

APPROVED MEETING MINUTES

REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY MARCH 12, 2012
7: 00 p.m.

1. CONVENE: 7:05 P.M.
2. FLAG SALUTE: Board Member Autorino
3. ROLL CALL: President Zuppan, Vice-President Burton, Board members Autorino, Ezzy Ashcraft, Knox White, Köster. Henneberry.

4. MINUTES:

Minutes from the Regular meeting of February 13, 2012

Board member Knox White asked to amend page 6, which said, "Board member Knox White would like to continue to review and have staff work..." It should say President Ezzy Ashcraft asked for a motion to continue and Board member Knox White asked was there a reason to continue.

Board member Ezzy Ashcraft asked to amend page 4. On the top of the page, the last sentence before oral communications the sentence should have two sentences or maybe a semicolon.

Board member Ezzy Ashcraft asked to amend page 7 of 15. On the top of page first paragraph, which states "President Ashcraft discussed the 2000 Clinton Avenue property. The City asked for her comments, but there were no attachments..." So, the word "Her" should be changed to the "Planning Board."

Board member Burton asked to amend page 6. On the top of the page, the notes do not list Board member Burton's detailed objections to the follow:

1. Relative depth of the building compared to the depths of the other buildings on the site.
2. How the parking spaces weren't in compliance.
3. How the scale of the building, the detail of the building and rooms are inhabitable.

Board member Knox White moved to approve the minutes of February 13, 2012 as amended.

Board member Ezzy Ashcraft seconded the motion.

The motion was approved 6-0 and 1 abstention.

Minutes from the Regular meeting of November 28, 2011

Board member Ezzy Ashcraft moved to approve the minutes of November 28, 2011 as written.

Board member Autorino seconded the motion.

The motion was approved 5-0 and 2 abstentions.

Minutes from the Regular meeting of January 9, 2012. (Pending)
Minutes from the Regular meeting of February 27, 2012 (Pending)

5. AGENDA CHANGES AND DISCUSSION:

None.

6. STAFF COMMUNICATIONS:

Written Report

6-A Future Agendas

Andrew Thomas, Planning Services Manager, reported on the future agenda items. The March 26, 2012 meeting consists of a use permit for the College of Alameda Flea Market, the Public Art Ordinance Workshop, and a 6-month review for 1051 Pacific Marina. Staff has decided they are not ready to bring the Public Art Ordinance for the workshop that day, but staff will bring the actual proposed amendments before the Board later in the spring. The April 9, 2012 meeting consists of draft amendments to the Alameda Municipal Code related to massage uses. Additionally, there will be a use permit design review and variance application for the redesign and remodel of a gas station at 1716 Webster Street and Park Street Streetscape Plan from Public Works. A recent addition to the April 9th agenda will be a review of the Transportation Demand Management and Systems citywide plan. Staff will have the report made available to the Board by March 26th.

The April 23, 2012 meeting consists of the Draft Alameda Point Zoning Amendment and Final Environmental Impact Report and Final Recommendation of the Park Street Code. Lastly, the May 14, 2012 meeting consists of a final approval needed by the Board for the Public Art Draft Amendments, the first draft of the revisions to the municipal code dealing with farm animals, third hearing on the Housing Element, and the Bicycle Guidelines from Public Works. The agenda may also include a fourth item regarding the proposed amendments to the municipal code to require bay friendly landscaping.

Regarding the Zoning Administrator's updates, he approved a use permit for a temporary chain linked fence at 1600-1618 Park Street.

Board member Ezzy Ashcraft asked Mr. Thomas if he included the Park Street
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Streetscape Plan in the April 9th agenda and how will that be presented to the Board.

Mr. Thomas replied it would be a rendering of the proposed project on Park Street.

Board member Knox White referred to the last meeting where the Board discussed the Broadway/Jackson project and staff indicated the Oakland City Council was in support of the project. He contacted the offices of Wilma Chan, staff for Rebecca Kaplan, and Pat Kernighan to confirm their support. They are in support of the general idea of the project, but depending on whom you talk to they have some concerns. There were suggestions about something coming back to the Board for review and we're already a year into the project study report and it has not come back. He is surprised that the project is not on the agenda until May, especially since this is a \$190 million dollar public works project.

Mr. Thomas replied that staff is looking at the agendas for the next couple of months and the April 23rd meeting could work, especially since the Board will be discussing the Alameda Point Rezoning plan. He will contact Public Works to see if they can attend the meeting.

President Zuppan agreed.

7. ORAL COMMUNICATIONS:

None.

8. CONSENT CALENDAR:

None.

9. REGULAR AGENDA ITEMS:

9-A. Housing Element Update Public Workshop - The Planning Board will hold a public workshop to consider a package of amendments to the City of Alameda Housing Element to respond to State of California Government Code requirements and suggestions from the State Department of Housing and Community Development. The package also includes a number of proposed amendments to the Land Use Element and Zoning Ordinance related housing requirements and development processes. The purpose of the meeting is to solicit public comments on the proposals. No final actions will be taken by the Planning Board on the proposals at this meeting.

Mr. Thomas gave a brief Power Point presentation about the Draft Housing Element and subsequent public process and schedule. He reported on the Draft Housing Element Amendments and related amendments to the Land Use Element and zoning ordinance under the City of Alameda's General Plan. The purpose of the presentation was to kick off a 2-month review period related to the staff report. The goals are after the 60-day review period, the Board will recommend the changes to the Housing Element and the zoning amendments to the City Council for approval and then receive certification this year.

Board member Knox White explained that there are penalties for not allocating enough land for residential use, but there doesn't seem to be penalties levied.

Mr. Thomas replied yes that is correct. The state does levy a penalty in the sense that we have to build more houses. The objective is to make land available for residential development. So, it would have been a much simpler exercise if we had met our obligations from the last period and it would have been slightly smaller for this period.

Vice President Burton asked Mr. Thomas to clarify the numbering of Table 5-5 on the Power Point presentation with Table 4.4 in the staff report.

Mr. Thomas replied the staff report should be labeled 5-4 in attachment 2.

Board member Ezzy Ashcraft asked Mr. Thomas to define the following terms: emergency shelters, supportive housing, and transitional housing so that members of the public who don't have access to the staff report could follow along.

Jennifer Gastelum, Service Lead for Pacific Municipal Consultants, explained that emergency shelters are permanent facilities that have pre-designated number of beds, for an overnight type service with security and lighting. Family housing is defined as one or more persons living together in a dwelling unit and the term family does not mean related by blood. Supportive housing services are defined as an apartment complex that offers a job training center and/or a childcare facility on site. Single Room occupancy is defined as a unit with a kitchen or bathroom but not both, also known as a boarding care. Transitional housing would be foster care or veterans care rehabilitation facilities put a certain amount of day stay on that facility.

President Zuppan called for public comment or questions.

Diane Lichtenstein, Vice President of HOMES, congratulated the Planning Board and staff for their report and advancing planning throughout the year. The completion will give confidence to developers, lessees, and people coming into Alameda for economic development and she hopes that the update moves as quickly as possible.

Helen Sause, member of HOMES, applauded the staff and the process to achieve California Housing and Community Development approval of the Alameda Housing Element. She believes the housing element is critical for the City's economic development especially since the dismantling of the Redevelopment Department. Finally, she hopes the coalition that helped get the Lawrence Livermore Lab to come to Alameda Point will come together to support the City's economic development goals.

Jon Spangler, Alameda resident and a League of American Cycling Instructor, had three different comments referring to attachment 4. Regarding the multifamily residential zoning ordinance if the unit is over 700 square feet the parking requirements state that two parking spaces are needed and that is too much, especially if the City wants to lower their carbon footprint and be more sustainable. Second, the staffs' report detailing

emergency shelter requirements for a maximum of 25 individuals to be housed in one shelter makes no sense. The City is not meeting the stewardship requirements and he would like to see 50 to 100 individuals housed. He would also like to see churches given the option to house individuals. Third, he was concerned that the density is too low and the City should be looking at more than 30 units per acre.

D. Tillman, member of TASK Incorporated, a non-profit organization that works with women who are transitioning from hardships and distress stemming from abuse, homelessness, and other obstacles. The organization is preparing to design and construct a 150-unit facility to include emergency beds for women who need assistance and she asked the Board to consider her organization when reviewing the Housing Element.

Laura Thomas, resident of Renewed Hope Housing Advocates, congratulated the staff on the report and the revisions. The update is a step in the right direction, but the plan needs more work, especially in regards to building more affordable housing.

Lynette Lee, member of Renewed Hope and former executive director for a non-profit organization that built and managed 1,400 affordable housing units.

She reiterated sentiments made in the December meeting regarding higher density, especially given the loss of redevelopment agency funds and the current economic climate. She appreciates the work that staff and their consultants have put into the amendments and response to the state. She is also disappointed that the zoning allowance remains relatively low and she displayed illustrations of various large residential densities. She posed a question to the Board on whether the current minimum density requirements for the City is in response to the state or do they want to create a benefit for the City that will positively affect everyone. She also asked the Board and staff to consider allowing buildings up to four stories high, reducing parking requirements, implementing parking flexibility on transit-oriented development projects and sites along major bus lines. Overall, she would like the Board to consider these possibilities in their final report to the state.

President Zuppan asked for any additional comments to the Housing Element Update. For this month's meeting, the board members were only required to provide comments.

Board member Ezzy Ashcraft referred to the Planning Commissioner's Handbook and read the introduction to the housing law and policy section, "Housing is a critical community asset and a necessity for a healthy and well-balanced community. Communities should strive to provide housing in a variety of types and a variety of prices to serve the needs of all residents. There are numerous reasons to ensure a diverse housing supply: (1) availability of diverse high quality housing choices for workers is a significant factor in retaining and attracting businesses; (2) helps to achieve social equity; (3) the largest portion of most family budgets goes to housing. When more affordable housing is available, people have more money for other necessities such as health care and disposable income to spend in the community, which will have big economic payoffs." This is the overarching consideration when grappling with the Housing Element because it affects the entire community and the City wants to be an

economically thriving community and achieve the jobs/housing balance. She questioned whether the City is continuing the First Time Buyer Program and Foreclosure Prevention found in page 12 (attachment 2) and page 13 of the staff report. She also wanted to know more about the Dedicated Housing Funds.

Debbie Potter, Alameda Housing Authority, replied the Dedicated Housing Funds are two separate funding sources that the City receives from Affordable Housing In-Lieu fees. The in-lieu fees are received under the Inclusionary ordinance for projects that are fewer than 9-units and developers can pay a fee in-lieu of providing units. The second source is from Affordable Housing-Unit fees, which are payments from commercial developers who can pay a fee in-lieu of providing an affordable unit. The in-lieu fee funds the First Time Home Buyer Program or also called the Down Payment Assistance Program, which is operated within the City. The Alameda Landing project will include an in-lieu fee, as part of the residential portion of Alameda Landing. The project may or may not generate sufficient funds to continue the First Time Home Buyer Program, but as it stands, the City operates the program. The Foreclosure Program was something that the City was involved in when the foreclosure crisis began and Housing and Urban Development (HUD) was funding a variety of initiatives where the City received some funds early on, but subsequently have not received funds nor applied for funds and the foreclosure crisis has not hit too badly. Thus, the City is currently working with licensed programs like the Unity Council in Oakland.

Board member Ezzy Ashcraft asked Ms. Potter to confirm whether the City would receive in-lieu fees from the non-residential portion.

Ms. Potter stated the City would receive funds from the commercial portion and both pots of money will continue to fund the First Time Home Buyer Program.

Board member Ezzy Ashcraft asked how the in-lieu and affordable housing unit fees are generally calculated.

Ms. Potter replied it is part of the City's annual fee schedule. So, there is an in-lieu fee of \$17,000 a unit if developers build a minimum of 5-units. The affordable housing unit fee depends on the type of non-residential development that is being built and the lowest rate is warehouse developments and the highest fee is for office development, which creates employment and housing impacts. She would get back to Board member Ezzy Ashcraft on the exact fees per development type.

Board member Ezzy Ashcraft referred to Chapter 3 of the Housing Element (attachment 2) page 11, under the action plan about condominium conversions; she questioned whether the condo conversions code was active. During the 2001-2006 target, it was recommended that the condominium conversion code be reviewed in order to make it an attractive tool for providing affordable housing.

Mr. Thomas replied that condominium conversion applications have not been submitted in quite some time, and there has not been any action on this particular target recently.

Board member Ezzy Ashcraft explained that the Board was talking about making affordable housing opportunities available and it has come up to the Board before, but is staff doing anything to market that.

Mr. Thomas replied staff has not been actively marketing that, but they can now. Staff's basic approach for condominium conversions is to look at two things: (1) are there zoning compliance issues or zoning nonconforming issues that need to be fixed; and (2) are there building code issues. In Alameda, almost every multifamily building has some kind of zoning problem, and the Board has waived those requirements for every application. However, what the City requires that the building safety code be reviewed.

Board member Ezzy Ashcraft needed clarification on the operation of the homeless shelters (refer to Chapter 6, page 9). She questioned whether the City would look for outside operators to run the facilities.

Mr. Thomas said the City's job is to operate the shelters, but provide the land for the shelters. So, the proposal is to amend the zoning ordinance to permit emergency shelters in the M-1 and M-2 zones.

Board member Ezzy Ashcraft asked who would decide how the shelters would run and who would essentially set the criteria. Especially since, you don't want to group all homeless individuals together such as homeless teens or families with children.

Ms. Gastelum replied as someone comes and approaches the City to establish a shelter there would be some requirements such as parking, security, lighting, and what type of facility it is for. The Board would then approve the criteria. Also, a list of conditions must be met before the facility is built such as the facility must have proper lighting, security, be near mass transit, cap the total number of beds, the hours of operations, and more.

Board member Ezzy Ashcraft asked how did the criteria address the question that she raised about whether it is appropriate to mix all homeless people together.

Ms. Gastelum replied that it is up to the facility provider coming forward to construct the facility and the Board may be able to recommend what type of group the facility can house.

Mr. Thomas asked Ms. Gastelum if the City has the ability to include criteria or would it be overstepping their bounds on requirements of state law.

Ms. Gastelum replied that it should be something that should be researched in order to see if that would be considered a constraint to allowing emergency facilities, especially if the Board limits the facility to certain groups.

Board member Ezzy Ashcraft asked Ms. Gastelum to bring the updated information to the next meeting in May.

Vice President Burton stated that the piece of the discussion is assuming that an

emergency facility application would come before the Board. However, since it legally permitted to develop the facility, then the Board would not necessarily review the application.

Mr. Thomas would talk to California Housing and Community Development to see if the City has another level of discretion regarding the emergency facilities in order to create additional conditions.

Board member Ezzy Ashcraft referred to Chapter 6, page 18 regarding rental units. She needed clarification on who determines what an affordable rent is.

Ms. Gastelum replied that it is part of the City's inclusionary requirements.

Mr. Thomas said the language is from the City's inclusionary housing ordinance.

Ms. Potter stated the definition of affordable is provided to staff by the state and sometimes the federal government and they say that residents should spend no more than 30% of their income for rent. Moderate-income homebuyers can spend up to 35% of their income on a mortgage. Also, HUD provides the incomes annually based on household size for low, very low, and moderate incomes.

Board member Ezzy Ashcraft referred to the staff report on page 6. There is discussion of the different parts of the City's west end waterfront that are available for residential development during the compliance period of the Housing Element. So, she wanted to if the Pennzoil site on Grand Street would require any clean given its past use as a oil retailer.

Mr. Thomas replied the site needs relatively little clean up and staff has had extensive talks with them. The Pennzoil tanks are above ground, and the only clean up is within the top couple of inches. He also noted that the site owner put the property on the market about 6 years ago, and they pay for the site clean up.

Board member Ezzy Ashcraft referred to page 8 of the staff report. She thinks the proposed multifamily 30 dwelling unit zoning overlay is exciting and she looks forward to it moving along.

Board member Knox White asked Ms. Potter about whether the City encourages owning a home more than renting apartments and if the City has thought about assisting people renting rather than owning.

Ms. Potter stated it's true that the City has a policy towards moving people into homeownership rather than moving them into apartments. Overall, the City has goals to see residents become homeowners and it's true that building affordable homeownership is much more expensive in terms of the subsidies given. Typically, to date the homeownership units are those that have been provided by developers as an inclusionary requirement, where the redevelopment agency and the City have not participated in the financial assistance aspect for those projects. Also, under Measure A

homebuilders have been precluded from constructing multifamily housing so typically they develop small lot, single-family developments. With the new 30 units to the acre zoning overlay there is no direction that it must be ownership housing or rental housing. Thus, the language provides a whole range of housing types, which the developer can come in and leverage outside financial resources.

Board member Knox White explained that one of the conditions for the emergency shelters should be accessibility by public transit. He did not see it in the staff report or the amendments, but Mr. Thomas stated it was there so that gives him hope. He also encouraged the Board and staff to include affordable and workforce housing terms. Especially because workforce housing is usually market rate and that sets the Board towards the goal of providing that type of housing. He referred to Chapter 2, page 6 (attachment 2) and asked if the definition of "family" is included in the definitions section. He found it odd that in the middle of the page the definition of family was in the header.

Ms. Gastelum replied that the definition would be included in the section, so staff won't have to call it out. However, the state wants the City to tell them that they are doing it. So, in the future it will not be found there.

Board member Ezzy Ashcraft brought up a comment from Board member Knox White about how emergency shelters should be close to public transit. She referred to Chapter 6, page 10 where it states "These vacant sites and under utilized parking lots are close to both services and transit."

Board member Knox White replied that the sites chosen by staff suggested they be within proximity to public transit. Yet, just in case the City decides to change where zone M-1 and M-2 are located, then the City retains the idea that the sites must be close to public transit.

Board member Knox White referred to Chapter 3 page 18, which talks about one of the goals from the 1990 Housing Element. The goal calls for review of the City's parking standards to facilitate infill development. One of the biggest drivers for both housing costs and hurdles to housing is the onerous parking requirements that we put on it. He suggested that instead of striking out everything that allows for in-lieu fees, they follow through with that and do the review, not necessarily as part of the Housing Element Update, but have the review take place. Furthermore, in Chapter 6 page 10, he suggested removing the parking requirements in the Housing Element that are specifically in the General Plan since the City ordinances already have parking minimums that deal with that already. Also, within Table 6.2, Parking Standards, he suggested that they rely on the City's ordinances that have parking minimums in place and take it out of the Housing Element. He referred to Chapter 5, page 8 and Table 5.4 (List of Sites) and noticed that Ron Good is not identified as a multifamily house. He believes that the bigger issues with the use of the multifamily designation is that the City is trying to meet a certain number based on the availability of land so that the state will certify the Housing Element. Although the City is applying in places that make sense numerically, it does not necessarily have placement close to public transit. For example, the Chevy site will never have a bus that runs near the site unless it will do a big

turnaround. Since the Ron Goode site is located on a heavily public transit corridor in the City, the site should be designated as multifamily. Based on the staff report, what jumped out at him was the fact that the consultant thinks that we don't identify enough housing capacity resulting in the state challenging those sites. Therefore, two ideas to combat the issue are: (1) identify the Ron Goode site as multifamily because it's in the North Park Street District and the community already stated they want mixed-use; and (2) allow density bonuses within the multifamily overlay zoning designation. He is not sure what number that would be, but he definitely believes this should be encouraged, especially for transit-oriented places. He referred to Jon Spangler's comment about parking requirements in multifamily developments. He pointed out that multifamily developments give out transit passes for a shuttle, but the City should also eliminate parking requirements because it will make it too expensive to build. Once the Transportation Demand Management and Transportation Systems Management (TDM/TSM) plan is in effect, it will be difficult to get people from not using their cars if the City provides free residential parking. Thus, the TDM/TSM plan should include reducing residential parking in areas where transit service exists. Finally, since staff will be talking to HCD during the 60-day review staff should be looking at other sites for multifamily housing and North Park Street is a good area since most of the community accepts denser residential development.

Board member Henneberry asked Mr. Thomas about the discussions and outcomes with the West Alameda Business Association in terms of high-density options above retail on Webster Street.

Mr. Thomas replied the discussions with Webster Avenue Business Association were several years ago and staff hasn't reached out to the association this year and in this context. They were interested in the idea of changing the zoning code on Webster Street to encourage housing above retail in order to revitalize Webster Street as part of mixed-use projects. The initial conversations took place around 2-years ago and there was no follow up from staff or the association.

Board member Henneberry encouraged staff to reignite that discussion if they have the time because this would be a very desirable pursuit.

Mr. Thomas replied he would follow up with the association.

Board member Henneberry asked Mr. Thomas to also talk to the Park Street Business Association. He also wanted to know why the Ron Goode site is included in the staff report, but not the Good Chevrolet property.

Mr. Thomas explained that the Good Chevrolet has an ongoing proposal that is a fully commercial project without residential. He didn't want to put housing on the list and tell the state that it was available when the proposal doesn't include residential. So, if the project does not go forward, then it would be a potential site.

Vice President Burton said the multifamily residential combining zone talks about the number of different housing types permitted, but it is not clearly address the idea of

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housing over retail. So, he wants to know how staff envisions that type of housing interacting with the zone.

Mr. Thomas replied that the multifamily zone proposed by staff was primarily for the Housing Element. They presented a variety of housing types and then they added the idea on attachment 4, Draft Multifamily Combining Zone, District Regulations (Section C-II). The objective under Section C-II is for a site that has frontage on either Park or Webster Streets to have ground floor retail space.

Vice President Burton encouraged staff to actively pursue ground floor retail on a site. He was glad to see that ground floor retail is required in those locations so the City has an active pedestrian-oriented street frontage. Also, he concurred with Board member Knox White about giving developers a density-bonus for transit-oriented developments, especially along Park and Webster Streets. So, the community is clear on the process he wanted a few clarifications about how the Multifamily ordinance process would work in order for the City to adopt it and how it relates to Measure A.

Mr. Thomas explained the City provides some land that facilitates and encourages multifamily housing as well as other types. Additionally, the City is required to show the state how they have enough land zoned at the appropriate density for low-income housing. One way to do that is provide land that is zone at 30 units per acre. So, staff created a zoning overlay (the draft ordinance is located in attachment 4) that is a zoning designation and can be applied to five or six identified sites in the City.

Vice President Burton replied the idea is that City's local ordinance cannot supersede state law.

Mr. Thomas exclaimed that's right, state law supersedes local law and it's the City's responsibility to comply with state law. The Planning Board and the City Council's jobs with the staff's assistance are to identify appropriate sites in Alameda to apply this law. In terms of adoption and process, there will be a final public hearing before the Board and City Council before it is adopted.

Vice President Burton stated he likes the way staff has chosen to look at places where the scale of the buildings and densities are compatible with the neighborhood and development patterns in the City. Regarding the elimination of redevelopment agencies, how has this affected this type of development and how will it affect the implementation of this plan.

Mr. Thomas replied he thinks that it only reinforces the importance of this package of amendments and the strategy in the past with the Housing Element was a two-prong strategy. The first strategy was to retain very low-density throughout the City because the City has a lot of land available and can show way more land than necessary to meet their obligation and the second strategy was the fact that they had a Redevelopment Agency. Specifically, the City requires 25% affordable housing and they had a Redevelopment Agency that could essentially buy down the cost of the projects. Now, when presenting the analysis to the state, the 30 units per acre designation seems like

the most viable argument since the 25% affordable policy back fired slightly against the City and redevelopment dissolved.

Board member Henneberry asked if staff discussed the plan with the development community.

Mr. Thomas said staff has not had specific discussions about the 30 units per acre plan, but they have had general discussions over the years. They have had many conversations over the last few years since the City adopted the density bonus incentive. Developers have to come in the Planning Department to ask how they can use this in order to make their multifamily development project work. At the end of the day, there are many factors affect a project's financially viable including the configuration, parking requirements, and conditions on the site. He thinks the discussion of the 30 units per acre versus the 40 units per acre is an important discussion, but he doesn't think it is the only piece of the conversation in terms of what it will take to make that development viable.

Board member Ezzy Ashcraft asked Mr. Thomas could bring representatives from the development community to the next Housing Element Workshop on May 14th in order to talk to the Board about developing this type of housing in the economic climate and elimination of redevelopment funds. Also, in terms of how state law trumps local law in order to construct higher density she asked if any of this precludes some or all of these sites from being a mixture of affordable and market-rate. In the past, the Board discussed not placing all of the City's affordable housing units in one area of town. She referred to Chapter 6, page 6, which states that inclusionary units can under some circumstances and if the Board approves be built at a different site. When the Board discussed the development of Grand Marina some years ago, there was strong consensus to not segregate the unit types.

Mr. Thomas stated that City policy requires every project to include at least 15% of its total stock for affordable units. The City also has ordinances and policies that do allow developers to apply to move those units offsite. Staff had one of those applications in the last 10 years and that did not go well. However, he wanted to make sure everyone understood that the City created the affordable housing policy. Under the state requirements, all the City has to do is provide 30 units per acre even if they didn't have inclusionary requirements.

Board member Zuppan brought up the need to be realistic before reducing parking requirements. As transit service declines, transit-oriented development that were effective today might not be in the future and in some parts of town there is not adequate parking for residents. Also, not every very low and low-income job type allows employees to use public transit because transit might not be running during their commute time. Additionally, she asked Mr. Thomas to present a recap on how the Multifamily Overlay Zoning designation relates to Measure A.

Mr. Thomas said Measure A has two primary components: (1) it prohibits multifamily housing throughout the City; and (2) the maximum density is 21 dwelling units to the

acre or one unit for every 2,000 square feet of land. The relationship between state and local law began a couple years ago when the City Council with recommendation by the Board adopted the Density Bonus Ordinance. State law says every City must adopt a density bonus ordinance and must allow up to a 35% density over the maximum allowed by local general plan, charter, or ordinance and must grant waivers to any development standard that makes the project not possible to fit on the site with the density. Recently, the City Council approved a privately developed Boatworks Project (construction pending), which is a series of single-family homes, attached townhomes, and 26-unit multifamily apartment building. Thus, state law says the City has to provide multifamily somewhere and the City cannot prohibit such development throughout the City. Regarding the density, the City under state law must show how they can provide affordable housing. So, the City is including the 30 units per acre Multifamily Zoning Overlay to provide for the affordable housing component. He also noted that although the legal right permits the project, they would still come before the Planning Board for the design review (e.g. to review the shape of the building, building façade and parking configuration). Finally, in terms of the parking requirements, staff will continue to analyze and consider making changes to the language.

Board member Henneberry stated those who were around when Measure A passed, which was a while ago, knew that the objective was to make sure Victorian houses were not torn down and replaced with apartment houses. Therefore, having that variance to the zoning ordinance does not conflict.

Board member Ezzy Ashcraft recognized Board member Zuppan's concerns with public transit, but if the Board and staff are careful in planning developments that are within well-served corridors then it is a good safety factor. She agreed with Board member Knox White's comment about the former Chevy site and believes a residential development is less than ideal without public transit service. She noted that senior housing with shuttle service similar to Cardinal Point at Mariner Square is needed and the site is a great location because it's around the water.

9-B. Alameda Point Rezoning Public Workshop - The Planning Board will hold a public workshop to consider a initial proposals for zoning amendments at Alameda Point to conform the zoning regulations for the property to the policies, objectives, and standards for the property included in the City of Alameda General Plan and the City of Alameda Community Reuse Plan. The purpose of the meeting is to solicit public comments on the proposals. No final actions will be taken by the Planning Board on the proposals at this meeting.

Jennifer Ott, Chief Operating Officer for Alameda Point, presented the Land Use, Zoning, and General Plan Amendments for Alameda Point. On February 13th, she came before the Board and for this meeting she presented more details about the amendments. She will subsequently come back with even more details until they receive final approval of the amendments in June. On March 24th, staff will go before City Council to present their recommendations. The idea is that staff is looking tot focus the development and the disposal of the property into residential and commercial areas by breaking it up into smaller pieces. She feels residential areas have a different strategy than the commercial

areas given where the market is for residential development versus commercial. The two important pieces to this effort are that the City and community maintain control over the entitlement process and to create entitlement certainty in order have entitlements in place. The next step from there is the entitlement process and they are proposing base-wide zoning. It's important to create this foundation because it will keep them focused on what the community wants as part of the larger vision of Alameda Point. What they are looking for at this meeting is to get feedback regarding some of the big picture questions and the zoning boundaries. They conducted an extensive community outreach effort in November of 2010 and received a lot of feedback. They presented that feedback last April to the City Council and they have built upon this information in order to come to the Board with some suggestions on how to move forward with some of these districts. Finally, they will come back to the Board on April 23rd with a draft of the zoning code in order to meet the June deadline.

Board member Ezzy Ashcraft asked Ms. Ott for more clarification on the recommendations that will go before the City Council in March.

Ms. Ott replied that there are working on two different efforts. First, they are working with the City Council or the "landowner" regarding the disposition and development strategy. Then, they are working with the Planning Board on the entitlements and zoning of the parcel, which will then be approved by the City Council.

Board member Henneberry asked about the parcel and the runways other than the Northwest Territory portion. He asked for a brief thumbnail on the development status. Additionally, he referred to a report about the 1990 Biological Opinion and the California Least tern.

Ms. Ott stated that the Northwest Territory is a triangular portion made up of 215-acres and listed as open space. The runway is south of portion and it is part of a federal-to-federal transfer, which is not part of the property that will come to the city. The parcel still owned by the Navy and the Navy is in discussions with the Veterans Affairs Department to transfer the property as an outpatient clinic and a columbarium. Board member Henneberry is correct about the parcel being home to a colony of nesting California Least terns, which is an endangered species. So, as part of the transfer process the Navy has to comply with the Endangered Species Act. The Biological Opinion was relative to their property and they had to place restrictions on their property. Also, the Veterans Affairs is conducting their process right now.

Board member Henneberry asked if the columbarium proposal would be in that southern half of the runway where the VA was going to place that.

Ms. Ott stated that is the Veterans Affairs' current public proposal. They are in discussions about how to locate the building in a different location in order to allow the process to move forward slightly faster.

Board member Henneberry replied so is the development precluded in the Northwest

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Territory's half.

Ms. Ott replied no.

Board member Henneberry asked if the current proposal would be parkland of some sort.

Ms. Ott said there are a number of proposals from the Reuse Plan dating back to a 1996 document that proposed a golf course, conference center, regional park, and sports complex. They are now conducting preliminary discussions with the Veterans Affairs and Fish and Wildlife Services about a Regional Parks or Sports Complex use and possibly moving the Veteran Affairs facility in the northern area.

Board member Henenberry asked in reference to the California Least tern is all development precluded because of the Lease Turns with the exception of the federal columbarium project.

Ms. Ott replied that the runways are not part of their footprint and are off limits in terms of development. However, there is a proposal from the Veterans Affairs to build the outpatient clinic on the northern portion of that.

Board member Henneberry stated **Muirad** provides a number of jobs in terms of the ships and he would encourage the City to pursue making that a larger presence. He questioned whether **Muirad** has a west coast office and if not, this may be a good location for them to put their offices.

Ms. Ott replied she agrees and the company has ships and an office in San Francisco. Staff had initial conversations about the consolidation and relocation to Alameda Point and they will keep the discussions going.

Board member Autorino commented about the Cape Cod National Seashore, which has a Lease Turn colony. The Cape Cod actually ropes off the beach so he's not surprised how restricted this area is.

Ms. Ott explained that 10% of the species' entire fledglings come from this colony every year.

Mr. Thomas presented the amendment details. The five zoning districts are custom to Alameda Point: (1) Employment-Adaptive Reuse District; 2) Employment District; 3) Town Center District; (4) Open Space District; and (5) Residential District. The Alameda Point Zoning Reuse Plan is their base document and all of the zoning districts would have some type of open space requirements.

President Zuppan asked for any additional comments to the Alameda Rezoning Update. For this month's meeting, the board members were only required to provide comments.

Board member Autorino applauded staff for creating the five subareas and he likes the
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Town Center District. However, he would like staff to include more waterfront orientation in the residential areas because right now the residential areas are pushed away from the waterfront on one side. He believes there has to be a mixed-use area and he is concerned with the juxtaposition of the commercial and residential area. Since you have to go through the residential districts to get to the commercial center, there will be issues with the residents. Also, since this plan has a wide range of commercial uses, staff must consider how the commercial use type will affect the residential areas. Additionally, he envisions that residents and visitors will heavily use the open space area and the way the plan is structured would prohibit residents from directly accessing the open space since they have to go through the commercial district. Thus, he would like the open space area to be easily accessible to all residents. He believes the adaptive re-use employment area is concerning and he doubts that the City will be able to find a use for a lot of the buildings. What makes the adaptive-reuse area more difficult is that staff is saying that anything can go in there. So, when you look at this juxtaposition of residential and commercial and it's very difficult to plan and understand the impacts. Ultimately, this should be addressed with more residential and less adaptive reuse. Lastly, he would like the public to access the entire area and experience the whole waterfront.

Board member Ezzy Ashcraft agreed with Board member Autorino's comments. She doesn't like the fact that staff is capping the amount of residential units at Alameda Point especially when the City is updating the Housing Element. On page 2 and throughout the staff report they emphasized the need to include the community's input and involvement. Yet, there is a throw away line on page 2, that acknowledged the major area of disagreement with the community was the total number housing units planned for Alameda Point. The outcome of the disagreement states that it is no longer relevant because the City has committed to the Reuse Plan's vision as the basis for conveyance and development. She feels it is premature to cap the number of housing units and staff is tying developers' hands. She remembers over the years that the Board and the public discussed the need to have Alameda Point to coincide with the rest of Alameda. So, she wants to know why staff is treating the parcel differently from the rest of the City. She would also like to know if there are any other zoning ordinances that cap the number of housing units that can be built on the site.

Ms. Ott agreed that the theme was brought up and the reality is the agreement entered with the City and Navy requires them to use Re-use Plan as the basis to receiving the parcel. If they entitle the parcel for a lot more they will jeopardize the conveyance of the entire property. So, the City Council decided to move forward with the Re-use Plan. The plan allows 1,425 units and that is a good 5-10 years of residential development, which staff feels is a very good start. The entitlements can change over time, but for now staff and the City Council feel that it's important to acquire the property at no cost using the existing plan.

Board member Ezzy Ashcraft explained that having a housing cap or focusing housing throughout the site are two different questions and staff can have one without the other.

Ms. Ott replied staff would look at that and they contemplated the ability to transfer units. Thus, staff could have a process that would allow them to transfer units from the

residential area to a specific project. But it creates a couple of extra hurdles before they can transfer the units.

Board member Knox White questioned whether the conveyance requires the City to cap housing in the City's Zoning ordinance.

Ms. Ott replied staff will look into that, but there is no actual requirement to put the number and the cap in the zoning ordinance.

Board member Knox White asked Ms. Ott to address the issue about whether the conveyance agreement contemplates the ability for City to build 1,425 units at Alameda Point, but beyond that they would have to pay \$50,000 per additional unit. So, he is having a hard time understanding why the Navy won't give us the land and the City could renegotiate the units beyond 1,425.

Ms. Ott replied that it does at a future date, but the conveyance is based on certain environmental review documents that the Navy prepared. If the City entitles something that creates a foreseeable project that's different than what is in the environmental review document then they will have to redo those documents and it would take months and additional funds to process the documents. Ultimately, that would jeopardize our no cost conveyance agreement.

Board member Knox White replied if the City were to convey something at 1,425 units using their existing environmental documents, but then later decide to change the number of units and conduct their own review then there would be nothing that would stop that.

Ms. Ott replied that's correct.

President Zuppan called for public comment or questions.

Board member Knox White moved to limit the five public speakers time to three minutes each.

Board member Burton seconded the motion.

The motion was approved 6-0 with 1 abstention.

Helen Sause, member of HOMES, wondered if the plans had gone dormant due to the demise of redevelopment and the Lawrence Livermore Lab's move to the city of Richmond. On the other hand, she was pleased to see the no cost conveyance had gone through. Then, it was a pleasant surprise to see the City Manager's letter about the approaching analysis and understand what is needed to move the plan forward. She was concerned that the parcel would be developed without a cohesive plan. However, this comprehensive approach will allow diverse development that can be developed at various time schedules with mixed-uses and potential waterfront development, similar to Marina Village. The net result is that they end up with a wise program that will be enable

ensure developments to these sites. Ultimately, she looks forward to this plan, applauds the City for investing in this and she hopes the Council will quickly endorse the plan.

Diane Lichtenstein, Vice President of HOMES, congratulated the staff on a well thought out plan. She was originally concerned that the plan would be developed in sections and that it would not be cohesive. However, she understood that will not happen and she urged staff to hire a development advisor who has experience with this type of endeavor in order to move the plan along. Her organization advocates for mixed-use developments and services that are accessible to everyone who lives there and she felt there was a lack of the mix-use developments in the plan. In addition, she urged staff to include amenities in each residential district such as small restaurants, cleaners, and coffee shops. Also, she urged for a mix of diverse residential types including mixing affordable and market-rate housing just as the community and Board said.

Bill Smith, Vice President of Renewed Hope Housing Advocates, agreed with Board members Ezzy Ashcraft and Knox White's comments about placing a housing cap in the zoning ordinance. The Urban Land Institute just came out with a report that shows California is overbuilt in single-family housing, but not multifamily housing near transit and urban districts. So, the City could increase the residential density and still develop commercial and open space. Ultimately, believes the City is not representing the community's input and he would be interested to see what staff has to say about that.

Karen Bay, Alameda resident, echoed Board member Autorino's comments about having more residential along the waterfront. She believes that is an important aspect to this project that is missing. She found that adding residential in the corner between the town center and employment parcels would be beneficial. Also, she would like to see more residential within the adaptive reuse area. She wondered how the City would finance the sewer and energy infrastructure. Regarding the Northwestern Territories, she would like to see a hotel or convention center in that area or at least zone for that type of use.

Jon Spangler, Alameda resident and a League of American Cycling Instructor, agreed with some of the comments made by the previous speakers. He believes the best plan Alameda Point Plan was designed by Peter Calthorpe. However, that plan will forever have a black eye because SunCal was attached to it. Yet, the Calthorpe plan was the most diverse and greenest plan because it included 3,000 residential units and had an integrated approach. He felt that the 1,425 residential cap limits the City in many ways.

Board member Köster asked about the flexibility of the zoned areas at Alameda Point.

Mr. Thomas stated yes things could change and at the beginning, they were working on a policy foundation stemming from the Reuse Plan and General Plan. They anticipate that there will be certain areas where the City will want even more detail in terms of development regulations, but before they let this loose to development they may want to do a pattern explaining the shapes and sizes of new homes. Furthermore, they can prescribe a form-based policy or they may decide that is too expensive and have the developer do the design aspect as part of the entitlement process. Also, the Town

Center District may need additional levels of detail that they want built into the entitlements.

Board member Köster stated if a developer wanted to build housing in the Adaptive Reuse District it sounds like it could be a little prescriptive and the developer would have to take a couple of steps to get there.

Mr. Thomas said yes we all need to discuss those issues such as do we want them to go through extra steps.

Board member Köster asked if the City's planned is to look at multiple developers for this site or one master developer.

Mr. Thomas explained that staff's perspective is to get more than one developer, especially since the site is huge. Given the current economy, it is better to develop in smaller pieces with multiple developers.

Board member Köster would also like to discuss the site's transportation plan. He also echoed some of the Board and public's sentiments about not capping the housing since it would be a miss opportunity.

Board member Knox White was concerned about the dual track and amendment process. The Council is being asked to adopt a process that appears to solidify what happens in specific zones especially in the northern and southern areas. From what he is hearing, the Board is not in consensus regarding the staff proposals on the zoning amendments. He recommended that the Board to send a letter of communication to the City Council to hold off on that part of the discussion. He liked the developer consultant part of this plan, but he fears that this conversation hasn't happened and this is the first time the Board has meaningfully analyzed how Alameda Point should start to be shaped. Regarding the SunCal Plan he thinks the zoning map does a significantly better job at identifying the type of zoning the City should adopt moving forward. He wondered if staff should bring this map out so there are not so many levels. The actual zoning proposal is significantly problematic and may cause issues similar to Harbor Bay where people end up with millions of square feet of commercial entitlements that are not used. Thus, they would end up asking to swap out land at the Northwestern Territories for more housing later. He felt the current plan proposed is homogenous because the commercial areas don't allow housing or other meaningful uses. The plan is contrary to the public's opinion of wanting a variety of mixed-use, affordable housing, and transit-oriented districts that provide jobs and open space. Alameda Landing is an example of a site that identifies as mixed-use, but develops a lot of single use pads next to each other and this plan does it at a grander scale. He echoed the sentiments made by some of the Board and public about capping the housing. He believes capping the housing will cause single-family housing to be built and they will be left with an undesirable mixed-used in the Town Center District similar to Marina Village. Staff should look at mixed-use with residential along the waterfront, and make sure the Town Center core is active with residential and commercial uses. He ultimately believes there should be zoning flexibility in all of these places.

Board member Henneberry wanted to know what staff is asking from the City Council next week.

Ms. Ott replied the ask is to provide direction on a strategy they have contemplated, which talks about dividing the property in a concurrent development approach and engaging the development community about these areas.

Board member Henneberry asked if staff has the specific proposal on the entitlements.

Ms. Ott stated they have the development envelope in the Reuse Plan as a starting point. As part of the disposition process, staff could go back and take the cap out and leave it out of the zoning ordinance, but developers need exact unit numbers that they can develop.

Vice President Burton agreed with many of the Board's comments. He felt that Board member Autorino comments about the continuous green connection and the interconnectedness of the shoreline spaces is important. He understood staff's need to create a base-wide zone, but there has to be an explanation of how they will move forward in order to create a cohesive development. The Calthorpe plan has many strong points that built the plan's skeleton and backbone, including a transportation network and pathways through the different uses. He wants a plan of action for the backbone so, once they start breaking up the 20-acre parcels they end up with something cohesive. He was encouraged to hear that there will be some accommodation for multifamily residential in the employment areas and the Town Center District. However, he wanted to see that developed in more of a specific way so there is an opportunity for mixed-use. He was encouraged by the form-based code for North Park Street and he would like to see how that process could be layered over the base-wide zoning. He referred to the lower employment area that interfaces on Main Street with the residential across and suggested that staff create a slice along there for higher-residential housing. In terms of moving forward with the actual dispersal of land, he would like staff to focus on the Town Center District and the parcels nearby in order to build up the center first and support the public transit and mixed-uses.

Board member Ezzy Ashcraft referred to page 3 (2nd paragraph) of the staff report. She stated that the community wants not just affordable housing, but housing for all income levels. She would like that incorporated in further writings about this topic. On page 7 of the staff report, the paragraph states the area is adjacent to the existing Bay Port residential to the east and is currently occupied by 200-units of transitional housing and 65-units of former Navy family housing. She wanted to know if the 265-units of housing would be counted towards that 1,425-unit cap.

Ms. Ott stated yes, but that number could go down.

Board member Ezzy Ashcraft explained we need to disperse housing throughout the area and the housing cap should not exist. She referred to page 5 of the staff report about transportation mobility and pointed out that traffic congestion would be minimized

if employment and housing were in close proximity. Lastly, she asked if Ms. Ott would include the Board's remarks from this meeting to the City Council.

Ms. Ott replied yes, she would include the Board's comments into the staff report. She also let the Board know that staff is pursuing a grant application to analyze the Town Center District's precise plan for the Metropolitan Transportation Commission.

President Zuppan endorsed Board member Autorino's comments about juxtaposition of the commercial uses and the residential neighborhood. She also agreed with the green path around the site and Board member Burton's comments about green pathways and how they can be connected. She echoed the Board and public's disagreement with the housing cap.

Board member Knox White asked Ms. Ott about her response to the Board and the fact that staff can go back and change the zoning code when necessary. He felt that it doesn't matter what the Board says about the zoning amendments because staff will move forward and ask the City Council to approve the amendments next week.

Ms. Ott replied if the Board wants to consider zoning or allowing residential as a conditionally permitted use in the employment area that is a consideration. However, the discussion with the City Council is about the disposition and staff is not ignoring the Board's comments. In order to set a plan and sell land, they have to present the number of units attached to the parcel's districts.

Vice President Burton made a motion to extend the meeting to 11:30 pm.

Board member Knox White seconded the motion.

The motion was approved 7-0.

Ms. Ott stated that she is not ignoring the issue, but in order to entitle and sell land to a developer they have only 1,425 units, but that doesn't mean they can't create more in the future. When selling the land and building units, they have to be specific that is why the disposition strategy is different from the zoning strategy.

Board member Knox White was concerned that the proposed disposition approach was based on the assumption that the zoning plans may change after they sold the prime residential and commercial. He then suggested that staff present the disposition part to the City Council in June or July.

Ms. Ott replied the proposing disposition strategy is just beginning. She recommended that staff should not market the commercial area adjacent to the 50-acre LBNL parcel.

Mr. Thomas stated the sequence of events would be to have the zoning ordinance approved before the environmental review occurs. Then the disposition would begin once they have the entitlements.

Board member Knox White felt that staff should discuss the disposition with the City Council once the zoning is approved.

Ms. Ott explained that the project description would be the Reuse Plan. So, the concentration of the residential units will result from the zoning amendments and that feeds directly into the project description and the environmental impact report. Their meeting with the City Council is aimed at discussing the bigger picture, whereas with the Board it is more detailed. The larger question for the Board and Council is whether they want to concentrate the units in a certain area from a disposition standpoint instead of sprinkling them everywhere.

Board member Knox White replied then put them in the Town Center District.

Ms. Ott replied they talked about having a minimum of 425 units to start in the Town Center.

Board member Knox White replied the Town Center area is where development should be built up first and the rest will follow.

Ms. Ott said if development could build 425 multifamily housing units that is a good start to the Town Center since it is a much smaller area.

Board member Ezzy Ashcraft asked how staff will include a mix of housing types discussed earlier and how they will respond to the input regarding housing placed throughout Alameda Point.

Ms. Ott replied the Town Center District is the agreed upon residential site even if there is no cap in the zoning and staff has discussed residential along Main Street in the commercial and the southern area.

Mr. Thomas replied he would look at the Town Center District and the residential center. In order to get a mix of residential types, staff is starting in the base layer to get the form-based ideas in there. He would use graphics from previous planning efforts or start laying out blocks in both of these areas. The SunCal Plan does allow a finer grain of four different residential categories. He suggested that staff come back at the next meeting and present specific housing types. He also pointed out that Board member Knox White's comments raised an important question about how many units are needed to make the Town Center District a vibrant area.

Ms. Ott explained they contemplated on whether the residential uses require a gradient the closer one gets to the Town Center District. What they heard from the development community is that the land near the Town Center District is the most valuable land with market potential.

Vice President Burton asked Ms. Off if the City is required to document the exact number of residential units in the Zoning ordinance.

Ms. Ott stated it is not set in stone in the ordinance.

Vice President Burton exclaimed they shouldn't set the number and the smart thing to say what type of densities will go into the areas.

10. WRITTEN COMMUNICATIONS:

Mr. Thomas mentioned that the executive summary of the Urban Land Institute's report is on the City's website.

11. BOARD COMMUNICATIONS:

President Zuppan thanked Board member Ezzy Ashcraft and Board member Autorino for their service.

12. ORAL COMMUNICATIONS:

None.

13. ADJOURNMENT:

11:19 PM