



May 26, 2016

VIA EMAIL

Mr. Christopher Garwood
Pacific Union Land Company, Inc.
675 Hartz Avenue, Ste. 300
Danville, CA 94526

Re: Westmont at Harbor Bay Senior Care
Project Approval

Dear Mr. Garwood:

The Architectural Review Committee has reviewed the development plans and Statement of Design Intent dated May 11, 2016 and determined that the proposed project is in compliance with the Design Guidelines of the Harbor Bay Business Park. As such, the ARC has approved your project.

If you have any questions regarding this approval or any other issues involving the Harbor Bay Business Park, please feel free to contact me at 925-468-1611.

Sincerely,

A handwritten signature in cursive script that reads "Marcy Marks". The ink is black and the signature is fluid and legible.

Marcy Marks
Secretary, Architectural Review Committee
BRE# 01880955
GS Management Company
As Managing Agent for
Harbor Bay Business Park Association

cc: Joe Ernst



June 8, 2016

Alameda Planning Board
c/o Andrew Thomas
City of Alameda
2263 Santa Clara Avenue
Alameda, CA 94501

Re: Westmont of Harbor Bay, Alameda CA

Dear Planning Board Members:

On behalf of the San Francisco Bay Area Water Emergency Transportation Authority (WETA) I am writing in support of Westmont Harbor Bay, the proposed assisted living and memory care facility located on Adelphian Way next to the Harbor Bay ferry terminal.

The ferry continues to be a critical part of the Greater Bay Area public transportation network with important connections to employment centers. Over 8,000 trips per day – almost 2.5 million riders annually – use our ferries. Ridership on the WETA system has increased 60 percent since 2012 -- when city services were transitioned to WETA -- and 2015. Individual routes have grown at double digit annualized rates over the last three years. The Harbor Bay service has increased by 65 percent in the same time period.

With the increase in ridership there have also been some growing pains such as spillover traffic in residential neighborhoods. As a result, WETA is working with City staff and Harbor Bay homeowners associations to find solutions to parking and traffic. We continue to encourage alternative modes of transportation to the terminal, including bicycling. Wherever possible, we seek to encourage bicyclists to store their bikes at the terminal, freeing up space on the boats and speeding the boarding process. WETA has recently expanded bike rack capacity and installed bicycle lockers at the Harbor Bay Ferry Terminal.

Should Westmont Harbor Bay receive approvals from the City, the project developers have generously offered to contribute up to \$30,000 for either replacement or expansion of bike lockers at the Harbor Bay ferry terminal. As a good neighbor, this contribution demonstrates Westmont's interest in participating in a transportation demand management solution that works for all Alamedans.

WETA believes the proposed project is a good neighbor and encourages the Planning Board's full support.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Connolly', written in a cursive style.

Kevin Connolly
Manager, Planning & Development
Water Emergency Transportation Authority
Pier 9, Suite 111
The Embarcadero San Francisco, CA 94111 WETA

From: Patricia Gannon [mailto:pg3187@gmail.com]
Sent: Tuesday, May 03, 2016 2:19 PM
To: Allen Tai <ATai@alamedaca.gov>
Subject: Westmont project

Dear Mr. Tai:

I would like to make several comments about the Westmont project on Harbor Bay Parkway.

The projected building is massive (over 50% larger than the original proposal) and is totally inappropriate for a facility right on the shoreline path and San Francisco Bay. It should not consume more than 1/3 of the site including parking and landscaping.

I am concerned that the wrought iron fence around the building would be a danger to pedestrians but especially for bicyclists who might fall off their bikes against it and injure themselves, The fence would also impede access to the shoreline for people and animals. A view corridor is essential to permit people and wildlife the ability to navigate easily in the area

The current grassy field provides valuable open space and habitat and breeding grounds for the Jackrabbits who currently make their home there and Burrowing Owls who used to live there. It also provides food and resting places for the many birds inhabit our shoreline.

It is essential that the project require setbacks from the shoreline path and plant attractive drought tolerant plants appropriate for the Bay setting.

Thank you for considering these suggestions as the project continues.

Sincerely,

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

From: Allen Tai
Sent: Tuesday, May 10, 2016 5:20 PM
To: Reyla Graber
Cc: Henry Dong
Subject: RE: Senior complex at Esplanade, Harbor Bay Business Park , Alameda

Reyla, we're expecting new plans to come in tomorrow. We'll get back to you with the revised square footage. You may provide comments any time during the process up until a decision is made. I think you have plenty of time. Chris Garwood is trying to address your concerns.

Will have more information about open space once I see the revised plan. The building is much larger than the smaller buildings envisioned in the 2008 plan, and that is basically Chris Garwood's request to the City – to amend the previous plan to allow a larger building.

Allen

From: Reyla Graber [mailto:reylagraber@aol.com]
Sent: Monday, May 09, 2016 10:31 AM
To: Allen Tai <ATai@alamedaca.gov>
Subject: Fwd: Senior complex at Esplanade, Harbor Bay Business Park , Alameda

Hi Allen,

Another question-- originally the proposed building was 90,000 square feet. Then it became 130,000 square feet.

What is the square footage of the building on this latest version?

Thank you, Reyla G.

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

From: Reyla Graber <reylagraber@aol.com>
To: atai <atai@alamedaca.gov>
Sent: Mon, May 9, 2016 9:50 am
Subject: Fwd: Senior complex at Esplanade, Harbor Bay Business Park , Alameda

Hi Allen,

How are you?

Right now, I'm out of town so it's difficult to respond in an organized manner to these revised Westmont plans.

Can you tell me, will it be ok to respond in maybe a couple of weeks-- is that timely enough?

Would you please let me know if that is also your assessment i.e. no immediate urgency on a fast reply?

Also, Chris G. says almost an acre now open on the south side. Do you agree? What is the purpose of that open space--

I think any open space should just be left as open space.

There still are no view corridors. It is still one enormous building, not in keeping with the Esplanade Plans of 2008.

Thanks much, Reyla G.

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

From: Chris Garwood <cgarwood@pulc.com>
To: Reyla Graber <reylagraber@aol.com>
Cc: ds <ds@sackrosendin.com>; Becca Perata <becca@voxpathulipr.net>
Sent: Mon, May 9, 2016 8:01 am
Subject: RE: Senior complex at Esplanade, Harbor Bay Business Park , Alameda

Hello, here is the nesting bird summary. Thanks, Chris.

Christopher Garwood

Vice President of Community & Multi Family Development
Pacific Union Land Company Inc.
675 Hartz Avenue, Suite 300
Danville, CA 94526
925-314-3890 Phone/Fax
cgarwood@pulc.com
website: pulc.com

From: Chris Garwood
Sent: Monday, May 09, 2016 7:15 AM
To: 'Reyla Graber' <reylagraber@aol.com>
Cc: ds@sackrosendin.com; 'Becca Perata' <becca@voxpathulipr.net>
Subject: RE: Senior complex at Esplanade, Harbor Bay Business Park , Alameda

Hello Reyla. The website has been updated with the new site plan and project information. The project has been reduced in size, with about an acre on the south side undeveloped. www.westmontharborbay.com. Will forward the biological report later today. No burrowing owls, no species of special interest. Please call with any questions or comments, best regards, Chris.

Christopher Garwood

Vice President of Community & Multi Family Development
Pacific Union Land Company Inc.
675 Hartz Avenue, Suite 300
Danville, CA 94526
925-314-3890 Phone/Fax
cgarwood@pulc.com
website: pulc.com

From: Reyla Graber [mailto:reylagraber@aol.com]
Sent: Friday, May 06, 2016 12:57 PM
To: Chris Garwood <cgarwood@pulc.com>
Cc: ds@sackrosendin.com
Subject: Re: Senior complex at Esplanade, Harbor Bay Business Park , Alameda

Hi Chris,
I am out of town and will be back within 2 weeks.
A revised plan sounds interesting...
Are the revised plans with the City so I can access online? The animal/plant report?
Thank you,
Reyla G.

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

From: Chris Garwood <cgarwood@pulc.com>
To: Reylagraber <reylagraber@aol.com>

Cc: Becca Perata <becca@voxpathulipr.net>

Sent: Fri, May 6, 2016 7:18 am

Subject: RE: Senior complex at Esplanade, Harbor Bay Business Park , Alameda

Hello Reyla, hope you are well. Do you have some time next week to catch up? We have revised plans to review with you as well as the results of a plant and animal survey conducted this week. I will be in Alameda on Wednesday, would around 10 or so at Crispian work?

Thanks very much, Chris.

Christopher Garwood

Vice President of Community & Multi Family Development

Pacific Union Land Company Inc.

675 Hartz Avenue, Suite 300

Danville, CA 94526

925-314-3890 Phone/Fax

cgarwood@pulc.com

website: pulc.com

From: Reylagraber [mailto:reylagraber@aol.com]

Sent: Monday, February 29, 2016 2:21 PM

To: Chris Garwood <cgarwood@pulc.com>

Subject: Re: Senior complex at Esplanade, Harbor Bay Business Park , Alameda

Thank you Chris! Am happy to meet you there-- and it's a great bakery.

Reyla

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

From: Chris Garwood <cgarwood@pulc.com>

To: Reylagraber <reylagraber@aol.com>

Sent: Mon, Feb 29, 2016 1:57 pm

Subject: RE: Senior complex at Esplanade, Harbor Bay Business Park , Alameda

great, we are still working on elevations, I have a siteplan I can share with you this Wednesday. I will be at a meeting in Alameda till 9:30, meet you at 10 am at crispian Bakery, 1700 Park? Chris.

From: Reylagraber [mailto:reylagraber@aol.com]

Sent: Monday, February 29, 2016 1:55 PM

To: Chris Garwood <cgarwood@pulc.com>

Subject: Re: Senior complex at Esplanade, Harbor Bay Business Park , Alameda

Hi Chris,

As I , and many neighbors, were involved in plans for the original Esplanade, at this time I would very much appreciate seeing the plans, understanding they are in the formative stage.

I'm at your disposal . When is convenient for me to see them?

Thank you, Reyla Graber 510-865-6645.

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

From: Chris Garwood <cgarwood@pulc.com>

To: Reylagraber <reylagraber@aol.com>

Sent: Mon, Feb 29, 2016 8:38 am

Subject: RE: Senior complex at Esplanade, Harbor Bay Business Park , Alameda
Hello there, thanks for your note.

We are working with City staff, have yet to make the formal application.

I would be pleased to share that with you when we do, hopefully in the coming weeks. We will also be organizing a neighborhood meeting in the near future.

Please feel free to contact me anytime.

Best regards, Chris.

Christopher Garwood

Vice President of Community & Multi Family Development
Pacific Union Land Company Inc.
675 Hartz Avenue, Suite 300
Danville, CA 94526
925-314-3890 Phone/Fax
cgarwood@pulc.com
website: pulc.com

From: Reylagraber [mailto:reylagraber@aol.com]
Sent: Friday, February 26, 2016 11:39 AM
To: Chris Garwood <cgarwood@pulc.com>
Subject: Senior complex at Esplanade, Harbor Bay Business Park , Alameda

Christopher Garwood
Pacific Union Land Co.

Dear Christopher

Last November, you and I spoke after a Planning Board meeting at Alameda City Hall regarding a proposal by you and Michael O' Rourke of Westmont Living to build a senior complex at the Esplanade at the Harbor Bay Business Park, Bay Farm Island, Alameda. What is the current status of that project and when do you anticipate filing your application with the City?

Thank you,

Sincerely,

Reyla Graber

Bay Farm Island resident.

25 Captains Drive
Alameda, CA 94502
May 3, 2016

Mr. Allen Pai, City Planner
City Hall
2263 Santa Clara Ave.
Alameda, CA 94501

Subject: Westmont Development, Harbor Bay

Dear Mr. Pai:

The developer, Westmont, held a meeting in April promoting their proposed assisted living facility next to the Harbor Ferry Terminal. The previously unacceptable facility has been expanded in size by 50% (from 90,000 to 130,000 sq ft). Perhaps this is a negotiating tactic so they can later appear to compromise by going back to what was originally proposed.

This 5-acre site is presently open space that provides habitat for jackrabbits, ground squirrels and other wildlife. In the recent past, and perhaps even now, there were burrowing owls on the site. Periodic cultivation of the site has somewhat damaged the burrowing owl habitat. This site represents one of the last vestiges of open space available for wildlife that have been remorselessly squeezed by successive developments into ever smaller areas.

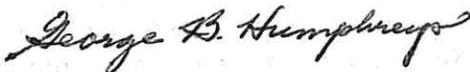
Ideally, at least two-thirds of the 5 acres should be left as undeveloped open space for wildlife habitat. This means that the area taken up by parking lots, buildings, and man-made landscaping should not occupy more than a third of the site.

I object to the proposed development for the following reasons:

1. View corridors for residents and wildlife movement are inadequate.
2. The buildings will be too close to the bay trail. The McGuire & Hester development was allowed with only a 35-ft setback.
3. There should be no fences surrounding, between buildings or adjacent to the bay trail as they would impede public access and block wildlife corridors. Fences also can present a safety hazard to pedestrians and bicyclists on the bay trail.
4. The site is remote from hospitals and other emergency facilities. Access for ambulances and firefighting equipment will be difficult.
5. Noise from departing and arriving flights will disturb patients. Even with soundproofing, there will be pervasive rumbling and vibrations within the buildings.

For the above reasons, I strongly urge that you reject the proposed Westmont development, or any other development, that would substantially damage wildlife habitat, view /wildlife corridors and public enjoyment of the bayside trail.

Sincerely,



George B. Humphreys. Concerned Citizen



Henry Dong

From: Becca Perata <becca@voxpathulpr.net>
Sent: Sunday, June 12, 2016 8:17 PM
To: ANDREW THOMAS; LARA WEISIGER
Cc: Henry Dong; Chris Garwood
Subject: Fwd: Westmont Harbor Bay

FYI

Her original email to staff was not submitted due to verification requirements.

Becca Perata
Vox Populi
becca@voxpathulpr.net
www.voxxpathulpr.net
415-515-9156

Begin forwarded message:

From: <susanaskin@comcast.net>
Subject: Re: Westmont Harbor Bay
Date: June 11, 2016 at 12:31:06 PM PDT
To: "John Knox White:" <jknoxwhite@gmail.com>, "David Burton:" <dburton@ktgy.com>, "Kristoffer Koster:" <kkoster79@gmail.com>, "Mike Henneberry:" <mhenneberry@ufcw5.org>, "Lorre Zuppan:" <zuppan@branes.com>, "Sandy Sullivan:" <sandysullivan100@comcast.net>, "David Mitchell:" <davidmitchellalameda@gmail.com>
Cc: "Andrew Thomas:" <ATHOMAS@alamedaca.gov>, "Lara Weisiger:" <lweisiger@alamedaca.gov>

Dear Planning Board:

I have had the privilege to both serve and visit with seniors in our community for over 15 years. One of the topics discussed during my visits is about them moving to an assisted living facility. Staying in their community, near friends, family, and familiar surroundings, is an important factor in making the move.

Our aging population is growing rapidly and will continue to do so in coming years. We should keep our seniors in Alameda and not cause them to move to another city due to a lack of sufficient facilities.

The location proposed for Westmont at Harbor Bay appears to be convenient and thoughtfully planned, with a phenomenal view that would delight anyone!

I urge the planning board to approve the proposal on June 22nd.

Sincerely,

Susan Askin

June 13, 2016

**Community Development, City of Alameda, City Hall
2263 Santa Clara Avenue, Rm. 190, Alameda, CA 04501**

SUBJECT: PLN16-0165 WESTMONT OF HARBOR BAY ASSISTED LIVING

To Whom It May Concern:

I am writing to ask the Planning Board to reconsider its decision to deem the proposed Westmont of Harbor Bay Assisted Living project a permitted land use pursuant to the Zoning Ordinance. Additionally, if the Board elects to proceed with the Project, I am also writing to ask the Board to impose certain conditions on the Project prior to granting final approval.

Like everyone else, I too wish we had more senior housing in Alameda. I like old people. However, the proposed site for the Project is zoned Commercial/Manufacturing and the proposed project is Residential. Therefore, it constitutes an impermissible use.

I attended the November 9, 2015 Planning Board meeting and listened to the rationale put forth by the City Planner and various Planning Board members supporting their view that the Project constitutes a permitted land use pursuant to the Zoning Ordinance.

In sum and substance, their rationale hinges on two rather dubious assertions:

It was asserted by the City Planner and echoed by various Planning Board members that the proposed assisted living facility is permissible under the Zoning Ordinance because from a land use perspective, assisted living facilities are “just like” nursing homes, which according to a liberal reading of the Zoning Ordinance, are permitted at this Site.

This assertion was repeated several times, without any justification or explanation. It was as if the Planning Board simply decreed that assisted living facilities are “just like” nursing homes. End of story.

On closer inspection however, nursing homes are not “just like” assisted living facilities.

Nursing homes are staffed 24-hours a day by licensed medical professionals. Additionally, nursing homes participate in both the Medicare and Medicaid programs. For these reasons alone, plus others, nursing homes serve an entirely different population than assisted living facilities. And, these differences result in substantially different land use characteristics.

As a general matter, residents of nursing homes tend to be older than residents of assisted living facilities, they are more likely to be frail, more likely to be sedentary, and more likely to suffer from chronic illnesses. All of which enormously impact land use.

By contrast, the proposed assisted living facility will not be staffed by any trained medical professionals – no doctors, no registered nurses, no nurse practitioners, no physician’s assistants. Additionally, the fee structure for the proposed assisted living facility is private-pay only; no Medicare or Medicaid; and, rental rates range from \$5,000 to \$8,000 per month. Thus, it will cater to a far more affluent, healthy and active population than a nursing home.

Affluent, healthy residents of a new, luxury, waterfront assisted living facility are likely to work and/or maintain a very active lifestyle. Compared to a nursing home, the difference is like night and day. Thus, the proposed assisted living facility bears little true resemblance to a nursing home, and the Planning Board’s assertion that this project is permissible under the Zoning Ordinance because “assisted living facilities are just like nursing homes” should be reconsidered.

The second dubious assertion the City Planner and Planning Board members made to justify their decision was that “the same basic determination was made years ago when the Planning Board approved the Cardinal Point One Project”.

Apparently, under a similar set of facts and circumstances, the Planning Board approved a project years ago that relied on a similar, ‘nursing home = assisted living’ analysis.

It seems the Board’s logic now is that having disregarded the Zoning Ordinance once before with impunity, they are free to do so again. However, the Planning Board is not free to approve an assisted living facility just because the Zoning Ordinance authorizes nursing homes. The City Attorney should properly advise the Board on this matter.

Moreover, when the City Planner justifies the Board’s decision by saying ... “these are old ordinances; these are old terms; we don’t refer to these kind of facilities that way anymore” ... he may be right, but the solution is to amend the Zoning Ordinance, not ignore it.

Notwithstanding the above, if the Planning Board approves this project anyway, then I ask that that the Board please take into account the negative impact this facility will have on the community.

First and foremost, the Project keeps getting bigger. In their initial application to the Planning Board, the developer stated that the project was 95,000 square feet. Then, in the developer’s second submission, the project grew to 105,500 square feet. Now, in their published marketing materials, the project is 130,000 square feet.

Additionally, in their original submission to the Board, the developer stated the project was to serve “about 100 older seniors”. However, according to the developer’s marketing materials and schematic drawings, at full occupancy the facility will house almost 200 residents.

I worry the project is becoming bigger than the site itself, and will spill-over into the Bay.

Moreover, the claim by the developer and echoed by the City Planner that few if any residents of the facility will own cars is self-serving and wishful thinking. People paying \$6,000 per month to live in a new \$20 million luxury water-front facility will most certainly have cars, especially if they are healthy, affluent and maintain active lifestyles.

By contrast, if this were a Nursing Home, then almost nobody would have a car.

So, that’s 200 residents, plus visitors, plus employees, plus a steady stream of vendors coming and going, all of whom need a place to park. Plus, the spill-over from the already over-crowded ferry parking lot. Conservatively, the facility probably needs at least 300 dedicated parking spaces. Of course, the developer will howl and the City Planner will squirm. But let’s not kid ourselves. This is a parking nightmare waiting to happen if the Planning Board fails to acts responsibly.

Unfortunately, it’s all too easy for the developer and the City Planner and the Planning Board to blithely assert that residents of “these types of facilities” typically don’t own cars and therefore the facility’s parking needs are minimal. If wishing made it so.

Lastly, I am concerned about a big, ugly, stinky, rancid, rat-infested, garbage dumpster sitting outside the facility. Nothing would sicken me more than the smell of garbage wafting over the neighborhood on a hot summer night. But I guess I don’t need to worry about that, because this site is zoned for commercial and light industrial uses.

Very truly yours,

Steven Gortler

Steven Gortler

Resident, Bay Farm Island