

PIEDMONT PLANNING COMMISSION

Special Meeting Minutes for Tuesday, March 1, 2022

A Special Session of the Piedmont Planning Commission was held on Tuesday, March 1, 2022, via ZOOM teleconference, in accordance with Government Code Section 54953. The agenda for this meeting was posted for public inspection on February 15, 2022, in accordance with the General Code Section 54954.2 (a).

CALL TO ORDER Chair Rani Batra called the meeting to order at 5:30 p.m.

ROLL CALL Present: Commissioners Rani Batra, Yildiz Duransoy, Jonathan Levine, Tom Ramsey, Douglas Strout, and Justin Zucker

Absent: None

Staff: Planning & Building Director Kevin Jackson, Senior Planner Pierce Macdonald, Assistant Planner Steven Lizzarago, Planning Technician Suzanne Hartman, Administrative Assistant Mark Enea

Guests: Project Manager Karly Kauffman, the Project Manager, representing Rincon Consultants, President/CEO Clarence Mamuyac, Jr., and Associate Principal Kim-Van Truong, representing ELS Architecture and Urban Design (ELS)

PUBLIC FORUM There were no speakers for the public forum.

REGULAR AGENDA The Commission considered the following items of regular business.

APPROVAL OF MINUTES **Resolution 02-PL-22**
RESOLVED, that the Planning Commission approves as presented its meeting minutes of the December 13, 2021, regular hearing of the Planning Commission.
Moved by Zucker, Seconded by Strout
Ayes: Duransoy, Levine, Ramsey, Strout, Zucker, Batra
Noes: None
Abstain: None

Scoping Session on the Environmental Impact Report (EIR) for the Housing Element Update Planning & Building Director Kevin Jackson stated the City is preparing an update to the General Plan Housing Element and a community meeting will be held on March 24, 2022. to provide information on the progress of the Housing Element and to introduce an engagement tool prior to the expected release of the draft Housing Element update for public review in early April 2022.

General Plan chapters are called elements and the Housing Element includes goals, policies, and actions necessary to implement its housing goals. The Housing Element update currently being prepared covers the 2023 – 2031 term. The City’s regional housing needs allocations for this 6th Cycle is 587 housing units of varying affordability. The project to update the Housing Element kicked off in June 2021 and is projected to be completed by May 2023. In August 2021, the City engaged the services of Rincon Consultants to prepare and file documents necessary to meet the requirements of California Environmental Quality Act (CEQA) for the 6th Cycle Housing Element update and any zoning modifications to accommodate the City’s anticipated Regional Housing Needs Allocation (RHNA). As is consistent with CEQA, the environmental review will analyze the broad environmental affects of implementing the components of the Housing Element update, related amendments to other General Plan elements, and update to implementing tools such as the zoning ordinance, subdivision ordinance, and City of Piedmont Design Guidelines.

Rincon Consultants has been engaged to prepare an environmental review that considers the maximum buildout allowed by the 6th Cycle Housing Element over the course of the 2023 – 2031 term. Environmental review of the maximum buildout typically results in a programmatic EIR, rather than a negative declaration or a mitigated negative declaration. The intent in seeking an environmental review for maximum buildout is to make it easier for multi-family development projects to pencil out. The programmatic EIR performs environmental analysis for development that would be allowed under the updated Housing Element, and the zoning and other City Code amendments that implement the Housing Element update. Should multi-family development projects come forward during the 2023 – 2031 6th Cycle, its most likely that much of the environmental analysis required by CEQA, will have been completed as part of the programmatic EIR, thereby reducing the environmental review and associated costs the developer will need to complete for the project. A programmatic EIR should in part facilitate the production of housing.

Karly Kauffman, the Project Manager of Rincon Consultants led the scoping session for the preparation of the EIR and shared a slideshow presentation.

The purpose of California Environmental Quality Act (CEQA) is to disclose and identify ways to avoid or reduce physical environmental effects of the proposed project. Other purposes of CEQA are to consider alternatives to proposed projects, foster interagency review, and invite the public into the planning process.

The items in a draft EIR are a project description report, environmental setting, evaluation of environmental impacts, and project alternatives. The evaluation of environmental impacts includes thresholds of significance and mitigation measures. Project alternatives include a meaningful discussion of project alternatives that would reduce adverse environmental impacts.

The slideshow included a list of topics analyzed under CEQA law, and as provided in Appendix G of the state CEQA guidelines which include checklist questions for consideration in CEQA documents. Ms. Kauffman stated that an analysis will focus on physical changes to the environment (i.e.: impact analyses related to public services address if new or expanded facilities that would be needed the construction of which would result in environmental impacts). She added that the topics not addressed under CEQA are property values, private viewsheds, parking, and traffic congestion.

State Law (SB 743) required transition from an analysis of traffic congestion to VMT. VMT is a new metric that is required to be included in the CEQA analysis; VMT analysis comes with OPR guidance on methodology and significance thresholds. Congestion delay or level of service is no longer the basis for determining significant environmental impacts.

Ms. Kauffman went on to say that the goals are to encourage infill development, improving health through active transportation, and reducing greenhouse gas emissions. Mitigation includes reducing the number of trips that will improve transit and bike/ped infrastructure. Goals also include reducing the length of vehicle trips (increase access to goods and services).

The slideshow and presentation included information on the EIR process and the purpose of the scoping meeting.

Comments from the public are welcomed pertaining to Piedmont's environmental conditions and constraints; the scope, focus, and content of the EIR; mitigation measures to avoid or reduce environmental effects; and alternatives to avoid or

reduce environmental effects. Please submit written comments by Friday, March 18, 2022, to Planning & Building Director Kevin Jackson.

In response to questions, Project Manager Kauffman stated the EIR will be city-wide and not just for certain land. The process from preparation to Notice of Determination is closely tied to the Housing Element itself and will be approximately one year. Director Jackson stated it is the hope to release a public review draft for the Housing Element, to the public in early April 2022 and bring to the Planning Commission, then Housing Advisory Committee, then City Council in the next few months. Then it will be sent to the state and a final adoption by this time next year. The EIR generally would be completed once a draft Housing Element receives a state certification, and that will be sometime in 2022 or early 2023.

Public testimony was received from:

Garrett Keating addressed the Planning Commission and suggested that the City should advertise better, provide an abstract of the Housing Element update, and take time to evaluate the impacts to aesthetics, recreation needs, greenhouse gas emissions, and reach codes.

Randy Wu, resident 130 York Drive, requested the Planning Commission to review the schedule listed on the Rincon contract and confirm it is on the same timeline. Project Manager Kauffman stated the project is mainly on the same schedule.

Commissioner Ramsey asked about the aesthetics and visual impacts. Project Manager Kauffman stated that all the issues they will be examining will be listed in Appendix G of the CEQA guidelines, and there are certain questions that will be asked for each topic area (i.e. substantial lightning glare).

Commissioner Strout liked the suggestion with Mr. Keating in regard to a brief abstract of the EIR, in getting better comments from the public. He suggests having that done early in the process. Director Jackson stated they will be releasing the draft of the public review of the Housing Element in the next few weeks. That can be referenced to determine what impacts or how the EIR should be related. Project Manager Kauffman also suggested to reference the NOP on the City's website, which provides a general overview.

Chair Batra suggested to create a simple memo that includes the wheel diagram for the EIR analysis, along with a link to the G Appendix for CEQA guidelines, which will help the public with understanding the process. The public are the eyes and ears across Piedmont and they will have more awareness of the area of issues that need to be reviewed. The ease of information will make the process go smoother. Chair Batra raised the issues of wildfire and greenhouse gas emissions. With the wildfire risk, there is not a lot of defensible space in Piedmont.

Commissioner Zucker agreed and wants everyone to have an ample opportunity to provide feedback on potential alternatives.

**Piedmont Community
Pool Presentation**

Planning & Building Director Kevin Jackson introduced President/CEO Clarence Mamuyac, Jr. and Kim-Van Truong, representing ELS Architecture and Urban Design (ELS). An update and slideshow were presented on the activities related to the development of a design, for the Piedmont Community Pool.

Mr. Mamuyac presented the slideshow for the Piedmont Community Pool to prepare for the submittal due next week. The slides showed the existing conditions, various

site sections, grading plan, existing trees and tree removal, more detailed site plan and technical information, floor plans, and elevations. The materials being used for the project are slate wall tiles, glazing wood composite, and steel. The excavation is being spread out through the site to limit the hauls out of the City, so the ground has to be built up. If ground was lower, it would lower the cost of the retaining wall. There is a generous planting area, which could have five-foot-thick hedge that could be planted up against the entire wall, creating a green wall facing Magnolia Avenue.

Commissioner Strout sought more detail on how the columns engage the roof design and where the hedge fence meets up with the glass fence.

Mr. Mamuyac responded to Commissioner Levine's comments, that there are three areas to access the second floor which include the area through the tennis courts on the Aquatic Center property side, an entry from Bonita Avenue, and a passageway that is an exit off the deck. It has been suggested that whoever maintains the reception desk, should be monitoring the elevator and stair or that perhaps there should not be any connection internally to the floor above. There may be other options too, such as a door or a gate.

Mr. Mamuyac responded to Commissioner Duransoy's comments, in regard to the drain on the roof, that there is a thick cavity and can capture the rainwater liters and get them to slope to a column area and may be able to seal them in the column or attach to the column as they come down. In regard to the trash room, it is actually a back flow preventor and the trash area will be where it is gated in. concrete will be needed to be placed in trash area for dumpsters and trash cans. The doors are flush with the surface of the wall and in front of a recessed area. It is not certain if the existing rec building will incur the same functions as the old rec building. It is not in the scope. Some property was captured around southside of the existing rec building to have the storm drainage retention work out. The entire area was designed around the existing rec building.

Mr. Mamuyac responded to Commissioner Zucker's comments, that the rec department will close off access to the driveway and the design for the area includes taking out the paved area and will be most likely landscaping. The parking will be lost that are currently there and there may be room to add more bicycle racks. It is also being considered that there might be more parallel parking converted into available diagonal parking on Magnolia Avenue, on the pool side of street. Pools do have statutory code regulations for fences and height requirements, as well as the type of fence is also a part of code and can't be anything that is climbable.

Commissioners Strout and Ramsey asked questions and sought clarity on the design for the retaining wall and fence along Magnolia Avenue, stating that there is a big change of 10-11 feet higher difference than the sidewalk elevation. A section from the pool deck up through the sidewalk would help. Commissioner Ramsey suggested the design team review the Design Guidelines for retaining walls and fences. The 6 foot-high concrete wall with , an 8-foot-high fence atop facing Magnolia Avenue is not stepped. The Design Guidelines encourage that retaining walls higher than four feet are required to be stepped, which could help reduce the retaining wall height, and allow more planting that could be higher. Perhaps the sidewalk should be more curved and not a straight line, to allow a larger area for planting and a setback of the retaining wall. Mr. Mamuyac responded that they hope to be replacing all of the sidewalk, curb and gutter. He stated that the wall and fence would be screened by a tall hedge.

Chair Batra requested more detail in regard to the location of pool covers and stated they offset heating costs and retain heat in the pool. She also thanked Mr. Mamuyac

for the great presentation about the project in more detail and looks forward to a walk-through on-site.

Director Jackson stated that the expected schedule for ELS to submit an application for a Design Review Permit for the Planning Commission to consider, is on April 11, 2022. The agenda and notices for that will be mailed out on March 28, 2022. On April 1, 2022, the staff report, and other documents, would be available as well.

There was no **public testimony**.

Housing Policy Presentation Update

Senior Planner Pierce Macdonald provided an update related to the development of new City fair housing policy.

Important upcoming dates are as follows:

- March 14, 2022 – Planning Commission Meeting and Housing Report
- March 15, 2022 – Housing Advisory Committee Meeting and new Piedmont housing programs including,
 - ADU incentives
 - Objective design standards for multi-family and mixed-use development
- March 24 – Housing Element Virtual Community Workshop #2: Sites
- March 25 – Zoom Seminar for Planning Commission, Housing Advisory Committee, and City Council, hosted by Association of Bay Area Governments (ABAG)
- April 11 – Planning Commission hearing on new housing programs
- April – Release of Draft 6th Cycle Housing Element

Ms. Macdonald outlined the topics for the housing policy presentation as Measure A-1, SB 2 new fair housing programs, the Housing Element, and State of California Homekey Grant.

The Measure A-1 Housing Bond has \$2.2 million in funding for affordable housing, in Piedmont. On November 18, 2021, the City of Piedmont sent a request for an extension of the deadline for Measure A-1 funding. City staff met with Supervisor Keith Carson in January 2022. An Alameda County Board of Supervisor's public hearing on the requested extension is expected by April 2022.

The SB 2 new housing programs project objectives that have not been completed yet are to develop the final objective design standards that lead to development that the community supports and to develop final incentives to facilitate new Accessory Dwelling Units (ADUs). Currently, the City and LWC are reviewing public comments received after the October 21, 2021 community workshop. The Housing Advisory Committee will review revisions on March 15, 2022.

For more information and to review draft objective design standards for multi-family buildings and draft ADU incentives, the video of the October 21, 2022, virtual workshop is available on KCOM; www.Piedmontishome.org/Resources under SB 2; and send comments and ideas to Piedmontishome@piedmont.ca.gov.

Ms. Macdonald's presentation gave an overview of the Housing Element update including background information and history. The Housing Element is a required section of the City's General Plan.

The following benchmarks have been completed for the 6th Cycle Housing Element update:

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- Citywide Housing Survey and Housing Website – March 2021
- Stakeholder Interviews – July 2021
- Initial Technical Assessment – Summer 2021
- Pop-up Information Tables – September 2021
- Joint Planning Commission – HAC Meeting – September 2021
- Development of Preliminary Technical Finding, Sites Inventory Criteria, and General Plan Amendments Recommendations – Winter 2021
- Updated Frequently Asked Questions (FAQs) – July – December 2021
- Housing Element Community Workshop #1 – December 2, 2021

Ms. Macdonald displayed a slide with the Housing Element update project, timeline, and noted that the City is currently on the cusp of releasing the public review draft of the Housing Element. After the Housing Element public review draft is released, there will be a 60-day review period up until the City Council hearing. Then the State of California HCD staff, will have 90 days to review it. The Housing Element is tentatively scheduled for adoption between December of 2022 and May of 2023.

The Housing Element's next steps include:

- March 24, 2022 – Housing Element Virtual Community Workshop #2
 - Programs Report
 - Sites Inventory Consideration
 - Interactive Online Community Planning Tool: Piedmont Puzzle
- March 25 – Housing Element Seminar for Planning Commission, Housing Advisory Committee, and City Council, hosted by (ABAG)
- April 2022 – Release of Draft 6th Cycle Housing Element and start of 60-day public review before City Council hearing.

For more housing information and resources visit www.PiedmontisHome.org.

Lastly, Ms. Macdonald presented a slide summary of the Homekey Grant program. The State of California's Homekey Grant Program Notice of Funding Availability (NOFA) (2021) provides \$2.75 billion to acquire, rehabilitate, or master lease a variety of housing types including hotels, motels, single-family homes, and others, for the purpose of housing for people experiencing homelessness.

On January 18, 2022, the Piedmont City Council authorized the submission of a grant application for up to \$20 million in coordination with the Bay Area Community Services (BACS), the County of Alameda, Hayward, Livermore, and Union City.

If the grant application is successful, it could be used by BACS, to purchase up to two single-family homes in Piedmont to provide transitional and supportive housing for up to twelve individuals.

Please send comments and ideas to Senior Planner Pierce Macdonald at: Piedmontishome@piedmont.ca.gov.

There was no **public testimony**.

ANNOUNCEMENTS

Chair Batra gave her thanks and looks forward to the multiple meetings in March for the Housing Elements and to seeing all her fellow commissioners. She encouraged the public to get involved and provide their input.

ADJOURNMENT

There being no further business, Chair Batra adjourned the meeting at 7:35 p.m.