



June 12, 2022

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

Subject: Revised draft zoning amendments related to Housing Element (Item 7-A on 6-13-22 Planning Board agenda)

Dear Planning Boardmembers:

The Alameda Architectural Preservation Society (AAPS) is still reviewing the revised draft zoning amendments, so the following comments are preliminary and subject to modification and/or expansion:

1. **The proposed upzonings continue to be excessive.** We reiterate our comments previously submitted in detail especially in our May 8 letter to the City Council and our May 22 letter to the Planning Board that most of the various forms of upzonings proposed in the draft Housing Element and the zoning amendments within **all** of the residential zoning districts and in the historic commercial districts appear unnecessary to meet the RHNA and state fair housing requirements. Again, we have not been able to find anything in state law or published HCD guidelines that mandate such sweeping and indiscriminate upzonings **everywhere**.
2. **Transit Oriented Housing Waiver (TOHW).** We reiterate that:
 - a. Reliance on bus lines as a basis for upzoning 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; and
 - b. If the TOHW is retained, it should be as a pilot program and:
 - i. Applied only to the extent necessary to meet the RHNA and/or fair housing requirements;
 - ii. Applied only to important nodes and to existing buildings fronting the transit corridor itself rather than within ¼ or 1/8 mile; and
 - iii. Use AAPS’s previously recommended expanded ADU program as an alternative to State Density Bonus Law (SDBL) projects.

If the pilot program works out well over a significant period it could be later expanded.

However, the new provision restricting unlimited density to new units less than 1000 ft.² is good. 800 ft.² should be considered, both as a way of maximizing the number of units and promoting affordability.

In addition, the waiver mapping is based on the location of the “high frequency transit corridors”, rather than an actual map or verbal description of the actual corridors (e.g. the 51A bus line) as they existed on the date of the zoning amendment adoption. This is irresponsible and somewhat bizarre, since it appears to mean that the mapping of such corridors is under the control of AC Transit. If AC Transit adds, deletes or changes a route, the half mile wide corridor would change accordingly with no action by the City of Alameda. To allow the City to retain control of the waiver mapping as well as make the provision more understandable to document users, **the waiver should be shown as a zoning map overlay**, such as shown on Exhibit A, which was provided to the Historical Advisory Board at its June 2, 2022 meeting.

3. Exempting adaptive reuse of existing buildings for residential purposes from residential density limits and open space standards in *all* residential zoning districts. AAPS has indicated interest in this approach, but subject to the following:

- a. Applying the strategy only to the extent necessary to meet the RHNA and/or fair housing requirements and only in targeted areas rather than everywhere;
- b. Setting limits on the number of units on a lot rather than allowing an unlimited number of units; and
- c. Requiring the additional units be in the form of ADUs to avoid triggering SDBL projects (which could demand a waiver from, among other things, limiting the new residential units to the existing building envelope). Alternatively, limit the total number of units on a lot to four to avoid triggering SDBL projects. Both alternatives could include a requirement that one or more of the units be affordable.

4. Elimination of all provisions implementing City Charter Article 26. The draft zoning amendments now explicitly delete Article III from the Development Regulations which sets forth the provisions implementing Article 26 and confirms the effect of the massive upzonings discussed in Items 1, 2 and 3 above. This deletion parallels the provisions in the draft Housing Element that effectively repeals of Article 26. **Has the City Attorney reviewed this?**

5. Webster Street height limits. The revised draft continues to call for a 60 foot height limit for all of Webster Street, but the 15 foot setback for upper floor height would now be triggered by 40 feet rather than the previously proposed 50 feet. This is helpful but also consider the following variations:

- a. Provide a 60 feet height limit north of Lincoln without setbacks in exchange for keeping 40 feet south of Lincoln.
- b. If the upper floor setback approach is kept south of Lincoln:

- i. Base the upper floor setback on sight lines rather than 15 feet (as WABA originally proposed for heights over 40 feet north of Lincoln); and
- ii. Require the upper floor setbacks on the street side of corner lots in addition to along the front lot line.

We were surprised by the concern of some Planning Board members that dividing Park Street and Webster Street into different height zones would be too complicated. This is already done on Park Street and is a common practice in other communities. Good zoning rules should be based in part on conditions on the ground rather than a potentially arbitrary mapping over a relatively large area that does not recognize more localized conditions.

We still consider the proposed unlimited density and increased height limits for the historic portions of Park and Webster Streets unnecessary to meet the RHNA and State fair housing requirements and which, through SDBL projects, could lead to taller buildings than intended, as well as other unforeseen consequences.

- 6. **For new buildings at the front of interior lots and adjacent to existing buildings with substandard front yard setbacks, allow exceptions to the normally required front yard setback by allowing the setback to be the average of the adjacent buildings' front setbacks.** This is similar to a provision now proposed for deletion currently applicable only to entire blocks within new large scale developments that should be retained and expanded to apply to individual development sites to help maintain streetscape, design character and more efficient lot coverage.
- 7. **In all residential zones, require the portion of a building over three stories or 35 feet to be located within the roof envelope,** using dormers to develop habitable living space to minimize visual bulk, mitigate solar access impacts on neighbors and so that large new buildings don't look like big boxes, like many post-1920s apartment buildings.
- 8. **Minimize interior and exterior demolition to promote resource conservation and retain valuable materials.** When adding units within existing pre-1942 building envelopes, include requirements that discourage gut rehab to help preserve distinctive interiors and minimize the amount of debris that ends up in the landfill. This strategy will promote the resource conservation provisions added last year to the General Plan and help avoid over-improvements that increase costs and inhibit production of affordable housing. The California Historical Building Code (CHBC) would help implement this strategy, since:
 - a. the CHBC allows alternatives to regular code that preserve historic fabric, can significantly reduce code-related project costs and allow projects that would be financially infeasible under regular code to become feasible; and
 - b. in Alameda, the CHBC applies to all pre-1942 buildings and post-1942 buildings on the Historic Building Study List, comprising thousands of structures.

9. North Park Street District.

We continue to recommend:

- a. A 40 foot height limit on the west side of Park Street between Pacific and Buena Vista Avenues; and
- b. Retaining the existing height limits and one unit per 2000 ft.² of lot area in at least the Residential, Mixed Use and possibly portions of the Workplace Subdistricts.

See our May 8, 2022 letter to the City Council for further discussion. As stated in that letter, much of North Park Street consists of one of the oldest and most historically significant residential areas in Alameda and also includes important historic buildings on the west side of Park Street between Encinal and Buena Vista Avenues.

10. Other residential zoning relaxations. There are numerous other relaxations of existing zoning rules, including reduction of minimum lot sizes to 2000 ft.², reduced side yard setbacks on wide lots, increased lot coverage by buildings, elimination of minimum lot width, and reduction in usable open space. These changes are apparently intended to promote new development, but there needs to be analysis of whether each of these changes is really necessary as well as adverse impacts, such as promoting McMansions, conversion of pervious to impervious surfaces (thereby increasing stormwater runoff), and tree and vegetation removals.

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.

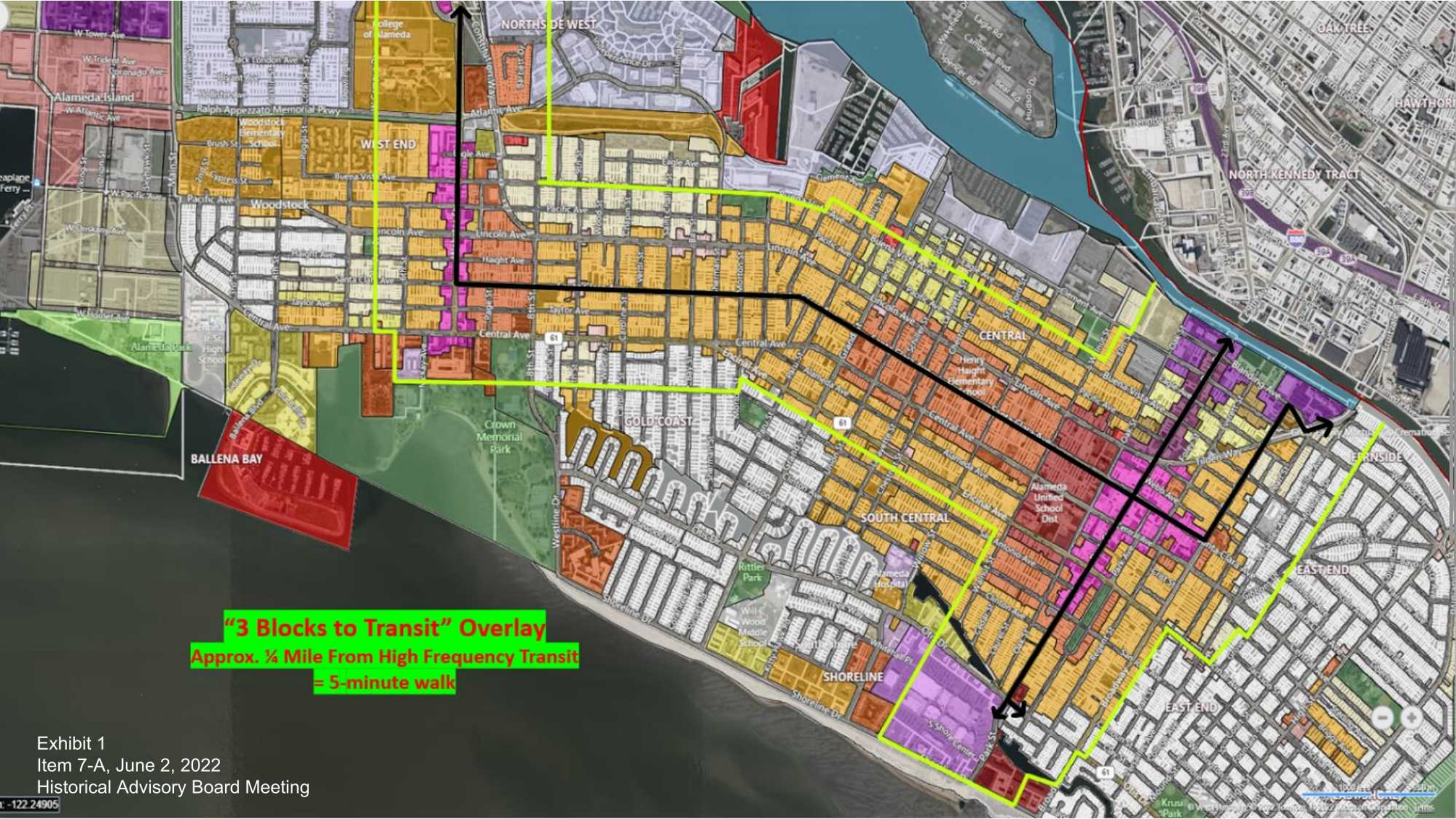
Sincerely,

Christopher Buckley, Chair
Preservation Action Committee
Alameda Architectural Preservation Society

Exhibits:

A. Transit Overlay Map provided at 6-2-22 HAB meeting

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)
AAPS Board and Preservation Action Committee (by electronic transmission)



"3 Blocks to Transit" Overlay
Approx. ¼ Mile From High Frequency Transit
= 5-minute walk

Nancy McPeak

From: City Clerk
Sent: Monday, June 13, 2022 11:23 AM
To: Nancy McPeak; Erin Garcia
Cc: Allen Tai
Subject: FW: [EXTERNAL] Re: density & height limits in the Wedge community

Hello,
Correspondence for tonight's PB meeting.
Thank you!

From: Patsy Paul [mailto:patsypaul@comcast.net]
Sent: Sunday, June 12, 2022 6:13 PM
To: City Clerk <CLERK@alamedaca.gov>
Subject: [EXTERNAL] Re: density & height limits in the Wedge community

Dear Planning Board Members:

I'm a home owner with a rental unit over our garage. I oppose the proposed increased density and building heights for the North Park Street Zoning District, including the Wedge neighborhood, east of Park Street.

Our property values are at the **lower** end of the average Alameda property value. These zoning amendments are too loose giving developers the upper hand to hostile take-overs and destruction of our tiny well-connected community. Like the Yellow House on Buena Vista Avenue across from the Marketplace. This Queen Anne was bulldozed for a parking lot that was approved by the city in support of a developer.

Our district does not have street parking to support massive density and height increases. Which would be a result of density bonus projects. This is not the proper location for such structures.

Please:

1. Reduce the existing 50 foot height limit to 40 feet (60 feet with Planning Board approval) in the Gateway Subdistrict on the west side of Park Street, south of Buena Vista Avenue -so that new buildings stay in scale with the historic buildings on this frontage, including McGee's.
2. Retain the existing height limits in the residential, mixed use and workplace subdistricts. -as unlimited density is overkill in subdistricts that currently have no identified lots for Regional Housing Needs Assessment units.
3. Retain the existing one unit/2000 sq. ft. of lot area density in the residential, mixed use and workplace subdistricts, as the 107 RHNA units in Park Street Gateway will already be a strain.

There are many other large lot areas in Alameda that can 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.

Don't threaten where we live in our beautiful historic, one and two story houses. with demolition. Keep beautiful Alameda beautiful for us too.

Sincerely,

Patricia Paul
2426 Buena Vista Ave.
Alameda, 94501
(510) 523 -4205

Nancy McPeak

From: Drew Dara-Abrams <dda@dara-abrams.com>
Sent: Monday, June 13, 2022 3:46 PM
To: Nancy McPeak; Andrew Thomas
Subject: [EXTERNAL] PB Item 7-A zoning amendments

Dear Planning Board members (via Ms. McPeak) and Planning staff (via Mr. Thomas),

As always, thank you for making a good faith effort to meet Alameda's obligations for both RHNA and AFFH. It's important to now see that after the "talk" of the draft Housing Element submitted to HCD that the city is also doing the "walk" of zoning code changes to support the needed number and distribution of potential housing units.

Overall I am quite impressed with the zoning code changes. I want to offer my general support for this draft and to offer thoughts on the new additions:

30-4.1 R-1, One-Family and Two-Family Residence District

It's very important to see multiple family dwellings added to the list of allowed uses in the city's largest zone, by both land area and parcel count. This change may not produce a large number of new residential units, but it could make a meaningful difference in opening well-resourced neighborhoods to a wider variety of housing types — and concomitantly, a wider variety of residents.

That said, I'm not sure how this text will actually work in practice. At what density level will multi-family be allowed on parcels that are zoned R-1 and outside of the Transit-Oriented Housing Waiver areas? I see a minimum lot area of 5,000 sqft, but no mention of a maximum residential density. Is it assumed that the only way to build multi-family is through SB9 mechanisms and therefore those will cap the effective density? If not, let me suggest giving R-1 the same maximum residential density as R-2 (one dwelling unit per 2,000 sqft of lot area).

30-5.15 Transit-Oriented Housing Waivers

Great refinement since the original drafts of the transit overlay approach. These parameters will work well for the transit corridors crossing the mid section of Alameda Island, and will not be out of proportion.

There have been some questions about the best "buffer" distance to use. A quarter-mile, as proposed in the current revisions, is the "industry standard" in North America: <https://humantransit.org/2011/04/basics-walking-distance-to-transit.html> I, for one, walk further to transit, but I suggest sticking with this standard.

Each time upzoning near high-quality transit comes up in California, there are calls to ignore bus routes and only take into account rail routes. Those requests do not reflect the way transit is planned or operated. Many of AC Transit bus routes still retain the letters that were used on the rail routes that they replaced. Important bus routes stay stable because they go between important origins and destinations and because they serve busy landmarks and population centers along the way. (Conversely, there is nothing magical about a rail line: In 2019, VTA took two stations and a leg of its light rail system out of service permanently, since it never produced sufficient ridership.)

This zoning code amendment touches on the interconnected forces that underlie land-use and transportation: the reason AC Transit provides bus service with 15 minute or better headways is because those corridors have

sufficient demand for that service, and the reason why the City of Alameda should encourage denser residential development within a walk of those corridors is because it will take advantage of that high-quality mass transit.

30-4.25 North Park Street District

The complexity of the North Park Street District is perhaps revealing of how it's a neighborhood in transition, both in terms of its uses and its scale.

PB and staff do need to manage uses, to make sure residents and industrial uses aren't clashing in unsafe or mutually irritating manners. But as to scale, this neighborhood is unique in already having a wide variety and inviting further diversification. Here's an idea: embrace the urban funkiness in this neighborhood by removing height limits for NP-G and NP-W.

The requirements to step building height down next to adjoining residential zones will limit the parcels for which "unlimited" height would actually be geometrically relevant. In practice, taller buildings would only work on the northern parcels away from existing residences. A requirement could also be added to require any buildings over a certain height include a minimum of non-ground floors be dedicated to residential use.

Alternatively, if "unlimited" height just sounds too wild for Alameda in 2022, let me suggest a height limit tall enough that when combined together with the State Density Bonus, enables a steel-framed mixed-use building to successfully pencil out.

You all know the particulars of zoning codes much better than I do — but none of us know how future real-estate investment and development cycles will go. What we do know is that the Bay Area has a history of cycles. The seeds that get planted in one cycle often aren't used until the next. North Park is a neighborhood in transition where Alameda could plant those types of seeds as an experiment for the future.

30-4.26 Community Mixed Use Multi-family Residential Combining District

Good to see Planning staff figuring out how to ensure shopping centers retain grocery stores, drugstores, etc. That is a valid concern in Bay Farm and parts of Alameda Island, so I appreciate seeing specific requirements being added. I hope city staff can also find ways to work proactively with real estate staff at Safeway, CVS, Walgreens, and any other key retailers, not just trusting complex owners to manage (and perhaps fumble) those relationships.

I have a question for you all regarding South Shore Center: what further "carrots" or "sticks" can the zoning code provide to encourage the property owner to adopt a good site plan for future redevelopment? The 30 dwelling units/acre minimum and active ground floor usage requirement are both useful. Can more be done in that vein to encourage a pedestrian-first development that integrates well with its surrounding neighborhoods, takes full advantage of the waterfront, and properly distributes its activity centers to neither overly dissipate nor overly concentrate uses?

Thanks for your time,
Drew Dara-Abrams
Calhoun St

June 13, 2022

To: Planning Board Members

From: Karen Bey

Subject: Agenda Item 7-A
Draft Zoning Amendments
Retail

During the period when John Russo was our City Manager, he spearheaded a retail leakage study in Alameda which showed that Alameda residents spent \$200 million annually outside of the city.

That study was completed in 2001/2002, more than 20 years ago. Consider what Alameda residents currently spend annually.

The City captured some of that leakage with the development of the Target Store at the Alameda Landing Shopping Center, the improvements made to the South Shore Shopping Center, and our theater district on Park Street. As a result, our annual sales taxes increased significantly.

The pandemic shifted a lot of our shopping habits on-line when Alameda residents were looking to avoid shopping in person. However, as Alameda residents return to a more typical mix of online and in-person spending, we need to make sure we avoid returning to the years when Alameda experienced significant retail leakage.

Accordingly, I am concerned that some of the proposed draft zoning retail amendments could send us in that direction. Here are four recommendations I would like to be considered:

**RECOMMENDATION 1:
INCREASE THE GROUND FLOOR RETAIL REQUIREMENTS
IN OUR C-1 AND C-C PARK AND WEBSTER STREET
DISTRICTS TO 70%**

(1)

Our Shopping Centers provide a lot of our shopping needs, and with the current draft zoning recommendations they would be allowed to convert multiple tenant spaces to a single tenant large format space so long as the square footage stays under 90,000 sq. ft. (which is considered a Super Store). This zoning could increase sales tax revenues, but the change could all but eliminate much of the smaller format stores in our shopping centers, creating new opportunities for our C-1 and C-C Park and Webster Street Districts.

However, ground floor residential would be allowed with a use permit in the C-1 and C-C Park and Webster Street Districts. In addition, there is only a 30% ground floor retail requirement in these districts.

**RECOMMENDATION 2:
DO NOT ALLOW GROUND FLOOR RESIDENTIAL IN THE C-1
AND C-2 PARK AND WEBSTER STREET DISTRICTS.**

(2)

Ground floor retail in the Park and Webster Street Districts create vitality, and create high resource walkable retail experiences. Allowing ground floor residential would reduce retail opportunities in these economic strategic districts, and potentially create retail leakage outside the city.

**RECOMMENDATION 3:
UPDATE OUR 2002 RETAIL STUDY TO IDENTIFY WHAT
ALAMEDA RESIDENTS CURRENTLY SPEND ANNUALLY, AND
EXPLORE WAYS TO REDUCE NEW RETAIL LEAKAGE.**

Our Waterfront Districts (Alameda Point, and the Northern Waterfront), and the Park Street and Webster Street and North Park Street Districts are important economic strategic districts.

The 2040 General Plan allows for increased retail experiences in these areas, yet the draft zoning code amendments reduces and in some cases potentially voids some of the retail gains we made in the General Plan.

Without an updated retail leakage study, we could repeat mistakes we made in the past. Once we approve major retail reductions in these important economic strategic areas, we cannot get them back.

**RECOMMENDATION 4:
PRIORITIZE A WATER SHUTTLE PROGRAM WITHIN
ALAMEDA'S ECONOMIC STRATEGIC RETAIL DISTRICTS
LISTED IN RECOMMENDATION 3.**

The City is working on a grant application to create an Alameda-Oakland Free Public Water Shuttle Pilot Program.

Use this opportunity to create a water shuttle program within Alameda's economic strategic retail districts to promote shopping in Alameda, and reduce potential retail leakage resulting from the reduction of retail square footage in our shopping centers.

