

**PETITION FOR APPEAL**

Community Development • Planning & Building
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 Hours: 7:30 a.m.–3:30 p.m., M–Th

Please print clearly. This petition is hereby filed as an appeal of the decision of the:

Planning Board

_____, which
 (Community Development Director/Zoning Administrator/Planning Board/Historical Advisory Board)

Granted

_____, for application
 (Denied/Granted/Established Conditions) **RM-381**

Regular Agenda Item

_____, number **2018-6292**
 (Application Type) (Application Number)

at **2900 Harbor Bay Parkway** on **12-10-18**
 (Street Address) (Date of Action)

State the reasons or justification for an appeal (attach additional sheets if needed):

See Attached

Appellant

Name: **Brian Tremper** Phone: **510-912-4361**
 Address: **232 McDonnell Rd, Alameda, CA 94502**
 Email: **brian.g.tremper@gmail.com**

Alameda Municipal Code (AMC) 30-25, Appeals and Calls for Review, provides that within ten (10) days a decision of the Community Development Director or Zoning Administrator may be appealed to the Planning Board, and decisions of the Planning Board or the Historical Advisory Board may be appealed to the City Council. In addition to the appeal process, decisions of the Community Development Director or Zoning Administrator may be called for review within ten (10) days to the Planning Board by the Planning Board or by the City Council and decisions of the Planning Board or the Historical Advisory Board may be called for review by the City Council or a member of the City Council.

Fees (must accompany this petition)

Single-Family or Duplex Residence: \$250 plus time and materials cost up to \$500, max \$750.

Multi-Family Residential, Commercial, or Non-Residential: \$350, plus time and materials costs up to \$2,500, max \$2,850

Appellant Signature

Date

Print name

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Received by: _____ Receipt No.: **528099** Date Received Stamp

Revised 11/6/2013

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We request the City Council hear our appeal of the Planning Board approval of Regular Agenda item 2018-6292.

Inadequate traffic studies. The developer has provided one traffic study for this project, and I urge every board member to examine that report closely. This traffic study ONLY provides an assessment of traffic on Harbor Bay Parkway, and even with that data, 4 out of 10 data analyses were given a score of an "F" ("Operation with extreme congestion, with very high delays and long queues unacceptable to most drivers"). The traffic report contains literally NO information regarding the impact that this hotel traffic will have on the residential streets of Bay Farm and on the Bay Farm bridge. We find this appalling and woefully inadequate. The residents of Bay Farm have a right to know this information BEFORE this project should even be considered for approval. There are hundreds of children that bike and ride to school daily on these streets. Thus, we are respectfully requesting a more thorough and comprehensive traffic analysis of the residential streets of the Bay Farm community, including Auginbaugh Way, Mecartney Drive, Island Drive, Robert Davey Jr, and the Bay Farm Bridge, at a minimum. Furthermore, the developer, Mr. Leach, has stated that most of the hotel traffic will only be traveling to/from the Oakland airport. This is not entirely accurate. This proposal is for an extended stay hotel, where occupants are anticipated to stay longer than 1 or 2 nights on average, resulting in guests needing to drive their cars and/or use Ubers to access local amenities such as restaurants and/or to get supplies for their hotel room kitchenettes, etc. Ubers will draw traffic from all over the surrounding areas, including the main island of Alameda, which requires the use of local neighborhood roads, not the Harbor Bay Parkway. It should also be noted that Google maps and Waze routes drivers destined for the main island directly through the Bay Farm community, not on the Harbor Bay Parkway.

Increased traffic due to this project through the existing Harbor Bay Ferry parking lot from the hotel and its offsite ferry parking will exacerbate an already congested, and some might say unsafe, situation there. The hotel plans show "Harbor Parkway" extending through this parking lot which, from its inception, was never intended to be a through fare. When the lot first opened, it was gated to prevent such through traffic. During the middle of the day, traffic speeds through the parking lot resulting in a dangerous situation. This will only worsen with the proposed project.

By the way, the traffic report erroneously shows the speed limit on Harbor Bay Parkway as 45 mph. The posted speed limit on the Parkway is 35 mph.

A traffic study does that does not include a look at the all of the roads that will be directly impacted by this project may overlook hazards to pedestrians and children going to and from school.

Inadequate notice to residents. Many neighbors within the required notice zone did not receive a notice regarding public hearings. The Master Board of the Community of Harbor Bay Isle did not hear of this project until it was too late for their resolution against the project to be included in the Public Comments portion of the application. This resolution was unanimously passed by the Master Board in a standing room only meeting of Alameda neighbors. In the past we have seen public notices regarding public hearings posted in prominent locations close to the project. There were no public

notices posted in public areas in and around the proposed project. This caused many city residents who enjoy to the area to have no knowledge of the project and its effects on their city.

Project Review. Much of the Bay Farm community has been alarmed at how quickly this hotel proposal has been pushed through the review process. There has been inadequate and tardy information disseminated to the local residents, with many people only learning about this proposed project within the past month. Some of the information put forth by the developer has not been entirely true. Many of our local HOAs are against this project. It is imperative that all of these concerns be closely examined before considering approving such a massive project that will undoubtedly have significant implications on the local community.

Inadequate EIR. The original EIR was conducted in 1974, with an updated in 1987. We believe that there are significant changes to the area around the project site to require a new EIR or at least an updated EIR. The original developer and the city recognized in 1987 that due to the passage of time and changes in the area that an update was necessary. Why would it not be necessary after more than 31 years have passed since an update and 44 years since a complete EIR? When the EIR was completed, Global Warming was not even an issue on the radar or part of the EIR. We are an island city and very much impacted by Global Warming.

There was a lack of staff review of a report by Lozeau Drury is a highly reputable firm representing non-profit environmental groups, labor organizations, and neighborhood associations. In their 23 page letter and subsequent 200+ page document emailed late Friday afternoon, they called into question the adequacy and completeness of the EIR that city staff is referencing for decisions regarding approval of the subject project.

Given that there are many legal issues raised in this document, that the planning board, city staff, and the public have not had sufficient time to fully assess the information, and that the project has strong opposition.

We believe the project is not in compliance with CEQA and therefore a new EIR must be produced to address environmental, crime and traffic impacts on the surrounding area.

The size, inappropriate design and poor fit of the proposed hotel within the community. This massive hotel, if approved, would sit oppressively over the existing neighborhood, which consists primarily of 1 and 2 story residences and 2 story office buildings (with an occasional 3 story structure) in the Harbor Bay Business Park. There are NO buildings currently on Bay Farm that exceed 3 stories, let alone 5 stories. This proposed structure would drastically alter the coastline and skyline, and is simply too tall for this residential neighborhood. The proposed hotel is nearly TWICE as tall as the recently built McGuire-Hester building on the adjacent lot! This is not about neighbors "losing their view." If this 5 story hotel is approved, nearby neighbors would not be able

to see the sky from their homes, let alone the water. This is about a building that is grotesquely out of proportion with the adjacent residential neighborhood and the business park in terms of scale and size, and aesthetics.

The hotel proposal is a significant change from the development previously proposed for this lot. The previous owner of this property had worked with its residential neighbors in coordinating a development plan for this property. The plan envisioned multiple, low height (two story) office units which would be compatible with similar offices in the Harbor Bay Business Park and strived to be as unobtrusive as possible to its residential neighbors. A hotel was never envisioned for this site.

Noise impact. The noise level associated with a project of this magnitude and size will pose a significant burden to the local neighborhoods. The businesses on adjacent lots are currently 9-5 operations, whereas this hotel is a 24/7 operation, resulting in 24/7 noise, from the guests to the numerous and daily delivery and service trucks, to the very real possibility of hotel union strike activity in the future, as they recently did at hotel facilities on Hegenberger Road.



I would like to make sure the following items are included in the appeal of the project at 2900 Harbor Bay Parkway 2018-6292

PLN 18 - 0381

1. Excessive bulk.
2. Excessive height.
3. Insufficient setbacks.
4. Setbacks do not comply with the in-force subdivision map conditions.
5. Insufficient open space.
6. Insufficient landscaping.
7. No CEQA compliance.
8. Relying on CEQA EIR from April 1974.
9. Jeopardizes settlement agreement with airport. No protections against *de facto* conversion to residential use.
10. Insufficient corridors for wildlife transit from Shoreline Park lands north and south of the project and between Shoreline Park and the Harbor Bay Lagoons.
11. Insufficient view and light corridors between streets and the bay.

Brian Tremper