

APPEAL OF RESOLUTION PB-18-23

Marriott Residence Inn

2900 Harbor Bay Parkway

PRESENTATION TO ALAMEDA CITY COUNCIL
FEBRUARY 5, 2019

“OUR ASK”

Action requested for Resolution PB-18-23:

- **Rescind**, or
- **Place project on Hold** until decision from BCDC on full permit process, THEN
- **Return to Planning Board** to:
 - Address critical project deficiencies
 - Conduct an *authentic community-based design process*.

CRITICAL PROJECT DEFICIENCIES

- Inadequate building setback.
- Project violates Alameda Zoning Ordinance 30-37.5 and 30-5.2
- Design violates Planning Board Resolution #1203 dated 12/1/1981
- Unaddressed Environmental Concerns
- Inadequate Traffic Study
- Other Design and Landscaping Issues
- Community concerns not fully addressed.

PROPOSED PROJECT

Does this “blend in” to the shoreline?

(NO)

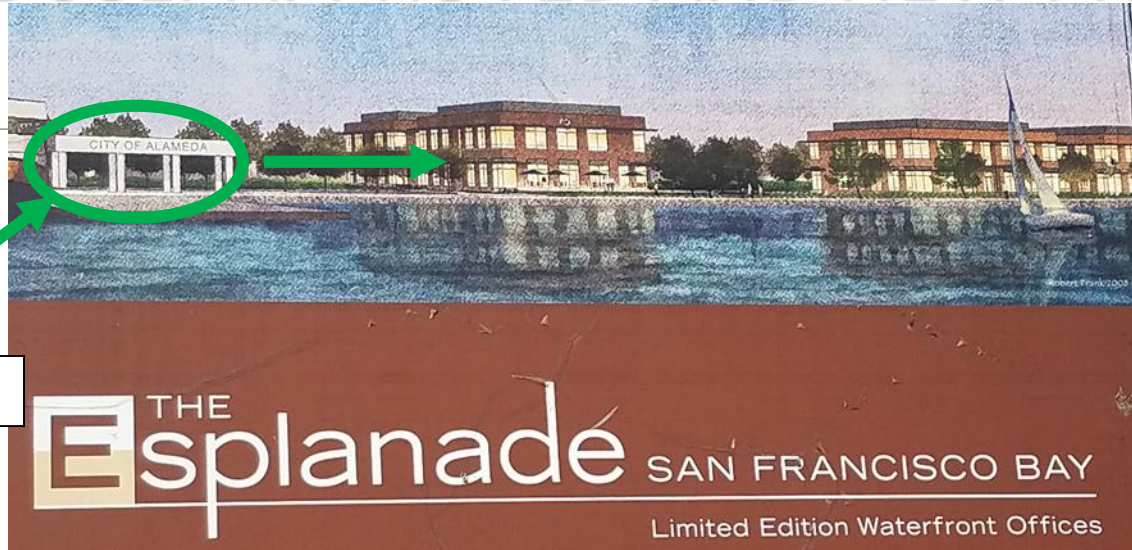


PROPOSED PROJECT

Massive next to Commercial and residential development



SIGNIFICANT SCALE DIFFERENCE BETWEEN PREVIOUSLY APPROVED AND NEW PROJECT



FERRY TERMINAL



INADEQUATE BUILDING SETBACK

- Project violates the intent of PB Resolution #1203 – Table 45 (Minimum Setbacks within Harbor Bay Business Park)
- Setback adopted is 35 feet (used a restaurant category)
- No requirement shown for any hotel heights
- Setback for Offices as high as 100 feet is 100 feet

Setback for Proposed Project should be in proportion to project height – **NOT the minimum required as shown in PB Resolution #1203.**

PB RES. #1203

MIN. BLDG SETBACKS

From Bay Edge Park

No use category for hotels →

Developer adopted this Use Category and 35 ft setback →

Project should Use Category closest to Building Height
To minimize impact on shoreline →

44. Minimum setbacks within the Business in the following table:

USES PROPOSED	ADJACENT USES	A. Other CM-PD zoned Land & uses			
		B. Residential	C. Lagoon	D. Bay Edge Park	
1. Parking Lot, drives, rec. vehicle & mini-warehouse storage (a)		35 (b)	25	25 (b)	
2. Restaurants, retail, comm. entertainment		35 (b)	25*	25*	
3. Lt. mfg., offices/research up to 35' in ht. FAR 0.5 to 1.		35 (b)	25	35	
4. Offices/Research up to 50' in ht. FAR 0.5 to 1.		100	35	50	
5. Offices/Research up to 50' in ht. FAR 2 to 1.		100	35 ↓ to ↓	50 ↓ to ↓	
6. Offices/Research up to 100' in ht		100	55	100	

PROJECT DESIGN VIOLATES ALAMEDA ZONING ORDINANCE 30-37.5

- To grant Design Review Approval:
 - Compatible with adjacent or neighboring buildings or surroundings – **NO**
 - Promotes harmonious transitions in scale and character between different designated land uses – **NO**
 - Visually compatible with surrounding development – **NO**

Proposed project does not conform to the requirements of this Zoning Ordinance!

PROJECT DESIGN VIOLATES ALAMEDA ZONING ORDINANCE 30-5.2

Design Regulations in Alameda Zoning Ordinance:

- 30-5.2 Regulations are Minimum: In interpreting and applying the provisions of this article, unless otherwise stated, they should be held to the minimum requirements for the promotions and protection of the public safety, health and general welfare. - **NO**

Proposed project **does not conform** to the minimum requirements of this Zoning Ordinance!

PROJECT Design violates PB Resolution #1203 dated December 1, 1981

- Under Para. B, Architecture:
 - Prominent buildings should be placed along Harbor Bay Parkway spine - **NO**
 - Protection of the Hills to Bay continuity - **NO**
 - Design attention to minimize or mitigate architectural bulk - **NO**

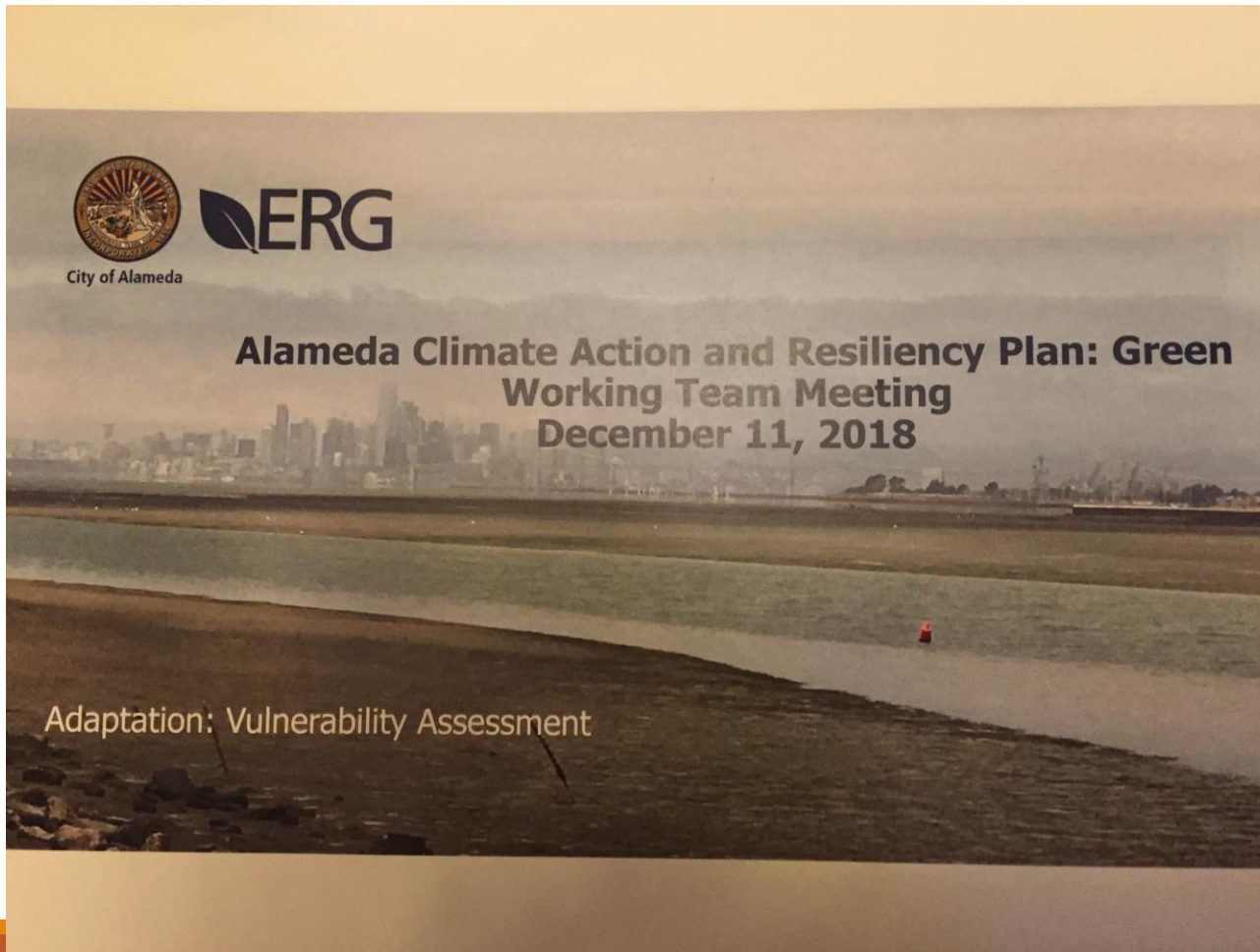
Proposed development is **entirely out of scale** to the Bay Shoreline, and adjacent residential and commercial development.

ENVIRONMENTAL CONCERNS

- Inadequate address of environmental regulations and concerns:

 - Approval relies upon an outdated 1974 EIR, last updated in 1987
 - Significant number of environmental concerns submitted by Lozeau Drury LLP never adequately addressed
 - ESA Memorandum states no significant changes since 1974
 - **how can this be?**
 - Global Warming
 - Changes in Endangered and Threatened Species
 - EIR never directly addresses high hotel structure
- The City's Own 2018 Alameda Climate Action and Resiliency Plan documents significant changes of concerns in the environment!**

ALAMEDA CLIMATE ACTION AND RESILIENCY PLAN – DEC 2018



INADEQUATE TRAFFIC STUDY

- Traffic study only address project impacts along Harbor Bay Parkway
-
- Study does not but should address critical residential areas through Bay Farm Island
 - There is high traffic volume through the Island from the Business Park, ESPECIALLY DURING FERRY DOCKING
 - Nearby schools and shopping centers would be affected, also.
 - Critical intersections include Auginbaugh and Mecartney, Mecartney and Island, Bay Farm School, Earhart School.
 - **Critical times includes coincident ferry/school times and ferry/business park commute within Bay Farm residential streets – NOT ADDRESSED**

Project traffic impacts **have not been fully identified.**

OTHER DESIGN AND LANDSCAPING ISSUES

- Developer promised to work with neighbors in developing landscaping plans, but to date, **NO invitation** to do so
- Significant number of excess parking spaces planned for Ferry Parking.
 - Paved areas create a heat island
 - Why are we creating Ferry parking, when the City policy is to encourage use of public transportation, bicycles or ride share?

These issues need address!

COMMUNITY OPPOSITION

- Strong opposition at Public and Planning Board meetings
- Many emails to Planning Board, City Council, BCDC and local newspapers
- Community of Harbor Bay Isle Owner's Association Resolution (December 6, 2018)
 - Community of 20 HOAs, 3500+ Homes
- Overflow audience at Dec 10, 2018 Planning Board Meeting, most opposed to project

Most of Comments and Concerns raised not fully addressed by City Staff or Developer.

SUGGESTIONS FOR DESIGN MITIGATION

- Design should be contextual with adjacent Bay Shoreline, commercial and residential development. Minor Architectural changes could do so.
- Design should represent Alameda and SF Bay, not a **cookie cutter** design.
- The right design and landscaping plan is critical to integrating project into its environs and **softening** project bulk.
- Exterior design, landscaping, lighting and required art work, should be a **collaborative** process with the Bay shoreline, commercial and residential interests.
- Full-size mockups should be used to help **visualize** Design Mitigation Features.

A Community-based design process reflecting Alameda and SF Bay values should be used for such a sensitive site.

BCDC – BAY CONSERVATION AND DEVELOPMENT COMMISSION

- Developer has attempted to bypass the full BCDC permit review process using an agreement intended **for use by HBIA, only and not successor owners.**
- Project **does not conform** to three major BCDC Objectives:
 - Provide, maintain and enhance visual access with the Bay and Shoreline - **NO**
 - Maintain and enhance the visual quality of the Bay - **NO**
 - Ensure that public access is compatible with wildlife through siting, design and management strategies - **NO**
- BCDC Meeting scheduled for February 7, 2019 to hold developer to full BCDC permit review process, including full public input.

Suggest City Council place this project “on-hold” until BCDC acts.

SUMMARY

Action requested for Resolution PB-18-23:

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Thank you for your consideration of our appeal!