Marie Kane [<mailto:mariekane94502@gmail.com>]
Sent: Monday, April 18, 2022 9:57 AM
To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>
Cc: Lara Weisiger <lweisiger@alamedaca.gov>; Andrew Thomas <athomas@alamedaca.gov>
Subject: [EXTERNAL] Please keep upzoning of our city to the minimum requirements

Dear Mayor and City Council,

Please do not make it easy for developers to profit while causing the loss of the current character of our residential neighborhoods. Our residential neighborhoods are the reason people flock to buy in Alameda.

Please keep upzoning to the minimal requirements.

Thanks for listening.

Marie Kane

Sent from my iPhone

From: [Derek Chau](#)
To: reylagraber@aol.com; [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Re: Height Standards Item 7C--Please reject as proposed.
Date: Tuesday, April 19, 2022 6:35:52 PM

Dear Council Members and Major:

I think Reyla Graber's point is valid and agree those two corridors are too narrow to accommodate the proposed heights. Not all buildings will be built at the same heights throughout the corridors and mismatches will reveal eventually the step backs at sides, creating incongruous sights here and there.

Additionally, the stepping backs in the new buildings will likely be used as terraces or roof gardens. To meet a fire separation, building codes dictate the fire walls erected at the property lines. The fire walls will be visible from the streets down below and when erected on narrow lots, they will look strangely out of place and likely reduce the facades aesthetics. And again, when the adjacent building height are varied, the aversion will be magnified even more.

Derek

-----Original Message-----

From: Reyla Graber <reylagraber@aol.com>
To: jknoxwhite@alamedaca.gov <jknoxwhite@alamedaca.gov>; mezzyashcraft@alamedaca.gov <mezzyashcraft@alamedaca.gov>; mvella@alamedaca.gov <mvella@alamedaca.gov>; tdaysog@alamedaca.gov <tdaysog@alamedaca.gov>; tspencer@alamedaca.gov <tspencer@alamedaca.gov>; lweisiger@alamedaca.gov <lweisiger@alamedaca.gov>
Sent: Tue, Apr 19, 2022 2:39 pm
Subject: Height Standards Item 7C--Please reject as proposed.

Dear Mayor and City Council Members,

Under Item 7 C I understand there is a proposal to raise the ceiling height along Park St and Webster to 50 (or 60 feet) ft.

If this is in the historic areas, I am totally against it and I know most Alameda residents would be against this.

We do want to retain the very unique character of our main streets if we are going to continue to exist as Alameda and not just some modern outdoor shopping mall.

Additionally, I understand there is a proposal to "step back" these 50 (or 60 foot) buildings **only** after several stories. I think this is very wrong for our City because this step back is insufficient.

As reference please check out Pasadena downtown. In Pasadena, they have built up Colorado St.

downtown area (and that street is far wider than our main streets) and Pasadena has made these buildings step back **after 1 and 2 stories**. As a result, when walking or driving down Colorado Street you do not feel overwhelmed by the buildings above the more historic one and 2 story buildings.

Please check out downtown Pasadena and I believe you will agree that this also unique city looks about as good as one could re design for a main street area.

It certainly is far superior than relatively no design standards, like here in Alameda and what is being proposed now. We can do better than this proposal!!

Please reject this height limits proposal and send it back to the drawing board.

Thank you,
Reyla Graber

From: [Andrew Thomas](#)
To: [mary anderson](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Gerry Beaudin](#)
Cc: [Allen Tai](#); [Lara Weisiger](#); [Tony Daysog](#)
Subject: RE: [EXTERNAL] Item 7-C April19 Council agenda, housing Element
Date: Tuesday, April 19, 2022 6:31:14 PM

Dear Ms. Anderson,

Thank you for your email. I am sure the City Council would prefer not to deal with these issues and these changes, but it is State Law. They do not have the choice to simply keep everything the same. State Law requires that the City Council decide how to accommodate 5,353 housing units over the next 8 years. it is a very difficult job that they must do, but it is not a job they can avoid.

The State of California is facing a housing crises and every city, including Alameda, must do its part to increase the availability of housing. It's the law.

But there is no reason that you and your husband would be forced to move. The neighborhoods of Alameda can easily absorb additional housing without changing the character and atmosphere that you are currently enjoying. I don't know who is trying to scare you, but it is not fair to make you think that you and your husband will need to move. Whoever is telling you this is not being honest with you.

If you have any questions about this process, please do not hesitate to contact me directly.

- Andrew Thomas 510-774-5361.

From: mary anderson [mailto:mtlanderson@gmail.com]
Sent: Tuesday, April 19, 2022 4:01 PM
To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>
Cc: Andrew Thomas <athomas@alamedaca.gov>; Allen Tai <ATai@alamedaca.gov>; Lara Weisiger <lweisiger@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>
Subject: [EXTERNAL] Item 7-C April19 Council agenda, housing Element

Dear Alameda officials,

By now you have read and heard many reasons to save our present residential zones. I submit one more appeal to please protect our homes and neighborhoods. We bought our home and moved here, carefully selecting a residential neighborhood which is protected by zoning laws.

Now my husband is 86 and permanently disabled. He needs 24 hour care. His greatest entertainment and only social interaction is to walk with an escort twice a day through the neighborhood. He sees and talks with many neighbors. If we are forced to move or many of our neighbors move he will lose this and his quality of

life will be irrevocably diminished.

It is unjust and immoral to let us move here under legal conditions which you then change. This is BAIT and SWITCH.

You have a sacred responsibility as public officials to protect the citizens under your care. Please act honorably.

Sincerely, Mary T Anderson
Resident of Alameda

From: mcgavin_ted@comcast.net
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Trish Spencer](#); [Tony Daysog](#); [John Knox White](#)
Cc: [City Clerk](#)
Subject: [EXTERNAL] City Council Meeting of 04/19/2022 - Agenda Item 7-C
Date: Tuesday, April 19, 2022 5:36:58 PM
Attachments: [We sent you safe versions of your files.msg](#)
[2022-4-18HousingElementCityCouncil - AAPS CommentsFnlMergedFiles Compressed.tiff](#)

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

Dear Mayor Ezzy Ashcraft, Vice Mayor Vella, and Council Members Herrera Spencer, Daysog, and Knox White:

I am a longtime Alameda resident and voter. Here is what I think about the latest version of the Housing Element:

- I fully support the recommendations of the Alameda Architectural Preservation Society (attached).
- I object to the increased height limits along Park Street, Webster Street, and the 'Stations' neighborhoods. These should be maintained at a lower 30'-40' in harmony with the existing neighborhoods and historic buildings.
- I also object to the overlay of allowing for unlimited density in 1/4 of transit areas: this would drastically affect a majority of central neighborhoods with hundreds of historical buildings in Alameda, and create a visual disruption of the character of Alameda, as well as increased density at levels inappropriate for these residential areas.

Taken as a whole, I see this latest version of the Housing Element as nothing more than an attempt to sneak through the essential parts of the 2020 Proposition Z, by bypassing Alameda voters.

As a reminder, Alameda voters voted down Proposition Z by a landslide 60% to 40% (25,063 to 16,749 – an 8,314-vote margin). Those same voters are still out there and will be voting again in the City Council elections this November.

Thank you for your consideration,

Ted McGavin

mcgavin_ted@comcast.net

From: bmathieson@aol.com
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Lara Weisiger](#)
Subject: [EXTERNAL] City Council Meeting—April 19, 2022—Agenda Item 7-C (Housing Element)
Date: Tuesday, April 19, 2022 4:36:39 PM

Honorable Mayor Ezzy Ashcraft and City Councilmembers:

My husband and I moved to Alameda to raise our children in a walkable historic neighborhood with racial, ethnic, and income diversity. Our street has a mix of small houses, big houses, houses divided into units, garages converted to cottages, and apartment buildings. It is a dense, diverse neighborhood. Many of the buildings can accommodate more units within their existing walls and roofs. Numerous such conversions happened before Article 26 was adopted.

Existing buildings in the historic commercial districts can also accommodate more residential units and provide more affordable housing. If construction of tall new buildings is allowed in the historic commercial districts, our cities' favorite places will be turned into sunless wind tunnels, and adjacent neighborhoods will also languish in shadow. Allowing buildings taller than three stories on our historic commercial streets, whether through zoning codes or density bonuses, is poor city planning. Unlike construction on a large parcel such as Site A at Alameda Point, construction on scattered small parcels would result in a jack-o'-lantern-teeth pattern of tall and short buildings.

The Housing Element Tool demonstrated that there are more than enough places to add housing. We need you, our elected representatives, not the Planning Board, to decide where new housing should go. Our Housing Element and Zoning Code should not be a free-for-all of widespread upzoning and excessive height limits.

Such wholesale, unnecessary change would promote speculation and demolition by neglect, and provide an incentive for replacement of the homes of low-income residents. Developers will argue that an historic building stands in the way of an "economically feasible" project. We will lose not only existing housing but the sunlight and green spaces that make neighborhoods healthy places, physically and mentally, for all residents.

I urge you to determine the best places for new housing and not open up existing neighborhoods and historic commercial districts to massive new buildings. Thank you.

Betsy Mathieson
Alameda

From: [mary.anderson](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Gerry Beaudin](#)
Cc: [Andrew Thomas](#); [Allen Tai](#); [Lara Weisiger](#); [Tony Daysog](#)
Subject: [EXTERNAL] Item 7-C April19 Council agenda, housing Element
Date: Tuesday, April 19, 2022 4:01:15 PM

Dear Alameda officials,

By now you have read and heard many reasons to save our present residential zones. I submit one more appeal to please protect our homes and neighborhoods. We bought our home and moved here, carefully selecting a residential neighborhood which is protected by zoning laws.

Now my husband is 86 and permanently disabled. He needs 24 hour care. His greatest entertainment and only social interaction is to walk with an escort twice a day through the neighborhood. He sees and talks with many neighbors. If we are forced to move or many of our neighbors move he will lose this and his quality of life will be irrevocably diminished.

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You have a sacred responsibility as public officials to protect the citizens under your care. Please act honorably.

Sincerely, Mary T Anderson
Resident of Alameda

From: [Joe VanWinkle](#)
To: [Lara Weisiger](#)
Subject: [EXTERNAL] April 19 Council Agenda, Item 7-c
Date: Tuesday, April 19, 2022 4:00:06 PM

Mayor Ashcraft and Councilmembers,

In November of 2020, Measure Z was rejected by 60% of Alameda voters. There was much information shared prior to the election and the people made their choice clear.

Thus, Article 26 remains the law today as supported by a majority of Alameda voters.

The April draft HOUSING ELEMENT identifies sufficient parcels of land to meet the state determined number of units needed in all income categories, without increasing the 21 units per acre density in our residential neighborhoods (known as R-2 thru R-6 zoning districts).

Nevertheless, the Planning Dept now proposes to massively increase the density of all these neighborhoods, manipulating the housing element to void Article 26 entirely. This is overkill and invites indiscriminate development.

Having failed to repeal the Article with Measure Z, staff now seeks to eradicate it without voter approval.

They want you to go against the will of the people you are supposed to represent.

Fortunately, we live in a country where people can vote on important matters. Good politicians acknowledge the results of elections and don't try to overturn them through devious maneuvers.

Please respect Alameda voters and the choice they made.

Sincerely,
Joe Van Winkle

From: [Mary McFarland](#)
To: [City Clerk](#)
Subject: [EXTERNAL] Reference Agenda Item 7-C
Date: Tuesday, April 19, 2022 3:49:21 PM

Dear City Council and Planning Committee,

I have written to you all before about the issue of how and where to build more housing in Alameda. My main concern about the state of CA's new housing numbers for our city is the fact that we are an island with limited bridges to get on and off the island. I think Alameda should ask the State of CA to fund another bridge/tunnel for getting on and off the island and to eventually put a Bart Station here. I think this is a very good reason to contest the volume of housing units the state is requiring.

I am happy to see there is another ferry terminal in place but I think that for those of us on the East End we need dedicated parking to realistically use it. I think that Alameda has a diverse population (both socially and ethnically) but as with elsewhere in the Bay Area there is not enough middle income, low-income and no-income housing units available. I am in favor of common sense development and without this those of us who pay big mortgages and taxes will move away from the overcrowding, traffic, crime, and noise that high density entails.

Specifically I agree with the Alameda Architectural Preservation Society's recommendations:

- I object to the increase in height limits along Park St. and Webster St. and the Stations neighborhoods. These should be maintained at a lower 30'-40' in harmony with the existing neighborhoods and historic buildings.

- I also object to the overlay of allowing for unlimited density in 1/4 of transit areas-- this would drastically affect a majority of central neighborhoods with hundreds of historical buildings in Alameda, and create a visual disruption of the character of Alameda, as well as increased density at levels inappropriate for these residential areas.

Please listen to what the majority of your constituents want as reflected in the most recent vote against endangering the historic character of Alameda.

Thank you,
Mary McFarland
East End Resident

Mary McFarland, LCSW
Psychotherapy & Consultation
Via Video or Phone for CA
mary.e.mcfarland@gmail.com
#510-655-5568

LinkedIn: Mary McFarland LCSW
Twitter: Mary McFarland LCSW @ Helpland

I cannot guarantee the confidentiality of any information sent via email. If you choose to email with me, you are acknowledging the dangers and potential for breach of confidentiality associated with email and are willing to accept this risk. Please contact me via telephone to discuss information you consider too sensitive for email.

The information transmitted in this email is intended only for the addressee(s) and may contain privileged material. If you have received this email and are not the addressee(s), please notify me and delete this email from your computer and other devices.

Thank you.

From: [Catherine Bierwith](#)
To: [City Clerk](#)
Cc: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Trish Spencer](#); [Malia Vella](#)
Subject: [EXTERNAL] RE: Item 7-C – April 19 City Council Agenda-Housing Element April 10 2022 Submission for discussion
Date: Tuesday, April 19, 2022 3:45:01 PM
Attachments: [image001.png](#)
[image002.png](#)

As our elected representatives please stand up for the majority of Alameda residents who definitely are concerned about drastic change to our City's neighborhoods. This evening, I urge you to voice your opposition to this up zoning proposal and ask for it to be removed from the draft Housing Element.

I support the suggestions made by the Alameda Architectural Preservation Committee (some notes will be found below). *I also object to the overlay of allowing for unlimited density in a quarter of the transit areas*--this would drastically affect a majority of central neighborhoods with hundreds of historical buildings in Alameda, while creating a visual disruption of the character of Alameda, as well as increased density at levels inappropriate for these residential areas.

Delete the proposed massive up zoning of the residential areas from the overall proposal. The Draft Housing Element and various staff reports state that the up zoning is necessary to obtain 270 non-Accessory Dwelling Unit (ADU) RHNA units in the residential zones by 2031 (an average of 34 units per year). *Such a drastic and wholesale up zoning of the residential areas to obtain only 270 units is unnecessary and overkill. It is especially reckless since it is much harder to downzone than to up zone if it is later determined that the up zoning was a mistake.* In addition, staff increased the 5353 RHNA-required units by 1060 units (about 20%) for a total of 6413 units in order to provide a “buffer” based on HCD guidelines, in case the City has difficulty over the 2023–31 Housing Element period to produce 5353 units. Without the buffer and without the 270 units, the staff estimate of total units would still EXCEED the 5353 RHNA units by 790 units.

Moreover, the Draft Housing Element’s, March 14 Planning Board staff report and April 19 City Council staff report’s respective estimates of 50 to 70 ADUs per year, are all too low. 79 ADU permits were issued in 2021, well above the 39 in 2020 and continuing an upward trajectory. In addition, the February 15, 2022 SB 9 City Council staff report estimated that nine additional SB9 units will be produced per year in the R-1 Zone, which, when added to the 79 ADUs, results in a total of 88 additional RHNA units per year in the residential zones, or 704 units for the eight year RHNA period, 224 units more than the 400 and 480 estimated in the Draft Housing Element and March 14 Planning Board staff report, respectively, and reduces the 270 units that the Draft Housing Element estimates are needed for the residential districts to 26 (slightly more than three units per year). The City should monitor monthly ADU and SB 9 production in 2022 and adjust the estimates (likely upward) as the Housing Element progresses based on the actual production. An especially troubling aspect of the up zoning is that the proposed residential density increases in the R-3 through R-6 zoning districts and in all areas covered by the Transit Overlay will allow State Density Bonus Law (SDBL) projects on about one-third of the lots in R-3 through R-6 and on ALL of the lots within the Transit Overlay,

allowing developers to demand the relaxation of zoning standards, such as height limits, lot coverage, setbacks and universal design requirements. On record, repeatedly stated concerns about the impact of the SDBL relative to up zonings and asked for a staff analysis of the interplay between the proposed up zonings and the SDBL in Alameda's built-up residential and historic commercial areas, but this analysis is yet to be provided. In addition, the Transit Overlay's reliance on bus lines as a basis for up zoning (although currently popular with some City planners) is unwise. Bus routes can be easily changed or eliminated and the high frequency service that is critical to a "quality" transit route can be easily reduced. It is irresponsible to base long-term and not easily reversed massive up zonings on something as ephemeral as a bus route. Planning for transit-oriented development is more appropriately based on more permanent transit infrastructure, such as fixed rail.

Ironically, the proposed up zoning could threaten the existing stock of relatively low-cost privately owned rental units by encouraging developers to buy up these buildings and expand and/or renovate them to create more units at higher rents, especially if using the State Density Bonus Law. There is an increasingly worrisome trend for large institutional investors to do this. Although density bonus projects are based on providing affordable units as part of the project, the number of affordable units in many cases will be insufficient to offset the loss of the pre-existing affordable units.

Staff may be concerned that HCD, in its review of the first HCD Housing Element draft, will question reliance on ADUs and SB9 units to obtain enough units in the residential zones by 2031.

But the City should not prematurely assume that HCD will reject this approach and should not preemptively include such extensive up zonings in the first HCD Housing Element draft. If HCD in its first review rejects the ADU/SB9 approach, the City can present alternative strategies in the second HCD draft that could include, if necessary, residential area up zonings that are more targeted than currently proposed. In addition, once the Housing Element was adopted, if after a specified period of time (perhaps two or three years), the City is falling short in meeting the RHNA, further targeted up zonings and/or other development incentives could be considered. We understand that HCD is open to this kind of phased approach.

In addition, consider changing the R-1 Zone to R-2. This will eliminate the complications presented by SB9 and allow up to five units on an existing R-1 lot (two regular units plus three ADUs) rather than the SB9 minimum of four units (in various combinations of regular units and ADUs). Other communities, such as San Francisco are pursuing this strategy.

Please take serious consideration as once you commit your community, your constituents to this ill regarded plan, there is little chance of going back.

Respectfully Submitted,
Catherine Bierwith, VERY Concerned Citizen

Catherine Bierwith, CRS | REALTOR®
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Working by referral, Thank you!

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From: [Alameda Citizens Task Force](#)
To: [City Clerk](#)
Subject: [EXTERNAL] City Council Meeting- Agenda Item 7-C
Date: Tuesday, April 19, 2022 3:32:02 PM
Attachments: [petition_signatures_jobs_32975009_20220419213226.csv](#)

Please see attached Petition for Agenda Item 7-C and add to correspondence regarding the Housing Element:

Dear Mayor Ashcraft and City Councilmembers,

It has recently come to our attention that the City Planning Department is proposing radical changes that would permanently affect Alameda's small-town character and livability.

- We strongly object to the proposed "unlimited density" of ALL of Alameda's residential neighborhoods, allowing for runaway growth without adding infrastructure to the island. It is irresponsible and unnecessary to propose blanket upzoning to meet the Regional Housing Number Allocation (RHNA) gap of 198 units. The Planning Department should concentrate on allocating those units at Alameda Point where there is substantial available acreage. We do not need to add thousands of units as a "buffer".

- We ask that you maintain height limits along Park St., Webster St. and the historic "Stations" along Lincoln Ave., Encinal, Ave and Central Ave. to no more than 35', in harmony with existing Victorian commercial buildings and the surrounding residential neighborhoods.

- We remind you that over 60% of Alameda's voted to uphold Measure A.

Signed by over 100+ Residents.
Alameda Citizens Task Force

Name	City	State	Postal Code	Country	Signed On
John S Cuel	Hayward	CA	94541	US	4/10/2022
Patsy Baer	Alameda	CA	94501	US	4/10/2022
Patricia Gai	Alameda	CA	94502	US	4/10/2022
Elizabeth K	Alameda	CA	94501	US	4/10/2022
Raymond S	Alameda	CA	94501	US	4/10/2022
Catherine E	Alameda	CA	94502	US	4/10/2022
Dorothy Fri	Alameda	CA	94501	US	4/10/2022
margie sieg	Alameda	CA	94501	US	4/10/2022
Edward Sin	Alameda	CA	94501	US	4/10/2022
Rob Halfor	Alameda	CA	94501	US	4/10/2022
Lois Francis	Alameda	CA	94501	US	4/10/2022
Thomas Pa	San Francis	CA	94133	US	4/10/2022
Donna Flet	Alameda	CA	94502	US	4/10/2022
Claire Yeat	Alameda	CA	94501	US	4/10/2022
Suzanne Lir	Alameda	CA	94501	US	4/11/2022
Zach Kapla	Alameda	CA	94501	US	4/11/2022
Susan Natt	Alameda	CA	94502	US	4/11/2022
Sandra Mai	Alameda	CA	94501	US	4/11/2022
Emily Olsor	Alameda	CA	94501	US	4/11/2022
Fran Folkm	Alameda	CA	94501	US	4/11/2022
Alla Bottler	Alameda	CA	94501	US	4/11/2022
Jean Zartle	Oakland	CA	94501	US	4/11/2022
Agnes Wu	Alameda	CA	94501	US	4/11/2022
Daniel Alex	Navarre		32566	US	4/11/2022
Lynn Cunni	Sacrament	CA	95828	US	4/11/2022
Ilias Benha	Houston		77083	US	4/11/2022
Robert Wu	Alameda	CA	94501	US	4/11/2022
Jeannine H	Pacifica	CA	94044	US	4/11/2022
Andre McN	New York	PA	10004	US	4/11/2022
Cameron B	Alameda	CA	94502	US	4/11/2022
Aliyah Cuk	Hampton Bays		11946	US	4/11/2022
Vulture Bo	Brooklyn	NY		US	4/11/2022
Gail Ericksc	Castro Vall	CA	94546	US	4/11/2022
Falcon Knig	Brooklyn	NY	11226	US	4/11/2022
Zed Hawk	Brooklyn	NY		US	4/11/2022
ANN LEVY	Alameda	CA	94501	US	4/11/2022
Mark Scha	Alameda	CA	94501	US	4/11/2022
Cynthia La	Alameda	CA	94501	US	4/11/2022
Tony Dever	Alameda	CA	94501	US	4/11/2022
Susan Drisc	Alameda	CA	94501	US	4/11/2022
Marijo Cue	Hayward	CA	94541	US	4/11/2022
Cicely Doyl	Alameda	CA	94501	US	4/11/2022
James Thar	Alameda	CA	94501	US	4/11/2022
Sharon Anc	Alameda	CA	94501	US	4/11/2022
Suzan Kapl	Alameda	CA	94501	US	4/11/2022
Lorraine La	Alameda	CA	94501	US	4/11/2022

Patricia Fer Alameda	CA	94501	US	4/11/2022
Elizabeth Jc Alameda	CA	94501	US	4/11/2022
Tim Goodnr Alameda	CA	94501	US	4/12/2022
Thomas Kry Alameda	CA	94501	US	4/12/2022
MICHAEL K Alameda	CA	94501	US	4/12/2022
Katerina Tc Brooklyn		11234	US	4/12/2022
Joanne Bru Alameda	CA	94501	US	4/12/2022
Annalyssa † San Juan		78589	US	4/12/2022
Mary Cous: Hayward	CA	94541	US	4/13/2022
Nicole Bapl Union		7083	US	4/13/2022
John Platt Alameda	CA	94501	US	4/13/2022
Joshua Curj Peterborough		PE7	US	4/13/2022
Linda E. Ear Alameda	CA	94501	US	4/14/2022
Eric Smiler Alameda	CA	94501	US	4/14/2022
LOUISE WA Alameda	CA	94501	US	4/15/2022
John Leong Alameda	CA	94501	US	4/15/2022
Peter Conn Alameda	CA	94501	US	4/15/2022
Ralph Appe Alameda	CA	94501	US	4/15/2022
James Hudl Alameda	CA	94501	US	4/15/2022
Carly Kapu: Marlton		8053	US	4/15/2022
janice pem grosse pointe shores		48236	US	4/16/2022
Marguerite Alameda	CA	94501	US	4/16/2022
Michael All Alameda	CA	94501	US	4/16/2022
Carmen Re Alameda	CA	94501	US	4/16/2022
Michael M: Alameda	CA	94501	US	4/16/2022
Jose Castro Oakland	CA	94606	US	4/16/2022
Zed Trick Brooklyn	NY		US	4/16/2022
Stephen Sl: Alameda	CA	94501	US	4/16/2022
Milt Friednr Alameda	CA	94501	US	4/16/2022
Jay Garfink Alameda	CA	94501	US	4/17/2022
Joe LoParo Alameda	CA	94501	US	4/17/2022
Penelope S Alameda	CA	94502	US	4/17/2022
Alexander † Alameda	CA	94502	US	4/17/2022
Katie Bruur Alameda	CA	94501	US	4/17/2022
Karen Mille Alameda	CA	94501	US	4/17/2022
Maria Pera Pleasanton	CA	94566	US	4/17/2022
Sylvia Gibsc Alameda	CA	94501	US	4/17/2022
Paula Ange Alameda	CA	94501	US	4/17/2022
Selinda Ant Alameda	CA	94501	US	4/17/2022
Nermina Tc San Leandr	CA	94577	US	4/17/2022
Victoria Ry: Alameda	CA	94501	US	4/17/2022
Brian Trem Alameda	CA	94502	US	4/17/2022
Gig Codiga Alameda	CA	94501	US	4/17/2022
Marie Kane Alameda	CA	94502	US	4/17/2022
Kurt Phillip Alameda	CA	94501	US	4/17/2022
Adam Kalul Burleson		76028	US	4/17/2022
Janet Libby Alameda	CA	94501	US	4/17/2022

Danielle Be Alameda	CA	94501 US	4/17/2022
Van Willian Alameda	CA	94501 US	4/17/2022
Alexandra I Alameda	CA	94501 US	4/17/2022
Ben Miller Alameda	CA	94501 US	4/17/2022
aracely a Phoenix		85035 US	4/17/2022
Jamie Minz Alameda	CA	94501 US	4/17/2022
Lola Brown Alameda	CA	94501 US	4/17/2022
Matthew I Alameda	CA	94501 US	4/17/2022
gabii de lec Miami		33180 US	4/17/2022
Ted McGav Alameda	CA	94501 US	4/17/2022
Nicole C. Rocklin	CA	95677 US	4/18/2022
Nic Lee Alameda	CA	94502 US	4/18/2022
Helen Simp Union City	CA	94587 US	4/18/2022
Sophie Bari Alameda	CA	94501 US	4/18/2022
Margaret F Alameda	CA	94501 US	4/18/2022
Manuele Lz Alameda	CA	94501 US	4/18/2022
Catherine F Alameda	CA	94501 US	4/18/2022
Tom Pavao Alameda	CA	94501 US	4/18/2022
Jenny Sui Alameda	CA	94501 US	4/18/2022
KC Egan Alameda	CA	94501 US	4/18/2022
David Ivy Alameda	CA	94501 US	4/19/2022
George Der Alameda	CA	94501 US	4/19/2022
Nancy Mck Alameda	CA	94501 US	4/19/2022
Courtney Jr Bloomfield Hills		48302 US	4/19/2022
Lisa Tang Alameda	CA	94501 US	4/19/2022
Michael Ca San Leandr	CA	94577 US	4/19/2022

From: [Cathy Leong](#)
To: [City Clerk](#)
Cc: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Trish Spencer](#); [Malia Vella](#)
Subject: [EXTERNAL] Item 7-C – April 19 City Council Agenda-Housing Element April 10 2022 Submission for discussion
Date: Tuesday, April 19, 2022 3:17:30 PM

As our elected representatives please stand up for the majority of Alameda residents who definitely are concerned about drastic change to our City's neighborhoods.

This evening, I urge you to voice your opposition to this upzoning proposal and ask for it to be removed from the draft Housing Element.

I support the suggestions made by the Alameda Architectural Preservation Committee (some notes will be found below). I also object to the overlay of allowing for unlimited density in a quarter of the transit areas--this would drastically affect a majority of central neighborhoods with hundreds of historical buildings in Alameda, while creating a visual disruption of the character of Alameda, as well as increased density at levels inappropriate for these residential areas.

Delete the proposed massive upzoning of the residential areas from the overall proposal. The Draft Housing Element and various staff reports state that the upzoning is necessary to obtain 270 non-Accessory Dwelling Unit (ADU) RHNA units in the residential zones by 2031 (an average of 34 units per year). Such a drastic and wholesale upzoning of the residential areas to obtain only 270 units is unnecessary and overkill. It is especially reckless since it is much harder to downzone than to upzone if it is later determined that the upzoning was a mistake. In addition, staff increased the 5353 RHNA-required units by 1060 units (about 20%) for a total of 6413 units in order to provide a "buffer" based on HCD guidelines, in case the City has difficulty over the 2023–31 Housing Element period to produce 5353 units. Without the buffer and without the 270 units, the staff estimate of total units would still EXCEED the 5353 RHNA units by 790 units. Moreover, the Draft Housing Element's, March 14 Planning Board staff report and April 19 City Council staff report's respective estimates of 50 to 70 ADUs per year, are all too low. 79 ADU permits were issued in 2021, well above the 39 in 2020 and continuing an upward trajectory. In addition, the February 15, 2022 SB 9 City Council staff report estimated that nine additional SB9 units will be produced per year in the R-1 Zone, which, when added to the 79 ADUs, results in a total of 88 additional RHNA units per year in the residential zones, or 704

units for the eight year RHNA period, 224 units more than the 400 and 480 estimated in the Draft Housing Element and March 14 Planning Board staff report, respectively, and reduces the 270 units that the Draft Housing Element estimates are needed for the residential districts to 26 (slightly more than three units per year). The City should monitor monthly ADU and SB 9 production in 2022 and adjust the estimates (likely upward) as the Housing Element progresses based on the actual production.

An especially troubling aspect of the upzoning is that the proposed residential density increases in the R-3 through R-6 zoning districts and in all areas covered by the Transit Overlay will allow State Density Bonus Law (SDBL) projects on about one-third of the lots in R-3 through R-6 and on ALL of the lots within the Transit Overlay, allowing developers to demand the relaxation of zoning standards, such as height limits, lot coverage, setbacks and

universal design requirements. On record, repeatedly stated concerns about the impact of the SDBL relative to upzonings and asked for a staff analysis of the interplay between the proposed upzonings and the SDBL in Alameda's built-up residential and historic commercial areas, but this analysis is yet to be provided.

In addition, the Transit Overlay's reliance on bus lines as a basis for upzoning (although currently popular with some City planners) is unwise. Bus routes can be easily changed or eliminated and the high frequency service that is critical to a "quality" transit route can be easily reduced. It is irresponsible to base long-term and not easily reversed massive upzonings on something as ephemeral as a bus route. Planning for transit-oriented development is more appropriately based on more permanent transit infrastructure, such as fixed rail.

Ironically, the proposed upzoning could threaten the existing stock of relatively low-cost privately owned rental units by encouraging developers to buy up these buildings and expand and/or renovate them to create more units at higher rents, especially if using the State Density Bonus Law. There is an increasingly worrisome trend for large institutional investors to do this. Although density bonus projects are based on providing affordable units as part of the project, the number of affordable units in many

cases will be insufficient to offset the loss of the pre-existing affordable units.

Staff may be concerned that HCD, in its review of the first HCD Housing Element draft, will question reliance on ADUs and SB9 units to obtain enough units in the residential zones by 2031.

But the City should not prematurely assume that HCD will reject this approach and should not preemptively include such extensive upzonings in the first HCD

Housing Element draft. If HCD in its first review rejects the ADU/SB9 approach, the City can present alternative strategies in the second HCD draft that could include, if necessary, residential area upzonings that are more targeted than currently proposed. In addition, once the Housing Element was adopted, if after a specified period of time (perhaps two or three years), the City is falling short in meeting the RHNA, further targeted upzonings and/or other development

incentives could be considered. We understand that HCD is open to this kind of phased approach.

In addition, consider changing the R-1 Zone to R-2. This will eliminate the complications presented by SB9 and allow up to five units on an existing R-1 lot (two regular units plus three ADUs) rather than the SB9 minimum of four units (in various combinations of regular units and ADUs). Other communities, such as San Francisco are pursuing this strategy.

Please take serious consideration as once you commit your community, your constituents to this ill regarded plan, there is little chance of going back.

Respectfully Submitted, Cathy Leong 35 year concerned resident of Alameda

From: ps4man@comcast.net
To: [Andrew Thomas](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Yibin Shen](#); [Lara Weisiger](#)
Subject: RE: [EXTERNAL] April 19, 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas
Date: Tuesday, April 19, 2022 2:56:56 PM

Mr. Thomas,

I have quoted the relevant sections of the Government Code on three different communications. We have a difference of opinion that will have to be resolved by the City Attorney or HCD. However, regardless of what the law requires, there is nothing odd in having the city's draft of what it considers to be a proper and compliant housing element endorsed by a majority vote of Council before submission.

Without that it demonstrates only the will of the Planning Department, not the local governing body.

Once the draft goes to HCD and is reviewed and commented on by HCD any opportunity to add or delete anything beyond the scope of HCD's response will very limited, making this draft an extremely important statement for City Council, the Planning Board and the public.

Paul Foreman

From: Andrew Thomas <athomas@alamedaca.gov>
Sent: Tuesday, April 19, 2022 2:08 PM
To: ps4man@comcast.net; [Marilyn Ezzy Ashcraft](mailto:MEzzyAshcraft@alamedaca.gov) <MEzzyAshcraft@alamedaca.gov>; [Malia Vella](mailto:MVella@alamedaca.gov) <MVella@alamedaca.gov>; [John Knox White](mailto:JknoxWhite@alamedaca.gov) <JknoxWhite@alamedaca.gov>; [Trish Spencer](mailto:tspencer@alamedaca.gov) <tspencer@alamedaca.gov>; [Tony Daysog](mailto:TDaysog@alamedaca.gov) <TDaysog@alamedaca.gov>
Cc: [Eric Levitt](mailto:elevitt@alamedaca.gov) <elevitt@alamedaca.gov>; [Gerry Beaudin](mailto:gbeaudin@alamedaca.gov) <gbeaudin@alamedaca.gov>; [Yibin Shen](mailto:yshen@alamedacityattorney.org) <yshen@alamedacityattorney.org>; [Lara Weisiger](mailto:lweisiger@alamedaca.gov) <lweisiger@alamedaca.gov>
Subject: RE: [EXTERNAL] April 19, 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas

Mr. Forman.

Tonight is a workshop to provide direction to staff. Of course the Council can give direction. If the direction is not supported by at least 3 council members, then staff will not consider it "council direction".

I will let you debate the Brown Act and Sunshine Ordinance with the City Attorney. I have full confidence that the City Attorney will advise the Council on what they can and cannot do tonight when providing "direction" or "comments". I will be fine with whatever he says.

I see nothing in any government code sections that says the City Council must "pre-approve" a draft Housing Element before the community or HCD has finished reviewing it. Seems like an odd interpretation, if you ask me.

The City Council has the ultimate authority at the end of the process to adopt the Housing Element or not. The Council gets to wait until they have heard from everyone, including HCD. There is nothing in State Law that says the Council must first approve a housing element BEFORE it is reviewed by the State for conformance with State Law.

- Andrew

From: ps4man@comcast.net [<mailto:ps4man@comcast.net>]

Sent: Tuesday, April 19, 2022 1:23 PM

To: Andrew Thomas <athomas@alamedaca.gov>; Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>

Cc: Eric Levitt <elevitt@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>; Yibin Shen <yshen@alamedacityattorney.org>; Lara Weisiger <lweisiger@alamedaca.gov>

Subject: RE: [EXTERNAL] April 19, 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas

Mr. Thomas,

I am in full agreement with the first paragraph of your letter below. The 30 day comment review period provided by Govt. Code Sec. 65585 (b) (1) expires on May 9. The section also requires that the city wait for at least 10 business days thereafter to consider and incorporate public comments into the draft before submitting it to HCD for review. Thus, your target date for submission of the draft to HCD during the week of May 23 is a reasonable one.

The second paragraph of your letter asserts that at this evening's meeting a Council majority "can direct staff to make any needed changes" to the Housing Element before it is submission to HCD. However agenda item 7-C is noticed as "Public Hearing to Review and Comment". I believe that having a vote to approve changes would be beyond the scope of the agenda notice and would violate both the Brown Act and our Sunshine Ordinance. Even if the City Attorney might think otherwise and allow a vote, the second problem is that the vote would be premature in being done before the thirty day public comment period and subsequent 10 business days.

I also take issue with your statement later in the same paragraph, that, "If the Council wishes to review another draft before staff submits to HCD, it may direct staff to do so." In my view Sec. 65585 (b) (1) & (2) of the Government Code makes it mandatory, not optional, that Council, after expiration of the 10 business day waiting period, have a properly noticed formal vote approving the submission.

Sincerely,

Paul Foreman

From: Andrew Thomas <athomas@alamedaca.gov>

Sent: Tuesday, April 19, 2022 12:19 PM

To: ps4man@comcast.net; Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>

Cc: Eric Levitt <elevitt@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>; Yibin Shen <yshen@alamedacityattorney.org>; Lara Weisiger <lweisiger@alamedaca.gov>

Subject: RE: [EXTERNAL] April 19. 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas

Mr. Forman,

Per state law, the City Council cannot adopt the draft Housing Element until AFTER it has received comments from HCD and AFTER it has received a final recommendation from the Planning Board. Neither of these two actions have occurred yet.

At the April 19, 2022 Council meeting, the city council will be reviewing a current draft of the Housing element and may direct staff to make any needed changes to the draft Housing element before it is sent to HCD for review. If a majority of the council agrees that a change should be made to the draft, staff will make that change before sending it to HCD for HCD review. If the Council wishes to review another draft before staff submits to HCD, it may direct staff to do so. Staff is planning to send the draft to HCD the week of May 23rd.

After the City receives comments back from HCD, the Planning Board will be able to hold additional public hearings to hear from the Public and consider the HCD requested changes and make a final recommendation to the City Council. Staff is working to make this possible in October.

Once that has happened, the City Council can then hold additional public hearings to hear from the public, consider the comments from HCD, and consider the recommendations of the Planning Board, and then vote to adopt the draft housing element. Staff is working to make this possible in November or December.

Once the City Council takes action to adopt the Housing Element, HCD will decide whether the city has complied with state housing law and adopted an adequate Housing Element.

Sincerely,

Andrew Thomas, Planning Director

From: ps4man@comcast.net [<mailto:ps4man@comcast.net>]

Sent: Monday, April 18, 2022 3:33 PM

To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>

Cc: Eric Levitt <elevitt@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>; Andrew Thomas <athomas@alamedaca.gov>; Yibin Shen <yshen@alamedacityattorney.org>; Lara Weisiger <lweisiger@alamedaca.gov>

Subject: [EXTERNAL] April 19. 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Herrera Spencer and Daysog:

The correspondence file for Item 7-C on tomorrow's Council agenda includes two letters, from Alan Tai and Andrew Thomas responding to citizens who are asking Council to have a vote approving the draft of the Housing Element before submitting it to HCD for review. The letters contain the following identical language,

"The Housing Element will not be considered until November or December 2022 for final City Council action, so there will be many opportunities between now and then, both at the City Council and at the Planning Board for consideration of public comments and suggestions."

On April 11 I wrote to you on behalf of Alameda Citizens Task force asserting that state law (Govt. Code Sec 65585 (b) (1) and (2)) and common sense require Council approval of this draft prior to submission to HCD for review. These sections do not refer final draft of the HE to be presented in November or December. My April 11 letter quotes only the first sentence of 65585 (b)(1). An immediately subsequent sentence states:

*"The local government of the planning agency shall make the **first draft** revision of a housing element available for public comment for at least 30 days and, if any comments are received, the local government shall take at least 10 business days after the 30-day public comment period to consider and incorporate public comments into the draft revision prior to submitting it to the department. "* (The bolding is mine)

It is very clear that this section applies to where we are now in the process, not the final submission later this year. The following section, Sec. 65585 (b) (2)" states, *"The planning agency staff shall collect and compile the public comments regarding the housing element received by the city, county, or city and county, and provide these comments to each member of the legislative body before it adopts the housing element."* I believe these two sections clearly require a Council vote approving the HE draft before in goes to HCD for review.

As for the common sense element, the draft is presented as the city's determination that the document meets the requirements for certification and should include the assurance that it is fully approved by City Council with every Council Member's vote on the record.

I would also point out that the assurances from Mr. Tai and Mr. Thomas that there will be many opportunities for City Council, the Planning Board and the public to weigh in after the May submission of the draft to HCD is specious. Once the draft is received by HCD the subsequent local input will primarily be in response to any HCD requirements emanating from their review, not

expressing fresh ideas.

Sincerely,

Paul Foreman

From: [Peter Conn](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-C - April 19 City Council Agenda- Housing Element
Date: Tuesday, April 19, 2022 2:56:44 PM

Dear City Council Members:

Regarding the Draft Housing Element, I am writing to urge you not to increase the density of our existing R-2 through R-6 zoning districts, and to limit building heights to 40 feet in the historic parts of Park and Webster Streets.

Residential upzoning is not in the best interest of the residents of Alameda, and neither is it a requirement of state law. There is no legal justification for upzoning these districts.

Historic areas of Park and Webster streets should be kept to a height limit that will maintain harmony with the existing buildings. We can meet our housing obligations without destroying the beauty of our city.

Additionally, I ask that the city council continue consideration of the Draft Housing Element until after the May 5 Historical Advisory Board meeting, the May 9 Planning Board meeting and May 9 public comment deadline, and approve the Draft prior to submitting for HCD review.

Sincerely,
Peter Conn

From: [Reyla Graber](#)
To: [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Height Standards Item 7C--Please reject as proposed.
Date: Tuesday, April 19, 2022 2:39:36 PM

Dear Mayor and City Council Members,

Under Item 7 C I understand there is a proposal to raise the ceiling height along Park St and Webster to 50 (or 60 feet) ft.

If this is in the historic areas, I am totally against it and I know most Alameda residents would be against this.

We do want to retain the very unique character of our main streets if we are going to continue to exist as Alameda and not just some modern outdoor shopping mall.

Additionally, I understand there is a proposal to "step back" these 50 (or 60 foot) buildings **only** after several stories. I think this is very wrong for our City because this step back is insufficient.

As reference please check out Pasadena downtown. In Pasadena, they have built up Colorado St. downtown area (and that street is far wider than our main streets) and Pasadena has made these buildings step back **after 1 and 2 stories**. As a result, when walking or driving down Colorado Street you do not feel overwhelmed by the buildings above the more historic one and 2 story buildings. Please check out downtown Pasadena and I believe you will agree that this also unique city looks about as good as one could re design for a main street area.

It certainly is far superior than relatively no design standards, like here in Alameda and what is being proposed now. We can do better than this proposal!!

Please reject this height limits proposal and send it back to the drawing board.

Thank you,
Reyla Graber

From: [g.b](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-C CC meeting 4-19-22
Date: Tuesday, April 19, 2022 2:38:54 PM

Dear City Council.

LET US PROTECT OUR ALAMEDA NEIGHBORHOODS FOR NOW AND FOR THE FUTURE.

We have successfully met our required RHNA housing figures of 5,340 units. Enough is enough.

SAY NO TO ANY UPZONING. This is just another tactic to destroy Article 26 (Measure A)

It is very tiring, to have to fight again and again the efforts of this council to go behind voters back and increase density without offering any additional infrastructure or proposal to mitigate the increased traffic.

In November of 2020, Measure Z was put on the ballot by Mayor Ashcraft and Councilmembers Oddie, Knox-White and Vella with the express purpose of repealing Article 26 (Measure A) of the City Charter that limits maximum residential density to 21 units per acre. 60% of Alameda voters rejected Measure Z, so Article 26 remains the law today and that should be the end of the story, but, sadly, it is not.

The new proposal asks to massively increase the density of R-2 thru R-6 residential neighborhoods by asserting that state fair housing law requires every zoning district in the city to be densified to allow lower income units to be developed. **THERE IS NOTHING IN THE LAW THAT SAYS THAT!**

City Planning Director Andrew Thomas has consistently supported repeal of Article 26 for several years. Having failed to repeal the Article with Measure Z, he now seeks to eradicate it without voter approval.

1. **THERE IS NO LEGAL OR POLICY JUSTIFICATION FOR THE UPZONING OF OUR R—2 THRU R-6 RESIDENTIAL ZONING DISTRICTS.**
2. **CONVENE A FINAL PUBLIC REVUE IN MAY AND APPROVE THE FINAL DRAFT HOUSING ELEMENT BEFORE IT IS SUBMITTED TO HCD.**
3. **ENFORCE INFRASTRUCTURE IMPROVMENTS FOR ANY LARGE SCALE DEVELOPMENT.**

Thank you,
Gabriele Bungardt

From: [Vicki Newton](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-C – April 19 City Council Agenda-Housing Element
Date: Tuesday, April 19, 2022 2:08:31 PM

April 19, 2022

Dear Members of the Alameda City Council,

I respectfully suggest it is not prudent at this time to mandate upzoning to accommodate increased housing development in Alameda. This decision should be withheld until the next RHNA cycle of 8 years is closer and the impact of the already large increases in traffic, lack of neighborhood parking, required additional utilities, impacted K-12 schools and the myriad other infrastructure needs that will have resulted from the present 5,340 units in production can be assessed.

Please protect our Alameda neighborhoods and say **NO** to any upzoning now and in the foreseeable future.

With hope for responsible leadership,

Vicki Newton

Alameda homeowner since 1971

From: [Andrew Thomas](#)
To: ps4man@comcast.net; [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Yibin Shen](#); [Lara Weisiger](#)
Subject: RE: [EXTERNAL] April 19, 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas
Date: Tuesday, April 19, 2022 2:08:12 PM

Mr. Forman.

Tonight is a workshop to provide direction to staff. Of course the Council can give direction. If the direction is not supported by at least 3 council members, then staff will not consider it "council direction".

I will let you debate the Brown Act and Sunshine Ordinance with the City Attorney. I have full confidence that the City Attorney will advise the Council on what they can and cannot do tonight when providing "direction" or "comments". I will be fine with whatever he says.

I see nothing in any government code sections that says the City Council must "pre-approve" a draft Housing Element before the community or HCD has finished reviewing it. Seems like an odd interpretation, if you ask me.

The City Council has the ultimate authority at the end of the process to adopt the Housing Element or not. The Council gets to wait until they have heard from everyone, including HCD. There is nothing in State Law that says the Council must first approve a housing element BEFORE it is reviewed by the State for conformance with State Law.

- Andrew

From: ps4man@comcast.net [mailto:ps4man@comcast.net]
Sent: Tuesday, April 19, 2022 1:23 PM
To: Andrew Thomas <athomas@alamedaca.gov>; Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>
Cc: Eric Levitt <elevitt@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>; Yibin Shen <yshen@alamedacityattorney.org>; Lara Weisiger <lweisiger@alamedaca.gov>
Subject: RE: [EXTERNAL] April 19, 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas

Mr. Thomas,

I am in full agreement with the first paragraph of your letter below. The 30 day comment review period provided by Govt. Code Sec. 65585 (b) (1) expires on May 9. The section also requires that the city wait for at least 10 business days thereafter to consider and incorporate public comments into the draft before submitting it to HCD for review. Thus, your target date for submission of the draft to HCD during the week of May 23 is a reasonable one.

The second paragraph of your letter asserts that at this evening's meeting a Council majority "can direct staff to make any needed changes" to the Housing Element before it is submission to HCD. However agenda item 7-C is noticed as "Public Hearing to Review and Comment". I believe that having a vote to approve changes would be beyond the scope of the agenda notice and would violate both the Brown Act and our Sunshine Ordinance. Even if the City Attorney might think otherwise and allow a vote, the second problem is that the vote would be premature in being done before the thirty day public comment period and subsequent 10 business days.

I also take issue with your statement later in the same paragraph, that, "If the Council wishes to review another draft before staff submits to HCD, it may direct staff to do so." In my view Sec. 65585 (b) (1) & (2) of the Government Code makes it mandatory, not optional, that Council, after expiration of the 10 business day waiting period, have a properly noticed formal vote approving the submission.

Sincerely,

Paul Foreman

From: Andrew Thomas <athomas@alamedaca.gov>

Sent: Tuesday, April 19, 2022 12:19 PM

To: ps4man@comcast.net; Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>

Cc: Eric Levitt <elevitt@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>; Yibin Shen <yshen@alamedacityattorney.org>; Lara Weisiger <lweisiger@alamedaca.gov>

Subject: RE: [EXTERNAL] April 19. 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas

Mr. Forman,

Per state law, the City Council cannot adopt the draft Housing Element until AFTER it has received comments from HCD and AFTER it has received a final recommendation from the Planning Board. Neither of these two actions have occurred yet.

At the April 19, 2022 Council meeting, the city council will be reviewing a current draft of the Housing element and may direct staff to make any needed changes to the draft Housing element before it is sent to HCD for review. If a majority of the council agrees that a change should be made to the draft, staff will make that change before sending it to HCD for HCD review. If the Council wishes to review another draft before staff submits to HCD, it may direct staff to do so. Staff is planning to send the draft to HCD the week of May 23rd.

After the City receives comments back from HCD, the Planning Board will be able to hold additional public hearings to hear from the Public and consider the HCD requested changes and make a final

recommendation to the City Council. Staff is working to make this possible in October.

Once that has happened, the City Council can then hold additional public hearings to hear from the public, consider the comments from HCD, and consider the recommendations of the Planning Board, and then vote to adopt the draft housing element. Staff is working to make this possible in November or December.

Once the City Council takes action to adopt the Housing Element, HCD will decide whether the city has complied with state housing law and adopted an adequate Housing Element.

Sincerely,

Andrew Thomas, Planning Director

From: ps4man@comcast.net [mailto:ps4man@comcast.net]

Sent: Monday, April 18, 2022 3:33 PM

To: Marilyn Ezy Ashcraft <MEzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>

Cc: Eric Levitt <elevitt@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>; Andrew Thomas <athomas@alamedaca.gov>; Yibin Shen <yshen@alamedacityattorney.org>; Lara Weisiger <lweisiger@alamedaca.gov>

Subject: [EXTERNAL] April 19. 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Herrera Spencer and Daysog:

The correspondence file for Item 7-C on tomorrow's Council agenda includes two letters, from Alan Tai and Andrew Thomas responding to citizens who are asking Council to have a vote approving the draft of the Housing Element before submitting it to HCD for review. The letters contain the following identical language,

"The Housing Element will not be considered until November or December 2022 for final City Council action, so there will be many opportunities between now and then, both at the City Council and at the Planning Board for consideration of public comments and suggestions."

On April 11 I wrote to you on behalf of Alameda Citizens Task force asserting that state law (Govt. Code Sec 65585 (b) (1) and (2)) and common sense require Council approval of this draft prior to submission to HCD for review. These sections do not refer final draft of the HE to be presented in November or December. My April 11 letter quotes only the first sentence of 65585 (b)(1). An immediately subsequent sentence states:

*"The local government of the planning agency shall make the **first draft** revision of a housing element available for public comment for at least 30 days and, if any comments are received, the local*

government shall take at least 10 business days after the 30-day public comment period to consider and incorporate public comments into the draft revision prior to submitting it to the department. "
(The bolding is mine)

It is very clear that this section applies to where we are now in the process, not the final submission later this year. The following section, Sec. 65585 (b) (2)" states, "*The planning agency staff shall collect and compile the public comments regarding the housing element received by the city, county, or city and county, and provide these comments to each member of the legislative body before it adopts the housing element.*" I believe these two sections clearly require a Council vote approving the HE draft before it goes to HCD for review.

As for the common sense element, the draft is presented as the city's determination that the document meets the requirements for certification and should include the assurance that it is fully approved by City Council with every Council Member's vote on the record.

I would also point out that the assurances from Mr. Tai and Mr. Thomas that there will be many opportunities for City Council, the Planning Board and the public to weigh in after the May submission of the draft to HCD is specious. Once the draft is received by HCD the subsequent local input will primarily be in response to any HCD requirements emanating from their review, not expressing fresh ideas.

Sincerely,

Paul Foreman

From: [Christopher Buckley](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [John Knox White](#); [Trish Spencer](#)
Cc: [Andrew Thomas](#); [Allen Tai](#); "Thomas Saxby"; "Norman Sanchez"; "Lynn Jones"; "Jenn Heflin"; alvinklau@gmail.com; [Asheshh Saheba](#); [Teresa Ruiz](#); [Ronald Curtis](#); [Rona Rothenberg](#); [Alan Teague](#); [Xiomara Cisneros](#); [Hanson Hom](#); [Eric Levitt](#); [Gerry Beaudin](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Housing Element - -Meyers Nave letter confirming legal viability of AAPS ADU strategy as an alternative to State Density Bonus Law projects
Date: Tuesday, April 19, 2022 2:06:56 PM
Attachments: [We sent you safe versions of your files.msg](#)
[2022-4-19 MeyersNave Ltr re Alameda Housing Element Update and Related Density Bonus Issues.pdf](#)

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

Dear Mayor Ashcraft and Councilmembers:

The Alameda Architectural Preservation Society (AAPS) retained the law firm of Meyers/Nave to assist us in developing alternatives to State Density Bonus Law projects as well as other Housing Element issues. Meyers/Nave has extensive expertise concerning the State Density Bonus Law as well as Housing Planning law in general.

Their letter essentially confirms the legal viability of the ADU strategy as an alternative to State Density Bonus Law projects described in the last paragraph of Page 4 in the AAPS letter attached to my email below.

Please contact me at (510) 523-0411 or cbuckleyaicp@att.net if you have questions or would like to discuss the letter.

Christopher Buckley, Chair
AAPS Preservation Action Committee

On Tuesday, April 19, 2022, 02:29:49 AM PDT, Christopher Buckley <cbuckleyaicp@att.net> wrote:

Dear Mayor Ashcraft and Councilmembers:

The Alameda Architectural Preservation Society (AAPS) plans to present the attached comments at the City Council's 4-19-22 meeting. The comments are mostly based on comments previously submitted to the Planning Board.

Please contact me at (510) 523-0411 or cbuckleyaicp@att.net if you have questions or would like to discuss these comments.

Christopher Buckley, Chair
AAPS Preservation Action Committee



1999 Harrison Street, 9th Floor
Oakland, California 94612
tel (510) 808-2000
fax (510) 444-1108
***.meyersnave.com

Steven T. Mattas
smattas@meyersnave.com

April 19, 2022

Via Electronic Mail

Christopher Buckley, Chair
Alameda Architectural Preservation Society
Preservation Action Committee
P.O. Box 1677
Alameda, CA 94501
E-Mail: cbuckleyaicp@att.net

Re: Alameda Housing Element Update and Related Density Bonus Issues

Dear Chris:

You have asked us to discuss the proposal of the Alameda Architectural Preservation Society (AAPS) that the City of Alameda maintain its relatively low by-right density standards and offer valuable development benefits to multifamily housing projects to incentivize their construction in compliance with the City’s existing height limits. AAPS understands that multifamily developers may seek to exceed those height limits through requests for a waiver or modification of the standard under state density bonus law, and proposes that the City reward multifamily housing developments that adhere to City height limits by allowing a significant or even unlimited number of ADUs to be built in such projects.

We believe that Alameda could adopt a program that would incentivize applicants for new multifamily housing projects to design those projects in a manner that does not exceed City height standards. This “carrot” type of approach is similar to the programs adopted by other cities that reward development projects which provide community benefits such as public infrastructure improvements, public and private open space, upscale hotels, child care centers, neighborhood grocery stores and other amenities that serve the public. In return for providing these community benefits, these programs provide the applicant benefits such as additional density or FAR, reduced setbacks and open space requirements, fee waivers, etc. We believe that the City of Alameda could take this approach to provide additional ADU rights to multifamily project applicants, conditioned upon their projects not exceeding City height limit requirements.

With respect to the specific benefit you propose, a large or unlimited number of ADUs, we believe that the City would be authorized to provide this type of benefit to developers of new multifamily housing projects. The City is not required by state ADU law to do so, as the state ADU law is silent on a local agency’s obligation to approve ADUs in a new multifamily

dwelling (See Government Code §65852.2). However, it is equally clear that the state ADU law does not prevent a city from approving ADUs in new multifamily dwellings if it chooses to do so as a matter of local policy. This conclusion is supported by Government Code §65852.2(g), which states that “This section [the state ADU statute] does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.” This view is echoed in the HCD’s ADU Handbook, which states that “ADU law is the statutory minimum requirement. Local governments may elect to go beyond this statutory minimum and further the creation of ADUs” (p. 9). Moreover, to the extent that the right to build extra ADUs is characterized as additional project density, this would also be consistent with state density bonus law, which provides that “nothing in this section shall be construed to prohibit a city from granting a density bonus greater than what is described in this section for a development that meets the requirements of this section” (Government Code §65915(n)).

Please note, however, that adoption of a voluntary program as described above, or some other form of community benefits program that may provide authority for additional units under set circumstances, including compliance with the applicable height limit in Alameda, would not limit the ability of development applicants to otherwise avail themselves of the provisions of state density bonus law if their projects would comply with minimum requirements of Government Code §65915, et seq. Compliance with state density bonus law is mandatory on cities, and cities can only disapprove applicant requests for incentives and concessions, and waiver or modification of development standards, under certain limited circumstances.

We hope this has been helpful in your analysis of the AAPS approval. We would be happy to discuss these concepts further with you if you would like, as well as be of assistance in the design of an incentives program that would meet AAPS’s land use objectives.

Sincerely,

A handwritten signature in blue ink that reads "Steven T. Mattas". The signature is fluid and cursive, with a long horizontal line extending to the right.

Steven T. Mattas
Senior Principal

5094959.1

From: [Milt Friedman](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-C – April 19 City Council Agenda-Housing Element
Date: Tuesday, April 19, 2022 1:53:15 PM

We oppose blanket rezoning in Alameda neighborhoods without further citizen involvement. Alameda is a unique community and deserves a more nuanced program of development. The recommendations of the planning department appear to make no attempt to preserve community values.

Be good to our home.

Milt Friedman and Michelle Minor
2626 Santa Clara Ave, Alameda, CA 94501

From: ps4man@comcast.net
To: [Andrew Thomas](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Yibin Shen](#); [Lara Weisiger](#)
Subject: RE: [EXTERNAL] April 19, 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas
Date: Tuesday, April 19, 2022 1:23:53 PM

Mr. Thomas,

I am in full agreement with the first paragraph of your letter below. The 30 day comment review period provided by Govt. Code Sec. 65585 (b) (1) expires on May 9. The section also requires that the city wait for at least 10 business days thereafter to consider and incorporate public comments into the draft before submitting it to HCD for review. Thus, your target date for submission of the draft to HCD during the week of May 23 is a reasonable one.

The second paragraph of your letter asserts that at this evening's meeting a Council majority "can direct staff to make any needed changes" to the Housing Element before it is submission to HCD. However agenda item 7-C is noticed as "Public Hearing to Review and Comment". I believe that having a vote to approve changes would be beyond the scope of the agenda notice and would violate both the Brown Act and our Sunshine Ordinance. Even if the City Attorney might think otherwise and allow a vote, the second problem is that the vote would be premature in being done before the thirty day public comment period and subsequent 10 business days.

I also take issue with your statement later in the same paragraph, that, "If the Council wishes to review another draft before staff submits to HCD, it may direct staff to do so." In my view Sec. 65585 (b) (1) & (2) of the Government Code makes it mandatory, not optional, that Council, after expiration of the 10 business day waiting period, have a properly noticed formal vote approving the submission.

Sincerely,

Paul Foreman

From: Andrew Thomas <athomas@alamedaca.gov>
Sent: Tuesday, April 19, 2022 12:19 PM
To: ps4man@comcast.net; [Marilyn Ezzy Ashcraft](mailto:MEzzyAshcraft@alamedaca.gov) <MEzzyAshcraft@alamedaca.gov>; [Malia Vella](mailto:MVella@alamedaca.gov) <MVella@alamedaca.gov>; [John Knox White](mailto:JknoxWhite@alamedaca.gov) <JknoxWhite@alamedaca.gov>; [Trish Spencer](mailto:tspencer@alamedaca.gov) <tspencer@alamedaca.gov>; [Tony Daysog](mailto:TDaysog@alamedaca.gov) <TDaysog@alamedaca.gov>
Cc: [Eric Levitt](mailto:elevitt@alamedaca.gov) <elevitt@alamedaca.gov>; [Gerry Beaudin](mailto:gbeaudin@alamedaca.gov) <gbeaudin@alamedaca.gov>; [Yibin Shen](mailto:yshen@alamedacityattorney.org) <yshen@alamedacityattorney.org>; [Lara Weisiger](mailto:lweisiger@alamedaca.gov) <lweisiger@alamedaca.gov>
Subject: RE: [EXTERNAL] April 19, 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas

Mr. Forman,

Per state law, the City Council cannot adopt the draft Housing Element until AFTER it has received comments from HCD and AFTER it has received a final recommendation from the Planning Board. Neither of these two actions have occurred yet.

At the April 19, 2022 Council meeting, the city council will be reviewing a current draft of the Housing element and may direct staff to make any needed changes to the draft Housing element before it is sent to HCD for review. If a majority of the council agrees that a change should be made to the draft, staff will make that change before sending it to HCD for HCD review. If the Council wishes to review another draft before staff submits to HCD, it may direct staff to do so. Staff is planning to send the draft to HCD the week of May 23rd.

After the City receives comments back from HCD, the Planning Board will be able to hold additional public hearings to hear from the Public and consider the HCD requested changes and make a final recommendation to the City Council. Staff is working to make this possible in October.

Once that has happened, the City Council can then hold additional public hearings to hear from the public, consider the comments from HCD, and consider the recommendations of the Planning Board, and then vote to adopt the draft housing element. Staff is working to make this possible in November or December.

Once the City Council takes action to adopt the Housing Element, HCD will decide whether the city has complied with state housing law and adopted an adequate Housing Element.

Sincerely,

Andrew Thomas, Planning Director

From: ps4man@comcast.net [<mailto:ps4man@comcast.net>]

Sent: Monday, April 18, 2022 3:33 PM

To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>

Cc: Eric Levitt <elevitt@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>; Andrew Thomas <athomas@alamedaca.gov>; Yibin Shen <yshen@alamedacityattorney.org>; Lara Weisiger <lweisiger@alamedaca.gov>

Subject: [EXTERNAL] April 19. 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Herrera Spencer and Daysog:

The correspondence file for Item 7-C on tomorrow's Council agenda includes two letters, from Alan Tai and Andrew Thomas responding to citizens who are asking Council to have a vote approving the draft of the Housing Element before submitting it to HCD for review. The letters contain the

following identical language,

“The Housing Element will not be considered until November or December 2022 for final City Council action, so there will be many opportunities between now and then, both at the City Council and at the Planning Board for consideration of public comments and suggestions.”

On April 11 I wrote to you on behalf of Alameda Citizens Task force asserting that state law (Govt. Code Sec 65585 (b) (1) and (2)) and common sense require Council approval of this draft prior to submission to HCD for review. These sections do not refer final draft of the HE to be presented in November or December. My April 11 letter quotes only the first sentence of 65585 (b)(1). An immediately subsequent sentence states:

*“The local government of the planning agency shall make the **first draft** revision of a housing element available for public comment for at least 30 days and, if any comments are received, the local government shall take at least 10 business days after the 30-day public comment period to consider and incorporate public comments into the draft revision prior to submitting it to the department. “*
(The bolding is mine)

It is very clear that this section applies to where we are now in the process, not the final submission later this year. The following section, Sec. 65585 (b) (2)” states, *“The planning agency staff shall collect and compile the public comments regarding the housing element received by the city, county, or city and county, and provide these comments to each member of the legislative body before it adopts the housing element.”* I believe these two sections clearly require a Council vote approving the HE draft before in goes to HCD for review.

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I would also point out that the assurances from Mr. Tai and Mr. Thomas that there will be many opportunities for City Council, the Planning Board and the public to weigh in after the May submission of the draft to HCD is specious. Once the draft is received by HCD the subsequent local input will primarily be in response to any HCD requirements emanating from their review, not expressing fresh ideas.

Sincerely,

Paul Foreman

From: [margie](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-C – April 19 City Council Agenda-Housing Element
Date: Tuesday, April 19, 2022 12:55:15 PM

I OPPOSE ANY UPZONING OF R—2 THRU R-6 RESIDENTIAL ZONING DISTRICTS

- (1) There is no legal or policy justification for upzoning
- (2) People are moving out of the Bay Area due to congestion and gridlock. More housing without increased infrastructure with exacerbate the reasons why people are moving
- (3) TREES are essential to quality of life, clean air, and resisting climate change. Tall buildings cut off light to trees and air to their roots. More building = fewer places trees can grow.

19 April 2022

To: Mayor Ashcraft ; Malia Vella, John Knox White, Trish Spencer; Tony Daysog,

cc: LARA WEISIGER

Re **Item 7-C** – April 19 City Council Agenda - Housing Element

To Honorable Mayor and Members of the City Council

I urge you to decline the proposal by the planning department to up-zone residential districts, R2-R6. It is a disruption to existing neighborhoods to arbitrarily increase the density from a max of 21 units/acre to 30 units/acre. Existing zoning provides some assurance of neighborhood stability. While increased density threatens to degrade all neighborhoods, lower income areas have less capacity to absorb the negative impacts. Personally, I would hate to have a new multi-story structure preventing my use of the backyard through shade and loss of privacy. Public goods such as street parking are already limited in our higher density neighborhoods.

How many additional units would be obtained by this maneuvering? The exhibit 2, pg E11, "Infill-Residential Sites" gives 270 over 8 years but it has been alternatively suggested as less than 100 units. Are such small estimates worth introducing anxious uncertainty into every "For Sale" sign in our neighborhood? Given the uncertainty of benefit of this upzoning, wouldn't it be prudent to have a public review of the draft Housing Element in May prior to submittal to the state?

Please consider giving the state Department of Housing and Community Development the opportunity to approve Alameda's plan without the arbitrary upzoning. This would be in better keeping with the 2020 voter rejection of Measure Z.

Sincerely,

Roberta Hough

From: [Trish Spencer](#)
To: [Lara Weisiger](#)
Subject: Fwd: [EXTERNAL] Housing Element Item C
Date: Tuesday, April 19, 2022 12:47:51 PM

----- Forwarded message -----

From: Patricia Gannon <pg3187@gmail.com>
Date: Apr 19, 2022 12:37 PM
Subject: [EXTERNAL] Housing Element Item C
To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>, Tony Daysog <TDaysog@alamedaca.gov>, Andrew Thomas <athomas@alamedaca.gov>, Trish Spencer <tspencer@alamedaca.gov>, Eric Levitt <elevitt@alamedaca.gov>, Malia Vella <MVella@alamedaca.gov>, John Knox White <JknoxWhite@alamedaca.gov>
Cc:

Dear Mayor Ashcraft, City Council Members, City Staff

I am writing to express my strong opposition to the upzoning proposal under Item C.. It is totally unnecessary legally. The Planning Department did an excellent job in locating enough spaces to fulfill the RYNA requirement of over 5,000 units at all income levels. If all are developed that will create unmanageable stress on our infrastructure and we know that in the future Alameda will be asked to do even more.

Please support the majority of Alamedans who rejected Measure Z 2 years ago clearly affirming their support for reasonable growth. Item C repudiates the vote of Alameda citizens.

Thank you.

Patricia M. Gannon
1019 Tobago Lane
Alameda, CA 94502

pg3187@gmail.com

From: [Patricia Gannon](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [Andrew Thomas](#); [Trish Spencer](#); [Eric Levitt](#); [Malia Vella](#); [John Knox White](#)
Subject: [EXTERNAL] Housing Element Item C
Date: Tuesday, April 19, 2022 12:37:43 PM

Dear Mayor Ashcraft, City Council Members, City Staff

I am writing to express my strong opposition to the upzoning proposal under Item C.. It is totally unnecessary legally. The Planning Department did an excellent job in locating enough spaces to fulfill the RYNA requirement of over 5,000 units at all income levels. If all are developed that will create unmanageable stress on our infrastructure and we know that in the future Alameda will be asked to do even more.

Please support the majority of Alamedans who rejected Measure Z 2 years ago clearly affirming their support for reasonable growth. Item C repudiates the vote of Alameda citizens.

Thank you.

Patricia M. Gannon
1019 Tobago Lane
Alameda, CA 94502

pg3187@gmail.com

From: [Trish Spencer](#)
To: [Lara Weisiger](#)
Subject: Fwd: City Council Agenda-Item 7-C: Draft Housing Element
Date: Tuesday, April 19, 2022 12:34:31 PM

----- Forwarded message -----

From: Susan Dunn <susanmdunn@yahoo.com>
Date: Apr 15, 2022 2:00 PM
Subject: [EXTERNAL] City Council Agenda-Item 7-C: Draft Housing Element
To: CityCouncil-List <CITYCOUNCIL-List@alamedaca.gov>, Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>, Trish Spencer <tspencer@alamedaca.gov>, Tony Daysog <TDaysog@alamedaca.gov>, Malia Vella <MVella@alamedaca.gov>, John Knox White <JknoxWhite@alamedaca.gov>
Cc:

Dear Mayor and City Council,

We are residents of Alameda on Bay Farm Island, at 36 Sunny Cove Circle and wish to state our views on the residential up zoning issue below.

We have read the email below and want to submit to your attention that **we agree with this position of the Alameda Citizens Task Force**. In summary, that the Council should **NOT** proceed with a plan to create a buffer in the R2-R6 zoning districts and that they should be left at their current density. We ask that the city acknowledge:

1. THERE IS NO LEGAL OR POLICY JUSTIFICATION FOR THE UPZONING OF OUR R—
2 THRU R-6 RESIDENTIAL ZONING DISTRICTS. 2. CONVENE A FINAL PUBLIC REVUE
IN MAY AND APPROVE THE FINAL DRAFT HOUSING ELEMENT BEFORE IT IS
SUBMITTED TO HCD.

**Susan and Jeff Dunn
36 Sunny Cove Circle
Alameda, CA 94502**

Re: April 19, 2022 City Council Agenda-Item 7-C: Draft Housing Element

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Herrera Spencer and Daysog.:

The April draft of the Housing Element (HE) expands the residential upzoning to include the R-2 zoning district with no explanation as to the need for the same. It also, for the first time, displays the Planning Department's (PD) draft housing site inventory with a breakdown of each parcel's projected realistic capacity in each of the four income categories. The R-1 thru R-6 zoning districts are labeled "Infill Residential District Sites". (Appendix Page E-4). Our comments on the same follow.

City Charter Article 26: ACT has consistently supported the position that the Article 26 density limitation of 21 units/acre is superseded by the state Housing Element Law *to the extent necessary* to meet our lower income categories

RHNA. ***In both of those categories the inventory reveals that there will be surplus units in excess of our RHNA, even if the R-2 thru R-6 zoning districts are left at their current density.*** Therefore, in terms of achieving our 2239-unit lower income categories RHNA there is no legal basis for upzoning these sites.

At the last Planning Board meeting Mr. Thomas cited the provision in HCD Housing Element Guidebook which states at page 22, “...it is recommended the jurisdiction create a buffer in the housing element inventory of at least 15 to 30 percent more capacity than required, especially for capacity to accommodate the lower income RHNA.” https://www.hcd.ca.gov/community-development/housing-element/docs/sites_inventory_memo_final06102020.pdf

However, this is a “recommendation”, not a requirement for a certified HE. While the current inventory does not quite meet the suggested percentage in the very low-income category, it meets it in the low-income category.

Moreover, the current inventory significantly understates the realistic capacity for ADUs at item 15(a) at only 400 units. In the report attached to Agenda Item 7-C the realistic capacity is corrected to 560 units, thus adding 160 units to the buffer, spread over all categories. However, even this correction is too conservative. 79 permits for ADUs were issued in 2021, well above the 39 that were issued in 2020 and continuing an upward trajectory. Therefore, a projection of at least 79 new units per year is reasonable, thus raising the eight year total to 632. This increase would also create a buffer to cover a possible rejection of our SB-9 projection discussed below, inasmuch as SB-9 is not currently attracting development here or statewide.

The same report modifies Item 15 (b) of the inventory “infill residential sites”, reducing the projection from 270 units to 238 units with no explanation. The report also makes a 72-unit projection of SB-9 units as if it were a separate item from Item 15 (b) However both Item 15 (a) and (b) include the R-1 district. Therefore the 72 SB-9 units are part of Item (15 (b)). After deducting those 72 units from the 238, it must be concluded that the massive upzoning of R-2 thru R-6 is being proposed to gain only 166 units, ***none of which are needed to meet our RHNA in any income category.*** Increasing our ADU realistic capacity as suggested in the preceding paragraph reduces that number to only 94 units.

Fair Housing: The draft HE posits that fair housing law requires that **every** neighborhood in the city be upzoned for the two lower income categories, thus necessitating the upzoning of these districts. ***There is simply nothing in the Housing Element Law or in HCD requirements that supports this claim.*** Here again the Guidebook informs us. At page 8 this requirement is applied to the housing element inventory as follows:

“For purposes of the housing element site inventory, this means that sites identified to accommodate the lower-income need are not concentrated in low-resourced areas (lack of access to high performing schools, proximity to jobs, location

disproportionately exposed to pollution or other health impacts) or areas of segregation and concentrations of poverty. Instead, sites identified to accommodate the lower income RHNA must be distributed throughout the community in a manner that affirmatively furthers fair housing.”

The combination of Alameda’s inclusionary ordinance requiring 11% of residential building projects to be in the lower income categories and the Density Bonus Law has resulted in most of the thousands of units approved for construction during the current HE cycle to contain mixed income housing, with all income categories constructed within each project area. Thus, areas that were lower resourced are now growing areas of market rate housing and will inevitably become high resource areas. There is no reason why projects constructed in the future will not achieve the same result.

The TCAC/HCD Resource Map at Appendix D, page 6 does not demonstrate all of these upgradings of resources because, “even the most recent publicly available datasets typically lag by two years, meaning they may not adequately capture conditions in areas undergoing rapid change.” <https://www.treasurer.ca.gov/ctcac/opportunity/2022/2022-hcd-methodology.pdf> at page 1.

We also assert that upzoning our R-2 thru R-6 neighborhoods will actually conflict with the fair housing requirements. These neighborhoods are already the source of some of the lowest rent housing in the city, so that any new development will necessarily result in major displacement. Increasing the density will significantly increase the land value of development sites. This, along with high construction costs will inevitably result in higher rents that current residents will be unable to pay. Instead of creating affordable housing the result will be gentrification.

Conclusions: All of the above demonstrates that there is no legal or policy basis for upzoning our R-2 to R-6 zoning districts.

Obviously, the Planning Department (PD) is of a different view. We are of the opinion that their conclusions are not driven by a neutral application of available data but by the desire for repeal Article 26 consistently expressed by their Director over the past several years. However, the repeal of Article 26 was rejected by a resounding majority of the voters in November of 2020. Therefore, it is a law of the City of Alameda which you are bound to honor to the extent not superseded by state law.

There is an easy way to test whether our conclusions or that of the PD are correct. That is to submit a draft of the HE to HCD that deletes the R-2 thru R-6 zoning districts from the lower income categories and the upzoning proposal and abandons its conclusion that the law requires the upzoning of every residential district in the city. If the HCD approves the draft or if they instead require the upzoning of all residential districts, the issue, as a practical matter will be resolved.

With regard to the submission suggested above we remind you of our email to you of April 11, 2022, wherein we stated the legal and policy necessity for you to take a formal vote adopting the draft to be submitted to HCD in May and the need to delay that vote until after the Planning Board's final review of the draft on May 9.

There is also a practical reason for this approach. Presenting a draft which excludes the upzoning of these districts, if approved by HCD, will give us the space to expand our housing for the next RHNA cycle eight years from now. The maximal approach of the PD will lead to a future RHNA where the only available space is vertical in the extreme.

Finally, while we have chosen to limit this letter to opposition to upzoning of the R-2 to R-6 zoning districts, we strongly support the position of AAPS concerning height restrictions in our commercial zones.

Sincerely,

Paul Foreman,
Authorized Board Member of Alameda Citizens Task Force.

From: [Andrew Thomas](#)
To: ps4man@comcast.net; [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Yibin Shen](#); [Lara Weisiger](#)
Subject: RE: [EXTERNAL] April 19, 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas
Date: Tuesday, April 19, 2022 12:19:30 PM

Mr. Forman,

Per state law, the City Council cannot adopt the draft Housing Element until AFTER it has received comments from HCD and AFTER it has received a final recommendation from the Planning Board. Neither of these two actions have occurred yet.

At the April 19, 2022 Council meeting, the city council will be reviewing a current draft of the Housing element and may direct staff to make any needed changes to the draft Housing element before it is sent to HCD for review. If a majority of the council agrees that a change should be made to the draft, staff will make that change before sending it to HCD for HCD review. If the Council wishes to review another draft before staff submits to HCD, it may direct staff to do so. Staff is planning to send the draft to HCD the week of May 23rd.

After the City receives comments back from HCD, the Planning Board will be able to hold additional public hearings to hear from the Public and consider the HCD requested changes and make a final recommendation to the City Council. Staff is working to make this possible in October.

Once that has happened, the City Council can then hold additional public hearings to hear from the public, consider the comments from HCD, and consider the recommendations of the Planning Board, and then vote to adopt the draft housing element. Staff is working to make this possible in November or December.

Once the City Council takes action to adopt the Housing Element, HCD will decide whether the city has complied with state housing law and adopted an adequate Housing Element.

Sincerely,

Andrew Thomas, Planning Director

From: ps4man@comcast.net [mailto:ps4man@comcast.net]
Sent: Monday, April 18, 2022 3:33 PM
To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>
Cc: Eric Levitt <elevitt@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>; Andrew Thomas <athomas@alamedaca.gov>; Yibin Shen <yshen@alamedacityattorney.org>; Lara Weisiger <lweisiger@alamedaca.gov>
Subject: [EXTERNAL] April 19, 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Herrera Spencer and Daysog:

The correspondence file for Item 7-C on tomorrow's Council agenda includes two letters, from Alan Tai and Andrew Thomas responding to citizens who are asking Council to have a vote approving the draft of the Housing Element before submitting it to HCD for review. The letters contain the following identical language,

"The Housing Element will not be considered until November or December 2022 for final City Council action, so there will be many opportunities between now and then, both at the City Council and at the Planning Board for consideration of public comments and suggestions."

On April 11 I wrote to you on behalf of Alameda Citizens Task force asserting that state law (Govt. Code Sec 65585 (b) (1) and (2)) and common sense require Council approval of this draft prior to submission to HCD for review. These sections do not refer final draft of the HE to be presented in November or December. My April 11 letter quotes only the first sentence of 65585 (b)(1). An immediately subsequent sentence states:

*"The local government of the planning agency shall make the **first draft** revision of a housing element available for public comment for at least 30 days and, if any comments are received, the local government shall take at least 10 business days after the 30-day public comment period to consider and incorporate public comments into the draft revision prior to submitting it to the department. "* (The bolding is mine)

It is very clear that this section applies to where we are now in the process, not the final submission later this year. The following section, Sec. 65585 (b) (2)" states, *"The planning agency staff shall collect and compile the public comments regarding the housing element received by the city, county, or city and county, and provide these comments to each member of the legislative body before it adopts the housing element."* I believe these two sections clearly require a Council vote approving the HE draft before in goes to HCD for review.

As for the common sense element, the draft is presented as the city's determination that the document meets the requirements for certification and should include the assurance that it is fully approved by City Council with every Council Member's vote on the record.

I would also point out that the assurances from Mr. Tai and Mr. Thomas that there will be many opportunities for City Council, the Planning Board and the public to weigh in after the May submission of the draft to HCD is specious. Once the draft is received by HCD the subsequent local input will primarily be in response to any HCD requirements emanating from their review, not expressing fresh ideas.

Sincerely,

Paul Foreman

From: [Trish Spencer](#)
To: [Lara Weisiger](#)
Subject: Fwd: [EXTERNAL] Item 7-C – April 19 City Council Agenda-Housing Element
Date: Tuesday, April 19, 2022 12:14:35 PM

----- Forwarded message -----

From: Emily Olson <emilyolson786@gmail.com>

Date: Apr 16, 2022 12:34 PM

Subject: [EXTERNAL] Item 7-C – April 19 City Council Agenda-Housing Element

To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>, Malia Vella <MVella@alamedaca.gov>, John Knox White <JknoxWhite@alamedaca.gov>, Trish Spencer <tspencer@alamedaca.gov>, Tony Daysog <TDaysog@alamedaca.gov>

Cc:

1. THERE IS NO LEGAL OR POLICY JUSTIFICATION FOR THE UPZONING OF OUR R—2 THRU R-6 RESIDENTIAL ZONING DISTRICTS. 2. CONVENE A FINAL PUBLIC REVUE IN MAY AND APPROVE THE FINAL DRAFT HOUSING ELEMENT BEFORE IT IS SUBMITTED TO HCD.

Emily and Charles Olson

From: [Trish Spencer](#)
To: [Lara Weisiger](#)
Subject: Fwd: [EXTERNAL] Item 7-C – April 19 City Council Agenda-Housing Element
Date: Tuesday, April 19, 2022 11:50:10 AM

----- Forwarded message -----

From: Jenny Sui <jennysui@att.net>
Date: Apr 18, 2022 2:31 PM
Subject: [EXTERNAL] Item 7-C – April 19 City Council Agenda-Housing Element
To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>, Malia Vella <MVella@alamedaca.gov>, John Knox White <JknoxWhite@alamedaca.gov>, Trish Spencer <tspencer@alamedaca.gov>
Cc:

Dear Mayor Ashcraft and City Council Members:

In regards to Item 7-C Housing element on the April 19 City Council agenda, please take the following into consideration:

1. THERE IS NO LEGAL OR POLICY JUSTIFICATION FOR THE UPZONING OF OUR R—2 THRU R-6 RESIDENTIAL ZONING DISTRICTS. 2. CONVENE A FINAL PUBLIC REVUE IN MAY 9 AND APPROVE THE FINAL DRAFT HOUSING ELEMENT BEFORE IT IS SUBMITTED TO HCD.

Thank you!

Jenny Sui

From: [Trish Spencer](#)
To: [Lara Weisiger](#)
Subject: Fwd: ITEM 7-C-HOUSING ELEMENT - 4/19/22 City Council Meeting
Date: Tuesday, April 19, 2022 11:31:54 AM

----- Forwarded message -----

From: Jeannie Graham <jeanniegraham@comcast.net>
Date: Apr 19, 2022 11:24 AM
Subject: [EXTERNAL] ITEM 7-C-HOUSING ELEMENT - 4/19/22 City Council Meeting
To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>, Malia Vella <MVella@alamedaca.gov>, John Knox White <JknoxWhite@alamedaca.gov>, Trish Spencer <tspencer@alamedaca.gov>, Tony Daysong <Tony_Daysog@alum.berkeley.edu>
Cc:

Dear Mayor Ashcraft and City Council Members,

Greetings! Moving on major housing elements that will dramatically change Alameda need to be investigated and proven to be optimal and beneficial prior to approving them. Please note:

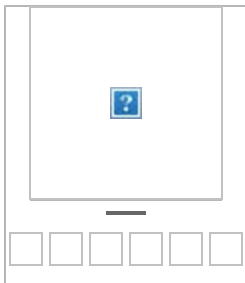
There is no legal or policy justification for the upzoning of our R-2 through R-6 Residential Zoning Districts.

The City needs to convene a final public review ASAP and approve the Final Draft of the Housing Element prior to submitting it to the HCD.

Thank you for your time and attention. I will be ZOOMing into the City Council Meeting this PM.

Sincerely,
Jeannie Graham

jeanniegraham@comcast.net | 510.769.9287



From: theinfoguy
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [John Knox White](#); [Trish Spencer](#); [Malia Vella](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-C – April 19 City Council Agenda-Housing Element
Date: Tuesday, April 19, 2022 10:22:58 AM

I most strenuously object to proposed upzoning of our Alameda neighborhoods as recommended in the draft Housing Element that would increase housing density in Alameda's A2 through A6 neighborhoods.

This detestable proposal stands to permanently damage the beautiful atmosphere and character of our city and must not be accepted.

I strongly urge you to oppose any attempt at this residential upzoning.

David Foote
theinfoguy@aol.com
2534 Lincoln Ave
Alameda CA 94501

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone



April 18, 2022 (By electronic transmission)

Members of the City Council, City of Alameda 2263 Santa Clara Avenue Alameda, CA 94501

Subject: Draft Housing Element Update - -April 19 City Council Agenda Item7-C

Dear Mayor Ashcraft and Council members:

On behalf of the West Alameda Business Association Board of Directors, please review our comments for the April 19th City Council Agenda: Sandy Russell, Fireside Lounge; Marie Ortega, Feathered Outlaw; Tanoa Stewart, A Town Agency; Connie Garcia, Alameda Menagerie, Pia Barton, Malayan Botanicals; Tina Vasconcellos, College of Alameda; Daniel Hoy, Daniel Hoy Architect; Ann Moore, Back to Life Wellness Center; Chris Vovrosky, Golden Gate Sothebys Int. Realty; John Lipp, Friends of the Alameda Animal Shelter, Carrie Madarang, West End Resident;

1. For clarification, WABA is unwavering in our support for housing development and in particular, more affordable housing, within our district.
2. We support creative, innovative ideas with no density limits and have found a solution that helps the City bring in even more housing than required, while preserving the charm and feel of the Historic Webster Street District between Central and Lincoln.
3. By stepping up height limits beyond Lincoln and not limiting density with three story buildings in the historic core, we can build several hundred new housing units and a vibrant and diverse Western Alameda neighborhood that benefits everyone. The five stories proposed in the Housing Element and related zoning amendments is inconsistent with City's Webster Street Vision Plan.
4. We find the 171 units estimated for Webster Street on Housing Element Page E-10 are too conservative for what can actually be built on these properties, since the estimate assumes only 30 units per acre. We believe that significantly higher densities are possible and have developed strategies that would increase both the number of total units and affordable units within the district.
5. We ask that the Draft Housing Element return to Council for final review after the May 9 comment deadline and May 9 Planning Board before it is sent to the State Department of Housing and Community Development.

We look forward to your support in bringing much needed housing to our District and contributing to its growth. **Linda**

Linda Asbury
Executive Director West Alameda Business Association
linda@westalamedabusiness.com 510.523.5955

Cc: Planning Board
Andrew Thomas, Allen Tai
WABA Board of Directors

From: [Trish Spencer](#)
To: [Lara Weisiger](#)
Subject: Fwd: Do oppose the upzoning proposal before you under Item 7C
Date: Tuesday, April 19, 2022 7:12:32 AM

----- Forwarded message -----

From: Reyla Graber <reylagraber@aol.com>
Date: Apr 18, 2022 10:42 PM
Subject: [EXTERNAL] Do oppose the upzoning proposal before you under Item 7C
To: John Knox White <JknoxWhite@alamedaca.gov>, Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>, Malia Vella <MVella@alamedaca.gov>, Tony Daysog <TDaysog@alamedaca.gov>, Trish Spencer <tspencer@alamedaca.gov>
Cc:

Dear Mayor and City Council Members,

There is a recently added proposal in the draft Housing Element to upzone all A2 through A 6 zoning neighborhoods in Alameda.

I am shocked at this upzoning proposal by the Planning Department as it is not necessary, either legally or otherwise.

It is not necessary because the Planning Dept. did do a fine job of finding sufficient housing unit spaces to fulfill the RHNA requirement of over 5,000 units in all income levels. If all are developed, that in itself will increase by 10 to 15,000 the population together with more cars, and stress on infrastructure.

We know that after 8 years, the State will be requiring the City to fulfill another huge outlay of RHNA units.

So why would we open up Alameda now ahead of time to more development than is necessary or legally required.

As you know, Alameda voters 2 years ago clearly said at the ballot box that they wanted slow growth as far as possible under the law. Right now, we are within both our City law and State law.

As our elected representatives please stand up for the majority of Alameda residents who definitely want stability for our City's neighborhoods.

This evening, I urge you to voice your opposition to this upzoning proposal and ask for it's removal from the draft Housing Element.

Sincerely,

Reyla Graber

Alameda resident



April 18, 2022

Mayor and City Council
City of Alameda
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501

Subject: Draft Housing Element and related 4-4-22 zoning text amendments (Item 7-C on 4-19-22 City Council agenda)

Dear Mayor Ashcraft and Councilmembers:

The Alameda Architectural Preservation Society (AAPS) is still reviewing the April 2022 Draft Housing Element and related zoning amendments, so the following comments are preliminary and subject to change and possible addition. The comments mostly restate those in our March and April letters to the Planning Board (copied to you), but with some modifications to reflect our further review.

- 1. Delete the proposed massive upzoning of the residential areas from the overall proposal.** The Draft Housing Element and various staff reports state that the upzoning is necessary to obtain 270 non-Accessory Dwelling Unit (ADU) RHNA units in the residential zones by 2031 (an average of 34 units per year). **Such a drastic and wholesale upzoning of the residential areas to obtain only 270 units is unnecessary and overkill.** It is especially reckless since it is much harder to downzone than to upzone if it is later determined that the upzoning was a mistake. In addition, staff increased the 5353 RHNA-required units by 1060 units (about 20%) for a total of 6413 units in order to provide a “buffer“ based on HCD guidelines, in case the City has difficulty over the 2023–31 Housing Element period to produce 5353 units. **Without the buffer and without the 270 units, the staff estimate of total units would still EXCEED the 5353 RHNA units by 790 units.**

Moreover, the Draft Housing Element’s, March 14 Planning Board staff report’s and April 19 City Council staff report’s respective estimates of 50 , 60 and 70 ADUs per year, are all too low. 79 ADU permits were issued in 2021, well above the 39 in 2020 and continuing an upward trajectory. In addition, the February 15, 2022 SB 9 City Council staff report estimated that nine additional SB9 units will be produced per year in the R-1 Zone, which, when added to the 79 ADUs, **results in a total of 88 additional RHNA units per year in the residential zones, or 704 units for the eight year RHNA period, 224 units more than the 400 and 480 estimated in the Draft Housing Element and March 14 Planning Board staff report, respectively, and reduces the 270 units that the Draft Housing Element estimates are needed for the residential districts to 26 (slightly more than three units per year).** ADUs should steadily increase in 2022 and subsequent years as property owners, contractors, and architects get more familiar with ADU

possibilities. The City should monitor monthly ADU and SB 9 production in 2022 and adjust the estimates (likely upward) as the Housing Element progresses based on the actual production.

An especially troubling aspect of the upzoning is that the proposed residential density increases in the R-3 through R-6 zoning districts and in all areas covered by the Transit Overlay will allow State Density Bonus Law (SDBL) projects on about one-third of the lots in R-3 through R-6 and on ALL of the lots within the Transit Overlay, allowing developers to demand the relaxation of zoning standards, such as height limits, lot coverage, setbacks and universal design requirements. We have repeatedly stated concerns about the impact of the SDBL relative to upzonings and asked for a staff analysis of the interplay between the proposed upzonings and the SDBL in Alameda's built-up residential and historic commercial areas, but this analysis is yet to be provided. See Item 2(b) below for an ADU-based strategy that increases density using ADUs without triggering SDBL projects.

In addition, **the Transit Overlay's reliance on bus lines as a basis for upzoning (although currently popular with some City planners) is unwise.** Bus routes can be easily changed or eliminated and the high frequency service that is critical to a "quality" transit route can be easily reduced. **It is irresponsible to base long-term and not easily reversed massive upzonings on something as ephemeral as a bus route.** Planning for transit-oriented development is more appropriately based on more permanent transit infrastructure, such as fixed rail.

Ironically, the proposed upzoning could threaten the existing stock of relatively low-cost privately owned rental units by encouraging developers to buy up these buildings and expand and/or renovate them to create more units at higher rents, especially if using the State Density Bonus Law. There is an increasingly worrisome trend for large institutional investors to do this. Although density bonus projects are based on providing affordable units as part of the project, the number of affordable units in many cases will be insufficient to offset the loss of the pre-existing affordable units.

Staff may be concerned that HCD, in its review of the first HCD Housing Element draft, will question reliance on ADUs and SB9 units to obtain enough units in the residential zones by 2031. But the City should not prematurely assume that HCD will reject this approach and **should keep its powder dry and not preemptively include such extensive upzonings in the first HCD Housing Element draft.** If HCD in its first review rejects the ADU/SB9 approach, the City can present alternative strategies in the second HCD draft that could include, if necessary, residential area upzonings that are more targeted than currently proposed. In addition after the Housing Element is adopted, if after a specified period of time (perhaps two or three years), the City is falling short in meeting the RHNA, further targeted upzonings and/or other development incentives could be considered. We understand that HCD is open to this kind of phased approach.

In addition, **consider changing the R-1 Zone to R-2.** This will eliminate the complications presented by SB9 and allow up to five units on an existing R-1 lot (two regular units plus three ADUs) rather than the SB9 minimum of four units (in various combinations of regular units and ADUs). Other communities, such as San Francisco are pursuing this strategy.

Why was the previously proposal of allowing unlimited density within existing building envelopes dropped? AAPS has previously stated that this strategy seems promising and suggested several refinements. But the strategy is not included in the current proposal.

2. Park and Webster Street height limits and density.

- a. **Height limits.** We were surprised that the draft zoning amendments presented at the March 14 Planning Board meeting proposed a uniform 60 foot height limit for all of the Webster Street Business District, totally discarding staff's previous proposal based in part on the West Alameda Business Association's (WABA) proposal (see Attachment 1). While some Planning Board members at the February 14, 2022 meeting expressed a preference for the same height limit in both the Webster Street and Park Street districts and that the limit should be 60 feet, we did not hear support for this from a majority of the Planning Board.

We reiterate our previous recommendation that a three story (40') height limit be provided for the historic portions of Webster Street and Park Street. For both Webster Street and Park Street the historic portions are generally south of Lincoln, plus the west side of Park Street between Lincoln and Buena Vista. New buildings taller than three stories in these areas could visually disrupt the existing mostly 1-3 story buildings and compromise the historic areas' sense of time and place. See the Attachment 2 photograph of a new five story commercial/residential building in Oakland next to older two-story commercial buildings and Attachment 3 showing a 60 foot tall building mass next to McGee's on the west side of Park Street between Pacific and Buena Vista Avenues.

We therefore continue to recommend that:

- i. **The existing three story/40' height limit on Webster Street south of Lincoln Avenue be retained and the existing five story/60' height limit for properties fronting on Park Street north of Encinal Avenue be reduced to three stories/40', but allowing five stories/60' with a use permit to address special situations, (such as new buildings adjacent to existing buildings that are taller than 40'); and**
- ii. **The existing three story/40' height limit (five stories/60' with a use permit) be retained for Park Street south of Encinal Avenue and properties which do not front on Park Street.**

Greater height could be allowed on designated "opportunity sites" within the historic areas, such as the CVS parking lot at Oak and Santa Clara, where a new building could be three stories along the Santa Clara and Oak frontages to stay in scale with City Hall and the Carnegie Building across Oak Street, but could step up toward the existing six story Oak Street parking garage. Greater height up to 60' could perhaps also still be allowed by right within the Park Street historic areas existing 60' height limit subarea and perhaps elsewhere if portions of the building over 40' are stepped back as discussed below.

Increased height limits for Park and Webster Street outside the historic areas could be appropriate if the buildings are well designed, since it is mostly in these areas that major opportunity sites exist. But we urge that the City be cautious in proceeding down this path. Five story buildings will be drastically out of scale with the mostly 1-2 story buildings on the side streets and create a canyon-like effect along Park and Webster Streets. Attachments 4a and 4b are photos of ca. 60' buildings along 3rd Street in Oakland's Jack London District to indicate the kind of streetscape that buildings of this scale can create. Note that 3rd Street's 80'

right-of-way-width is the same as Park and Webster Street's. The provisions in Alameda's Design Review Manual could help avoid this kind of impact, but SDBL projects are not subject to the Design Review Manual - - only to the February, 2021 Objective Design Review Standards, which we believe are not sufficient to address the relevant design issues and need to be strengthened.

Five story buildings will also promote a jagged streetscape of five story buildings mixed with 1-3 story buildings (See Attachment 5 photo)

The 4-4-22 draft zoning amendments continue to include the previous draft's proposed 60 foot height limit for all of the Park Street and Webster Street Business Districts but now requires a 15 foot setback for height over 50 feet, except for Park Street north of Lincoln. **The upper floor setbacks may be helpful in some cases, but the setback trigger should be 40 feet (reflecting most existing maximum building heights), rather than 50 feet and the adequacy of a 15 foot setback needs study.** The sightline approach proposed by WABA is less arbitrary since it is based on actual analysis addressing visibility

WABA's recommended increase of the existing 40' height limit to 45' is mostly based on allowing enough height for a parapet and is a rounding up WABA's actual height recommendation of 43'-3". **We instead recommend keeping the existing 40' height limit, but adding a parapet of perhaps 2'-6" to the zoning text's existing list of permitted exceptions to height limits.**

The draft height limit text expresses height only in feet, deleting the number of stories. **The number of stories should be retained, since a 40' or 45' building could be four stories, rather than the existing three, and a 60' building could be six stories rather than the existing five.** Including the number of stories will better communicate the City's development expectations.

- b. **Residential Density.** It was initially thought that the proposed unlimited residential density for Park and Webster Streets within the building envelope established by the height limits and setbacks was a promising strategy to avoid SDBL projects that could trigger a concession or waiver from height limits and other zoning standards. Unfortunately, as staff described at the February 14 Planning Board meeting, this is not the case.

To discourage SDBL projects that exceed the height limit in at least the historic areas, yet provide significantly increased density, **consider amending Alameda's Accessory Dwelling Unit (ADU) ordinance to allow a high (and possibly unlimited) number of ADUs in targeted locations, such as Webster Street and Park Street, with no increases in the existing base zone density of ca. 22 units/acre.** The ADUs would be considered "accessory" to the permitted relatively minimal number of by-right units allowed under the existing ca. 22 units/acre density and therefore would not count toward the minimum number of five by-right units that make a parcel eligible for a density bonus project. Density bonus projects would therefore continue to be limited to parcels of at least 10,000 ft.². The ADUs would still be credited toward the RIINA and **better promote the City's objective of facilitating smaller and more affordable units than the typical density bonus approach.** At least some of the ADUs could be required to be deed-restricted affordable, paralleling the SDBL approach.

Staff has been assuming that SDBL projects will involve only a 20% bonus, which for a five story building with four stories of residential over ground-floor commercial would typically result in an additional sixth floor with about 80% of the floor area of each of the residential floors below. **However, assuming only a 20% bonus is too conservative.** Under the SDBL, bonuses up to 50% are available and up to 100% if the project is 100% affordable. Various projects in Oakland and elsewhere have used these higher bonuses. In the above example, a 50% bonus would typically result in two additional floors, **resulting in a ca. 75–80' (seven story) building rather than a ca. 55–60' (five story) building.**

- 3. Provide in the North Park Street District a 40 foot height limit on the west side of Park Street between Pacific and Buena Vista Avenues and retain the existing one unit per 2000 sq. ft. of lot area density in at least the Residential, Mixed Use and possibly Workplace Subdistricts .** Although outside the Park Street National Register District, the west side of Park Street between Lincoln and Buena Vista still has two of the most important historic buildings along Park Street – the Fossing Building at the northwest corner of Pacific Avenue and McGee’s mid-block. It also has at the southwest corner of Pacific one of the oldest buildings along Park Street, built in 1871. Part of this building has been insensitively remodeled, but appears restorable. As noted in Item 1 above and shown in Attachment 3, a 60 foot building next to McGee’s would visually overwhelm this important building, eliminate its current function as one of Park Street’s major visual landmarks (defined by its tower), and block its view from the Park Street bridge.

The proposed zoning amendments propose deleting the existing North Park Street requirement that new buildings over 50 feet be approved by the Planning Board based on the determination that the building is consistent with the Design Review Manual’s “special design guidelines for tall buildings on Park Street”. If the North Park Street height limit is 60 feet, this provision should be retained at least for the west side of Park Street between Lincoln and Buena Vista. But the better approach is to require a use permit as recommended in Item 2(a)(ii) above for buildings over 40 feet.

- 4.** Finally, the existing residential density of one unit per 2000 sq. ft. of lot area should be retained in the North Park Street Residential, Mixed Use and possibly Workplace subdistricts. These are among the oldest and most historically significant residential areas in Alameda. See the 2008 report (Attachment 6) by former Historical Advisory Board member and noted architectural historian Judith Lynch. As stated in Item 1 above, providing unlimited residential density in these areas is reckless and overkill, given the potential for SDBL projects and the probability that the RHNA can be accommodated without this kind of indiscriminate upzoning. If increased density is desired, use the ADU strategy presented for Park and Webster Street in item 2(b) above.
- 5. C-1 Districts (“Stations”).** The stations are historic commercial nodes around Alameda’s old streetcar stops and are located in historic neighborhoods. Increasing the height limit to 45 feet (three stories and potentially four stories) combined with the proposed unlimited residential density raises the possibility of a five story (approximately 60 feet) or even six story (approximately 70 feet) building with a 50% bonus under the SDBL, which would significantly disrupt the scale of these areas and is does not appear necessary to meet the RHNA. **The existing height limits should be retained in the C-1 Districts along with the existing residential density.** If increased density is desired, use the ADU strategy presented for Park and Webster Street in item 2(b) above.

6. Continue City Council consideration of the Draft Housing Element until after the May 5 Historical Advisory Board meeting, the May 9 Planning Board meeting and May 9 public comment deadline and approve the Draft prior to its submission for HCD review. Following the May 9 comment deadline, planning staff intends to revise the Draft Housing Element in response to comments received and submit the revised Draft to the State Department of Housing and Community Development (HCD) for review without Council approval of the revised Draft. Given the Housing Element's extreme importance and HCD's outside role in determining the Housing Element's adequacy, Council endorsement of the HCD draft is essential before submittal to HCD.

7. Other comments.

- a. We continue to urge that the zoning provisions inconsistent with Article 26 be mapped using an overlay zone as has been done in the past rather than through changes to the base zone.
- b. Why is the Bridgeside Shopping Center no longer included in the C-MF overlay district? It should continue to be included.

Thank you for the opportunity 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

- Attachments:
1. 2-4-22 WABA letter to the Planning Board
 2. Photograph of newer five story building adjacent to older two story commercial buildings
 3. Rendering of a 60' building mass next to McGee's
 4. Photographs of ca. 60' tall buildings on 3rd Street in Oakland.
 5. Streetscape photo of two, three and five story buildings
 6. North of Lincoln Historic Buildings--a report by Judith Lynch

- cc: Planning Board (by electronic transmission)
Historical Advisory Board (by electronic transmission)
Andrew Thomas and Allen Tai, Planning, Building, and Transportation Department (by electronic transmission)
City Manager and City Clerk (by electronic transmission)
AAPS Board and Preservation Action Committee (by electronic transmission)



February 4, 2022

(By electronic transmission)
Members of the Planning Board
City of Alameda
2263 Santa Clara Avenue
Alameda, CA 94501

Subject: Housing Element updates

Dear Planning Board:

The West Alameda Business Association (WABA) has been working closely with the Planning Department staff over the past year in regards to the District's proposed height increases in order to accommodate updates to the housing element. At WABA's last board meeting on January 26th, the board reached consensus that the attached diagrams meet the 2011 Vision guidance for the District and that they represent a solid path forward towards accommodating the District's allocation for housing.

Please note that the specifics in regard to density were not discussed at the board meeting, however, the design committee has proposed that the city consider a Form Based Code approach to density where the applicant is not applying for the State Density Bonus, and that when the applicant *is* applying for the State Density Bonus that the existing density of 22 housing units per acre be used. This has been noted in the updated proposed zoning diagram and is attached to this letter. The concern is that increasing the density above what is in place, or not using a Form Based Code approach, will create a height and scale issue for the District that will not support a high quality of life for its existing or future residents. We are trying to avoid a sunless wind tunnel in our District, similar to what is happening in other districts in the bay area. This lowers quality of life and creates pedestrian dead zones that do not support a thriving business community.

As noted in the February 14 Planning Board staff report, the staff-recommended zoning amendments, while based on the attached WABA diagrams, make changes to some provisions in the diagrams. We ask the Planning Board to recommend to the City Council that the zoning amendments conform to the WABA diagrams. Attached are marked-up pages from the zoning amendments that reflect the WABA diagrams. Also attached are WABA generated building envelope cross sections based on the WABA diagrams that are clearer than the versions included in the staff report.

Our largest concern at this point is this: the information regarding these major changes is coming from the Planning Department very quickly, and not allowing enough time for our community to digest and discuss these issues. No community presentation has been prepared, other than what the community volunteers can cobble together in a very short amount of time, then WABA is gathering the community around the information, along with the WABA Board, and preparing a response to the city proposal. For such a major change our preference would be to include the community in a more in depth manner vs relying on volunteers to take this information out into the community then turn those communications back into meaningful feedback to the city staff.

We look forward to your support in bringing much needed housing to our District and contributing to its growth.

Linda Asbury
Executive Director
West Alameda Business Association
linda@westalamedabusiness.com
510.523.5955

Attachments:

1. WABA Multi Family Overlay Zone proposal 2022-02-04

Cc: Mayor and City Council
Andrew Thomas, Allen Tai
WABA Board of Directors

MF (MULTI FAMILY) ZONE 1
HISTORIC CORE
CENTRAL AVE TO LINCOLN AVE

1. NO CHANGES TO NUMBER OF FLOORS ALLOWED
2. INCREASE HEIGHT ALLOWANCE TO 45'
3. MAINTAIN DENSITY LIMIT OF 22 RESIDENTIAL UNITS PER ACRE IF SDBO USED OR USE "FORM BASED CODE" DENSITY (WHATEVER FITS INTO THE BUILDING WITHIN THE ALLOWED HEIGHT), IF NO SDBO USED.
4. REDUCES PARKING REQUIREMENT

CHANGES APPLY TO CURRENT C-C ZONING ONLY

CENTRAL AVE

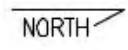


TAYLOR AVE

SANTA CLARA AVE

HAIGHT AVE

LINCOLN AVE



MF (MULTI FAMILY) ZONE 2
DEVELOPMENT OPPORTUNITY ZONE
LINCOLN AVE TO APPEZZATO

1. NUMBER OF FLOORS ALLOWED GRADUALLY INCREASES (CURRENTLY 3 FLOORS)
2. INCREASE HEIGHT ALLOWANCE TO 45' (CURRENTLY 40') THEN GRADUALLY INCREASES HEIGHT PER DIAGRAM.
3. MAINTAIN DENSITY LIMIT OF 22 RESIDENTIAL UNITS PER ACRE IF SDBO USED OR USE "FORM BASED CODE" DENSITY (WHATEVER FITS INTO THE BUILDING WITHIN THE ALLOWED HEIGHT), IF NO SDBO USED.
4. REDUCES PARKING REQUIREMENT

CHANGES APPLY TO CURRENT C-C ZONING ONLY

45' HT ALLOWED @ STREET FRONT WITH 3 FLOORS
 55' HT ALLOWED @ SIGHT LINE SETBACK WITH 4TH FLOOR

- 55' HT ALLOWED @ STREET FRONT WITH 4 FLOORS

- 55' HT ALLOWED @ STREET FRONT WITH 4 FLOORS
- 65-70' HT ALLOWED @ SIGHT LINE SETBACK WITH 5 FLOORS

- 55' HT ALLOWED @ STREET FRONT WITH 4 FLOORS
- 65-70' HT ALLOWED @ SIGHT LINE SETBACK WITH 5 FLOORS
- ±77' HT ALLOWED @ SIGHT LINE SETBACK WITH 6TH FLOOR

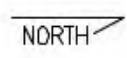


PACIFIC AVE

BUENA VISTA AVE

EAGLE AVE

ATLANTIC AVE



Housing Element Zoning Amendments - January 28, 2022 Draft

products stores except the sale of tobacco and tobacco products is allowed as accessory to other permitted or conditionally permitted uses in the C-C District. The determination of similar use by the Planning Director shall be included on the agenda for the next available Planning Board meeting and confirmed by the Planning Board. Determinations of similar use are also subject to appeal pursuant to Section 30-25.

d. *Accessory Uses, Buildings, and Structures.*

1. The following accessory uses, buildings and structures are permitted in the C-C District:
 - (a) Incidental storage and accessory uses, including repair operations and services, provided such uses shall be incidental to the retail sale of products on the premises, shall not employ more than five (5) persons excluding sales personnel, and shall be placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise or vibration.
 - (b) Other uses and structures which are customarily incidental and clearly subordinate to permitted and conditional use as determined by the Planning Director.
 - (c) Accessory dwelling units and junior accessory dwelling units, as regulated in Section 30-5.18, when a primary dwelling exists on the lot.

e. *Design Review Required.* All new structures or buildings, or exterior revisions of any existing structures or buildings for both permitted and conditional uses shall require design review pursuant to Article II, Section 30-35.

f. *Signs.* Signs are allowed as provided by Section 30-6 of this article. A sign permit is required prior to placement of any signage on property in Alameda.

g. *Development Regulations.*

1. Lot Area and Lot Width: None.
2. Building Height Limit: Building height shall be regulated as follows:

Park Street District—Maximum height shall be ~~five (5) stories but not to exceed sixty (60') feet.~~ ~~for properties fronting on Park Street north of Encinal Avenue. In the remaining areas of the Park Street C-C District the height limit shall be forty (40') feet and the height within this area may be increased to a maximum of sixty (60') feet upon approval of a use permit. Parking structures, including parking structures which have a commercial use component, are exempt from the height limit provided the structure does not exceed six (6) stories, the commercial floor area does not exceed fifty (50%) percent of the overall floor area of the structure, and public parking is provided in addition to the parking required for the commercial component.~~

Webster Street District—Maximum height shall be as follows: ~~three (3) stories but not to exceed forty (40') feet throughout the C-C District~~

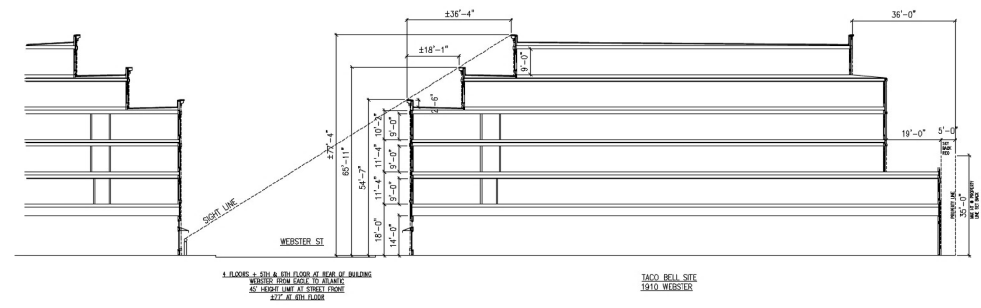
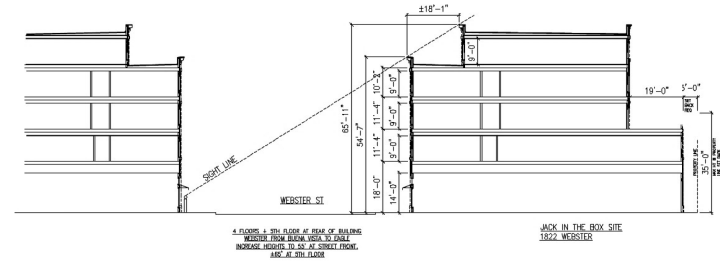
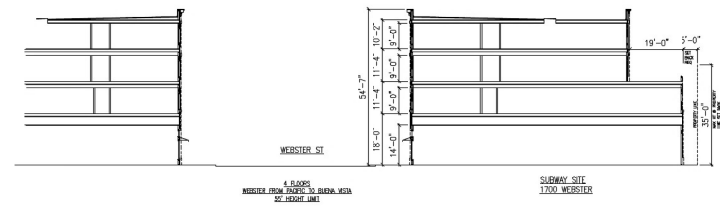
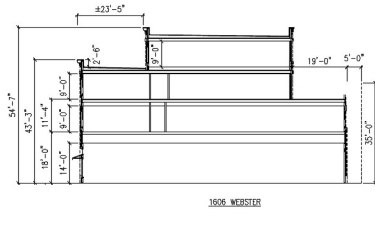
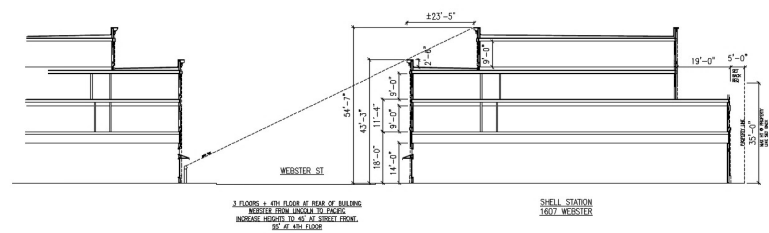
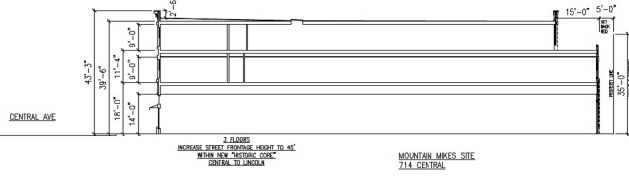
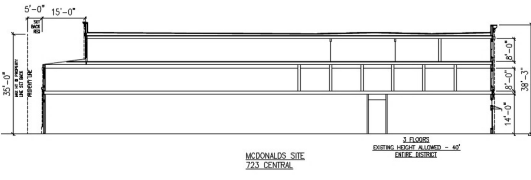
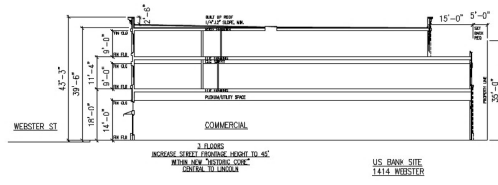
- Properties fronting onto the south side of Central Avenue - fifty five (55') feet, provided that any portion of the building that exceeds forty five (45') feet is set back at least ten (10') feet from the face of the building.
- Properties fronting onto Webster Street between Central Avenue and Lincoln Avenue, and properties fronting onto the north side of Central and south side of Lincoln - forty five (45') feet;
- Properties fronting onto Webster Street between Lincoln Avenue and Pacific Avenue and properties fronting onto the north side of Lincoln and the south side of Pacific - fifty five (55') feet, provided that any portion of the building that exceeds forty five (45') feet is set back at least ~~ten (10')~~ ten (10') feet from the face of the building.

24^o

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Housing Element Zoning Amendments - January 28, 2022 Draft

- Properties fronting onto Webster Street between Pacific Avenue and Buena Vista Avenue and properties fronting onto the north side of Pacific and the south side of Buena Vista Avenue - fifty five (55') feet; (SAME 24' SET BACK? @ REAR?)
 - Properties fronting onto Webster Street between Buena Vista Avenue and Eagle Avenue and properties fronting onto the north side of Buena Vista or the south side of Eagle- sixty five (65') feet, provided any portion of the building that exceeds fifty five (55') feet is set back at least ten (10') feet; and, (+ 24' SET BACK @ REAR?)
 - Properties fronting onto Webster Street between Eagle Ave and Atlantic Avenue and properties fronting onto the north side of Eagle or south side of Atlantic- eighty five- 80 - 85' feet. w/ 18' SET BACK @ 5th FLR + 36' SET BACK @ 6th FLR + 24' @ REAR
3. Building Coverage: Buildings may cover one hundred (100%) percent of the building site, provided the ratio of all floor space to lot size shall not exceed three (3) to one (1).
5. Maximum Residential Density: None
6. Minimum Residential Density for new buildings: 30 units per acre.
5. Front Yard: None Buildings shall be located on the front property line. A minimum of eighty-five (85%) percent of the area between the side property lines must be occupied by building mass, plazas, or paseos along the primary street frontage.
5. Side Yard: No yard, however where any side lot line abuts a residential district there shall be a minimum side yard of five (5') feet.
6. Rear Yard: None, however, where the rear lot line abuts a residential district there shall be a minimum rear yard of five (5') feet.
7. Yards for Gasoline Service Station pumping stations and automobile service facilities. (In addition to the yard requirements prescribed for the zoning districts):
- (a) A setback of ten (10') feet shall be maintained from property lines that abut the rear yard of a lot located in a residential district or a lot in residential use.
 - (b) A setback of fifteen (15') feet shall be maintained from property lines that abut the side yard of a lot located in a residential district or in residential use.
8. Off-Street Parking, Electric Vehicle Charging, and Transportation Demand Management regulations and Loading Space: As regulated by Section 30-7 unless a parking exception is granted.
- (a) A parking exception may be approved for new construction or existing buildings converted to new uses reducing the number of parking spaces to less than the number specified in the parking schedule in Section 30-7.6 provided the following findings are made by the Planning Board:
 - (i) The parking demand will be less than the requirements in Section 30-7.6, and
 - (ii) The probable long-term occupancy of the building or structure based on its design, will not generate additional parking demand.
 - (b) A parking exception granted by the Planning Board shall be limited to the specific structure and use. Any future alterations to the building or changes in the use shall require a new parking exception or shall be required to meet the parking supply requirements of the parking schedule in Section 30-7.6.



2022-01-31
 match rear setbacks to
 duplicate front setbacks



ART'S

COPPER

SPOON

COCKTAILS &
KITCHEN

THE WORLD'S
ONE SIGN
MARTINI

CASINO

Simulation of a 60' Tall Building on the 1600 Block of Park Street – West Side









Harrison

AND CHECK
Clean Air
TEST ONLY CENTER
TEST ONLY CENTER

D&D AUTO
BODY
390

butler
Red Bull
ENERGY DRINK
Game this Summer from
South Africa right here.

ADVERTISE
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12-20



North of Lincoln Historic Buildings

a report by Judith Lynch

Methodology

First, I noted the exact range of street numbers and names within the boundaries of the study area and “worked” all the addresses through the books published by the Alameda Museum that document Victorian and Edwardian buildings. Each listing was jotted on an index card. Then I walked all the blocks and looked closely at all the buildings. Along the way were structures that were not in the Museum listings but that were historic, so cards were added for those. Next I compiled a database and sorted the information several ways.

Findings

1. Hidden History

For a small area (12 blocks) the study area is rich in history, with 114 buildings that were either significant in appearance, documented as historic, or both. However, that total of 114 is not fully reflected in any official tally; just over half (59) are on the City’s Historic Buildings Study List.

2. Oodles of Oldies

Some of the oldest and most precious historic buildings on the Island are within the study area. These ancient structures include 21 designed in the Italianate style that was popular in the 1870s and early 1880s. In all of Alameda only 218 buildings are Italianates; ten percent of those are in the study area. Two of them are on the “oldest surviving buildings” list compiled by Alameda Museum Curator George Gunn, who states they date from before 1872 when city record keeping was established. Ironically, the Italianate style was inadvertently left out of the style synopsis in the City of Alameda Guide to Residential Design.



Italianate structures in the study area range from these wee flat fronts at 2410 and 2412 Buena Vista to the substantial property at 1729 Everett, on the list of “oldest survivors.”



The Fossing Building is a splendid example of an Italianate commercial building with cast iron pilasters shown in the detail on the right. It was restored (before left, after right) and received an award from the Alameda Architectural Preservation Society in 2000.



3. Styles Represented

(Note that dates are approximate)

Italianate (1870s): 21

Stick (1880s): 16

Queen Anne (1890s): 23

Colonial Revival (1900s): 22

Bungalow (1910s): 10

Other: 22



From the left, a Stick residence at 2312 Buena Vista, a Queen Anne at 2301 Buena Vista, and a Shingle style at 2437 Buena Vista.

4. Misguided Improvements

Few of these 114 study area vintage buildings have been disfigured by asbestos, stucco, tarpaper brick, or permastone (now called cultured rock). But vinyl sales have been brisk, and several old study area structures have been virtually obliterated. Luckily the characteristic bay windows remain, reminders that these are old houses at heart.



Two well kept examples: a Craftsman home at 2428 Buena Vista and a Queen Anne cottage at 2301 Eagle Avenue.

5. Charming Clusters

There is a choice nest of well kept homes on Foley, a street unknown to me until last month. Buena Vista and Eagle also sport clusters of tasty houses. So while the study area feels a bit shopworn and commercial if you only travel on Park Street, the side streets may be worthy of Heritage Area designation.

6. Architectural Pedigree

Few of the 114 structures are attributed to a renowned architect or builder but there are a handful: Joseph Leonard, A.R Denke, Marcuse & Rommel, Charles H. Foster, and the Newsoms (John and Theodore, related to the architects who designed the Carson Mansion in Eureka).



The Buddhist Temple at 2325 Pacific Avenue is a grand example of the Stick style. It was designed by architect George Bordwell

7. Fascinating Anomalies

The Buddhist Temple is located in the large towered Stick building called a "villa." Its grounds and garden are an oasis! At 1813-17 Everett Street is a hybrid: facing the large back yard is a five sided

projecting



altered



Like the expression: "Queen Anne front, Mary Anne behind," 1813-17 Everett is "Stick front and Italianate behind."

in the Stick style of the 1880s, perhaps when it was changed into two units. At 2419 Tilden Way, landlocked and only reachable by way of the driveway at 1633 Everett, is a sequestered treasure, an 1888 home designed by A.R. Denke. Some portions are smothered with siding, but much ornate detail remains, and this property could be a spectacular restoration project.



A chain link fence awash in ivy hides this Denke-designed house at 2419 Tilden Way. The sides and rear are covered with siding; choice details remain on the front.

8. History at Risk

I think we should add all the rest of the 114 buildings to the Study List . . . after careful staff and HAB review, of course. Some of these properties seem quite vulnerable. For example, two are for sale right now at 2324 and 2318 Pacific. They are not protected by Study Listing, and one is on an enormous lot. They are both 1907 Colonial Revival homes. On the real estate flyer for the residence at 2324 is this notation: "Zoned CM. Check zoning for allowed uses." That means a 100 foot height limit, 100 percent coverage (allowing for parking), all commercial uses plus warehousing and light industrial.

All images by Richard Knight, except old image of the Fossing Building. That is courtesy of the Planning and Building Department.

From: [Donna Fletcher](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [John Knox White](#)
Cc: [Eric Levitt](#); [Allen Tai](#); [Andrew Thomas](#); [Lara Weisiger](#)
Subject: [EXTERNAL] April 19, 2022 City Council Agenda Item 7-C Housing Element
Date: Monday, April 18, 2022 10:43:08 PM

Dear Mayor Ashcraft, Vice Mayor Vella, and Council Members Daysog, Knox-White, and Herrera Spencer,

Unintended Consequences of Upzoning

I am writing to ask you to please consider the negative impacts of the excessive upzoning currently proposed in Alameda's draft Housing Element. The increases range from 40% to 275% and are over-and-above State mandated upzoning required in Senate Bill 9. Why is this necessary?

I understand that the HCD encourages cities to "create a buffer of at least 15% to 30% more capacity than required, **especially for capacity to accommodate the lower income.**"

However, I'm very concerned that rather than providing more affordable housing options for Alamedans, upzoning R-2 to R-6 neighborhoods will have the exact opposite effect, as increased density increases land value, and higher construction costs result in higher rents.

No-Brainer Buffer

If staff want to include a buffer in our RHNA, (which I understand is optional) the most reasonable source of surplus units over the 8-year time span of the RHNA exists at Alameda Point.

Page 22 of the Draft Housing Element addresses this under "US Navy Lands and Constraints: *work with the US Navy to expedite the remediation and conveyance of lands generally located in Site A Phase 3 to allow for additional housing development during the Housing Element cycle and ensure that any existing US Navy financial constraints on new housing construction to accommodate the City's RHNA are lifted.*"

Where are we in our negotiations to lift the Navy cap on residential development at Alameda Point? If we are confident in the course of these negotiations, **it seems reasonable to factor in projections of additional housing units being added to our RHNA over the 8-year term for compliance.** This in turn could take the pressure off of some of our calculations for site capacity in the current draft of the Housing Element.

Way to Maximize Affordable Housing

But more than creating excess capacity that can be applied as needed to the RHNA, housing on **Alameda Point requires an allocation of 25% affordable housing, which is where there is the most need in our community.**

Preserve Scale on our "Main Streets" and Stations

I am also asking the Council to consider the thoughtful recommendations of the Alameda Architectural Preservation Society (AAPS) for height limits and density on the Park Street and Webster corridors, and in the C-1 District "Stations."

The proposed 5-story/60' amendments are out of scale with Alameda's "main street" character, and our charming neighborhood commercial stations. (We would not have realized the impact

of the proposed increases if AAPS hadn't provided the simulation of a 60' tall building on the 1600 block of Park Street in its March 27 commentary to the Board, and other graphic examples of buildings in Jack London Square.)

Council Needs to Hear Public Comment before Approving

My final request relates to the **opportunity for the Council's final review and approval of the draft Housing Element before it is submitted to the HCD**. Please continue the public hearing to a date *after May 9* so that the Council can consider public comments received by the May 9 deadline, as well as comments from the Historical Advisory Board's May 5 meeting and the Planning Board's meeting

Thank you for the opportunity to comment!

Sincerely,

Donna Fletcher
112 Centre Court
Alameda

END

From: [Sharon Martinez](#)
To: [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [Lara Weisiger](#)
Subject: [EXTERNAL] "Item 7-C – April 19 City Council Agenda-Housing Element"
Date: Monday, April 18, 2022 9:18:07 PM

The April draft *clearly* identifies sufficient parcels of land to meet the state determined number of units needed in all income categories without increasing the 21 units per acre density in our residential neighborhoods. 60% of Alameda voters rejected Measure Z, so Article 26 remains the law today and that should be the end of the story,

City Planning Director Andrew Thomas has *consistently* supported repeal of Article 26 for several years. Having failed to repeal the Article with Measure Z, he now seeks to eradicate it *without* voter approval.

THERE IS NO LEGAL OR POLICY JUSTIFICATION FOR THE UPZONING OF OUR R—2 THRU R-6 RESIDENTIAL ZONING DISTRICTS.

Concerned Citizen of Alameda

Sharon Martinez

From: [Karin Sidwell](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] April 19, 2022 City Council Agenda Item 7-C (Housing Element)
Date: Monday, April 18, 2022 4:29:22 PM

Please:

1. Delete the massive, indiscriminate and unnecessary residential upzonings;
2. **Limit the height in the historic parts of Park and Webster Streets to 40 feet.** The changes will greatly increase the probability of State Density Bonus Law projects, which can exceed normal height limits, are exempt from the City's Design Review Manual and don't require public notice or review.; and
3. Continue the public hearing to a date after May 9, so that the Council can consider public comments received by the May 9 deadline as well as comments from the Historical Advisory Board's May 5 meeting and the Planning Board's May 9 meeting and approve the final draft Housing Element before it is submitted to HCD.

This upzoned draft is inappropriate and unnecessary as the April draft clearly identifies sufficient parcels of land to meet the state determined number of units needed in all income categories without increasing the 21 units per acre density in our residential neighborhoods (known as R-2 thru R-6 zoning districts). It will be difficult for the City to scale back the proposed upzonings in the Housing Element's final version or the future.

Thank you,
Karin Sidwell



Virus-free. www.avast.com

From: ps4man@comcast.net
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Yibin Shen](#); [Lara Weisiger](#)
Subject: [EXTERNAL] April 19, 2022 City Council Agenda-Item 7-C: Response to Correspondence File Letters tfrom Alan Tile & Andrew Thomas
Date: Monday, April 18, 2022 3:33:32 PM

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Herrera Spencer and Daysog:

The correspondence file for Item 7-C on tomorrow's Council agenda includes two letters, from Alan Tai and Andrew Thomas responding to citizens who are asking Council to have a vote approving the draft of the Housing Element before submitting it to HCD for review. The letters contain the following identical language,

"The Housing Element will not be considered until November or December 2022 for final City Council action, so there will be many opportunities between now and then, both at the City Council and at the Planning Board for consideration of public comments and suggestions."

On April 11 I wrote to you on behalf of Alameda Citizens Task force asserting that state law (Govt. Code Sec 65585 (b) (1) and (2)) and common sense require Council approval of this draft prior to submission to HCD for review. These sections do not refer final draft of the HE to be presented in November or December. My April 11 letter quotes only the first sentence of 65585 (b)(1). An immediately subsequent sentence states:

*"The local government of the planning agency shall make the **first draft** revision of a housing element available for public comment for at least 30 days and, if any comments are received, the local government shall take at least 10 business days after the 30-day public comment period to consider and incorporate public comments into the draft revision prior to submitting it to the department. "*
(The bolding is mine)

It is very clear that this section applies to where we are now in the process, not the final submission later this year. The following section, Sec. 65585 (b) (2)" states, *"The planning agency staff shall collect and compile the public comments regarding the housing element received by the city, county, or city and county, and provide these comments to each member of the legislative body before it adopts the housing element."* I believe these two sections clearly require a Council vote approving the HE draft before it goes to HCD for review.

As for the common sense element, the draft is presented as the city's determination that the document meets the requirements for certification and should include the assurance that it is fully approved by City Council with every Council Member's vote on the record.

I would also point out that the assurances from Mr. Tai and Mr. Thomas that there will be many opportunities for City Council, the Planning Board and the public to weigh in after the May submission of the draft to HCD is specious. Once the draft is received by HCD the subsequent local input will primarily be in response to any HCD requirements emanating from their review, not expressing fresh ideas.

Sincerely,

Paul Foreman

From: [PAM JOYCE](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); tspencer@alameda.gov; [Tony Daysog](#); [Lara Weisiger](#)
Cc: [Alameda Magazine Judy Gallman, Editor](#); [Eric Kos Alameda Sun](#); [Dennis Evanosky](#)
Subject: [EXTERNAL] Item 7-C - April 19 City Council Agenda-Housing Element
Date: Monday, April 18, 2022 2:55:43 PM

To Mayor Ashcraft and Alameda City Council
From residents of Alameda since 1981

LET US PROTECT OUR ALAMEDA NEIGHBORHOODS FOR NOW AND FOR THE FUTURE.

We have successfully met our required RHNA housing figures of 5,340 units. Enough is enough.

SAY NO TO ANY UPZONING. This is just another tactic to destroy Article 26 (Measure A)

Listen to the people of Alameda. You are supposed to Protect them and the Alameda Community

Please step up to your responsibilities

PAM & FRED JOYCE
150 Basinside Way, Alameda, CA

In case you don't know the issue, here it is
From Alameda Citizen's Task Force:

In November of 2020, Measure Z was put on the ballot by Mayor Ashcraft and Councilmembers Oddie, Knox-White and Vella with the express purpose of repealing Article 26 (Measure A) of the City Charter that limits maximum residential density to 21 units per acre. 60% of Alameda voters rejected Measure Z, so Article 26 remains the law today and that should be the end of the story, but, sadly, it is not.

On April 19 at 7 p.m. the regular City Council agenda Item 7-C will include the Planning Department's (PD) proposed draft of our 2023-2031 Housing Element. This is very important draft because in May the PD intends to submit a draft for review by the State Department of Housing & Community Development (HCD), the agency which makes the final determination on the document's compliance with state law. April 19 may be the last time City Council provides input, although Alameda Citizens Task Force (ACT) has requested that City Council do a final review in May and vote to approve the final draft before submission to HCD.

The April draft clearly identifies sufficient parcels of land to meet the state determined number of units needed in all income categories without increasing the 21 units per acre density in our residential neighborhoods (known as R-2 thru R-6 zoning districts). Nevertheless, they propose to massively increase the density of these neighborhoods by asserting that state fair housing law requires every zoning district in the city to be densified to allow lower income units to be developed. **THERE IS NOTHING IN THE LAW THAT SAYS THAT!**

City Planning Director Andrew Thomas has consistently supported repeal of Article 26 for several years. Having failed to repeal the Article with Measure Z, he now seeks to eradicate it without voter approval.

PROTECT YOUR VOTE AND ALAMEDA NEIGHBORHOODS! ON APRIL 19 TELL COUNCIL IN PERSON AND EMAIL:

1. THERE IS NO LEGAL OR POLICY JUSTIFICATION FOR THE UPZONING OF OUR R—2 THRU R-6 RESIDENTIAL ZONING DISTRICTS.
2. CONVENE A FINAL PUBLIC REVUE IN MAY AND APPROVE THE FINAL DRAFT HOUSING ELEMENT BEFORE IT IS SUBMITTED TO HCD.

From: [Jim and Mandy Tham](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [John Knox White](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Lara Weisiger](#)
Subject: [EXTERNAL] "Item 7-C – April 19 City Council Agenda-Housing Element"
Date: Monday, April 18, 2022 2:41:39 PM

April 18, 2022

Dear Mayor Ashcraft and Alameda City Council Members,

I am writing today to protest the continued, excessive and rampant housing expansion in our wonderful city.

When I drive around our town and see the huge multiple dwelling units that will be completed this year and next I would say we have done more than enough if not too much to ease the housing crisis. At what cost to our city and current citizens do we need to continue down this disastrous path?

Not only is this type of development harmful to the life style we enjoy but also unnecessary. No one would argue that our quality of life has decreased in the past 10 years due to congestion and more recently the uptick in serious crime.

I have lived in Alameda for over fifty years and see the housing boom take a serious toll on our quality of life. I am sure many have reminded you of our limited ingress and egress (4 bridges and one tube). I know some would say that we have sought exemptions from the State and other regulatory agencies against mandatory housing development. I would say we haven't tried hard enough, and this issue should be revisited by a city manager and development director who are passionate about maintaining Alameda as the city we moved here to enjoy and not cater to the developers who want to build, build, build and then go away and leave us with the congestion we all oppose and abhor.

As a final note if certain city officials and employees do not want to uphold the will of the voters then those city staff members should and must be replaced. We should not have to continue and repeatedly fight against city officials who will not do their absolute, dedicated best to uphold the will and desires of those who live here and want their future generations to live here and enjoy the unique lifestyle we have created over generations.

Sincerely,

James and Mandy Tham

From: [Dorothy Freeman](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Malia Vella](#); [Lara Weisiger](#); [Manager Manager](#)
Subject: [EXTERNAL] Alameda City Council Agenda April 19, 2022 Item 7-C
Date: Monday, April 18, 2022 1:50:36 PM

April 18, 2022

Alameda City Council Agenda April 19, 2022 Item 7-C

Public Hearing to Review and Comment on Annual Report on the General Plan and Draft Housing Element Update. (Planning, Building

and Transportation 20962710

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Spencer, Daysog, and Knox-White;

I am writing in support of the letter you received from the Alameda Citizens Task Force.

Andrew Thomas's plan to submit Alameda's 2023-2031 Housing Element to the State Department of Housing & Community Development (HCD) without a proper review by Council and the public is shortsighted. His plan to submit the Housing Element for Council's approval of the draft on April 19 will cut in half the 30 day legal review time, resulting in shortening the public's right to comment.

The draft Housing Element has several issues that still need to be addressed. The massive, indiscriminate and unnecessary residential upzonings will leave our neighborhoods open to unbelievable density growth that is not needed to satisfy the required RHNA numbers. Allowing the height in the historic parts of Park and Webster Streets to go beyond 40 feet is also not necessary and will leave the feeling of traveling through a tunnel on these two streets.

Scheduled meetings of the Historical Advisory Board on May 5th and the Planning Board on May 9th will add valuable information you need to make an informed decision. I am requesting the Council remove this item from the April 19 agenda as soon as possible and reschedule it for a date after May 9th. Alternately, scheduling a special Council meeting would allow time and access for the public to be able to address this issue properly before the Council approves the final draft Housing Element for submission to HCD.

Respectfully,

Dorothy Freeman

cc; City Manager,
City Clerk



Virus-free. www.avast.com

From: [Allen Tai](#)
To: yahoom13@aol.com; [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Lara Weisiger](#)
Cc: mariomarianirealtor@hotmail.com; [Andrew Thomas](#); [Eric Levitt](#); [Gerry Beaudin](#)
Subject: RE: [EXTERNAL] AGENDA ITEM 7-C.....NO
Date: Monday, April 18, 2022 10:57:52 AM

Dear Ms. Mariani,

The Housing Element will not be considered until November or December 2022 for final City Council action, so there will be many opportunities between now and then, both at the City Council and at the Planning Board for consideration of public comments and suggestions. The April 19th City Council agenda item is a workshop, not a decision date.

You should also be aware that the City Council is required by State law to ensure that Alameda's zoning regulations allow for at least 5,353 housing units to be constructed in the next 8 years, so the City Council must identify where those units should go. That being said, the City also has a separate historic preservation ordinance and demolition controls, so allowing more housing does not directly result in Victorians demolished.

For more information on the draft Housing Element, you can review the document at www.alameda2040.org.

Allen Tai, AICP - City Planner
City of Alameda
Planning, Building and Transportation Department
2263 Santa Clara Ave Rm 190
510-747-6888

From: yahoom13@aol.com [mailto:yahoom13@aol.com]
Sent: Saturday, April 16, 2022 11:46 AM
To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>; Lara Weisiger <lweisiger@alamedaca.gov>; Allen Tai <ATai@alamedaca.gov>
Cc: mariomarianirealtor@hotmail.com
Subject: [EXTERNAL] AGENDA ITEM 7-C.....NO

NO!....just drive down Central Avenue...when I was working for Dr Paul Anders (RIP)...he purchased 3 beautiful victorians and proceeded to demolish them for the structures that are there today...3 apartment buildings!!! 3 in a row...

NO ON AGENDA ITEM 7-C!

CONCERNED NATIVE AND REGISTERD VOTER....

Wendy A. Mariani

510.523.9908/510.846.3414
Never Limit Your Dreams. ..

From: [Alameda Citizens Task Force](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Eric Levitt](#); [Andrew Thomas](#); [Yibin Shen](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Errata and Supplement to 4/14 Letter to City Council-April 19, 2022 City Council Agenda-Item 7-C: Draft Housing Element
Date: Monday, April 18, 2022 10:23:41 AM

ACT

Alameda Citizens Task Force

Vigilance, Truth, Civility

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Spencer Herrera, and Daysog:

The third paragraph of the **Fair Housing** discussion in our letter to you of April 14 erroneously states that the city inclusionary ordinance requires 11% of a housing project to provide housing for the lower income categories. The ordinance requires 8% (4% for very low and 4% for low-income categories). The density bonus projects provide a somewhat larger percentage to qualify for the bonus.

In the fourth paragraph of the **Fair Housing** discussion, we comment on the TCAC/HCD Resource Map at Appendix D, page 6 of the April draft of the Housing Element. We add that the map demonstrates that the sites proposed in the HE land inventory are located throughout the city including many in areas of highest, high and moderate resources or bordering on the same. This supports our view that no upzoning of the R-2 to R-6 zoning districts is required to meet the HCD fair housing standards.

Sincerely

Paul Foreman
Authorized Board Member of Alameda Citizens Task Force.

From: [Dodi Kelleher](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] April 19, 2022 City Council Agenda Item 7-C (Housing Element)
Date: Monday, April 18, 2022 10:11:58 AM

Dear Mayor and City Council,

AAPS and other concerned citizens have continued, in good faith, to make very specific proposals toward meeting the RHNA in order to mitigate the need for significant across the board density increases and upzoning, especially in our established residential areas which contain Alameda's historic homes and buildings. We believed that the Housing Element finally contained sufficient numbers in sufficient areas to meet the RHNA without opening the door to undue density increases in these areas. Instead the goal posts appear to have been moved by Planning's proposed overly broad by-right upzoning across much of Alameda. Not only do the proposed changes essential void Article 26 but greatly increase the probability of developers building State Density Bonus Law projects in residential zones, which can exceed normal height limits, are exempt from the City's Design Review Manual and don't require public notice or review.

I urge the Mayor and City Council to eliminate the indiscriminate and unnecessary upzoning in residential areas, including the overly broad transit overlay map. Neither option is necessary to meet the RHNA. I also urge height limitations in historic portions of Park and Webster St., as well as in the "Stations", with added concern to mitigate against the possibility of outsized Density Bonus projects here.

In addition, please continue your public hearing and any final approval of the draft Housing Element that is to be sent to HCD until after the May 5th HAB and May 9th Planning Board meeting, and when broader public comments will be available to Council. I direct you to the AAPS letter for a more detailed response to this latest draft Housing Element.

In closing, I once wrote to you that I believe that there should be a collaborative effort to do the work necessary to both honor the will of the voters to preserve the unique character of our city and also to fulfill our community obligations and that it is best done in a classic democratic compromise in which each side gains by winning some of what is deemed important to them, while sacrificing something to the other, and together serving the common good. I still believe this can happen in this instance with your considered actions.

I request these comments be made part of the Meeting record.

Sincerely,

Dolores Kelleher

From: [Marie Kane](#)
To: [Marilyn Ezzy Ashcraft](#); [Trish Spencer](#); [John Knox White](#); [Malia Vella](#); [Tony Daysog](#)
Cc: [Lara Weisiger](#); [Andrew Thomas](#)
Subject: [EXTERNAL] Please keep upzoning of our city to the minimum requirements
Date: Monday, April 18, 2022 9:57:04 AM

Dear Mayor and City Council,

Please do not make it easy for developers to profit while causing the loss of the current character of our residential neighborhoods. Our residential neighborhoods are the reason people flock to buy in Alameda.

Please keep upzoning to the minimal requirements.

Thanks for listening.

Marie Kane

Sent from my iPhone

From: [Andrew Thomas](#)
To: [Patricia Baer](#); [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: RE: [EXTERNAL] Item 7-C
Date: Monday, April 18, 2022 8:32:21 AM

Dear Ms Baer,

The Housing Element will not be considered until November or December 2022 for final City Council action, so there will be many opportunities between now and then, both at the City Council and at the Planning Board for consideration of public comments and suggestions. The April 19th City Council agenda item is a workshop, not a decision date.

You should also be aware that the City Council is required by State law to ensure that Alameda's zoning regulations allow for at least 5,353 housing units to be constructed in the next 8 years, so the City Council must identify where those units should go. The height limit on Park Street is already 5 stories (60 feet). The height limit on Webster Street is 3 stories (40 feet). The current proposal is to allow 5 story buildings on both streets. These two streets have the best transit in the entire city and are walking distance to shopping and services.

For more information on the draft Housing Element, you can review the document at www.alameda2040.org. Or from the city website at www.alamedaca.gov.

-----Original Message-----

From: Patricia Baer [<mailto:2baers@att.net>]
Sent: Sunday, April 17, 2022 1:17 PM
To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>
Cc: Eric Levitt <elevitt@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>; Andrew Thomas <athomas@alamedaca.gov>; Lara Weisiger <lweisiger@alamedaca.gov>; Allen Tai <ATai@alamedaca.gov>
Subject: [EXTERNAL] Item 7-C

Councilmembers,

I strongly urge you not to make the proposed, huge residential upzoning changes. The existing residential neighborhoods should not be forced into this unwanted density, nor should Park and Webster streets be turned into caverns of high-rise.

Please wait until the May 9 deadline so that there is time for all public comments.

Thank you,

Patsy Baer

From: [T. Krysiak](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [Malia Vella](#)
Cc: [Lara Weisiger](#)
Subject: [EXTERNAL] Alameda City Council Mtg April 19 Item 7-C
Date: Sunday, April 17, 2022 7:04:57 PM

Dear Mayor Ashcraft and Alameda City Council Members:

I voted, as did 60% of Alameda voters, to reject Measure Z and I'm very concerned that the Council's efforts to undermine the will of your Alameda constituents is about to happen.

It appears that there is no legal or policy justification for upzoning our City's R-2 thru R-6 residential districts.

And it is necessary that the Alameda City Council convene a final public review on May 9 to approve the final draft of the housing element before it is submitted to the California State Housing & Community Development agency.

It's obvious that this is a critical and locally sensitive issue that will increase traffic and seriously impact our city's quality of life. I'm one of many of your HBI citizens who demand that you uphold the overwhelming mandate of your citizens. Please stand with us. Thank you.

Sincerely,

Thomas Krysiak
Sweet Road

Sent Via My iPhone

From: [David La Piana](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-C – April 19 City Council Agenda-Housing Element
Date: Sunday, April 17, 2022 3:59:28 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Dear Mayor Ashcroft and Council:

I write to urge you not to override the clearly expressed will of the voters on Measure Z. The April draft of the Housing Element identifies sufficient parcels of land to meet the state determined number of units needed in all income categories without increasing the 21 units per acre density in our residential neighborhoods. State fair housing law does not require every zoning district in the city to be densified to allow lower income units to be developed. It is counterproductive to encourage and require single family neighborhoods to place multiple units in their backyards (or tear down their houses to build fourplexes, when Alameda is blessed with so much developable open space. Given the economics of building in the Bay Area, it is unlikely truly low-income housing will be developed at scale in the next ten years absent a direct public subsidy. If we want to achieve more low-income housing, we should pull together on that goal rather than this divisive feel-good policy of enabling more density in residential areas where the only new units to be built will be expensive. Your proposed policy will benefit developers and a few greedy homeowners who want to cash in, not the low-income residents it purports to house.


Respectfully,

David La Piana
Gibbons Drive



David La Piana (he/him)

Managing Partner

 [510.239.4766](tel:510.239.4766)

 lapiana@lapiana.org

 www.lapiana.org



From: [Patricia Baer](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] Item 7-C
Date: Sunday, April 17, 2022 1:16:57 PM

Councilmembers,

I strongly urge you not to make the proposed, huge residential upzoning changes. The existing residential neighborhoods should not be forced into this unwanted density, nor should Park and Webster streets be turned into caverns of high-rise.

Please wait until the May 9 deadline so that there is time for all public comments.

Thank you,

Patsy Baer

From: [Karen Miller](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [John Knox White](#)
Cc: [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7 C April 19 Council meeting
Date: Sunday, April 17, 2022 12:34:13 PM

Dear Mayor and Council Members,
I agree with ACT that:

1. THERE IS NO LEGAL OR POLICY JUSTIFICATION FOR THE UPZONING OF OUR R—2 THRU R-6 RESIDENTIAL ZONING DISTRICTS.
and that you
2. CONVENE A FINAL PUBLIC REVUE IN MAY 9 AND APPROVE THE FINAL DRAFT HOUSING ELEMENT BEFORE IT IS SUBMITTED TO HCD.

The citizens of Alameda voted overwhelmingly to keep Measure A and what you are proposing is another assault on the will of the electorate. Thank you.

Regards,

Karen Miller



This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: [jane_peal](#)
To: [Gerry Beaudin](#)
Cc: [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] April 19, 2022 City Council Agenda Item 7-C (Housing Element)
Date: Saturday, April 16, 2022 2:28:51 PM

I'm writing to urge you to please:

- 1. Delete the massive, indiscriminate and unnecessary residential upzonings;**
- 2. Limit the height in the historic parts of Park and Webster Streets to 40 feet; and**
- 3. Continue the public hearing to a date after May 9, so that the Council can consider public comments received by the May 9 deadline as well as comments from the Historical Advisory Board's May 5 meeting and the Planning Board's May 9 meeting and approve the final draft Housing Element before it is submitted to HCD.**

Thank you, Jane Peal

Jane Peal, MFT
Integral Counseling for Individuals,
Couples, & Adult Adoptees
Alameda Office
<http://www.janepeal.com>
jane@janepeal.com
415.902.5761

Notice of Confidentiality: This email, and any attachments, is intended only for use by the addressee(s) and may contain privileged or confidential information. Any distribution, reading, copying or use of this communication and any attachments by anyone other than the addressee, is strictly prohibited and may be unlawful. If you have received this email in error, please immediately notify me by email (by replying to this message), and permanently destroy or delete the original and any copies or printouts of this email and any attachments.

From: yahoom13@aol.com
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Lara Weisiger](#); [Allen Tai](#)
Cc: mariomarianirealtor@hotmail.com
Subject: [EXTERNAL] AGENDA ITEM 7-C.....NO
Date: Saturday, April 16, 2022 11:46:01 AM

NO!....just drive down Central Avenue...when I was working for Dr Paul Anders (RIP)...he purchased 3 beautiful victorians and proceeded to demolish them for the structures that are there today...3 apartment buildings!!! 3 in a row...

NO ON AGENDA ITEM 7-C!

CONCERNED NATIVE AND REGISTERD VOTER....

Wendy A. Mariani
510.523.9908/510.846.3414
Never Limit Your Dreams. ..

From: b-zia@comcast.net
To: [Lara Weisiger](#)
Subject: [EXTERNAL] FW: Item 7-C - April 19 City Council Agenda-Housing Element
Date: Saturday, April 16, 2022 10:56:33 AM

Adding housing w/o garages throughout Alameda where people already have parking issues doesn't seem logical.

And since traffic is sometimes frustrating, we shouldn't do any more than required. I like what San Jose is doing with a nice housing section where people can walk to stores but will also have a garage.

Changing what we've already voted for doesn't seem right.

And if the logic for spreading is that a section of Alameda has more crime, the police are hiring and will be working to make all areas of Alameda a desirable place to live.

<https://www.pulte.com/homes/california/bay-area/san-jose/gateway-at-central-210895>

Are we required to spread new housing throughout Alameda?

Bev Zia
Alameda CA



Virus-free. www.avg.com

From: conchita@eyeline.tv
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] April 19, 2022 City Council Agenda Item 7-C (Housing Element)
Date: Saturday, April 16, 2022 10:55:24 AM

Dear City Council,

I agree with AAPS' requests to maintain and preserve Alameda as a manageable city to live and work in. I ask you to please,

- 1. Delete the massive, indiscriminate and unnecessary residential upzonings;**
- 2. Limit the height in the historic parts of Park and Webster Streets to 40 feet; and**
- 3. Continue the public hearing to a date after May 9, so that the Council can consider public comments received by the May 9 deadline as well as comments from the Historical Advisory Board's May 5 meeting and the Planning Board's May 9 meeting and approve the final draft Housing Element before it is submitted to HCD.**

Sincerely,

Maria Perales
Alameda resident since 2003

From: [Tony Devencenzi](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-C – April 19 City Council Agenda-Housing Element
Date: Friday, April 15, 2022 12:02:05 PM

Dear City Council Members,

We strongly urge you to reconsider the current version of the 202-2031 Housing Element draft and specifically the proposed upzoning of R-2 thru R6 districts. Current law does not require the massive increase in density of these areas and with no policy or legal justification, the current proposal is overkill and not in character with Alamedas rich and diverse architectural history.

The current law requires lower income residents not be isolated in low opportunity areas of the city and the much needed goal of providing these opportunities is not mutually exclusive with obtaining a certified housing element.

I strongly urge you to convene a final public revue in May regarding this topic and ensure we get the word out to a larger group of citizens, as most are not aware of the current plan. I do see that the city now often sends a press release to our citizens on a variety of topics/events and to include a May meeting in a press release would be an appropriate opportunity to request/receive additional feedback.

Sincerely,

Tony Devencenzi
Cathy Jefferson
Caroline Street
Alameda

From: [Alameda Citizens Task Force](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Eric Levitt](#); [Andrew Thomas](#); [Yibin Shen](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Re: April 19, 2022 City Council Agenda-Item 7-C: Draft Housing Element
Date: Thursday, April 14, 2022 11:46:33 AM

ACT

Alameda Citizens Task Force

Vigilance, Truth, Civility

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Herrera Spencer and Daysog.:

The April draft of the Housing Element (HE) expands the residential upzoning to include the R-2 zoning district with no explanation as to the need for the same. It also, for the first time, displays the Planning Department's (PD) draft housing site inventory with a breakdown of each parcel's projected realistic capacity in each of the four income categories. The R-1 thru R-6 zoning districts are labeled "Infill Residential District Sites". (Appendix Page E-4). Our comments on the same follow.

City Charter Article 26: ACT has consistently supported the position that the Article 26 density limitation of 21 units/acre is superseded by the state Housing Element Law *to the extent necessary* to meet our lower income categories RHNA. *In both of those categories the inventory reveals that there will be surplus units in excess of our RHNA, even if the R-2 thru R-6 zoning districts are left at their current density.* Therefore, in terms of achieving our 2239-unit lower income categories RHNA there is no legal basis for upzoning these sites.

At the last Planning Board meeting Mr. Thomas cited the provision in HCD Housing Element Guidebook which states at page 22, "...it is recommended the jurisdiction create a buffer in the housing element inventory of at least 15 to 30 percent more capacity than required, especially for capacity to accommodate the lower income RHNA."

https://www.hcd.ca.gov/community-development/housing-element/docs/sites_inventory_memo_final06102020.pdf

However, this is a "recommendation", not a requirement for a certified HE. While the current inventory does not quite meet the suggested percentage in the very low-income category, it meets it in the low-income category.

Moreover, the current inventory significantly understates the realistic capacity for ADUs at item 15(a) at only 400 units. In the report attached to Agenda Item 7-C the realistic capacity is corrected to 560 units, thus adding 160 units to the buffer, spread over all categories. However, even this correction is too conservative. 79 permits for ADUs were issued in 2021, well above the 39 that were issued in 2020 and continuing an upward trajectory. Therefore, a projection of at least 79 new units per year is reasonable, thus raising the eight year total to 632. This increase would also create a buffer to cover a possible rejection of our SB-9 projection discussed below, inasmuch as SB-9 is not currently attracting development here or statewide.

The same report modifies Item 15 (b) of the inventory “infill residential sites”, reducing the projection from 270 units to 238 units with no explanation. The report also makes a 72-unit projection of SB-9 units as if it were a separate item from Item 15 (b) However both Item 15 (a) and (b) include the R-1 district. Therefore the 72 SB-9 units are part of Item (15 (b)). After deducting those 72 units from the 238, it must be concluded that the massive upzoning of R-2 thru R-6 is being proposed to gain only 166 units, ***none of which are needed to meet our RHNA in any income category.*** Increasing our ADU realistic capacity as suggested in the preceding paragraph reduces that number to only 94 units.

Fair Housing: The draft HE posits that fair housing law requires that **every** neighborhood in the city be upzoned for the two lower income categories, thus necessitating the upzoning of these districts. ***There is simply nothing in the Housing Element Law or in HCD requirements that supports this claim.*** Here again the Guidebook informs us. At page 8 this requirement is applied to the housing element inventory as follows:

“For purposes of the housing element site inventory, this means that sites identified to accommodate the lower-income need are not concentrated in low-resourced areas (lack of access to high performing schools, proximity to jobs, location disproportionately exposed to pollution or other health impacts) or areas of segregation and concentrations of poverty. Instead, sites identified to accommodate the lower income RHNA must be distributed throughout the community in a manner that affirmatively furthers fair housing.”

The combination of Alameda’s inclusionary ordinance requiring 11% of residential building projects to be in the lower income categories and the Density Bonus Law has resulted in most of the thousands of units approved for construction during the current HE cycle to contain mixed income housing, with all income categories constructed within each project area. Thus, areas that were lower resourced are now growing areas of market rate housing and will inevitably become high resource areas. There is no reason why projects constructed in the future will not achieve the same result.

The TCAC/HCD Resource Map at Appendix D, page 6 does not demonstrate all of these upgradings of resources because, “even the most recent publicly available datasets typically lag by two years, meaning they may not adequately capture conditions in areas undergoing rapid change.” <https://www.treasurer.ca.gov/ctcac/opportunity/2022/2022-hcd-methodology.pdf> at page 1.

We also assert that upzoning our R-2 thru R-6 neighborhoods will actually conflict with the fair housing requirements. These neighborhoods are already the source of some of the lowest rent housing in the city, so that any new development will necessarily result in major displacement. Increasing the density will significantly increase the land value of development sites. This, along with high construction costs will inevitably result in higher rents that current residents will be unable to pay. Instead of creating affordable housing the result will be gentrification

Conclusions: All of the above demonstrates that there is no legal or policy basis for upzoning our R-2 to R-6 zoning districts.

Obviously, the Planning Department (PD) is of a different view. We are of the opinion that their conclusions are not driven by a neutral application of available data but by the desire for repeal Article 26 consistently expressed by their Director over the past several years.

However, the repeal of Article 26 was rejected by a resounding majority of the voters in November of 2020. Therefore, it is a law of the City of Alameda which you are bound to honor to the extent not superseded by state law.

There is an easy way to test whether our conclusions or that of the PD are correct. That is to submit a draft of the HE to HCD that deletes the R-2 thru R-6 zoning districts from the lower income categories and the upzoning proposal and abandons its conclusion that the law requires the upzoning of every residential district in the city. If the HCD approves the draft or if they instead require the upzoning of all residential districts, the issue, as a practical matter will be resolved.

With regard to the submission suggested above we remind you of our email to you of April 11, 2022, wherein we stated the legal and policy necessity for you to take a formal vote adopting the draft to be submitted to HCD in May and the need to delay that vote until after the Planning Board's final review of the draft on May 9.

There is also a practical reason for this approach. Presenting a draft which excludes the upzoning of these districts, if approved by HCD, will give us the space to expand our housing for the next RHNA cycle eight years from now. The maximal approach of the PD will lead to a future RHNA where the only available space is vertical in the extreme.

Finally, while we have chosen to limit this letter to opposition to upzoning of the R-2 to R-6 zoning districts, we strongly support the position of AAPS concerning height restrictions in our commercial zones.

Sincerely,

Paul Foreman,
Authorized Board Member of Alameda Citizens Task Force.

From: [Alameda Citizens Task Force](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Eric Levitt](#); [Andrew Thomas](#); [Yibin Shen](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Request For Postponement of Item 7-C on City Council April 19 Agenda
Date: Monday, April 11, 2022 10:47:23 AM

ACT

Alameda Citizens Task Force

Vigilance, Truth, Civility

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Hererra Spencer and Daysog:

As you know, we are currently in the midst of a 30-day public comment period on the April revision of our 2023-2031 Housing Element. It will expire on May 9. Mr. Thomas's written report attached to the April 11 Planning Board Agenda indicates that the last time City Council will be reviewing this draft prior to its submission to HCD for review is April 19. According to the schedule, The Planning Board will again review the document on May 9 after which the Planning Department will submit the draft to HCD for review. We have great concern about this schedule on both a legal and practical level.

The April 19 agenda Item 7-C does not contain any provision for a formal vote of Council authorizing the submission of the draft to HCD. Mr. Thomas has made it clear as recently as last week's meeting of the HAB that he will not be seeking a vote of Council.

Here is the Govt. Code Sec 65585 (b) that requires submission of a draft HE to HCD.

(b)(1) At least 90 days prior to adoption of its housing element, or at least 60 days prior to the adoption of an amendment to this element, the planning agency shall submit a draft element or draft amendment to the department.

(2) The planning agency staff shall collect and compile the public comments regarding the housing element received by the city, county, or city and county, and provide these comments to each member of the legislative body before it adopts the housing element.

The "it" in Sec. (b) (2) clearly refers to the "legislative body" thus requiring that the draft HE be adopted by Council before submission and that the adoption should not occur until after the comment period which expires on May 9. The practicality of this process is evident. The draft is presented as the city's determination that the document meets the requirements for certification and should include the assurance that it is fully approved by City Council whose

vote of final adoption will occur toward the end of this year. Also, the 30-day comment period is cut in half if Council's approval of the draft occurs on April 19.

We urge you to pull this item from the April 19 agenda as soon as possible and reschedule it for the earliest available date after May. 9. The earliest regular Council meeting would be May 17, but we suggest that an item as important as this should be scheduled as a special meeting dedicated to the subject rather than included in a crowded regular agenda.

Sincerely,

Alameda Citizens Task Force
Paul Foreman Authorized Board Member

From: [Drew Dara-Abrams](#)
To: [John Knox White](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [Marilyn Ezzy Ashcraft](#); [Xiomara Cisneros](#); [Ronald Curtis](#); [Hanson Hom](#); [Rona Rothenberg](#); [Teresa Ruiz](#); [Asheshh Saheba](#); [Alan Teague](#); [Andrew Thomas](#)
Cc: [City Clerk](#); [Nancy McPeak](#)
Subject: [EXTERNAL] feedback on April draft of Housing Element (PB 4/11 Item 7-C and CC 4/19 Item 7-C)
Date: Sunday, April 10, 2022 10:37:15 PM

Dear Planning Board members, Mayor, Vice Mayor, Councilmembers, and Director Thomas,

I'd like to offer some feedback for you all regarding the April draft of the Housing Element to be heard 4/11 at PB and 4/19 at Council:

First, thanks to staff, Planning Board, and a majority of City Council for making a good faith effort to submit a compliant Housing Element to the state. This isn't true for all cities, especially more affluent ones, in the Bay Area. It's both good that Alameda is doing the right thing, as a matter of principle, and good that Alameda is doing the right thing proactively, so as to find creative compromises to better serve more stakeholders.

Throughout this months-long process, one of the most contentious questions you all have been asked to consider is how much should be asked of the R-1 zone. The R-1 zone encompasses the largest land area of all the residential zones, the largest number of parcels, and many of Alameda's neighborhoods best served by public services. My family and I are pleased to live in a single-family home that we own in one of the well-resourced R-1 neighborhoods of the East End. More should be able to enjoy these neighborhoods (including the parks, walkable business districts, and schools) in a much wider variety and price-points of housing units.

The state has, through SB9, forced the city to provide some more room for change in R-1. Is the one additional modification that the Housing Element will apply to R-1 the Residential Transit Overlay District? (Note that the HE draft does not list R-1 as part of Program 4 on p. 16; however, the draft zoning amendments does include R-1 on p. 50.) At a minimum, please ensure that the Residential Transit Overlay District will apply to R-1. Beyond that, I do think Planning Board and City Council should spend some more time discussing how little of R-1 is asked to participate in this Housing Element: little to none of Fernside, little to none of Bay Farm, only select portions of the southeastern quadrant of main island. Maybe it's the most effective political compromise to make on *this* Housing Element. Emphasis on "this" because if city leaders can't figure out how to productively engage its largest residential zone in the Housing Element process, then we may all find ourselves facing the same questions again come the next HE cycle.

To this longer term view, it's great to see staff's proposals to help educate residents, current and future, about the nature of the local housing market and also its history (Goal 1, H-9, p. 10). I grew up in the Bay Area, but it was only when buying a house that I was actually asked to read and sign my name to important local policies like the ban on using a wood-burning fireplace on Spare the Air Days. Learning more about the history and nature of local real estate could similarly help residents and property owners to understand their rights *and* responsibilities. Likewise with homelessness, where we can find both a more compassionate and more effective approach by understanding how an overheating real-estate market leads to couch surfing, families living in motels, people living in cars, people living on streets, and so on (Goal 3, H-26). Learning more about the regional realities of our housing problems — along with our powerful regional economy that creates so many jobs and opportunities — can,

I hope, also help temper some fears. A few too many comments during this HE process have been framed in near apocalyptic tones. Perhaps ongoing outreach to both newcomers and existing residents can help to provide more grounding for future housing debates and decisions.

Regarding Alameda Point, it's good to see that this Housing Element does *not* treat it as the primary or only location for new housing, but rather uses the city's ownership of land to promote an even wider range of housing types and price points than may be built by private land-owners elsewhere in the city (H-5, p. 8). I don't know the odds of state-wide social housing legislation and financing, or about the odds of a local bond measure, but it's good for the city to work to be ready for those possibilities.

Re Program 20: Environmental Health, please consider mentioning the I-580 truck ban and how this increases emissions on the I-880 corridor. Caltrans, Alameda County, and other stakeholders are starting to engage on this issue and it would be great for the city to take a more active role in one of the largest local sources of particulate matter. If you are not already aware about this issue, please see <https://www.kqed.org/news/11879641/trucks-are-banned-on-oaklands-i-580-these-sixth-graders-wondered-why>

Finally, the thorniest issue in California: how housing intersects with public schools. The draft HE proposes to "encourage AUSD to allow open enrollment, for students to choose to attend any school in the district rather than their local neighborhood school" (p. D-40). This isn't necessarily a poor policy, but it's just proposing to pass a "hot potato" from the City (which appears to be admitting defeat to enable more housing, more socioeconomic diversity, and more racial diversity near well-resourced schools in R-1 zones) over to AUSD. And then AUSD will just have to pass the "hot potato" to parents to decide whether they have the means to shlep their children across town every day.

Instead of asking AUSD and parents to solely take on the burden of undoing patterns of residential segregation, the city and its elected leaders should work to: upzone for more housing in well-resourced neighborhoods, encourage school/parent groups to pool a portion of their funds across the entire city, support the school district's efforts to pass bond and parcel tax measures, lobby Sacramento for more K-12 funding, and support ballot measures to undo the unfair legacy of Proposition 13. This list goes well beyond the scope of the Housing Element, but it's worth acknowledging that part of Alameda's appeal and a fair amount of a housing unit's value in this city is due to the quality of the public schools. Increasing the "size of the pie" in terms of both housing availability and school resources can be compatible and complementary goals.

Thanks for your time,
Drew Dara-Abrams
Calhoun St

From: [Trish Spencer](#)
To: [Lara Weisiger](#)
Subject: Fwd: [EXTERNAL] Statements about Court Usage, Tennis Demand in Alameda
Date: Monday, April 4, 2022 9:41:56 AM

----- Forwarded message -----

From: Stacey <stacey.leask@gmail.com>

Date: Apr 3, 2022 9:53 PM

Subject: [EXTERNAL] Statements about Court Usage, Tennis Demand in Alameda

To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>, Malia Vella <MVella@alamedaca.gov>, Tony Daysog <TDaysog@alamedaca.gov>, Trish Spencer <tspencer@alamedaca.gov>, John Knox White <JknoxWhite@alamedaca.gov>, Xiomara Cisneros <xcisneros@alamedaca.gov>, Ronald Curtis <rcurtis@alamedaca.gov>, Hanson Hom <hhom@alamedaca.gov>, Rona Rothenberg <RRothenberg@alamedaca.gov>, Teresa Ruiz <truiz@alamedaca.gov>, Asheshh Saheba <asaheba@alamedaca.gov>, Alan Teague <ateague@alamedaca.gov>, Andrew Thomas <athomas@alamedaca.gov>

Cc:

Dear City Council and Planning Board Committee,

I am writing today to comment on the usage of Harbor Bay Club.

We are members of the club who enjoy using it for recreation and child camps.

I visited today with my daughter to use the pool and outside area. In the roughly 2.5 hours we were there, all swimming lanes were fully used. We saw lots of people and families using the club facilities, both indoors and outdoors.

Our family also uses the tennis courts, and we always see many other people using the tennis courts on a regular basis.

The tennis courts also are used during after-school and summer camps when there are large groups of children on site. Many families with young children depend on these programs.

We are active in the tennis community and we have seen the surge in tennis participation, especially with the younger players. It would be a shame to lose any of these tennis courts.

Please protect the land for its intended use of recreation for our families.

Sincerely,
The Szymanski family

From: [Trish Spencer](#)
To: [Lara Weisiger](#)
Subject: Fwd: [EXTERNAL] preserve the recreational space of the Harbor Bay Club
Date: Monday, April 4, 2022 9:39:14 AM

----- Forwarded message -----

From: Cathy Leong <gocathyl@gmail.com>

Date: Apr 4, 2022 9:28 AM

Subject: [EXTERNAL] preserve the recreational space of the Harbor Bay Club

To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>, Malia Vella <MVella@alamedaca.gov>, Tony Daysog <TDaysog@alamedaca.gov>, Trish Spencer <tspencer@alamedaca.gov>, John Knox White <JknoxWhite@alamedaca.gov>, Xiomara Cisneros <xcisneros@alamedaca.gov>, Ronald Curtis <rcurtis@alamedaca.gov>, Hanson Hom <hhom@alamedaca.gov>, Rona Rothenberg <RRothenberg@alamedaca.gov>, Teresa Ruiz <truiz@alamedaca.gov>, Asheshh Saheba <asaheba@alamedaca.gov>, Alan Teague <ateague@alamedaca.gov>, Andrew Thomas <athomas@alamedaca.gov>

Cc:

Dear City Council, Planning Board Committee & Staff,

I am writing today to implore you to preserve the recreational space of the Harbor Bay Club.

As Planning Board member Ronald Curtis said himself during the Planning Board meeting on 9/13/21: When the city of Alameda first negotiated for the Harbor Bay Club in the late 1970s, the city "made a promise to both the condominiums next to the club and to the club, that this club would be there in perpetuity to serve the people of Harbor Bay Isle."

I cannot fathom how the city could even consider walking back their own promise made to its own community—not to mention to the surrounding home owners who paid the reclamation fee because they trusted the city's word that the club would always be there for them.

If the city turned around and broke that promise because a multi-million-dollar developer wants to build housing on that parcel, the city and members of the City Council and Planning Board would lose all credibility and trust of the Alamedan people.

This cannot be in the interest of this council and committee. That's why I implore you to stay true to and keep the city's promise, and to vote your conscience to end this debate once and for all. It's the trust of the people of Alameda that's at stake here.

A concerned citizen of Alameda/Harbor Bay since 1987
Cathy Leong 48 Kara Road Alameda