

Dear Mayor Dyer and Council Members Berlucchi, Wooten, Tower and Henley,

The Shore Drive Community Coalition (SDCC), as voted at our September 28, 2020 meeting, formally requests City Council at your October 6th meeting to reconsider the approval vote of the Westminster Canterbury (WC) application heard on September 22, 2020.

It is our understanding that Council has a 2 week period to reconsider votes made at formal Council hearings. There are a multitude of reasons the vote for the WC application should be reconsidered, several of them are listed below. It is our hope that at least two of you will agree to reconsider your erroneous decision.

Reasons why Council needs to reconsider the WC application vote of September 22nd:

- 1) **Council Member Abbott should be allowed to vote.** Mrs. Abbott was unable to attend the vote due to a family emergency, but with only 8 members able to vote as a result of conflict of interests, allowing all qualified voting members a chance to participate is a necessity. Decisions like the WC application that are based solely on Council's opinions need to have all voting members participate.
- 2) **Council Members Berlucchi and Wooten should explain their reasons for support.** Since the approval of the WC expansion was based solely on Council opinion, all the members provided explanation for their votes except Council members Berlucchi and Wooten. A decision that changes the future of the Bayfront demands that they explain why they ignored the community's concerns and voted in favor of the project.
- 3) **WC's claim that a density of +255% over code is needed to eliminate the approaching silver tsunami is irrelevant.** This high density development will not provide enough housing for all the seniors that will be part of the tsunami, nor is it this project's responsibility to do so. A larger City approach should be taken. One that requires all development to stay within the codes, plans and guidelines. In fact there are over 1000 new units being built or planned within a 5 mile radius of WC. New Millineium Senior Living – 250 units; Burton Station Senior Housing – 40 units; Overture Senior Apts – 150 apts; The Pearl – 260 apts; Marlin Bay – 230 apts; Marina Shores expansion – 60 apts; Reducing the number of units for the WC expansion to be equal to the current campus density won't adversely impact the senior housing market. If the supply is there, the developers will come.
- 4) **There are zero affordable housing units in this expansion.** The Senior Housing Design Guideline allows density increases above code only for HUD defined affordable senior housing. This type of allowance is common practice and shows up in California State laws as +20% for senior housing and even Alexandria Virginia as a +30% increase. The City's Senior Housing Advisory Committee identified the lack of affordable HUD housing in this project and requested WC to supply documentation as to how they are meeting this requirement. None has been produced. Allowing increased density because a business plan needs it to maximize profit is not allowed.
- 5) **Maximizing tax collection is not a valid application review parameter.** There is no requirement in the City codes, plans or guidelines that says tax revenue is more important than maintaining the character of a neighborhood. A smaller scale project allows the characteristics of the area to be maintained and also allow an increase in taxes over what is being collected now.
- 6) **Ignoring City codes, plans and guidelines will set precedent for future development in the Bayfront area.** For the past 20 years, it has been the general opinion of the community that the development along Shore Drive has been too boxy and dense, but the residents have understood the overlay requirements and made sure projects didn't violate them. The WC project you approved ignores the

height restriction of 165ft that was adhered to for the 2nd WC building. The density of the 22 story tower site is 255% over the 24/units per acre code. The Senior Housing Guidelines require the site to be a minimum of 3 acres, yet it is only 2.56. The guidelines also require the project to have a mass and scale that doesn't adversely impact the surrounding community's character. Approving a project that ignores all of these requirements will provide the legal precedent for all future developers to ignore codes and ask for approval based on conditional use similar to this one.

The City's lack of civic engagement for a project of this magnitude and impact is appalling. The Bayfront residents pride themselves on civil discourse and the ability to work with the City to find compromising solutions. The fact that we were never given the chance to discuss our concerns is not acceptable. All of you ran election campaigns that championed improved civic engagement for the citizens. We demand that you take the opportunity at your October 6th meeting and reconsider your vote of September 22nd. Denying the proposed WC development will allow the necessary City facilitated civic dialogue to take place needed to make an informed decision of this importance. A smaller less dense development would be an acceptable compromise that will keep future development of the Bayfront in accordance with codes, plans and guidelines and also allow WC residents to enjoy their new amenities and City Council to enjoy an increase in tax revenue. Keeping the approval of the high rise high density project will lead to a Bayfront that resembles Town Center and result in the loss of our neighborhood character which is the main reason we all love this area.

Sincerely,

Todd Solomon
Shore Drive Community Coalition President