

From: <barbour1@wellsfargo.com>  
To: <athomas@alamedaca.gov>  
CC: <harborbayneighbors@gmail.com>  
Date: 10/8/2013 7:21 AM  
Subject: Harbor Bay Residential and Athletic Club Project

Dear Mr. Thomas,

We would like the project to detail their mitigation plans given the anticipated sea level rise. Thank you.

Arthur Barbour  
148 tynebourne place  
Alameda ca 94502

Exhibit 2  
Item 7-B 10/28/13  
Planning Board Mtg.

From: Mary Ann Cahill <maryann-maryann@att.net>  
To: <athomas@alamedaca.gov>  
Date: 10/8/2013 12:21 PM  
Subject: Harbor Bay Club

Dear Mr. Thomas:

I am a resident of Alameda (2020 Franciscan Way). I am writing to you to ask you to uphold the zoning that exists today on Harbor Bay for the Harbor Bay Club. We have zoning laws to protect the integrity and character of a community, and subsequently, the values of the properties located therein. By Removing the Harbor Bay Club, residents who might have located there for proximity to the amenity of a recreation space and feeling of community there will be deprived of that for the benefit of one person. Also, isn't there a likelihood that the existing homes might lose value in the shadow of newer, larger, more expensive ones?

Please leave the zoning, and feeling of community, and the agreed-upon contract - intact.

Sincerely,  
M.A. Cahill

From: Carolyn West <cwestgo@gmail.com>  
To: <athomas@alamedaca.gov>  
Date: 10/13/2013 11:14 PM  
Subject: Harbor Bay Residential & Athletic Club Project

Dear Sir:

The EIR for this project should address sea level rise. The SF BCDC predicts sea level will rise between 16 and 55 inches in the bay before 2011. The proposed new housing would certainly be affected.

The EIR must address the loss of open space on Harbor Bay Isle if the club is replaced by private residences. The present use of the club reflects an agreed-upon exchange between the developer and the residential communities that were entitled to open space when they were built. As a result, the club is integral and symbiotic to the residences in the nearby community. The loss to the built-out community of its open space amenity will adversely affect community ambience and property values.

The EIR should also address the effects of wind and of air traffic at the site of the proposed new club. Strong prevailing winds, particularly during spring and summer months, will negatively affect tennis and other outdoor activities. Air traffic from all sorts of aircraft is loud and annoying, and jet engine exhaust that falls over the proposed site may be unhealthy.

Thank you for your consideration.

Sincerely,  
Carolyn West  
456 Centre Court  
Alameda, CA 94502  
(510) 337-1118

From: <purcellgroup@comcast.net>  
To: <athomas@alamedaca.gov>  
Date: 10/8/2013 9:42 AM  
Subject: Harbor Bay Residential & Athletic Club Project

Mr Thomas:

As 22-year residents at 49 Purcell Drive in the Brittany Landing Harbor association, we are very familiar with the traffic situation on Packet Landing Road as our back patio and upstairs balcony sit directly across from one of the club's entrances. Traffic has been cited as one of the primary reasons HBC should not be allowed to move to a new location, and then followed by the construction of 80 single-family homes at the current club site.

However, for those of us who have been subject to a steady stream of traffic in and out of HBC starting quite early each morning and continuing well into the evening hours, seven days a week, we envision less traffic impact with 80 homes. Our association has 82 homes and our traffic is significantly less than the amount of traffic generated by HBC, so we should expect the same from the new residential development.

The primary traffic issues occur on school days between 8-8:30am and 3pm, mainly caused by parents dropping off and picking up their children at Amelia Earhart School. A large number of these families choose not to use the circular entrance and exit on the school property, which when used allows traffic to flow much more quickly and efficiently.

Instead, too many families park all along Packet Landing Road, or even in the HBC parking lot, and then walk to drop off or pick up their children at the school. When they leave they clog up traffic at the school as those parents who did use the circular drop off lanes, have to wait for traffic now coming back up Packet Landing. Aware club members usually avoid this mess by leaving before 8 am or closer to 9 am when school traffic has cleared up.

It should be noted that the number of cars coming from our association at these times does not add much at all to this daily jam. So having another association across from us with similar traffic patterns to ours would not significantly impact the overall traffic situation on Packet Landing Road. In fact limiting traffic issues to these specific hours, would be a huge improvement.

Thus, we urge the Planning Board and then the City Council to approve the plan.

Katherine and Hugh Cavanaugh  
49 Purcell Drive  
510 769-6964

From: Yahoo Mail Update 2012@<jj.henthorne@att.net>  
To: "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
Date: 10/8/2013 9:20 AM  
Subject: Harbor Bay Residential & Athletic Club Project

Mr. Andrew Thomas:

Dear Sir:

This is a vigorous objection to this project. The impacts to neighborhoods on both ends have adverse environmental effects. Instead, let Ron Cowan sell his Tiburon home & build a palace on his land at the end of Ron Cowan Parkway.

Yours truly,

James & Jane Henthorne  
3163 Fiji Lane  
Alameda, CA 94502-6916  
(510)522-3766

----- Forwarded Message -----

From: Apple Support <AppleSupport@email.apple.com>  
To: jj.henthorne@att.net  
Sent: Saturday, October 5, 2013 8:06 AM  
Subject: We tried to reach you.

Sorry we missed you.

It seems the phone number for our scheduled call today might not be correct. If you still need help, you can reschedule the call and provide a different phone number.

Jane Henthorne  
Phone: 5105223766  
Case ID: 512979432  
Open this case

Sincerely,  
Apple Support

Get help online

From: "Gary" <hrsgary@aol.com>  
To: "Andrew Thomas" <athomas@alamedaca.gov>  
Date: 10/11/2013 5:25 PM  
Subject: Harbor Bay Residential & Athletic Club Project

Mr. Thomas,

We live across the street from the current location of the Harbor Bay Club,  
our home backs onto Packet Landing Road.

We hope that the EIR that analyzes the replacement of the HBC with housing will comprehensively document the current traffic generated by the HBC. Club traffic begins before its 5:00 am opening and continues until after 10 pm. There are day of the week variances and summer seems to generate more club related daily traffic than occurs during the school year. This needs to be accounted for to accurately evaluate the difference between the current situation and what 80 homes would produce.

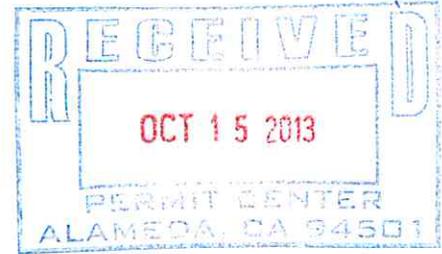
Thank you,

Gary Orzell

135 Purcell Drive

510 206-6173

October 11, 2013



Honorable Planning Board Members  
And  
Andrew Thomas, Supervising City Planner  
c/o Community Development Department  
City of Alameda City Hall  
2263 Santa Clara Avenue, Room 190  
Alameda, CA 94501

Re: **Harbor Bay Residential & Athletic Club Project:  
Comments of Harbor Bay Business Park Association Board of Directors in Support of  
Development of a New Harbor Bay Club on North Loop Road**

Dear Planning Board Members and Mr. Thomas:

As Property Manager of Harbor Bay Business Park, I have been directed by our Board to send you the enclosed Resolution of the Board of Directors of the Harbor Bay Business Park Association in advance of your Scoping Section for an Environmental Impact Report for the proposed project to help frame the context of your consideration of one of the components --- the proposed development of a New Harbor Bay Club on North Loop Road in the Business Park.

The eleven Directors on our Board represent a cross-section of the property owners in the Harbor Bay Business Park, including representatives of major companies such as Abbott Diabetes and Peet's Coffee and Tea, technology companies, the hospitality industry, multi-tenant landlords including the owner of the Waterfront Complex, and the developers of recently built and future buildings in the Business Park. More than 80 companies and institutions are now located in the Harbor Bay Business Park, with the total number of employees estimated to be over 5,000 persons. Our property owners and tenant companies, large and small, are proud to be part of the Alameda community, and we feel that the leadership of the City of Alameda appreciates the contributions our members make to the economy and image of the City of Alameda.

At our Annual Meeting of Members, there was widespread support expressed for a placing a new health and fitness club in the Business Park. Our Board of Directors decided to prepare this Resolution and send it to the City Council and to the Planning Board to express the Association's support for the proposed plan presented by Harbor Bay Isle Associates because it will be an amenity for the Business Park that will provide a conveniently located facility for employees of companies in the Business Park and also help attract more companies into the Business Park.

As you consider the environmental issues involved in the development of a new Club on North Loop Road, please consider that as stated in the Resolution, the developer has pledged to the Business Park property owners to work with nearby property owners, the adjacent private school operations, and the North Loop Road Owners Association to address any concerns about traffic, parking, noise, or safety issues. Our office has been facilitating contacts between the developer's consultant team and nearby property owners to discuss the mitigation of any potential impacts of the proposed new Club, and as a result support for the new Club is growing.

Sincerely,

A handwritten signature in blue ink that reads "Marcy Marks".

Marcy Marks  
Property Manager, DRE# 01880955  
GS Management Company, As Managing Agent for  
Harbor Bay Business Park Association      Commercial Property Management Services



MANAGEMENT COMPANY

**HARBOR BAY BUSINESS PARK ASSOCIATION**

**RESOLUTION OF THE BOARD OF DIRECTORS  
IN SUPPORT OF DEVELOPMENT OF A NEW HARBOR BAY CLUB  
ON NORTH LOOP ROAD**

**RECITALS**

This Resolution was made and adopted by the Board of Directors of the Harbor Bay Business Park Association based upon the following facts and circumstances:

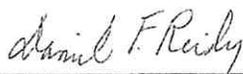
- A. Currently over 80 companies and institutions are located in the Harbor Bay Business Park with an estimated employee population of over 5,000 people, but currently there is no commercial health club or private recreational facility within the Harbor Bay Business Park.
- B. On August 14, 2013, Director Member Tim Hoppen made a presentation to the Association's Annual Meeting of Members about Harbor Bay Isle Associates' plans for development on three vacant parcels it owns on the north side of North Loop Road, namely APN 074-1337-019-1, APN 074-1337-022-1, and APN 074-1337-026-1. Harbor Bay Isle Associates plans to re-subdivide these three parcels into two parcels, one for the development of a new Harbor Bay Club, and the other for a commercial office building. The plans for the club include a two story building approximately 40,000 square feet in size, a number of outside pools for adults, families and kids, tennis courts, including junior quick-start courts, and an all-weather multi-purpose sports field. Tim Hoppen explained to the Association Members that he has been meeting with some of the businesses and neighboring property owners in the Harbor Bay Business Park and has been getting a positive response. The plans include corporate memberships for area businesses. There would be 277 off-street parking spaces provided on-site and that he has had discussions with neighboring property owners about reciprocal parking arrangements when special events might occur at the Club. There were expressions of interest and support for this proposal from Association Members at this meeting. (Note: Harbor Bay Isle Associates through its affiliate company Harbor Bay Club Associates owns and operates a private health club and recreational facility known as the Harbor Bay Club on Packet Landing Road near the Bay Farm Island Bridge.)
- C. On behalf of Harbor Bay Isle Associates, Director Tim Hoppen requested the Board of Directors to formally express support for the proposed new Harbor Bay Club by way of a Resolution. After Board discussion, this request was approved in principle by consensus of Board members, with direction given to circulate a draft Resolution of approval for Board Members to review and approve.
- D. The following Resolution was approved unanimously by the by the Members of the Board of Directors of the Harbor Bay Business Park Association who participated in the August 14, 2013 Board meeting.

NOW, THEREFORE, THE BOARD OF DIRECTORS HEREBY RESOLVES THAT:

- (1) The new Harbor Bay Club proposed to be located on North Loop Road will be an attractive amenity for the Harbor Bay Business Park and support the Business Park's vitality and growth.
- (2) The proposed new Harbor Bay Club will provide a state-of-the-art health club and athletic facility close by and convenient for employees of businesses and institutions located in the Harbor Bay Business Park. Property owners, property managers, and business owners present at the Annual Meeting of Members of the Harbor Bay Business Park Association expressed support for the proposed new Harbor Bay Club to be located on North Loop Road.
- (3) The project sponsors have pledged to work with nearby property owners, the adjacent private school operations, and the North Loop Road Business Owners Association to address any concerns about traffic, parking, noise, or safety issues.
- (4) A copy of this Resolution shall be delivered to the Alameda City Council and the Planning Board when the land use applications for the new Harbor Bay Club come up for public hearings.

Certification

This Resolution was approved unanimously by the Members of the Board of Directors of the Harbor Bay Business Park Association who participated in the August 14, 2013 Board meeting.

  
Secretary of the Board

From: "Rachel Tablante" <rachel@harborbayclub.com>  
To: "'Marie Gilmore, Mayor'" <mgilmore@alamedaca.gov>, "'Marilyn Ezzy  
Ashcraft, Vice Mayor'" <mezzyashcraft@alamedaca.gov>, "'Lena Tam, Council  
Member'" <ltam@alamedaca.gov>, "'Stew Chen, Council Member'"  
<schen@alamedaca.gov>, "'Tony Daysog, Council Member'"  
<tdaysog@alamedaca.gov>, "'John A. Russo, City Manager'"  
<manager@alamedaca.gov>, "'Andrew Thomas, City Planner'"  
<athomas@alamedaca.gov>  
Date: 10/15/2013 5:15 PM  
Subject: I Support the new Harbor Bay Club

I support the plans to build a New Harbor Bay Club on North Loop Road.

Name: Rachel Tablante

Address: 200 Packet Landing Road Alameda, CA. 94501

From: "Michael J. Swartz" <michael@mjswebsolutions.com>  
To: "'Marie Gilmore, Mayor'" <mgilmore@alamedaca.gov>, "'Marilyn Ezzy  
Ashcraft, Vice Mayor'" <mezzyashcraft@alamedaca.gov>, "'Lena Tam, Council  
Member'" <ltam@alamedaca.gov>, "'Stew Chen, Council Member'"  
<schen@alamedaca.gov>, "'Tony Daysog, Council Member'"  
<tdaysog@alamedaca.gov>, "'John A. Russo, City Manager'"  
<manager@alamedaca.gov>, "'Andrew Thomas, City Planner'"  
<athomas@alamedaca.gov>  
Date: 10/14/2013 3:33 PM  
Subject: I Support the new Harbor Bay Club

I support the plans to build a New Harbor Bay Club on North Loop Road.

Name: Michael Swartz  
Address: 17 Wexford Place, 94502

From: "Tony Rodriguez" <tony@harborbayclub.com>  
To: "'Marie Gilmore, Mayor'" <mgilmore@alamedaca.gov>, "'Marilyn Ezzy  
Ashcraft, Vice Mayor'" <mezzyashcraft@alamedaca.gov>, "'Lena Tam, Council  
Member'" <ltam@alamedaca.gov>, "'Stew Chen, Council Member'"  
<schen@alamedaca.gov>, "'Tony Daysog, Council Member'"  
<tdaysog@alamedaca.gov>, "'John A. Russo, City Manager'"  
<manager@alamedaca.gov>, "'Andrew Thomas, City Planner'"  
<athomas@alamedaca.gov>  
Date: 10/15/2013 5:15 PM  
Subject: I Support the new Harbor Bay Club

I support the plans to build a New Harbor Bay Club on North Loop Road.

Name: Tony Rodriguez

Address: 200 Packet Landing Road

From: "Kirk Cowan" <kirkcowan@aol.com>  
To: "'Marie Gilmore'" <mgilmore@alamedaca.gov>, "'Marilyn Ezzy  
Ashcraft'" <mezzyashcraft@alamedaca.gov>, "'Lena Tam'"  
<ltam@alamedaca.gov>, "'Stew Chen'" <schen@alamedaca.gov>, "'Tony  
Daysog'" <tdaysog@alamedaca.gov>, "'John A. Russo'"  
<manager@alamedaca.gov>, "'Andrew Thomas'" <athomas@alamedaca.gov>  
Date: 10/16/2013 1:58 PM  
Subject: I Support the new Harbor Bay Club

I support the plans to build a New Harbor Bay Club on North Loop Road.

Name: <<Enter Your Name Here>>  
Address: <<Enter Your Address Here>>

From: "Capt. Ed Payne" <capt.edpayne@att.net>  
To: <athomas@alamedaca.gov>  
CC: "Capt. Ed Payne" <capt.edpayne@att.net>, "Seth Hamalian"  
<shamalian@hotmail.com>, "Ron Briggs" <briggs.ron@gmail.com>, "Kevin  
Peterson" <kevin.d.peterson@mlcampbell.com>, "Mike Gorman"  
<MrMikel230@gmail.com>, "Ron Valentine" <ronvalentine\_94501@yahoo.com>  
Date: 10/14/2013 2:08 PM  
Subject: Harbor Residential & Athletic Club Project

Dear Mr. Thomas,

I am strongly opposed to swapping Harbor Bay Athletic Club with the construction of 80 new homes. This would increase the traffic on Fernside Blvd, High Street, the High Street Bridge and side streets by at least 160 vehicles. I have seen the traffic and noise grow over the years to the point there are traffic jams on High Street and the traffic on Fernside has grown significantly. Furthermore, it has hurt the value of our home and affected the quality of our lives. We live with it 24/7!

Edward R. Payne  
3127 Marina Drive

From: Kathleen Schumacher <kathleen.schumacher@gmail.com>  
To: <athomas@alamedaca.gov>  
CC: <harborbayneighbors@gmail.com>  
Date: 10/6/2013 12:41 PM  
Subject: Harbor Bay Residential and Athletic Club Project

Hi Andrew,

I am voicing the same concerns as all of those Harbor Bay residents who are fighting against moving the Harbor Bay Club and the building of high density housing on the site.

The safety of the Amelia Earhart population should be a major consideration against such a proposal. The traffic impact alone of having the extra autos will definitely be felt at the High and Park St. bridges as well as Harbor Bay. Please consider the residents of Harbor Bay first as well as those of us on the main island! It is already very difficult to get on or off the island at rush hour and when one exit is closed it becomes impossible.

Kathleen Schumacher

From: Ben Deligato <deligato@gmail.com>  
To: <athomas@alamedaca.gov>  
CC: Harbor Bay Neighbors <harborbayneighbors@gmail.com>  
Date: 10/7/2013 1:40 PM  
Subject: Harbor Bay Residential and Athletic Club Project

Dear Mr. Thomas:

As a current home owner in the Pelican Bay sub-association within Harbor Bay/Bay Farm, I am writing to urge you to oppose Ron Cowan's HBIA Proposal which will relocate Harbor Bay Club to a remote location and build in its place numerous homes on the existing Club location.

If approved, this proposal would increase traffic congestion in morning hours especially during school times when children are commuting to Amelia Earhart school, make commuting times greater than they already are in the morning and evenings, make a high-density housing area more congested than it already is, put undue burden on our infrastructures including our already over-crowded schools, and relocate the Club out of the community to a remote location which was not the intended area and design for the Club, causing many people to drive to the club instead of walk/bike.

Lastly, we purchased a home in Bay Farm due the nature of the PUD. We did not purchase a home in Bay Farm to have the zoning suddenly changed, a major feature of the PUD to be moved to a remote location, and even more houses built in an already high-density housing area. If zoning is changed, I will seek compensation due to real value lost to me as a homeowner. I would happen to guess I am not the only homeowner in Bay Farm that would feel the same as I do.

If this is approved, I will be one of many Homeowner's who will legally challenge the decision and petition for change in our City leadership, including the Planning Department.

Respectfully,  
Benny A. Deligato  
135 Justin Circle  
Alameda, CA 94502

From: robert groat <topdogcal@gmail.com>  
To: "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
Date: 10/4/2013 9:52 AM  
Subject: ron cowan new development at harbor bay club

dear gentle-persons,  
as a resident of brittany bay, i am strongly opposed to the proposed  
addition of 80 new homes (or approximately) 150 new cars on robert davies  
drive at peak traffic times.  
robert groat

Sent from my iPad

From: Pete Palmer <petepalmer@comcast.net>  
To: <athomas@alamedaca.gov>  
Date: 10/14/2013 7:37 PM  
Subject: residential & athletic club project

I am in favor of the relocation of the Harbor bay athletic club. I think that the new club will be a major improvement and a great asset to the Harbor Bay community. The group apposed to the move are not telling the about traffic. There are at least 300 cars a day going to the club and meny more on weekends. 82 new homes will mean far less traffic .  
sincerely Howard Palmer !22 Purcell Dr Alameda

**From:** Janet Niiya <janetniiya@gmail.com>  
**To:** "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**Date:** 11/1/2013 2:50 AM  
**Subject:** Centre Court homeowner's thoughts on development plans for Harbor Bay Club site

Dear Sir:

I am a resident and homeowner of Centre Court, and as I am medically disabled and unable to attend any meetings, would like to express my opinions on the potential development plans on the current Harbor Bay Club site next door. In addition to the the usual objections to the increased traffic on a dead end street that contains an elementary school, I'd like to stress that many of Centre Court residents are retired, elderly and medically compromised. We spend our lives here - our homes are not just a place to sleep and keep our possessions. The quality of life is so much more important to us than increased traffic, noise and

**From:** Donna Fletcher <ohprimadonna@gmail.com>  
**To:** Andrew THOMAS <ATHOMAS@alamedaca.gov>, NANCY McPeak <NMcPeak@alamedaca.gov>  
**Date:** 10/29/2013 9:26 PM  
**Subject:** Comment from Donna Fletcher re: EIR scoping for HBIA proposed project

(Hi Andrew, please forward this email to the board members as part of the EIR scoping comments and questions. Many thanks!)

October 29, 2013

Dear Andrew and Members of the Alameda Planning Board,

HBIA has stated repeatedly that the entire premise of moving the club from the current site is a "physically unsustainable facility," "aging infrastructure," and an "inability to meet the changing amenity needs of its members." They have also said that "after many studies (they've exhausted) all conceivable scenarios."

Does it puzzle you the way it puzzles me that the current site is unfeasible to upgrade or build a new club? The two sites are virtually the exact same shape and size! "Aging infrastructure"? The current club has two simple wood frame buildings and 18 outdoor tennis courts. This doesn't seem like complex infrastructure, but an empty canvas with loads of architectural and recreational potential on a waterfront setting.

Has HBIA ever produced a valid architectural feasibility study for building a new or upgraded club on the existing site? What became of all those scenarios that have been exhausted? And what evidence do we have that the club is not financially sustainable for the long-term? Has HBIA produced any financial statements or projections that prove their premise? Are they willing to let the community that they are impacting examine their books?

A better question might be, is it within the purview of the Planning Board to make the Harbor Bay Club financially sustainable by trading a community amenity in a PUD to finance the new club at the business park? Please define our (the community and the City) obligations to HBIA's finances in this decision-making process.

If HBIA has produced exhaustive studies on the feasibility of upgrading at the present site, then please ask them to produce them. Or perhaps more useful, would it be possible for HBIA to pay for one, simple feasibility study by an architect of the community's choosing? We'll endeavor to match amenity for amenity on the existing site. We believe it can be done.

Thank you to the members of the board for their insightful and penetrating questions last night, and to staff for the thorough explanation of the EIR process.

Sincerely,

Donna Toutjian Fletcher  
112 Centre Court  
Alameda, CA 94502

**From:** <wrealano@aol.com>  
**To:** <athomas@alamedaca.gov>  
**Date:** 10/27/2013 6:59 PM  
**Subject:** Cowan "hotel/conv center" plan B seems a mind games thing or Trojan Horse(Our Planning Bd too smart to fall for his tricks anyway...

Not sure when all he claims to be entitled to is/are building homes anyway, that this-person-w-too-much-perceived-power-in-Alameda now suggests a hotel and convention center/conf center. The latter only would belong at "his" Business Park. We all will be "just saying NO" to either 80 homes and way too many parking spaces requested as well as any thoughts of a Cowan Arms no-tell Hotel, etc."

I interviewed this afternoon with a ton of home owners in all tracks around Cowan's Harbor Bay Club who DEFINITELY don't want 80 homes or a hotel/etc (besides his owning too-powerful Harbor Bay Realty, the Ferry, and I'm guessing much in HB Business Park where his own Doric Realty aka HBIA Realty) attorney also is a big honcho on the Harbor Bay Biz Park Brd which is another hilarious conflict of interest bit of corruption plaguing 94502) but attempting to distance himself from them) and feel today's latest hotel thing instead of 80 homes is some kind of joke farce.

Besides all the asbestos that would be released if the club was torn down, infecting our kids at busy Earhart Elementary School right next door to Cowan's HB Club, if a hotel was built there, we all WOULD NOT want transient people driving to/from a hotel 24/7 right near/adjacent our kids.

Can Cowan please just infect Tiburon where he lives and try to overdevelop there instead? We're already on overdevelopment overload here in 94502.

Please pass this email around to any/all on our Planning Board and we'll see you tomorrow night.

Mike, CBS Radio Host, Print Columnist

**From:** "Anne DeBardeleben" <anne@annedebardeleben.com>  
**To:** "Marie Gilmore" <MGilmore@alamedaca.gov>, <mezzzyashcraft@alamedaca.gov>, <ltam@alamedaca.gov>, <schen@alamedaca.gov>, <tdaysog@alamedaca.gov>, <athomas@alamedaca.gov>  
**Date:** 10/28/2013 4:26 PM  
**Subject:** EIR for Harbor Bay project

Dear Mayor, City Councilmembers and Planning Board Members,

I'm writing in support of the proposed EIR on the Harbor Bay Residential and Athletic Club project. Before continuing, I think it is important to point out that I am a Club member and a Realtor with Harbor Bay Realty.

Having the facts to either support or deny claims made by either contingency should prove valuable for the greater community. As traffic has been one of the key concerns, the EIR seems to be of utmost value

Personally, I believe the proposed project will prove valuable for our greater community. It provides badly needed housing, yet limits the final build out to 80. Club members get an updated club that better meets the needs of its current users. A Club would remain on Harbor Bay to support those and main island residents alike.

Thank you,

Anne DeBardeleben-Resident

Anne DeBardeleben - REALTORR , CRS, SRES

BRE # 01385914

Harbor Bay Realty

(510) 407-0175

Ask me how your referrals will Support Alameda Schools!!

**From:** carolyne creer <carolyne.creer@gmail.com>  
**To:** <athomas@alamedaca.gov>  
**Date:** 10/27/2013 3:37 PM  
**Subject:** EIR for HBI

This is written to express my opposition to the proposed changes to the property currently occupied by Harbor Bay Club for the following reasons:..1. Increased housing density will result in decreased air quality secondary to increased traffic and density and decreased open space. 2. Noise pollution will result in a decreased quality of life especially during the long demolition and construction process. 3. Risk of danger to children will increase secondary to #1. 4. These stressors will increasingly divide our community resulting in increased anger, bickering and resentment toward the developer and city management.

Sincerely,

Carolyne Creer  
265 Centre Court  
Alameda, CA 94502-6555

**From:** Janet Niiya <janetniiya@gmail.com>  
**To:** "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**Date:** 11/1/2013 2:50 AM  
**Subject:** Fwd: A Centre Court homeowner's thoughts on development plans for Harbor Bay Club site

Dear Sir:

I am a resident and homeowner of Centre Court, and as I am medically disabled and unable to attend any meetings, would like to express my opinions on the potential development plans on the current Harbor Bay Club site next door. In addition to the the usual objections to the increased traffic on a dead end street that contains an elementary school, I'd like to stress that many of Centre Court residents are retired, elderly and medically compromised. We spend our lives here - our homes are not just a place to sleep and keep our possessions. The quality of life is so much more important to us than property values... we live here because Alameda is a haven amidst a large metropolitan area. We are a community that choose to live here because of the pleasant, open environment of trees over concrete, the rare ability to park on the street and walk unimpeded by traffic lights on every corner, and for not having to contend with 'traffic jams' on a regular basis.

I won't wax on and on but simply want to stress that I and many of my neighbors are not opposed to Ron Cowan's never ending development plans per se, but that the density of the housing or hotel development plans he has planned for the end of Packet Landing road will severely impact our well being and daily lives. Go ahead and move the Harbor Bay Club, but please put in it's place a park or other open area that won't turn our street into a thoroughfare.

Thank you for your time.

Janet Niiya  
256 Centre Court  
homeowner and resident

***DELBERT R. BLAYLOCK***

*7 Purcell Drive  
Alameda, Ca., 94502*

October 22, 2013

Mr. Andrew Thomas  
Planning and Building Department  
2263 Santa Clara Avenue, Room 190  
Alameda, Ca, 94501

Dear Mr. Thomas,

As a home owner at 7 Purcell Drive, Britney Landing the Harbor, directly across from the Harbor Bay Club, I certainly object to this project.

The traffic caused by this project will be tremendous. It will add to the already congestion we have with the school in the mornings and afternoon.

Additionally, there is only one access to this property. Any blockage of the street coming in to our area, during an emergency, would be very hazardous.

We purchased our home in 1994 with the assurance of the Harbor Bay Club as a very special perk to living in this area. To move the club away from our area will also be an economic loss to the value of our property.

It is hopeful that the city will deny this permit.

Sincerely,

Delbert R. Blaylock

**From:** Catherine Edwards <caseyedwards@me.com>  
**To:** "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**Date:** 10/28/2013 1:29 PM  
**Subject:** Harbor Bay Club

I am writing because I am opposed to the plan to build homes on the current site of the Harbor Bay Club

I have lived on Bay Farm since 1982 and I have been a member of the club since 1984.

I cannot imagine the traffic impact if the new homes are built. With only one way on or off Packet Landing it makes no sense to build homes in this location. It is already a hardship to leave the island in the morning or work with all the school traffic. Vehicles exiting Packet Landing for Robert Davey already cause gridlock at the intersection. Adding more cars trying to get from Robert Davey to Island Drive would be even worse. It already takes three or four traffic signals to leave Bay Farm

Please do not approve the zoning change for these new homes

Catherine Edwards  
23 Barnegate Bay  
Alameda, CA 94502

Sent from my iPhone

**From:** tomh <garbage3@charter.net>  
**To:** <athomas@alamedaca.gov>  
**Date:** 10/28/2013 10:34 AM  
**Subject:** Harbor Bay Development

dear mr thomas,

I don't know where to begin in stating my opposition to the proposed development by ron cowen and associates.

The purpose of the Harbor Bay Club is and shall continue to be to provide quality recreation facilities for the residents of the Harbor Bay Isle residential development." -- City of Alameda Planning Board, Resolution No. 2134, April 8, 1991.

as I understand it, originally, there were 46 acres set aside for open space on harbor. after claims of financial hardship, cowen received much of this back to build a private club. if houses are built on the club's present site, there will no longer be any open space left. it will have been given to a private developer for nothing in return.

traffic: I read an article in the alameda journal that stated that the EIR for alameda point showed that traffic from the point would affect traffic as far as Broadway and Otis. imagine what another 200-300 cars will do to traffic on Otis. it is obvious to me that if/when an emergency (earthquake, flood, fire etc) occurs on Harbor Bay Isle, it would take a very, long time to get off the island.

Mr Cowen wields a tremendous amount of influence in the Bay Area because of massive campaign contributions to local and state politicians. His money should not be allowed to influence a development that would be for his benefit only. The majority of Harbor Bay home owners are vehemently opposed to this plan. More than 80 showed up at the last board meeting and all were opposed.

as I understand it, if the club is moved to the proposed new site, it would no longer be part of the Harbor Bay Association and could then be moved off the island if Mr Cowen so desired. then, no open space, no recreation for the benefit of the residents, just more money for Cowen. nothing for the residents.

Harbor Bay Isle already has more than enough people as evidenced by the daily traffic congestion. we do not need/want more density on the island.

thank you for the opportunity to voice my opinion

Tom Hoerber  
JoAnn Hoerber  
140 Parfait Lane

**From:** "Joyce C. August" <jcaugust@comcast.net>  
**To:** Andrew THOMAS <ATHOMAS@alamedaca.gov>  
**CC:** NANCY McPeak <NMcPeak@alamedaca.gov>  
**Date:** 10/28/2013 4:37 PM  
**Subject:** Harbor Bay Neighbors Response to Initial Study 10-28-2013  
**Attachments:** HB Neighbors Response to Initial Study.pdf

Andrew,  
The Harbor Bay Neighbors group has prepared the attached file for as a response to the City authorized Initial Study of the HBIA proposal to remove the Harbor Bay Club to the Business Park and replace it with 80 houses.

Please confirm receipt of the response, as we will address issues of importance at tonight's public hearing on scoping of the proposed EIR.

Thank you.

Sincerely,  
Joyce August, Ph.D.  
joyceaugust@alumni.usc.edu

**From:** "Joyce C. August" <jcaugust@comcast.net>  
**To:** Andrew THOMAS <ATHOMAS@alameda.ca.gov>  
**CC:** NANCY McPeak <nmcpeak@ci.alameda.ca.us>  
**Date:** 10/29/2013 9:04 PM  
**Subject:** Harbor Bay Neighbors Response to Initial Study 10-29-2013  
**Attachments:** HB Neighbors Response to Initial Study.pdf

Andrew,  
The Harbor Bay Neighbors group has prepared the attached 32 page file as a response to the City authorized Initial Study of the HBIA proposal to remove the Harbor Bay Club to the Business Park and replace it with 80 houses.

The file is also available at  
<https://www.dropbox.com/s/daev1au36wcizmx/HB%20Neighbors%20Response%20to%20Initial%20Study.pdf>

Please confirm receipt of the response. Thank you for a very professional presentation on the scoping of the proposed EIR.

Thank you.

Sincerely,  
Joyce August, Ph.D.  
joyceaugust@alumni.usc.edu

**From:** Diane Heinze <dheinze@portoakland.com>  
**To:** "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**CC:** Kristi McKenney <kmckenney@portoakland.com>, Anne Henny <ahenny@portoakland.com>, Richard Sinkoff <rsinkoff@portoakland.com>, "Joshua Safran" <jsafran@portoakland.com>, Susan Fizzell <sfizzell@portoakland.com>  
**Date:** 10/29/2013 2:49 PM  
**Subject:** Harbor Bay Project Notice of Preparation of a Draft EIR  
**Attachments:** NOPDEIR2013HarborBayresand Club.pdf

HI Andrew,

Thank you for the opportunity to comment on the NOP of a Draft EIR for the Harbor Bay Residential and Athletic Club Project. Please accept the Port of Oakland's attached comments.

Thanks,  
Diane Heinze  
Environmental Assessment Supervisor  
Port of Oakland  
510-627-1759

**From:** <jmgosl@comcast.net>  
**To:** <athomas@alamedaca.gov>  
**Date:** 10/26/2013 8:46 AM  
**Subject:** : Harbor Bay Residential & Athletic Club Project

Mr. Thomas,

I am writing to urge the Planning Commission and the City Council to reject the application for redevelopment of the current site of the Harbor Bay Club by Ron Cowan and the Harbor Bay Club Associates.

My principal objection is the loss in home values should the Club leave the Harbor Bay community. The club is a valued amenity in our neighborhood and recognized as an integral part of the Harbor Bay lifestyle. It brings together a cross section of the residents in a way that no other facility does and that happens because it is here, in the middle of our neighborhood. The Club contributes to the value of everyone's home, even if they do not use it. We all gave up 26 acres of recreational common areas to have the Club built in our midst. We will never get that space back. If 80 new homes are built, we will have to share the remaining open spaces with hundreds of new neighbors.

A club located in the distant windswept airport environment may not be sustainable and the result would be yet another loss if it is not. Many current members will not maintain their membership if the Club moves. It will be difficult to attract new members since getting there will require driving from Oakland, San Leandro or wherever. Workers at the business park often have their own gyms on site and so will not be inclined to join.

Is there any way to guarantee that the new club will be built? As I look at the grand plans in a colorful brochure, I see a facility that will need substantial staff for maintenance and operation, making operating costs steep. Debt service will be costly. Will Ron Cowan build his homes and then declare bankruptcy and abandon the new club because it is too costly?

I think it would be a mistake impacting thousands of voters/homeowners to let the club move and turn the current location into a site for more homes. I ask that the application for rezoning be denied.

Best regards,

Joanne Gosling

9 Steuben Bay

Alameda, CA 94502

**From:** Bonnie Headlee <bjheadlee@comcast.net>  
**To:** Andrew THOMAS <athomas@alamedaca.gov>  
**CC:** Harbor Bay Neighbors <harborbayneighbors@gmail.com>  
**Date:** 10/29/2013 9:09 PM  
**Subject:** Harbor Bay Residential and Athletic Club Project

The following letter was sent to you earlier today and rejected as undeliverable (see error message below). Please consider it submitted today--before the scope deadline--in spite of these technical problems.

Thank you,  
Chuck Headlee

\*\*\*\*\*  
Hi Andrew,

Thanks for listening to our comments on the Initial Study for the proposed Harbor Bay Club site rezoning.

However, I do have a couple of concerns regarding the meeting. I was surprised, and somewhat dismayed, that the Planning Board allowed the project proponent to give a 20 minute plus commercial for their project. We would have asked more members of our group to speak and to make comments about the proposed project if we had known the project proponent was essentially going to be allowed unfettered access to the Planning Board to pitch the project (which was not supposed to happen at this meeting), present it in glowing terms, and not even mention the initial study – the whole point of the meeting. The background materials and site maps they presented should have been presented in an unbiased manner by Staff – not the project proponent.

The other comment I have is that everyone seems to have bought into the incorrect idea that the Developer is entitled to build 3200 homes at Harbor Bay Isle. You and others repeated that at last night's meeting. It is simply not true. The Developer was granted permission to build up to 3200 homes on the acreage that was zoned residential within the five Villages that comprise Harbor Bay Isle. The Developer decided to build some larger homes on larger lots on some of that acreage and some smaller attached homes on some of that acreage. It was totally up to the Developer to build as many or as few homes as they wanted – up to a maximum of 3200 – on the designated residential parcels. Because of the decisions made by the Developer approximately 2980 homes were built, using all the residential spaces available. All available residential property (which was enough space for 3200 homes) has been used. The other acreage is either open space, commercial/recreation (the current Harbor Bay Club), or commercial (The Landing). Just because the Developer says he is entitled to build more homes doesn't make it so. Harbor Bay Isle is a completely built out Planned Unit Development. While we agree the Developer has a right to request re-zoning of the Harbor Bay Club site, we do not agree that this alleged entitlement of 200 more homes should even be part of the discussion.

Sincerely,

Chuck Headlee  
Core Member, Harbor Bay Neighbors  
Resident, Centre Court

\*\*\*\*\*

Begin forwarded message:

> From: Mail Delivery System <mailer-daemon@comcast.net>  
> Subject: Delivery status notification  
> Date: October 29, 2013 3:29:48 PM PDT  
> To: bjheadlee@comcast.net  
>  
> This is an automatically generated Delivery Status Notification.  
>  
> Delivery to the following recipients was aborted after 5 minute(s):  
>  
> \* athomas@alamedaca.gov  
>  
>  
> Reporting-MTA: dns; qmta13.emeryville.ca.mail.comcast.net [76.96.27.243]  
> Received-From-MTA: dns; omta20.emeryville.ca.mail.comcast.net [76.96.30.87]  
> Arrival-Date: Tue, 29 Oct 2013 22:24:43 +0000  
>  
>  
> Final-recipient: rfc822; athomas@alamedaca.gov  
> Action: failed  
> Status: 5.1.1  
> Last-attempt-Date: Tue, 29 Oct 2013 22:29:48 +0000  
>  
>  
>

**From:** Victor Cordell <vcordell@sbcglobal.net>  
**To:** "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**Date:** 10/30/2013 1:38 PM  
**Subject:** Harbor Bay rezoning - traffic study

Andrew,

I attended and spoke impromptu against the Harbor Bay redevelopment proposal(s) at the Monday hearing. First, I wanted to thank you for the clarity you brought to the proceedings. As a first timer, it was illuminating for me.

I write about the traffic study to be conducted on Packet Landing. I don't know what experience the Planning Board or whomever does the actual study has with measuring counts from a health club facility in this kind of setting, and I don't intend to question anyone's professionalism. But I did want to mention some matters that could affect the design of the study and the interpretation of the resulting data.

1 Packet Landing is a cul-de-sac. Harbor Bay Club's entrances are closest to the end of the cul-de-sac, so it would seem easy to isolate club-related traffic. However, I observed one traffic study being done (I believe by the club owner), in which the count was being taken as vehicles passed the entrance of Brittany Landing Harbor (my community). However, some of the traffic from the club parking lot and from the street in front of it is actually Earhart School traffic, as the whole street gets lined with pick up / drop off cars for school kids at the relevant times. There are also cars from Brittany Landing Harbor that park on Packet Landing across from the club regularly, except Tues night / Weds morn, when there is street cleaning.

2 Traffic is an issue for morning, but not so much for afternoon, rush times. The reason is that most traffic from here goes across the channel bridge. Leaving Packet Landing in the morning, there are three left turns at traffic lights to get across the bridge. Returning in the evening, there are three right turns, so you don't get the traffic light backup. Traffic destined south on Doolittle also has the first two lefts in the morning and the last two rights in the afternoon, so the result is somewhat similar.

3 Validity of traffic counts will be questionable because of high variability, and that is not just variability within the day, which is enormous.

a) Pre-working-hours club utilization is dominated by exercise classes. With current class schedules, there are no classes between 7 and 9 AM MWF, therefore, little traffic from the club competes with other sources. There are classes between 7 and 9 TT, so the traffic load is quite different on those days. Because all weekdays are not equal, it is imperative to know what the club's class schedule is and adjust accordingly. This also raises the point that the club actually has control over much of the morning rush it produces by how it schedules classes. I suspect that they are scheduling to try to optimize instructor availability and market demand factors, but clearly, the flow can be affected for whatever strategic or tactical reasons.

b) There may be seasonal factors, but I can't say for certain if there is more or less traffic during school holidays during the school year or during summer.

c) The club is closed over 35% of the time during the normal week and has shortened hours or is closed for a number of holidays. Thus, there is substantially no traffic during those times, and it is important for that to be weighed in as well if actual counts are taken only when the club is open.

I am dubious about drawing conclusions from the proposed traffic study, especially since the comparison against the proposed residential community is necessarily speculative, but I do hope that if the city spends the money for the study that it properly accounts for the unique site and business conditions. Thanks for your consideration.

Victor V. Cordell  
110 Purcell Drive

**From:** Victor Cordell <vcordell@sbcglobal.net>  
**To:** "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**Date:** 10/30/2013 1:38 PM  
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Victor V. Cordell  
110 Purcell Drive

**From:** William Duffy <johannebduffy@sbcglobal.net>  
**To:** "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**Date:** 11/14/2013 12:39 PM  
**Subject:** Harbor Bay Sports Club

I am a resident of Harbor Bay Isle and a member of the Harbor Bay Sports Club. Ron Cowan built Harbor Bay Isle with its lagoons, walking and biking pathways and lovely homes. Now, he has a vision to build a first class sports club at a better location and homes at the present club site. Please allow him to complete his vision. Johanne Duffy, 119 Diapian Bay.

~Johanne Duffy

**From:** mohyeldin adam <janice.adam1693@att.net>  
**To:** "athomas@alamedaca.gov" <athomas@alamedaca.gov>, "mgilmore@alamedaca.gov" <mgilmore@alamedaca.gov>, "mezzzyashcraft@alamedaca.gov" <mezzzyashcraft@alamedaca.gov>, "schen@alamedaca.gov" <schen@alamedaca.gov>, "tdaysog@alamedaca.gov" <tdaysog@alamedaca.gov>, "ltam@alamedaca.gov" <ltam@alamedaca.gov>  
**CC:** "harborbayneighbors@gmail.com" <harborbayneighbors@gmail.com>  
**Date:** 1/9/2014 10:30 AM  
**Subject:** Harbor+Bay+Residential+and+Athletic+Club+Project

As a 7-year resident of Harbor Bay, I am adamantly opposed to moving the Harbor Bay club and the construction of a hotel conference center proposal. This is a neighborhood! Quaint, quiet, peaceful, family and pedestrian friendly. This is why we moved here. I am not interested in change. We live in a beautiful place. I don't like my neighborhood being seen as a destination for folks on business or meeting for dinner or drinks. This is a transient population that makes for a less safe environment for us and our young children. Has anyone consulted with the parents, staff and faculty at Amelia Earhart. I doubt it.

Secondly, if the club's current location does not meet its needs for expansion, how can it meet the need for a hotel/conference center? This defies logic.

Thirdly, I seriously question the data that suggests the impact of this new development would be less than what exists now with the club's 4,000 members. An independent study might have been believable. This is not.

Your votes can change the character of the neighborhood in which we live and in which our children are being raised. We are not investors or real estate speculators. We are working folks, who worked hard to buy a home in a lovely place. Please take seriously what "home" means to us all.

Mohyeldin & Janice Adam  
Harbor Bay Residents

HARBOR BAY NEIGHBORS' RESPONSE TO THE CITY OF ALAMEDA'S  
INITIAL STUDY on  
HARBOR BAY RESIDENTIAL AND ATHLETIC CLUB PROPOSAL

**October 2013**

The comments in this document refer to Section 5 of the 208 page Initial Study by Atkins, titled "City of Alameda Harbor Bay Residential & Athletic Club Project Initial Study," dated September 2013.

**Section 5** Evaluation of Environmental Impacts

**I EVALUATION PROCESS**

**INITIAL COMMENT:** Throughout the Initial Study, the current location of the Harbor Bay Club (HBC) is repeatedly referred to as the "Harbor Bay Residential," or "Harbor Bay Residential Site." Such references are erroneous, as the property on which the HBC currently stands is not zoned "Residential," but rather "C-2/PD Commercial Planned Development." Since Harbor Bay Isle Associates (HBIA) would need to overcome several barriers before this site could be rezoned to residential use, reference should be to the "proposed Harbor Bay Residential site." Note that the proposed Harbor Bay Athletic Club site is zoned Commercial Manufacturing/Planned Development. It too must overcome several barriers and should be referred to as the "proposed Harbor Bay Athletic Club site."

**II. AESTHETICS**

**II. (a) Would the Project: have a substantial adverse effect on a scenic vista?**  
Conclusion: *"Less than Significant Impact"*

Comment: The study argues that there are no views from "public parks, plazas, or other public areas" that would be impacted by the proposed project and that it would have a less-than-significant impact on any "scenic vista," as defined.

While we agree, the study also notes that the "General Plan City Design Element Policy 3.2.a" encourages maximization of shoreline views. The public and private views will substantially change due to loss of the Harbor Bay Club itself, and loss of views from the Bay Farm Bridge and Pedestrian Walkway, as well as for persons using the Bay Farm Shoreline Trail, for boaters on the estuary, and for residents of Centre Court and Brittany Landing the Harbor, immediately south and west of the Harbor Bay Club. Views would meet the criteria to be maximized only if the Harbor Bay Club remains in its current location and is not replaced by dense housing development.

Maintaining the current zoning of Commercial Planned Development would be an acceptable alternative to meet the City's objective. But tearing down the Harbor Bay Club and selling the property to developers to build 80 two- and three-story homes in its place would have exactly the opposite effect. A view of densely-spaced, two- and three-story homes instead of tennis courts, a waterfront swimming pool, club house and mature landscaping would destroy the aesthetics of the view in all directions and provide no open space along the Shoreline Trail

from the start at Veteran's Court until several hundred feet west to the turf setback area adjoining Brittany Landing the Bay homeowner association.

It is important to remember that the Community of Harbor Bay Isle Owners Association (CHBIOA) has a View Preservation rule (see CHBIOA 2011/2012 Architectural and Landscape Guidelines, p. 18). The rule would be violated by placing two- and three-story homes on the proposed Harbor Bay Club Residential site. The guidelines state that a current view cannot be blocked with new structures or planting. A 35-foot to 40-foot wall of homes along the north property line of Centre Court would significantly block and thus alter the existing views of Centre Court residents and their feeling of open space.

For Centre Court residents living in a very dense environment is made tolerable by the open space that the current club provides. Centre Court residents have a view of trees and open sky; they can see through the club facilities to the estuary and to the main island beyond. That sense of openness would be lost, if it were replaced with a wall of homes starting at the Centre Court property line and continuing to the shoreline. This is a serious quality of life issue.

**II. (b)** Would the project: substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

**Conclusion: "No Impact"**

Comment: We agree that the proposed Project may have "no impact" on scenic resources within a State Scenic Highway, as defined.

**II. (c)** Would the project: substantially degrade the existing visual character or quality of the site and its surroundings?

**Conclusion: "Potentially Significant Impact"**

Comment: We agree there is a potentially significant impact.

For the general public, the proposed Project will substantially degrade the existing character and quality of both Project sites and their surroundings in visually-prominent areas and will substantially adversely impact the visual unity of those areas from roadways and from adjacent residential neighborhoods. The density created by the proposed plan of 80 additional homes would be greater than the density of any other shoreline housing development in Harbor Bay Isle.

For Harbor Bay Club members, the change in visual character and quality of a club that moves from the waterfront to a business park cannot be overstated. No longer would club members have extended views of the San Francisco waterfront, San Francisco Bay, and the Harbor Bay Shoreline Trail. The proposed move would replace the present shoreline views with residential use. And the present club users would lose the shoreline view. Harbor Bay Club users would see commercial uses only in the proposed business park location. Club members should be surveyed to determine how the view changes will affect them, and whether they would remain members if the club moves to the proposed business park location.

For association residents adjacent to the existing club, particularly Centre Court, the degradation in visual character and quality would be the greatest. Centre Court residents currently have tranquil views and sounds from tennis courts and a swimming pool; they overlook mature trees and the estuary beyond. The adverse impact of replacing that view with three-story houses closely spaced near Centre Court homes, cutting off light and privacy that residents have enjoyed for 30 years and were told they would enjoy in perpetuity as a Planned Unit Development, will substantially degrade the existing visual character and quality of the site and surroundings.

**II. (d)** Would the project: create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that the proposed Project will create new and objectionable sources of substantial light and glare that will not only adversely affect day and nighttime views in adjacent residential areas, but will also impair the right of nearby residents to the peaceful enjoyment of their homes and surroundings.

### **III. AGRICULTURE / FORESTRY RESOURCES**

**III. (a)** Would the project: convert prime farmland, unique farmland, or farmland of statewide importance (farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

Conclusion: *"No Impact"*

Comment: As farmland is defined, we agree that the proposed project would not convert prime farmland to nonagricultural use.

**III. (b)** Would the project: conflict with existing zoning for agricultural use or with Williamson Act contract?

Conclusion: *"No Impact"*

Comment: We agree that the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract as defined. On the contrary, it would increase urban density.

**III. (c)** Would the project: conflict with existing zoning for forest land, etc.

Conclusion: *"No Impact"*

Comment: While we agree that the proposed project would not conflict with existing zoning for forest land, note the comment in III. (d).

**III. (d)** Would the project: result in the loss of forest land or conversion of forest land to non-forest use?

Conclusion: *"No Impact"*

Comment: We agree that the proposed project would not result in the loss or conversion of forest land. However, the Community of Harbor Bay Isle Owners Associations maintains an "urban forest" as described in the CHBIOA 2011/2012 Architectural and Landscape Guidelines, Section 3. Plant Guidelines, p. 22:

**"HARBOR BAY ISLE'S ORIGINAL LANDSCAPE DESIGN INTENT:** In the mid-1970s, when Doric Development conceived the master development plan for the Community of Harbor Bay Isle, a number of design decisions were made which are vital to the aesthetic appeal and property values in our unique surroundings.

“The overall landscape design concept was determined to be an urban forest. Sketches, blueprints and plant lists were drawn which represented the landscape architect's ideal vision of pedestrian and bike trails looping around a centralized lagoon system.

“Because of the urban forest concept, and a water conservation strategy, which Doric Development and the City of Alameda envisioned, trees became the major focus to which other plant materials would become secondary. . . .” Trees removed within the Community of Harbor Bay Isle generally must be diseased, and each is required to be replaced by an equivalent tree. The 128 mature trees at the existing Harbor Bay Club must be inspected and a report filed, to avoid resulting in a loss of the Community's mature urban forest.

**III. (e)** Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?

Conclusion: *“No Impact”*

Comment: We agree that the proposed project would not involve changes in the existing environment that could result in conversion of farmland, as defined.

#### **IV. Air Quality**

**IV. (a)** Would the project: conflict with or obstruct implementation of the applicable air quality plan?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree that the proposed project will conflict with the applicable air quality plan and will have a significant adverse effect for residential associations adjacent to both Project sites. Construction activities on the proposed Harbor Bay Residential site will require the destruction of all club property, including buildings, 18 tennis courts, a swimming pool, and outdoor play areas.

This level of destruction cannot be done without destroying trees and other landscaping planted at the site years ago, disturbing substantial amounts of earth, roots, rock, and potentially the stability of the underlying groundwork. Air quality during the destruction process and the projected construction of 80 additional homes would create a substantial health hazard to persons living in, going to school in, working near, or passing through the surrounding areas.

**IV. (b)** Would the project: violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree that the proposed project would have a significant adverse impact on and violate existing air quality standards. For the reasons cited in the Initial Study, the proposed project will create a substantial health hazard to persons living in, working near, and passing through the surrounding areas. For individuals playing tennis or participating in other outdoor activities, there would be a violation of the air quality. Changes to both proposed project sites should be forecast in professional air quality studies.

After the projects were completed, both sites would be adversely affected by the increase in traffic emissions at their respective locations.

**IV. (c)** Would the project: result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

Conclusion: *"Potentially Significant Impact"*

Comment: For the reasons cited in the Initial Study, we agree that the proposed project will have a significant adverse impact and will create a substantial health hazard to persons living in, going to school and playgrounds in, working near, and passing through the surrounding areas.

**IV. (d)** Would the project expose sensitive receptors to substantial concentrations?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that the proposed project will subject persons living or going to school in, working near, enjoying playgrounds, and passing through adjacent and nearby areas to intolerable levels of pollutant concentrations and emissions and have the potential of causing long-term medical problems from such exposure. Studies are necessary.

**IV. (e)** Would the project: Create objectionable odors affecting a substantial number of people?

Conclusions: *"Less-than-Significant Impact"*

Comment: We disagree. The proposed project will subject persons living, working, going to school, and participating in outdoor activities in or near the proposed project sites to objectionable odors affecting a substantial number of people and have the potential of causing medical problems from such exposure.

## **V. BIOLOGICAL RESOURCES**

**V. (a)** Would the project: have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that the project would have a potentially significant impact on species identified as candidates, sensitive or special-status through habitat modification of the proposed Harbor Bay Residential Site. For the proposed Harbor Bay Athletic Club site, the Initial Study states that the project would have no impact.

This determination fails to account for potential raptor feeding patterns and locations. Just as the Harbor Bay Residential Site analysis takes into account the potential raptor nesting habitats, the analysis regarding the potential club site should take into account the small mammal population of the undeveloped site and whether removal of that population will affect raptors such as Cooper's Hawks. The proposed club project would result in the permanent removal of a large tract of small mammal habitat and this removal may represent a potentially significant impact.

**V. (b)** Would the project: have a substantial adverse effect on any riparian habitat or

other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Conclusion: *"Less-Than-Significant Impact"*

Comment: We disagree that the impact is less than significant. The study fails to take into account the distance into the bay that the plans for the proposed Harbor Bay Residential site encroach into San Leandro Channel.

From its inception, the footprint of the Harbor Bay Club was miscalculated such that it extends into the 100 foot public access setback required by and enforced by the Bay Conservation and Development Commission (BCDC). The initial removal of public access has negatively impacted the shoreline habitat for migratory birds in their flyover path. If 80 homes are built within the same space, migratory bird flyover habitat will be further diminished due to the density of the built-up environment. Instead of further compounding this negative impact, the natural wetlands that border the Harbor Bay Club should be restored to their original state.

**V. (c)** Would the project: have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Conclusion: *"No Impact"*

Comment: We agree that there may be no impact on federally protected wetlands as defined. However, a firm confirmation of the status of the San Leandro Channel should be included.

**V. (d)** Would the project: interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Conclusion: *"Less Than Significant Impact"*

Comment: There may be a potentially substantial negative impact. First, it is necessary to undertake a thorough study of native resident and migratory fish and wildlife species, as well as established native resident and migratory wildlife corridors, and native wildlife nursery sites on and adjacent to the current Harbor Bay Club site. None has been presented for review.

There may be a potentially substantial negative impact to the native small mammal species that currently live and breed on and adjacent to the current Harbor Bay Club site. Impacts on native small mammal species must be studied to answer this question.

**V. (e)** Would the project: conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that the Harbor Bay Residential site plan may remove all 128 trees from that location and therefore results in a potentially significant impact.

**V. (f)** Would the project: conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Conclusion: *"No Impact"*

Comment: A Habitat Conservation Plan may or may not exist for the current proposed Harbor Bay Residential site. Given this sensitive shoreline area, a Habitat Conservation Plan and Natural Community Conservation Plan should be studied, written, adopted and implemented.

## **VI. CULTURAL RESOURCES**

**VI. (a)** Would the project: cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Conclusion: *"No Impact"*

Comment: We disagree that the project would have no impact on an historical site. Although Veterans Memorial Park may not be an *historical resource* as defined in Section 15064.5, the park has historical significance as a place to honor veterans of foreign wars. The Park has many plaques and benches dedicated to veterans and its landscaping is specifically designed as a symbol to service men and women.

The Park may be significantly adversely impacted by the construction of 80 additional homes nearby. Those homes would attract new residents to seek off-site parking on Veteran's Court. The street provides closer access than driving up Packet Landing. Furthermore, increased foot traffic can be expected as a shortcut through Veteran's Memorial Park by adults and children, and may create an increased risk of damage to its structures of historical significance, its public areas, and its landscaping.

**VI. (b)** Would the project: cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?

Conclusion: *"Potentially Significant Impact"*

Comment: While currently no archaeological resources have been identified, we agree that there is a potentially significant impact were archaeological resources to be discovered during either the destruction of the Harbor Bay Club property or the development of any structures in its place.

**VI. (c)** Would the project: directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Conclusion: *"Potentially Significant Impact"*

Comment: It is well known that both project sites are on filled lands that were extensively disturbed. Should further disturbance of the fill unearth paleontological resources, it risks a potentially significant impact.

**VI. (d)** Would the project: disturb any human remains, including those interred outside of formal cemeteries?

Conclusion: *"Less Than Significant Impact"*

Comment: While currently no human remains have been identified at the Project sites, the discovery of such remains, such as those of indigenous Indians, during the destruction of structures on the proposed Harbor Bay Resident site or the construction of structures on that site would create a significant adverse impact on site completion.

## VII. GEOLOGY / SOILS

**VII.** Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

**VII. (a)(i)** Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Conclusion: *"less-than-significant impact"*

Comment: We agree that the impact may be less than significant, until the Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area and on other substantial evidence of a known fault should be studied for a definitive answer.

**VII. (a) (ii)** [Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death] involving: strong seismic ground shaking?

Conclusion: *"less-than-significant impact"*

Comment: We disagree that the impact would be less than significant. Instead, it is potentially significant. Substantial ground shaking occurred during the Loma Prieta event despite the fact that Harbor Bay residents are outside of the Alquist-Priolo Zone. That zone is merely a setback from known active faults to prevent damage from surface rupture.

**VII. (a)(iii)** [Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death] involving: seismic-related ground failure, including liquefaction?

Conclusion: *"less-than-significant impact"*

Comment: We disagree that the impact would be less than significant. During the Loma Prieta earthquake of 1989, significant liquefaction occurred in the area of the proposed Harbor Bay Athletic Club site.

**VII. (a)(iv)** [Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death] involving: landslides?

Conclusion: *"less-than-significant impact"*

Comment: We are unaware of any potential substantial adverse effect due to landslides.

**VII. (b)** Would the Project: result in substantial soil erosion or the loss of topsoil?

Conclusion: *"Less-than-significant impact"*

Comment: We are unaware of any potential substantial adverse effect.

**VII. (c)** Would the Project: be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Conclusion: *"less-than-significant impact"*

Comment: We do not agree that the impact would be less than significant. During the Loma Prieta earthquake of 1989, significant liquefaction occurred in the area of the proposed Harbor Bay Athletic Club site.

**VII. (d)** Would the Project: be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code [1994], creating substantial risks to life or property?

Conclusion: *"less-than-significant impact"*

Comment: We agree that there is no *expansive soil* in the project, as defined in Table 18-a-B of the Uniform Building Code [1994].

**VII (e)** Would the Project: have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Conclusion: *"No impact"*

Comment: We agree that this may not be an issue.

## **VIII. GREENHOUSE GAS EMISSIONS**

**VIII. (a)** Would the Project: generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree there will be a potentially significant impact, and that both projects will increase greenhouse gases. On Packet Landing and Island Drive alone, the addition of approximately 150 cars idling in log-jammed morning rush hour traffic for up to 20 minutes, inching toward the Bay Farm Island Bridge, would significantly increase greenhouse emissions.

**VIII. (b)** Would the Project: conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree with the finding. Both projects will impact the City of Alameda's Local Action Plan to reduce greenhouse gas emissions. They also contradict the City of Alameda's goal based on its General Plan to de-emphasize the automobile: In a city where almost every street is a residential street, it is not surprising that increased traffic is seen as a major threat to the quality of life. The General Plan commits Alameda to vigorous support of transit improvements, ferry service, reduction of peak-hour use of single-occupant vehicles, and an enjoyable pedestrian environment.

Traffic volume is one of the key concerns for Alameda residents, and the TMP recognizes that our city cannot reduce traffic volumes while approving projects that contribute to the congestion on Bay Farm Island during peak hours. To summarize, congestion should be reduced where possible in order to promote efficient circulation, as well as improved transit operations. The level of congestion that is acceptable should be determined through the thresholds (LOS) for different modes of transportation and balanced against neighborhood livability issues.

The Harbor Bay Club in its current location is accessible by pedestrians and bicycles through an interconnected system of lagoon paths and shoreline trails. The proposed re-location of the Harbor Bay Club would require most present users, including children, to use private vehicles. This will increase traffic and contribute to more greenhouse gas emissions.

## **IX. HAZARDS / HAZARDOUS MATERIALS**

**IX. (a)** Would the project: create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Conclusion: *“Less than Significant Impact”*

Comment: If landfill off-haul occurs incidental to the construction of the proposed Harbor Bay residential site, soil samples must be analyzed prior to site construction to characterize the soil composition and identify potential pollutant levels. The original dredging source may have been contaminated. The HBI landfill occurred during the 1960s, predating the 1970 creation of and environmental control by the Environmental Protection Agency (EPA).

**IX. (b)** Would the Project: create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree with the finding. There are potential asbestos and lead sources depending on the construction date of the existing site. The proposed Harbor Bay residential site is in a high wind area. Consequently, it is extremely important to keep the identified pollutants contained onsite and off-hauled in accordance with Federal, State, and local regulations. Two densely populated residential developments and an elementary school are in the nearby vicinity.

**IX. (c)** Would the Project: emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

Conclusion” *“Potentially Significant Impact”*

Comment: We agree with this finding. Due to the proximity of a school, the issue will be discussed in the EIR. Hazardous emissions or the handling of hazardous or acutely hazardous materials are not expected, but pollutants may exist in the dredging substances that were used to fill the land. The landfill predates environmental regulations of the 1970s.

**IX. (d)** Would the Project: be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Conclusion: *“Less than Significant Impact.”*

Comment: We agree with the finding. We request analysis of recent soil samples collected from the proposed Harbor Bay residential site, in order to rule out significant hazard to the public or the environment.

**IX. (e)** If located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the project area?

Conclusion: "*Potentially Significant Impact.*"

Comment: We agree with the finding. A portion of the proposed Harbor Bay Athletic Club site is located within the Inner Turning Safety Compatibility Zone, and as such, a potentially significant impact may occur. Airplane noise and air traffic zones are significant safety issues.

See Oakland Airport Land Use Guidelines and the Alameda Sun letter to the editor, Look Out Below, <http://www.alamedasun.com/editorial/12453-letters-to-the-editor>.

**IX. (f)** If within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the project area?

Conclusion: "*No Impact.*"

Comment: We agree. However, the public airstrip nearby the proposed club is a hazard.

**IX. (g)** Would the Project: impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Conclusion: "*No Impact.*"

Comment: We strongly disagree with this finding. At the proposed Harbor Bay Residential site, routine and emergency vehicle maneuverability is limited to ingress and egress on Packet Landing. Should a major emergency such as a large fire, earthquake or flooding occur, traffic from nearly 300 residences and an elementary school would cause chaos on Packet Landing that would effectively prevent emergency vehicles from responding. Adding an estimated 150 vehicles trying to enter or exit Packet Landing from the proposed 80 homes would result in no possibility of successful evacuation.

Emergency ingress and egress to Centre Court residences is technically possible through a gate that exists at the end of Centre Court and opens onto Veteran's Court. That gate has been locked since the association was constructed over 30 years ago. Even assuming emergency responders had the keys, it is foreseeable that use of Veteran's Court would be limited if not completely blocked due to the number of vehicles trying to exit and the fact that vehicles may not turn left at the end of Veteran's Court onto Island Drive to leave the island.

**IX. (h)** Would the Project: expose people or structures to a significant risk of loss, injury, or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?

Conclusion: "*Less than Significant Impact.*"

Comment: We agree with this finding as it applies to wild land fires.

**IX. (i)** Would the Project: alter wind in a manner that substantially affects public areas?

Conclusion: "*Less than Significant Impact.*"

Comment: We disagree that the impact would be less than significant. This development will decrease open space within the five villages and will increase housing density.

Additional dense housing with two- and three-level residential units at the proposed Harbor Bay Residential site may create wind tunnels that affect residential units in Centre Court. A wind and pedestrian study must be conducted to include the impact on residents and other pedestrians.

## **X. HYDROLOGY / WATER QUALITY**

**X. (a)** Would the Project: violate any water quality standards or waste discharge requirements?

Conclusions: *Less-than-significant Impact*

Comment: We agree, the Permit process is established in the initial study.

**X. (b)** Would the Project: substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

Conclusion: *"Less-than-significant Impact"*

Comment: We believe that additional information is required to answer this question. For example, the stress impact of 80 two- and three-story homes at the proposed Harbor Bay Residential site may negatively impact the stability of the landfill. Modeling studies need to be included in the EIR.

**X. (c)** Would the Project: substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on or off site?

Conclusion: *"Less-than-significant Impact"*

Comment: We agree, the proposed development of the Harbor Bay Residential site may not alter existing drainage. However, the replacement of existing green areas (softscape) with hardscape may create more run-off, thus potentially overloading the existing storm drain system.

**X. (d)** Would the Project: substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off site?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree with the finding. A flood could occur if the storm drain system is inadequate and overloaded due to the lack of green space at the proposed Harbor Bay Residential site. Modeling studies and analysis need to be included in the EIR.

**X. (e)** Would the Project: create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree with the finding. Both proposed projects may increase storm water runoff. Modeling studies and analysis need to be included in the EIR.

**X. (f) Would the Project: otherwise substantially degrade water quality?**

Conclusion: *“Less-than-significant Impact”*

Comment: We agree. The handling of construction dewatering and ground water has been previously detailed.

**X. (g) Would the Project: place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

Conclusion: *“No Impact”*

Comment: While the Project may not place housing within a 100-year flood hazard area as currently mapped, we strongly believe that housing may be within a 100-year flood hazard were maps to be brought up to date so that they are accurate. See BCDC projections below:

**San Francisco Bay Conservation and Development Commission (BCDC)**

The BCDC’s jurisdiction over San Francisco Bay extends over Bay tidal areas up to the mean higher tide level<sup>1</sup>, including all sloughs, and in marshlands up to five feet above mean sea level; a shoreline band consisting of territory located between the shoreline of the Bay and 100 feet landward and parallel to the shoreline; salt ponds; managed wetlands (areas diked from the Bay and managed as duck clubs); and certain waterways tributary to the Bay.

BCDC jurisdiction and policy covers the area from the shoreline to 100 feet back to provide public access along the shoreline. Typically BCDC requires public access, a Bay Trail, assurances about preventing or limiting storm water pollution, landscaping requirements, and others.

New BCDC climate change policies require project proponents to put together a sea level rise assessment – of how their project (and specifically the public access element) will be able to adapt to rising tides.

Applying this concept to the Harbor Bay proposed home development, using this concept of sea level rise assessment is necessary to get a new and accurate measurement of the mean higher tide location. See recent articles on SFGate.com about the effect of sea level rise on the proposed Alameda Point Project.<sup>2</sup> See the current BCDC amended San Francisco Bay Plan for the complete text of sea level rise policies. Selected text from the BCDC webpage is cited below.

**New Sea Level Rise Policies Fact Sheet**

The San Francisco Bay Conservation and Development Commission (BCDC) updated the *San Francisco Bay Plan* in October 2011 to deal with the expected impacts of climate change in San Francisco Bay. The new and revised Bay Plan policies are summarized below:

- **Risk Assessments:** Sea level rise risk assessments are required when planning shoreline areas or designing larger shoreline projects. If sea levels rise and storms that are expected to occur during the life of the project would result in public safety risks, the project must be designed to cope with flood levels expected by mid-century. If it is likely that the

<sup>1</sup> Mean higher tide is the average of the high tide levels, not the average of all tides.

<sup>2</sup> <http://www.sfgate.com/science/article/Alameda-Point-studies-threat-of-rising-sea-level-4840453.php>

project will remain in place longer than mid-century, the applicant must have a plan to address the flood risks expected at the end of the century.

- Risk assessments are NOT required for repairs of existing facilities, interim projects, small projects that do not increase risks to public safety, and infill projects within existing urbanized areas.
- Risk assessments are ONLY required within BCDC's jurisdiction.
- Risk assessments for projects located only in the shoreline band, an area within 100 feet of the shoreline, need only address risks to public access.
- **Sea Level Rise Projections:** Risk assessments must be based on the best estimates of future sea level rise. The California Climate Action Team's sea level rise projections, ranging from 10-17 inches at mid-century and 31-69 inches at the end of the century, currently provide the best available sea level rise projections for the West Coast. However, scientific uncertainty remains regarding the pace and amount of future sea level rise, and project applicants may use other sea level rise projections if they provide an explanation.
- **Protecting Existing and Planned Development:** Fill may be placed in the Bay to protect existing and planned development from flooding as well as erosion. New projects on fill that are likely to be affected by future sea level rise and storm activity during the life of the project must:
  - Be set back far enough from the shoreline to avoid flooding;
  - Be elevated above expected flood levels;
  - Be designed to tolerate flooding; or
  - Employ other means of addressing flood risks.
- **Designing Shoreline Protection:** Shoreline protection projects, such as levees and seawalls, must be designed to withstand the effects of projected sea level rise and to be integrated with adjacent shoreline protection. Whenever feasible, projects must integrate hard shoreline protection structures with natural features that enhance the Bay ecosystem, e.g., by including marsh or upland vegetation in the design.
- **Preserving Public Access:** Public access must be designed and maintained to avoid flood damage due to sea level rise and storms. Any public access provided as a condition of development must either remain viable in the event of future sea level rise or flooding, or equivalent access consistent with the project must be provided nearby.
- **Ecosystem Protection and Restoration:** Where feasible, ecosystem restoration projects must be designed to provide space for marsh migration as sea level rises.
- **Encouraging Resilient Development:** The policies encourage projects if their regional benefits, such as reducing carbon emissions by locating jobs and housing near public transportation, outweigh the risk from flooding. Projects that do not negatively impact the Bay and do not increase risks to public safety, such as repairs, small and interim projects, and parks, are also encouraged.
- **Preserving Undeveloped Areas:** The policies encourage preservation and habitat enhancement in undeveloped areas that are vulnerable to future flooding and contain significant habitats or species, or are especially suitable for ecosystem enhancement.
- **Regional Strategy.** The policies call on the Commission, working with other agencies and the general public, to develop a regional strategy for the following:

- Protecting critical developed areas along the shoreline from flooding;
- Enhancing the natural resources of the Bay by preserving existing habitat and identifying areas where tidal wetlands can migrate landward; and
- Improving the ability of communities to adapt to sea level rise in ways that advance economic prosperity, social equity and environmental protection.

**Portion of the City of Alameda Point EIR Regarding Sea Level Rise**

Global climate change will likely result in sea level rise and could expose shoreline areas to flooding as well as affect the timing and amount of precipitation. Climate change is expected to result in more extreme weather events; both heavier precipitation events that can lead to flooding as well as more extended drought periods. According to the Intergovernmental Panel on Climate Change (IPCC), the average global mean sea level has increased by approximately 5.9 inches during the past 100 years (IPCC, 2007) and the global mean sea level could increase by 7 to 23 inches by 2099. The Pacific Institute (2009) found that over the past century, sea level has risen nearly 8 inches along the California coast, and general circulation model scenarios suggest very substantial increases in sea level as a significant impact of climate change over the coming century.

Based on a set of climate scenarios prepared for the California Energy Commission’s Public Interest Energy Research (PIER) Climate Change Research Program, Cayan et al. (2009) project that, under medium to medium-high emissions scenarios, mean sea level along the California coast will rise from 1.0 to 1.4 meters (m) by the year 2100. The 1.4-m rise in sea level along the California Coast could put large number of residents in Alameda County at risk, increasing the risk of inundation in a 100-year flood event (Pacific Institute, 2009). With sea level rise, the project site would be exposed to storm event flooding necessitating adaptive measures to reduce the risk of flooding (BCDC, 2013).<sup>3</sup>

**X. (h) Would the project: place within a 100-year flood hazard area structures that would impede or redirect flood flows?**

Conclusions: *“No Impact”*

Comment: We disagree. Without a current study to determine the extent of a 100-year flood hazard area on Harbor Bay Isle, it is not possible to predict whether the addition of 80 homes at the proposed Harbor Bay Residential site would impede or redirect flood flows. The very nature of the project suggests it would alter run-off patterns and redirect flood waters during heavy storm events.

**X. (i) Would the project: expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?**

Conclusion: *“No Impact”*

Comment: We strongly disagree.. Without a current study to determine the extent of a 100-year flood hazard area on Harbor Bay Isle, it is not possible to predict whether the addition of 80 homes at the projected Harbor Bay Residential site would sustain a significant risk of loss, injury or death involving flooding.

**X. (j) Would the project: (expose people or structures to) inundation by seiche, tsunami, or mudflow?**

<sup>3</sup> [http://alamedaca.gov/sites/default/files/department-files/2013-09-03/4i\\_hydro\\_water.pdf](http://alamedaca.gov/sites/default/files/department-files/2013-09-03/4i_hydro_water.pdf)

**Conclusion: “Less-than-significant Impact”**

Comment: We disagree. Up-to-date studies are needed to determine the possibility of future exposure of people or structures to a seiche, tsunami, or mudflow.

**XI. LAND USE PLANNING**

**XI. (a) Would the project: Physically divide an established community?**

**Conclusion: “Less-than-significant Impact”**

Comment: The study argues that the proposed residential use would be an extension of the existing residential development. We find that displacing the existing recreational use with more residential use has “a potentially significant impact” on the existing residential use.

The Community of Harbor Bay Isle suffered an actual reduction in recreational use acreage from 44 acres to 18.2 acres, a 59% reduction early in the development phase (*August 17, 1976, part of timeline at end of this document*). The 59% loss of club land and amenities was already an environmental loss, and removing the club from the Community of Harbor Bay Isle entirely would cause the complete removal of this scarce recreational resource.

Centre Court owners in particular were forced to forfeit recreational amenities such as a swimming pool, hot tub, and changing space that are present in similar residential developments within Harbor Bay Isle. The owner of the Harbor Bay Club signed an agreement in 1976 that in exchange for not providing 25.8 acres of recreational construction, the Harbor Bay Club would be the recreational center for all homeowner associations that had been planned and officially accepted as an integral part of the Master Plan for the Community of Harbor Bay Isle.

Since then, the present location of the Harbor Bay Club, as evidenced in part by the construction and daily use of a key-locked private gate from Centre Court into the Club, has established a special relation between Centre Court and the presently located Club.

In addition, hundreds of residential users are able to simply walk a few hundred yards from their homes to the Harbor Bay Club. That daily convenience will be lost forever if the Harbor Bay Club is moved to the Harbor Bay Business Park.

**XI. (b) Would the project: Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

**Conclusion: “Potentially Significant Impact”**

Comment: We agree with the finding of “Potentially Significant Impact.” In addition to the requirement for the City to change the City’s Comprehensive Land Use Plan, the proposal requires rezoning the land from commercial recreational use to medium density residential use up to three stories, and changing the Master Plan. Further, the applicant proposes to form a new homeowners association and require the Community of Harbor Bay Isle Board to designate the proposed new neighborhood as part of the existing residential Village Three of Harbor Bay Isle (HBIA application, August 21, 2013, Narrative Statement, p.4). The impact of zoning that allows up to 3-story buildings is not only visually significant, the plan takes a portion of the 100 foot public access that was literally a *taking* by the present owners.

The Bay Conservation and Development Commission has documented the *taking* by the private company that owns, operates, and built the existing club swimming pool in the public access space. The City of Alameda is on record in its planning documents to do the following:

“Work with BCDC staff to prepare a schematic plan for development of the 100-foot-wide strip above mean high tide on properties likely to require BCDC development approval. The schematic plan should provide for public access and provide shoreline streets wherever possible. Specific opportunities for shoreline streets should be identified. The plan should include design standards and guidelines for buildings, streets, pedestrian and bicycle routes, signage and landscaping.

“Bay Farm Island, Park Street Landing, and the San Leandro Bay shoreline east of the Aeolian Yacht Club demonstrate BCDC's ability to secure high-quality development of the shoreline for public use. Similar opportunities exist on portions of the Northern Waterfront.”

The purpose of reclaiming the 100 foot strip that was a *taking* of public access is to right the wrong that currently exists. Anyone who wishes to verify the potentially significant impacts should inspect the wooden boardwalk public access that extends over the submerged marsh land in front of the existing Harbor Bay Club swimming pool.

The marshland was represented by engineers employed by the present owner as an area above water. Specifically, the submerged area currently deprives nourishment to waterfowl during their semi-annual flight along the Pacific Coast flyway from Alaska to southern Mexico. The developer claimed that the area in front of the swimming pool and other portions of the club were not part of the reserved public access space. BCDC stated that this representation is false. However, after years of negotiation, BCDC issued a permit for the present recreational use that is contingent upon maintaining the recreational use. The permit shall be reviewed if the land use changes. Now that the owner requests a land use change to private residential zoning is the time to reclaim that land for public access.

**XI. (c) Would the project: Conflict with any applicable habitat conservation plan or natural community conservation plan?**

Conclusion: “*No Impact*”

Comment: The current City of Alameda General Plan is clear that the City intends to develop an applicable habitat conservation plan and natural community conservation plan. The fact that such a plan is not presently spelled out does not abnegate the potential impact.

## **XII. MINERAL RESOURCES**

**XII. (a) Would the project: Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

Conclusion: “*No Impact*”

Comment: We agree there may be no impact to a mineral resource.

**XII. (b) Would the project: Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

Conclusion: *"No Impact"*

Comment: We agree there may be no impact to a mineral resource.

### **XIII. NOISE**

**XIII. (a)** Would the project: Result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that there is a potentially significant impact and that an EIR is appropriate. New noise studies to measure the single highest and ambient noise generated in and near the proposed new Athletic Club location should be developed. Previous estimates show the noise levels to exceed the health and comfort level for adults and children who spend time outside, commensurate with the activities described by HBIA (see list at XIII. (c) below).

The noise generation that will be produced from these two projects will be excessive and will be severely intrusive on the current residents next door because of their close proximity to the construction. Regarding the proposed residential site, the noise will be extreme and will include demolition of the current club. Noise results from jackhammering 18 tennis courts and a basketball court. After that, the construction of 80 homes will create significant noise as well. This noisy construction will likely take over one year. There are hundreds of residents within a stone's throw of that intense noise who live immediately across the joint property line. Similarly for the new club, there are significant and similar noise issues and resident proximity near Catalina Avenue.

The EIR should not only address these noise sources and expected levels, but also require the plans to specifically address planned mitigation measures to maintain the quality of life of those living next to the projects.

**XIII. (b)** Would the project: Result in the exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that there is a potentially significant impact and that an EIR is appropriate. Similar to the noise generation issues discussed above, there will be significant and intrusive ground-borne vibration and noise levels that will be produced from these two projects. These ground-borne nuisances will be excessive and will be severely intrusive on the current residents next door because of their close proximity to the construction.

At the proposed residential site, the noise will be extreme and will include demolition of the current club, including the need to jackhammer 18 tennis courts and a basketball court. After that, the construction of 80 homes will create significant noise, too. This construction will likely take more than one year. There are hundreds of residents within a stone's throw of that intense noise and vibration who live immediately across the property line. Similarly for the proposed new club, there are significant and similar noise issues and resident proximity.

The EIR should not only address these ground-borne vibration and noise sources and expected levels, but also require the plans to specifically address planned mitigation measures to maintain the quality of life of those living next to the proposed projects.

**XIII. (c) Would the project: Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

Conclusion: *“Potentially Significant Impact”*

Comment: We agree that there is a potentially significant impact and that an EIR is appropriate. Both proposed projects will create new and additional ambient noise levels. The most obvious is the new noise that will be created by the proposed club project. Currently, the piece of land desired to be used is an empty dirt lot. Harbor Bay Club currently advertises the planned amenities as follows:

1. *The new club will offer a world-class range of aquatics amenities featuring 3 swimming pools: an adults-only 25-meter lap pool; a large 25-meter family pool with removable starting platforms for swim team practices and an adjacent deep water area with diving board; and a full size children's pool. The adult lap pool will include an "adult zone" sunbathing and lounge area and offer natural sound and wind barriers from the family and children's pool areas. Poolside cabanas and a kid's splash pad & zone will also be added.*
2. *In addition to the 3 swimming pools, a large outdoor spa as well as large indoor spas in the men's and women's locker and dressings rooms will be included.*
3. *The main fitness center and club building will be 2-stories high, offer approximately twice the square footage of the current fitness center, lots of natural light and beautiful viewing areas of both inside and outdoor club features, plus provide additional wind screening to outdoor pool and court areas.*
4. *The tennis courts will have controlled access and more convenient access to restrooms.*
5. *An all-weather multi-purpose sports field will provide options for junior soccer, flag football, volleyball, lacrosse, summer camp activities, and other youth field sports.*
6. *A multi-purpose sports court will accommodate basketball, volleyball, & badminton.*
7. *Expansive Men's and Women's locker rooms will include added space for changing, vanities, bathrooms, showers, sauna & spa facilities. A separate family locker room will also be included.*
8. *A large multi-purpose lawn area will be adjacent to expanded BBQ and picnic areas.*
9. *Additional studios will be included and dedicated for Spin, Pilates and Yoga.*
10. *Dedicated and expansive space will be provided for functional training and stretching.*
11. *The new day spa will feature additional and sound-insulated rooms for massage for a much quieter and significantly improved massage experience.*
12. *A family friendly Wi-Fi café will provide a wide range of healthy and kid-friendly menu choices and conveniently located by pool areas for both indoor and outdoor dining. A separate adult bar will also be added.*
13. *Well lighted and secure parking will accommodate approximately twice the vehicle capacity as the current club and offer convenient drop off and pick-up areas.*

Source: <http://harborbayclub.com/wp-content/uploads/2013/07/Survey-Results-Letter-final-070913-web.pdf>

In addition to this list, HBIA indicates there will be outdoor concerts and an event venue. Everything listed here and above will create a new and permanent ambient noise source.

Regarding the proposed Harbor Bay Residential site, there will also be an increase in ambient noise levels compared to the current club. Where there are currently 18 tennis courts and one basketball court, there will be homes with their associated noise levels and traffic.

**XIII. (d) Would the project: Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

Conclusion: *"Potentially Significant Impact"*

Comment: Please see the response to section XIII(c).

**XIII. (e)** If located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, (would the project) result in the exposure of people residing or working in the project area to excessive noise levels?

Conclusion: *"Potentially Significant Impact"*

Comment: We strongly agree that there is a potentially significant impact. Moving the Harbor Bay Club to the business park at the end of Oakland International Airport's runways would result in exposing club members to noise levels from airplane take offs and landings that would be so excessive as to render outdoor sports such as tennis untenable.

**XIII. (f)** If within the vicinity of a private airstrip, (would the project) result in the exposure of people residing or working in the project area to excessive noise levels?

Conclusion: *"No Impact"*

Comment: Since the project is not within the vicinity of a private airstrip, we agree that there may be no impact.

#### **XIV. POPULATION / HOUSING**

**XIV. (a)** Would the project: Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Conclusion: *"Less-than-significant Impact"*

Comment: We disagree that the impact would be less than significant. This development will decrease open space within the five villages and increase housing density.

We strongly disagree with the conclusions found in the Initial Study (page 60), where it is stated that "Further, in the April 1989 Development Agreement between the Harbor Bay developers and the City of Alameda, the City acknowledged and agreed that up to 3,200 residential units could be developed in Harbor Bay Isle. However, only 2,973 residential units have been built to date in Harbor Bay Isle. As such, development of the 80 new residences would not exceed the 3,200 residential units allowed by the 1989 Development Agreement."

HBIA was allowed a given amount of land to construct 3200 homes. The developers decided to build fewer but larger homes on that land. HBIA is not entitled to convert 9 additional acres of recreation space to housing, due to an unfounded notion of entitlement. Harbor Bay Isle is a complete planned unit development.

The court decision in "[Peets vs. The City of Alameda](#)" makes it clear that the courts have already said that HBIA is NOT entitled to build houses in Harbor Bay Isle. The court decision is summarized by attorney Robert Sullwold at

<http://harborbayneighbors.files.wordpress.com/2013/09/memo-re-cowan-rights-final.pdf>.

References to Village VI refer to a previous application to build housing that was withdrawn.

The principle findings that NO entitlement to build up to 3200 homes is applicable to the current proposal are the following in the settlement agreement:

First, The Court found that the Settlement Agreement does not amend the General Plan, nor authorize HBIA to proceed. It confirmed HBIA's rights under the City's controlling land-use regulations, subject to the City's actions on the Application, including public hearings in the City's exercise of its discretion in reaching a decision on the application.

Page 15:

The public is entitled to present testimony for or against HBIA's Application for Village Six. The City Council maintains its discretion to evaluate an Application and make a decision regarding whether to approve or deny it. The City's police powers are not constrained.

....

The Settlement Agreement between City and HBIA grants no approvals for any use, satisfies applicable state and federal requirements, and is consistent with the City Council's lawful exercise of police powers, as recognized in the California Constitution.

Page 16:

The City Council, in future considerations of HBIA's project, is entitled to consider whether "land-use conflicts" would be created by Village Six, and the public is free to raise those issues in the hearings and in regard to the environmental determinations for those approvals.

Page 17:

The Court finds that the approval of the Settlement Agreement will not result in any physical change, either direct or indirect, to existing environmental conditions. The Settlement Agreement does not authorize HBIA to undertake any activity that would cause any change in the environment. The City Council's decisions that (1) no approval has been granted, and (2) the Village Six project will be evaluated fully and fairly in the public hearings and EIR, are supported by substantial evidence, and comply with CEQA. Approval of the Settlement Agreement does not implement or authorize a project.

What the court said is that the Settlement Agreement between the City and HBIA was valid. This settlement, approved 3 to 2 by the City Council, reaffirmed HBIA's right to build the original number of houses (up to 3200) that they were entitled to build through a Development Agreement signed in the late 1980s. It does not address the issue of where the houses can be built, and does not require the City to approve additional housing.

HBIA limited the number of houses they built on the Harbor Bay Isle residential land. HBIA made many strategic decisions, including selling the land to other builders who built homes on large lots throughout the project.

The City of Alameda has consistently confirmed that recreational use is approved for this site. No mention of alternate uses such as housing units or hotel use was discussed for the proposed Harbor Bay Residential site. Refer to the HarborBayNeighbors timeline at the end of this document.

The City encourages housing elsewhere. In fact, the City encourages the development of affordable housing, and HBIA does not propose any affordable housing. Instead, luxury housing is promised in the HBIA April 2013 letter.

Good planning requires sufficient recreational space for the number of housing units in Harbor Bay Isle. Removing this tract from recreational use is a disservice to the existing residents. Replacing the recreational use goes counter to the successive agreements starting in 1972 that this owner entered into with the City of Alameda for dedicated recreational use.

**XIV. (b)** Would the project: Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Conclusion: *"No Impact"*

Comment: While there is no displacement of housing units, for reasons mentioned above in XIV (a), the change in use is inappropriate for this site and goes counter to previous legal agreements.

**XIV. (c)** Would the project: Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Conclusion: *"No Impact"*

Comment: In the narrow finding of this item, it is true that new housing construction would be required.

We recommend the finding of Potential Substantial Impact on the population of students who walk from Earhart Elementary School and children from houses within walking distance, who participate in after school care during the school year and camp during the summer and school holidays, will be substantial. The children will require to be transported by vehicle to the proposed new location of the athletic club.

## **XV. PUBLIC SERVICES**

**XV. (a)** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

**(i)** Fire protection? Conclusion: *"Less-than-significant Impact"*

Comment: We disagree with the finding. Additional significant demands potentially placed on the Bay Farm Island Fire Station may exceed current resources. A fire during a peak commute hour would intensify an already extremely vulnerable situation as traffic congestion is currently so dense, leaving little room to accommodate emergency response vehicles. The negative impact of 150-200 vehicles added to the current congestion on Packet Landing and neighboring main arteries is significant.

**(ii)** Police protection? Conclusion: *"Less-than-significant Impact"*

Comment: We disagree with the finding. Additional significant demands potentially placed on the Police Department to protect private property are not acceptable without expanding police resources. In addition, there is no Harbor Bay Isle protection that is available to the proposed athletic club in the Business Park.

Club users who must drive to the proposed Business Park site will lack the basic safety protections that are afforded by the reliable Harbor Bay Isle Security force. We expect that the record of safety is considerably better within the Harbor Bay Isle tracts when compared with the

personal and property safety records for property in the Harbor Bay Business Park. These should be included in the EIR.

**(iii) Schools? Conclusion: “Less-than-significant Impact”**

Comment: We disagree with the finding, because the impact on the existing number of students will be significant, as described in section “X, Traffic.” We also disagree with the estimate of 28 additional students from 80 new residential units. We believe this number is biased on the low end. A new student projection is need as part of the EIR.

**(iv) Parks? Conclusion: “Less-than-significant Impact”**

Comment: We disagree; instead, the impact is significant. The removal of the athletic club from the residential segment of Harbor Bay Isle is a significant loss in accessible recreational space. The very application to remove the athletic club from its present location, AND the attempt to replace the athletic club in a distant location that is outside the area that was agreed to, is testament to the need for park space.

The City of Alameda granted HBIA the right to swap 44 acres for a 10-acre Harbor Bay Club under the provision that “the purpose of the Harbor Bay Club is and shall continue to be to provide quality recreation facilities for the residents of Harbor Bay Isle residential development.”

**(v) Other public facilities? Conclusion: “Less-than-significant Impact”**

Comment: We disagree with the finding. The impact on other public facilities is potentially significant. Other public facilities are negatively impacted and include those public services that would need to be completely revised at a high but unnecessary expense. They include: new sewer, water, electric, and gas services. The first three services are all local public services.

**XVI. RECREATION**

**XVI. (a)** Would the project: Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Conclusions: “Less-than-significant Impact”

Comment: We disagree that the impact would be less than significant. The increased residential population from construction of 80 two- and three-story homes using the limited existing neighborhood park resources could be substantial.

**XVI. (b)** Would the project: Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

Conclusions: “Potentially Significant Impact”

Comment: We agree that the impact is potentially significant.

**XVII. TRANSPORTATION / TRAFFIC**

**XVII. (a)** Would the project: Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree with this conclusion. The proposed project would increase vehicle trips by new residents with potentially significant traffic impact that will surpass the current carrying capacity of Packet Landing, especially during morning commute times.

At present, the 600 students who attend the largest elementary school in Alameda, Earhart Elementary School, must dodge vehicles as they cross the street and exit vehicles to enter the school grounds. The safety of children with increased children is a significant. We request that the EIR cover traffic that occurs not just the period of construction of new houses and the operation of the proposed athletic club in the Business Park. The EIR should cover the period during occupancy of both the proposed new homes and the proposed club.

In order to gauge the impact of adding 80 new households and up to 300 vehicles during commute times, we must insist that complete traffic studies be undertaken. The specific areas of interest are the intersections of Packet Landing and Robert Davey Drive, including but not limited to the number of vehicles that turn around throughout the Packet Landing cul-de-sac, the wait times at these intersections, the number of children and others who enter the Earhart Elementary School grounds, as well as traffic wait times and numbers of vehicles that enter and leave Packet Landing Drive, Robert Davey Drive, Island Drive, and the Bay Farm Bridge.

Traffic from all sources that use Packet Landing should also be included. Include the present number of vehicles that enter and leave the health club property, the Brittany Landing the Harbor and Centre Court Associations, during peak morning commute hours, particularly. 7am to 9 am, the afternoon school commute, and evening commute hours. We also want a count of pedestrians crossing the street, particularly during the school start and end times.

The times of day shall be determined by a licensed, certified traffic engineering company that is selected by the City of Alameda Traffic Engineer, after public hearings and disclosure of the candidate firms that apply to perform the traffic studies.

**XVII. (b)** Would the project: Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree that the impact is potentially significant.

**XVII. (c)** Would the project: Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Conclusion: *“Less-than-significant Impact”*

Comment: We disagree that the impact is less than significant. The air traffic patterns currently encompass the airspace above the proposed Athletic Club in the Business Park. Traffic levels will have an impact on the air quality, as well as the noise level, that impacts all

athletic club users who are outdoors. We estimate that over 50% of the Club's users are outside during the daytime hours. This is the time that coincides with the majority of air traffic.

There is a hotline set up for residents to complain about airplane noise. Based on the noise contours identified by the City of Alameda and by the Oakland Airport at this location, we can expect that users will request that air traffic patterns be changed to reduce noise and pollution in the space.

**XVII. (d) Would the project: Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Conclusion: *"No Impact"*

Comment: We disagree with the conclusion of no impact. The current design of Packet Landing as a cul-de-sac, with no emergency exit at one end, is inherently a hazard for the vehicles that will no longer be able to turn around to exit, once children who go to Earhart Elementary School have been dropped off.

The design space available on the Earhart campus was recently studied by traffic engineers. They concluded that there is insufficient space for parents who want to enter the campus to drop off their children. The study found that a large percent of the 600 students arrive by private vehicle daily. Of those, most children who go to the school from off Bay Farm Island arrive by private vehicle. During inclement weather, the percent of students arriving by private vehicle increases. Numbers are similar for the end of school day.

At the end of the school day, many Earhart students are walked to the Harbor Bay Club for after school care. If the Club is removed to the Business Park, those students would be added to the numbers who also leave by private vehicle. This will add more traffic to the mix, and presents unnecessary danger to those students.

**XVII. (e) Would the project: Result in inadequate emergency access?**

Conclusion: *"Potentially Significant Impact"*

Comment: The Packet Landing cul-de-sac has, by definition, no emergency exit at one end. It has been established that the numbers of private vehicles that transport children to Earhart Elementary School currently exceeds the design capacity of the street both in the morning and the afternoon. An emergency vehicle has no place to squeeze through now. Adding over 300 commute hour trips to the already congested cul-de-sac is so hazardous that any plan to allow it should be abandoned.

**XVII. (f) Would the project: Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?**

Conclusion: *"Potentially Significant Impact"*

Comment: We agree. The Harbor Bay Club in its current location is accessible by pedestrians and bicycles through an interconnected system of lagoon paths and shoreline trails. The proposed location of the Harbor Bay Club outside of Harbor Bay Isle is accessible only by automobile and long distance walking and bicycling. Vehicles will increase traffic and contribute to more greenhouse gas emissions. Traffic during school drop-off and commute hours will be increased to unacceptable and unsafe levels on Packet Landing, Robert Davey Drive, and Island Drive.

Moving the Harbor Bay Club to the business park will force everyone who walks or rides a bicycle to the club, as well as those who now drive, to go through residential neighborhoods

on Maitland and Aughinbaugh Drive. Those neighborhoods will be adversely affected by this project. Thus, if the Club is relocated to the business park, there will be significant pressure from the Club owner to open Island Drive into the business park at Catalina Avenue. This will negatively affect additional residential neighborhoods with increased traffic.

## **XVIII. UTILITIES / SERVICE SYSTEMS**

**XVIII. (a)** Would the project: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Conclusion: *"Less-than-significant Impact"*

Comment: We agree, the Initial Study previously stated that the developer will obtain a discharge permit from the Regional Water Quality Control Board and comply with all applicable rules and regulations.

**XVIII. (b)** Would the project: Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that there is a potentially significant impact and that an environmental impact study is appropriate.

**XVIII. (c)** Would the project: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that there is a potentially significant impact and that an environmental impact study is appropriate.

**XVIII. (d)** Would the project: Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Conclusion: *"Less-than-significant Impact"*

Comment: We agree that there is a less than significant impact.

**XVIII. (e)** Would the project: Result in a determination by the wastewater treatment provider that services or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that there is a potentially significant impact and that an environmental impact study is appropriate.

**XVIII. (f)** Would the project: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Conclusion: *"Less-than-significant Impact"*

Comment: We agree that there is a less than significant impact.

**XVIII. (g)** Would the project: Comply with federal, state, and local statutes and regulations related to solid waste?

Conclusion: *"Less-than-significant Impact"*

Comment: We agree that there is a less than significant impact.

**XVIII. (h)** Would the project: Require or result in the construction of new energy production or transmission facilities, or expansion of existing facilities, the construction of which could cause a significant environmental impact?

Conclusion: *"Less-than-significant Impact"*

Comment: We agree that there is a less than significant impact.

## **XIX. MANDATORY FINDINGS OF SIGNIFICANCE**

**XIX. (a)** Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history of prehistory?

Conclusion: *"Less than-significant w/Mitigation Incorporated"*

Comment: We disagree that the impact is less than significant. An excerpt from the EIR conducted on North-End of Park Street Bridge made the following observations:

1. Introduced trees and shrubs provide shelter, foraging, and nesting habitat for some wildlife species. Sensitive habitats that may be affected by future development that would occur under the redevelopment of the proposed Harbor Bay Residential site.
2. California Brown Pelican. The California brown pelican is a federal and State endangered species. The Alameda breakwater (1½ miles south of Estuary) is the largest brown pelican roost in San Francisco Bay and the only known night roost used by brown pelicans in the Bay. Brown pelicans feed on fish, and the Estuary provides foraging habitat for brown pelicans that roost on the breakwater.
3. Cooper's Hawk. The Cooper's hawk is a State species of special concern. It has no federal status. The State has concerns about the loss of nesting habitat. The Cooper's hawk preys primarily on medium-sized birds. It nests in trees with dense canopies and has been observed nesting in urban settings. Cooper's hawk has been observed nesting in the City of Alameda.
4. Pallid Bat. The pallid bat is a State species of special concern. It is not listed federally or by the State as a threatened or endangered species. The pallid bat lives in deep crevices in rock faces, buildings, or bridges, and hibernates during the winter months. This species feeds primarily on the ground, and commonly preys on crickets,

grasshoppers, and beetles. This species could occupy vacant structures found along the shoreline side of the proposed Harbor Bay Residential site.

An excerpt from the City of Alameda General Plan:

“Work with BCDC staff to prepare a schematic plan for development of the 100-foot-wide strip above mean high tide on properties likely to require BCDC development approval. The schematic plan should provide for public access and provide shoreline streets wherever possible. Specific opportunities for shoreline streets should be identified. The plan should include design standards and guidelines for buildings, streets, pedestrian and bicycle routes, signage and landscaping.”

**XIX. (b)** Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connect with the effects of past projects, the effects of other current projects, and the effects of probably future projects)?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree that the cumulative impacts are potentially significant.

**XIX. (c)** Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree that the cumulative impacts are potentially significant. To illustrate this fact, one need only look at the timeline of cumulative decisions that have been made in favor of HBIA’s requests since 1972, from the website [www.harborbayneighbors.wordpress.com](http://www.harborbayneighbors.wordpress.com).

1972:

Harbor Bay Isle Associates (dba Doric Development) submits a Master Plan for Village I in Harbor Bay Isle that includes community amenities that “are to be created and preserved as resources upon which all residents may draw (1).”

- Developer claims the homeowners’ associations responsible for the community facilities would be under a master association for the community (2).
- In addition to individual neighborhood commons, developer proposes a Village Commons to be located on an island and that will serve as “the major recreational facilities for the Village residents (3).”
- Facilities include a club house, tennis courts, swimming pool, Jacuzzi pool, sun decks and recreation building with exercise rooms, sauna bath, massage room, locker rooms and showers (3).

June 14, 1974:

City of Alameda Planning Board reaffirms the planned development for Village I includes “recreation facilities (4)” in Planned Development Amendment No. 74-1.

March 3, 1975:

Planning Board establishes “common open space (5)” for Village II in Planned Development in Amendment No. 74-3.

Aug. 17, 1976:

Harbor Bay Isle Associates seeks amendment to the original plan requesting “the combination of the approved recreation commons for Village I and II and those planned for Villages III-V into one large club (6).”

- The purpose of the change “was to make membership in the club optional rather than a part of the mandatory homeowner membership dues.”
- The “plan included reducing the total amount of public recreation area in the developments from 44.4 acres to 18.2 acres.”

Oct. 5, 1976:

City Council passes Resolution No. 8593 that calls for “Deletion of the ... Village Commons Recreation Centers, and substitution of the Harbor Bay Club (7).”

- “Optional membership in Harbor Bay Isle Club” in place of “mandatory membership in Village Commons Recreation Centers (8).”
- “Reduction in public land area from 44.4 acres to 18.2 acres (9).”
- “Relocation of a common recreation facility near the Bay Farm Island Bridge which may be open to non-residents of Bay Farm Island as well as residents (10).”

Oct. 18, 1976:

Planning Board approves three Planned Development Amendments in response to HBIA’s proposed amendment:

- Planned Development Amendment No. 76-8 removes “Recreation Commons from Village I” due to economic hardship claimed by developer (11).
- Planned Development Amendment No. 76-9 removes “Recreation Commons from Village I, which was to take in all Village II homeowners through mandatory memberships.” due to economic hardship claimed by developer (12).
- Planned Development Amendment No. 76-10 permits HBIA to create a private recreation complex with club house, recreation building, swimming pool and tennis courts.
- Planning Board attaches several conditions for private recreation complex including (13):  
Outside members will be phased out in favor of Harbor Bay Isle residents,  
Management of the Club will make a commitment on the ceiling of possible monthly dues increases for the first two years of membership,  
The number of memberships will not exceed 1,200 family memberships and 200 junior memberships and  
Facilities to be provided at no or nominal cost to the Homeowners’ Associations for meetings.

May 15, 1978:

Planning Board approves Planning Development Amendment No. 78-4 that permits HBIA’s request to change the Harbor Bay Isle Club to a tennis facility from a general recreation facility (14).

- Planning Board finds “the change is one of orientation ... and does not lessen the function of the Recreation Club within the community.”

Oct. 13, 1982:

Planning Board passes Planning Development Amendment No. 82-6 to delete two swimming pools and a teen center from the Harbor Bay Isle Club (15).

- Planning Board finds “the facilities will encompass recreation and fitness programs which were anticipated at the time of approval of the original Planned Development project.”

April 8, 1991:

Planning Board approves Planning Development Amendment No. 90-26, which approves expansion of the club and supersedes previous resolutions to Planned Development Amendment No. 76-10.

- Planning Board finds “the purpose of the Harbor Bay Club is and shall continue to be to provide quality recreation facilities for the residents of Harbor Bay Isle residential development (16).”
- Additionally, Planning Board reiterates the following conditions (17):  
Outside members will be phased out in favor of Harbor Bay Isle residents,  
The number of memberships will not exceed 1,200 family memberships and 200 junior memberships and  
Facilities to be provided at no or nominal cost to the Homeowners’ Associations for meetings.

April 16, 2013:

HBIA sends “courtesy” letter to Mayor and City Council announcing plans to relocate the Harbor Bay Club by claiming economic hardship and without mention of previous Planning Board findings or conditions (18).

#### Appendix

1. Harbor Bay Isle, Community Master Plan, Village One Development Plan, Page 5.
2. Harbor Bay Isle, Community Master Plan, Village One Development Plan, Page 29.
3. Harbor Bay Isle, Community Master Plan, Village One Development Plan, Page 37.
4. Alameda Planning Board, Planned Development Amendment No. 74-1, Section B, Part 6.
5. Alameda Planning Board, Planned Development Amendment No. 74-3, Section B, Part 7.
6. Alameda Planning Department, Staff Report, April 8, 1991, Page 1.
7. Alameda City Council, Resolution No. 8593, Comparative Analysis Part 4.
8. Alameda City Council, Resolution No. 8593, Comparative Analysis Part 5.
9. Alameda City Council, Resolution No. 8593, Comparative Analysis Part 7.
10. Alameda City Council, Resolution No. 8593, Council Findings Part 1.
11. Alameda Planning Board, Planned Development Amendment No. 76-8, Board Findings Part 7.
12. Alameda Planning Board, Planned Development Amendment No. 76-9, Board Findings Part 6.
13. Alameda Planning Board, Planned Development Amendment No. 76-10, Board Conditions Parts, 1-3, 9.
14. Alameda Planning Board, Planned Development Amendment No. 78-4, Board Findings Part 6.
15. Alameda Planning Board, Planned Development Amendment No. 82-6, Board Findings Part 3.
16. Alameda Planning Board, Planned Development Amendment No. 90-26, Board Findings Part 6.
17. Alameda Planning Board, Planned Development Amendment No. 90-26, Board Conditions Parts 4-6.
18. Harbor Bay Isle Associates, Open Letter to Mayor and City Council, April 16, 2013

#### **SUMMARY**

Finally, the press release of September 25, 2013 summarizes the major points that Harbor Bay Neighbors has submitted for consideration in developing the Environmental Impact Report.

**Documents Reveal Cowan Allowed to Build Additional Homes on Harbor Bay Acreage Originally Designated as Recreation Space**

*City of Alameda granted developer right to swap 44 acres for 10-acre Harbor Bay Club parcel to serve local residents; now considers building homes on Club land.*

ALAMEDA, Calif. – September 25, 2013 – Harbor Bay Neighbors, a grassroots organization of Alameda citizens opposing the rezoning of Harbor Bay Club, today released a series of historical documents revealing the City of Alameda allowed developer Ron Cowan to appropriate 44 acres of designated recreation space in the Community of Harbor Bay Isle in exchange for building the private 10 acre Harbor Bay Club. In the documents the City asserts that “the purpose of the Harbor Bay Club is and shall continue to be to provide quality recreation facilities for the residents of Harbor Bay Isle residential development.”

The documents are particularly significant as Cowan’s Harbor Bay Isle Associates (HBIA) seeks to rezone the current Club property from “commercial recreation” to “R-2 Residential” so it can be sold to a luxury home builder. HBIA has indicated they will use the funds from the sale to build a new Club on property they own at Harbor Bay Business Park. The business park is not within Harbor Bay Isle, a PUD (planned unit development) with 20 homeowners associations and a master board of directors that provide community governance. A Planned Unit Development (PUD) is defined by the Center for Land Use as a pre-planned community that, “...is planned and built as a unit thus fixing the type and location of uses and buildings over the entire project” to balance the components of housing, recreation space and community amenities.

The City approved changes to the “recreational commons” defined in the master plan over a number of years, reducing 44.4 acres to 18.2 acres and then to ~9 acres when Cowan received approval to build Centre Court (112 townhomes) on the other 9 acres adjacent to the Club parcel. With the reduction of recreational space, the City imposed special requirements on the operation of Harbor Bay Club specifically to benefit Harbor Bay residents, including:

- Outside members were phased out in favor of Harbor Bay Isle residents,
- The number of memberships would not exceed 1,200 family memberships and 200 junior memberships, and
- Facilities were provided at no or nominal cost to the Homeowners’ Associations for meetings.

The City allowed changes to the approved PUD plans ostensibly in response to Cowan’s requests citing tough economic times for his development company. With the release of the documents today, Harbor Bay Neighbors proves that the developer and city altered a previously-approved master PUD plan so that the developer could designate more land for homes, thus resulting in less recreational space and increased housing density in the completed Harbor Bay Isle development.

“HBIA claims they are ‘entitled’ to build more homes at Harbor Bay—which is not true—and it now insists on tearing down a city-mandated community asset to do so. Homeowners throughout Harbor Bay have already sacrificed 44 acres of public recreation space in their neighborhoods in exchange for a 10 acre recreational facility,” said Tim Coffey, leader of Harbor Bay Neighbors. “Enough is enough. Rezoning the current Club to build more homes offers no benefit whatsoever to this community. Removing this important amenity and building more housing will decrease our home values and increase density and traffic. If Cowan wants to build more homes, the City should let him build at Alameda Point.”

Harbor Bay Neighbors indicate they will continue to vehemently fight the further removal of recreation space from the Community of Harbor Bay Isle and take their campaign to the voting booth or pursue legal action, if necessary. The document package is available on the Harbor Bay Neighbors website at:

<http://harborbayneighbors.wordpress.com/timeline-of-harbor-bay-club/>

**About Harbor Bay Neighbors**

Harbor Bay Neighbors is a grassroots community-based organization formed in July 2013 to oppose HBIA's proposal to rezone the current Harbor Bay Club. The volunteer organization represents more than 900 residents from Harbor Bay Isle, Bay Farm Island and the Island of Alameda who are concerned about the myriad problems the HBIA rezoning proposal presents. Additionally, the five (5) Homeowners' Associations that have declared opposition to the proposal represent 1,500 homes in Bay Farm. For more information, visit:

<http://harborbayneighbors.wordpress.com/>.

**From:** Paul Clem <paulclem@att.net>  
**To:** "mgilmore@alamedaca.gov" <mgilmore@alamedaca.gov>, "mezzyashcraft@alamedaca.gov" <mezzyashcraft@alamedaca.gov>, "ltam@alamedaca.gov" <ltam@alamedaca.gov>, "schen@alamedaca.gov" <schen@alamedaca.gov>, "tdaysog@alamedaca.gov" <tdaysog@alamedaca.gov>, "manager@alamedaca.gov" <manager@alamedaca.gov>, "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**CC:** "kmoehring@theharborbaygroup.com" <kmoehring@theharborbaygroup.com>  
**Date:** 10/27/2013 10:14 PM  
**Subject:** I support the HBC re-development

Dear City of Alameda Representative,

I am in favor of the proposed new location and re-development of the Harbor Bay Club.

As an Alameda resident for twenty years and aircraft mechanic at Oakland Airport for fifteen years, I can say that being close to the main runway is safe- accidents with aircraft happen far less than with any other kind of transportation. Statistically it is about the safest form of transportation, especially driving a car. As for noise, FedEx was the last airline that flew the older, louder aircraft; they are now retired as of a month ago.

Traffic will not increase on Alameda due to the new club; the road infrastructure is built to take traffic away from Alameda. I drive the round-trip every day of the week from the island to the airport, so I know. It is faster to get to 880 driving towards the airport than going through Alameda. Bike lanes are also already in place to get to and from the proposed site.

I like the club that helped teach my kids to swim, where they have trained for Taekwondo for six years and spent safe fun summers in good care. Many in the Alameda community use the HBC, members and non-members for it's many programs.

The current club is in need of repairs and upgrades that are not economically/ business feasible. Alameda needs healthy

businesses to employ and pay taxes to the city. The city has bills to pay (the school district runs out of money year after next) and needs to keep businesses healthy and here in Alameda.

I sure hope most people will see through the shortsighted and almost silly flyers I have seen floating around the community and that the city approves the plans for the HBC re-development.

Best,  
Paul Clem  
3224 Liberty Avenue  
Alameda CA 94501  
510.872.2729

**From:** "Julie Craig" <julie@harborbayclub.com>  
**To:** "Mayor" <mgilmore@alameda.gov>, "Vice Mayor" <mezzashcraft@alameda.gov>, "Council Member" <ltam@alameda.gov>, "Council Member" <schen@alameda.gov>, "Council Member" <tdaysog@alameda.gov>, "City Manager" <manager@alameda.gov>, "City Planner" <athomas@alameda.gov>  
**Date:** 10/28/2013 1:50 PM  
**Subject:** I Support the new Harbor Bay Club

I support the plans to build a New Harbor Bay Club on North Loop Road.

My family has resided in Alameda (on Bay Farm Island, in fact) for generations. My family has seen many beneficial changes to our little island over the years, with many of those in my lifetime.

I attended Earhart School when it was brand new. We were so excited about not having to take school buses (that picked us up at the Camelia/McCartney) to Otis any longer. We saw Island Drive widened and made safer, a shopping center built that was within walking/biking distance, and a great access road to the airport and surrounding areas that makes it possible to avoid Doolittle Dr. My brother grew up playing/working at Chuck Corica Golf Course. One of my first "real" jobs was at La Val's Pizza. My family has also spent many years enjoying the amenities and recreation at Harbor Bay Club. This is OUR Bay Farm Island.

Now, I am an adult, with children and a family of my own. My kids attend Earhart and Lincoln Schools, we live and Bay Farm, and my job is located on Bay Farm as well.

I support the project for a new Harbor Bay Club. Please listen to the supporters, we may not all be shouting as loud as the opposition, but we support the project on its merits and the project deserves to go through the EIR process. My family is looking forward to a sustainable, new club that can provide what the member base deserves, and in a space that can accommodate these necessary changes.

I won't go on and on about the rumors and falsities that the opposition has put out there. We live here. We work here. We play here. And we just don't buy what the "Neighbors" are saying. This new Club is a good thing, and if you give the project its due process, hopefully it will be around for generations and generations to come.

Sincerely,

Julie Craig

Name: Julie Craig  
Address: 3344 Solomon Lane, Alameda, Ca. 94502

**From:** Tina Blaine <tblaine@gmail.com>  
**To:** <mgilmore@alamedaca.gov>, <mezzashcraft@alamedaca.gov>, <ltam@alamedaca.gov>, <schen@alamedaca.gov>, <tadaysog@alamedaca.gov>, <manager@alamedaca.gov>, <athomas@alamedaca.gov>  
**Date:** 10/22/2013 12:19 PM  
**Subject:** Letter of Support for New Harbor Bay Club Facility

The Honorable Marie Gilmore, Mayor of Alameda

Vice Mayor Marilyn Ezzy Ashcraft,

Council Member Lena Tam,

Council Member Stewart Chen,

Council Member Tony Daysog,

City Manager, John Russo

City Planner, Andrew Thomas

Alameda City Hall

2263 Santa Clara Ave

Alameda, CA 94501

Dear Mayor Gilmore and Members of the Alameda City Council,

I am writing to express my support for the Harbor Bay Club's proposal for a new club facility on Bay Farm Island. I have been to the Harbor Bay Club several times as a guest but found the facility to be extremely crowded. The current five lane pool is inadequate for serious swimmers since lap swimming hours are restricted due to the pool's competing use for classes, summer camps and other activities. Since I am an avid swimmer with unpredictable work hours, I currently drive to the Oakland Hills to swim at a facility with outdoor lap swimming available from 8am – 8:30pm. I would prefer to swim "locally" and would be particularly interested in joining HBC if a new facility was built with more than one pool to accommodate kids in one pool and adult lap swimming in another.

On each of the days and evenings that I visited the Harbor Bay Club, there were at least 100 or more cars in the parking lot. Not to dismiss the concerns of surrounding residents, but I would think the current amount of traffic coming in and out of the street to visit the Club is likely be much more than the number of vehicles that would be added to the mix if 80 new homes were built on that site.

Thank you all for your consideration.

Sincerely,

Tina Blaine

2505 Blanding Avenue

Alameda, CA 94501

**From:** Kathy Adams <kadams@pfgrowth.com>  
**To:** "mgilmore@alamedaca.gov" <mgilmore@alamedaca.gov>, "mezzyashcraft@alamedaca.gov" <mezzyashcraft@alamedaca.gov>, "ltam@alamedaca.gov" <ltam@alamedaca.gov>, "schen@alamedaca.gov" <schen@alamedaca.gov>, "tdaysog@alamedaca.gov" <tdaysog@alamedaca.gov>, "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**Date:** 10/25/2013 3:16 PM  
**Subject:** New Harbor Bay Club project

Dear All:

As a Harbor Bay Club member I've been invited to attend on Monday, October 28th The Planning Board's scoping session where City staff will be presenting the scope of the Harbor Bay Club project and asking for approval to review the Initial Study and offer direction going forward on the Environmental Impact Report. As I am unable to attend this meeting, I wanted to bring forth my family support on this project. We have lived in Alameda for 8 years and we have been members of the club since then. My family feels this is a great opportunity for our community. HBC needs this change. By expanding the club, it will not only bring more jobs to the community, it gives our youth a place to want to go and be productive. With the all weather sports field it will provide our kids with a fun, safe environment where they can socialize and get exercise. As it stands now, the current club is limited. Not all kids play tennis and with one pool, swimming is limited, especially in the summer. Positive changes helps us grow, as individuals and as a community. Alameda is a city that I am proud to live in. I hope that I continue to live in this city where it's not adverse to change when it's in the best interest of its growing population.

As Tony Robbins would say..."By changing nothing, nothing changes."

Thank you for your time,

Kathy Adams

Kathy Adams  
Partners for Growth  
150 Pacific Avenue  
San Francisco, Calif. 94111  
415.912.5898

[Description: Description: Description: C:\Users\kathy.PFGROWTH\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\91U2E9MU\PFG\_logo-for-email230.gif]

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This email has been scanned for email related threats and delivered safely by Mimecast.  
For more information please visit <http://www.mimecast.com>  
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**From:** "Steve Wade" <swade@sunbeltnetwork.com>  
**To:** <mgilmore@alamedaca.gov>, <mezzashcraft@alamedaca.gov>, <ltam@alamedaca.gov>, <schen@alamedaca.gov>, <daysog@alamedaca.gov>, <athomas@alamedaca.gov>  
**Date:** 10/28/2013 4:22 PM  
**Subject:** New Health Club at Harbor Bay

To our City Leaders,

My family and I have been residents of Baywood Village in Harbor Bay for 30 years. Formerly members of the existing Harbor Bay health club, we have found that although our son and grandchildren learned to swim there, and we had some wonderful family events there, it has no longer met our needs, in particular due to its lack of pool facilities that can accommodate kids, swimming classes, adults and seniors at the same time. So in spite of fond memories for the old place, we are delighted to find that a new Harbor Bay Club has been planned to serve those aquatic needs (and others) that can no longer be met by the aging, and frankly outmoded, facility. I trust that governance and planning actions will be taken to expedite this much-needed upgrade for our community.

Steve Wade

514 Holly Oak Lane

Alameda, CA

**From:** Mary Dreiman <ddreiman@gmail.com>  
**To:** <athomas@alamedaca.gov>  
**Date:** 10/28/2013 10:39 AM  
**Subject:** NO to Harbor Bay Club 80 new homes and NO to a new hotel

Dear Mr Thomas...

Please vote NO on Ron Cowan's proposals for 80 new homes or a new hotel.  
It will increase our traffic along Packet Landing Road as well as add more noise and delays.

Mary Dreiman  
119 Purcell Dr.  
Alameda

**From:** "Van Buhler, Julie" <Julie.VanBuhler@McKesson.com>  
**To:** "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**Date:** 10/28/2013 11:23 AM  
**Subject:** NO TO RON COWAN

Mr. Thomas, I am a resident of Brittany Landing - the Harbor and wanted to let you know that my husband and I both are totally against building 80 homes on the current Harbor Bay Club site. The plans show jamming 80 3 level homes with more than 250 parking spots without any or very little green space. The object is obviously to build as many as they can squeeze onto the property, not trying to design a well thought out living space. The traffic impact is also horrendous especially to those of us who commute to work. Adding that many cars to a morning commute which already difficult is unacceptable. It is enough to deal with parents and grandparents who don't know the rules of the road at Amelia Earhart school and the traffic on Robert Davy, let alone the traffic on Island Drive. Also I have a great concern regarding access for emergency vehicles to our area. Unfortunately we are all aging and have many neighbors who have had to call for assistance recently. Minutes stuck in traffic due to adding this many homes, could mean death to a critical patient. It is already difficult to get off the island as it is.

The land the club is built on is to the best of my knowledge zoned recreational and we both would like it to stay that way. Please take our concerns into consideration when you meet this evening.

Regards,

Julie and Chris Van Buhler  
100 Purcell Dr.



October 29, 2013

Mr. Andrew Thomas  
City Planner  
Planning and Building Department  
City of Alameda  
2263 Santa Clara Avenue, Room 190  
Alameda, CA 94051

via email athomas@alamedaca.gov

**Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Proposed Harbor Bay Residential and Athletic Club Project**

Dear Andrew,

The Port of Oakland (Port) appreciates the opportunity to provide comments on the City of Alameda's (City) NOP of a DEIR. As stated in the NOP, the project has two components: construction and operation of 80 new single-family detached residential units on a total of 8.39 acres at 200 Packet Landing Road (Harbor Bay Residential); and relocation of the existing Harbor Bay Athletic Club to three vacant parcels adjacent to North Loop Road in the Harbor Bay Business Park.

The Port offers these comments as the owner and operator of Oakland International Airport (OAK).

1. Airport operations may result in over-flights in residential areas proposed in the development project. Consideration should be given to sound insulation and aviation easements in this area, and the need to disclose the potential for low-flying aircraft during property sale disclosures. A noise analysis is recommended for the following flight procedures:
  - Runway 30<sup>1</sup> Arrivals and Departure
  - Runway 12 Arrivals and Departures
  - Runway 10R Arrivals
  - Runway 10L Arrivals
  - Runway 28R Departures
  - Runway 28L Departures

The Port and the City of Alameda entered into Settlement Agreements in 1976, 2001 and 2002. These Agreements should be reviewed for conditions related to development in the vicinity of OAK.

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<sup>1</sup> The names of runways at OAK were recently updated e.g., Runway 11-29 is now Runway 12-30.

2. The Project Area is within the Airport Influence Area defined by the Alameda County Airport Land Use Commission (ALUC) based on political boundaries, noise contours, and flight tracks. As specified in ALUC's *Oakland International Airport Land Use Compatibility Plan (December 2010)*, the ALUC is authorized to review the City's DEIR for noise and safety compatibility, airspace protection, and aircraft over-flights. According to the Initial Study the proposed Harbor Bay Athletic Club would include an on-site afterschool program for a maximum of 60 children, and is located within the Inner Turning Safety Compatibility Zone. Note that the Basic Land Use Compatibility Criteria in the *Oakland International Airport Land Use Compatibility Plan* prohibits children's schools, day care centers, hospitals and nursing homes. Please include an analysis of noise and safety compatibility, airspace protection and aircraft over-flights, and provide to the ALUC for their review.
3. OAK is known for its reliability and convenient access. The DEIR should analyze the potential impacts of the proposed project on OAK's main access roads: Hegenberger Road, 98<sup>th</sup> Avenue, Doolittle Drive and Ron Cowan Parkway.

Thank you for the opportunity to comment on the DEIR. I look forward to discussing these issues sooner rather than later with the project applicant, Harbor Bay Isle Associates and the Harbor Bay Club, and the CEQA consultant. If you have any questions, please contact me at (510) 627-1759 or [dheinze@portoakland.com](mailto:dheinze@portoakland.com).

Sincerely,

Diane Heinze  
Environmental Assessment Supervisor  
Division of Environmental Programs and Planning

Cc: Richard Sinkoff, Director, Division of Environmental Programs and Planning  
Kristi McKenney, Manager, Airport Planning and Development  
Susan Fizzell, Environmental Planner, Airport Noise and Environmental Affairs  
Joshua Safran, Port Attorney

**From:** <wraimondi@comcast.net>  
**To:** <athomas@alamedaca.gov>  
**Date:** 10/28/2013 7:04 PM  
**Subject:** opposed to homes replacing Harbor Bay Club

Mr. Thomas,

I have resided in Alameda since my birth in 1953. I am sure that you are aware, as Planning Board chairman, that population density negatively affects the quality of life here in Alameda. With only a few roads leading in and out of Alameda, traffic can become intolerable at rush hours, when the bridge is up, when there is an accident in the tube, etc. Adding more density at Harbor Bay and the Naval Air Station will only contribute to the problem. Let's be honest - residents are not going to forsake their cars for the bus. For these reasons and others, I urge you to vote against the proposed relocation of the Harbor Bay Club in order to build 80 units of unnecessary housing. Thank you,

William Raimondi

3 Basinside Way, Alameda

**From:** "Dave Hewitt" <dehewitt@smallbizcpas.com>  
**To:** <athomas@alamedaca.gov>  
**CC:** <ltam@alamedaca.gov>  
**Date:** 10/28/2013 2:58 PM  
**Subject:** Plan to relocate Harbor Bay Club

Dear Mr. Thomas,

I am a lifelong resident of Alameda (63 years) and grew up on the "mainland." I am casually familiar with the project the Planning Board is considering tonight for building a new Harbor Bay Club at the 9 acre sight in the Harbor Bay Business Park and for building 80 homes on the old Club sight.

I wish to express my support of such a request subject of course to the proper public input, EIR, affordable housing considerations, etc. I do not live in the area of the old club and have no special interest one way or the other. I do feel, as an Alameda Citizen, that the project will be good for the City and Bay Farm Isle as a whole, particularly as to increased property tax revenues from the new homes and the new Club. I also feel the location is a good "buffer" between the commercial residents of the business park and the residential area on the opposite side of the site of the proposed new club.

Thanks for listening.

Regards,

Dave Hewitt

Alameda Resident

**From:** Tracy McKean <tracy@alamedamagazine.com>  
**To:** <mgilmore@alamedaca.gov>, <mezzzyashcraft@alamedaca.gov>, <ltam@alamedaca.gov>, <schen@alamedaca.gov>, <daysog@alamedaca.gov>, <manager@alamedaca.gov>, <athomas@alamedaca.gov>  
**Date:** 10/28/2013 5:44 PM  
**Subject:** Please let Harbor Bay Club do the new club!

Dear Council and City Management,

I read the letter to the Editor in the Journal last Friday urging people to oppose and the move for Harbor Bay Club. I then visited the referenced website where there were 8 reasons as to why this new club is a bad idea and is a threat! The website failed to convince me that the new club is a bad idea. Call me small minded, but I truly can not see how the traffic from 80 single family homes will be more than the many hundreds of cars that go to HB Club EVERY DAY! The website says that 272 cars will be generated by the 80 homes; that is 3.4 cars per home! That is way more cars than other comparably sized developments in Harbor Bay. I also do not see how these homes will impact my ability to leave the island in an emergency. As the mother of two kids, one who now attends and another who will soon attend Amelia Earhart, I fail to see how the "new" traffic will be a detriment to my kid's safety. In fact, I believe moving the club will be safer for the children of Amelia Earhart.

My son goes to after school care at the Club. That continues to be a wonderful help to my husband and me over the years as we attempt to run our business. The club has provided a missing, safe community, similar to what I experienced as a child. While I will miss how close the club will be to my home, I am looking forward to a new, up to date club with better facilities for my entire family. And, who are we kidding? It will only be an extra few minutes away and still in my community, since last time I checked my community is Alameda!

The location of the new club will be right next to a preschool and a private school, so the claims that it will be unfit for children due to airport noise doesn't make sense to me. Do we need to move Garner Preschool and Chinese Christian School? Are these kids now at risk due to noise pollution? I can't speak for them but I think they like their location.

I feel like I am experiencing deja vu with the proposed Alameda Theater project and the parking garage. If you had listened to the opponents of the theater back then, the theatre opening and the parking garage was going to be the end of Alameda as we know it. Maybe these opponents were correct! To see the success of Park Street and the Alameda Theater over the years, Alameda has been elevated to new class of city. Remember when Park Street wanted to be like Piedmont Avenue. Guess what? Merchants on Piedmont Avenue want to be like Park Street now.

I could go on but won't. The bottom line is the club is not sustainable in its existing location and at the current dues rates. To build the new club, the proceeds from the old property need to be applied to make it affordable, and to help avoid dramatically increasing dues. If the club is forced to remain at its existing location it will eventually go out of business. Then where will my kids go, where will they play?

As the Publisher for Alameda Magazine for over a decade I believe in promoting good things in my community. I am very cautious about speaking out on contentious issues. This is important to my family and me. Please don't be afraid of CHANGE! Don't be afraid to speak out to the city council and your neighbors if you agree.

Tracy McKean  
Parent of a child at Earhart  
Homeowner, Bay Isle Point  
Member of Harbor Bay Club

Tracy McKeanGroup Publisher

Oakland Magazine | Alameda Magazine | East Bay Monthly | Parents' Press SF/North Bay & East Bay | East Bay Medical Guide  
510.747.1060 ext 16

**From:** "Heike E." <heikes@prodigy.net>  
**To:** "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**Date:** 10/28/2013 6:44 AM  
**Subject:** Re: Harbor Bay Residential & Athletic Club Project

Hello Mr Thomas,

I would like to add that what also needs to be looked at is not only the traffic on Packet Landing, but also the commutes over the bridge. The wait times coming and going are very bad now. Once you are on Island Dr., which not wide enough to handle all the cars and the Bridge is severe bottle neck and you are stuck. As it is, leaving Harbor Bay in a timely manner must currently be thought out or a person WILL be late to something. I have at bad times(school-parent drop-offs) waited 45 minutes to get leave Harbor Bay Isle-no accident or stalls--just terrible traffic. Usual times are 25 minutes from Bridgeway to Bayfarm bridge.

I hope in the EIR the Bridge traffic impact will be included if the club is moved and bigger along with more houses.

Thank you,  
Heike Ewert

---

From: Heike E. <heikes@prodigy.net>  
To: "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
Sent: Sunday, October 27, 2013 10:20 PM  
Subject: Harbor Bay Residential & Athletic Club Project

Hello,  
I live at Centre Court since 2009.

What is needed here is MORE open space. This area is really very crowded already!  
Thank you,  
Heike Ewert

**From:** Bonnie Headlee <bjheadlee@comcast.net>  
**To:** Andrew Thomas <athomas@ci.alameda.ca.us>  
**CC:** Harbor Bay Neighbors <harborbayneighbors@gmail.com>  
**Date:** 10/29/2013 7:09 AM  
**Subject:** Re: Harbor Bay Residential and Athletic Club Project  
**Attachments:** DR-EIR-Comments-CloseUp.pdf

Including Attachment. Please disregard previous email that did not have attachment. Thanks. BH

On Oct 29, 2013, at 7:07 AM, Bonnie Headlee wrote:

> Dear Mr. Thomas,

>

> At the Planning Board meeting last night I heard you say two things that I believe you should correct and/or reconsider:

> 1. You stated there is no official document with a request to consider a hotel/conference center on the current Harbor Bay Club parcel---it's something you've only heard "through the grapevine."

> 2. You have no objection to looking at a hotel/conference center as an alternative use for the site and including it in the EIR scope.

>

> First, on October 14 the Planning Department received a letter from Mr. Daniel Reidy (portion attached) that "suggests that the EIR section on Alternatives consider among the alternatives to be analyzed in the EIR for the Harbor Bay Residential site a hotel/conference center with a restaurant and bar and related support facilities..." The full version of this letter is stamped as received by the Planning Department and, therefore, is part of the official public record. This clearly is NOT hearsay or grapevine chatter. I respectfully request that you forward this email and attachment to the Planning Board and retract the incorrect statement made last night.

>

> Secondly, it is correct that HBIA has NOT submitted any proposal or plans for a hotel/conference center. Therefore, how can a commercial hotel project be included within an EIR that is evaluating a residential project on the same parcel of land? They are two very different land uses that could result in a myriad of very different environmental impacts. Without a formal proposal with a site map and building plans, City planning Staff would have to rely on either pure speculation or private conversations with the developer to include such an alternative in the EIR at hand. As we heard last night, there is already significant concern among both the members of the Planning Board and the community about the level of consideration being given to two projects that are needlessly intertwined. To add a third project to the EIR that is based on speculation or private interactions would be grossly inappropriate and may stretch well beyond the official duties of Staff. I believe that if HBIA wants an opinion from the City on building a hotel/conference center, then they should file the appropriate plans for such a project and it should go through the same public process as every other project is required to do, including a separate EIR. I do not believe City staff time should be spent on speculative projects when resources are so limited. Let's deal with the proposal submitted and not muddy the waters or create a distraction from the business at hand.

>

> I hope you will inform the Planning Board of the error last night and reconsider your statement regarding the inclusion of a hotel/conference center alternative in the current EIR scope.

>

> Thanks to the Board and Staff for all the work and consideration you've given to this project and to Harbor Bay Neighbors.

>

> Sincerely,

>

> Bonnie Headlee

> Core Member, Harbor Bay Neighbors

> 361 Centre Court

>

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>

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**From:** Donna Fletcher <ohprimadonna@gmail.com>  
**To:** Andrew THOMAS <athomas@alamedaca.gov>  
**Date:** 10/23/2013 8:10 AM  
**Subject:** Re: Hotel on Harbor Bay Club site w/o City approval?

So a hotel on the site is a Plan B option for him? And would only need approval of site plan and design--what it looks like and how it's placed? How did the Harbor Bay Club become a piece of commercial property? (We understood it to be "commercial/recreation.") Andrew, have you had any discussion or correspondence with HBIA or Dan Reidy about this option?  
Thanks, Donna

Sent from my iPhone

> On Oct 23, 2013, at 7:59 AM, "Andrew THOMAS" <athomas@alamedaca.gov> wrote:

>

> The site is zoned cm. it does not allow single family homes but it does allow a lot of other uses. The business park is zoned cm.

>

> All proposals require city approval over the site plan and design.

>

> Andrew Thomas

> 774-5361

>

>> On Oct 22, 2013, at 9:48 PM, "Donna Fletcher <ohprimadonna@gmail.com>" <ohprimadonna@gmail.com> wrote:

>>

>> Hi Andrew, I know you've "heard it all" but now I have one I really need you to verify or denounce. A few weeks back, when Ron Cowan called Tim Coffey, he told him that if we (the community ) prevail, he can always sell the Club site to a hotel and convention center developer and this use could be built w/o City approval. He seemed quite serious. Our concern regarding this is compounded by the fact that there have been some murky issues regarding the Club's zoning. Do you have a definitive statement re: the zoning? And are there any circumstances under which a hotel / convention center could be built on the site? Thank you, Donna Fletcher

>>

>> Sent from my iPhone

>

**From:** Steven Adams <drstevenc@sbcglobal.net>  
**To:** Kathy Adams <kadams@pfgrowth.com>  
**CC:** "mgilmore@alamedaca.gov" <mgilmore@alamedaca.gov>, "mezzzyashcraft@alamedaca.gov" <mezzzyashcraft@alamedaca.gov>, "ltam@alamedaca.gov" <ltam@alamedaca.gov>, "schen@alamedaca.gov" <schen@alamedaca.gov>, "tdaysog@alamedaca.gov" <tdaysog@alamedaca.gov>, "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**Date:** 10/28/2013 7:56 AM  
**Subject:** Re: New Harbor Bay Club project

My wife stated it very well. Please support these positive changes to our city. We feel they would become an asset and a draw for both people and businesses to our city which facilitates prosperity.

Thank You,

Steven Adams

Dr. Steven Adams DC  
61 New Montgomery St.  
San Francisco CA 94105  
415-896-2273  
www.scsportstherapy.com  
Nominated "Best of the Bay" by KRON4.

> On Oct 25, 2013, at 3:02 PM, Kathy Adams <kadams@pfgrowth.com> wrote:

>

> Dear All:

>

> As a Harbor Bay Club member I've been invited to attend on Monday, October 28th The Planning Board's scoping session where City staff will be presenting the scope of the Harbor Bay Club project and asking for approval to review the Initial Study and offer direction going forward on the Environmental Impact Report. As I am unable to attend this meeting, I wanted to bring forth my family support on this project. We have lived in Alameda for 8 years and we have been members of the club since then. My family feels this is a great opportunity for our community. HBC needs this change. By expanding the club, it will not only bring more jobs to the community, it gives our youth a place to want to go and be productive. With the all weather sports field it will provide our kids with a fun, safe environment where they can socialize and get exercise. As it stands now, the current club is limited. Not all kids play tennis and with one pool, swimming is limited, especially in the summer. Positive changes helps us grow, as individuals and as a community. Alameda is a city that I am proud to live in. I hope that I continue to live in this city where it's not adverse to change when it's in the best interest of its growing population.

>

> As Tony Robbins would say..."By changing nothing, nothing changes."

>

> Thank you for your time,

>

> Kathy Adams

>

>

> Kathy Adams

> Partners for Growth

> 150 Pacific Avenue

> San Francisco, Calif. 94111

> 415.912.5898

>

> <image001.gif>

>

>

>

> This email has been scanned for email related threats and delivered safely by Mimecast.

> For more information please visit <http://www.mimecast.com>

**From:** "Barry Parker" <parkerortho1@gmail.com>  
**To:** <mgilmore@alamedaca.gov>, <mezzyashcraft@alamedaca.gov>, <ltam@alamedaca.gov>, <schen@alamedaca.gov>, <tadaysog@alamedaca.gov>, <manager@alamedaca.gov>, <athomas@alamedaca.gov>  
**Date:** 10/26/2013 9:26 PM  
**Subject:** New Harbor Bay Club

Dear Mayor, Vice Mayor, City Council Members, City Manager and City Planner,

Please do not get me wrong and in one camp or the other, but as an advocate for swimming in Alameda, I cannot ignore the possibility of the proposed 6 lanes in one 25 meter pool and 7 lanes in the other.

I thank each of you for making the gift and "loan"(lease back) to the AUSD for the rebuilding of the Encinal High School Pool, but it is uncertain that there will be enough money in either the city's or the school district's future budgets to rebuild the Alameda High or Emma Hood Swim Center. If Emma Hood closes in the next few years, this leaves the city and school district with only one pool and less surface water than it presently has for all the various teams and individuals that currently use both pools, and this water is very West of the center of Alameda.

So you see why I can't put all my "swim suits" in one basket and completely ignore the possibility of building another pool complex at a site equidistant from the "population center" of the island and at the opposite end of the soon to be rebuilt EHS pool.

Thank you again for supporting the great tradition of swimming in Alameda by enabling the replacement of the Swim Center at Encinal High School.

Sincerely yours,

Barry Parker

**From:** <Ken4Nina@comcast.net>  
**To:** <athomas@alamedaca.gov>  
**Date:** 10/28/2013 4:53 PM  
**Subject:** Ron Cowan/ moving HB club & building new homes

Mr. Thomas,

I'm trusting that you and others on the Planning Board will say no to Ron Cowan and not allow any homes to be built on the site where the current HB club sits.

It just really comes down to who you "trust" and where your loyalty is. I live in a home that Ron Cowan's company built back in 1981. In the past 7 years, I have had the entire home remodeled. Electrical, plumbing, fixtures, ceiling, walls, everything upgraded. Yes, that was my choice but the point is, the contractors who did the remodel, found so many code violations in the original work that they wondered out loud, 'how was this work originally approved?' Well I know, and I hope you know as well.

Say no to Ron Cowan and his plans to relocate the HB Club and build homes in it's place. You will be doing the citizens of Alameda a huge favor now, and will be protecting us from What Mr. Cowan sees for Alameda in the future.

Thank you, Ken Jones  
151 Sea Bridge ct  
Alameda, 94502

**From:** Winston Hui <huikwokchoi@gmail.com>  
**To:** Mayor <mgilmore@alamedaca.gov>, Vice Mayor <mezzycraft@alamedaca.gov>, City Manager <manager@alamedaca.gov>, Councillor Tam <ltam@alamedaca.gov>, Councillor Chen <schen@alamedaca.gov>, Councillor Daysog <ldaysog@alamedaca.gov>, Planning Board <athomas@alamedaca.gov>  
**Date:** 10/26/2013 8:45 PM  
**Subject:** Support the New Harbor Bay Club

Dear City Government Official,

I write to urge you to approve the building of the new club ASAP.

Just a few thoughts:

1. The current club is 35 years old and is in need of upgrades. I like very much to have an adult only swimming pool which the new club will offer.
2. The growth of the business park has made the need for more housing in Harbor Bay. There are not enough houses for sale or for rent to satisfy the demands. So the additional 80 new houses will be absorbed in no time.
3. The voice of concerns from the neighbors on traffic due to the 80 additional houses is a red herring. The parking at the club is so packed at busy hours that parking on the road is becoming a common occurrence. You should come to see for yourself how terrible parking is when there is an event. If the neighbors are objective about the traffic, they should vote to get the club out of there.

I moved into Harbor Bay in 1982 and joined the club almost immediately. This club is a major attraction for the residents in our community, similar to the Chuck Corica Golf Complex. I was so happy to see something was initiated to enhance our golf course under the current city government. Now it is time to do something to the club.

Thank you for listening.

Winston Hui

131 Anderson Road

Sent from my iPad

**From:** Janet Niiya <janetniiya@gmail.com>  
**To:** "athomas@alamedaca.gov" <athomas@alamedaca.gov>  
**Date:** 11/1/2013 2:50 AM  
**Subject:** The COMPLETE email : Centre Court homeowner's thoughts on development plans for Harbor Bay Club site

So sorry...my email was sent before it was finished. Please read the finished email below:

----- Forwarded message -----

From: \*Janet Niiya\*  
Date: Friday, November 1, 2013  
Subject: Centre Court homeowner's thoughts on development plans for Harbor Bay Club site  
To: "athomas@alamedaca.gov" <athomas@alamedaca.gov>

Dear Sir:

I am a resident and homeowner of Centre Court, and as I am medically disabled and unable to attend any meetings, would like to express my opinions on the potential development plans on the current Harbor Bay Club site next door. In addition to the the usual objections to the increased traffic on a dead end street that contains an elementary school, I'd like to stress that many of Centre Court residents are retired, elderly and medically compromised. We spend our lives here - our homes are not just a place to sleep and keep our possessions. The quality of life is so much more important to us property values... we live here because Alameda is a haven amidst a large metropolitan area. We are a community that choose to live here because of the pleasant, open environment of trees over concrete, and the rare ability to park on the street, and not having to contend with 'traffic jams' on a regular basis.

I won't wax on and on but simply want to stress that I and many of my neighbors are not opposed to Ron Cowan's never ending development plans per se, but that the density of the housing or hotel development plans he has for the end of Packet Landing road will severely impact our well being and daily lives. Go ahead and move the Harbor Bay Club, but please put in it's place a park or other open area that won't turn our street into a thoroughfare.

Thank you for your time.

Janet Niiya  
256 Centre Court  
homeowner and resident

Message Properties



**From:** Nina cooper <nina.cooper@att.net> <nina.cooper@att.net>

23-Jan-2014 19:19

**To:** Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzyashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>

**CC:** harborbayneighbors@gmail.com <harborbayneighbors@gmail.com>

**Subject:** Harbor Bay Residential and Athletic Club Project

INTERNET (3090 bytes) [Open] [Save]

**Attachments:** MESSAGE TEXT (307 bytes) [Open] [Save]

Mime.822 (4035 bytes) (Document unavailable.)

Don't give in to Ron Cowan and his threats. He thinks he owes not just Alameda b  
Sent from my iPad

< [redacted] >

Message Properties



From: David Foote <theinfoguy@aol.com> <theinfoguy@aol.com> 23-Jan-2014 19:51

To: Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzyashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>

CC: harborbayneighbors@gmail.com <harborbayneighbors@gmail.com>

Subject: Harbor Bay Residential and Athletic Club Project

INTERNET (2329 bytes) [Open] [Save]

Attachments:

MESSAGE HTML (1457 bytes) [Open] [Save]

MESSAGE TEXT (1117 bytes) [Open] [Save]

Mime.822 (5903 bytes) (Document unavailable.)

I live on the main island, but have friends on Harbor Bay and I walk past the Harbor Bay Club at least three days every week. To me, the Harbor Bay Club is ideally suited to its present location overlooking the Bay Farm bridge.

I understand that the Cowan interests would like to tear down the club and replace it with a new megabucks "McMansion" residential area, or possibly a large new hotel and conference center.

I know a lot of people around town and many who live on Harbor Bay. I strongly believe the overwhelming sentiment in Alameda is violently opposed to the continuing real estate jingoism by Mr Cowan and his cronies. Last time it was the ridiculous golf course swap. Now it is glitzy hotels and McMansions.

The council should firmly and quickly reject Mr Cowan's proposals to tear down the Harbor Bay Club. If he wants other developments, let him use vacant land in the business area of Bay Farm Island, after going through the appropriate approval process of course.

Harbor Bay Club must stay where it is.

David Foote  
2534 Lincoln Ave  
Alameda, CA 94501  
510.521.7842  
theinfoguy@aol.com

Message Properties



**From:** Darryl Berk <beachwood30@gmail.com> <beachwood30@gmail.com> 23-Jan-2014 15:38

**To:** Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzyashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>

**CC:** harborbayneighbors@gmail.com <harborbayneighbors@gmail.com>

**Subject:** Harbor Bay Residential and Athletic Club Project

INTERNET (2548 bytes) [Open] [Save]

**Attachments:** MESSAGE HTML (5896 bytes) [Open] [Save]

MESSAGE TEXT (2805 bytes) [Open] [Save]

Mime.822 (12611 bytes) (Document unavailable.)

I am in complete agreement with the information below. I urge to read.

Thank you,

Darryl Berk  
1089 Melrose Av  
Alameda 94502

HBIA continues to claim, "...the club needs to move to stay in business..." and this "is not debatable." This position suggests that the Club is:

- a). losing money at its current location with its current amenities, and
- b). will go out of business if it is not moved to the Business Park and replaced with either houses or a hotel/conference center.

Naturally, this led us to dig into the finances of Harbor Bay Club.

#### **WHAT DID WE FIND?**

In 2008 HBIA, using a side company called Harbor Bay Club Associates LP, took a \$6 million loan against Harbor Bay Club and then rolled that into a \$7 million loan in July 2013. (Read the public loan documents from [2008](#) and [2013](#) )

A loan of this magnitude typically requires the cash flow from the business to be at least 120% greater than the debt service and the loan amount to be no more than 65% of the value of the collateral (in this case the land). So, despite the payments on a \$7M loan, the Club is generating a sizable income stream for HBIA. Cowan also has millions of dollars worth of equity in the business, which he would hardly walk away from by going out of business. No one with any financial sense would be so fiscally irresponsible as to default on a profitable a business like this, especially a multi-millionaire developer.

This financial revelation changes *everything* . It reinforces that HBIA is not concerned with providing a quality facility (or they would have reinvested a chunk of that \$6M from 2008 into deferred maintenance at the existing Club) and proves **the Club is financially stable with no threat of closure.**

*So, why do they keep threatening they will close?* We believe HBIA simply refuses to accept the fact that Cowan is not "entitled" to build more homes in a completed PUD where there isn't any available property. So, they've resorted to a cheap scare tactic. We don't buy it and neither should you.

#### **LET'S BE CLEAR:**

Harbor Bay Neighbors *favors* renovating (or rebuilding) the Club at its existing location so it stays an amenity for the residents it is specifically designated to serve. And with \$7M in their pocket, HBIA should be able to figure out a staged renovation plan. (Think "TransBay Terminal" in San Francisco, which continues to serve 100,000 customers daily while they build a new transit hub. It CAN be done.)

Message Properties

**From:** Ben Deligato <deligato@gmail.com> <deligato@gmail.com>

23-Jan-2014 14:41

**To:** Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzyashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>**CC:** Harbor Bay Neighbors <harborbayneighbors@gmail.com>**Subject:** Harbor Bay Residential and Athletic Club Project

INTERNET (2195 bytes) [Open] [Save]

**Attachments:** MESSAGE HTML (1569 bytes) [Open] [Save]

MESSAGE TEXT (1367 bytes) [Open] [Save]

Mime.822 (5891 bytes) (Document unavailable.)

Dear City of Alameda Officials:

I am again writing to voice my objection to the proposals brought forth by Mr. Ron Cowan regarding the moving of Harbor Bay Club from its current location to the business park.

After reading facts regarding a \$6 million loan taken out against Harbor Bay Club and then later rolled into a \$7 million loan in July of 2013, and realizing the income required from Harbor Bay Club to collateralize the loan, it seems evident that Harbor Bay Club is not at risk of financial ruin, as is the main reason given for the proposed move.

This scare tactic, along with the fact that the Club was meant to be part of the community, and the ramifications of replacing the club (currently located within a high density PUD) with hundreds of homes or a hotel, only serve to reinforce my commitment not to let this go through.

I hope you can find the claims made by Mr. Cowan and his associates to be only a ruse used to scare you and the residents of Bay Farm into accepting one their proposals. Mr. Cowan seems bent on building homes he thinks he is entitled to build in our association, and will use any means possible to do it. Please serve the people who elected you and keep our association the way it was intended to be, and put a stop to Mr. Cowan's plans once and for all.

Best Regards,

Ben Deligato  
135 Justin Circle  
Alameda, CA 94502

Message Properties



From: "Susan Corkhill" <scorkhill@live.com> <scorkhill@live.com> 23-Jan-2014 21:32

To: Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzyashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>

CC: harborbayneighbors@gmail.com <harborbayneighbors@gmail.com>

Subject: Harbor Bay Residential and Athletic Club Project

INTERNET (1672 bytes) [Open] [Save]

Attachments: MESSAGE HTML (1247 bytes) [Open] [Save]

MESSAGE TEXT (498 bytes) [Open] [Save]

Mime.822 (4323 bytes) (Document unavailable.)

Dear City Councilmembers,

I am a 25 year resident of fair Alameda and I think the Harbor Bay Club is a HUGE asset to the community. I would never entertain an idea to relocate or close the club. I know there are funds for renovation and I want the work done to upgrade the club facility. I am completely against building new single family homes in this location.

Condos near access to BART would make better sense along the estuary main island (Miller-Sweeney bridge).

Regards,  
Susan Corkhill

Message Properties

**From:** <wrealano@aol.com> <wrealano@aol.com>

24-Jan-2014 08:59

**To:** zuppan@branes.com <zuppan@branes.com>, dburton@burtonarchitect.com <dburton@burtonarchitect.com>, stnlytang@yahoo.com <stnlytang@yahoo.com>, kkoster79@gmail.com <kkoster79@gmail.com>, jknoxwhite@gmail.com <jknoxwhite@gmail.com>, mhenneberry@sbcglobal.net <mhenneberry@sbcglobal.net>, dania@hbrinfo.com <dania@hbrinfo.com>, Andrew THOMAS <athomas@alamedaca.gov>**Subject:** More on HBC losing members for many reasons, events...Re: Mr Thomas, put this all in one email- can you pls verify you've delivered it to each of our Pln Board members?

INTERNET (2661 bytes) [Open] [Save]

**Attachments:** MESSAGE HTML (39433 bytes) [Open] [Save]

MESSAGE TEXT (24779 bytes) [Open] [Save]

Mime.822 (70813 bytes) (Document unavailable.)

>\*It feels as if they're playing both sides of the field. At times, claiming they "just have too many members to stay at the current Harbor Bay Club site. We've outgrown it."

Then conversely at other times more recently, the alleged claims of "the current site is not profitable and we have to move the club for it to survive."

Really? Which one(worked excuse) is it?! For anyone that intimately knows and has documented fully all of the shenanigans that have gone on there since 1981 on film including Public Health coming out there repeatedly over the years to cite them, dentists not being present as required by state law when teeth-bleaching is being done foolishly in their spa w/o having any doctors present in case of burns or emergencies; various lawsuits v HBC, etc, etc; to where no one believes anything coming from *them*.

>\*Possible title For Sun, Journal: HBC Trying To Have It Both or All Ways(we're not buying it)

At the October Planning Board meeting, the Harbor Bay Club allegedly claimed as twisted rationale for wanting to move far away to the inconvenient business park that they'd purportedly outgrown the existing space with so many "new members." Oddly, it's been unpresidented that they've put free 1-2 week "membership passes" amidst full-page HBClub ads in both Alameda and Oakland magazines, etc and even in the Gull's Call newsletter which only 94502 residents receive. If they're still trying to claim a ridiculous "4000 members" which no one believes, they'd have to discount any free trials from such heavy-handed advertising which coincidentally began early last summer. It doesn't take a rocket scientist to come up with a reason for the timing of all these free trial passes also being handed out like candy to existing members(of which I received several as far back as last May). Prior to this and dating back to 1980, we've never seen any such ads containing free HBC "trial membership passes." Remember, existing and recently departed staff claim membership is "well under 2100 as more members leave because of too high pricing, tennis members getting hit with higher dues and fees, the new cheaper and better South Shore Women's Gym, health insurance offering free annual gym memberships everywhere but HBC, and the fallout from the Lisa Franzell firing mess plus member defections after multiple State and County public health visit citings "for gross cross contamination and health issues therein" at the HBClub.

One of the well-advertised HBC claimed amenities back in 1981 was "you can easily walk or bike from your home to the club." If it moves miles away to the Business Park, that'll increase auto exhaust as everyone will be forced to drive all the way there.

This would be a lose/lose for everyone except owner Cowan and the few working for him, negatively impacting the rest of Alameda, etc.

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

From: Andrew THOMAS <ATHOMAS@alamedaca.gov>

To: wrealano <wrealano@aol.com>; Lorre Zuppan <zuppan@branes.com>; David Burton <dburton@burtonarchitect.com>; John White <jknoxwhite@gmail.com>; Kristoffer Köster <kkoster79@gmail.com>; Dania Alvarez-Morrone <dania@hbrinfo.com>; Mike Henneberry <mhenneberry@sbcglobal.net>; Stanley Tang <stnlytang@yahoo.com>

Sent: Tue, Jan 21, 2014 6:54 pm

Subject: Re: Mr Thomas, put this all in one email-can you pls verify you've delivered it to each of our Pln Board members?

Message Properties



**From:** Pereira <ncpereira@comcast.net> <ncpereira@comcast.net> 24-Jan-2014 20:22

**To:** Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzyashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>

**CC:** harborbayneighbors@gmail.com <harborbayneighbors@gmail.com>

**Subject:** Harbor Bay Residential and Athletic Club Project

INTERNET (2203 bytes) [Open] [Save]

**Attachments:** MESSAGE TEXT (699 bytes) [Open] [Save]

Mime.822 (3578 bytes) (Document unavailable.)

I am very concerned about the two proposals that Mr. Cowan has made regarding the  
Please leave the Harbor Bay Club where it is.

Cecelia Pereira  
58 Steuben Bay  
Alameda, Ca

Sent from my iPad



Message Properties



**From:** Jules Vieaux <jvieaux@mindspring.com> <jvieaux@mindspring.com> 24-Jan-2014 09:45

**To:** Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzyashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>

**CC:** harborbayneighbors@gmail.com <harborbayneighbors@gmail.com>

**Subject:** Harbor Bay Residential and Athletic Club Project

INTERNET (1901 bytes) [Open] [Save]

**Attachments:** MESSAGE TEXT (1123 bytes) [Open] [Save]

Mime.822 (3539 bytes) (Document unavailable.)

I am writing to express my opposition to the proposed plan to build homes on the  
There's myriad valid reasons residents have expressed why it doesn't make sense,  
There also seem to be many reasonable alternatives to building homes on the site

Best regards,

Jules Vieaux  
357 Centre Court  
Alameda, CA 94502  
jvieaux@mindspring.com  
415.515.1031

<

>

Message Properties



**From:** Joe Pena <PenaJ@sfarchdiocese.org> <penaj@sfarchdiocese.org> 24-Jan-2014 09:05

**To:** Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzyashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>

**CC:** harborbayneighbors@gmail.com <harborbayneighbors@gmail.com>

**Subject:** Harbor Bay Residential and Athletic Club Project

INTERNET (2078 bytes) [Open] [Save]

**Attachments:** MESSAGE HTML (1868 bytes) [Open] [Save]

MESSAGE TEXT (95 bytes) [Open] [Save]

Mime.822 (5117 bytes) (Document unavailable.)

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Tell no to Cowan's idea for housing and fix what he's got.

Joe Pena

1159 Island Drive

Alameda.

Message Properties



**From:** June & Jerry Kerschman <jjkersch@comcast.net>  
<jjkersch@comcast.net>

26-Jan-2014 17:25

**To:** Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzyashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>

**CC:** harborbayneighbors@gmail.com <harborbayneighbors@gmail.com>

**Subject:** Harbor Bay Residential and Athletic Club Project

INTERNET (2322 bytes) [Open] [Save]

**Attachments:** MESSAGE TEXT (1269 bytes) [Open] [Save]

Mime.822 (4070 bytes) (Document unavailable.)

The scheme of HBIA to build either more homes or a hotel/conference center at the current Harbor Bay Club location is ridiculous. The Club belongs where it is to serve the residents of Harbor Bay and Alameda. A lot of long term members of the Club moved to Harbor Bay in part to enjoy the proximity of the tennis/fitness club. The access to the site is a dead end street with an elementary school on the street. It would create traffic nightmares, more risk to children attending the school and an increase in the number of students at this small school.

The Club needs to be updated and renovated to provide a quality facility as it was meant to be. The location is ideal and the proposed new location is in a business park meant to serve commercial businesses, not residents and members. If the company wants to build a hotel/conference center it belongs on the property in the business park, not in the residential area.

Please do not approve the destruction of the Harbor Bay Club and it's relocation to the business park. The residents of Alameda do not want the new club at a new location - we want the club where it is and updated to meet current standards and needs/desires of the community. Common sense should prevail.

June Kerschman

Message Properties



**From:** Ann Walker <annpeacewalker@gmail.com>  
<annpeacewalker@gmail.com>

26-Jan-2014 13:32

**To:** Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzyashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>

**CC:** Harbor Bay Neighbors <harborbayneighbors@gmail.com>

**Subject:** Fwd: Harbor Bay Residential and Athletic Club Project

INTERNET (2590 bytes) [Open] [Save]

**Attachments:** MESSAGE HTML (2100 bytes) [Open] [Save]

MESSAGE TEXT (1169 bytes) [Open] [Save]

Mime.822 (6819 bytes) (Document unavailable.)

**Subject: Harbor Bay Residential and Athletic Club Project**

Hello City Officials. My husband, Jon Demeter, and I continue to strongly oppose Ron Cowan's proposal to tear down the Harbor Bay Club and build 80 homes at the end of our dead-end street, Packet Landing. It is clear that there are no financial reasons for doing so, except to fill Ron Cowan's pockets. We also oppose his alternative "vision" of building a hotel/conference center in that location.

If he wants to develop land, he should build a hotel and/or fitness club on property adjacent to the Harbor Bay Parkway and the business park. This is the ideal location for either of those proposals as the business park employees can use the club and the hotel will be near the Oakland Airport. Please say NO to his ill-considered proposals on the property on which the current Harbor Bay Club is located. This is a huge waste of time and the Council needs to focus on Alameda Point, not the current Harbor Bay Club property.

Thank you.

-- Ann Walker & Jon Demeter  
462 Centre Court  
Alameda, CA 94502  
(510) 865-4947

Message Properties



**From:** Daniel Ouellet <byteracer@gmail.com> <byteracer@gmail.com> 27-Jan-2014 19:32

**To:** Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>

**CC:** harborbayneighbors@gmail.com <harborbayneighbors@gmail.com>

**Subject:** Harbor Bay Residential and Athletic Club Project

INTERNET (2257 bytes) [Open] [Save]

**Attachments:** MESSAGE HTML (329 bytes) [Open] [Save]

MESSAGE TEXT (261 bytes) [Open] [Save]

Mime.822 (3520 bytes) (Document unavailable.)

I would like to direct my city officials to focus on Alameda Point and do not let Mr. Cowan relocate the Harbour Bay Club to the business park. The club is financially stable and is not loosing money as has been claimed.

Dan Ouellet  
1355 Grove St  
Alameda, CA

Message Properties



**From:** "Paul & Cecily Medved" <pcmedved@gmail.com>  
<pcmedved@gmail.com>

28-Jan-2014 06:20

**To:** Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzyashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>

**CC:** harborbayneighbors@gmail.com <harborbayneighbors@gmail.com>

**Subject:** Harbor Bay Residential and Athletic Club Project

INTERNET (2600 bytes) [Open] [Save]

**Attachments:** MESSAGE HTML (3151 bytes) [Open] [Save]

MESSAGE TEXT (737 bytes) [Open] [Save]

Mime.822 (7533 bytes) (Document unavailable.)

Hello,

Is it true that in 2008 HBIA, using a side company called Harbor Bay Club Associates LP, took a \$6 million loan against Harbor Bay Club and then rolled that into a \$7 million loan in July 2013? If so, no wonder the club's finances look so skewed. And as for all those expensive repairs they talk about, didn't they build the club themselves? Are they essentially admitting that Doric products are only built to last forty years? As the owner of a Doric-built home I find that unsettling!

Please promptly reject this, the latest attempt by the same old gang to profit themselves at every opportunity, and let's all get back to better uses of our time.

Sincerely,

Paul Medved

74 Justin Circle

("Pelican Bay")

Message Properties



**From:** Steve Middleton <stevenmiddleton@gmail.com>  
<stevenmiddleton@gmail.com>

28-Jan-2014 10:49

**To:** Tony Daysog <tdaysog@alamedaca.gov>, Marilyn Ezzy Ashcraft <mezzyashcraft@alamedaca.gov>, Stewart Chen <schen@alamedaca.gov>, Marie Gilmore <mgilmore@alamedaca.gov>, Andrew THOMAS <athomas@alamedaca.gov>, Lena Tam <ltam@alamedaca.gov>

**CC:** harborbayneighbors@gmail.com <harborbayneighbors@gmail.com>

**Subject:** Harbor Bay Residential and Athletic Club Project

**Attachments:** INTERNET (2279 bytes) [Open] [Save]  
MESSAGE HTML (704 bytes) [Open] [Save]  
MESSAGE TEXT (615 bytes) [Open] [Save]  
Mime.822 (4306 bytes) (Document unavailable.)

Hello,

I was surprised to read recently that in 2008 HBIA, using a side company called Harbor Bay Club Associates LP, took a \$6 million loan against Harbor Bay Club and then rolled that into a \$7 million loan in July 2013. As I continue to receive emails from the HBIA on why building a new club is advantageous and must occur in order for them to stay in business, this news contradicts those statements. As a Harbor Bay resident, I ask that you deny the request to build a convention center and hotel at the current HBIA site and instead let them move forward with a renovation plan.

Regards,  
Steve Middleton

Message Properties



From: <wrealano@aol.com> <wrealano@aol.com>

04-Feb-2014 09:39

To: zuppan@branes.com <zuppan@branes.com>, dburton@burtonarchitect.com <dburton@burtonarchitect.com>, stnlytang@yahoo.com <stnlytang@yahoo.com>, kkoster79@gmail.com <kkoster79@gmail.com>, jknoxwhite@gmail.com <jknoxwhite@gmail.com>, mhenneberry@sbcglobal.net <mhenneberry@sbcglobal.net>, dania@hbrinfo.com <dania@hbrinfo.com>, Andrew THOMAS <athomas@alamedaca.gov>

Subject: Forgot this re:HBayClub fiddling with worked faux membership "numbers"-pls sent to all our Pin Board members

INTERNET (2651 bytes) [Open] [Save]

Attachments: MESSAGE HTML (27729 bytes) [Open] [Save]

MESSAGE TEXT (17618 bytes) [Open] [Save]

Mime.822 (51012 bytes) (Document unavailable.)

Hi Mr Thomas,

Please forward this to all members of our planning board and your help(Due Diligence discovery will substantiate all reasons why Mr Cowan should finally fix-up, renovate the broken down HBClub where it is and build whatever he and his too-many companies and businesses want. Out at the/his? business park. Meaning, if he wants to put a new club, 80 multi-story homes, restaurant, convention center, hotel, whatever-let him do it there if he needs cash/revenue. We don't want any of those ridiculous ideas or plans adjacent busy Earhart Elementary school on one side, and the water estuary on the other.

**II addendum)** More reasons former HB Club members have left in droves over the years:

I forgot the many former HBClub members who finally discovered that their(most) health insurances(even before ObamaCare/Covered California went into effect if they finally became insured) over the past few years offer free bonuses called **Sneakers** and **Silver Sneaker** FREE benefits where gym and work-out club memberships are completely paid for 100%(or any dues reimbursed). Here in Alameda, that includes most every health club and gym...except overly expensive HB Club long viewed as an exclusionary "country or tennis club."

Meaning, when I left HBClub last August after yet another discussion with Cowan's son after yet another Public Health visit there uncovered repeat and continuous cross-contamination health violations, I discovered my own Sneakers plan(offered by Blue Cross, Shield, Humana, Aetna, etc) pays 100% of my new gym. 100%! Several news items in the Sun and Journal pointed out that insurees should check to see if they have it(meaning, why pay debatable initiation fees and \$200+/-monthly dues to HBC anymore). HBC has taken a hit there as well in terms of decreasing membership besides all the other factors and reasons discussed below.

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**D** Employees there(past and still current) who have stated they privately despise Cowan besides front-desk staff, etc have said for years membership there has been drying up(ie-LOSING MEMBERS for many reasons, particularly since 2010).

\*that's perhaps one reason that he/they after the MILF defeat moved to a proposed HBC "swap" for 80 homes, etc nonsense in that they've put FREE 5-7 day passes in every single issue of the all-ads Alameda and Oakland related "magazines" in full page ads and freely give out free passes to existing members who ask for them. I could get 1-7 day free passes for friends, relatives, etc any time I wanted.

Let's examine some of the many reasons/documented why HBC has lost so many members(below). For them to have claimed last fall an alleged "current membership of close to 4000 members"(which we've been told they've never had and by that I mean actual, monthly dues-paying members, and NOT his friends, family, employees, HB Reality employees claiming Mr C gave them free club membership, etc) in the hopes of pulling one over on our planning board with any further claims that they thusly need to move the club to a larger space because they've "grown too big, have 4000 members," or any other whoppers. An IRS agent, etc needs to go over what they're claiming are "paying members" to see if they even break 1600 presently.

\*HBC reportedly lost a ton of female members when the new South Shore all women's Total Fitness gym and spa offered dirt cheap memberships starting nearly 2 years ago. HBC, in a too-late, too-futile move (the exact words of several staffers there) finally replaced one room's ancient Nautilus-type weight/gym equipment with a package deal of new stuff, but it was too late for any members to care about. That was the first really new batch of club gym/fitness eqpt in over 15 years according to our documentation.

Ron Cowan has repeatedly stated that the Harbor Bay Club is “unsustainable” in its present location. However, what has come to light is that Cowan has borrowed \$7 million using the club as collateral. That does not sound like an “unsustainable” business to us! He certainly didn’t tell bankers that on his loan applications.

The thing that may be unsustainable is Cowan’s ability to borrow more against the club. Is this the reason for Cowan’s desire to build 80 high density homes or a hotel and convention center or anything else he can concocted on land that the 5 villages basically gave him. The land came with restrictions and a zoning designation of Commercial Recreation. That zoning should not be changed.

If you are a member of The Harbor Bay Club, like my wife and I, you have to wonder where the money was used. It surely was not reinvested in modernizing the club or its amenities.

Cowan should sell the club. If he can borrow \$7 million using it as collateral, others should find it an attractive business.

It is time that Ron Cowan move on and quit using Alameda’s tax money and the precious time of our elective officials for his schemes- schemes that ignore children at an already over-crowded Amelia Earhart School and ignore the already problematic traffic within Harbor Bay Isle.

Make a decision for the citizens of Alameda that you serve. Stop this project now before any more City resources are wasted.

Judy Terry, RN

David W. Terry, MBA