

From: [Andy Murdock](#)
To: [City Clerk](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Trish Spencer](#); [Tony Daysog](#); [John Knox White](#)
Subject: [EXTERNAL] November 16th City Council Meeting
Date: Tuesday, November 16, 2021 3:05:08 PM

Dear Councilmembers,

I'm writing to support the direction of the draft Housing Element, which is scheduled to be discussed on November 16 (agenda item 7-B). I appreciate that this is not the final draft, but I'm encouraged by the direction that it is taking and I think it's on track to be a fair approach to a highly challenging issue.

There is a tendency with housing policy to get mired in minutiae of specific projects, but I hope that the Council can remain focused on the high-level goals and agree on a plan that satisfies the state requirements, provides flexibility, and addresses the very real problems we face in Alameda and the Bay Area more broadly, namely the housing shortage, skyrocketing prices, and persistent housing inequities that are reinforced by dated zoning policies.

One area I would encourage the council to rethink is the level of development along transit corridors. Traffic and parking always rank high on Alameda residents' concerns when new housing comes up — this is true both for people who are in support of new housing and those who would prefer Alameda to be frozen in amber. Planning for higher density in areas that have easy access to public transportation would be helpful for addressing these concerns and would reduce pressures on other areas of the city.

My thanks to the Council for working through this challenging but hugely important issue for Alameda.

Sincerely,

Andy Murdock - Windsor Drive

From: [Alexandra Petrich](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); gbaudin@alamedaca.gov; [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#); [Ronald Curtis](#); [Alan Teague](#); [Rona Rothenberg](#); [Asheshh Saheba](#); [Teresa Ruiz](#); [Hanson Hom](#); [Xiomara Cisneros](#)
Subject: [EXTERNAL] Item 7-B, November 16, 2021 City Council Agenda - Draft Housing Element
Date: Monday, November 15, 2021 5:31:39 PM

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Daysog and Herrera Spencer:

I am an Alameda property owner. I also vote in every election.

I am writing to express my complete and total support for the position of the Alameda Citizen Task Force (ACT) and the Alameda Architectural Preservation Society (AAPS) with regard to the above-listed City Council Agenda Item 7-B.

I see no need to repeat the arguments made in the communications from ACT and AAPS.

Very truly yours, Alexandra Petrich

From: [cathy.jefferson](#)
To: [Cathy Jefferson](#)
Cc: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#); [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#); [Ronald Curtis](#); [Alan Teague](#); [Rona Rothenberg](#); [Asheshh Saheba](#); [Teresa Ruiz](#); [Hanson Hom](#); [Xiomara Cisneros](#)
Subject: [EXTERNAL] Re: My Comments Regarding City Council Workshop on Draft Housing Element
Date: Monday, November 15, 2021 5:16:34 PM

As a resident of Alameda for over 15 years, I do understand the need to comply with the RHNA and the need to affirmatively further fair housing in Alameda.

However, I strongly disagree with the current proposed plans as described in the draft Housing Element document and I am extremely concerned that the quality of life in our city will decline significantly if some current plans noted in the current draft are implemented.

I do support the position of the Alameda Citizens Task Force and the Alameda Architectural Preservation Society.

I strongly object to including R2-R6 zoning districts noted as in the Housing Element document and upzoning R1 beyond the SB9 limit of 4 units per lot allowing 3 ADUs which would raise the total dwelling units on a lot to seven.

Please allow time to consider and develop additional alternatives as we meet our obligations. The voices of the citizens of Alameda are important.

Thank you , Cathy Jefferson

On Mon, Nov 15, 2021 at 2:33 PM Tony Devencenzi <tdevencenz@yahoo.com> wrote:
Dear City Council Members,

As a resident of Alameda for over 34 years and landlord of an apartment building my grandfather built over 75 years ago with below market rates rents, I do understand the need to comply with the RHNA and the need to affirmatively further fair housing in Alameda.

However, I strongly disagree with the current proposed plans as described in the draft Housing Element document and I am extremely concerned that the quality of life in our city will decline significantly if some current plans noted in the current draft are implemented.

I do support the position of the Alameda Citizens Task Force and the Alameda Architectural Preservation Society.

I strongly object to including R2-R6 zoning districts noted as in the Housing Element document and upzoning R1 beyond the SB9 limit of 4 units per lot allowing 3 ADUs which would raise the total dwelling units on a lot to seven.

Please allow time to consider and develop additional alternatives as we meet our

obligations. The voices of the citizens of Alameda are important.

Thank you ,

Tony Devencenzi

--

Cathy Jefferson, L.C.S.W

415 806-6336

www.cathyjefferson.com

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From: [dodikelleher](#)
To: [Andrew Thomas](#); [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [John Knox White](#); [Malia Vella](#); [Trish Spencer](#); [City Clerk](#); [Eric Levitt](#); [Gerry Beaudin](#); [Lara Weisiger](#); [dodikelleher@comcast.net](#)
Cc: [Alan Teague](#); [Rona Rothenberg](#); [Asheshh Saheba](#); [Teresa Ruiz](#); [Hanson Hom](#); [Xiomara Cisneros](#); [Ronald Curtis](#); [Nancy McPeak](#); [Erin Garcia](#); [Allen Tai](#); [Lisa Maxwell](#); [Louis Liss](#)
Subject: RE: [EXTERNAL] Correspondence re: Draft Alameda Housing Element -Item 7-B on City Council's 11-16-21 agenda
Date: Monday, November 15, 2021 4:23:26 PM

Thank you, Andrew.

I appreciate the update and suggest you add this to your presentation during the City Council meeting tomorrow. I know there will be others attending who would be interested in hearing this information.

Dolores Kelleher

Sent from Samsung Galaxy smartphone.

----- Original message -----

From: Andrew Thomas <athomas@alamedaca.gov>
Date: 11/15/21 4:14 PM (GMT-08:00)
To: Dodi Kelleher <dodikelleher@comcast.net>, Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>, Tony Daysog <TDaysog@alamedaca.gov>, John Knox White <JknoxWhite@alamedaca.gov>, Malia Vella <MVella@alamedaca.gov>, Trish Spencer <tspencer@alamedaca.gov>, City Clerk <CLERK@alamedaca.gov>, Eric Levitt <elevitt@alamedaca.gov>, Gerry Beaudin <gbeaudin@alamedaca.gov>, Lara Weisiger <lweisiger@alamedaca.gov>
Cc: Alan Teague <ateague@alamedaca.gov>, Rona Rothenberg <RRothenberg@alamedaca.gov>, Asheshh Saheba <asaheba@alamedaca.gov>, Teresa Ruiz <truiz@alamedaca.gov>, Hanson Hom <hhom@alamedaca.gov>, Xiomara Cisneros <xcisneros@alamedaca.gov>, Ronald Curtis <rcurtis@alamedaca.gov>, Nancy McPeak <nmcpeak@alamedaca.gov>, Erin Garcia <egarcia@alamedaca.gov>, Allen Tai <ATai@alamedaca.gov>, Lisa Maxwell <LMaxwell@alamedaca.gov>, Louis Liss <lliss@alamedaca.gov>
Subject: RE: [EXTERNAL] Correspondence re: Draft Alameda Housing Element -Item 7-B on City Council's 11-16-21 agenda

Dear Ms. Kelleher. Thank you for your email about the Housing Element.

I hope you will be relieved to know that staff has reached out to all the shopping center owners in Alameda to determine if there is interest in constructing residential units on the shopping center sites. To date, only South shore shopping center has responded in the affirmative. We hope that others will step up soon.

Regarding the Navy, staff from the Base Reuse has had communication with the Navy and those discussions are ongoing.

Andrew

From: Dodi Kelleher [mailto:dodikelleher@comcast.net]
Sent: Monday, November 15, 2021 3:24 PM
To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; City Clerk <CLERK@alamedaca.gov>; Eric Levitt <elevitt@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>; Lara Weisiger <lweisiger@alamedaca.gov>
Cc: Alan Teague <ateague@alamedaca.gov>; Rona Rothenberg <RRothenberg@alamedaca.gov>; Asheshh Saheba <asaheba@alamedaca.gov>; Teresa Ruiz <truiz@alamedaca.gov>; Hanson Hom <hhom@alamedaca.gov>; Xiomara Cisneros <xcisneros@alamedaca.gov>; Ronald Curtis <rcurtis@alamedaca.gov>; Andrew Thomas <athomas@alamedaca.gov>; Nancy McPeak <nmcpeak@alamedaca.gov>; Erin Garcia <egarcia@alamedaca.gov>; Allen Tai <ATai@alamedaca.gov>
Subject: [EXTERNAL] Correspondence re: Draft Alameda Housing Element -Item 7-B on City Council's 11-16-21 agenda

Dear Mayor Ezzy Ashcraft and Councilmembers,

For more than a year, AAPS and other concerned citizens have, in good faith, made several very specific proposals toward meeting the RHNA in order to mitigate the need for significant across the board density increases and upzoning, especially in our established residential areas which contain Alameda's historic homes and buildings. Those proposals included approaching the Navy to raise or eliminate the housing cap at Alameda Point, actively engage the estuary shopping center owners to develop housing on their sites to allow for increased units there, as well as on the non-historic sections of Park and Webster streets. To my knowledge, there has been little specific action on these proposals or at least no specific public updates have been given. I am also aware that Councilmembers Herrera Spencer and Daysog have had a referral on the agenda regarding the Navy housing cap, yet it has been carried over for months. It raises the question about what is hindering these seemingly reasonable and urgently needed actions and why there has been little or no public discussion regarding them. The current draft housing element's extreme density increases essentially voids Article 26, which 60% of Alameda voters supported keeping when they voted down Measure Z. Instead of protecting our already dense and historic neighborhoods, the proposed housing element invites developers to buy up and demolish buildings in order to put up outsized structures with enough expensive units to "pencil out" their investment. This scenario is exactly why Article 26 was put into place originally and why the majority of Alameda voters supported it again

last November. What message is being sent to those voters now?

I urge City Council and Planning to seriously consider and act on the AAPS proposals as a means to both meet the RHNA and preserve the neighborhoods that make Alameda such a unique and livable place.

Sincerely,

Dolores Kelleher

From: [Josh Geyer](#)
To: [City Clerk](#); [Marilyn Ezzy Ashcraft](#); [Trish Spencer](#); [Tony Daysog](#); [Malia Vella](#); [John Knox White](#)
Subject: [EXTERNAL] Nov 16 council meeting comments
Date: Monday, November 15, 2021 3:47:08 PM

Mayor and city council members,

I am glad to see three hugely important items on the agenda for your meeting tomorrow. I would like to share my thoughts on each of them.

Item 7-D: I urge you to pass the proposed resolution to move parking enforcement out of the police department and into public works. First, it makes logistical sense to treat parking as one aspect of Transportation Management and make sure that whatever enforcement is necessary advances the city's overall transportation goals. Second, I'm a strong supporter of unbundling as many functions APD serves as possible and having them handled by civilian agencies without a well-known history of discrimination, racism, and excessive use of force. To that end, in subsequent years the personnel budget for APD should be reduced at least to reflect the removal of these positions and responsibility for parking enforcement.

Item 7-C: Please vote to certify the final EIR and to adopt the General Plan. It's an impressive and forward-looking document that council, staff, and the public can be proud of.

Item 7-B: I attended Andrew Thomas' presentation at the Planning Board the other week and was once again impressed by his directness in informing the board members and the public about the requirements for getting our Housing Element certified this time around and the various actions that council will need to take to make the Housing Element compliant with state law. As you know, gone are the days when jurisdictions can pass housing elements without any intent to fulfill their housing production commitments. No longer can cities like Alameda -- close to Oakland and San Francisco, rich in amenities, and served by transit -- continue to hoard this bounty by failing to allow for our fair share of new homes to be built. And thanks to Affirmatively Furthering Fair Housing, no longer will suburban jurisdictions like Alameda be able to run from the consequences of their past and current exclusionary housing and land-use policies.

Although the current draft of the housing element lays out broad strokes what the city will need to do to remain compliant with state law, I look forward to seeing the various other parts that haven't been publicly released, including the bulk of the city's Assessment of Fair Housing, a parcel-by-parcel site inventory, a more fine-grained breakdown of the low- and very-low-income affordable homes we will be expecting/requiring at each site, and the draft zoning changes that will implement the housing element in the zoning code. We know that we will need to find parcels for about 5,300 new homes to be built, including affordable homes, over the next eight years. And AFFH expressly forbids us from channelling these new homes away from historically exclusionary neighborhoods.

For some, allowing more homes in neighborhoods that have largely been frozen in amber since Measure A originally passed in 1973 can be scary. But I am here to assure everyone that accommodating more moderate-density homes in these neighborhoods--the Gold and Bronze Coast, East End/Fernside, Harbor Bay Island--is not only required by state law and the Fair Housing Act but will be beneficial for everyone. All of our neighborhoods already host multifamily housing of various scales and types, so adding more is clearly in keeping with past

development patterns. Spreading the 5,300 new homes across the island also prevents any one neighborhood from being negatively impacted by an large influx of new people. In truth, growing Alameda is good for all of us: good for the planet, good for creating a more inclusive and diverse community for us to raise our children in, good for transit users, bikers, and pedestrians, and good for the public coffers as newcomers contribute to commercial tax revenue without having to drive to get here.

Item 7-B is only a workshop so there will not be any binding resolutions. I look forward though to hearing the discussion and to dispelling the misconceptions people might have about whether welcoming new neighbors to all the neighborhoods in our community is required by law (it is) or will be beneficial (it will be). In terms of specific proposals, my biggest recommendation is to very intentionally **create enough zoned capacity for expected development, rather than maximum allowable development.** The only way to ensure we are able to make good on producing the units we're planning for is zoning to reflect a reasonable expectation of development. A housing element that assumes that every project and unit allowed under zoning will be delivered is neither realistic nor compliant with state law. Instead, the city's zoning must reflect staff and council's best guess at how many new homes the new zoning will yield. This means that if a neighborhood with a given zoning typically only yields 80% of the zoned capacity, the city must provide zoning capacity for 125% of the actual required units in that neighborhood.

In terms of actual zoning capacity: I would like to see a minimum of 60 units/acre for all affordable housing projects, for all commercial and industrial sites, and for major transit corridors. I am also in agreement with Councilmember Knox White that we need at least 200-300 units/acre on Park and Webster Streets, our historic commercial corridors that are already built to accommodate more people without the need for more cars. This level of density is required given the small lot sizes on these corridors. With 200-300 units an acre, we could finally see mid-rise development on various vacant or underused parcels, filling in the gaps in the streetscape and providing more car-free foot traffic for both existing and new businesses.

Thank you,
Josh Geyer

From: [Lisa Amstutz](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [Trish Spencer](#); [John Knox White](#)
Cc: [City Clerk](#); [Malia Vella](#)
Subject: [EXTERNAL] Bay Farm parent on 7-B 2021-1420 Workshop to Review and Comment on the Draft Housing Element
Date: Monday, November 15, 2021 3:21:45 PM

Pertaining to this agenda item for your 11/16 meeting, tomorrow at 7 PM :

7-B 2021-1420 Workshop to Review and Comment on the Draft Housing Element Update to Accommodate the Regional Housing Needs Allocation (RHNA) for the Period 2023-2031 in Compliance with State Law. (Planning 20962700)

Hello and thank you, council members for your time and attention to this matter. I live on Bay Farm and we own our home.

I can't attend tomorrow night's council meeting because I'm solo parenting while my husband is traveling for work. We have two children, and rely heavily on the Harbor Bay Kids Club for morning care (cancelled due to the pandemic at the moment, but hoping it resumes soon), childcare, after school care and summer camps so that I can work a full-time job, and my husband can work full-time as well. I will be feeding my children dinner and putting them to bed at the time of the council meeting. But I have a number of comments/questions that I'm hoping you delve into.

My question is if the Harbor Bay Club is sold, becomes developed with housing and/or a smaller club is built, where do the children go? What does this mean for them?

There are literally NO other programs that give kids this much space in Alameda to run and play, and just be children in a safe place, where they are cared for, fed, read to, helped with their homework and more. I can't speak highly enough of the 50 or so children who are served M-F by this program and many more in the summer, when school isn't in session. Alternatives would be to have them bused around/across the island to other programs, further from home and less convenient for parents and much more costly.

What will I and other parents do for childcare, after school care and summer camps?

What will I and other parents do in the meantime while a smaller club is built, assuming it still offers a Kids Club program in the interim?

Is there an interim program planned or in development so that kids have a place to go? What will happen to the jobs lost if the club is closed, such as the director of the program and many of the counselors, who themselves went through the program as children? You'd be discontinuing a long history of care in this community.

Please DO Not close the HBC, allow it to be rezoned or turned into a smaller lot. Children of Alameda need a place to run and play outside, especially in the middle of a pandemic, and not be confined to a portable or multipurpose room. The other aftercare programs on Bay Farm are incredibly impacted and not optimal for working parents. They are also all full.

We do not need more housing or traffic on Bay Farm. The schools are already impacted by traffic drop offs/pickups to the point it's dangerous and extensive crossing guard protection is

needed at intersections. We've almost been hit multiple times by parent drivers/commuters not paying attention, on cell phones, etc., and this would only become a greater problem if you allow more housing to be built.

Thank you, in advance, for your consideration of this request and attention to this matter.

Lisa

--

Lisa Amstutz

925.683.2095, mrlisaamstutz@gmail.com



From: [Tony Devencenzi](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#); [Ronald Curtis](#); [Alan Teague](#); [Rona Rothenberg](#); [Asheshh Saheba](#); [Teresa Ruiz](#); [Hanson Hom](#); [Xiomara Cisneros](#)
Subject: [EXTERNAL] My Comments Regarding City Council Workshop on Draft Housing Element
Date: Monday, November 15, 2021 2:33:36 PM

Dear City Council Members,

As a resident of Alameda for over 34 years and landlord of an apartment building my grandfather built over 75 years ago with below market rates rents, I do understand the need to comply with the RHNA and the need to affirmatively further fair housing in Alameda.

However, I strongly disagree with the current proposed plans as described in the draft Housing Element document and I am extremely concerned that the quality of life in our city will decline significantly if some current plans noted in the current draft are implemented.

I do support the position of the Alameda Citizens Task Force and the Alameda Architectural Preservation Society.

I strongly object to including R2-R6 zoning districts noted as in the Housing Element document and upzoning R1 beyond the SB9 limit of 4 units per lot allowing 3 ADUs which would raise the total dwelling units on a lot to seven.

Please allow time to consider and develop additional alternatives as we meet our obligations. The voices of the citizens of Alameda are important.

Thank you ,

Tony Devencenzi

From: [Drew Dara-Abrams](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Malia Vella](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [City Clerk](#)
Subject: [EXTERNAL] public comment re Draft Housing Element Update
Date: Monday, November 15, 2021 2:23:39 PM

Dear Mayor, Vice Mayor, and Councilmembers,

I'm writing to support the draft Housing Element that city staff have prepared. While some of the specific sites and zoning capacities are worth discussing and refining, at the "30,000 foot view" this is a straightforward and effective means for Alameda to meet the city's overall goals of:

- addressing the price of housing and lack of availability in Alameda and surrounding region (which truly is an emergency for those forced out into their cars or streets, and those "hanging on" but still overburdened by their housing costs)
- enabling more employees of Alameda-based and local companies to live here, rather than "drive to qualify" in the Central Valley and further afield (note that transportation emissions are Alameda's largest source of greenhouse gas emissions)
- using new residential and mixed-use developments to cover the costs of preparing for sea-level rise and modernizing related infrastructure at key locations around Alameda and Bay Farm Islands
- addressing disparities between the "advantaged" and "disadvantaged" neighborhoods of Alameda, whose residents have received a disjoint level of services compared to the burdens their neighborhoods have been asked to take on
- providing a wider range of housing options to support a similarly wide range of people (young adults who may have grown up here and wish to stay in Alameda, seniors who may be "aging out" of a single-family house but still wish to live in or near their current neighborhood, renters hoping to someday buy, and so on)
- having a compliant Housing Element in order to continue to receive grants from the state, be able to issue permits for everyday construction projects by current residents, and so on

I echo fellow Alameda residents advocating for the best possible Housing Element in asking that you work together in good faith but also prepare for all possibilities. If one or both of the projects that require 4/5 votes by council are at risk of not passing, then please proactively plan to zone for more capacity in a broader range of the city. Density can be thoughtfully deployed to enable projects that place more residents near high-frequency transit service, include affordable housing while still "penciling out" for developers, and add to the street-level and human-scale vibrancy of Alameda.

Every issue in the 21st century Bay Area — whether it be an economic problem or a social challenge — is a housing issue. This Housing Element is Alameda's opportunity to make actual progress on this conundrum.

Thanks for your time,
Drew Dara-Abrams
Calhoun St resident

From: [sfsugatoralum](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [John Knox White](#); [Trish Spencer](#); [Malia Vella](#)
Cc: [Eric Levitt](#); [City Clerk](#)
Subject: [EXTERNAL] City of Alameda Proposed Up-zoning Item #7-B on 11/16/21 Meeting Agenda
Date: Monday, November 15, 2021 2:20:05 PM

Dear City Council Members:

I am writing you to share my view on the above mentioned agenda item scheduled to be discussed at the Nov 16, 2021 City Council Meeting.

I am opposed to the proposed broad up-zoning of most of our island's residential neighborhoods, specifically the ones currently designated R-1. I would like the Council to:

1. Engage with the federal government and Naval authorities to lift any building restrictions on the former NAS Alameda base. Given the planned and current development there, this makes sense and seems likely to receive approval under the current administration. Should the US government agree, additional consideration for expanding our West side ingress/egress into Oakland needs to also be addressed.
2. If the Harbor Bay Health Club is not currently a viable independent business, consider ways for the City to acquire this site and let AP&RD or a designated 3rd party run the facility for the good of all our residents. This aligns with the City's history of having many well used park facilities and can be done in a revenue neutral manner. Do not build residential housing at this site.
3. Consider focusing the placement of more housing along our existing AC transit lines: Webster Street, Park Street and South Shore Center.
4. Address the parking and transportation issues that will arise from the addition of so many new residents.

Thank you for your consideration of these points and allowing me to voice them.

Regards,

Jeff Franco
Resident

Sent from [Mail](#) for Windows

From: [Carne001](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [John Knox White](#); [Trish Spencer](#); [Malia Vella](#); [Eric Levitt](#); [City Clerk](#)
Subject: [EXTERNAL] Item 7-B
Date: Monday, November 15, 2021 2:02:56 PM

Dear Alameda City Council.

Re; Agenda Item 7-B

Regarding the RHNA allocation as proposed below, I kindly suggest that the Council consider the following:

1. Allocate more units in the main transit corridors along Park St. and Webster St., on the non-historic blocks, and refrain from adding additional units in the already dense R2-R6 neighborhoods. I also ask that you look closely at the density of individual blocks that are already impacted by the up-zoning that occurred decades ago.
2. Pursue all avenues to lift the cap of the former Naval Base, and seek funding efforts for an additional tunnel or bridge on the West End.
3. Provide staff support to encourage homeowners and businesses to submit applications to the California Register of Historic Resources to protect architectural design and height limits to our neighborhoods, including the areas called "The Stations" where the old trolley cars once stopped.
4. Consider adding housing along the estuary, particularly the underutilized shopping district that is close to BART.

Thank you for your consideration.

Best,

Carmen

Can Alameda accommodate a RHNA of 5,353 units?

Yes. As described in Chapter 2 of the draft Housing Element, Alameda does have enough land to accommodate 5,353 units, but it will require that the City Council revise a number of local zoning regulations that are currently preventing housing from being built on that land. The draft Housing Element describes and identifies certain zoning regulations and entitlements that need to be removed or modified. In summary, the draft Housing Element accommodates the RHNA as follows:

Approved Projects	1,400
Alameda Point	1,282
Encinal Terminals	589
Shopping Center Districts	1,000
Residential Districts	500
Accessory Dwelling Units.	480
Park Street and Webster Street	200
Total	5,451
RHNA	5,353

From: [Mark & Judy](#)
To: [tsitjk@gmail.com](#); [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Trish Spencer](#); [Malia Vella](#); [Tony Daysog](#)
Cc: [Eric Levitt](#); [Lara Weisiger](#); [Andrew Thomas](#); [donnacheng2@yahoo.com](#)
Subject: [EXTERNAL] Re: Nov. 16 City Council Agenda Item 7-B-Housing Element
Date: Monday, November 15, 2021 1:46:57 PM

Mayor Ashcraft and Fellow City Councilmen,
We stand with preserving Alameda Measure A and not to increase the density in R-1 single family districts.

Mark Palmer
Judy Wong
Sea View Pkwy

-----Original Message-----

From: T Krysiak <tsitjk@gmail.com>
To: Izzy Ashcraft <mezzyashcraft@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <TSpencer@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; Tony Daysog <tdaysog@alamedaca.gov>
Cc: Eric Levitt <elevitt@alamedaca.gov>; Lara Weisiger <lweisiger@alamedaca.gov>; ANDREW THOMAS <athomas@alamedaca.gov>; Donna Cheng <donnacheng2@yahoo.com>
Sent: Sun, Nov 14, 2021 9:55 am
Subject: Nov. 16 City Council Agenda Item 7-B-Housing Element

Dear Mayor Ashcraft and Members of the Alameda City Council and City Staff:

You're certainly aware that this contentious housing element issue that is to be discussed on Tuesday Nov 16 has once again alarmed your Harbor Bay constituents.

We stand with Alameda Citizens Taskforce and the Alameda Architectural Preservation Society in upholding Measure A Article 26 that maintains housing density limitations and demand that the Alameda City Council side with us on this pivotal quality of life issue. Thank you.

Regards,
Tom Krysiak
Donna Cheng-Krysiak
Sweet Road

Sent Via My iPhone

From: [gaylon.parsons](#)
To: [City Clerk](#); [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#); [John Knox White](#)
Subject: [EXTERNAL] Nov 16 council meeting, Items 7-B, 7-C, 7-D
Date: Monday, November 15, 2021 12:59:40 PM

Dear mayor and city council members,

Your agenda is robust for Tuesday night! My hope is that each of you are focused on getting to the most consequential items the city has seen in a long time, specifically Items 7-B, 7-C, and 7-D.

Item 7-D: I encourage you all to vote to approve the movement of parking enforcement positions to public works. There is no reason why sworn officers should enforce parking, and this item addresses that inefficient use of resources. I encourage the council to keep going. Most routine traffic stops likely do not need an armed response, either.

Item 7-C: Please vote yes to certifying the final EIR and to adopting the Alameda General Plan 2040. The amount of public engagement on the Alameda General Plan has been impressive. I thank staff for their effort to hear from as many organizations and community members as possible. The resulting document centers equity and recognizes that change is our only constant - whether from inertia and decay or from a purposeful, creative vision that puts people first. The General Plan 2040 enables us to do that.

Item 7-B: While this is a workshop rather than an item to take yes/no action on, it is important for this council to offer a clear point of view and direction. My sincere hope is that you all are able to identify the things that the city is required by state law to do. My sincere hope is that you all do not waste your constituents' time on re-litigating our rejected RNHA appeal. The City of Alameda will need to meet those goals, and our Housing Element should allow us to plan for change with purpose and creativity. The result, from that process, will be a city we can all recognize and enjoy.

Given the new emphasis on accountability from the state, and the potential for us to not have our Housing Element certified if we choose to be too cutesy with workarounds, it seems more important than ever to be realistic and clear-eyed when it comes to some of the actions that we are going to have to take in order to meet our immediate RHNA goals. I am thinking specifically of Encinal Terminals, of doing everything we can to maximize housing at Alameda Point, and to targeting any new multifamily homes at 60 units/acre density.

The current draft Housing Element is good, and I encourage the council to adopt an attitude of getting things done to help clarify for your constituents what the stakes are, what the options are, and what the council can accomplish. Get to agreement; it is the best way for the community to hear clear messaging and to understand what is negotiable and what

isn't. Please be forthright and clear. This is no time to insinuate, to muddy the waters, or to be contrary for the sake of being contrary.

Thank you for your service to the city of Alameda.

--

Gaylon Parsons

From: [Jenny Sui](#)
To: announcements@alamedacitizenstaskforce.org
Cc: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#); [Eric Levitt](#); [Gerry Beaudin](#); athomoas@alamedaca.gov; [Lara Weisiger](#); [Allen Tai](#); [Ronald Curtis](#); [Alan Teague](#); [Rona Rothenberg](#); [Asheshh Saheba](#); [Teresa Ruiz](#); [Hanson Hom](#); [Xiomara Cisneros](#)
Subject: [EXTERNAL] Nov. 16 City Council Agenda Item 7-B Housing Element
Date: Monday, November 15, 2021 11:39:05 AM

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Daysog and Herrera Spencer:

I would like to join the Alameda Citizens Task Force in objecting to the proposed upzoning of residential districts R-1 to R-6 which would repeal Article 26 of the city charter.

Sincerely,

Jenny Sui

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 to the proposed upzoning of residential districts R-1 to R-6 which, in effect, would repeal Article 26 of the city charter. The basis for our objection follows:

1. **Article 26:** HE-27 (p. 22) 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 recission, 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 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. **Upzoning All Residential Districts:**

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 up to four units. However, our Planning Department is not satisfied with SB – 9 but wants even more density and an easier process for developers!

SB-9 provides that if a developer wants to place 4 full-sized dwellings on the lot, no new ADU's will be allowed, and the lot must be approved by the city for sub-division. Our Planning Department proposes to upzone R-1 to allow one full-sized dwelling unit for every 1250 sq. ft. which on a standard 5000 sq. ft. lot would allow four such units, the same as SB-9, **but it would avoid the need for any subdivision and our current ADU ordinance would allow three ADU's, raising the total dwelling units on the lot to seven. Thus, what was too much density even for SB-9 sponsor, Senator Wiener, is just right for Alameda. We think not.**

Several R-2 through R-6 neighborhoods already contain pre-Article 26 multi-family housing, so that they are already in excess of the current one unit per 2,000 sq. ft. requirement. Densification to one unit per 1,000 sq. ft. for R-2 to R-4 and 750 sq. ft. for R-5 and R-6 plus the 4 ADUs allowed by our ordinance and the one additional unit that automatically applies pursuant to our inclusionary and density bonus ordinances for developments of five or more units will result in six or seven full sized units on the lot with up to four ADU's added. This 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.

3. **Fair Housing:** Upzoning R-2 to R-6 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 tenants. HCD requires that these displaced tenants get monetary relocation assistance, comparable replacement housing and the right to reoccupy the newly developed structure. See <https://www.hcd.ca.gov/community-development/building-blocks/index.shtml>

The draft housing element gives lip service to this but fails to address how this will be accomplished. (HE-13 at page 19) 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 creating affordable housing the result will be gentrification.

4. **Meeting The RHNA:** We recognize that the deletion of the R-2 thru R-6 upzoning creates a shortfall of 520 units from our RHNA which must be included somewhere else 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 replace much if not all of this shortfall.
 2. The draft HE allocates only 480 units to ADU's, based on the three year 60 unit average. However, the ADU production has steadily risen over that period from 26 to 39 to 64 in the current year. This would justify a higher allocation.
 3. 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.
 4. A preliminary site inventory presented to City Council on July 6 listed the shopping centers at up to 1200 units, not just the 800 now claimed. With a developer already proposing 800 units for South Shore, it is likely that HCD would allow a higher projection.
5. **Summary:** Article 26 of our charter has been with us for almost 50 years and has 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 Housing Element Law unless required in order to achieve our RHNA. **Upzoning is not required in our R-1 thru R-6 zoning districts. Therefore up-zoning these districts would constitute an unlawful violation of our charter.**

Moreover, several 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 520 units lost by said deletion to other districts as suggested by Item #4 above.

Sincerely,

Alameda Citizens Task Force
Gretchen Lipow, President

From: [Stacey Leask](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [John Knox White](#); [City Clerk](#)
Cc: [Xiomara Cisneros](#); [Ronald Curtis](#); [Hanson Hom](#); [Rona Rothenberg](#); [Teresa Ruiz](#); [Asheshh Saheba](#); [Alan Teague](#); [Nancy McPeak](#); [Luke Szymanski](#); [Stacey Leask](#)
Subject: [EXTERNAL] Correct the Zoning of the Harbor Bay Club
Date: Monday, November 15, 2021 10:09:26 AM
Attachments: [We sent you safe versions of your files.msg](#)
[SLL Email 9.13.2021 Designate the Harbor Bay Club land RECREATIONAL in the General Plan.pdf](#)

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Dear Alameda City Council Members and City Planning staff:

I am writing with regard to the Housing Element of the General Plan and the zoning of the Harbor Bay Club (HBC) at 200 Packet Landing Road.

Please also accept this letter and its attachment in consideration of the upcoming City Council meeting on November 16, 2021.

I am a longtime Alameda resident. I am an attorney licensed by the State Bar of California and a practicing litigator in San Francisco, CA and beyond. I, along with my husband Luke Szymanski, are property homeowners in Alameda where we raise our 2 minor children.

I signed the following petition (as a fellow resident) along with over 1,000 other Alameda residents: <https://chng.it/5sd4rwrHqh> . I write this letter to you, not as an attorney and not as retained legal counsel, but as a concerned resident of the City with great interest in maintaining the existing HBC on its site and as it was intended, as I explain more fully below.

I am aware that the City is under pressure from the state government to satisfy its allocated housing obligations designed by the Regional Housing Needs Allocation (RHNA). My understanding is that under that mandate, the City has been allocated to build 5,400 additional housing units. I am also aware that the City has filed an appeal on behalf of the City and may be currently awaiting final determination from the committee overseeing the appeals process for the Association of Bay Area Governments (ABAG).

As an initial matter, I am supportive of the City's efforts to meet its housing obligations under RHNA.

However, with all due respect, I am perplexed at why the HBC is being considered as a potential site for RHNA; and

Moreover, I strongly believe that the HBC must reflect the proper zoning classification of "recreation" as it was intended.

I have been informed that "historical documents exist that state that Harbor Bay Isle Associates (the original developer) was granted permission to build additional homes on acreage originally designated as recreational space, and that *The City of Alameda granted HBIA the right to swap 44 acres for a 10-acre Harbor Bay Club under the provision that 'the purpose of the Harbor Bay Club is and shall continue to be to provide quality recreation facilities for the residents of Harbor Bay Isle residential*

development.” [emphasis added]

Accordingly, the HBC land should be zoned as “recreation” as it and the open space upon which it is built was intended to be recreational as part of the initial development deal and as was promised to the purchasing property owners of the Harbor Bay Isle Communities.

I attended by Zoom the City Planning Board meeting held on September 13, 2021, and I recall mention of these historical documents and dealings by Board Member Curtis.

My understanding is that California’s Housing Element Law states “designating and maintaining a supply of land and adequate sites **suitable, feasible, and available** for the development of housing sufficient to meet the locality’s housing need for all income levels is essential to achieving the state’s housing goals.” [emphasis added]

If the land of the HBC is already allocated as recreation as part of the Planned Unit Development (PUD), and where there is the potential for years and years of litigation based upon these earlier dealings, then the site is not land that is “suitable”, “feasible” or “available” from my perspective.

I heard Board Member Teague express a similar sentiment when he stated at the September 13th meeting, words to the effect of, if HBC was already designated as recreation in the prior agreement when HBC was developed, which it was, then that space is not a viable space to be considered for RHNA and that the board would not be running afoul RHNA mandates by not considering it as a viable option.

It also seems to me that there are other more suitable sites in Alameda and Bay Farm Island from which to consider for RHNA and that would not involve the taking of a cherished and supported community recreation asset (of which there is a great need for in Alameda).

(Please see my previous letter to the planning board attached, wherein I explain what the HBC means to our family and the community from our perspective.)

So to me, it would seem at odds with the community interest to take away the 1 recreation facility of the kind in Alameda and the only one of the kind on the east end, a decision that would have the catastrophic effect of removing a community facility that supports the health and wellness of our community members, offers excellent outdoor child-care and summer camp programs, provides much needed swimming lessons, fitness, tennis, and more.

I also question whether the intended housing would meet the needs for more “affordable” housing in Alameda. The HBC land, given its location, is likely sought to be developed into more expensive housing for the wealthier class, which does nothing to support the City’s need for more affordable housing options or to combat the growing homelessness that so many Californians face. A private housing development would be contrary to the goals of the City’s General Plan and the Housing Element.

Others have told me that they have been informed by City officials that if the HBC zoning is corrected to recreation, then the City must “up zone” some other site in Alameda to compensate for the proposed “down zoning” of HBC. However, **zoning the HBC site to its intended classification of recreation is not “down zoning”. Rather, it is a “correction”**

to designate it to the original and promised intent for the use of that land as agreed to by the City: a recreational space for the community.

I have also heard that the current owners of HBC are interested to sell and that either they or their potential developer buyers seek to bulldoze the existing club and build housing for their private gain. They may attempt to characterize a 'recreation' zoning designation as a "taking" that limits their property rights and/or limits their pool of potential buyers, however, it is likely the case that there never was any right to build housing there and the land use designation of "only recreation" is the deal that *the original developer made* and to which *the succeeding owners are bound*. Perhaps it is a deal that some now wish to undo, but alas, the deal was made and it is up to the City to rightfully do the right thing and uphold that deal for the City's constituents who benefit from the recreation site that was intended for them.

For the sake of the City of Alameda and its residents, please do the right thing and maintain the credibility of the zoning as "recreation" in the HBC land site.

Thank you for your time and for your service to the great City of Alameda. If you have any questions or wish to contact me, please feel free to reach out to me at this email address.

Sincerely,
Stacey Leask



Stacey Leask <stacey.leask@gmail.com>

Designate the Harbor Bay Club land RECREATIONAL in the General Plan

Stacey Leask <stacey.leask@gmail.com>

Mon, Sep 13, 2021 at 6:34 PM

To: xcisneros@alamedaca.gov, rcurtis@alamedaca.gov, hhom@alamedaca.gov, rrothenberg@alamedaca.gov, truíz@alamedaca.gov, asaheba@alamedaca.gov, ateague@alamedaca.gov, nmcpeak@alamedaca.gov

Cc: MEzzyAshcraft@alamedaca.gov, mvella@alamedaca.gov, tdaysog@alamedaca.gov, TSpencer@alamedaca.gov, jknoxwhite@alamedaca.gov, Luke Szymanski <lkszymanski@gmail.com>

Dear City of Alameda Planning Board and City Council Members:

My name is Stacey Leask; I am a resident and homeowner in Alameda, along with my husband and our 2 minor children. We have resided in Alameda since 2007.

We are writing in support of the request that the City designate the land located at 200 Packet Landing Road in Alameda (also known as Harbor Bay Club) as RECREATIONAL in the General Plan.

Our entire family uses the designated land space and facilities regularly for recreation, health and wellness, childcare/summer program activities, community enjoyment and outdoor green space.

As residents on the east end of Alameda, the land space and facilities is the only such recreational facility near us with the amenities that meets the needs of our health and wellness and childcare and where there are recreational activities for both adults and children.

All year long, we utilize the fitness facility, pool, tennis courts and outdoor green space. This is highly important in our day in age where youth and adults are prone to lack of exercise, diabetes and other factors. Viable and cost-effective health and wellness facilities and recreation are more important than ever.

In addition, our young children participate in both the after-school tennis programs and the summer camp program options throughout the year. Without these options, we fear that we will no longer have access to quality affordable childcare options nearby that include outdoor activities such as tennis, swimming and other activities for our children.

Indeed, the after-school programs and summer camp programs offered at the land space provide a much needed childcare option for many Alameda working parents, including us, and especially for those families who live near the facilities. These programs operate longer hours than most other childcare options in Alameda, and they offer outdoor tennis and pool options of which the nearby elementary and middle schools do not provide. They also have the capability to enroll large groups of children, at one contained and secure site, under the care of program coordinators who are well-known by the community, making their programs attractive options to local families.

Our son, age 7, is a rising tennis player. He practices and trains at the Harbor Bay Club tennis facilities and camps. He has recently started entering USTA tennis tournaments and we have witnessed first-hand the competition of young kids from around the Bay Area. Without the nearby tennis facilities, camps and lessons of Harbor Bay Club, our son will be at an even bigger disadvantage from other children taking up the sport of tennis as youth. Harbor Bay Club provides a much-needed option for the youth of Alameda and the nearby communities who seek to play tennis.

We also utilize Harbor Bay Club for swimming and swimming lessons for our children. It has been our experience as residents of Alameda that swimming lesson options are very scarce in Alameda with only a few limited options that are out there and at limited times that do not work for many families. Although Alameda Parks and Recreation has more recently begun offering some swimming lessons at the Alameda city owned or operated pools, they are limited enrollment and most every time they are offered, they fill up within minutes of opening enrollment. As a result, many families, including ours, are left without available swimming lesson options except to pay at private facilities. Aquatec, a private facility, also has limited space and it too fills up leaving many families without any other option. Many people are forced to travel to far away cities to obtain quality swimming lessons. This is not a viable option for many families, due to costs, travel time or other factors. The Harbor Bay Club aquatics program fills this gap on the swim options, even to those who are not members of the club. Losing Harbor Bay Club would be another blow to an already dire situation as far as available swimming lessons for the youth in Alameda.

We have heard that developers may be interested to purchase the land in order to demolish the existing facilities and build housing. This would be at the cost of losing this vital recreation space that so many local Alameda families depend on and utilize for recreation, health, wellness, childcare and more.

Our understanding is that this space/facilities was developed in response to an earlier agreement for development on Harbor Bay Isle and that the purpose of the land space/facilities was to provide quality RECREATION space and facilities for the residents of Harbor Bay Isle and the surrounding areas.

Please vote to designate the land space as RECREATIONAL in the General Plan to help ensure the space is designated for future recreational use of the Alameda residents and constituents.

Sincerely,

Stacey L. Leask

3218 Liberty Avenue

Alameda, CA

From: [Dorothy Freeman](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Trish Spencer](#); [Malia Vella](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] Item 7-B, Nov. 16, 2021, City Council Agenda - Draft Housing Element
Date: Monday, November 15, 2021 9:08:16 AM

Regarding Item 7-B, Nov. 16, 2021, City Council Agenda-Draft Housing Element

Dear Mayor Ashcraft and City Council Members;

I support the comments presented to you in the letters submitted by the Alameda Architectural Preservation Society and the Alameda Citizens Task Force.

The plan to up zone the R-2 to R-6 is a blatant plan to overturn the Article 26 (Measure A) 2020 vote of the people which passed with at least 60% of the vote.

Even though the new RHNA requirement for lower income housing is greater than 50% there are no lower income requirements in these numbers. I do not see a plan in any part of the staff report to bring the new numbers for lower income housing up to what we are targeted to provide.

Where it will be possible to crowd in five or more units on a single lot, the density bonus law will "maybe" provide 1 lower income unit, a number so small it will hardly make a dent in our requirements. Which will also crowd units in with height limit exceptions and homes built almost touching the building next door.

More troubling is that the lower income rentals in Alameda are located in the very neighborhoods being targeted for high density developments. As present buildings come on the market for sale, developers have the money to out bid any private citizens who would be interested in purchasing the lot. New units will raise market rate rents and prices for townhomes or condos built in their place, thus making Alameda's lower income unit problem worse and not better.

The systemic plan to ignore Article 26 makes all lots in Alameda endangered. Not just by those 520 planned units but every unit that comes up for sale will be available for a tear down and probably replaced with high density units. In 10 to 15 years Alameda will not be recognized as the beautiful historical town it is today. It will be a gentrified island community for those with greater than average incomes. Lower income families will be priced out of Alameda as the available and not so available land is replaced with market rate units ensuring over-crowding and an unsustainable level of density. The buildings providing lower income rents today will be replaced with the market rate units of tomorrow.

Respectfully yours,

Dorothy Freeman

cc: E. Levitt,
G. Beaudin,
A. Thomas,
A. Tai,
L. Weisiger

From: [Donna Fletcher](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [John Knox White](#); [Trish Spencer](#); [Malia Vella](#); [Eric Levitt](#); [City Clerk](#)
Cc: [Ronald Curtis](#); [Alan Teague](#); [Rona Rothenberg](#); [Asheshh Saheba](#); [Teresa Ruiz](#); [Hanson Hom](#); [Xiomara Cisneros](#); [Andrew Thomas](#)
Subject: [EXTERNAL] Nov. 16 City Council Agenda Item 7-B-Housing Element
Date: Sunday, November 14, 2021 10:37:17 PM

To: Mayor Ashcraft and Council Members Daysog, Vella, Spencer, and White

Please call for an update on the status of negotiations with the Navy to lift the cap on residential development at Alameda Point!

There is no disagreement among the Council, Planning Board, City staff, and the community that this negotiation is a priority and needs to run concurrently with identifying and approving our RHNA. And yet when I have tried to pin down what our process is I feel like I'm swimming in a bowl full of jello! **Is anything intentional moving forward? Do you know?**

I did discover two interesting documents in a **public records request** on the topic that Member Spencer initiated for January 2020 to the present.

1) Staff produced a very **thorough economic analysis** of why the Navy cap--or Excess Unit Fee--as it is formally called, makes development beyond the cap unfeasible.

And...

2) Surprisingly, I found a copy of my own letter to Council advocating for lifting the cap!

But beyond this, I saw **nothing that would suggest that we have a plan and are implementing it.** I hope I'm wrong!

At the same time, Member Spencer and Member Daysog have had a referral for supporting removal of the Navy cap and identifying additional housing units to meet RHNA **on the agenda since September 7** and it has never seen the light of day. Why not?

I have heard some say that Alameda Point is not a panacea to take away our RHNA pain and that we need to distribute new housing throughout the City. **Of course; that is only equitable. And that makes sense where we are compounding density.**

But **Alameda Point is a blank canvas of unlimited potential.** We have the opportunity to make it the most desirable part of Alameda--sorry 94502!--and even the Bay Area, if we have the vision.

The **key to unlock this potential** is removing the constraints that the Navy has put on us and that we have inadvertently accepted.

I am respectfully requesting that the **Council take action** to bring to the soonest possible City Council meeting:

- 1) a **status report** detailing what has been done to initiate negotiations with the Navy, and
- 2) a **detailed negotiations plan and timeline** for removing the Navy cap.

Additional ideas to be considered in this plan:

- 1) Propose using a **professional mediator** to overcome deep-seated positions blocking a swift resolution to negotiations

2) Consider how City of Alameda **contract lobbyists** could jump-start a plan by cultivating strategic political alliances.

Thank you for your thoughtful consideration,
Donna Fletcher
112 Centre Court

I have spoken to both What have we done and more importantly what is our strategic plan.

I implore you to please ease request a report on the

I have been inquiring about the status

From: [Maria Piper](#)
To: [City Clerk](#)
Subject: [EXTERNAL] Support for up-zoning
Date: Sunday, November 14, 2021 9:39:38 PM

To the Mayor, Vice-Mayor, and City Council,

I strongly support up-zoning residential neighborhoods in Alameda to comply with State laws and hopefully increase the supply of housing in Alameda.

I urge the council to accept the state laws and modify the zones instead of pursue an expensive legal strategy that will not help, but rather, continue to exacerbate the issue of housing (and affordable housing) in Alameda.

Thank you for your time.

Sincerely,
Maria Piper

From: [cherie winkler](#)
To: [Lara Weisiger](#)
Subject: [EXTERNAL] Nov 16 City Council Agenda Item 7-B Housing Element - My Comment
Date: Sunday, November 14, 2021 7:23:37 PM

My name is Cherie Winkler and I own 604 Harbor Road. I understand the Council's need to ensure our housing plan meets the RHNA for 2023-2031. However, I think this can be done without upzoning the R-2 through R-6 zoning districts, and am dismayed that such an overreach is even being considered.

As a committed Democrat, I am convinced it is exactly this type of radical solution (which, please note, the citizens and voters do not want and repeatedly have voted against) that will result in a Republican president in 2024. Do not make this mistake. We can meet the State's requirements by correctly utilizing currently available space, and by re-negotiating the cap at the Naval base.

That said, California is losing population, and lacks the environmental resources (water) to support its current population. Why anyone would think it makes sense to add more people to the state is beyond me. The last thing California needs is more people and more housing. I know it is not the Council's fault the state passed this law. But it's a stupid law and we should do the minimum to comply and no more.

Sincerely yours,

Cherie Winkler

From: [Alameda Citizens Task Force](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); tdaysog@alamedaca.com; [Trish Spencer](#)
Cc: [Eric Levitt](#); [Andrew Thomas](#); [Yibin Shen](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] Item 7-B, Nov. 16, 2021, City Council Agenda-Draft Housing Element
Date: Sunday, November 14, 2021 5:11:36 PM

ACT

Alameda Citizens Task Force

Vigilance, Truth, Civility

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Daysog and Herrera Spencer:

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 to the proposed upzoning of residential districts R-1 to R-6 which, in effect, would repeal Article 26 of the city charter. The basis for our objection follows:

1. Article 26: HE-27 (p. 22) 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 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. Upzoning All Residential Districts: 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 up to four units. However, our Planning Department is not satisfied with SB – 9 but wants even more density and an easier process for developers!

SB-9 provides that if a developer wants to place 4 full-sized dwellings on the lot, no new ADU's will be allowed, and the lot must be approved by the city for sub-division. Our Planning Department proposes to upzone R-1 to allow one full-sized dwelling unit for every 1250 sq. ft. which on a

standard 5000 sq. ft. lot would allow four such units, the same as SB-9, **but it would avoid the need for any subdivision and our current ADU ordinance would allow three ADU's, raising the total dwelling units on the lot to seven. Thus, what was too much density even for SB-9 sponsor, Senator Wiener, is just right for Alameda. We think not.**

Several R-2 through R-6 neighborhoods already contain pre-Article 26 multi-family housing, so that they are already in excess of the current one unit per 2,000 sq. ft. requirement. Densification to one unit per 1,000 sq. ft. for R-2 to R-4 and 750 sq. ft. for R-5 and R-6 plus the 4 ADUs allowed by our ordinance and the one additional unit that automatically applies pursuant to our inclusionary and density bonus ordinances for developments of five or more units will result in six or seven full sized units on the lot with up to four ADU's added. This 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.

3. Fair Housing: Upzoning R-2 to R-6 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 tenants. HCD requires that these displaced tenants get monetary relocation assistance, comparable replacement housing and the right to reoccupy the newly developed structure. See <https://www.hcd.ca.gov/community-development/building-blocks/index.shtml> The draft housing element gives lip service to this but fails to address how this will be accomplished. (HE-13 at page 19) 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 creating affordable housing the result will be gentrification.

4. Meeting The RHNA: We recognize that the deletion of the R-2 thru R-6 upzoning creates a shortfall of 520 units from our RHNA which must be included somewhere else 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 replace much if not all of this shortfall.
2. The draft HE allocates only 480 units to ADU's, based on the three-year 60-unit average. However, the ADU production has steadily risen over that period from 26 to 39 to 64 in

the current year. This would justify a higher allocation.

3. 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.
4. A preliminary site inventory presented to City Council on July 6 listed the shopping centers at up to 1200 units, not just the 800 now claimed. With a developer already proposing 800 units for South Shore, it is likely that HCD would allow a higher projection.

5. Summary: Article 26 of our charter has been with us for almost 50 years and has 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 Housing Element Law unless required in order to achieve our RHNA. **Upzoning is not required in our R-1 thru R-6 zoning districts. Therefore up-zoning these districts would constitute an unlawful violation of our charter.**

Moreover, several 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 520 units lost by said deletion to other districts as suggested by Item #4 above.

Sincerely,

Alameda Citizens Task Force
Gretchen Lipow, President

From: [Patricia Gannon](#)
To: [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Trish Spencer](#); [Tony Daysog](#); [Eric Levitt](#); [Andrew Thomas](#)
Subject: [EXTERNAL] Nov 16 City Council Agenda item 7-B Housing Element
Date: Sunday, November 14, 2021 3:06:25 PM

Dear Mayor Ashcraft and City Council Members:

On Tuesday, November 16th the City Council will discuss the RHNA Mandates. I fully support all the points made in the Alameda Citizens Task Force letter of November 12, 2021. The RHNA mandates would repeal Article 26 despite the overwhelming will of the voters in 2020. This action would create an unsustainable level of density in our neighborhoods and result in safety issues for our many students when crossing streets in our neighborhoods. **NO AFFORDABLE HOUSING IS REQUIRED FOR PROJECTS WITH LESS THAN 5 UNITS.**

This would pose an unnecessary burden on many neighborhoods and some commercial districts when some large undeveloped sites are available at Alameda Point, the Estuary shopping center, etc....A solution is readily available if the City would push forward to lift the Navy cap on housing at Alameda Point.

The City must submit its RHNA housing allocation to the State in March 2022 so there is no time to waste. Please do not delay in acting on the recommendations in Paul Foreman's letter on behalf of ACT. It is what Alamedans voted for in 2020. Please do not let us down. Thank you.

Patricia M. Gannon
1019 Tobago Lane
Alameda, CA 94502
pg3187@gmail.com

From: [T Krysiak](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Trish Spencer](#); [Malia Vella](#); [Tony Daysog](#)
Cc: [Eric Levitt](#); [Lara Weisiger](#); [Andrew Thomas](#); [Donna Cheng](#)
Subject: [EXTERNAL] Nov. 16 City Council Agenda Item 7-B-Housing Element
Date: Sunday, November 14, 2021 9:55:37 AM

Dear Mayor Ashcraft and Members of the Alameda City Council and City Staff:

You're certainly aware that this contentious housing element issue that is to be discussed on Tuesday Nov 16 has once again alarmed your Harbor Bay constituents.

We stand with Alameda Citizens Taskforce and the Alameda Architectural Preservation Society in upholding Measure A Article 26 that maintains housing density limitations and demand that the Alameda City Council side with us on this pivotal quality of life issue. Thank you.

Regards,
Tom Krysiak
Donna Cheng-Krysiak
Sweet Road

Sent Via My iPhone

From: [Ben Deligato](#)
To: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Cc: [Ronald Curtis](#); [Alan Teague](#); [Rona Rothenberg](#); [Asheshh Saheba](#); [Teresa Ruiz](#); [Hanson Hom](#); [Xiomara Cisneros](#)
Subject: [EXTERNAL] Nov. 16 City Council Agenda Item 7-B-Housing Element
Date: Sunday, November 14, 2021 8:22:45 AM

Dear Council Member and Staff Members:

I ask the Mayor, City Councilmembers and Planning Department to consider taking action on the following concerns:

1. Remove the R2-R6 upzoning on the proposed plan and adopt a consideration to maintain ADUs to no more than current state allowance of 16 feet in the R1 neighborhoods so as not to impose-height related privacy encroachment on the neighbors.
2. Pursue all avenues to lift the cap at the old Naval base and provide the majority of new housing over there. Please provide a public report detailing the current status of the project for removing the housing cap at Alameda Point. With that, however, we need another tunnel or bridge on the West End.
3. Support and encourage homeowners and businesses to submit applications to the California Register of Historic Resources to protect architectural design and height limits to our neighborhoods, including the areas called "The Stations" where the old trolley cars once stopped.
4. Consider adding housing units along the estuary, particularly the underutilized shopping district.
5. Allocate more housing units to non-historic blocks on the Park St. and Webster St. corridors.
6. Realistically address the parking issue that will result from the construction of the proposed 5353 units (i.e: 10,000+ people). Provide a solution to the latest decision to remove all parking requirements for new buildings as this will clearly result in a marked decrease in the quality of life for the residents living in the affected neighborhoods. Where will people park?

Sincerely,

Ben Deligato

135 Justin Circle

Alameda, CA 94502

From: [Patricia Baer](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [John Knox White](#); [Trish Spencer](#); [Malia Vella](#); [Eric Levitt](#); [City Clerk](#)
Subject: [EXTERNAL] Item 7-B
Date: Friday, November 12, 2021 9:01:03 AM

Council Members,

I hope I'm not the only one who drives around town and deeply regrets the decisions the city officials made in the 60's. Beautiful, unique residential neighborhoods were drastically changed. On too many beautiful blocks of gorgeous, irreplaceable architecture there looms a huge box - completely out of character with the neighborhood and our historic city.

Now, it seems that the same thing is going to happen again. I urge you to place this required housing in undeveloped areas around the periphery of the city and commercial areas, and not squeeze more units into established neighborhoods.

Our city is well regarded around the Bay Area as one of the few with old architecture and trees. I hope you won't make it your legacy in ruining all this.

Sincerely,

Patricia Baer

From: [margie](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [John Knox White](#); [Trish Spencer](#); [Malia Vella](#); [Eric Levitt](#); [City Clerk](#)
Subject: [EXTERNAL] Objections to Planning Department housing element
Date: Thursday, November 11, 2021 8:53:37 PM
Attachments: [We sent you safe versions of your files.msg](#)
[nomorehousing.pdf](#)
[nomorehousing2.pdf](#)

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

In response to a desire to remedy historical housing racism, the General Plan encourages increased gentrification, which will lead to displacement of people of color - i. e. more racism!

I strongly OBJECT to the Housing Element of the General Plan. The Housing Element goes beyond what is demanded by the State and will lead to the destruction of Victorians, more ugly apartment building charging market rate rent and little or no actual affordable housing. See attached letters - one previously sent and an update

Why We Do Not Need More Market Rate Housing In Alameda

(1) People Are Fleeing The Bay Area Due to Overcrowding and Gridlock

Per Trulia.com, there are 143 rental vacancies in Alameda as of October 24, 2021. San Francisco's rental vacancy rate is 8.7%, up 190% YoY. (ipropertymanagement.com)

Per KRON TV: "According to a recent [poll](#) released by Joint Venture Silicon Valley, a majority of poll respondents from Alameda, Contra Costa, Santa Clara, San Francisco, and San Mateo counties believe the quality of life has worsened in recent years.

More than 70% of poll respondents say the quality of life in the Bay Area has gotten worse in the last five years and more than half (56%) of those polled plan to move out of the region in the next few years, citing a high cost of living and increasing housing prices as the top reasons for moving." (KRON, 10/11/21) 62 percent cited the quality of life. (The Hill, 10/24/21)

There are no plans to improve infrastructure (aging and seriously in need of maintenance) or access on or off the Island. The only public plans for anything are to build more luxury homes, such as the recent plans for Grand Avenue and Clement.

(2) There is No Evidence that the Trickle Down Theory of Housing Works

The construction industry claims that building more, unnecessary luxury housing (see above, presently built expensive housing is sitting vacant) will reduce housing prices for lower income people. However, Per the EAST BAY TIMES, there are bargains to be had at the high end of the housing market, due to lack of renters, but "Even in this once-in-a-decade market, Popov said, low-income renters probably won't find housing for less." (calmatters.org/california-divide/2021/01/bay-area-renters-market-luxury, January 15, 2021)

Thus, even though there are large numbers of vacancies at the top end of the market, prices for lower income housing are not coming down.

(3) Climate Change Is Making Emergencies More Likely

Scientists are predicting more extreme weather events ([*****.edf.org/climate/climate-change-and-extreme-weather](https://www.edf.org/climate/climate-change-and-extreme-weather)) This makes it increasingly likely that Alamedans will have to evacuate. The most likely event is earthquake induced fire. Anyone remember Paradise, California? There were only 4 ways out of town. Seventy people died, due to inability to evacuate. The likely death toll due to an out of control fire in Alameda will be much higher.

Why We Do Not Need More Market Rate Housing In Alameda- An Update

I enclose a copy of the letter previously sent, explaining why your actions are likely to dis-improve the quality of life in Alameda. In response, the planning department has doubled down on their unfortunate approach, and has come up with such items as allowing building without parking places.

Why parking places are needed:

(a) It is not possible to own an electric vehicle without a dedicated parking place where it can be charged. Allowing buildings with no parking constitutes will therefore result in more internal combustion engines on the road.

(b) Many people on the lower end of the income scale need a car or truck for work. [FYI – these work trucks, which often contain thousands of dollars in tools – are the most common theft item] No place to park means that the offered housing cannot be taken.

(c) Many seniors and disabled people need a vehicle. I know many people who cannot walk two blocks to a bus stop and cannot stand and wait for a bus. However, they can safely drive. Asian seniors do not want to be out on the streets, due to violence targeting Asians, and need a vehicle to feel safe.

Update on Alameda rental vacancies:

As of November 11, there are 144 rental vacancies on the Island (Trulia.com)

Climate change: I have seen maps, showing that in 30 years, the Oakland estuary will cover Blanding Street – and all the houses built on the shoreline.

“Traffic calming” - If the demanded housing is actually built, there will be thousands of more cars on the streets of Alameda. The Planning department has taken well laid out thoroughfares and created bottlenecks. With no police enforcement, news videos show drivers routinely blowing through stop signs. Crossing the street in Alameda has become perilous.

Conclusion: The plans you are making to invite more people to Alameda will instead increase the rate at which Alamedans flee the Island.

From: [Dan Reidy](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); tspenser@alamedaca.gov; [John Knox White](#); [City Clerk](#); [Manager Manager](#); [City Attorney](#); [Elizabeth Mackenzie](#); [Andrew Thomas](#)
Cc: ["Tim Hoppen"](#); ["Daniel Reidy"](#)
Subject: [EXTERNAL] Letter from Harbor Bay Isle Associates to Alameda Mayor and City Council on Recent Communications Regarding the Harbor Bay Club Site
Date: Thursday, November 11, 2021 2:07:22 PM
Attachments: [We sent you safe versions of your files.msg](#)
[Letter from Harbor Bay Isle Associates to Alameda Mayor and City Council on Recent Communications Regarding the Harbor Bay Club Site.pdf](#)

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

November 11, 2021

Mayor Marilyn Ezzy Ashcraft and Members of the Alameda City Council:

Attached is a letter from the President of Harbor Bay Isle Associates and Harbor Bay Club Associates to the Alameda Mayor and City Council Members on recent communications Regarding the Harbor Bay Club Site.

C. Timothy Hoppen asked me to forward this letter to you on his behalf.

Daniel Reidy
Attorney for Harbor Bay Isle Associates

Cellphone: (415) 298-8586

(Sent from Calaveras County Office)

Daniel F. Reidy

LAW OFFICES OF DANIEL F. REIDY, A PROFESSIONAL CORPORATION

<u>San Francisco Office</u> 3701 Sacramento Street, # 386 San Francisco, California 94118-1705 Telephone: (415) 750-4210 e-mail: dfreidy@pacbell.net	<u>Calaveras County Office</u> 270 Blair Mine Road Mailing Address: P. O. Box 760 Angels Camp, CA 95222 Telephone: (209) 736-0712 e-mail: dfreidy@pacbell.net
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HARBOR BAY ISLE ASSOCIATES
200 Packet Landing Road, 2nd Floor
Alameda, CA 94502

November 11, 2021

Honorable Mayor Marilyn Ezzy Ashcraft and Members of the Alameda City Council
Attn: City Clerk, Alameda City Hall, 2263 Santa Clara Avenue
Alameda, California 94501-4477

RE: **Recent Communications Regarding the Harbor Bay Club Site**

Dear Mayor Ashcraft and Members of the Alameda City Council:

As President of Harbor Bay Isle Associates and Harbor Bay Club Associates, by this letter I am responding to recent communications you have received from Jeff Peterson and Mr. Petersen's letter to the editor in the Alameda Sun that he forwarded to you regarding the Harbor Bay Club site on Packet Landing Road. Also, some of the issues raised by Mr. Petersen have been brought to our attention from a variety of other sources, including statements made at Planning Board meetings, and messages from Harbor Bay Club members and Community groups and other individuals on social media platforms. We think the timing is right for us to respond to some of the issues raised in these communications. It is clear from all of this activity that the future of the Harbor Bay Club and property is of interest to many. Therefore, we would like to share with you the following information:

Maintenance of the Facilities at the Harbor Bay Club.

As we are all aware, the COVID-19 Pandemic has had a dramatic impact on businesses all across the Country, in the State of California and here in the City of Alameda. The Harbor Bay Club was not immune to these forces, and we have worked extremely hard to keep the Harbor Bay Club alive. During this period we used all available resources, including personal funds, to maintain the Club at a level that allowed the Members to continue to access and use the Club facilities. Accusations that we purposely failed to maintain the Club are incorrect.

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Current Status and Future of the Harbor Bay Club Site.

Unfortunately, also during this period of responding to the COVID-19 epidemic, the majority of the members of the Club elected to terminate their memberships, which presented us with significant financial challenges. Although our efforts have been successful in keeping the Harbor Bay Club alive, we now find ourselves at a point where we can no longer own and operate the Harbor Bay Club, and we must find a buyer to redevelop the property and take it into the next phase, whatever that turns out to be.

Also during this same period, some Club members, other individuals, and community groups reached out to us to explore all options and possibilities. We shared with each and everyone of these people detailed information on the financial and operational status of the Harbor Bay Club. We were then and continue today to be transparent with all the stakeholders. We have disclosed that we have been in discussions with home builders, including one interested in possibly redeveloping the current Club site with a combination of a smaller updated recreational facility and some new homes.

No Covenant by Ron Cowan that the Site Would Remain a Recreational Club Forever.

Because of a claim raised by Jeff Peterson that there was a covenant made by Ron Cowan that the Harbor Bay Club site would remain a recreational club in perpetuity, we researched our files and found no record of any such covenant. We reviewed Title Reports issued for the property over the years, and there is no record of such a covenant.

Review of City's Actions on Applications for Development of the Harbor Bay Club.

Further, we reviewed the City's actions on Applications filed by Harbor Bay Isle Associates for development of the Harbor Bay Club, and found no promises or requirements that the site remain a recreational facility forever.

In mid-1976, the land now occupied by the Harbor Bay Club became available. Prior agreements among the Alameda Unified School District, the City of Alameda and Harbor Bay Isle Associates provided for the reservation of approximately 24 acres of land along Packet

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Landing Road and extending southerly from the Bay Farm Island Bridge for future public schools on Bay Farm Island. In mid-1976, the Alameda Unified School District decided that it did not need approximately 9 acres of Harbor Bay Isle Associates' land nearest the Bay Farm Island Bridge for a future public school, and as a result that property became available for an alternate use. Harbor Bay Isle Associates began to consider whether a private commercial athletic and fitness club would be an appropriate and viable use of that portion of the land it owned, because such a recreational facility would support the developer's marketing plans to attract new home buyers to Harbor Bay Isle.

On October 18, 1976, the Alameda Planning Board by Resolution No. 909 approved a Planned Development Application No. 76-10 for a private recreational complex, the Harbor Bay Club. There was no condition imposed in the City's approval that the site must remain a recreational facility in perpetuity. In fact, in the Planning Staff Report on this Application acknowledged that the initial management program for the Harbor Bay Club might not continue as originally established: "Harbor Bay Isle Associates should specify their intentions regarding ownership of the Club or possible sale at some future time."

On December 8, 1976, the Alameda City Council by Ordinance No. 1834 reclassified and rezoned Harbor Bay Isle Associates' parcel on Packet Landing Road near the Bay Farm Island Bridge from R-1-PD (Single Family Residential, Planned Development District) to C-2-PD (Commercial Business, Planned Development District). The underlying zoning district of Commercial Business would allow for the construction and operation of a commercial health and fitness club on the property, including one with snack bars, a restaurant, and a bar serving liquor to customers. There was no condition imposed that the site must remain a recreational facility in perpetuity.

Subsequent Planned Development Amendment Applications for the Harbor Bay Club approved by the Planning Board in May of 1978 (PDA-78-4 approved by Planning Board Resolution No. 972), in October of 1982 (PDA 82-6 approved by Planning Board Resolution No. 1281 on October 13, 1982), and in April of 1991 (PDA-90-26 approved in Planning Board

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Resolution No. 2134 on April 8, 1991) contained no conditions that the site must remain a recreational club in perpetuity.

The 1989 Development Agreement between Harbor Bay Isle Associates and the City of Alameda shows the Harbor Bay Club in its location on the Description of the Harbor Bay Project which was Exhibit B in the Development Agreement. The Development Agreement does not contain any commitment by HBIA or any requirement by the City that the Harbor Bay Club site must remain a recreational facility in perpetuity.

HBIA Not Granted An Exemption from Paying Assessments on Harbor Bay Club Site.

Assertions made in recent communications that HBIA was granted an exemption from paying assessments on the Harbor Bay Club site for the original Assessment Districts that funded the initial infrastructure at Harbor Bay Isle are simply not true. HBIA formed a Mello Roos District for Village 5 that provided for assessment payments, but the Harbor Bay Club site was not located within Village 5. HBIA formed Assessment Districts to fund improvements in the Harbor Bay Business Park but not for the portion of Harbor Bay Isle where the Harbor Bay Club is located. The Bay Farm Island Dike Assessment District formed for future levies of assessments for costs and expenses related to repairs required in the event of a “major failure” in the perimeter dike around the shoreline edge of Harbor Bay Isle covers all property within Harbor Bay Isle except public streets and public school lands, so the Harbor Bay Club site would not be exempt from any such levy of assessment. Further, the Property Taxes currently paid by the Harbor Bay Club for its property at 200 Packet Landing Road contain assessments for public services and for public school measures.

Legal Issues with Request that City “Down Zone” to site for “recreation only.”

While the City of Alameda has the legal right of control over the zoning of properties in the City, any changes to the existing zoning classification of properties must be done in compliance with the policies and regulations in the City’s Zoning Ordinance. The City’s Zoning Plan was adopted for various purposes, including “To protect and elevate the character and the

Letter to Mayor Marilyn Ezzy Ashcraft and Members of the Alameda City Council
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social and economic stability of residential, commercial, industrial, recreational, and other areas within the City, and to assure the orderly and beneficial development of such areas.” (Alameda Zoning Ordinance, Article 1, Section 11-112(c)). The call in recent communications for the City Council to rezone the Harbor Bay Club site to “recreation only” so that a newly formed committee can gain control of the property as a “community owned asset” should be rejected by the City Council, because following that path would expose the City to vulnerability to a legal challenge for an unjustified “taking” of property without just cause.

We hope that this information and our explanations will be useful to you in dealing with these requests to rezone the Harbor Bay Club site to “recreation only.”

Sincerely,

/C. Timothy Hoppen/

C. Timothy Hoppen

President of Harbor Bay Isle Associates and Harbor Bay Club Associates

cc: Eric Levitt, Alameda City Manager
Yibin Shen, Alameda City Attorney
Elizabeth Makenzie, Chief Assistant City Attorney
Andrew Thomas, Chief City Planner, Community Development Department