

Nancy McPeak

From: Alameda Citizens Task Force <announcements@alamedacitizenstaskforce.org>
Sent: Sunday, October 24, 2021 10:58 AM
To: Xiomara Cisneros; Ronald Curtis; Hanson Hom; Rona Rothenberg; Teresa Ruiz; Asheshh Saheba; Alan Teague; Nancy McPeak
Subject: [EXTERNAL] RE: Item 7-B, October 25, 2021, Planning Board Agenda-Draft Housing Element

ACT

Alameda Citizens Task Force

Vigilance, Truth, Civility

Dear Planning Board Members Cisneros, Curtis, Hom, Rothenberg, Ruiz, Saheba & Teague:

ACT recognizes the need for the city to achieve a certified housing element and can generally support the draft housing element. However, we must strongly object the proposed elimination of low density zoning districts throughout the city which, in effect, would repeal Article 26 of the city charter. The basis for our objections follows:

1. Article 26: Although not mentioning Article 26, HE-27 (p. 20) alleges that the single family restrictions, low density zoning, and minimum lot size requirements of Article 26 are barriers to lower income multifamily housing and should be rescinded or mitigated. Our Planning Director has consistently strongly supported rescission, rather than mitigation. Having failed to accomplish this aim at the ballot box, an attempt is now made to accomplish it in the guise of the housing element. However, Article 26 is not a barrier to achieving a certified housing element. In fact, it is irrelevant to the effort because it is pre-empted by the State Housing Element Law (HEL) to the extent needed to comply therewith.

The city, since 2012, has created multi-family overlay zoning districts that provide for density levels to meet the HEL requirements for the low income housing categories. This was accomplished by application of the pre-emption above. This application has not been challenged. As a result, the city's current housing element was certified by the state and has led to the city's approval of over 3000 new multi-family units in all income categories.

It is obvious from the above that Art. 26 has not been a barrier to our current housing production and will not be a barrier to achieving our RHNA for 2023-2031.

2. Eliminating Low Density Zoning in R-1 thru R-6 Zoning Districts: A certified housing element for 2023-2031 can be achieved using the same multi-family overlay process without eliminating low density zoning in what the draft housing element labels as "Underutilized Land in Residential Districts" comprising of land zoned as R-1 through R-6.

Our R-1 district has already been up-zoned by the recent passage of SB 9 with the density quadrupled from one unit per lot to four units per lot. There is no need for any city up-zoning for what has already been up

zoned by the state. Moreover, our R-1 neighborhoods are more able to absorb greater density because they are already much less dense than our R-2 thru R-6 neighborhoods, with generally larger lots and the general absence of existing high density housing.

R-2 through R-6 neighborhoods are much more problematic. Many of these neighborhoods already contain pre-Article 26 multi-family housing, so that in actuality they are already far in excess of the one unit per 2,000 sq. ft. requirement or the multi family dwelling restriction. To make these same neighborhoods available for new development at one unit per 1,000 sq. ft. will create a level of density that is unsustainable regarding parking, water, sewer and other infrastructure needs, and reduction of our urban forest protection against carbon dioxide and heat. We also wonder what consideration has been given to whether the existing antiquated infrastructure providing utility services to these neighborhoods can handle this increased density, and who will pay for upgraded infrastructure if needed.

It is possible that some of our R-2 thru R-6 zoned neighborhoods may, in fact, be “underutilized”. However, to assert that all R-2 thru R-6 neighborhoods have the capacity for more density defies logic and common sense. The Planning Department needs to define the term “underutilized” and do a block by block capacity study before proposing the up-zoning of any of these neighborhoods.

We note that allowing five units on 5000 sq. ft. lot will automatically subject the project to our inclusionary ordinance which will require at least one unit to be affordable. That one unit will constitute 20% of the project and qualify the project for a density bonus of one more market rate unit, so that the result will be six units on the lot.

3. Fair Housing: We also assert that up-zoning these neighborhoods will actually conflict with the fair housing goals listed in the housing element draft. These neighborhoods are already the source of some of the lowest rent housing in the city, so that any new development will necessarily result in major displacement of lower income Alamedans. The policy statement on HE-13 at page 18 addresses this issue. However, as a practical matter, it cannot be implemented because increasing the density will significantly increase the land value of development sites. This, along with high construction costs will inevitably result in higher rents that current residents will be unable to pay. Instead of fair housing the result will be gentrification.

4. Meeting The RHNA: We recognize that the 500 units credited to the category of “Underutilized Land in Residential Districts” must be included somewhere in the housing element inventory. We suggest that there are at least four different areas to cover this need.

1. Prior drafts of the housing element credited 500 units to the up-zoning of only R-2 to R-6 zoning districts. SB-9 has quadrupled density limits in R-1. Thus, R-1 alone can be used to cover much if not all of this credit.
2. The draft housing element includes seeking a waiver of the current unit limitation of our agreement with the Navy at Alameda Point. This has not yet been placed on a City Council agenda as a regular item. Instead, Council Members Spencer and Daysog have been required to make a Council referral. With no real priority, it languishes at the bottom of agendas and is continued to subsequent meetings. The city should be moving with alacrity on achieving this goal, thus making it available for the housing element land inventory.
3. The small allocation to the Park and Webster business districts of 200 units is much too low in view of a strong State interest in providing low income housing close to shopping, and transit. A preliminary site inventory presented to City Council on July 6 assigns 300 units.

4. The same preliminary site inventory listed the shopping centers at up to 1200 units, not the 1000 now claimed. With a developer already proposing 800 units for South Shore, it is likely that HCD would allow a higher projection to at least 1200 units.

5. Summary: Article 26 of our charter has been with us for almost 50 years and had been approved by the voters on four different elections, the most recent of which was only a year ago. It cannot be pre-empted by the HEL unless required in order to achieve our RHNA. We do not generally object to the significantly increased density in the Alameda Point, shopping center, and Park/Webster districts because we concede that pre-emption in those districts is required to achieve our RHNA. However, pre-emption is not required in our R-2 thru R-6 zoning districts. Therefore up-zoning those zoning districts would constitute an unlawful violation of our charter.

Moreover, many of our R-2 thru R-6 zoning district neighborhoods are already beyond the limited density requirements of Article 26 and they are providing some of the lowest rent housing in the city. More development in these neighborhoods would displace these tenants as new denser construction would inevitably lead to higher rents with resulting gentrification. Thus, even if Article 26 did not exist, opening these neighborhoods to even more multi-family development would be unwise and should be avoided until absolutely required to achieve our RHNA.

We urge you to direct the City Planning Director to delete these districts from his proposed site inventory and distribute the 500 units lost by said deletion to other districts as suggested by Item #4 above.

Sincerely,

Alameda Citizens Task Force
Gretchen Lipow, President

Nancy McPeak

From: Donna Fletcher <ohprimadonna@gmail.com>
Sent: Sunday, October 24, 2021 11:16 PM
To: Xiomara Cisneros; Ronald Curtis; Hanson Hom; Rona Rothenberg; Teresa Ruiz; Asheshh Saheba; Alan Teague; Nancy McPeak
Cc: Andrew Thomas
Subject: [EXTERNAL] Request for addition to "Land Available to meet RHNA"

Dear Planning Board Members and Director Thomas,

On page 9 of the Draft Housing Element, under Alameda Point,
the document explains the Navy's current constraint to developing additional housing that assists in meeting the City's housing goals:

"The realistic capacity of 1282 units is determined by the terms of the transfer of land from the US Navy to the City of Alameda. Specifically, the Navy agreement conveyed the land at no cost to the City. After 1,506 market rate residential units are built, the Navy must be paid a fee of nearly \$100,000 (the "Navy Fee on Excess Units" or the "Fee"). City analysis has determined that residential projects subject to the fee are not financially feasible for a private sector developer."

Would it be possible to add to this section that "...the City is currently in negotiations with the Navy to remove this constraint and is optimistic that it can increase Alameda Point numbers, particularly for affordable housing. We believe there is a potential to identify XXX to XXX (insert a range) additional units at Alameda Point," or something similar?

On page 17, under Housing Goal #1, HE-10 Public Lands, the document refers to a process to "remove the US Navy fee on housing at Alameda Point to enable the construction of more than 1,506 market rate units at Alameda Point in the future."

Similar language in the Alameda Point section would add relevant context and needed perspective--as well as consistency--to the discussion of "Land Available to meet RHNA."

Thank you for considering this! Overall, the Draft Housing Element is a very well-organized, helpful, and well-written document. Kudos to staff!

Best regards,

Donna Fletcher
112 Centre Court
Alameda

Nancy McPeak

From: Dodi Kelleher <dodikelleher@comcast.net>
Sent: Monday, October 25, 2021 10:16 AM
To: Alan Teague; Rona Rothenberg; Asheshh Saheba; Teresa Ruiz; Hanson Hom; Xiomara Cisneros; Ronald Curtis; Andrew Thomas; Nancy McPeak; Erin Garcia; Allen Tai
Cc: John Knox White; Malia Vella; Trish Spencer; Marilyn Ezzy Ashcraft; Tony Daysog
Subject: [EXTERNAL] Draft Alameda Housing Element - -Item 7-B on Planning Board's 10-25-21 agenda

Planning Board and Staff,

I am submitting these comments for the 10.25.21 Planning Board meeting.

Over the last several months, AAPS and other concerned citizens have made several specific proposals toward meeting the RHNA in order to mitigate the need for across the board density increases and up zoning in our already established residential areas, much of which consists of historic homes and buildings. These proposals included approaching the Navy to raise or eliminate the housing cap at Alameda Point and to engage the shopping center owners, especially Alameda Landing, Marina Village and Bridgeside, to consider the development of housing on their sites. To my knowledge, there has been no significant action on these proposals or a public update on whether there are intentions to go forward with these proposals. I am also aware that Councilmembers Herrera Spencer and Daysog have had a council referral on the City Council agenda regarding staff addressing the Navy housing cap, yet it has been carried over for months. It raises the question about what is hindering seemingly reasonable and urgently needed actions and why there has been little or no discussion regarding these proposals.

Sincerely,
Dolores Kelleher

From: Richard Noordyk <rdnoordyk43@gmail.com>

Date: October 22, 2021 at 8:07:59 PM PDT

To: John Knox White <JknoxWhite@alamedaca.gov>, Tony Daysog <TDaysog@alamedaca.gov>, Teresa Ruiz <truiz@alamedaca.gov>, Trish Spencer <tspencer@alamedaca.gov>

Subject: Re: [EXTERNAL] Fwd: Harbor Bay Club -- follow up to Alameda Sun Letter to Editor

Councilmember Mr. White,

Thank you for your in depth response to the mandated housing requirement. Of course more housing is necessary to meet the demand but there is only a limited amount of land available at Harbor Bay and turning a predicated recreational area into housing seems counterproductive when there are many more sites available (Alameda Point, Clement Avenue, etc.). It seems to me after living here for 30+ years that we have maximized our land for housing of all sorts and now should try to preserve our island's unique caricature for those who live here rather than to satisfy the dictates of those who have no interest in those who live here.

Thank you for your response,

Richard Noordyk

On Thu, Oct 21, 2021 at 5:43 PM John Knox White <JknoxWhite@alamedaca.gov> wrote:

Thank you for your email regarding Alameda's zoning for housing in our City and specifically on Bay Farm Island. Unfortunately, as frequently happens in Alameda with discussions about housing, there is a lot of bad information floating around and a lack of context at this time.

For me, the discussion includes five facts that are germane to an engaged conversation:

1. While on the planning board and as a housing advocate, I have been resistant to the idea of focusing housing at the Harbor Bay Business Park, the Harbor Bay Club and the Mif Golf course. While remaining open, as I must, to future discussions on the topic, I have not been supportive of past options. That said, the new housing requirements from the state make this a tricky discussion.
2. I was the co-chair for Yes on Z not only because I believe that Alameda has a duty to provide its fair share of housing, but also because the State of California is going to require Alameda to provide for ~5,500 homes over seven years in the housing element that will adopted next year.
 - a. During the campaign, the Yes on Z campaign specifically highlighted that if No on Z won, it would increase pressure on the City to zone for housing at both the HB Landing and HB Club in order to find enough places to meet our requirements.
 - b. Sadly, the HB HOA refused to allow speakers from the Yes on Z perspective to address the HOB Board and therefore the board only heard inaccurate information that promised that “No on Z” would keep housing from being built on HB. This was simply not true.
3. There are two projects on the books representing 1,000 units that may still require votes of four councilmembers to move them forward: Alameda Point and Encinal Terminals. A failure for these two projects to move forward will further increase pressure on building additional housing on Bay Farm.
4. Where housing gets built:
 - a. Alameda Point has a housing cap that requires a \$100k per home payment to the US Navy that makes housing at Alameda Point unaffordable to build. Additionally, State housing law requires new housing to be distributed throughout the City. Alameda will not be able to put the lion’s share of housing at Alameda Point.
 - b. If the HB Club was to be rezoned, the potential for housing on that site would legally need to be offset by identifying upzoning to increase housing availability in other locations. In advocating for rezoning the club’s land, it would be helpful to identify how the city should rezone the residential areas of Harbor Bay to accommodate this rezoning for increased housing.
5. I will vote to uphold the voter reaffirmed (2020 Measure Z) charter prohibition against multifamily housing zoning. This will either mean we squeeze housing on nearly every parcel that doesn’t already have it or that the State sues us and invalidates our City Charter provision (and likely gives the courts oversight of the City’s Planning and takes away local control).

Noncompliance is not an option. People who suggest that we should “just ignore the state” have not been paying attention, this is not the world of twenty years ago when our city council thumbed its nose at the state laws they took oaths to uphold. In the last few years, the State of California has significantly stepped up its enforcement of state housing law. If a city is found out of compliance there are both monetary impacts and direct impacts to residents’ abilities to maintain their properties and community. If the Housing Element of Alameda’s General Plan is out of compliance, then our General Plan is out of compliance and therefore home renovations, home maintenance projects, other public safety and utility projects grind to a halt until the City

corrects the compliance issue. Additionally, there are major fines for every day a city is out of compliance. It's a costly multiyear process.

We are in a pickle with our housing planning, sadly it was foreseeable, it was identified during last year's campaign and yet leaders of the No on Z campaign sold falsehoods that sounded good (like all promises of simple solutions that cause no harm). Their promises were not truthful or accurate and have now put us here, needing to find a way forward.

To this end, the City's Planning Board and City Council will be taking up a number of actions in the coming weeks. I supported the challenge of our RHNA numbers and attended the ABAG meeting where they denied the city's appeal. This process will be completed by December.

Finally, it is not reasonable, fair or equitable for one part of our city to opt itself out of the city's requirement to provide additional housing. Trying to do so is also illegal.

Our City should absolutely make decisions based on the availability of services, infrastructure, etc. but we also need to ensure that all decisions in Alameda treat neighborhoods equally. Therefore, a solution to this tricky puzzle will more than likely involve additional zoning for housing on Bay Farm Island in the same way that it will involve it in the sub-planning areas throughout the rest of the City.

To this end, I will continue to encourage my colleagues and community to look hard at how we can meet our RHNA requirements in a charter compliant manner. Doing so will entail two likely actions:

- Identifying as many potential sites for housing throughout the City (and not deciding to opt specific parts of the city out of the process), and also
- Looking at an affordable housing bond that would allow us to build less housing and still meet our affordable housing requirements. A likely range for these would be \$2-\$4 Billion (with a B). It's a huge lift, but likely the only way for our city to meet the affordable housing goal that nearly everyone says is the most important goal that they want to meet without building so many market-rate units.

I appreciate you taking the time to share your concerns and want to encourage you to continue to plug into both the general plan and housing element discussions, especially if you have ideas and insights on how we can keep Alameda out of court by meeting our housing requirements.

Best,

John Knox White

City Councilmember, Alameda

(he/him or they/them)

From: Richard Noordyk <rdnoordyk43@gmail.com>

Sent: Wednesday, October 20, 2021 5:14 PM

To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Xiomara Cisneros <xcisneros@alamedaca.gov>; Ronald Curtis <rcurtis@alamedaca.gov>; Hanson Hom <hhom@alamedaca.gov>; Rona Rothenberg <RRothenberg@alamedaca.gov>; Teresa Ruiz <truiz@alamedaca.gov>; Asheshh Saheba <asaheba@alamedaca.gov>; Alan Teague <ateague@alamedaca.gov>

Subject: [EXTERNAL] Fwd: Harbor Bay Club -- follow up to Alameda Sun Letter to Editor

Dear City Council and Planning Board Members,

I recently read the letter to the editor in the Alameda Sun (copy attached) regarding the zoning of the Harbor Bay Club land. As a 30 year Alameda resident and a member of the Harbor Bay Club for over ten years, I feel that the club is an important part of the community as was originally planned for by the developer of the Harbor Bay homes and therefore encourage you to zone the Harbor Bay Club land as 'recreation only' in the General Plan."

Respectively,

Richard Noordyk

1209 Central Ave.

<https://alamedasun.com/letters/14777>



October 24, 2021

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

Subject: Draft Alameda Housing Element - -Item 7-B on Planning Board's 10-25-21 agenda

Dear Planning Board members:

The Alameda Architectural Preservation Society (AAPS) is still reviewing the draft Housing Element so the following comments are preliminary and subject to modification and expansion. There are many complex issues associated with the document and many moving parts involving changing proposals and conditions all of which make review of the document challenging. Only about a week was provided for public review. At least two weeks would have been helpful.

In its July 6, 2021 report to the City Council, staff presented a good strategy to maximize development at Alameda Point and Encinal Terminals that, among other things, would minimize the amount of housing needed in other developed areas to meet the Regional Housing Needs Assessment (RHNA). However, this strategy is not apparent in the draft Housing Element. The strategy should also be refined to reflect the following:

1. **Avoid further density increases in existing built-up areas.** The draft Housing Element proposes significant density increases in ALL residential areas, as well as the Park Street and Webster Street business districts, including the historic portions. Since significant portions of these areas already have high densities, and much of the R-2 through R-6 Residential Zones consists of historic buildings, any density increases in R-2 through R-6 and the historic portions of Park Street and Webster Street should be limited to carefully targeted subareas and only: (i) where necessary to meet the RHNA and other General Plan objectives; (ii) if insufficient development capacity is available in the non-historic portions of nonresidential areas to meet the RHNA and other objectives; and (iii) in residential areas where adverse impacts on historic buildings and on-street parking will be minimized. **In addition, all or at least some of the additional units above the existing residential density of one unit for 2000 ft.² of lot area should be deed-restricted affordable.**

Here are comments on the specific proposals:

- a. **Adding additional units within existing building envelopes with no expansion of the envelopes.** This proposal is worth exploring, but, to maintain the architectural integrity of existing buildings, should be accompanied by a requirement that **there be no changes to**

the exterior except possibly new entry doors for necessary access to the additional units. There should also be a provision that minimizes interior demolition to promote resource conservation consistent with proposed General Plan provisions and discourage overimprovements and major changes in floor plans that can increase construction costs and rents. Staff has indicated support for these provisions.

In addition, if no additional off-street parking would be required for the new units, the impacts of a lack of additional parking will need to be considered. The assumption appears to be that many of the residents of these units will not have cars, but this assumption needs to be verified. In some Alameda neighborhoods, where former 1-2 unit residences have been converted to additional units, cars are sometimes parked in paved or unpaved front yards. **Allowing for the construction of additional infill housing, with the intention of creating units for low to moderate income renters without requiring additional parking to accommodate these renters could result in a two tier system in which homeowners could create off-street parking spaces for themselves while tenants would either have to compete with each other for limited parking spaces or take public transportation for all of their needs,** including grocery shopping and medical appointments. Since many people are low income due to age or disability and other low income people sometimes have long commutes, they may require cars to meet their daily needs and the infill units proposed may not be adequate without additional parking.

There should be an analysis that includes surveys of car ownership of residents of existing multifamily buildings in older neighborhoods as well as residents who have moved into new multifamily buildings at Alameda Landing and elsewhere. Locational criteria for such units should also be developed, perhaps based on surveys of areas where on-street parking is normally available and/or where existing residential densities are relatively low.

Also, would density increases allowed within existing building envelopes also trigger density bonus projects? (See Comment 1.e below.) If so, would the State Density Bonus Law allow the developer to force a waiver of the requirement that new units be located within the existing building envelope?

Finally, allowing an *unlimited* number of units within existing buildings seems problematic. There should probably be some cap based on a formula that could include such parameters as location (including proximity to major retail districts), and availability of on street parking (if no off-street parking is required).

We are continuing to evaluate the proposal based on these and other considerations, so are not yet prepared to make a definitive recommendation.

- b. Proposed density increases for new construction.** For new construction, the draft Housing Element proposes **doubling** the existing City Charter Article 26 density limit of 2000 ft.² of lot area per unit (ca. 21.78 units per acre) to 1000 sq. ft. of lot area per unit for ALL lots 5000 sq. ft. and greater in R-2 through R-6 and, curiously, for the shopping center districts (which may be a mistake). **This proposal will essentially abolish Article 26 for most of the City.**

This upzoning on top of allowing unlimited residential densities within all existing buildings in order to meet the Housing Element's 2031 goal of 500 new units in residential areas is grossly excessive and amounts to overkill. **It is especially reckless since it is much harder to downzone than to upzone, if it is later determined that the upzoning was a mistake.**

Unless mitigated, this blanket density increase will encourage demolition and replacement of historic buildings with new and larger buildings that architecturally disrupt historic neighborhoods as well as the historic portions of Park Street and Webster Street. The increases could also encourage architecturally incompatible alterations and additions to historic buildings.

Ironically, this proposal could threaten the existing stock of relatively low-cost privately owned rental units by encouraging developers to buy up these buildings and expand and/or renovate them to create more units at higher rents, especially if using the State Density Bonus Law. There is an increasingly worrisome trend for large institutional developers to do this. Although density bonus projects are based on providing affordable units as part of the project, the number of affordable units in many cases will be insufficient to offset the loss of the pre-existing affordable units.

Although the City requires Historical Advisory Board (HAB) approval of demolition of properties on the Historic Building Study List or that were constructed prior to 1942, **pressure from developers due to the opportunities provided by the intensity increases, are likely to encourage demolition proposals.** And even if the HAB denies a demolition, the demolition can be appealed to the City Council, which can approve the demolition if the Council finds that "Upon the evidence of qualified sources, that the historical resource is incapable of earning an economic return on its value". This further increases the likelihood of more demolitions given the significant discretion offered by this demolition finding.

In an early draft of the proposed General Plan and elsewhere, staff had implied that this kind of density increase in existing residential areas would be limited to vacant lots.

Perhaps limiting the density increases to vacant lots should be the strategy in R-2 through R-6 if increased density in these zones is really necessary to meet the RHNA.

- c. **Proposed upzoning of the R-1 single family zone to allow at least two regular dwelling units by right.** This upzoning would also allow the by-right addition of up to 2 ADUs, and could therefore result in a total of six units on a lot

We previously opposed this upzoning. However, given the adoption of Senate Bill (SB) 9 that would allow four units on a single-family zoned lot (with certain exceptions), the Housing Element proposal may be the better option. We are still evaluating SB 9 vs. the Housing Element proposed R-1 upzoning, so are not yet prepared to make a definitive recommendation.

d. Carefully evaluate the proposed 60 units per acre residential density for Park Street and Webster Street and the Stations.

Although this section is titled “Underutilized Land in Commercial Main Street Districts (Park Street and Webster Street)”, the actual list of zoning amendments also refers to the C-1 zone which applies to the neighborhood commercial districts (or “Stations”). Staff has confirmed with us that this section does apply to the Stations. **The existing heading is therefore misleading and needs to be changed to reflect this section’s applicability to the Stations.**

This relatively high residential density of 60 units per acre may be appropriate for at least some portions of Park Street and Webster Street given the draft General Plan’s proposed 3.0 floor area ratio (FAR) for these districts and if a three-story (approximately 40 foot) height limit can be provided for the historic portions of Park and Webster Streets and the existing two story/30’ height limit is retained for the Stations. (The height limit is already 40’ for Webster Street and much of Park Street.) The overall strategy to promote small units through a generous residential density within a relatively small maximum building envelope as defined by the 3.0 FAR seems to make sense but should be clearly explained in the text.

However, we are concerned that developers who seek larger units will use the State Density Bonus Law to force height limit increases and defeat the strategy’s intent to promote small units. It has been assumed that in today’s residential market, the demand is for smaller units and that larger units will not pencil out. But market conditions can change over time and perhaps 10 or 20 years from now the demand will be more for larger units. Even in today’s market, we have seen multi-unit residential projects outside of Alameda that have up to 7 bedrooms and bathrooms in each “unit” with the apparent intent to make each unit a rooming house to appeal to residents who are attracted to a congregate lifestyle as well as the lower rental cost of this kind of housing.

Housing Elements and other urban planning documents have the inherent duty to consider changing conditions to avoid unintended consequences. It is not clear whether the draft Housing Element has done this. If the intent is to provide a sufficiently higher residential density to promote housing development, our understanding is that in today’s market a residential density of about 40 units per acre in nonresidential areas is sufficient (equal to a by-right density of 30 units with a 33% density bonus) rather than the proposed 60 units per acre.

Given these complex considerations, we are still evaluating this proposal so are not yet prepared to make a definitive recommendation.

e. The impacts of the State Density Bonus Law on height limits, FAR, other development regulations and overall future density must be considered in the Housing Element. For example, a density bonus project in an area zoned for a 40 foot height limit could end up with a 50 foot or greater height (one or more additional stories).

The proposed density increases will greatly increase the number of sites eligible for density bonus projects Citywide. Under Article 26’s 2000 ft.² of lot area per unit rule,

only lots of 10,000 ft.² or more are eligible for density bonus projects, since the State Density Bonus Law limits these projects to those with five or more units. But the proposed density increase to one unit per 1000 sq. ft. of lot area for ALL lots 5000 sq. ft. and greater in R-2 through R-6 and apparently in all nonresidential zones would result in ALL of these lots becoming eligible for a density bonus project with associated potential height limit increases and other relaxation of zoning standards. **The Housing Element must include an estimate of how many additional density bonus project sites could result from the Citywide proposed density increases and include strategies to discourage density bonus projects that exceed the FARs and height limits.** Can this discussion be provided? The proposed height limits in addition to the FARs in the Draft General Plan also need to be stated. Otherwise we are flying blind.

One such strategy might be to allow extra density for small units with a conditional use permit, but only if the conditionally permitted density is not used as the base density for purposes of density bonus projects. **Another possibility might be for Alameda to establish its own density bonus program that provides a bigger bonus than available under the state program, but requires conformity to height limits and possibly FAR and other specified regulations.** This would have the same effect as the proposed by-right densities and promote smaller units with less risk of triggering state density bonus projects that could exceed the height limits. Emeryville has developed a density bonus program similar to this. The strategy could also require that a specified percentage of the bonus units be affordable, like the state program, but perhaps only for projects where the total number of units exceeds a specified threshold.

- f. **Possible alternative strategy to blanket upzoning of residential areas.** Staff is concerned that without the expanded upzoning discussed in Items 1a, 1b, and 1c above, the City could fall short of the goal of providing 500 new housing units in existing residential areas by the 2031 target date. But the recent expansion of ADU opportunities to multifamily buildings and allowance of junior ADUs in addition to regular ADUs is likely to increase ADU production beyond the recent rate of 60 units per year. The increasing publicity regarding ADUs and increasing number of ADU design and construction specialists promoting ADUs should further increase production.

Upzoning of R-1 either through the Housing Element or SB-9 should provide still more units over the next eight years.

All of these considerations suggest that staff's concerns are overstated.

A possible overall strategy might be to provide a more limited version of the residential area proposals that would only include additional units within existing building envelopes and higher density only on vacant lots. If after a specified period of time, perhaps three or four years, the City is falling short in meeting the RHNA, further targeted upzonings and/or other development incentives could be considered. We understand that the State Housing and Community Development Department (HCD) is open to this kind of phased approach.

2. **In addition to Alameda Point and Encinal Terminals, we continue to recommend prioritizing other portions of the northern waterfront (especially the estuary shopping centers) as sites for additional housing to take the upzoning pressure off of existing residential areas and the historic business districts.** The College of Alameda and other large sites should also be considered. Besides minimizing adverse impacts on historic buildings and neighborhoods, focusing on these sites will minimize transportation impacts given the estuary sites' and College of Alameda's (and, to a lesser degree, Alameda Point's) proximity to Oakland and public transit and thereby promoting the General Plan's transportation and climate change mitigation goals. **To facilitate the focus on Alameda Point, the estuary shopping centers, College of Alameda and other large sites, the City should initiate the following actions as soon as possible:**

- a. **Direct staff to obtain approval ASAP from the federal government to remove the Alameda Point 1425 housing unit cap (increased to 1900 units based on an additional 475 affordable units).** Staff has previously advised that the Biden Administration will probably look favorably on this request. The request should have been submitted months ago. We have repeatedly urged that it be initiated ASAP.

Unfortunately draft Housing Element Policy HE-10b relegates this critical step to a follow up action to be taken **after** the Housing Element is adopted. **Why has the City not yet submitted the request to remove the Alameda Point housing cap?**

- b. **Strongly encourage the owners of the estuary shopping centers (Marina Village, Bridgeside and Alameda Landing) to develop housing on their properties.** The February 2, 2021 City Council Housing Element staff report said that the owners of the South Shore Shopping Center have expressed interest in housing development. Staff has told us that the owners of the Marina Village Shopping Center have also expressed interest. However, as of July 5, 2021, we understand that the owners of Bridgeside and Alameda Landing had not yet been contacted. **Has such contact been made and if not, why not? If such contact has been made, can staff report on the results?**

The draft Housing Element's shopping center zoning proposal on page 12 shows a residential density of only 30 units per acre, which is too low. 90 units per acre was previously proposed, which would be more appropriate. Perhaps an even higher density should be considered if this is what it would take to avoid upzoning existing residential areas and historic commercial areas. A higher density would also more likely induce the owners to provide a written statement of intent to develop a specific number of residential units on their site as required by HCD.

Related to this, it now appears that only 200 units are estimated for the estuary shopping centers plus the Harbor Bay shopping center, based on the 1000 units estimated for all of the shopping centers minus the 800 units that have already been proposed for South Shore. **Given the vast parking areas (especially at Marina Village) and one story existing buildings at all of the estuary shopping centers, it appears that the development capacity at the estuary shopping centers is much greater than 200 units.** In the July 6 capacity analysis presented to the City Council, a range of 800 to 1200 units for all of the shopping centers, including South Shore, was presented, indicating development capacity of 400 units, rather than 200, for the shopping centers in addition to South Shore.

Staff has told us that the estimated units were reduced because of the need to get property owners to show interest in residential development. But our understanding is that unless a property owner provides a written statement of interest acceptable to HCD, the site cannot be counted toward the RHNA in any case. **It is therefore all the more critical to engage with the owners ASAP.**

c. Engage with the College of Alameda to determine the college's interest in developing housing on its campus and identify housing development strategies. The college has previously expressed interest in developing student housing on campus. Housing for faculty and staff might be another possibility. Since there will be no land costs, feasibility of below market rate housing is enhanced. Like Items 2.a and 2.b. above, engagement with the college should be initiated as soon as possible to determine the college's level of interest and, if applicable, the number of potential units that could be applied to the RHNA.

d. Investigate other underutilized sites for housing development. One example is the very large Wind River parking lot. Wind River might be interested in making housing available for their employees. The City should engage with Wind River to determine if they have any interest in developing housing on their campus. Like the sites listed above, development costs will be reduced since the land is already owned.

3. Other issues.

- a. Clarify the role of existing the Citywide Design Review Manual.** Why does HE-9b refer only to the objective design standards for “new residential development” with no mention of the Citywide Design Review Manual? Our understanding is that the objective standards apply only to affordable housing projects, SB9 projects and ADUs. Would not other new residential development still be subject to discretionary design review and the design review manual?
- b. Will HE-9c's “ministerial/staff level review for affordable housing and housing for the homeless” still provide at least a “courtesy” public notification?**
- c. Clarify the proposed rescission or mitigation of “housing development standards that are exclusionary, discriminatory or otherwise impede the development of housing and multi-family housing that is affordable...”(HE – 27).** This policy lists among the barriers “single-family restrictions, low density housing, minimum lot size requirements, setback requirements, on-site open space, or parking requirements”. With regard to “single family restrictions and low density zoning”, implementation of this policy is presumably reflected in the zoning proposals provided in Chapter 2, which we have responded to in Item 1 above. **Examples of proposals for REVISED minimum lot size requirements, setback requirements, on-site open space, and parking requirements that could implement this policy should similarly be provided so that the City's intent is clearer and public comments can be more focused.**

Implementation of Policy HE-27 should be cautious. Many lower income household and members of “protected classes” aspire to live in single-family and/or lower density neighborhoods and will move out of multifamily housing when given the chance to

relocate to lower density and/or single family housing, even moving to distant suburbs and enduring long commutes. **Housing elements and other land-use planning documents should not seek to indiscriminately rescind or excessively “mitigate” single-family or other low density zoning provisions but instead promote a range of housing types and neighborhoods that adequately serve the needs and aspirations of everyone.**

d. There is no HE – 20. Has something been left out?

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

cc: Mayor and City Councilmembers (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)

Nancy McPeak

From: Patricia Baer <2baers@att.net>
Sent: Monday, October 25, 2021 8:45 AM
Subject: [EXTERNAL] Draft Housing Element, Item 7-B

To Alameda City Representatives

I strongly urge you not to up zone residential areas or historic business districts. Instead put the RHNA units in non-historic commercial areas.

Thank you,

Patsy Baer

Nancy McPeak

From: Lara Weisiger
Sent: Monday, October 25, 2021 2:41 PM
To: Nancy McPeak; Erin Garcia
Subject: FW: [EXTERNAL] Item 7-B on Planning Board's 10-25-21 agenda

From: Carmen Reid [mailto:carmereid@gmail.com]
Sent: Monday, October 25, 2021 1:58 PM
To: City Clerk <CLERK@alamedaca.gov>; Ronald Curtis <rcurtis@alamedaca.gov>; Alan Teague <ateague@alamedaca.gov>; Asheshh Saheba <asaheba@alamedaca.gov>; Rona Rothenberg <RRothenberg@alamedaca.gov>; Teresa Ruiz <truiz@alamedaca.gov>; Teresa Ruiz <truiz@alamedaca.gov>; Xiomara Cisneros <xcisneros@alamedaca.gov>
Subject: [EXTERNAL] Item 7-B on Planning Board's 10-25-21 agenda

Dear Planning Board and City Council,

Re: Item 7-B on Planning Board's 10-25-21 agenda

I am writing to express support of the proposed changes to the General Plan submitted by the Alameda Architectural Preservation Society. Of particular concern is density in the R-2 and 3 R-3 neighborhoods, especially those blocks that are already quite dense and have limited parking. While public transportation is an important part of the overall plan, our existing stress on street parking should be adequately addressed and recognized.

Also, another major concern are ADUs and rear units that propose substantial height increases to the existing neighborhoods, as they have the potential to take away established trees (ie-redwoods and other trees that are not protected are a habitat to birds) and take away green space and landscaping from the enjoyment of residents. Please consider a proposal that limits building heights to one story in rear yards and include parking requirements that adequately address the needs of the neighborhoods.

Thank you for your consideration.

Best,
Carmen Reid

Sent from my iPhone

Nancy McPeak

From: bmathieson@aol.com
Sent: Monday, October 25, 2021 3:29 PM
To: Nancy McPeak
Cc: Andrew Thomas; Allen Tai; Marilyn Ezzy Ashcraft; John Knox White; Malia Vella; Tony Daysog; Trish Spencer
Subject: [EXTERNAL] Planning Board Agenda Item 7-B, Draft Housing Element Update, October 25, 2021

Dear Planning Board Members:

Looking back, I see Alameda's current housing supply as the result of several periods of human habitation.

After the period of indigenous people, the period of the Spanish, and the period of wealthy American landowners, there was a period of rapid urbanization, with housing development spreading along streetcar lines.

This was followed by a period of urban sprawl, when the automobile facilitated housing development far from public transportation. We built wide boulevards leading to large parking lots surrounding shopping centers and office parks. Along the way, some of the pre-automobile neighborhoods became denser through conversion or replacement of some single-family houses with multiple units.

Now, we have entered a new period. We need more housing, especially affordable housing. And we need efficient public transit. Some cities are meeting these needs by concentrating new housing along existing transit lines. Unfortunately, in Alameda that method would obliterate, bit-by-bit, the most densely developed, walkable neighborhoods – the pre-automobile neighborhoods. These neighborhoods already provide what we need now -- a variety of affordable housing, access to retail and other services, and access to public transit.

Ironically, targeting these pre-automobile neighborhoods for denser development effectively maintains the status quo in areas that were developed when the automobile was king.

The vast acreage of asphalt in our shopping centers and office parks should be converted to housing over parking garages and retail spaces. And, as people add units to existing houses and convert their garages to Auxilliary Dwelling Units (ADUs), even the automobile-oriented areas will exert greater demand for a well-planned public transit system.

The Housing Element must not increase height limits or front-yard setbacks in or adjacent to existing neighborhoods. This would provide an economic incentive for demolition of existing housing that would be stronger than the City's demolition ordinance. Alameda's historic neighborhoods already model an urban planner's ideal neighborhood – diverse, dense, and walkable. The Housing Element and conforming zoning ordinances are the only reliable protection for these neighborhoods. Please see that such protection is included in the Housing Element.

Thank you.

Sincerely,

Betsy Mathieson
1185 Park Avenue
Alameda, CA 94501

Nancy McPeak

From: Drew Dara-Abrams <dda@dara-abrams.com>
Sent: Monday, October 25, 2021 4:04 PM
To: Nancy McPeak
Subject: [EXTERNAL] public comment for Planning Board re 7-A and 7-B

Ms. McPeak,

Would you please add this to the correspondence package for tonight's Planning Board meeting?

Thank you,
Drew Dara-Abrams
resident Calhoun St.

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Dear Planning Board members,

I am writing in to support recommending the General Plan draft to the City Council and to commend staff's efforts to handle Alameda's RHNA allocation in an effective and fair manner in the draft Housing Element.

Re the General Plan: I appreciate the four themes — equity, access, environment, and character — and how they are defined and referenced throughout the document. We are an island (as many residents do like to point out) and that means our city has certain advantages and responsibilities. This draft plan supports these advantages and follows through on those responsibilities. I particularly appreciate how the themes and the plan's specifics acknowledge Alameda's unique location in the "center of a major metropolitan area" and define character in a broad, inclusive, and dynamic manner. This is a good update on the currently active General Plan, which shows the mythical Southern Crossing bridge on its cover and talks about the still-extant Naval Air Station! A wider range of housing options, complete streets, and a pro-active approach to equity concerns are all features of a 21st century city that are important to see reflected in detail in this document.

Re the draft Housing Element: Thanks to the city's planning staff for working in good faith to meet Alameda's RHNA allocation. This current draft makes positive changes since the last version. I particularly appreciate seeing R1 (the type of zone where my family and I live) now doing its part to contribute toward the city and the region's housing needs. It's unfortunate that all of these potential units are marked at higher income level tiers, but that is probably an accurate reflection of the costs of land and construction. Let's take this as a reminder that the huge changes that NIMBYs fear — or to put it more positively, the more inclusive and affordable outcomes in local housing options for which many of us advocate — are likely to be more modest in actuality over the eight years of this housing cycle. It's also good to see more potential for infill mixed-use housing along Park and Webster, which are great streets but still have too many "gap tooth" vacant or under-utilized lots. Whether or not all of these potential projects will come to fruition in this 8 year cycle, it's great to see this Housing Element distribute the *potential* for a diverse range of housing types across Alameda Island and Bay Farm.

Thanks also to city's planning staff for preparing a straightforward Housing Element. It provides the appointed board members and elected councilmembers of the city a clear and understandable plan to meet the city's obligations to ABAG and the State of California. No magic; no sleight of hand. Please send this on to City Council as quickly as possible. Those two specific projects that require 4/5 super-majority votes will be nail-biters, so it's in the city's best interests to clear those hurdles as soon as possible. As a city resident and taxpayer,

I am pleased to see that the city is on track to meet its obligations to have a General Plan and a compliant Housing Element in place by the required deadlines.

Thank you for your time,
Drew Dara-Abrams
resident Calhoun St.

Nancy McPeak

From: Jeffrey Levin <jeff@ebho.org>
Sent: Monday, October 25, 2021 5:29 PM
To: Xiomara Cisneros; Ronald Curtis; Hanson Hom; Rona Rothenberg; Teresa Ruiz; Asheshh Saheba; Alan Teague
Cc: Nancy McPeak
Subject: [EXTERNAL] EBHO Comments on October 2021 Draft Housing Element - item 7B on 10/25/21 Planning Board Agenda

Dear Planning Board Members –

On behalf of East Bay Housing Organizations (EBHO), I am submitting the following comments on the October Draft Housing Element, which appears as item 7B on your agenda for tonight (October 25, 2021).

EBHO is a member-driven organization working to preserve, protect, and create affordable housing opportunities for low-income communities in the East Bay by educating, advocating, organizing, and building coalitions.

We welcome the opportunity to comment on this draft document, as we have done with past Housing Elements in Alameda.

We particularly appreciate the effort to accommodate the City's Regional Housing Needs Allocation (RHNA) by siting housing for all economic levels throughout the city in ways that promote fair housing and racial equity while avoiding concentrating lower income housing in areas referred to by State law as areas of racial and ethnic concentrations of poverty, including recommendations to rezone areas of the city to accommodate multifamily housing in previously exclusionary locations. We also appreciate the early consideration of draft housing element policies, well in advance of the deadline for adoption and submission of the final housing element.

At the same time however, we must note that the current draft is incomplete. As acknowledged in the table of contents, many of the mandatory sections of the housing element have not yet been prepared and are not included in this draft. These include an analysis of existing and projected housing needs, an analysis of potential constraints on housing, a fair housing analysis, an analysis of any special housing needs, identification of zone(s) where emergency shelters are allowed by-right, an evaluation of the previous element, an analysis of opportunities for residential energy conservation, and analysis of assisted housing developments that are "at-risk" and eligible to change from low-income housing uses, and a specific implementation program.

Of particular importance for the current housing element cycle is the statutory requirement that the housing element contain concrete provisions to affirmatively further fair housing, not only by prohibiting discrimination, but as noted on page 4 of the draft document, by "taking meaningful actions, in addition to combatting discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics."

Since the fair housing assessment has not yet been prepared or published in draft for public comment, it is impossible to determine whether the site inventory and policies meet the requirement to overcome past patterns of segregation and address significant disparities in housing needs and access to opportunity.

Affirmatively furthering fair housing also requires specific and ongoing efforts to maximize public participation in all stages of the preparation of the housing element, including outreach and engagement with community members and stakeholder groups, particularly with respect to low income households and members of protected classes. Currently there is no description of any such efforts and without having engaged in such a process, it is premature to finalize a site inventory or specific policies and goals.

We also want to point out that the draft site inventory does not include presentation in the format prescribed by the State, which requires for each site detailed information about its characteristics, land use designation, zoning, realistic capacity for development, and the income levels that will be served by housing on that site.

Recent changes to State law require that the City not only provide an inventory of adequate sites for all components of its RHNA in the adopted housing element, but that the city continue to maintain adequate capacity throughout the entire eight-year cycle. Thus, if the city approves market-rate, above-moderate income projects on sites that were designated for lower income housing, or approves fewer units than provided in the site inventory, it must designate new sites with appropriate zoning to make up for such lost capacity. If the City is projecting accommodation of 1,000 units of housing for very low and low income households at shopping center sites, it must assure that those sites are developed with affordable housing. If market-rate housing is developed instead, new affordable housing sites must be identified before approving a project that deviates from the housing element.

We greatly appreciate the city's past efforts to meet the challenge of providing affordable housing, and we are confident that the city can and will develop a housing element that fully meets statutory and regulatory requirements. We urge you to treat the current draft as the starting point of a discussion, and to ensure that staff moves quickly to prepare and publish for comment the required analyses of needs, housing conditions, barriers, and fair housing, with a robust and inclusive public participation process, before finalizing the site inventory, policies and implementation plan.

Jeff Levin, Policy Director

NOTE: I am generally working only on Monday afternoons and all day on Tuesday and Thursday, so I may not be able to reply to your e-mail right away.

East Bay Housing Organizations (EBHO)

538 Ninth Street, Suite 200 | Oakland, CA 94607

510-663-3830 ext. 316 | jeff@ebho.org

Save the date! Our Annual Membership Meeting & Celebration is November 10th. We will share updates on EBHO's campaigns throughout the year and vote on board membership, and we want you with us! [Join or renew your membership](#) for 2022, then [RSVP for the Membership Meeting & Celebration](#).

Thank you for supporting our efforts to protect, preserve and create affordable housing for all! Visit us at www.EBHO.org and follow us on [Facebook](#) and [Twitter](#)

