

## Nancy McPeak

---

**From:** Dodi Kelleher <dodikelleher@comcast.net>  
**Sent:** Sunday, May 8, 2022 10:39 AM  
**To:** Alan Teague; Rona Rothenberg; Asheshh Saheba; Teresa Ruiz; Hanson Hom; Xiomara Cisneros; Ronald Curtis  
**Cc:** Andrew Thomas; Nancy McPeak; Erin Garcia; Allen Tai  
**Subject:** [EXTERNAL] May 9, 2022 Planning Board Item 7-C

Dear Planning Board and Staff,

I am a homeowner and member of AAPS. AAPS, along with many 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. I believe that the Housing Element contains sufficient numbers in sufficient areas to meet the RHNA and any fair housing concerns without opening the door to overly broad by-right upzoning across much of Alameda. Not only do the proposed changes essential void Article 26 but 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 also urge that there be height limitations in historic portions of Park and Webster St., as well as in the "Stations". These areas too should be protected from outsized buildings made worse by Density Bonus projects.

I direct you to the AAPS letter for a more detailed response to the latest draft Housing Element.

Lastly, no decisions or drafts should be finalized until the Planning Board has had ample time to review all public feedback to the General Plan Housing Element. My understanding is that feedback period ends May 9th.

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

Sincerely,

Dolores Kelleher

## Nancy McPeak

---

**From:** Nanette . <nanetteleigh@hotmail.com>  
**Sent:** Sunday, May 8, 2022 9:55 PM  
**To:** Alan Teague; Rona Rothenberg; Asheshh Saheba; Teresa Ruiz; Hanson Hom  
**Cc:** Marilyn Ezzy Ashcraft; John Knox White; Tony Daysog; Malia Vella; Trish Spencer; Andrew Thomas; Allen Tai; Nancy McPeak; Erin Garcia; Thomas Saxby; Norman Sanchez; Lynn Jones; Jenn Heflin; alvinklau@gmail.com  
**Subject:** [EXTERNAL] 5/9/22 Planning Board Meeting, Housing Element - Zoning Amendments

Dear Planning Board Members,

I oppose the proposed increased density and increased building heights for the North Park Street Zoning District, including the Wedge neighborhood east of Park Street.

The North Park Street District is already very dense with multiple units in existing buildings and property values at the lowest end of the average Alameda property value. These zoning amendments are way too loose and would give developers the upper hand to hostile take-overs and destruction of our tiny well-connected community.

We have already had hostile developer takeovers of property in our district. For example, the Yellow House on Buena Vista Avenue across from the Marketplace which was “housing” that was bulldozed for a parking lot that was approved by the city in support of a developer.

This district does not have the street parking to support the proposed 45 foot, 50 foot and 60 foot height limits for the Residential, Mixed Use and Workplace Subdistricts and the radical increase in residential density from one unit/2000 sq. ft. of lot area to unlimited density. These massive increases will threaten our beautiful historic, one and two story houses with demolition, like the Yellow House, and encourage giant intrusions in our neighborhood that could be even more massive with density bonus projects. This is not the proper location for such structures.

Please:

1. Reduce the existing 50 foot height limit (60 feet with Planning Board approval) in the Gateway Subdistrict along Park Street to 40 feet at least south of Buena Vista Avenue.
2. Retain the existing height limits in the other subdistricts.
3. Retain the existing one unit/2000 sq. ft. of lot area density.
4. Continue public hearing until after May 9th.

There are many other large lot areas in Alameda that can easily support the proposed high densities, such as some of the shopping centers, the estuary waterfront, the business parks, Alameda Point and the College of Alameda.

Nanette Geller  
2428 Buena Vista Ave.  
Alameda, CA

## Nancy McPeak

---

**From:** Melissa Family ipad Pro <donahue.family@icloud.com>  
**Sent:** Sunday, May 8, 2022 10:50 PM  
**To:** Ronald Curtis; Alan Teague; Rona Rothenberg; Asheshh Saheba; Teresa Ruiz; Hanson Hom; Xiomara Cisneros  
**Cc:** Marilyn Ezzy Ashcraft; John Knox White; Tony Daysog; Malia Vella; Trish Spencer; Andrew Thomas; Allen Tai; Nancy McPeak; Erin Garcia; Thomas Saxby; Norman Sanchez; Lynn Jones; Jenn Heflin; alvinklau@gmail.com  
**Subject:** [EXTERNAL] Alameda Housing Density

To whom ever it may concern,

My name is Melissa Donahue, my family and I live on 2437 Buena Vista Ave, our home is located less than a block from Park Street and Tilden Way.

I oppose the proposed increased density and increased building heights for the North Park Street Zoning District, including the Wedge neighborhood east of Park Street.

The North Park Street District is already very dense with multiple units in existing buildings and property values at the lowest end of the average Alameda property value. These zoning amendments are way too loose and would give developers the upper hand to hostile take-overs and destruction of our tiny well-connected community.

We have already had hostile developer takeovers of property in our district. For example, the Yellow House on Buena Vista Avenue across from the Marketplace which was “housing” that was bulldozed for a parking lot that was approved by the city in support of a developer.

This district does **not** have the street parking to support the proposed 45 foot, 50 foot and 60 foot height limits for the Residential, Mixed Use and Workplace Subdistricts and the radical increase in residential density from one unit/2000 sq. ft. of lot area to unlimited density. These massive increases will threaten our beautiful historic, one and two story houses with demolition, like the Yellow House, and encourage giant intrusions in our neighborhood that could be even more massive with density bonus projects. This is not the proper location for such structures.

Please:

1. Reduce the existing 50 foot height limit (60 feet with Planning Board approval) in the Gateway Subdistrict along Park Street to 40 feet at least south of Buena Vista Avenue.
2. Retain the existing height limits in the other subdistricts.
3. Retain the existing one unit/2000 sq. ft. of lot area density.
4. Continue public hearing until after May 9th.

There are many other large lot areas in Alameda that can easily support the proposed high densities, such as some of the shopping centers, the estuary waterfront, the business parks, Alameda Point and the College of Alameda.

Sincerely,  
Melissa Donahue



May 8, 2022

City of Alameda Planning Board  
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 5-9-22 Planning Board agenda)**

Dear Planning Boardmembers:

The following comments mostly restate those in our April 18, 2022 letter to the city Council (copied to you), but with some modifications to reflect our further review and in response to the latest changes to the Housing Element draft.

1. **State Density Bonus Law concerns.** An especially troubling aspect of the proposed residential density increases in the R-3 through R-6 zones and in all areas covered by the recently proposed "Small Unit Transit Priority Bonus" (SUTPB) (replacing the previously proposed 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 where new construction is proposed within the SUTPB because of the proposed unlimited density for new construction**, allowing developers to demand the relaxation of zoning standards, such as height limits, lot coverage, setbacks and universal design requirements. The proposed density increases in the historic portions of Park Street and Webster Street and the Stations will have a similar impact.

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.

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.**

2. **Expanded ADU program as alternative to SDBL projects in residential and historic commercial areas.** It was initially thought that the proposed "form-based" unlimited residential density within building envelopes 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 residential and historic commercial 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 residential areas and the historic parts of Park Street and Webster Street and the Stations, 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.<sup>2</sup>. The ADUs would still be credited toward the RHNA 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.

See the attached April 19, 2022 letter from the Meyers Nave law firm, who are experts on the SDBL and Housing Element issues, which confirms the legal viability of AAPS's ADU strategy.

### 3. Residential Zoning Districts.

- a. **Delete or modify the SUTPB and Program 4's proposed massive upzoning of the R-3 through R-6 zones. Reduce the 20% buffer to 10%.** The Draft Housing Element's Exhibit E states that the upzoning and SUTPB is needed to obtain 270 non- ADU RHNA units in the residential zones by 2031 (an average of 34 units per year). **But such a drastic and wholesale upzoning of R-3 through R-6 and the SUTPB to obtain only 270 units is unnecessary and overkill.** It is especially reckless since it is much harder to downzone then to upzone if it is later determined that the upzoning was a mistake.

Related to this, 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 State Housing and Community Development (HCD) Department Guidelines, in case the City has difficulty over the 2023–31 Housing Element period producing 5353 units. But without the 270 units, there would still be an estimated 6143 units which EXCEEDS the 5353 RHNA by 790 units. If the buffer were only 10% (still in the 10% to 30% range "recommended" by HCD), as discussed by Planning Board members at the Board's April 11 meeting, and which is, the buffer would only be 530 units for a total of 5883 units, or 260 units less than the estimated 6143 units without the residential upzonings. **Reducing the buffer to 10 % should be seriously considered.**

**Moreover, the Draft Housing Element's Housing Sites Inventory (Appendix E) estimate of 50 ADUs per year, is too low.** 79 ADU permits were issued in 2021, well above the 39 in 2020 and continuing an upward trend. 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 304 units more than the 400 estimated in the Housing Sites Inventory for the eight year RHNA**



**period, EXCEEDING the 270 units estimated to be generated in the Housing Sites Inventory by 34 units.** Staff informed the Historical Advisory Board on May 5 that staff is now estimating an annual ADU production of 50 units, rather than the previously estimated 70 units and below the 79 that were generated in 2021, because of guidance from HCD that the ADU estimate must be based on a three-year average, rather than the trend, even though HCD's Housing Element Guidelines advised that these estimates can be based on trends. The averaging method seems especially illogical since ADU regulations were drastically liberalized in the past couple of years, which is a main reason that production has increased. 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.

**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.

Exhibit 2 to the 5/9/22 Planning Board staff report brings back a previous proposal to allow unlimited density within existing building envelopes. AAPS has previously stated that the strategy seems promising but continues to recommend it be applied only to targeted areas rather than throughout all residential districts and that the additional units be in the form of ADUs to avoid triggering SDBL projects. If 270 additional units are really needed in the R-3 through R-6 zones, the strategy by itself may be sufficient to accomplish that.

- b. **The SUTPB'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.

If the SUTPB is retained, it should be applied only to existing buildings rather than only to new buildings and use Item 2's expanded ADU program as an alternative to SDBL projects.

- c. **Do not upzone more than is necessary.** 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 continue to advocate that HCD that ADU estimates should be based on trends as set forth in the HCD Housing Element Guidelines rather than on a three-year average 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, including the SUTPB, that are more targeted than currently proposed such as limiting the SUTPB to important nodes such as Park Street and Webster Street with possible expansion in the future housing element cycles. 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.

- d. **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.

#### 4. **Park and Webster Street height limits.**

- a. **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.

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.

Exhibit 2 to the 5-9-22 Planning Board staff report continues to propose a 60 foot by-right height limit for the historic portions of the Park Street and Webster Street but now requires a 15 foot setback for height over 40 feet on Webster Street between Central and Lincoln Avenues and the Park Street National Register District. **The upper floor setbacks may be helpful in some cases, but 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

- b. **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 3<sup>rd</sup> Street in Oakland's Jack London District to indicate the kind of streetscape that buildings of this scale can create. Note that 3<sup>rd</sup> 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)

- c. 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.

## 5. North Park Street District.

- a. **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.** 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 for buildings over 40 feet, as is now the case for much of the Park Street area south of Lincoln.

- b. Retain the existing height limits and one unit per 2000 sq. ft. of lot area density in at least the Residential, Mixed Use and possibly portions of the 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 previously stated, providing unlimited residential density in residential 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 Item 2's expanded ADU program.
- 6. C-1 Districts ("Stations").** The latest proposal in Exhibit 2 to the 5/9/22 Planning Board staff report increasing the height to match the adjacent residential zoning district is reasonable. But the proposed unlimited residential density raise the possibility of greater building heights due to SDBL projects. Item 2's expanded ADU program to promote increased density should be used instead.
- 7. Request staff to provide the final HCD draft to the Planning Board for review and review and approval by the City Council 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 HCD for review without Council approval of the revised Draft. Given the Housing Element's extreme importance and HCD's outsize role in determining the Housing Element's adequacy, final Planning Board review and Council review and endorsement of the HCD draft is essential before submittal to HCD.
- 8. Other substantive comments.**
  - a. We continue to urge that 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. Retain the Bridgeside and Marina Village Shopping Centers in the C-MF overlay district so that zoning standards will be consistent for all of the shopping centers.
  - c. Delete from the Housing Element zoning provisions not related to RHNA production. One example is the proposed elimination of the 20% combined side yard setback. Consideration of such proposals should be limited to the upcoming zoning text discussions.
  - d. We reviewed the California Fair Housing Task Force methodology for the opportunity map. At least some of the opportunity area methodology appears to be based on the 2010 rather than the 2020 census and/or information that is at least several years old. (The methodology document does not clearly describe the data currency.) **Do the opportunity**

**maps reflect recent developments and population changes in West Alameda, including development at Bayport and Alameda Landing?**

- i. Show street names to help users identify the opportunity area boundaries. Without street names, the boundaries are very hard to identify.
- ii. Correct inconsistencies in the estimated unit production numbers in the programs and Exhibit E. Staff has told us that the Exhibit E numbers are the correct estimates, so the comments in this letter are based on those numbers.

**9. Format comments:**

- a. Use alpha-numeric designations rather than bullets to facilitate reference.
- b. Provide maps showing:
- c. The Small Unit Transit Proximity Bonus; and
- d. The list of potential Park Street in Webster Street sites on Pages E-10 and E-11.

Marked-up pages from the Draft Housing Element with additional comments will be submitted separately by the end of the day on May 9.

Thank you for the opportunity to comment. Please contact me at (510) 523-0411 or [cbuckleyAICP@att.net](mailto: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 3<sup>rd</sup> Street in Oakland.  
                         5. Streetscape photo of two, three and five story buildings  
                         6. North of Lincoln Historic Buildings--a report by Judith Lynch  
                         7. 4-19-22 Meyers Nave letter confirming legal viability of AAPS's ADUs strategy as an alternative to SDBL projects

cc: Mayor and City Council (by electronic transmission)  
     Historical Advisory Board (by electronic transmission)  
     Andrew Thomas and Allen Tai, Planning, Building, and Transportation Department (by electronic transmission)  
     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 26<sup>th</sup>, 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](mailto: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



CENTRAL AVE

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



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 CURENT 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

NORTH



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.

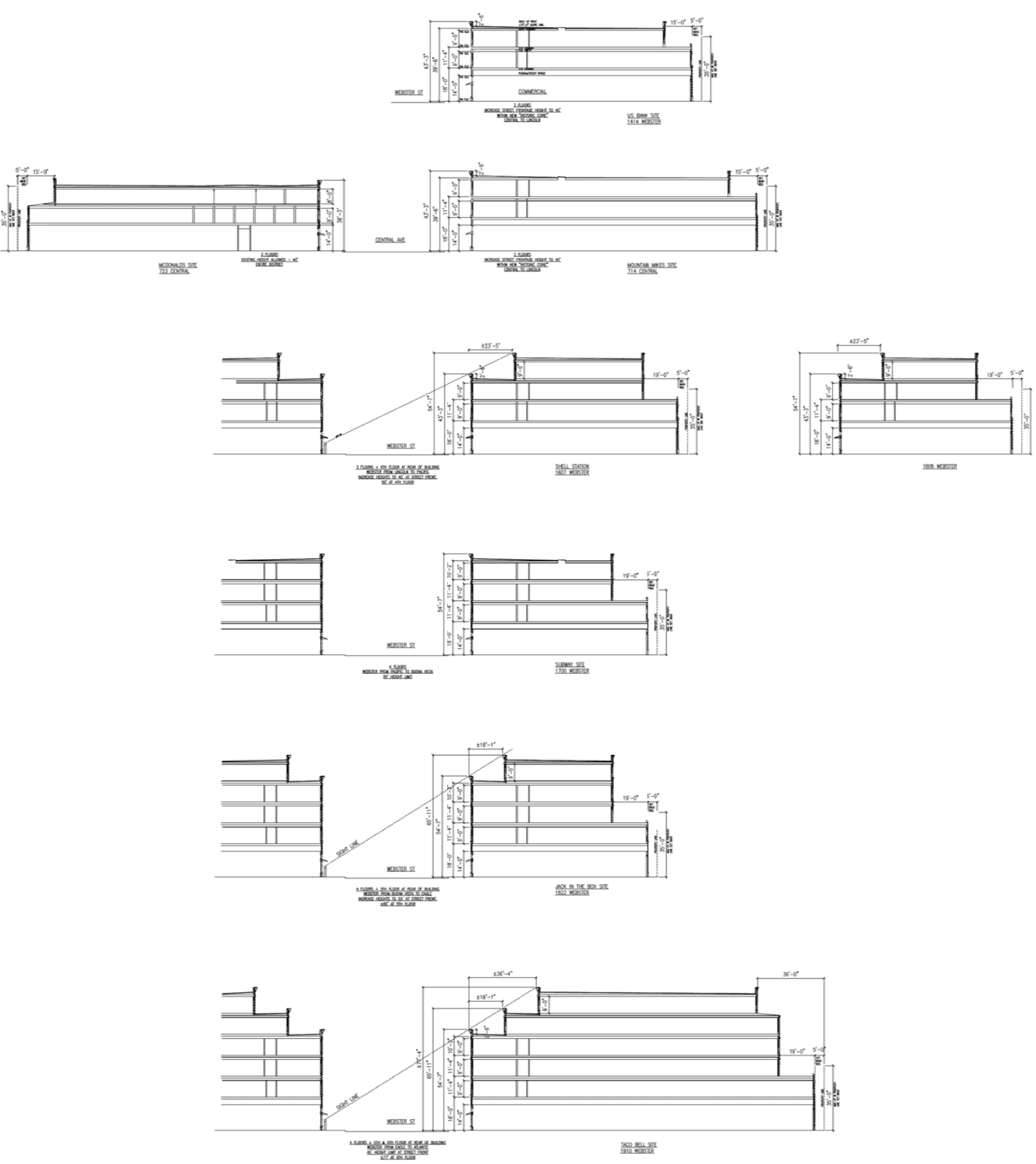
Webster Street District—Maximum height shall be as follows: ~~three (3) stories but not to exceed forty (40') feet throughout the C-C District~~

- 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')~~ feet from the face of the building.

24'



- 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 FT?)
  - 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 (85') feet. 80' 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







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













Harrison

YOUNG YIP  
TODAY ONLY CENTER  
REPAIR CENTER

D&D AUTO  
BODY  
360

buller  
Red Bull  
ENERGY DRINK

WARRIOR  
FIGHT  
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 & Rummel, 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



e l



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.

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](mailto: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, appearing to read "Steven T. Mattas", with a long horizontal flourish extending to the right.

Steven T. Mattas  
Senior Principal

5094959.1

## Nancy McPeak

---

**From:** bmathieson@aol.com  
**Sent:** Monday, May 9, 2022 7:51 AM  
**To:** Asheshh Saheba; Xiomara Cisneros; Ronald Curtis; Hanson Hom; Rona Rothenberg; Teresa Ruiz; Alan Teague  
**Cc:** Nancy McPeak; Andrew Thomas; Allen Tai  
**Subject:** [EXTERNAL] Planning Board Agenda Item 7-C, Housing Element and Zoning Code, May 9, 2022

Dear Planning Board Members,

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, lively neighborhood. Many of our neighborhood's houses and apartment buildings can accommodate more units within their existing walls and roofs (as was happening before Article 26 was adopted) and provide more affordable housing.

Existing buildings in our 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, some of our city's favorite places will be turned into sunless wind tunnels, and adjacent neighborhoods will 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 and disruptive ongoing pressure for demolition and replacement of the short buildings.

The Housing Element Tool demonstrated that there are more than enough places to add housing, with or without adding units within existing buildings.

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 land speculation and demolition by neglect, and provide an incentive for replacement of the homes of low-income residents in established neighborhoods. Developers will argue that an existing building stands in the way of an "economically feasible" new construction 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 present and future.

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

Betsy Mathieson  
Alameda



## Nancy McPeak

---

**From:** ps4man@comcast.net  
**Sent:** Monday, May 9, 2022 10:30 AM  
**To:** Hanson Hom; Rona Rothenberg; Teresa Ruiz; Asheshh Saheba; Alan Teague; Ronald Curtis; Xiomara Cisneros; Nancy McPeak  
**Cc:** Andrew Thomas; Allen Tai; Manager Manager; Yibin Shen; Celena Chen  
**Subject:** [EXTERNAL] Item7-C, May 9 Planning Board Meeting-Housing Element

Dear Planning Board Members:

At the City Council Housing Element discussion of May 3, 2022 (Item 6-B) Council Member Knox White asked Mr. Thomas what he believed would be the HCD response to a draft Housing Element that excluded the upzoning of our R-2 thru R-6 zoning districts. A paraphrase of Mr. Thomas's response (at approximately 3.55 of the video) is that this is not about meeting our RHNA numbers, but about fair housing and that an exclusion of all of our residential districts from this upzoning is prohibited and would result in the rejection of our housing element.

The first part of his response is consistent with the assertion I and others have made to you that the Schedule E, Table E-2 of the April draft of the housing element demonstrates that our RHNA can be met without inclusion of R-2 through R-6 upzoning.

Unfortunately, the second part of his response does not answer the question asked. Mr. Knox White did not ask what HCD's response would be if our Housing Element excluded **all** of our residential districts from upzoning. Nobody is suggesting that. Article 26 is preempted by the Housing Element Law to the extent needed to comply with that law. That is why our current Housing Element and proposed new Housing Element together provide enough upzoned acreage to accommodate almost 3000 dwelling units in these categories.

Mr. Thomas's response to Mr. Knox White also referred to the Nov. 29, 2021, letter from HCD Senior Program Manager Paul McDougall as evidence that a Housing element excluding the R-2 – R-6 residential zoning districts would be rejected. Certainly, the letter exhibits Mr. McDougall's distaste for Article 26 and his preference that it be voided. **However, the letter does not say that the city must upzone every residential neighborhood in the city to allow housing for persons in the lower income categories.**

Another argument made for upzoning our residential neighborhoods is that our draft Housing Element is too heavy on the West End, especially since the TCAC/HCD Resource Map (Appendix D, page 6) colors much of the West End as a low opportunity zone. This argument has several flaws.

The HCD Housing Element Guidebook at [https://www.hcd.ca.gov/community-development/housing-element/docs/sites\\_inventory\\_memo\\_final06102020.pdf](https://www.hcd.ca.gov/community-development/housing-element/docs/sites_inventory_memo_final06102020.pdf) provides:

*"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."*

Much of the acreage on the West End low opportunity zone is comprised of Alameda Point and Alameda Landing. I refer the Board to Appendix E page E-8 of the April draft Housing Element which describes the development of Alameda Point. Also check out the newly developed Waterfront Park and Neighborhood Park and the businesses that have located at the Point. Also consider the Alameda Landing Phase 2 project with a mix of market rate and affordable

housing, waterfront park, proximity to ferry and shopping. Does any this meet the description of a low opportunity area? In fact, it is the most dynamic developing part of the city.

Also take note that the TCAC/HCD Resource Map at Appendix D, page 6 does not demonstrate all of these upgrading 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.

A high percentage of our new units will be on the West End, but this is inevitable because that is where our vacant land is primarily located. Fair Housing requires that the lower income RHNA be distributed throughout the city, but it does not require it be distributed evenly across the city. Moreover, the draft Housing Element projects only 120 lower income units in R-1 to R-6. Some portion of that number will be R-1 SB-9 units. This upzoning of R-2 to R-6 covers no more than 5% of our 2239 unit lower income RHNA, thus having minimal impact on the distribution of lower income housing across the city. Add to that the fact that R-2 thru R-6 have already been effectively upzoned by existing state and city ADU laws.

Avoidance of Article 26 requires a showing that it is required in order to achieve a certified housing element. The recommendations of the Planning Department do not meet that burden. I submit that your obligation as a Planning Board Member is to urge the submission of a draft that does not upzone the R-2 to R-6 zoning districts. If the HCD in its review this summer submits that the upzoning is required, the necessary modifications can, and I am sure will be made.

Sincerely,

Paul Foreman

## Nancy McPeak

---

**From:** Lara Weisiger  
**Sent:** Monday, May 9, 2022 11:02 AM  
**To:** Nancy McPeak; Erin Garcia  
**Subject:** FW: [EXTERNAL] Planning Board Agenda item 7C  
**Attachments:** We sent you safe versions of your files; 2022-5-8HousingElementPlnngBdWABA.pdf

**From:** Linda Asbury [mailto:linda@westalamedabusiness.com]  
**Sent:** Monday, May 9, 2022 10:53 AM  
**To:** 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>; Lara Weisiger <lweisiger@alamedaca.gov>; Allen Tai <ATai@alamedaca.gov>; Andrew Thomas <athomas@alamedaca.gov>  
**Subject:** [EXTERNAL] Planning Board Agenda item 7C

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

---

Planning Board: please review WABA's updated correspondence regarding the Draft Housing Element that will be heard tonight as a Public Workshop. I'm asking that more consideration be given to our comments and recommendations. WABA, with the City of Alameda created a Webster Street Vision 2010; this document was approved by the City Council. Even though it needs slight updating, it is still a document that we stand by. Thank you in advance for your consideration. Linda

Linda Asbury  
Executive Director  
West Alameda Business Association  
[linda@westalamedabusiness.com](mailto:linda@westalamedabusiness.com)  
510.523.5955





May 8, 2022 (By electronic transmission)

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

**Subject: Draft Housing Element Update - -May 9 Planning Board Agenda Item7-C**

Dear Planning Board Members:

On behalf of the West Alameda Business Association Board of Directors, please review our comments for the May 9 Planning Board 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 and retaining 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 for the historic core is inconsistent with the 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 revised Draft Housing Element return to the Planning Board and Council for final review after the May 9 comment deadline 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: City Council  
Andrew Thomas, Allen Tai  
WABA Board of Directors

## Nancy McPeak

---

**From:** Lara Weisiger  
**Sent:** Monday, May 9, 2022 11:50 AM  
**To:** Nancy McPeak; Erin Garcia  
**Subject:** FW: [EXTERNAL] Planning Board Meeting, May 9th, 2022 Public Comment Item 7-C

**From:** Sherry Stoll [mailto:sherrystoll@gmail.com]  
**Sent:** Monday, May 9, 2022 11:47 AM  
**To:** City Clerk <CLERK@alamedaca.gov>  
**Subject:** [EXTERNAL] Planning Board Meeting, May 9th, 2022 Public Comment Item 7-C

May 9, 2022

Members of the Alameda Planning Board,

These are my public comments regarding **May 9, 2022 Item 7-C : *Public Workshop to Review and Comment on the April 2022 Draft Housing Element and the proposed Zoning Code Amendments to Accommodate the Regional Housing Needs Allocation for the Period 2023-2031 in Compliance with State Law***

\*\*\*\*\*

As a lay person, some of the Housing Element issues are hard to understand, not having an architectural or engineering background, nor a grasp on how laws regarding construction and development have been evolving — at least in how they are being applied and interpreted — as to what is permitted via bonus density, for example. So I apologize in advance if I got anything wrong...

\*\*\*\*\*

1) **Building Height.** I learned at last week's City Council Meeting that if the height restriction in a given area is 5 stories, that, with a bonus density added, **that height could be raised to 6 stories.** That made me realize I don't understand this law at all. That said, I already thought 5 stories is too high for Alameda — nearly everywhere — and if that can be bumped to 6 stories, that is way too tall. Especially if the architecture is a "block" shape with the entire 6th floor being the same footprint as all the other floors. People much more learned than I have called the 5 story height issue out, especially on Webster Street, as being too high. I stand with them.

1a) **Building Height: Unintended Consequences.** Suggestion that rows of tall buildings create wind tunnels: I have experienced this, and it is not good. Worse, I would be concerned about blocking natural sunlight to existing structures. Architectural design could overcome all these issues, but my fear is that would not be cost effective for developers, or that Alameda would not be able to impose standards which would prevent wind tunnels and sunless dwelling units. Worried about that.

\*\*\*\*\*

2) **Bonus Density and "Across the Board" Upzoning.** Another issue that came up, about which I am not entirely clear, was that the bonus density gets applied very often BECAUSE of Alameda's prohibition on multi-family dwellings. And that by removing the prohibition, Alameda would actually gain greater control on enforcing its standards. If that is true, then maybe we should remove that prohibition. But would it have to be removed everywhere, across the board? That seems very drastic. Is there no middle ground?

\*\*\*\*\*



3) **More Density within Existing Envelopes.** People much more learned than I have suggested that we could develop more units within existing envelopes. Please - this idea has merit, and if there is time, would it be possible to include examples within the Housing Element and count them?

\*\*\*\*\*

4) **More New Units May Not Solve the Problem.** One Council Member brought up that the older housing stock in Alameda is actually more affordable than the newer, and that by incentivizing the replacement of older buildings with newly constructed ones, we would have, yes, more units, but no one would either be able to afford them — or think they are worth it for the price. As I understand it, we have unoccupied units at this time, over priced for what they are and where they are located, evidently. How would more of this solve our housing shortage problem? This is a serious concern. High Cost. Are we really solving the problem? Our Housing Elements should at least be able to do that. I have doubts.

\*\*\*\*\*

5) **Removal of Multi-Family Prohibition.** Overall, I can understand why the City and the Planning Department would want to have maximum flexibility in allowing what can be built, and where, in order to meet numeric requirements. But I do not support this drastic approach as the **first** approach. That said, if it is really the case that removal of the multi-family prohibition would give us MORE control over standards — if that is really true — then that is a compelling reason to do so. If true.

\*\*\*\*\*

6) **Alameda Charm and Beauty is Not Evil, but High Cost Might Be.** The desire in the community to maintain - **and improve** - the uniqueness and charm of Alameda is not automatically evil or exclusionary. Uniqueness and charm, the desirability of a place — all contribute to a stronger community, and need not translate into exclusionary policies or outcomes. Cost, however, is a huge problem. I would like to see increased related complementary policies that would open up our community more to first-time home buyers, special subsidies or deals for not only first responders, but also teachers, librarians, nurses, and people in the trades and the arts. Low-income, seniors, people with special needs: obviously. To increase and improve the diversity of our community. ***I am pretty sure that just building more will not be the answer on its own.*** I just don't think we can do one without the other, and succeed.

6a) **Encourage and Support Long-Term Residency.** In tandem with that, I would hope we have City policies that encourage residency versus sub-leasing and/or vacation renting, so we can have more people “invested” in the community for the long term, providing increased stability for families and individuals who want and need that.

\*\*\*\*\*

7) **A Housing Element That Improves On Our Good Qualities.** There has been a lot of focus on how our Housing Requirement, and resulting Housing Element, will degrade Alameda by allowing unsightly construction and over-crowding. We have seen it happen. **Now, however, there are so many ingenious and creative developments in architecture in recent times: maximizing space, natural light, use of rooftops.** With the imposition of innovative and modern design approaches, I believe we could overcome our housing shortage and become an even more beautiful, unique, and amazing place to live — for all its residents.

Done right, this could be — *and should be treated as* — an opportunity to IMPROVE the overall look, feel, usability, and livability of Alameda. Why not? (I can think of a few concrete and rebar apartment buildings which could be improved upon at the same time as offering more units. And Article 26 / Measure A — if we are honest about it — allows for some very funky configurations.)

Maybe the Housing Element is not the place to convey this type of information, but if it is, I hope very much that such could be added — that which is *aspirational*.

Many Thanks,

Sherry Stoll

9th Street, Alameda

## Nancy McPeak

---

**From:** Planning  
**Sent:** Monday, May 9, 2022 12:54 PM  
**To:** Nancy McPeak  
**Cc:** Andrew Thomas  
**Subject:** Fw: [EXTERNAL] City of Alameda Planning board Resolution No. 2134  
**Attachments:** City of Alameda Planning Board Resolution No. 2134.pdf; NO-to-the-RE-ZONE-at-Harbor-Bay-Isle-Resolution-2021.pdf

HBC correspondence.

---

**From:** Lesa Ross <lross@slusd.us>  
**Sent:** Friday, May 6, 2022 3:56 PM  
**To:** Planning; Marilyn Ezzy Ashcraft  
**Cc:** Trish Spencer; Tony Daysog; John Knox White; Malia Vella  
**Subject:** [EXTERNAL] City of Alameda Planning board Resolution No. 2134

This is some history of the Doric, HBI, CHBIOA, and the Harbor Bay Club. The PUDs inside HBC lost recreational and community space within their villages (no pool — no clubhouse - play area etc.) — that was moved to the Harbor Bay Club. The HBC is subject to a Business/Homeowners Association — CHBIO. We, the PUDs within CHBIOA, are also subject to CHBIOA. I believe it is a legal question and not a matter of opinion that you can just take that away.

6. The purpose of the Harbor Bay Club is to be to provide quality recreational facilities for the residents of the Harbor Bay Isle

8. Prior to the issuance of any building permit, the applicant shall submit evidence to the Planning Commission that the existing landscaped easement along Center Court has been dedicated to the Harbor Bay Homeowners' Association as required by Resolution No. 972

HBC provides, before and after school care, swim lessons, tennis lessons, summer camps, and green space for kids to run around in



be outside. This is an amenity used by our community and other Alameda families and a haven for seniors too. It is an inextricable part of the CHBIOA and Harbor Bay Isle.

There is no evidence that it is anything different.

Lesia Ross  
VP Harbor Pointe

CITY OF ALAMEDA PLANNING BOARD  
RESOLUTION NO. 2134

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING PLANNED DEVELOPMENT AMENDMENT, PDA-90-26, TO THE EXISTING PLANNED DEVELOPMENT, PD-76-10 AT THE HARBOR BAY CLUB, 200 PACKET LANDING ROAD AND SUPERCEDING RESOLUTIONS NUMBERS 909, 972, AND 1281 RELATING TO THE EXISTING PLANNED DEVELOPMENT, PD-76-10

WHEREAS, the Planning Board of the City of Alameda has considered PDA-90-26 to allow expansion of the fitness center, child care and food/beverage facilities by approximately 10,000 square feet; and

WHEREAS, the Board has held a public hearing on this application and has examined pertinent maps, drawings, and documents; and

WHEREAS, the Board has made the following findings:

1. The design of the building addition, because it maintains the original design of the structure and does not encroach further toward adjacent uses, is compatible with the site and surrounding uses.
2. The project as conditioned will not have a negative impact on surrounding uses or the environment.
3. The project as conditioned to favor the continued transfer of memberships to Harbor Bay residents, and the limitation on the total number of members, will not significantly increase parking demand and other impacts caused by the operation of the Harbor Bay Club.
4. This resolution contains all previous conditions and provisions that remain applicable to the project.
5. The conditions, listed under Resolution Nos. 909 and 972 requiring the dedication of the shoreline park and installation of bicycle paths, have been met.
6. The purpose of the Harbor Bay Club is and shall continue to be to provide quality recreation facilities for the residents of the Harbor Bay Isle residential development.

THEREFORE BE IT RESOLVED that the Planning Board of the City of Alameda hereby grants PDA-90-26 subject to the following conditions:

1. This Resolution shall supercede Resolutions Nos. 909, 972, and 1281 relating to PD-76-10.

2. The project shall be constructed substantially in compliance with the plans labeled exhibit "A" dated March, 1991 and titled "PD Amendment Harbor Bay Fitness Center" on file in the office of the City of Alameda Planning Department.
3. Prior to the issuance of any building permits, the project shall be subject to Design Review which shall include the following:
  - a. A new landscaping plan for the entire Harbor Bay Club site, which conforms to the City of Alameda Water Conservation Guidelines to be installed prior to the issuance of a certificate of occupancy.
  - d. Plans which indicate new placement of facilities for storing and securing bikes during Club use which are being relocated as a part of this project.
  - c. Plans which indicate any changes in lighting.
4. The number of memberships shall not exceed 1,200 family memberships and 200 junior memberships.
5. The club shall continue the policy which allows Harbor Bay Isle residents to replace existing non-Harbor Bay Isle residents as members.
6. The club shall continue the policy by which facilities are provided at the Harbor Bay Isle Club at no or nominal cost to Homeowners' Associations for meetings until the proposed facilities for the Harbor Bay Isle Homeowners' Association at the Community Center site at Harbor Bay Landing are made available.
7. All publications advertising club events or the availability of the club for private events shall include information regarding public transportation to the club and shall encourage the use of alternative transportation or car-pooling.
8. Prior to the issuance of any building permits, the Club shall submit evidence to the Planning Department, that the existing landscaped easement between the Club and Center Court has been dedicated to the Center Court Homeowners' Association as required by Planning Board Resolution No. 972
9. The tennis courts shall not be operated after 11:00 p.m.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be




prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within fifteen (15) days of the decision, by Notice of Appeal stating the appellant claims that either the Board's decision is not supported by its findings or its findings are not supported by the evidence in the record.

PASSED AND ADOPTED by the Planning Board of the City of Alameda on the 8th day of April, 1991 by the following vote:

AYES: (7) Appezzato, Wolfe, Hodgkin, Persoff,  
Templeton, Tilos, Pritchard

NOES: (0)

ATTEST:   
DeWayne Guyer, Secretary  
City Planning Board

DG/dd/4/16/91/3:46pm



Community of Harbor Bay Isle  
Owners' Association, Inc.  
3195 Mecartney Road  
Alameda, California 94502-6912  
(510) 865-3363

[www.harborbay.org](http://www.harborbay.org)

RESOLUTION OF THE COMMUNITY OF HARBOR BAY ISLE OWNERS ASSOCIATION  
REQUESTING THE  
PERMANENT REMOVAL OF REZONING COMMERCIAL PROPERTIES  
WITHIN VILLAGE 1C, (HARBOR BAY CLUB, HARBOR BAY LANDING AREA)  
FROM THE CITY OF ALAMEDA DRAFT GENERAL PLAN 2040

WHEREAS, the Community of Harbor Bay Isle Owners Association, LLC.  
(COMMUNITY) represents the interests of 20 homeowner associations (2,998 residences),  
located on Bay Farm Isle within the City of Alameda; and

WHEREAS, the City of Alameda Draft General Plan reflects the City's efforts to meet  
the Regional Housing Needs Allocation as specified by the State of California through the  
potential rezoning of various areas within the City of Alameda, and

WHEREAS, the Draft General Plan requires public input, and is intended to incorporate  
the input of the local area constituents; and

WHEREAS, there has been a lack of consideration regarding the City of Alameda's  
Climate Action and Resiliency Plan which places the proposed housing units under water; and

WHEREAS, there has been a lack of consideration of the Oakland Airport and the fact  
that Bay Farm Island is within the flight path trajectory; and

WHEREAS, the City of Alameda has not been able to maintain the City's Bike Path nor  
sidewalks along Island Drive even with low density, therefore adding use would make the  
infrastructure worse; and

WHEREAS, the CITY proposes changing the zoning of the Harbor Bay Isle Owners'  
Association Commercial Areas to allow for housing; and

WHEREAS, the COMMUNITY's recorded Declaration of Covenants, Conditions and  
Restrictions, define through Article II. The COMMUNITY, Section 2.2 Land Classification, D.  
Community Commercial Areas: Those areas designated on the Community Master Plan as  
Commercial Areas wherein the property shall be used for those activities generally association  
and located in a commercial shopping area; and

WHEREAS, the COMMUNITY recorded its Declaration of Covenants, Conditions and  
Restrictions, which define through Article II. The COMMUNITY, Section 2.2 Land  
Classification, E. Recreation Center: That area designated on the Community Master Plan as the



Recreation center, which property is to be established as a privately operated recreation center; and

WHEREAS, the property restrictions were recorded June 8, 1977, with the Alameda County Recorder's Office, establishing the property restrictions are binding on all parties having or acquiring any right, title or interest therein or thereto and shall be binding upon each successor; and

WHEREAS, housing is an inconsistent land use under the property's Covenants, Conditions and Restrictions and thus a violation of governing documents; and

WHEREAS, the CITY has been unable to provide past or current contracted infrastructure to the COMMUNITY; and

WHEREAS, the CITY has been unable to provide proper police coverage to the COMMUNITY with low density housing; and

WHEREAS, an increase in housing density would call for more infrastructure and more police and fire coverage which is already in short supply; and

WHEREAS, the current infrastructure is insufficient and the proposed infrastructure is not designed for higher density population; and

WHEREAS, the Harbor Bay Club has a long, well-documented connection to the Harbor Bay Isle residential development as a community recreation space, that dates back to the City's original agreement with the master developer, and  
(<https://harborbayneighbors.wordpress.com/timeline-of-harbor-bay-club/>)

WHEREAS, the City of Alameda granted the master developer the right to swap 44 acres for a 10-acre Harbor Bay Club under the provision that "the purpose of the Harbor Bay Club is and shall continue to be to provide quality recreation facilities for the residents of Harbor Bay Isle residential development." (Finding from the City of Alameda Planning Board Meeting of April 1991.)

WHEREAS, the Planned Unit Development of Harbor Bay Isle is intended to provide a balance of housing, retail, services, community recreation, and open space, and

WHEREAS, the Harbor Bay Club and the Centre Court residential development, built by the same developer, have, for 40 years, shared a unique adjacent relationship that benefits both entities, and

WHEREAS Packet Landing Road is a cul de sac that must be able to provide emergency egress for 112 Centre Court homes, 82 Brittany Bay homes and a 650-student elementary school, and



WHEREAS, the Harbor Bay Landing Shopping Center and remainder of Village 1C (Commercial) has filled parking lots during the day; and

WHEREAS, there is already traffic congestion and parking issues associated with the Ferry Terminal; and

WHEREAS, the COMMUNITY Master Board voted unanimously to request permanent removal of the housing density upzoning within the Planned Unit Development that is Harbor Bay Isle and is inclusive of all 22.092 acres of Village IC, Commercial; and

**NOW THEREFORE BE IT RESOLVED**, by the Community of Harbor Bay Isle Owners Association Board of Directors, Alameda, California, as follows:

1. The COMMUNITY opposes the rezoning of the Commercial areas within the COMMUNITY within the Draft General Plan 2040; and
2. The COMMUNITY hereby strongly urges the City Planning Committee and City Council of Alameda to permanently remove upzoning Commercial Areas to housing within the Community of Harbor Bay Isle Owners' Association geographical boundaries.

Adopted on the 13<sup>th</sup> Day of May, 2021, by a unanimous vote of the Community of Harbor Bay Isle Owners' Association, LLC. Master Board of Directors.



William Pai, President  
Village 3A Representative



Paul Beusterien, Vice President  
Village 2 Representative

Andrew Thomas has repeatedly said that limiting the height limits to 3 stories in the Webster Street CC district – will render housing development infeasible.

Webster Street/Central Avenue happens to be a high resource area on the West End. Not only does its walkable restaurants and shops make it a high resource area, it is a major transit corridor, a 5-10-minute walk to the AC Transit bus stops on Santa Clara Ave.

The Neptune Plaza Shopping Center is in the Webster Street/Central Ave corridor on the west end. It was removed from the Shopping Center Overlay and there are calls to reduce the height limits on this large opportunity site to 4 stories. Reducing it to 4 stories could potentially kill development in this corridor, and shift development to the North Park Street District on the east end where higher height limits are allowed.

The Blanding Street Shopping Center was not included in the Shopping Center Overlay because it is in the North Park Street District. The current Housing Element allows 5 stories with allowances for even higher height limits in the North Park Street District.

Removing housing development opportunities in the Webster Street/Central Avenue high resource, transit corridor would be in direct conflict with the goals established in the Housing Element.

Additionally, in their letter to the City of Alameda, the YIMBY Law Greenbelt Alliance has urged the City to ease any constraints that may impede development on our city's housing sites. Imposing last minute historic restrictions, and new development standards and codes in the middle of the current Housing Element planning process would fall in the category of impeding and constraining development.

I urge you to allow 5 stories in the Webster Street/Central Ave corridor.

Thanks,  
Karen Bey