



April 27, 2022

City Of Orinda  
22 Orinda Way  
Orinda, CA 94563

RE: Draft Housing Element

To Whom It May Concern,

East Bay for Everyone is a membership organization advocating for housing, transit, tenant rights, and long-term planning in the East Bay. We and the undersigned organizations write to provide comments on the City of Orinda's 6th Cycle Housing Element Public Review Draft.

**Buffer on sites:**

From HCD's Housing Element Sites Inventory Guidebook "it is recommended the jurisdiction create a buffer in the housing element inventory of **at least** 15 to 30 percent more capacity than required"(emphasis added).

Given that Orinda has built **zero** Low Income sites in the last 7 years, a buffer of 25% is illogical and will likely lead to the same poor results as before. **Orinda should be planning for 2 to 3 times the RHNA allocation** in order to have any chance of meeting this requirement.

**Barriers to development:**

Parking

The Draft Housing Element states that "Parking requirements are comparable to those in nearby cities and do not represent a development constraint". **This is not sufficient evidence or analysis** to conclude that parking does that impact development or drive up the cost of development. Given Orinda's strict height requirements, parking will likely need to be constructed underground, which can cost \$90,000 per space, a cost which gets passed on directly to developers and buyers, who need to take out larger loans and interest payments. Given this we do not understand how you can say that parking requirements are not a constraint on development.

**Orinda must study the impact of parking on development or remove parking minimums**, leaving it up to the developer to decide the right balance of parking and housing at a site.

From HCD's Housing Element Sites Inventory Guidebook:

“When establishing realistic unit capacity calculations, the jurisdiction must consider the cumulative impact of standards such as maximum lot coverage, height, open space, **parking**, on-site improvements such as sidewalks or easements, and floor area ratios”(emphasis added)

**Evidence of Site Suitability:**

HCD’s Housing Element Sites Inventory Guidebook states “[t]o demonstrate the feasibility of development on this type of site, the analysis must include at least one of the following:

Evidence that the site is adequate to accommodate lower income housing. Evidence could include developer interest, potential for lot consolidation, densities that allow sufficient capacity for a typical affordable housing project, and other information that can demonstrate to HCD the feasibility of the site for development.”

Orinda has not provided sufficient evidence that the sites on this inventory are suitable. See site-specific feedback below.

**Comments on specific sites on current draft:**

DPP-2, DPP-3, DPP-6, DPP-7

Country Club Plaza- this is a fine site for redevelopment but density should be increased, currently low vacancy commercial uses that are unlikely to be developed especially given potential commercial parking requirements.

DPP-2

Former Phair’s Department Store has a plaque saying it is a historic site. The city has rejected prior attempts to redevelop this site(in 2013, proposed preschool was rejected) over parking and traffic concerns.

DPP-1, DPP-4, DPP-5, DPP-8

Currently an auto body shop and office spaces(Inga Miller, Vice Mayor has an office in this building). DPP-4 seems like the least likely to be developed so we suggest to reallocate those units into DPP-1, DPP-5, and DPP-8, increasing the allowed density of those sites.

DPP-42 McCaulou's Department Store, this is a low vacancy shopping plaza that is unlikely to be developed. This should be taken off and the units should be allocated to sites DPP-40 and DPP-41.

DPP-40 Rite Aid needs to be changed to double the density(40DUA) because there are transmission lines over half of the lot. This site also appears to have an easement for access to the post office.

DPP -41 former bank, this site has transmission lines go across the front portion and the back portion is San Pablo Cerek, need to increase the density, this is a small skinny lot and is unlikely developed without being combined with the DPP-40.

25A Orinda Way APN 265-170-039 we suggest adding to the Site Inventory:

This is a vacant lot that had an abandoned commercial proposal as of March, 2020. This should be rezoned for mixed use or residential to allow for 40 or more dwelling units per acre.

DPP-37, DPP-38, DPP-39

These sites seem more likely to be developed compared to other sites. More allocation should be given to these and the densities should be increased to a minimum of 50 DUA.

DPP-35, DPP-36 Shell Gas Station and Restaurant

These are good sites for redevelopment but they should be increased to a minimum of 50 DUA. A brownfield site will have to be cleaned up which will require additional time and cost to the developer,

DPP-24, DPP-29, DPP-14 through DPP-19

These sites comprise a variety of professional office uses that appear to be low vacancy and unlikely to be developed. They include the Masonic Lodge,

Santa Maria Site

Santa Maria Church has been in the inventory in two previous site inventories cycles and must be streamlined for by-right approvals under AB1397 if 100% of units are moderate-income or 20% are low-income. As such, this site is currently listed in the site inventory at 20 du/acre. Given that this site has been in the city's housing element for the past 2 cycles, we believe this site's proposed density should be increased to at least 30 du/acre in order to increase its likelihood of development.

DPP-9 through DPP-13

Collectively known as the "Bevmo Block", these sites total 2 acres with a proposed density of 30 du/acre. The current uses on this site include a CVS, Hardware Store, Wells Fargo bank, and of course, Bevmo. These are active uses with low vacancies and high volumes of sales. The proposed realistic capacity is a mere 36 units on two acres. 36 units are unlikely to outbid the existing uses. Unless there is a trebling of density allowed on this site, it should be removed from the site inventory and units re-allocated to sites with a higher likelihood of development.

DPP-30

This one acre site includes current uses of a Union Bank and John Muir Health offices. With a proposed realistic capacity of 20 units, we do not believe this site is likely to be developed at this density and should be removed from the site inventory with its proposed density re-allocated to other sites to increase likelihood of development of those sites.

We look forward to continuing to engage with the City of Orinda in this process.

John Minot  
Co-Executive  
East Bay for Everyone