

March 10, 2020

City of Alameda, Planning Department, Attn: Dept. Head, Andrew Thomas  
2263 Santa Clara Avenue, Alameda, CA 94501

RE: Planning Application / Density Bonus Application for Alameda Boatworks Green  
2229 Clement Avenue -2235 Clement Ave  
APN's 71-289-5, 71-290-1

Dear Mr. Thomas:

The Alameda Boatworks Green property at 2229-2235 Clement Ave. is a 9.48 acre site backing up the Oakland Estuary and currently zoned R2-PD, with an MU-5 General Plan Designation. Boatworks, LLC ("Developer") proposes 161 market rate homes and apartments and 21 affordable apartments to be allocated as follows: 13 apartments for Very Low Income families, 8 apartments for Moderate Income families, all located in a multi-family apartment building at the southeast corner of the site.

**A. Base Plan:**

Included with this application is a Development Plan that depicts a 140-unit Base Plan proposing construction on a project site that lies in the R-2 (Two-Family Residence) District with a PD (Planned Development Combining District) Zoning Overlay. The planned development zoning allows the City the flexibility to vary the lot area, lot width, building coverage, and yard size/setback requirements from the general standards applicable in the R-2 zone in order to accommodate the project as proposed. See Alameda Municipal Code ("AMC") §30-1.13(e).

The project as proposed exceeds the development standards of the R-2 zone with respect to open space. See Alameda Municipal Code ("AMC") 30-4.2(d)(9). The R2 zone would normally require 0.96 acres of common open space for 140 lots and 1.25 acres of common open space for 182 lots. The proposed planned development project includes in excess of 2 acres of publicly accessible open space.

To conform to the City's Inclusionary Housing requirements, the project provides a total of 15% affordable housing units (21/140 units per the above referenced mix of Very Low and Moderate Income families housing). By providing 9.3% (13/140) of the units for Very Low Income families, the project qualifies pursuant to Government Code §65916(f)(2) and AMC §30-17.7.1(b) for a 30% Density Bonus, allowing a total of 182 units altogether.

PROPERTY	AREA (SF)	ACRES
PROPERTY PROJECT SITE	415,568	9.54
Common Open Space Provided	2,000	2.00
	7.54	Available for Dwelling Units

DWELLING UNITS		Min. Lot Size	Minimum Base Area Required(SF)	Minimum Base Acres Required
BASE	140	2,000	280000	6.43
INCLUSIONARY UNITS PROVIDED	21			
INCLUSIONARY UNIT %	15%			
% <i>Very-Low Income Units</i>	9			
DENSITY BONUS	+ 30%			
BONUS UNITS	42			
TOTAL DWELLING UNITS	182			

Market Rate	UNITS
Base	119
Bonus	42
Moderate	8
Very Low	13
TOTAL	182

### **B. Waivers:**

As shown above, Developer qualifies for waivers pursuant to Government Code §65916(e)(1) and AMC §30-17.12,. Pursuant to the goals and objectives of the State of California's Density Bonus Law and the Alameda Municipal Code, Developer requests waivers from certain development standards that "physically preclude[e] the construction" of the project. Gov Code 65916(e)(1); AMC 30-17.12: The following list of requested waivers are required to construct the Project at the densities being requested by Developer, and are necessary to support the provision of affordable housing units:



1. **Waiver from prohibition on multifamily housing** to allow for the construction of the multifamily building and the attached townhomes.
  - a. This waiver is necessary to allow construction of the number of units permitted pursuant to the density bonus in the space allowed in light of the additional publicly accessible open space the project is providing.
2. **Wavier from the 2,000 square foot minimum lot size** to allow for homes to be built on lots less than 2,000 square feet.
  - a. This waiver is necessary to allow construction of the number of units permitted pursuant to the density bonus in the space allowed in light of the additional publicly accessible open space the project is providing.
3. **Waiver of the development height standards of the R-2 zone** to allow for:
  - a. Single family homes and townhomes with a maximum height of 45'
  - b. A multi-family/multi-story building with a maximum height of 65'
  - c. The slight height waivers requested in (a) and (b) above permit construction of the number of units promised, in a variety of sizes and configurations, within the relatively small area provided by the project site.
4. **Universal Design Waivers.** The statewide standards established in "California Building Code Chapter 11A Housing Accessibility" do not apply to single-family homes or duplexes. See 1101A.1 and 1102A.1. But they do cover all newly constructed multi-family dwellings. California Building Code Administrative section 1.1.7.3.1 exempts detached one- and two-family dwellings and townhouses not more than three stories from the California Accessibility requirements. AMC section 30-18.2 defines "Accessible" with reference to Chapter 11A of the California Building Code – i.e. as "standards for features or fixtures, designs, or other improvements,[sic] which are equal to or exceed the minimum requirements of Chapter 11A of the California Building Code." AMC section 30-18.2 applies to any "development that includes one or more new residential dwelling units," but it is not clear that it applies to all new residential dwelling units within such developments.

AMC 30-18 applies its universal design "Visitability" standards to "all new residential dwelling units *subject to the provisions of this section*," (AM 30-18.4(a) (emphasis added)), but Universal Design (AMC 30-18.4(b)) requires "30% of *all new residential units*" (with no restriction) to comply. Chapter 11A of the California Building Code establishes different (and more lenient) standards for accessibility *within* a dwelling unit in a multi-family building than it does for access *to* the multi-family building as a whole. See, e.g., Chapter 11A, Division II (Exterior Facilities) and III (Building Features) vs. Division IV (Dwelling Unit Features). The different requirements do not translate easily to the context of the single family homes or duplexes proposed as part of the Boatworks project, and constructing numerous single family

homes that are as fully accessible as multi-family apartment buildings adds considerable cost to the project. In some places, for instance on Oak Street, where the lots abut a street that is at a lower elevation, the topography and site constraints make an accessible exterior entrance impossible.

The project is able to provide affordable AND accessible units by locating 30 units in a multi-family building served by an elevator. In addition, the project will provide several more accessible duplex units throughout the project wherever topography allows for a roll-in entrance.

With respect to interior universal design, Division IV of Chapter 11 requires covered dwelling units to provide doors to the exterior that are at least 32 inches wide and to provide “accessible” routes (that are 36 inch-wide) to a powder room on the first floor. Cal. Building Code §§ 1119A, 1125A, 1126A, 1132A. Chapter 11A of the California Building Code allows interior stairways. See §1123A. A powder room must provide sufficient maneuvering space for a wheelchair to enter and close the door. The definition of “Accessible” in Chapter 11A, thus allows the interior of units to be “adaptable” for access by people with disabilities who require features of accessibility, but does not require absolute accessibility to all areas of the residence.

a. **AMC 30-18.4a Visitability.** To the extent Visitability requirements govern units outside the multi-family building on this project, Developer requests a waiver from the 100% Visitability requirement to allow, instead, 101 of the 182 residential units (55% of all units) to meet all criteria of accessibility.

- i. 100% of the affordable housing units will meet this requirement.
- ii. 25% of all the units meet all visitability criteria except for the powder room dimension requirements
- iii. 20% of all the units meet all visitability criteria except they do not have accessible exterior access due to topographical constraints.

b. **AMC §30-18.4(b) Universal Design.** Boatworks will meet the requirement of universally designing 30% of the units.



**C. To the extent the PD zoning does not provide adequate flexibility, Boatworks requests waivers to allow:**

- i. Reductions to required Lot Areas, Lot width, Building Coverage, and yards (front, side, and rear) and Off-Street Parking
- ii. Increases to allowable Building Heights and Densities
- iii. To the extent the City considers the Open Space the project provides to be inadequate to meet the requirements of the R2-PD zone per the minimum requirements of AMC 30-5.12(c), Boatworks requests a waiver to permit the project to be developed with the open space as shown on the Development Plan.

**D. Request for Waiver to Reduce Parking Ratio**

To the extent the PD zoning does not provide adequate flexibility, pursuant to AMC 30-17.3 and the density bonus laws, Boatworks qualifies for the following reduction in the required on-site parking:

- a. Studio and one-bedroom units: one parking space
- b. Two to three bedroom units: two parking spaces

As an additional waiver or concession (pursuant to 30-17.3(c), Boatworks requests that for its 4-5 bedroom units Boatworks also provide two (rather than 2.5) parking spaces per unit

As a further waiver or concession, Boatworks requests for all units in the multi-family building and for some three-bedroom units, the project will provide one parking space.

**E. Incentives and Concessions:**

As part of its density bonus, Boatworks qualifies for concessions and incentives pursuant to Government Code §65916 and AMC §30-17.9. Section 65916(k) defines an incentive or concession as: “[a] reduction in site development standards or modification of zoning code requirements [etc]... that results in identifiable and actual cost reductions, to provide for affordable housing costs” and “[o]ther regulatory incentives or concessions proposed by the developer, [city, or county] that result in identifiable and actual cost reductions to provide for affordable housing costs....”

Government Code section 65916(d)(2) sets a minimum number of incentives or concessions that a city must grant if requested. But Government Code section 65916(n) clarifies that: “If permitted by local ordinance, nothing in this section shall be construed to prohibit a city, county, or city and county from granting a density bonus greater than what is described in this section for a development that meets the requirements of this section.” Consequently, while the state law

requires the City to provide at least one incentive or concession (see 65916(d)(2)(a)), nothing in the AMC precludes the City from exercising its discretion to provide a greater number of incentives or concessions in order to facilitate the development of housing and, in particular, affordable housing. See, e.g., AMC §§30-17.9(a) and 30-17.10(b). Furthermore, AMC §30-17.10 provides that

For large development projects, defined as projects on sites with at least one acre of land area, an applicant may be granted exceptions to the caps and limits set forth in subsection 17.10(b) through the density bonus application process if it can be shown such exceptions are needed to allow more flexibility that promotes superior site design and architectural excellence.

Boatworks requests the following incentive or concession:

1. **Relief from Affordable Housing Distribution Requirements.** Pursuant to Alameda Code Section 30-17.8.(a)(1)-(2) requirement that affordable housing units be integrated into the project and “reflect the range and number of bedrooms provided in the project as a whole.” The Boatworks project does provide affordable housing units that reflect a range of affordable housing unit sizes and number of bedrooms. As shown on the Development Plan, the affordable units vary in size from 1,403 sf to 420 sf. while the market rate residences range from 2,882 sf to 1,098 sf. The floorplans of market rate units vary from 1 bedroom/1 bath to 4 bedroom/4 bath residences. The floorplans of the affordable units vary from 1 bedroom/1 bath to 3 bedroom/2 bath. To the extent the City considers that this variety of unit types does not adequately “reflect the full “range and numbers of bedrooms provided in the project as a whole,” Boatworks requests a waiver from this standard as an incentive to provide the extremely affordable units it proposes.

#### **F. Description of Market-Rate and Affordable Residences**

The Boatworks proposal collects all the affordable housing units into the multi-family housing apartment building at the intersection of Clement Ave. and Oak St. This approach provides accessibility to all the units (via elevator) and locates the units as close as possible on the site for comfortable walking distance to the civic resources of the Library, the City Hall, and the Police Station, as well as to the variety of services of the downtown Park St. commercial center. All units are constructed with modern, durable, high quality finishes, appliances and fixtures throughout. Exteriors and landscaping of both market rate and affordable homes will be shared in common and maintained through the Homeowners Association. Maintenance manuals will be provided to all residents detailing procedures and responsibilities for their residences.



**G. Timing of Market Rate and Affordable Sales and Occupancy**

All market rate and affordable residences in the project will be offered for sale. The affordable units will all be built in construction Phase 1 of the project with an estimated completion date ready for sale approximately in the Spring of 2022. The entire project will be completed and ready for occupancy approximately in the Fall of 2025.

**H. Affordable Housing Agreement**

Boatworks LLC will enter in an Affordable Housing Agreement with the City of Alameda to govern the marketing, leasing, renting, sale, re-sale, and deed restrictions of the affordable homes (similar to the form included with this application). The Affordable Housing Agreement, with any other deed restrictions required by the City, will ensure that the homes remain affordable for the required term. This application and all its exhibits will become a part of the Affordable Housing Agreement.

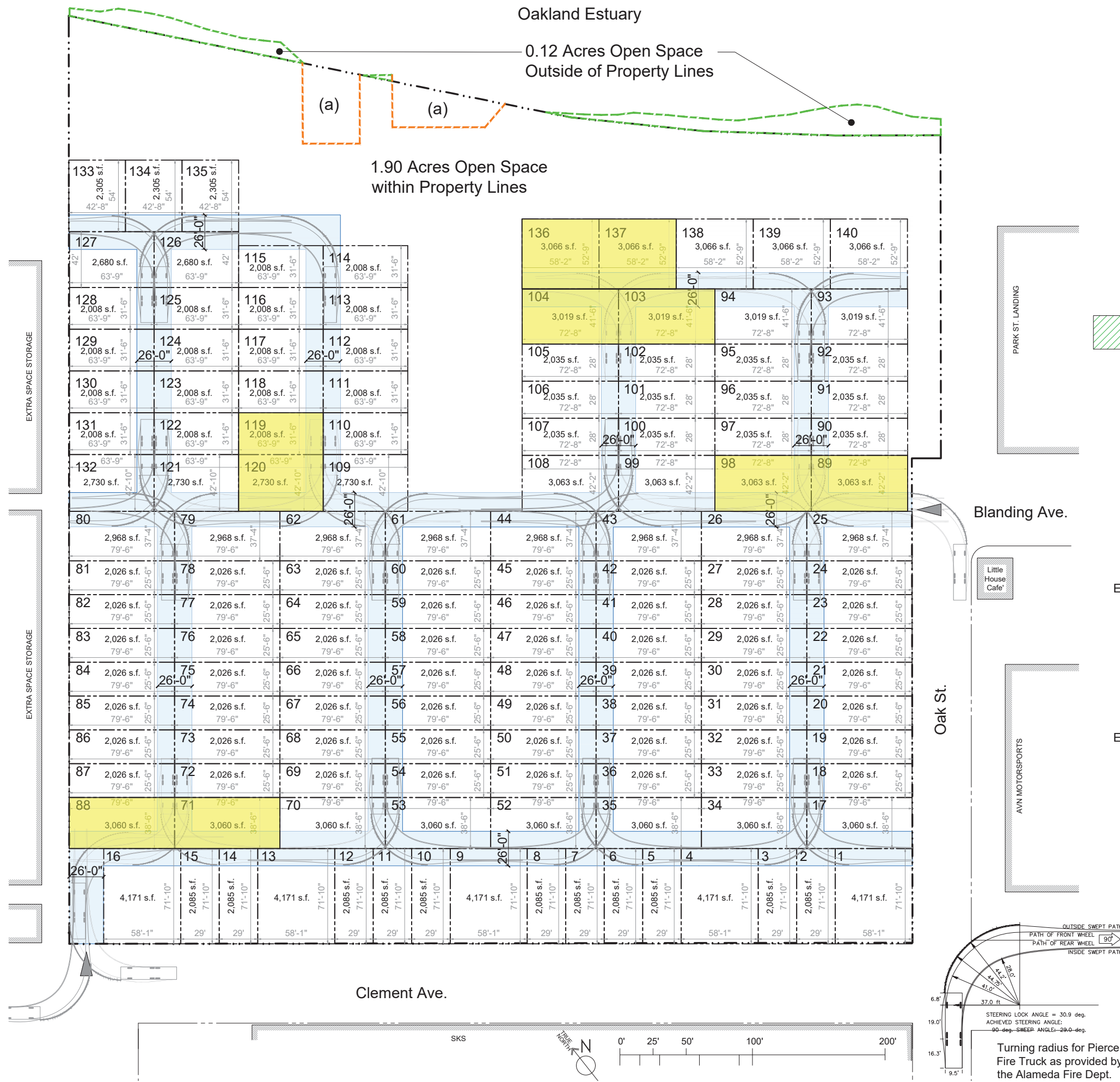
**I. Marketing Plan for Affordable Homes**

The marketing plan for Affordable Homes will involve working closely with the City of Alameda and local groups such as Alameda Home Team, Renewed Hope, and the Alameda Housing Authority. We will partner with an experienced BMR marketing firm such as Hello Housing to prepare a more detailed Marketing Plan that will be provided prior to the signing of the Affordable Housing Agreement. Boatworks LLC will identify potential buyers for the affordable residences and select the applicants through a lottery system. Each of the selected applications will be screened to determine that they meet income and program-eligibility requirements. Per Alameda Muni Code 30-16.9a, the City will approve individual buyers for each residence.

Please acknowledge receipt of this application and confirm that it is complete.

Sincerely,  
Phil Banta

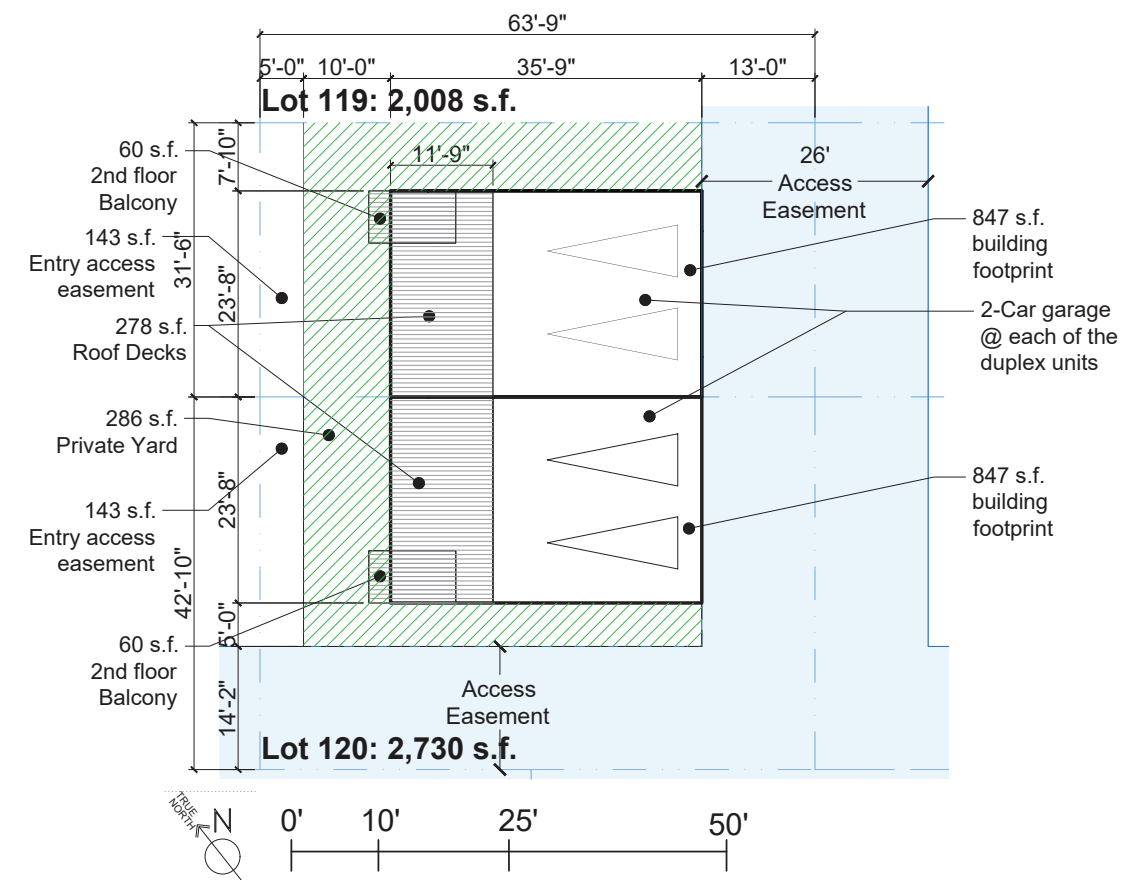




**140 Lots Base Site Plan (2,008 s.f. (min. lot size) up to 4,170 s.f.)**  
**Open Space = Approx. 2 Acres (1.90 Acres)**

The base site plan shows the site being divided into 140 units of 2,000 s.f. or greater along with common open space along the waterfront of approximately 2 Acres. This is the basis to which the Density Bonus of 30% has been applied (yielding a total of 182 units) as the result of the inclusion of 9% Very Low Income, 6% Moderate Income affordable housing units.

	Required/ Unit	Proposed/ Unit
Alameda R-2 Zoning	Open Space	Open Space at smallest Base Plan Unit (Lot 119)
Open Space	120 s.f. min. for Ground level / 60 s.f. min. for non-ground level	286 s.f. @ Private ground level yard
Common Open Space	300 s.f. min.	338 s.f. private decks @ 2nd floor and @ Roof
Total Open Space/ Unit	600 s.f. min.	1,215 s.f. min.
(a) Boatways	0.10 acres	



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ARCHITECTURE PLANNING URBAN DESIGN  
6050 HOLLIS STREET  
EMERYVILLE, CA 94608  
510-654-3255

**BASE SITE PLAN STUDY**  
Lot Divisions: 140 Residential Lots; Lots 119 & 120

**Alameda Boatworks Green**  
2229 & 2235 CLEMENT AVENUE, ALAMEDA, CA

DATE:  
**MAR 3, 2020**

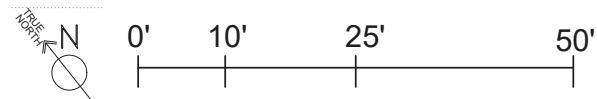
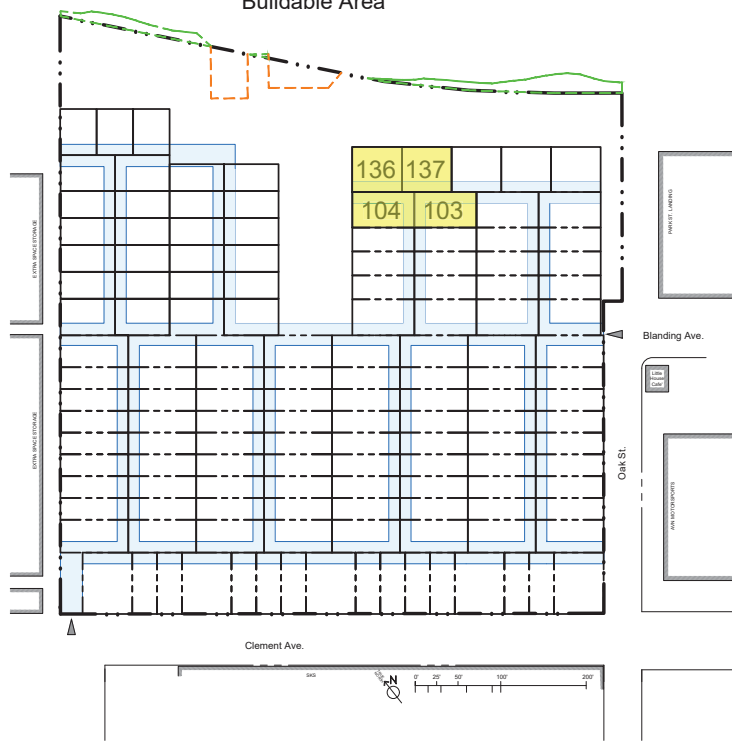
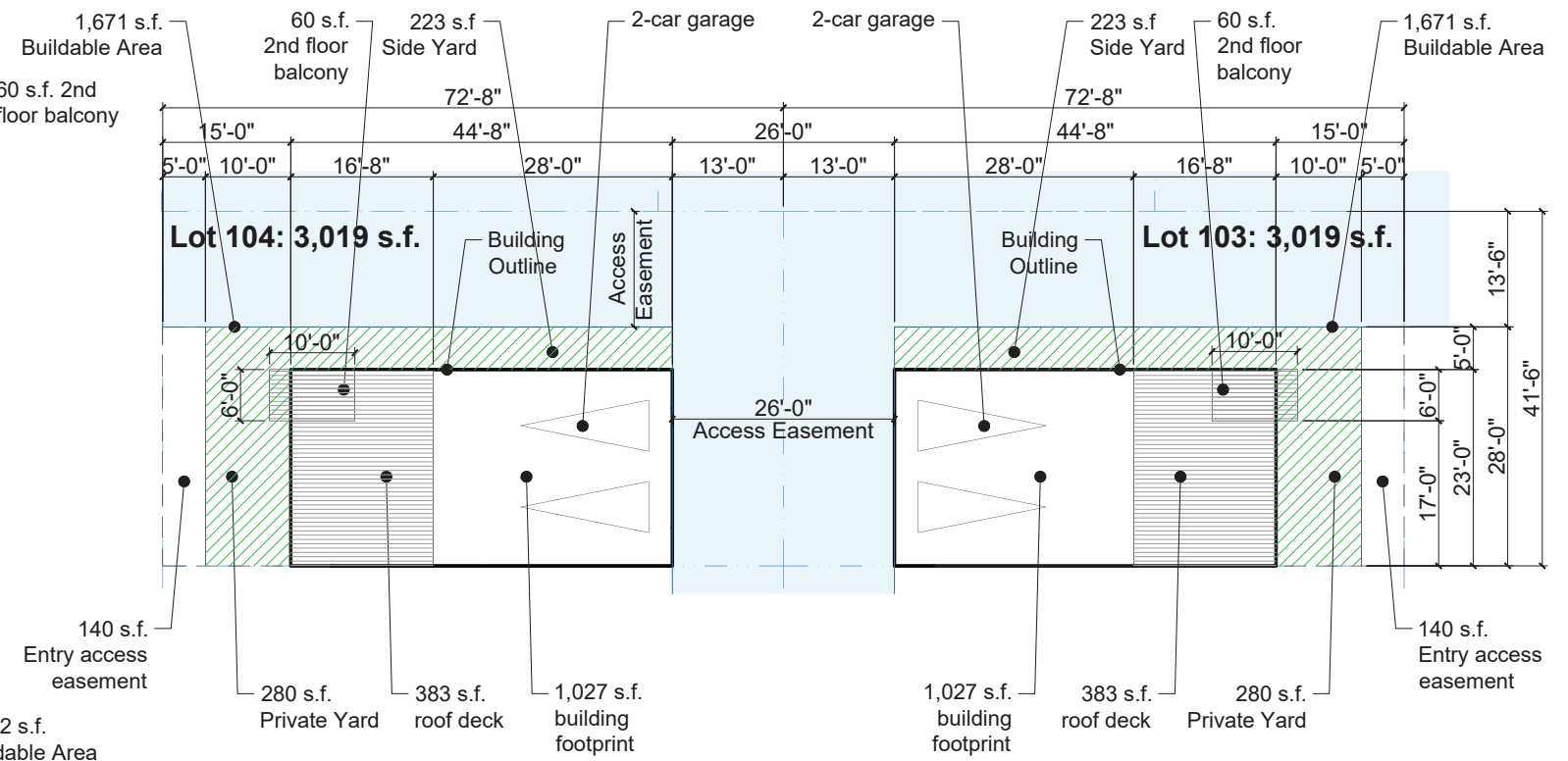
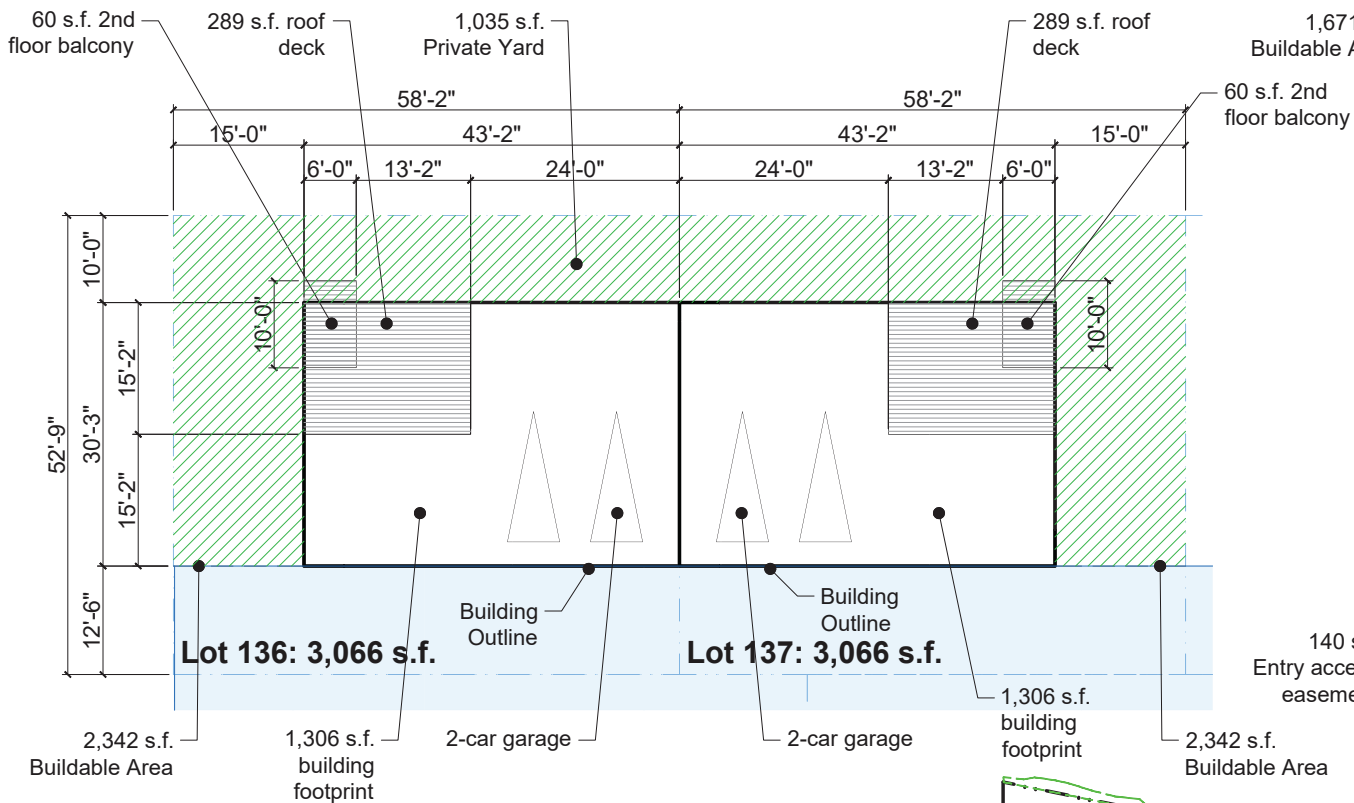
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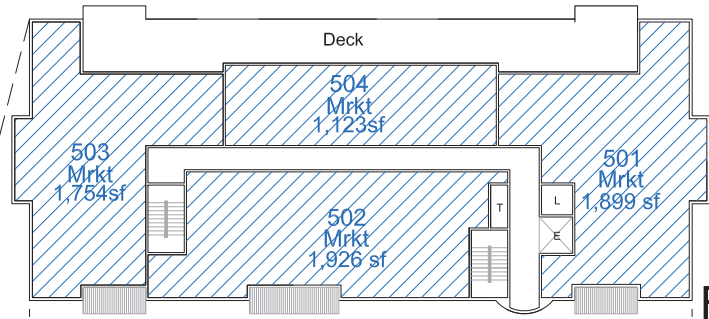
	Required/ Unit	Proposed/ Unit
Alameda R-2 Zoning	Open Space	Open Space at lots 136, 137 (mirror lots)
Open Space	120 s.f. min. for Ground level / 60 s.f. min. for non-ground level	1,035 s.f. @ Private ground level yard
		349 s.f. private decks @ 2nd floor and @ Roof
Common Open Space	300 s.f. min.	1.90 ac./ 140 units = 591 s.f. (within property lines)
Total Open Space/ Unit	600 s.f. min.	1,975 s.f. min.

	Required/ Unit	Proposed/ Unit
Alameda R-2 Zoning	Open Space	Open Space at lots 104, 103 (mirror lots)
Open Space	120 s.f. min. for Ground level / 60 s.f. min. for non-ground level	280 s.f. @ Private ground level yard (not including side yard)
		443 s.f. private decks @ 2nd floor and @ Roof
Common Open Space	300 s.f. min.	1.90 ac./ 140 units = 591 s.f. (within property lines)
Total Open Space/ Unit	600 s.f. min.	1,314 s.f. min.



<b>BantaDESIGN</b> , A DIVISION OF BETA, INC. ARCHITECTURE PLANNING URBAN DESIGN 6050 HOLLIS STREET EMERYVILLE, CA 94608 510-654-3255	<b>BASE SITE PLAN STUDY 2.01</b> <b>Lots 136 &amp; 137 and 104 &amp; 103</b>	
	DATE: <b>MAR 3, 2020</b>	<b>BPS-3</b>
<b>Alameda Boatworks Green</b> 2229 & 2235 CLEMENT AVENUE, ALAMEDA, CA		





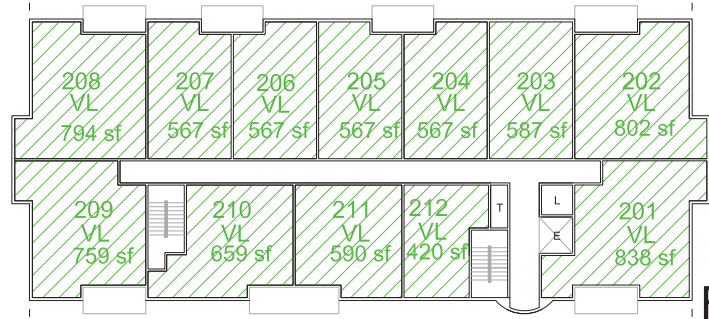
Fl. 5



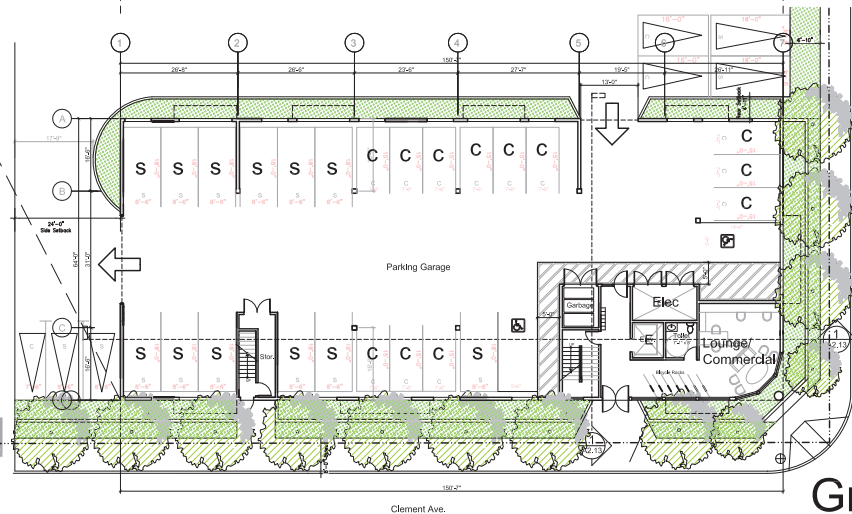
Fl. 4



Fl. 3



Fl. 2



Ground Floor

## Multi-Family Building Plans

				Income Level Eligibility per State Requirements	
Fifth Floor	Unit 501	3 Bdrm. / 2 Bath	1,899 sq.ft.	Market Rate	T.B.D.
	Unit 502	4 Bdrm. / 2 Bath	1,926sq.ft.	Market Rate	T.B.D.
	Unit 503	3 Bdrm. / 2 Bath	1,754 sq.ft.	Market Rate	T.B.D.
	Unit 504	2 Bdrm. / 2 Bath	1,123 sq.ft.	Market Rate	T.B.D.
Fourth Floor	Unit 401	2 Bdrm. / 1 Bath	838 sq.ft.	Moderate Income	T.B.D.
	Unit 402	3 Bdrm. / 2 Bath	1,403 sq.ft.	Market Rate	T.B.D.
	Unit 403	2 Bdrm. / 1 Bath	1,148 sq.ft.	Market Rate	T.B.D.
	Unit 404	2 Bdrm. / 1 Bath	1,148 sq.ft.	Market Rate	T.B.D.
	Unit 405	3 Bdrm. / 2 Bath	1,591 sq.ft.	Market Rate	T.B.D.
	Unit 406	1 Bdrm. / 1 Bath	675 sq.ft.	Moderate Income	T.B.D.
	Unit 407	2 Bdrm. / 2 Bath	1,023 sq.ft.	Moderate Income	T.B.D.
Third Floor	Unit 301	2 Bdrm. / 1 Bath	838 sq.ft.	Moderate Income	T.B.D.
	Unit 302	3 Bdrm. / 2 Bath	1,403 sq.ft.	Moderate Income	T.B.D.
	Unit 303	2 Bdrm. / 1 Bath	1,148 sq.ft.	Moderate Income	T.B.D.
	Unit 304	2 Bdrm. / 1 Bath	1,148 sq.ft.	Moderate Income	T.B.D.
	Unit 305	3 Bdrm. / 2 Bath	1,591 sq.ft.	Market Rate	T.B.D.
	Unit 306	1 Bdrm. / 1 Bath	675 sq.ft.	Very Low Income	T.B.D.
	Unit 307	2 Bdrm. / 2 Bath	1,023 sq.ft.	Moderate Income	T.B.D.
Second Floor	Unit 201	2 Bdrm. / 1 Bath	838 sq.ft.	Very Low Income	T.B.D.
	Unit 202	2 Bdrm. / 1 Bath	802 sq.ft.	Very Low Income	T.B.D.
	Unit 203	1 Bdrm. / 1 Bath	587 sq.ft.	Very Low Income	T.B.D.
	Unit 204	1 Bdrm. / 1 Bath	567 sq.ft.	Very Low Income	T.B.D.
	Unit 205	1 Bdrm. / 1 Bath	567 sq.ft.	Very Low Income	T.B.D.
	Unit 206	1 Bdrm. / 1 Bath	567 sq.ft.	Very Low Income	T.B.D.
	Unit 207	1 Bdrm. / 1 Bath	567 sq.ft.	Very Low Income	T.B.D.
	Unit 208	2 Bdrm. / 1 Bath	794 sq.ft.	Very Low Income	T.B.D.
	Unit 209	2 Bdrm. / 1 Bath	759 sq.ft.	Very Low Income	T.B.D.
	Unit 210	1 Bdrm. / 1 Bath	659 sq.ft.	Very Low Income	T.B.D.
	Unit 211	1 Bdrm. / 1 Bath	590 sq.ft.	Very Low Income	T.B.D.
	Unit 212	Studio / 1 Bath	420 sq.ft.	Very Low Income	T.B.D.
Total 30 Units					

Parking Type	Dimensions	Number of Spaces
Standard Spaces (S)	8'-6" x 18'	12 spaces
Compact Spaces (C)	7'-6" x 15'	12 spaces
ADA Spaces	9' x 18'	2 spaces
Adjacent Spaces outside Building	8'-6" x 18'	2 Tandem spaces = 4 spaces
	8'-6" x 16'	2 spaces
	8'-6" x 16'	1 space
Total Parking Spaces		33 total spaces

The 2020 Affordable Housing Plan is the same as the 2011 Approved Affordable Housing Plan: 21 affordable units located in the Multi-Family Building at Clement Avenue and Oak Street.

- 13 very low income units
- 8 moderate income units

The 2020 multi-family building consists of 30 elevator served dwelling units and provides a minimum of 1 parking space per unit. All the affordable units are accessible via elevator, and each floor features its own laundry room and trash chutes (for garbage and recycling) to a ground floor trash room. With the exception of a one Bdrm. unit (203) and a Studio unit (212) at the 2nd floor all units have private outdoor decks. All units have access to a 500 sf common space lounge near the 2nd floor elevator and stairs lobby as well as to a ground floor 830 sf lobby/waiting area with an ADA bathroom.

The project provides 21 affordable units (15% of the base site plan total of 140 units).

	VL	Mod	Mrkt	Total
4 Bdrm./ 2 Bath			1	1
3 Bdrm./ 2 Bath		1	5	6
2 Bdrm./ 2 Bath		2	1	3
2 Bdrm./ 1 Bath	4	4	2	10
1 Bdrm./ 1 Bath	8	1		9
Studio/ 1 Bath	1			1
Total	13	8	9	30

Mrkt=Market Rate 9 Units

Mod=Moderate Income (Affordable) 8 Units

VL=Very Low Income (Affordable) 13 Units

30 Units total

L = Laundry Room  
T = Trash Chute  
E = Elevator



0' 4' 8' 20'

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## Affordable Housing Plan

DATE:  
MAR 10, 2020

MFB-1