

LARA WEISIGER

From: Dorothy Freeman <dfreeman@pacbell.net>
Sent: Tuesday, April 07, 2020 10:00 AM
To: dfreeman@pacbell.net
Subject: April 7th 6-D Boatworks

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April 7, 2020 6-D Boatworks

Honorable Mayor Ashcraft and Council Members,

The history of the land known as Boatworks is long. In 1991, the City of Alameda placed plans for a 10 acre park, at that time also called Estuary Park, in the city's General Plan. The park would be along the Northern Waterfront at the end of Oak Street. I will refer to the planned park as Oak St Estuary Park. The 10 acres of land would come from what was, at that time, Dutra property, Fox property and Frances Collin's property.

In the early 2000's Mr. Collins started plans for a residential development on his property which fronted on Oak Street and Clement Street. The community came together and created the (Oak St) Estuary Park Action Committee. The committee worked for many years with the city planning department and the City Council advocating for the park, but funding to purchase the land needed for the park was not secured. This project has come before the Planning Board and the City Council too many time to count. During the following years it was agreed that the park space needed to be at least 2 acres.

We would all like to see the land finally developed. But houses are not all the makes a neighborhood livable. The area that will be served by the open space on the Estuary is the park poorest area of the City of Alameda. McKinley Park at 1.2 acres, is the only city park that's not a long walking distance from the new developments on the Northern Waterfront. While McKinley Park is an active park, there is very little active sports area. McKinley Park will not be able to serve the addition of the recently completed 52 units at the Mulberry Development, the 760 units presently under construction at the Alameda Marine, and the 182 units at Boatworks. That's 994 new units less than 3 blocks from McKinley Park.

The open space in this development has been whittled down becoming inconsequential. Basically it's nothing but a walk along the waterfront. Once houses are built on this land, houses are all you will have. The opportunity to have proper open space is gone. We all want to see our community improved. Houses are an important part of that. But, home is not just a building.

People need ample open space to get out of their dense housing developments to play and enjoy the out of doors. McKinley Park will not do the job. The space along the shoreline needs to be returned to the 2 acres that has been supported for the many years of negotiation with this development.

The housing on the East end along the Estuary encroaches on the 100' BCDC setback for the tide lands. The housing units along this portion need to be pushed back so that land can be part of the open space these new tenants will need. The waterfront space belongs to all the citizens of Alameda and should be reserved for their enjoyment. Open space set asides like this create an appearance that the land belongs to the people who live within the development and gives that appearance to the property owners. The space always feels like non-

resident visitors are encroaching upon space that belongs to the land owners.

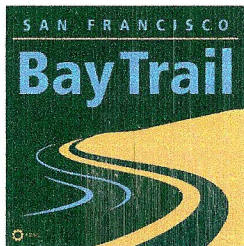
I believe the proposed exteriors of the buildings are just a suggestion at this time. But what is shown is a plan that is nothing but square boxes with no details and has no connection to Alameda and our historical look. Granted, this has been an industrial area, but that is not a reason to allow buildings that look like those projected in the submitted details. 2100 Clement was developed on an industrial lot yet it appears to belong in Alameda and has an inviting nature. Boatworks exteriors do not.

The Covid-19 virus has shown us how important lots of open space is. Even in normal times people need to be able to get out of their homes, especially when units are small as some of the units in this development are.

On another note, placing all the non-market rate units into the apartment building is unacceptable. This stigmatizes the people as being unwanted within the community. When the units are spread out among the market rate units, they don't stand out as people who are different than the others. Another problem with putting all the lower income people into one building makes it easier for the building not to be maintained to the same degree as when it's residents are spread out among the development. Please reconsider this request from the developer.

Respectfully,
Dorothy Freeman

cc: Lara Weisiger



April 3, 2020

Mayor Marilyn Ezzy Ashcraft and Council Members
City of Alameda
2263 Santa Clara Avenue
Alameda, CA 94501

Subject: Comments on the Boatworks Project at 2229-2235 Clement Avenue

Mayor Ashcraft and Council Members:

On behalf of the San Francisco Bay Trail Project, I am writing to submit comments on the Boatworks Project at 2229-2235 Clement Avenue in Alameda. The Bay Trail Project is a nonprofit organization administered by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) that plans, promotes, and advocates for the implementation of the Bay Trail. The Bay Trail is a planned 500-mile continuous network of multi-use bicycling and walking paths that, when complete, will encircle San Francisco and San Pablo Bays in their entirety. It will link the shoreline of all nine Bay Area counties, as well as 47 cities. To date, over 350 miles of the proposed Bay Trail system has been developed.

The Bay Trail Project is currently in discussions with the City of Alameda on planning a shoreline bicycle and pedestrian path along Alameda's Estuary waterfront which includes the Boatworks Project sites. It is our hope that this shoreline trail will become a part of the overall Bay Trail system once the planning work is completed. Regardless, the waterfront trails at the Boatworks Project site will be part of a larger and longer system of trails, and the design of the trails at Boatworks, particularly related to its width which equates to capacity, is critical to think about from a system wide need perspective in the long run. The width, location, and design of the trail needs to be able to integrate into the larger trail network and be able to provide the width and capacity needs for bicyclists and pedestrians that will be anticipated once the entire trail network is completed.

With that said, the development plan and open space design materials provided with the Boatworks Project appears to propose a shoreline path that varies from 25 feet in width to as little as 4-feet in width which would be inadequate to accommodate the flow through traffic of bicyclists and pedestrians that would be expected along the Estuary Shoreline Trail. In addition, the tentative map plans provided are unclear on the widths that would be provided as part of the shoreline path. Due to these factors and to ensure that the shoreline pathway will be built to allow for the capacity and needs of bicyclists and pedestrians along the proposed greater Estuary shoreline pathway, we strongly urge the Council to include the following two conditions of approval as part of any approvals for the Boatworks Project.

Shoreline Trail Conditions of Approval:

- 1) Prior to beginning any work, the project sponsor shall obtain approval for the design of the shoreline path from the City of Alameda, the San Francisco Bay Trail Project, and the San Francisco Bay Conservation and Development Commission.
- 2) The shoreline path shall have a minimum width of 18 feet.

The Bay Trail Project appreciates the opportunity to comment on the Boatworks Project and looks forward to our continued partnership with the City of Alameda to improve the Bay Trail and bicycle/pedestrian access within the City and across the Estuary. Please do not hesitate to call me at (415) 820-7915 if you have any questions regarding the above comments or the Bay Trail.

Sincerely,



Lee Chien Huo
Bay Trail Planner

LARA WEISIGER

From: Nicoley Collins <ncollins@fdcollins.com>
Sent: Friday, April 03, 2020 4:05 PM
To: City Clerk
Cc: Yibin Shen; Celena Chen; ANDREW THOMAS; Shona Armstrong; Andrew Brimmer; Robert McGillis
Subject: April 7th City Council Agenda
Attachments: UDrequest and DB addendum.pdf; ALAMEDA BOATWORKS 2020_Universal Design_Site Plan_Unit Allocation (1).pdf; Proposed Floor Plans_Unit Type D1-B2.pdf

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Re: Item 6-D, Boatworks Entitlements

Honorable Mayor and City Council Members;

Boatworks writes to inform the Council that we are aware of the March 29 email submitted by Ruth Abbe, resident of Alameda, who expressed concern about the use of natural gas within the project. Recognizing that there may be other concerned citizens as well, we offer this response.

Boatworks shares the goals of the community at large. None of us will be immune to climate change, and all of us can benefit from smart, efficient and sustainable development. Caring for our environment should not be contrary to practical, affordable development. Thoughtful measures that address the needs of those seeking housing, and endeavor to preserve the natural environment, can work in unison to achieve a common goal. Now, more than ever, we see how difficult it can be to weigh the costs and benefits of our collective decisions, but with care, respect, and consideration, we can strike a measured balance. The following is a statement from the project architects which best explains the building standards by which all California development must adhere:

All current residential Building Permits require that development meets strict energy efficiency standards and satisfy the requirements of California's Green Building Standards Code – known as CALGreen

CALGreen is the first-in-the-nation mandatory green building standards code.

CALGreen was developed in an effort to meet the goals of California's landmark initiative AB 32, which established a comprehensive program of cost-effective reductions of greenhouse gases (GHG) to 1990 levels by 2020.

The Boatworks Project will be designed and built using sustainable building practices prescribed by Calgreen including water and energy efficiencies, photovoltaic solar energy, high indoor air quality, high-performance HVAC systems and the use of sustainable building materials.

The CALGreen standards can be met and exceeded using BOTH electric and natural gas utilities and appliances. The dual-fuel homes of the Boatworks project are the most cost effective way to provide for clean and reliable energy solutions for the homebuyer, while meeting the strict CALGreen criteria.

Though previously submitted to city staff, we attach the project's Density Bonus Addendum, Universal Design site plan, sample floor plans, and waiver requests.

Respectfully,

Nicoley Collins
Boatworks, LLC
PO Box 8685
Emeryville, CA
94662-0685
ph. 510.653.6871 ext.113

March 25, 2020

Yibin Shen, City Attorney
Andrew Thomas, Planning Director
City of Alameda
2263 Santa Clara Avenue
Alameda, CA 94501
yshen@alamedacityattorney.org
athomas@alamedaca.gov

**RE: Universal Design Waiver Request for Development of the Boatworks property,
located at 2229-2235 Clement Ave**

To the City Council of the City of Alameda

Boatworks has requested a waiver of certain aspects of the Universal Residential Design Ordinance (Alameda Municipal Code ("AMC") 30-18) as part of its Density Bonus waiver request. **It is our preference that the City Council approve this waiver at the next meeting pursuant to the Density Bonus provisions of AMC 30-17.4(b)(7).** This section appears to provide the most robust and straightforward means for the parties to achieve their shared goal. Furthermore, we believe the enclosed floor plans along with the Development Plan application and explanation in Boatworks' application letter will provide adequate "evidence in the form of a site plan, drawing or written explanation describing why the waiver is needed to permit the project" as is required by AMC 30-17.

If the City prefers to follow the procedure laid out in Universal Residential Design Ordinance provisions of AMC 30-18.5, then, pursuant to AMC 30-18.5, the Commission on Disability Issues must first consider and make a recommendation to the Planning Board that the requested waiver is necessary to: (1) make the findings for design review approval; (2) to support the provision of affordable housing units; (3) to avoid undue and substantial financial hardship caused by topographical conditions on the site; the size or configuration of the site; and/or other site constraints; and/or legal constraints and equivalent facilitation is not available; or (4) to avoid conflict with adopted local, regional, State or Federal regulations.

While City staff and Boatworks agree it is eminently probable the Commission and the Planning Board can and will make such findings, given the current extreme circumstances, it has been and will be impossible to convene the Commission on Disability Issues prior to the coming April 7, 2020, City Council meeting. Consequently, **to the extent the City Council feels unable to proceed under the Density Bonus laws, we ask the City Council to defer decision** on the universal design aspect of Boatworks' Density Bonus request until the Commission can meet.

Please note that approval of Boatworks' Density Bonus Application is critical to Boatworks' ability to delay trial of the parties' underlying legal disputes as contemplated in

section 4.4.2(a) and section 5.2 of the recently-signed Settlement Agreement. As such, if the City opts to delay consideration of the waiver of universal design requirements, we ask the City to schedule consideration of this portion of the Density Bonus Application for **prior to the Initial Applications Deadline established in section 4.4.2 of the Settlement Agreement**. This deadline is currently 60 days from March 12, 2020 – **i.e. May 11, 2020**.

The City can achieve this goal by bringing Boatworks' application to the Commission on Disability Issues as soon as possible ahead of the April 13, 2020, Planning Board meeting in time for the April 21, 2020, City Council meeting.

The Boatworks application for waiver consists of the Development Plan the City Council is reviewing along with the enclosed floor plans and a commitment to meet the ordinance standards as described in the text of the previously-submitted application letter below:

The purpose of the ordinance is clear. Not only should developers consider the fundamental needs of all people living with mobility issues, but in particular, those of the elderly or injured, who may have purchased a home when their health and mobility was vastly different than in their old age or post trauma. For the most part, we feel that the ordinance does a good job of anticipating these possible outcomes. However, it remains important that the ordinance provides for the granting of waivers, as each developer faces different limitations.

The Boatworks project is unique in that it aims to reasonably take advantage of the benefits provided by the state and local Density Bonus Laws, while also providing approximately 2 acres of publicly accessible open space. The difficulty in accomplishing both the developers' desired density, while also providing more than the required open space for the project, puts limitations on the design and size of the provided units. With an endless supply of land and no restrictions on building, meeting the requirements of Universal Design becomes much easier. Taking into account the limited buildable space, and financial and marketing realities of development, it becomes more difficult to adhere to the ordinance.

With regard to the requirement that the units be Visitable by guests with mobility issues, 55% percent of the units meet the requirement precisely. Twenty-five percent (25%) of the units do not meet the powder room dimension requirements and another twenty (20%) percent of the units do not have accessible exterior access due to topographical constraints.

With regard to the requirement that 30% of the units be Universally Designed, the project meets the requirement.

We look forward to meeting the commission members to discuss the plans and to better understand the needs of the community.

Thank you for your consideration. We look forward to clearing this next hurdle together.

Best Regards,

A handwritten signature in cursive script, appearing to read "nicoley", followed by a horizontal flourish line.

Nicoley Collins

Encl: Floor Plans for Boatworks Project

March 25, 2020 Addendum to Boatworks Density Bonus Application for Concession/Incentive related to dispersal and size of affordable housing units:

Boatworks' requested concession to allow for the proposed size and placement of the affordable units within the multifamily building will directly result in cost reductions to development. Using data provided by the International Code Council (February 2019), the cost to construct multifamily housing is at least 10% lower than the cost to construct single-family and two-family housing costs. In practice, the savings can be greater, depending on the size and construction of the multifamily building. Using ICC data alone, the cost savings for construction of the multifamily building will be in the range of \$500,000.

A development of the same density and floor area, without a multifamily building, would require that the 30 units within the building be squeezed into the project. As configured, the multifamily building allows for an additional 36,000 square feet of either market rate or affordable space. Without the concession, dispersal of the units would require a significant reduction of the size of market rate units, which would create a significant increase in the cost:benefit ratio for the Project. The additional square footage facilitated by the multifamily building is the largest single factor in defraying the cost of providing affordable units, particularly the 13 units designated for very low-income residents. The multifamily building size and configuration will save in the range of \$18,000,000 to be credited against the inclusion of the 15% affordable units.

This excerpt from the City of Alameda General Plan and Housing Element Annual Report is a good summary of the overall financial constraint that providing affordable units places on development:

Deed-Restricted Unit impacts on the financial feasibility of housing projects. In 2019, housing construction costs continued to be a major financial burden for housing production in Alameda and the Bay Area. In Alameda, recently approved residential projects, including major planned residential projects such as the Site A and Del Monte projects, are struggling to absorb rapidly increasing construction costs. Given California's land and construction costs, the 15% deed restricted units in each residential project must be financially subsidized by the 85% of the units that are not deed-restricted. (This financial relationship between market-rate housing and deed restricted affordable housing is the foundation of the State Density Bonus law, which grants market-rate bonus units in return for deed-restricted affordable units.) The deed-restricted unit subsidies must be covered by either the cost to the buyer or renter of the 85% market-rate units, the developer's return on investment, or the price received by the seller of the land. If the subsidies grow to the point where the costs cannot be passed onto the buyer or renter, cannot be absorbed by the developer, or cannot be taken out of the land price, the housing project will become financially infeasible. If the projects become infeasible, then the inclusionary requirement becomes a constraint on housing production.



Unit Size physically constrains visitability options at Ground Floor. Typical for D1 & B2 Units

Site Constraints Necessitate Stairs at Entry Areas of "E" Units Along Oak Street & Clemet Avenue

Visitable Units
 Multi-Family Building = 30
 A2 = 14
 B1 = 08
 B3 = 28
 B3R = 04
 B5 = 08
 E = 06
 F1 = 05
TOTAL = 103
 (103/182 = 57%)

Universally Designed Units
 Multifamily Building = 28
 A2 Units = 14
 B3 Unit = 12
TOTAL = 54
 (54/182 = 30%)

= Visitable Units

= Universally Designed Units

UNITS										
A2	B1	B2	B3	B3R	B5	D1	E	E2	F1	
2,882.0 s.f	2,878.0 s.f	2,659.0 s.f	2,659.0 s.f	2,546 s.f	2,106 s.f	2,040 s.f	1,672.0s.f	1,098.0s.f	2,718 s.f	Townhomes
14 units	8 units	15 units	28 units	4 units	8 units	30 units	38 units	2 units	5 units	= 152
3 or 4 Bedrooms	4 Bedrooms	3 Bedrooms	3 Bedrooms	3 Bedrooms	2 or 3 Bedrooms	3 or 4 Bedrooms	2 or 3 Bedrooms	2 Bedrooms	3 or 4 Bedrooms	
Private Rooftop Space: 514sf	Private Rooftop Space: 510sf	Private Rooftop Space: 426sf	Private Rooftop Space: 426sf	Private Rooftop Space: 436sf	Private Rooftop Space: 352sf	Private Rooftop Space: 149sf	Private Rooftop Space: 155sf		Private Rooftop Space: 416sf	

--- a. Accessible Open Space

* All 30 multi-family units accessible by ADA elevator

Multi-Family Building	30 Units
TOTAL DWELLING UNITS	182



SQUARE FOOTAGES	
FIRST FLOOR LIVING	364
SECOND FLOOR LIVING	769
THIRD FLOOR LIVING	840
FOURTH FLOOR LIVING	35
TOTAL LIVING	2008
GARAGE	432
PORCH	52
BALCONY	126
DECK	149

LARA WEISIGER

From: Ruth's Gmail <ruth.abbe@gmail.com>
Sent: Sunday, March 29, 2020 2:13 PM
To: Marilyn Ezzy Ashcraft; John Knox White; Tony Daysog; Jim Oddie; Malia Vella
Cc: City Clerk; ANDREW THOMAS; Eric Levitt; Patrick Pelegri-O'Day; Gerry Beaudin
Subject: April 7th City Council agenda item 6-D - Boatworks Project - Electrification

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Re: April 7th City Council agenda item 6-D - [Boatworks Project](#) - Electrification

Honorable Mayor and City Council Members —

I understand from listening to the Planning Board meeting on March 23, 2020 that developments approved prior to the adoption of new ordinances will not be required to conform to those ordinances. The City's Climate Action and Resiliency Plan calls for the development of an ordinance requiring all new residential construction to be 100% electric-powered with no gas hookups ([CARP](#), page 35).

The City Council expressed its support for this approach by adopting a [resolution](#) at its November 5, 2019 meeting limiting natural gas infrastructure for new residential construction on City owned property. I understand that the citywide ordinance addressing both public and private property is in development and might have been considered by the City Council in March 2020. However, other pressing matters have delayed City Council consideration of this ordinance.

The Boatworks project is one of the largest residential developments located outside of City owned property to be considered by the City since the adoption of CARP in September 2019. I encourage the City Council provide direction to City staff and the project developer to request conformance to the goals of the CARP and the City's [Climate Emergency Declaration](#), adopted March 19, 2019, for the Boatworks project to be developed with 100% electric-power with no gas hookups. Thank you for your consideration.

Ruth Abbe
1028 Fair Oaks Avenue
Alameda, CA 94501
415-235-1356