

APPROVED MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, SEPTEMBER 12, 2022

1. CONVENE

Vice President Teresa Ruiz convened the *meeting at 7:00 p.m.

Board Member Diana Ariza introduced herself.

**Pursuant to Assembly Bill 361, codified at Government Code Section 54953, Planning Board members can attend the meeting via teleconference.*

2. FLAG SALUTE

Board Member Diana Ariza the flag salute.

3. ROLL CALL

Present: Vice President Ruiz, and Board Members Hom, Cisneros, Teague* and Ariza.

Absent: President Saheba and Board Members Curtis.

**Board Member Teague arrived after roll call.*

4. AGENDA CHANGES AND DISCUSSION

Vice President Ruiz made a motion to continue Agenda item 7-A to the next meeting due to absences. Board Member Hanson Hom seconded the motion. A roll call vote was taken and the motion passed 4-0.

Agenda item 7-C had already been continued to the September 26th meeting.

5. ORAL COMMUNICATIONS

None.

6. CONSENT CALENDAR

None.

7. REGULAR AGENDA ITEMS

7-A 2022-2346

Board Elections

This item was continued to a future meeting.

7-B 2022-2352

Public Hearing to Review and Comment on the Draft Housing Element and Zoning Amendments to address State Fair Housing Law and Accommodate the Regional Housing Needs Allocation for the Period 2023-2031.

Andrew Thomas. Director of Planning Building and Transportation, introduced the item and gave a presentation. The staff report and attachments can be found at: <https://alameda.legistar.com/LegislationDetail.aspx?ID=5810455&GUID=08387C28-0755-4323-8ED0-08A88D7CF253&FullText=1>.

Vice President Ruiz opened board clarifying questions.

Board Member Hom discussed what a major achievement this was and all the hard work that went into this. He wanted more clarification on the thought process for the height limit in the C-1 district. He also asked about the Affordable Housing requirements and wanted to know more about the 50/50 split.

Director Thomas explained in detail the logic and thought process behind the decision for the height limit. He then discussed Inclusionary Housing Ordinances and how they would show that they would make housing available for lower income households. He discussed the challenges that they worked through.

Board Member Ariza asked about developer restrictions and the concerns about developers joining lots in residential districts.

Director Thomas discussed those concerns in the residential districts.

Board Member Alan Teague had questions about Density Bonus and building units within existing structures. He wanted to know if someone could request a waiver to build outside the existing structure.

Director Thomas said he believed they could and explained how Density Bonus worked.

Board Member Xiomara Cisneros also commented on the hard work that went into this. She also stated that “over zoning” was part of meeting the state mandated provision. She also wanted to know how much of their vacant sites were marked for affordable housing.

Director Thomas agreed, the new RHNA (Reginal Housing Needs Allocation) was a major hurdle and these were are actions to further fair housing. He also discussed how HCD (Housing & Community Development) really pushed them to make sure they were doing enough. He then discussed city owned land and how it was being considered for affordable housing.

Vice President Ruiz clarified that the Historic Ordinance was staying in place. She wanted to know if the city had reached out to HCD about removing program 4, upzoning the R districts. Would the city still be in compliance?

Director Thomas assured that the Historic Ordinance was not changing, historic homes would still have protections. He said they had had many conversations with HCS and program 4 was very important. He discussed what would happen if they removed it, it's highly likely that HCD would reject it.

Vice President Ruiz opened public comment.

Shelby Washington wanted to know what other services would be added as they increase the population. She wanted to know about new schools and an increase in police and other important services.

Paul Foreman corrected Director Thomas about displacement and wanted something added for displaced tenants. He discussed other cities that didn't upzone their R districts. He also brought up issues with exemptions and "by right" projects.

Christopher Buckley, Alameda Architecture Preservation Society, discussed his concerns about upzoning and gave the suggestion of doing it in phases and not all at once. He still believed they were unnecessary and a posed a threat to the historic housing inventory. He discussed plans to mitigate some of the issues.

Vice President Ruiz closed public comment and asked Director Thomas to address the questions raised by the public.

Director Thomas discussed how developers have to pay Development Impact Fees and those fees go to community and public services. He added the city would continue to improve the transportation system. He then addressed the concerns about upzoning the R districts, fundamentally the removal of the Measure A limitations and the removal of the multifamily prohibition.

Vice President Ruiz opened board comments.

Board Member Teague thanked everyone who spoke on this item. He then gave detailed and specific notes on certain pages, he pointed out places where the wording could be clearer and diagrams that needed better graphics. He discussed his thoughts on Transit Oriented Housing, ADUs and Article 26 as well.

Board Member Hom discussed his concerns about the city meeting is affordable housing requirements. He also discussed his thoughts on the Transit Oriented Housing and that a map would be beneficial.

Board Member Cisneros also agreed that that a map for the Transit Oriented Housing would be good. She then discussed her thoughts on Inclusionary Zoning and what the unintended consequences could be. She discussed recent state bills that could have helpful language.

Vice President Ruiz wanted to know what other areas, not just Alameda Point, could benefit from the Infrastructure Cost Reduction. She also discussed ways to address all the public comments and concerns. She also recommended that in the zoning amendments they should revisit the inclusionary housing.

Director Thomas discussed what other areas were in need of infrastructure updates. He then thanked everyone for their comments and discussed next steps and what they what would be brought back.

7-C 2022-2354

PLN16-0240 - (Portion) Oakland Inner Harbor Tidal Canal - Tentative Map - Applicant: City of Alameda. Public Hearing to consider recommending approval of Tentative Tract Map No. 8570 to divide a portion of the Oakland Inner Harbor Tidal Canal (APN No. 71-289-8) to create seven parcels. CEQA Determination: An Initial Study/Negative Declaration ("IS/ND") for the Project was adopted on September 20, 2016, in accordance with the California Environmental Quality Act (CEQA). No further environmental review is required.

THIS ITEM IS CONTINUED TO THE SEPTEMBER 26, 2022 PLANNING BOARD MEETING.

7-B 2022-2355

Public Hearing to Consider Recommending Adoption of the Equitable Building Decarbonization Plan. CEQA Determination: This action is statutorily exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), the general rule that CEQA only applies to actions that have the potential to cause a significant impact on the environment.

Danielle Mieler, Sustainability and Resilience Manager, introduced this item and gave a presentation. The staff report and attachments can be found at: <https://alameda.legistar.com/LegislationDetail.aspx?ID=5810457&GUID=36F22E59-EAA0-4134-8AE9-F6EDA906E0E3&FullText=1>.

Vice President Ruiz opened board clarifying questions.

Board Member Teague asked how they would mitigate the negative impacts on renters. He discussed his concerns about the burden being more on the tenant and not the landlord.

Staff Member Mieler answered that they were very aware of the burden and that they had strived for a balance of responsibility between the tenant and the landlord. She then discussed available incentives and savings.

Board Member Hom thought the plan was a little loose on how the equity concern would be addressed. He also wanted to know about what type of outreach had been done for restaurants and businesses. He also wanted to know more about what type of work would trigger the upgrades.

Staff Member Mieler answered that they had done some general outreach to commercial businesses but when there was specific policies for restaurants they would do more. She then discussed that staff was still drafting that potential ordinance for existing building upgrades. She broke down different types of building upgrades and gave examples of what they would look for.

Vice President Ruiz opened public comments.

Karen Miller discussed her financial responsibility as a landlord and other demands to upgrade a building she owned, the tenants would also have to vacate the building due to the scope of work. She felt the work was not feasible. She felt this was an admirable plan but she just didn't see how it would work.

Ruth Abbe, Community Action for a Sustainable Alameda (CASA), gave her support to this plan. She reminded the board of the health and human safety impacts of converting from natural gas. She then discussed grants that would help low income housing convert to all electric and helping with outreach to Alameda businesses.

William Smith discussed his work with different organizations, such as CASA, on helping renters deal with the cost demands on these upgrades.

Elise Hunter, a Clean Energy Policy Consultant living in Alameda and a member of CASA, gave her support and concurred with Speaker Abbe's comments. She acknowledged there were still issues that needed to be worked out but admired this plan for its thoughtfulness in dealing with equity and protecting renters.

Melissa Yu, The Sierra Club, gave her support to this plan. She discussed the importance of switching away from fossil fuels and thanked the staff for all the hard work that went into this plan. She also discussed the work that still needed to be done and the groups that needed to come together.

Vice President Ruiz closed public comment and opened board discussion.

Board Member Teague wanted to see changes in the immediate goals and action items section on page 5 and gave examples of language he would support.

Board Member Teague made a motion to recommend adoption of this plan to the City Council but only with changes. The intermediate goals must be changed to “explore ordinances and coordinate with the staff and the community considering the impact”. Board Member Hom seconded it for discussion.

Board Member Hom discussed his concerns about how this plan addressed equity. He felt that some of the programs had a disproportionate impact on low income communities. He discussed a possible amendment to the motion.

Board Member Teague was open to the amendment and wanted to see stronger equity elements.

There was a discussion on procedural steps and how to correctly inform the council about their concerns about equity.

Board Member Cisneros wanted clarification on upgrades for panels and if it was mandatory. She also supported the amendments proposed.

Staff Member Mieler explained on those upgrades and how they could be done in a cost effective way.

Board Member Diana Ariza had questions about the ordinance that was being developed, she wanted to know more about the exceptions. She wanted the document to expand more on the intent.

Staff Member Mieler discussed the different types of exceptions and the reasons behind them. She also discussed the possible financial resources that were in the works.

Vice President Ruiz was looking forward to reviewing the ordinances that would address electrification for new and existing buildings. She wanted to know who was working on the 2023 building code and to make sure that was incorporated into this plan.

Staff Member Tai said that was handled by the Building Official. He added that the Building Official had been involved in these conversations.

Board Member Teague made a motion to recommend adoption of this plan to the City Council but only with changes. The intermediate goals must be changed to “explore ordinances and coordinate with the staff and the community considering the impact”. Board Member Hom seconded it for discussion with the condition that policies and language have strong equity elements. A roll call vote was taken and the motion passed 5-0.

7-E 2022-2358

Public Workshop to Review and Give Direction for the Preparation of a Development Plan for the West Midway/RESHAP Project at Alameda Point.

Director Thomas introduced this item and gave a presentation. Staff report and attachments can be found at

<https://alameda.legistar.com/LegislationDetail.aspx?ID=5810458&GUID=06955FDC-5F19-4708-85E6-BDE71D4F6378&FullText=1>.

Sarah McIntire from MidPen Housing, Sean Whiskeman from Catellus Development, Josh Roden from Brookfield Residential, David Burton from KTG Architecture, and Jason Victor the landscape architect also presented.

Vice President Ruiz opened board clarifying questions.

Board Member Teague asked about the parks and open spaces that would be created by not having roads.

Speaker Burton explained what connections would lead to the major public parks. He went into detail on the east/west connections and why they were focusing on pedestrian and bike friendly paths.

Board Member Horn asked if the grid had flexibility for pedestrians and cars, the latitude of the height limit and the variety of housing types.

Director Thomas discussed the plan and its specifics of how it was in line with the staff's vision. He also talked about proposed height limits and the diversity of the housing.

Staff Member Tai reminded the board that they had to take a vote to extend the meeting past 11pm.

Board Member Teague moved to continue the meeting until 11:30pm and not to pick up any further items on the agenda. Board Member Cisneros seconded the motion. A roll call vote was taken and the motion passed 5-0.

Board Member Cisneros wanted to know what would happen if this was not considered "in compliance".

Director Thomas explained that some redesign would need to happen and that would affect the overall financial demands. He went into detail what that would entail.

Board Member Ariza wanted to know what the reason was for not following the guidelines.

Speaker Roden discussed the grid and the many objectives in this plan and the reason behind the design choices.

Vice President Ruiz asked if there was a preset number of units the developer had to deliver. She also wanted to know how much leeway the Planning Board had to deviate from a specific plan. She wanted to know if the Pulte site was part of this.

Director Thomas discussed the RFP for the parcel and the new applicant actually wanted to do more units. He said that the board's leeway wasn't a specific layout, he added that they would need to go back to council. He said this was not part of the Pulte plan.

Board Member Teague asked if this was a Density Bonus Project.

Director Thomas said it qualifies for density bonus and he discussed in detail that this was a council's project and how that affected density bonus.

Vice President Ruiz opened public comment and acknowledged that Board Member Teague had to leave the meeting. She also pointed out that she had met with the applicant ahead of time to review the project.

Doug Biggs, Executive Director of the Alameda Point Collaborative, discussed in detail that since day one they had been adamant about not putting in main streets that would run through the community. He discussed safety issues and how not having East/West through streets meets the safety goals.

Drew Dara Abrams discussed the types of units proposed and the safety components of this plan. He discussed his issues and concerns with the 3 story townhouse units, and suggested stacked flats with centralized parking.

Karen Bey hoped that they don't lose the open space, the new plan showed the center gardens gone. Even with increased density she cautioned against losing things that make a neighborhood great. She also pushed for retail, she was concerned that there didn't seem to be a grocery store at the Point.

Marguerite Bachand, Executive Director of Operation Dignity, seconded Speaker Biggs comments. She thought the plan did a good job of balancing a lot of objectives and hoped the board would support this plan.

Vice President Ruiz closed public comment and opened board discussion.

Board Member Teague (who had rejoined the meeting) said he was on the fence about this plan. He discussed the things he liked and where he wanted to see more diversity in housing.

Board Member Cisneros disclosed that she had met with the developer and the team before the meeting. She agreed with Board Member Teague's comments. She was also concerned about the grocery store and wanted that to be addressed.

Board Member Hom discussed seeing a staggered East/West street and liked the idea of the greenways, they didn't all have to be complete streets. He also wanted to see more variety in the housing types.

Board Member Ariza agreed with staff on these points. She discussed safety concerns that she thought this plan addressed.

Vice President Ruiz said she could support the grid since it was a better plan. She thought the North/South connections was more important than the East/West. She also agreed with Board Member Teague's comment about more diversity on the West Tower Rd.

Due to the hour the rest of the Agenda items were moved to the next meeting.

Vice President Ruiz adjourned the meeting at 11:35 p.m.