

April 14, 2020

Andrew Thomas, Director  
City of Alameda, Planning Department  
2263 Santa Clara Ave., Rm. 190  
Alameda, CA 94501

RE: Boatworks Universal Design Ordinance Waiver

Dear Andrew,

Respectfully, we, the applicant, request a waiver of AMC 30-18, the Universal Residential Design Ordinance.

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, the proposed plans provide 91 units of varying size and location within the property. The remainder of the units (91) cannot provide an accessible path from the public right-of-way to the front door. Elevation changes from both Clement Ave. and Oak St. across the property necessitate the use of stairs or pathways of greater than 5% slope.

With regard to the requirement that 30% of the units be Universally Designed, the proposed plans provide 28 units that meet the requirement precisely, and another 14 units that provide the interior amenities, but can only be accessed from the garage. The remainder of the units do not have the first floor area to accommodate all of the required components.

The requested waiver is necessary to support the provision of affordable housing units. As a density bonus was granted for the site, it is not physically possible to develop the number of

units allowed utilizing the density bonus if the applicant is required to incorporate larger floor plans necessary to meet the Universal Design standards.

In addition, the site provides an excess of approximately two acres of open space, thereby reducing the individual lot sizes and respective floor plans.

Furthermore, the requested waiver is necessary due to topographic conditions that are created by the need to elevate and slope the property to align with existing utility service.

When a project is considering waivers to the Universal Design Ordinance, the ordinance suggests a number of features that can be incorporated to compensate for the loss of required features or to improve the accessibility of the units.

For the townhomes, the following features could be offered, and incorporated into the design:

1. Blocking within the walls of all hallways to support future installation of grab bar/hand rails.
2. Rocker light switches, electrical receptacles, and environmental controls placed at accessible heights throughout the units.

Regards,

Nicoley Collins  
Boatworks, LLC



April 24, 2020  
Job No.: 1992-000

# M E M O R A N D U M

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**TO:** City of Alameda – Planning Department

**FROM:** Ryan Hansen, P.E., Principal

**SUBJECT:** Universal Design/Visitability Waiver Explanation  
Boatworks  
Alameda, California

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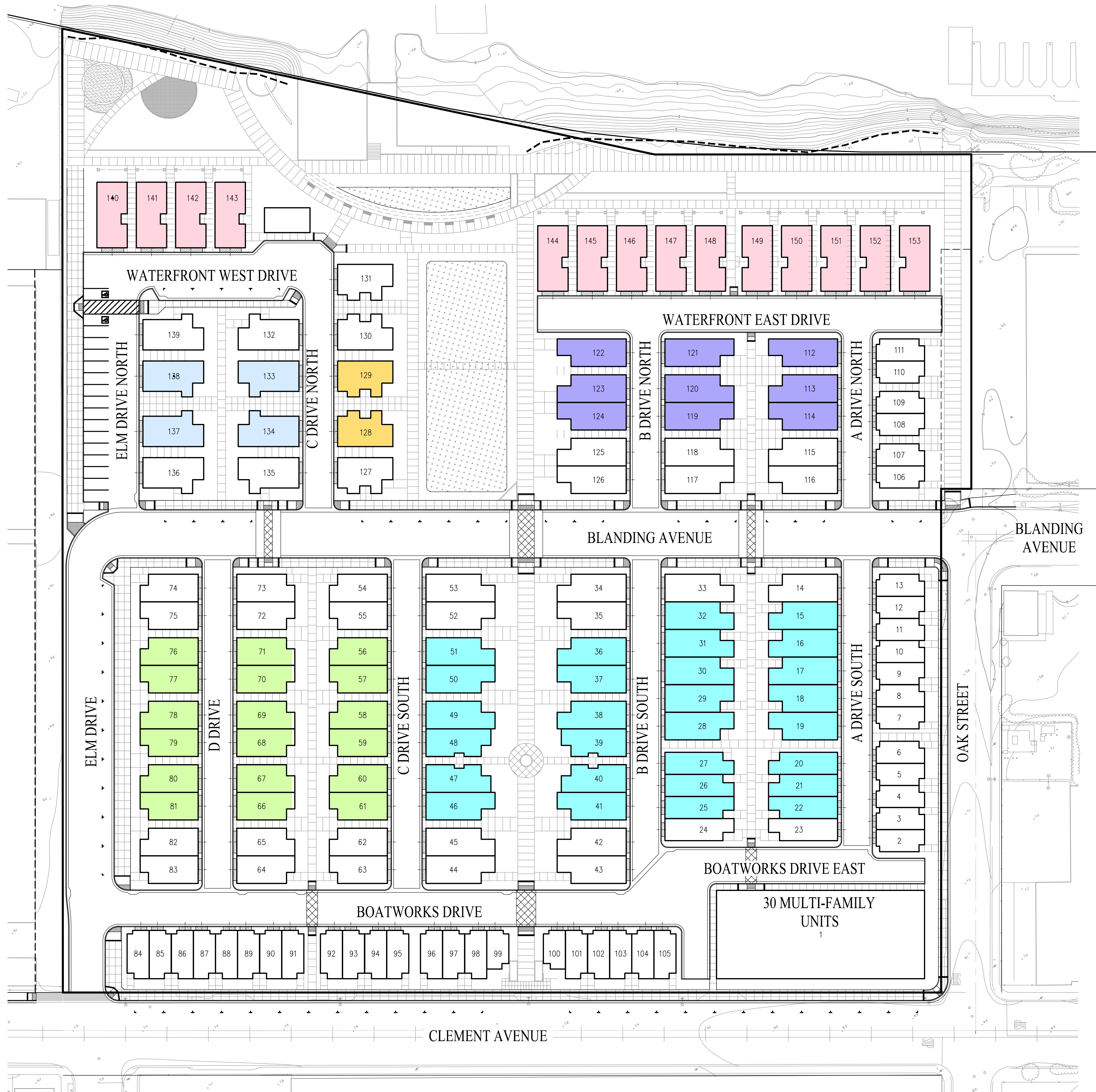
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This memo represents our findings related to the infeasibility of universal or visibility design standards due to utility, building code and topographic constraints for the Boatworks project. First and foremost, the design as shown on the Tentative Map dated March 11, 2020 had a few key project elements that were critical to the site grading, specifically the accessible paths of travel from the public right of way along Clement and Blanding to the public open space along the estuary. Maintaining maximum 5% longitudinal slopes along the paths is an important design feature that maintains full site accessibility along the three major corridors to the open space. Some units fronting those paths have finish floor elevation that are held by the adjacent street grades and are simply too high to make a direct connection to the adjacent walk with a path under 5%, which is required to achieve accessibility compliance. It is common with accessible unit design that end units are avoided for this reason, however in some cases I do believe modifications can be made to try and obtain universal design accessibility to some of the internal paseo units as highlighted on the exhibit prepared April 16<sup>th</sup>, 2020.

Second, there are utility design standards with regards to points of connection, pipe slope and pipe depth that dictate onsite grading, and ultimately the finish floors, in order to ensure service to the proposed units. Specifically, the point of connection to the sanitary sewer interceptor main within Clement Avenue is relatively shallow given a connection below the spring line (middle of the pipe) is not allowed/preferred due to the amount of sewer discharge that is continuously present in the pipe thus making connections difficult. As the sewer system onsite then traverses the site down the proposed streets and alleys, the units along the back side of the project are then lifted in order to maintain the gravity system. To further complicate matters, the storm drain discharges in the opposite direction so navigating utility crossings and clearances creates further constraints on the design but to be clear it is the minimum cover that is dictating finish floor

grades of elevation 11'-13' along the northern edge, which are anywhere from 5'-8' above the fronting streets such as Clement and Blanding.

In summary, the waiver requested is necessary due to topographic conditions that are created by existing site elevations and existing utility connections as well as sea level rise, internal setback constraints and proposed grading concepts to ensure publicly access paths of travel to the provided open space. Minimum utility depths within Clement Avenue requires the proposed site elevations to be raised, thus creating edge conditions with inaccessible points of access to the front doors. Furthermore, the existing elevations along the northern shoreline top of back, and public open space dictate the grades for the publicly accessible paths, landscape areas, and bio-retention areas which again results in a change in grade that is too great for accessible paths of travel up to the fronting units. For these reasons, the dwelling units along the perimeter of the site as well as some internal units are not feasible to meet the universal or visitability standards.



VISITABLE UNITS		
UNIT TYPE		TOTAL
	B1	4
	F1	2
	B2	9
	B3	28
	D1	18
MULTI-FAMILY		30
TOTAL		91
% OF TOTAL UNITS		50%

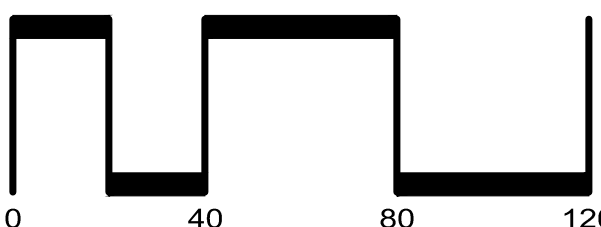
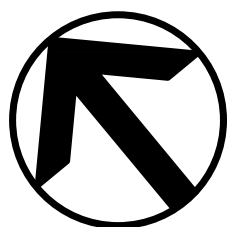
UNIVERSAL UNITS		
UNIT TYPE		TOTAL
	A2	14
MULTI-FAMILY		28
TOTAL		42
% OF TOTAL UNITS		23%

1. UNITS MEETING VISITABILITY REQUIREMENTS PER AMC 30-18 (91 UNITS)
2. UNITS MEETING UNIVERSAL DESIGN REQUIREMENTS PER AMC 30-18 (42 UNITS)
3. A2 UNITS ARE ACCESSIBLE FROM GARAGE ENTRY ONLY. PRIVATE OPEN SPACE NOT ACCESSIBLE FROM INTERIOR.
4. PERCENTAGE OF TOTAL UNITS IS BASED ON THE 182 TOTAL UNITS.

# BOATWORKS

## UNIVERSAL DESIGN SITE PLAN

CITY OF ALAMEDA    ALAMEDA COUNTY    CALIFORNIA  
SCALE: 1" = 40'    DATE: APRIL 16, 2020



SAN RAMON    (925) 866-0322  
SACRAMENTO    (916) 375-1877  
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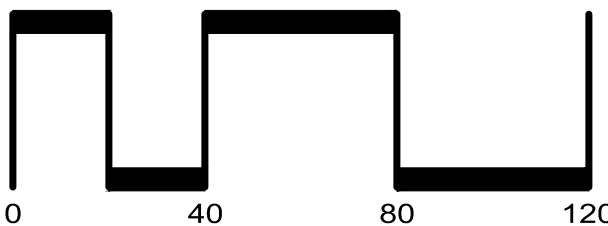
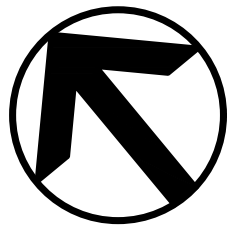


UNITS REQUIRING VISITABILITY WAIVER	
UNITS	TOTAL
	91
% OF TOTAL UNITS	50%

1. UNITS REQUIRING VISITABILITY WAIVER BASED ON TOPOGRAPHICAL CONDITIONS PER AMC 30-18 (77 UNITS)
2. PERCENTAGE OF TOTAL UNITS IS BASED ON THE 182 TOTAL UNITS.

# BOATWORKS VISITABILITY WAIVER

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