



**MINUTES
HISTORICAL ARCHITECTURAL REVIEW BOARD (HARB)
REGULAR MEETING OF JUNE 4, 2020**

This meeting was conducted utilizing teleconferencing software Zoom and is consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

CALL TO ORDER: Chairperson Bresler called the meeting to order at 6:30 p.m.

PRESENT: Chairperson Bresler
Vice Chairperson McLauchlan
Board Members Adamson, Cain, Jacobs

ABSENT: None

STAFF PRESENT: Wayland Li, Principal Planner
Bronwen Lacey, Senior Deputy City Attorney
David Wage, Senior Planner
Bill Roth, Senior Planner
Trish Cordova, Recording Clerk
Maria Salinas, Recording Clerk

APPROVAL OF MINUTES: None

DISCLOSURES: **Chairperson Bresler** said he has visited the site for Item No. 1 (PLN2014-00338) multiple times over the course of several years.

Vice Chairperson McLauchlan said he had been present for the October 4, 2018 HARB meeting for Item No. 1 and that he is very familiar with the site, having visited it several times.

Board Member Adamson said she lives in Niles and passes by the site for Item No. 1 several times a week. She also has examined the site on other occasions more closely.

Board Member Jacobs said he has visited the goats on the property of Item No. 1, who were on-site, clearing it of brush. He also said that he would be recusing himself from the public hearing for this item, due to his involvement in litigation with the developer.

Board Member Cain also said she would be recusing herself from the public hearing for Item No. 1, because she was involved in litigation against the developer and that she had worked with the developer, subsequent to that lawsuit.

CONSENT CALENDAR

None

**PUBLIC/ORAL
COMMUNICATIONS**

Kelly Abreu, Fremont resident, spoke of a sculpture atop Mission Peak that was established in 1990. He identified the sculpture as a cultural monument and said it had yet to be recognized for its significance. Mr. Abreu advocated for the sculpture to be registered as an historic resource.

PUBLIC HEARING ITEMS

Board Members Cain and **Jacob** recused themselves from the public hearing of Item No. 1 (PLN2014-00338) and exited the meeting.

Item 1. **NILES GATEWAY – 37899 Niles Boulevard – (PLN2014-00338)** – To consider Historical Architectural Review for compatibility with the Niles Historical Overlay District for a project that includes the development of 75 attached residential units in the Niles Community Plan Area, and to consider an Environmental Impact Report (EIR) that has been prepared and circulated pursuant to the requirements of the California Environmental Quality Act (CEQA).

Principal Planner Wayland Li introduced the item and **Senior Planner David Wage** gave a comprehensive presentation, which included the following:

- History for the proposed project site.
- Background on the proposed project.
- Evolution of the development plan, including previously proposed iterations.
- Current project description and plan proposal.
- Vision for the Niles Historical Overlay District (HOD) and associated Design Guidelines and Regulations.

Vice Chairperson McLauchlan asked staff about the applicant's outreach to the community and if there were resolutions to any of the issues brought forth from community members. **Senior Planner Wage** responded that the applicant held several community meetings and that many of their concerns were resolved, as was conveyed during his presentation.

Chairperson Bresler asked staff to clarify how the current architectural design proposal is in keeping with that of the historical character of Niles. **Senior Planner Wage** explained that the Niles Design Guidelines allow for a diversity of architectural styles, including those being proposed for this project's current design. He then concluded that the project architect had designed a modern interpretation of those styles as seen in the Niles area.

Chairperson Bresler opened the public hearing and invited the applicant to speak.

Doug Rich, Valley Oak Partners, spoke to the changes implemented into the current design of the proposed project, which included the following:

- The number of units was reduced from 95 to 75.
- All buildings were reduced from a mix of two and three-story structures to an elevation of two-stories only.
- The proposed architectural style changed from a modern/industrial interpretation of residential and mixed-use buildings, to that of American arts and crafts, prairie, and farmhouse.
- All commercial space has been eliminated from the revised design, resulting in reduced traffic for estimated daily trips by nearly 50%.
- The amount of open space and landscaping has increased.
- Traffic circulation and pedestrian connections have been improved.

Mr. Rich then answered questions from **Vice Chairperson McLauchlan** regarding the dead-end for Street B, interior units within the three and five-plex buildings, mitigation measure not clearly defined in the EIR, and the elevation of units. Project architect, **Mark Retherford**, assisted in responding to questions related to interior units.

Chairperson Bresler asked **Recording Clerk Trish Cordova** to read public comments that were received via email, prior to the meeting. Ms. Cordova proceeded to read 13 emails, copies of which are attached to these minutes.

Chairperson Bresler then invited those calling in to the meeting to make their public comments using the raised hand feature on Zoom.

Paul Welschmeyer commented on the 2018 EIR regarding traffic mitigation and expressed dismay over the lack of response to his suggestion for the City to conduct a traffic study on the use of a roundabout in the area of the proposed project.

Kirsten Brice, commercial property owner in Niles, said she preferred the original design of the project with a commercial component and was sad to see it eliminated from the current plans. She also stated her dislike of the current design's architectural style, describing it as "safe".

John Weed spoke about the connection of an interior trail to Chase Court and suggested it be redirected to the Alameda Creek Trail. He then spoke about the property site, saying it was not native land and was originally a floodplain creek bed. He stated that proper trenching must be done.

Chairperson Bresler invited the applicant to speak in rebuttal.

Doug Rich spoke to the concept of having a roundabout in the design. He said that a detailed analysis had been conducted on the possibility of adding a roundabout, but was determined infeasible by Fire, due to safety issues.

Chairperson Bresler closed the public hearing.

Vice Chairperson McLauchlan commented on the controversial aspect of the project and expressed his displeasure in using an electronic platform for the public hearing on this item, saying there were several unresolved issues still outstanding.

Senior Deputy City Attorney Bronwen Lacey reminded the Board of their purview, which was to examine the compatibility of the project with the Niles HOD Design Guidelines with respects to siting, massing, scale, size, material, texture, and color.

Vice Chairperson McLauchlan added that he had issues with the siting, massing, and scale.

Board Member Adamson spoke on the issue of using roundabouts and their safety. She then commended the Protect Niles group for working with the developer on the current design and indicated her favor.

Chairperson Bresler made comments regarding the following:

- Findings from the environmental consulting firm, ESA, which he read from a memo dated February 17, 2020 that was included in the agenda packet as Informational Item No. 4.
- His history and experience as a Fremont resident and his involvement in reviewing previous proposals for developing the proposed project site, and how the current design has mitigated most of the concerns that he and other community members had with prior iterations.
- Regarding the project's compatibility with existing Niles developments, Mr. Bresler read from the staff report for the proposed project. Upon finishing his comments, he stated his concurrence with staff recommendation.

Board Member Adamson moved to recommend that the City Council certify the EIR for this project. **Vice Chairperson McLauchlan** seconded.

IT WAS MOVED (ADAMSON/MCLAUHLAN) AND CARRIED BY THE FOLLOWING VOTE (3-0-0-2) THAT THE HISTORICAL ARCHITECTURAL REVIEW BOARD – HELD PUBLIC HEARING;

AND

RECOMMENDED THAT THE CITY COUNCIL:

CERTIFY THE ENVIRONMENTAL IMPACT REPORT AS SHOWN IN EXHIBIT “A”, FINDING THIS ACTION REFLECTS THE INDEPENDENT JUDGMENT OF THE CITY OF FREMONT.

The motion carried by the following vote:

AYES: 3 – Adamson, Bresler, McLauchlan

NOES: 0

ABSTAIN: 0

ABSENT: 0
RECUSE: 2 – Cain, Jacobs

Board Member Adamson then moved to find that the proposed project was compatible with the Niles HOD Design Guidelines. **Chairperson Bresler** seconded.

IT WAS MOVED (ADAMSON/BRESLER) AND CARRIED BY THE FOLLOWING VOTE (2-1-0-0-2) THAT THE HISTORICAL ARCHITECTURAL REVIEW BOARD – HELD PUBLIC HEARING;

AND

FOUND THAT THE PROJECT AS PROPOSED WOULD BE COMPATIBLE IN TERMS OF SITING, MASSING, SCALE, SIZE, MATERIALS, TEXTURES, AND COLORS WITH EXISTING DEVELOPMENT IN THE NILES HISTORICAL OVERLAY DISTRICT, AND RECOMMEND THAT CITY COUNCIL APPROVE THE 75 UNIT RESIDENTIAL PROJECT, AS SHOWN ON EXHIBITS “C” AND “D,” BASED UPON THE FINDINGS IN EXHIBIT “B.”

The motion carried by the following vote:

AYES: 2 – Adamson, Bresler
NOES: 1 – McLauchlan
ABSTAIN: 0
ABSENT: 0
RECUSE: 2 – Cain, Jacobs

MISCELLANEOUS ITEMS

Information from Commission and Staff:

- Information from staff, as reported by:
 - **Principal Planner Wayland Li** polled the Board as to their availability for a special meeting in July. It was determined that the next HARB meeting would be scheduled for July 8, 2020.
- Information from Commission: None

ADJOURNMENT

Meeting adjourned at 8:31 p.m.

APPROVED BY:



Wayland Li, Secretary
Historical Architectural Review Board

Trish Cordova

From: Wayland Li
Sent: Thursday, June 4, 2020 2:13 PM
To: Trish Cordova
Subject: FW: Comments to HARB About Niles Gateway
Attachments: PLN2014_00338-HARB.pdf

On 5/31/20, 5:05 PM, "The Cavettes" <thecavettes@gmail.com> wrote:

Please share the attached with HARB prior to the June 4th meeting and place it in the Niles Gateway records for the PC and CC to view later.

No need to have this read by the clerk at the meeting as long as the HARB members have seen it.

Thank you,
Alice Cavette

HARB Members,

RE: March 2020 Revision of Niles Gateway project.

The revised plan still has long straight rows of 4- and 5-plex buildings, and this time all the garage doors are the same plain design! Please require garage doors of differing styles (not just color.)



The poor Huangs on 3rd St. will look out at 20 units along Street E.

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The second-floor, back-bedroom windows over the garages of each unit look out directly across the 24-foot street to another bedroom window. The buildings along E Street directly face each other. There are no driveway pads, and there is no room for landscaping. The view from the bedrooms is just asphalt, garage doors and other bedroom windows.

A height of 30 feet is imposing when it is a 115-foot-wide, five-unit building.

Curve the streets, have more tri-plex buildings, offset the buildings so facing buildings are not directly aligned with each other, and add driveway pads.

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The six flats-buildings on the Alameda Creek side have full living quarters on the ground floor - great for accessibility. But the only ADA parking is way over by Lot 9 on B Street. There should be more "interior" parking spread evenly around.

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As to density, 12.4 du/ac by itself may seem reasonable, but the only way to fix the above problems is to have fewer units. Fewer units would also lower the traffic impact at the already-impacted intersection of Niles Blvd. and Mission Blvd.

Thank you for your consideration,
Alice Cavette

Trish Cordova

From: Wayland Li
Sent: Thursday, June 4, 2020 12:54 PM
To: davidjprice99@gmail.com
Cc: Trish Cordova; David Wage
Subject: Re: Comments on Latest Plan for Henkel Property

David,

Thanks for submitting your comments. I will distribute to the Board Members prior to the meeting, and the Recording Clerk will read your comments/questions into the record during the public hearing.

Please let me know if you have any questions.

Thanks,
Wayland

Wayland Li, AICP
Principal Planner

City of Fremont
Community Development Department
39550 Liberty Street
Fremont, CA 94538
(510) 494-4453

From: "davidjprice99@gmail.com" <davidjprice99@gmail.com>
Date: Thursday, June 4, 2020 at 12:43 PM
To: "'Julie A. Cain'" <jcain@stanford.edu>, 'Dave Jacobs' <djacobs@pacbell.net>, 'ALTA JO ADAMSON' <altajo@hotmail.com>, 'Theodore Bresler' <trb1942@hotmail.com>, "tom.mclauchlan@comcast.net" <tom.mclauchlan@comcast.net>
Cc: 'Theresa DeAnda' <theresa@theresadeanda.com>, 'Doug Rich' <doug@valleyoakpartners.com>, David Wage <DWage@fremont.gov>, Wayland Li <wli@fremont.gov>
Subject: Comments on Latest Plan for Henkel Property

Hello Esteemed HARB Members,

Just a couple of comments and questions on tonight's meeting.

1. I commend the reduction in stories and the lowering of the number of units. However the consensus remains that the number of units should be at the lower end rather than the higher end of the new zoning scale (53 to 88 units {6.08 times 8.8 to 14.5 du/acre}). This lower density seems to be exactly what **NILES COMMUNITY PLAN POLICY 11-8.1** addresses when it reads "Enhance the character of Niles Town Center by preserving and restoring historic buildings, attracting new infill development that is compatible in **scale** and design with existing development". I believe there was a 60 du option considered at some stage. Why was that not carried further??

2. I agree with the widespread belief that a roundabout would be a more efficient and safer way to handle the traffic coming in and out of this new development. Even at 75 du and no commercial units there is now ample room to make this happen. Can that be a consideration going forward?

Thanks,

David Price, Niles Resident

Trish Cordova

From: Wayland Li
Sent: Thursday, June 4, 2020 2:09 PM
To: Trish Cordova
Subject: FW: Proposal for Niles Historic District Signage
Attachments: Proposal for Niles Historic District Signage.doc

From: "davidjprice99@gmail.com" <davidjprice99@gmail.com>
Date: Thursday, June 4, 2020 at 12:29 PM
To: Wayland Li <wli@fremont.gov>, Bronwen Lacey <BLacey@fremont.gov>, David Wage <DWage@fremont.gov>, 'Doug Rich' <doug@valleyoakpartners.com>
Cc: "'Julie A. Cain'" <jcain@stanford.edu>, 'Dave Jacobs' <djacobs@pacbell.net>, 'ALTA JO ADAMSON' <altajo@hotmail.com>, 'Theodore Bresler' <trb1942@hotmail.com>, "tom.mclauchlan@comcast.net" <tom.mclauchlan@comcast.net>, 'Robert Daulton' <r.daulton@att.net>, Wayne Morris <WMorris@fremont.gov>, 'Theresa DeAnda' <theresa@theresadeanda.com>
Subject: Proposal for Niles Historic District Signage

Hi Wayland,

In addition to some other comments I will make separately for tonight's HARB Meeting I would like to again table the attached proposal for improved signage of the "Historic District" that I would like to propose be covered by the developers in the interest of the community as a whole. It never ceases to amaze me when I continually find that the overwhelming majority of Bay Area residents have no idea of Niles' history in film-making and its significance as a key connection point in the transcontinental railway network.

Thanks

David Price, Niles resident.



Proposal for Niles Historic District Signage

CONCEPT

Increasing business revenue by augmenting ad hoc visitor numbers through enhanced signage

SUMMARY

By virtue of its road topology Niles is somewhat isolated from the main through traffic traveling along State Routes 238 and 84. Signage of one sort or another has always been considered important to draw visitors into the town. In addition, Niles has an under-publicized historical significance that, if corrected, would also draw additional visitors into the main historic downtown area. In order to correct these elements, it is proposed that a simple, cost effective enhancement be made to the major overhead NILES signs at two of the three entrances to the area and that a separate co-located ground level sign be added at all three entrances denoting the historical significance of the area the visitor is entering

ANALYSIS

In many other restored “old towns” around California, informational, relevant and attractive signage has been used to denote the beginning of an area of historical interest. A prime example of this are Old Town Temecula as shown in Figure 1 below showing the towns heritage as one of ranching and stage coaching.



Figure 1: Old Town Temecula entrance sign

Temecula gained significance before due to its position as a stage in the Butterfield Overland Mail stagecoach line. In 1909 Temecula was in a condition not dissimilar to the status of Niles about the same time as can be seen in Figure 2 below.

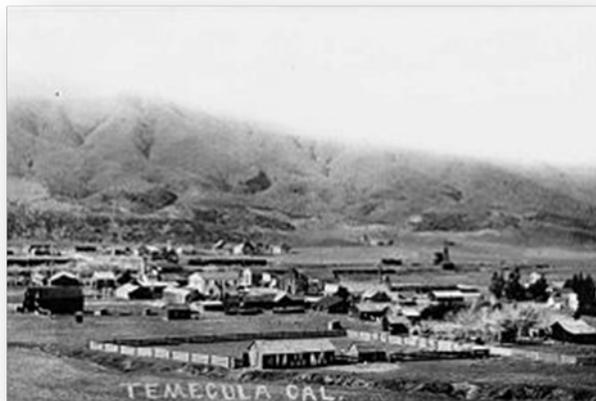


Figure 2: 1909 Photo looking across the Temscal Valley

Until the 1990s Temecula languished as a poor neighbor to Rancho Bernardo in San Diego County. What was then known as Rancho California became incorporated in December, 1989 and the citizens voted to officially name their city "Temecula". A development agency was formed and in the late 1990s and early 2000s the neglected "old town" on the south western edge of the City of Temecula was rejuvenated to become what it is today. It boasts a Farmer's Market, a Museum and more than 16 restaurants with a thriving retail business that stays open until 9pm on weekend evenings. For more information visit http://www.temeculainformation.com/oldtown/Old_Town.htm

Another example, albeit for a larger business district is the Gas Lamp Quarter in San Diego. The exemplary signage for this and other historic districts is shown below.



PROPOSAL

Existing Main I-Beam Signs

The signs can be made more appealing by the simple addition of metal, painted in the same color depicting the historical significance of Niles for both film-making and the transcontinental railway connection. The picture below is from the sign as one enters the town from the SR84 / SR 238 intersection.



As can be seen the sign is partially obscured by adjacent trees (especially in summer) and at best is of a “Spartan” minimalist design. The proposed enhancement is shown in the following diagrammatic representation.

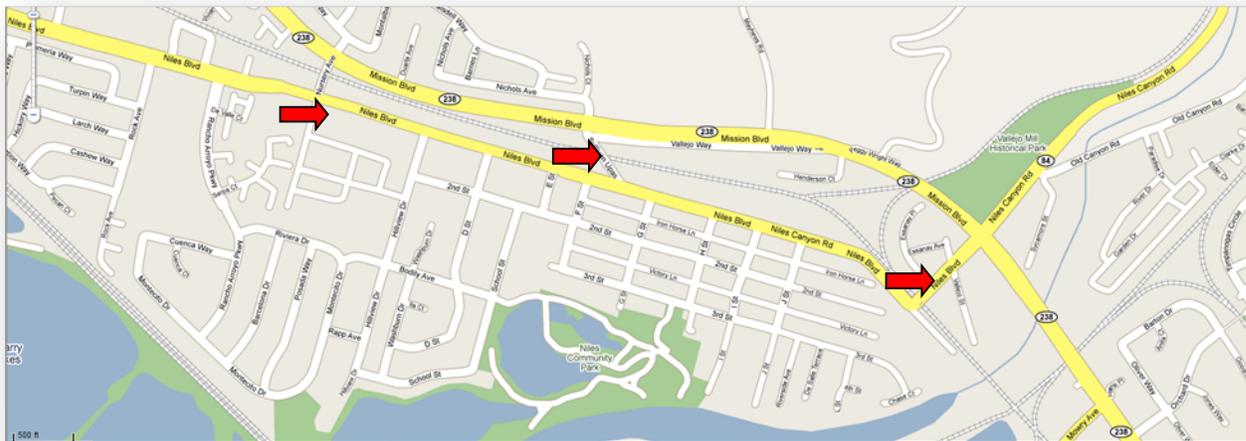


The motif on each side of the NILES lettering represents the three historical attributes of Niles. Its horticultural origins, the significance of the railroad and its contribution to cinematography. The arrow on the one sign to the south of the town is superfluous and can be replaced by a visible street level sign.

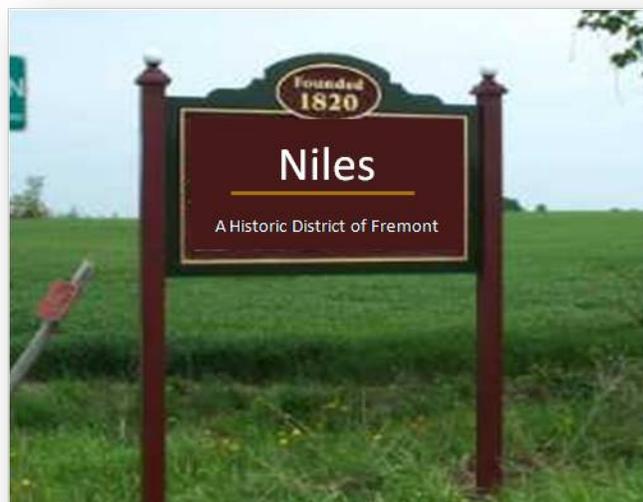
The motif frame with its elements can be prefabricated, phosphoretically dipped and painted black in keeping with the rest of the sign. Attachment can be quickly and effectively made through a series of tack welds that would then be refinished to ensure surface integrity.

New Street Level Signs

The significance of these signs is that it denotes “Niles – Historical District of Fremont”. It is proposed that this signage is placed at the boundaries of the development district specifically at the base of the two I-frame signs and a third at the junction of Niles Boulevard and Nursery.



The signs can be made very cheaply and have a simple design or a little more money can be invested, raised by contributions from special find raising events and add a little more class to the overall “curb appeal” of the town.



COST ANALYSIS

The rough order of magnitude for the design and construction of this project is as follows:

I-Beam Signs

Design: \$10k

Fabrication and Finishing: \$5k per sign total \$10k

Removal of tree overhang: \$5k

Removal of Arrow: \$3k

Installation and Completion: \$5k

TOTAL: \$33k

New Street Level Signs

Design: \$5k

Fabrication and Finishing: \$5k each sign total \$15k

Attachment to I-Beam sign in 2 locations: \$5k per location total \$10k

Permanent location for 3rd Sign: \$10k

TOTAL: \$40k

GRAND TOTAL: \$73k

SUMMARY

Niles is at a tipping point. It has the potential for rejuvenation due to the investment made by the Development Agency, the completion of Fire Station #2, the activities of the Niles Canyon Railroad, and the cleanup of eye sores at the Henkel Building and Niles Hall. To become a commercial success, it must still have further investment in more restaurants, more vibrant retail stores (with longer opening hours) and long overdue investment in buildings by many of the property owners. To become a destination Niles needs to be noticed and be branded as a "Historical District of Fremont". This proposal brings enhancements to the existing I-beam signs and brings important street level signage connoting the area as having historical significance.

The likely cost of these signs, absent costs such as consultants, length design reviews and an overzealous permitting process, will be less than \$100k and it is hope that with effective budget management of the project to re-invigorate the heart of Niles i.e. the Niles Town Plaza Project, that this amount can be found within the contingencies for completion of this

David Wage, Associate Planner
City of Fremont
39550 Liberty Street
Fremont CA 94537

5/29/2020

Dear Mr. Wage:

I am writing to you again regarding, the Niles Gateway Project. When this project was in the early stages together with my family and neighbors, my husband and I attended town meetings, council, planning, and more. This included private meetings with Doug Rich, the project manager.

Here five years later we are still receiving notices (2 days in advance with one day to respond) to view our ongoing concern. There are so many man hours it takes to defend your rights as a tax paying citizen as well as protect your investment in your home and protect your family. There are reports that are hundreds of pages others that are thousands of pages, and that is where you come in.

Do you ever truly address the effects to existing neighbors that new projects have vs. the tax revenue it brings to the “City”?

As I wrote to you before and now once again, Niles is a very select group of building styles, from victorians, to ranch, to farmhouse, to craftsman. ***Does this project degrade the environment, I think it will?***

Will our privacy, quality of life and traffic be significantly more impacted, yes.

Will artists truly reside in the artist’s /flex units, probably not.

Will the new bioretention systems bring dangerous levels of run off to our ground water, very likely.

And as stated in the report under “findings”, hazardous materials in existing soils-are significant, (ground water) Is ***this why there was not an EIR done originally to cover this up and push the project probably.***

In closing, the first study stated, “findings directly impacting human beings”? So even five years later the impact with the improvement to a vacant property is questionable. Please consider all dangers, previous findings, and effects this project has and will cause. Niles needs to be ***“preserved for the historical legacy it holds”***, not a gateway of metal and high rise.

Thank you
Rose Corsi
38092 Third Street
Fremont CA 94536
(510) 797-4894

Trish Cordova

From: David Critchfield <david.critchfield@gmail.com>
Sent: Tuesday, June 2, 2020 6:56 PM
To: Trish Cordova
Subject: Niles Gateway - HARB Meeting

I have a question I hope can be addressed at the meeting. Why do both 2nd and 3rd streets not connect with this project? Was there neighborhood resistance to this? Seems this project will be kind of walled-off from the rest of Niles. Was that part of the plan?

david critchfield

Dear commissioners,

I was the first president of Niles Main Street Association during the years when we brought many people together to discuss how Niles should evolve. Our committees were intimately involved in revising Niles' design guidelines and looking at what was needed to attract visitors, shoppers and restaurant patrons to Niles. We always knew more housing close to downtown was needed to increase local patronage to our businesses & we were equally concerned with protecting our town. So I am writing to you with that background in mind, and as a resident of Niles since 1976.

I am writing to say that I am in complete support of the Henkel project! Do I have things I wish were different? Sure. But I feel this developer is one of the few who really stuck with it and tried to listen initially to public input. And then later, after additional local protest, I feel they made substantial changes to address those concerns. Frankly, I liked their original concept, but with fewer homes. And I loved their use of metal siding as a salute to some of the funky metal buildings in Niles. But obviously that scared others.

But at this point, I really want this project to be approved and I hope the HARB commissioners will realize that there are many views of what historic Niles is, and should look like. I hope that this developer will do right by us and put their best effort into completing the development of this project, as-is. And I hope development begins yesterday.

Thank you all for your service!

Warm regards,

Nicki

Nicki Bouton

333 J Street

Fremont Ca 94536

Trish Cordova

From: Nat <nat.skinner@gmail.com>
Sent: Wednesday, June 3, 2020 11:19 PM
To: Trish Cordova
Subject: RE: NILES GATEWAY – 37899 Niles Boulevard – PLN2014-00338

Dear HARB Board Members, City of Fremont Personnel and Public Hearing Virtual Attendees,

I live and own my home within 250 yards of the proposed Niles Gateway Project. Here are my comments to be read into the record at the hearing:

1. Class 1 bike lanes in and out of the development and on Niles Blvd should be incorporated into the plans to encourage more bike use and to contribute towards the City of Fremont's zero vision plans. This is also consistent with the creation of Class 1 bike lines in other parts of the City. In the last year I have been hit by a car once while commuting to work and nearly hit three other times. All but one of these incidents would have been prevented with Class 1 bike lanes. Additionally, the AC Transit service is infrequent and frequently not on schedule, making biking one of the few zero to low emissions ways to get to the backhaul mass transit system in Fremont.

2. The all-way-stop sign proposed to access the site at the intersection of the "bend" just west of the railroad tracks is going to result in a Loss of Service grade of "F" at morning peak hours according to the City of Fremont's own commissioned Traffic Analysis (July 26, 2019, p. 5). Getting out of the development at peak hours will be a nightmare.

Rather than a stop sign, instead a roundabout should be created which would GREATLY enhance traffic flow in and out of Niles and would have a negligible impact on traffic and emissions as compared to a all-ways-stop sign at this intersection.

3. Each of the garages should be "make ready" for electric vehicle charging stations. This would greatly enhance the capability for new electric vehicles and would reduce the cost compared to post-construction installation.

Thank you for your attention to my comments and concerns.

Best regards,

Nathaniel W. Skinner, PhD

Trish Cordova

From: Lucienne Bouvier <xochiquetzal3261@gmail.com>
Sent: Wednesday, June 3, 2020 11:01 PM
To: Trish Cordova; David Wage
Subject: NILES GATEWAY

Regarding:

PUBLIC HEARING
CITY OF FREMONT
HISTORICAL ARCHITECTURAL REVIEW BOARD
NILES GATEWAY
37899 NILES BLVD.
PLN2014-00338

To the Historical Architectural Review Board :

I am a resident of Niles, and this project is within 100 yards of my home.

I REALLY REALLY REALLY hope you will protect the concerns of the residents of Niles. Please remember this is our home. The desires of the developer should NOT be equal to those of the residents. The concerns of the residents should take significant precedence over the profits of the developer.

The developer will finish their project and leave the residents of Niles to suffer the consequences.

The same concerns have been expressed over and over and over again.

The main concern is traffic. Niles is tucked between the Alameda Creek and the railroad tracks. Niles Blvd. is the major throughway from Niles Canyon to where it links with Alvarado-Niles Rd. to Union City. The only other roads that access Niles Blvd. are the Sullivan Underpass and Nursery Ave.

If this dense development is built, we won't easily get in or out of our town and our homes. We will be trapped. During peak hours, it can take 20-30 minutes to get to Mission Blvd. under the railroad tracks. Getting out of Niles on Nursery Ave. and the Sullivan Underpass to Mission Blvd. is equally difficult. 75 ATTACHED residential units, even with only TWO people per unit will result in 150 more residents at the WORST location. And there will surely be more. 300 residents? MORE? Home prices are high. Multi-generations squeeze into homes. 200 parking places? 2 cars per unit? There aren't enough to accommodate so many residents and their visitors.

The estimates are 4 more minutes to get through this area. That is an average. It doesn't account for heavy traffic times. It may easily take 45 or more minutes to get through the bottleneck.

The other important concern is the development isn't comparable to the historic essence and personality of Niles. The developer slaps a few more bricks onto the buildings and that's supposed to fix it.

The developer also throws in a little "play park" and a "Creative- Retail-Artist-Flex-Tenancy". The "CRAFT" definition is so vague, they can put anything there. These additions to the plan are meant to distract us from the project, to pretend these small additions make it acceptable. They do not. It is deceitful.

This project is a direct attack on Niles' small town charm. This will significantly and severely impact the small business owners. This project may limit available parking for the tourism Niles thrives on.

I agree this property is a blight to our community. I believe there are better options than to cram as many people as the developer can. I would support a project of detached single-family homes. Our community could likely absorb this change.

This current proposition places too heavy a hardship on our town and neighborhood.

Please please please listen and give attention to our requests. If you lived here you would agree. You should be hearing and protecting us, not acceding and allowing outside interests to damage our unique and historic home.

Sincerely,

Lucienne Bouvier
385 L St.
Fremont/Niles

Sent from my iPad

Trish Cordova

From: Monica April <monicaapril@gmail.com>
Sent: Wednesday, June 3, 2020 11:06 PM
To: Trish Cordova
Subject: Public comment for HARB meeting June 4th, 2020

Dear HARB Board Members, City of Fremont Personnel and Public Hearing Virtual Attendees,

I live and own my home within 500 yards of the proposed Niles Gateway Project. Here are my comments to be read into the record at the hearing:

1. Though improved from the original plan, 75 housing units on 6 acres are still too many to be in character with the existing lot sizes & residences of Niles' community.
2. There is too much massing in the site plan especially on Lots 5, 6, 12 & 13, which have 5 units each. I repeat -- 5 units each, making for 40 units, over half of the units of the whole subdivision, massed along this small street which feeds on one end to the end of Niles Blvd and at the other to the new private Street A. This massing is not in harmony with the existing character of Niles, and will also will create wind tunnels down the narrow street adjoining these large two-story multiplexes.
3. The all-way-stop sign proposed to access the site at the intersection of the "bend" just west of the railroad tracks is going to result in a Loss of Service grade of "F" at morning peak hours according to the City of Fremont's own commissioned Traffic Analysis (July 26, 2019, p. 5). Getting out of the development at peak hours will be a nightmare.
4. I URGE consideration of a roundabout at this intersection, which could help alleviate the traffic backing up onto Niles Blvd in both directions and into the development. This proposed development's intersection will impact one of only two entrances-exits to Niles and it is CRUCIAL that it be able to be free-flowing and that the development not create a bottleneck there, in the event of an emergency such as a major fire or earthquake. A roundabout may require the developer to sacrifice one or two lots but will be a vast improvement to the ability of existing residents of Niles to enter and exit Niles and the residents of the development to get in and out of the site. Other roundabouts are successfully managing traffic around Fremont and they are popular worldwide.
5. Many more electric vehicle charging stations should be incorporated, to encourage more electric car ownership which could reduce the Greenhouse Gas impacts of what the traffic study estimates will be an additional 549 vehicle trips per day. Lack of charging stations has been found to be a major barrier to purchase of electric vehicles and are far cheaper to install when a home is built. The existing Site Plan only calls for five electric vehicle charging stalls and should be many times that.
6. Class 1 bike lanes in and out of the development and on Niles blvd should be incorporated into the plans to encourage more bike use and to contribute towards the City of Fremonts zero vision plans.

Thank you for your attention to my comments and concerns.

Sincerely,

Monica

Sent from the cockpit of my invisible jet!

Trish Cordova

From: Renee Guild <renee@gem-corp.com>
Sent: Wednesday, June 3, 2020 3:19 PM
To: Trish Cordova
Subject: HARB Meeting June 4, 2020: My Public Comment

Dear HARB Board Members, City of Fremont Personnel and Public Hearing Virtual Attendees,

I live and own my home within 200 yards of the proposed Niles Gateway Project. Here are my comments to be read into the record at the hearing:

1. Though improved from the original plan, 75 housing units on 6 acres are still too many to be in character with the existing lot sizes & residences of Niles' community.
2. There is too much massing in the site plan especially on Lots 5, 6, 12 & 13, which have 5 units each. I repeat -- 5 units each, making for 40 units, over half of the units of the whole subdivision, massed along this small street which feeds on one end to the end of Niles Blvd and at the other to the new private Street A. This massing is not in harmony with the existing character of Niles, and will also will create wind tunnels down the narrow street adjoining these large two-story multiplexes.
3. The density and sheer size of the development will block the view of the East Bay Hills from the East ends of Second and Third Streets and the Alameda Creek Trail. This view of the hills is one of the greatest aesthetic values of living and being in the Niles environment.
4. The all-way-stop sign proposed to access the site at the intersection of the "bend" just west of the railroad tracks is going to result in a Loss of Service grade of "F" at morning peak hours according to the City of Fremont's own commissioned Traffic Analysis (July 26, 2019, p. 5). Getting out of the development at peak hours will be a nightmare.
5. I URGE consideration of a roundabout at this intersection, which could help alleviate the traffic backing up onto Niles Blvd in both directions and into the development. This proposed development's intersection will impact one of only two entrances-exits to Niles and it is CRUCIAL that it be able to be free-flowing and that the development not create a bottleneck there, in the event of an emergency such as a major fire or earthquake. A roundabout may require the developer to sacrifice one or two lots but will be a vast improvement to the ability of existing residents of Niles to enter and exit Niles and the residents of the development to get in and out of the site. Other roundabouts are successfully managing traffic around Fremont and they are popular worldwide.

6. Many more electric vehicle charging stations should be incorporated, to encourage more electric car ownership which could reduce the Greenhouse Gas impacts of what the traffic study estimates will be an additional 549 vehicle trips per day. Lack of charging stations has been found to be a major barrier to purchase of electric vehicles and are far cheaper to install when a home is built. The existing Site Plan only calls for five electric vehicle charging stalls and should be many times that.

Thank you for your attention to my comments and concerns.

Sincerely,

Renee Guild

p.s. I have read these comments aloud myself with a stopwatch and they come in at 2 minutes 46 seconds.

June 2, 2020

To Whom It May Concern:

I am writing as a member of Protect Niles, a group formed to have a voice in the proposed development of the "Henkel property". As such, although I am part of the group, I am speaking on my behalf and not as the voice of the group itself.

The initial development proposed by Doug Rich, in my opinion, did not conform to the Niles Historical Overlay District guidelines. After a series of events and much discussion, Mr. Rich began meeting with a subset of our group to revise the plans. They worked earnestly and cooperatively, and, in my opinion, arrived at a plan that is a success for both parties.

I am thrilled with the decreased density, modified height, complimentary architectural design and increased green space. All of these factors are much more in keeping with the Niles aesthetic than in the original project. Doing away with the initially proposed connectivity to Chase Court is a good move, and I think will preserve the integrity of Chase Court in the long run. Eliminating the commercial units was a key factor in traffic reduction, literally cutting the estimated trips by 50%. Credit must be given to Mr. Rich for his diligent attention to each comment, question or suggestion posed by committee members; he gave his best effort toward creating a project that would enhance this community, and that's not an easy task.

Would I still love to see a roundabout as you head into Niles? Heck yes! Because how cool would that be??? But alas, that seems as if it is not in the stars. Rats. Roundabout aside, I'm ultimately happy with the final result of this collaboration, and I think the community will be, too.

Sincerely,

Victoria Mayer
37421 2nd Street
Fremont CA 94536
510 791 8513

Trish Cordova

From: Theresa DeAnda <theresa@teamdeanda.com>
Sent: Thursday, June 4, 2020 11:14 AM
To: Trish Cordova
Subject: Proposed Niles Gateway Project

Importance: High

Dear HARB Board Members, City of Fremont Personnel and Public Hearing Virtual Attendees,

I live and own my home in Niles and been following the proposed Niles Gateway Project for years. Here are my comments to be read into the record at the hearing:

1. Though improved from the original plan, 75 housing units on 6 acres are still too many to be in character with the existing lot sizes & residences of Niles' community.
2. There is too much massing in the site plan especially on Lots 5, 6, 12 & 13, which have 5 units each. I repeat -- 5 units each, making for 40 units, over half of the units of the whole subdivision, massed along this small street which feeds on one end to the end of Niles Blvd and at the other to the new private Street A. This massing is not in harmony with the existing character of Niles, and will also will create wind tunnels down the narrow street adjoining these large two-story multiplexes.
3. The all-way-stop sign proposed to access the site at the intersection of the "bend" just west of the railroad tracks is going to result in a Loss of Service grade of "F" at morning peak hours according to the City of Fremont's own commissioned Traffic Analysis (July 26, 2019, p. 5). Getting out of the development at peak hours will be a nightmare.
4. I URGE consideration of a roundabout at this intersection, **We have several in Fremont already and this would assist with the already unbearable traffic issue we have getting in an out of our neighborhood** and could help alleviate the traffic backing up onto Niles Blvd in both directions and into the development. This proposed development's intersection will impact one of only two entrances-exits to Niles and it is CRUCIAL that it be able to be free-flowing and that the development not create a bottleneck there, in the event of an emergency such as a major fire or earthquake. A roundabout may require the developer to sacrifice one or two lots but will be a vast improvement to the ability of existing residents of Niles to enter and exit Niles and the residents of the development to get in and out of the site. Other roundabouts are successfully managing traffic around Fremont and they are popular worldwide.
5. Many more electric vehicle charging stations should be incorporated, to encourage more electric car ownership which could reduce the Greenhouse Gas impacts of what the traffic study estimates will be an additional 549 vehicle trips per day. Lack of charging stations has been found to be a major barrier to purchase of electric vehicles and are far cheaper to install when a home is built. The existing Site Plan only calls for five electric vehicle charging stalls and should be many times that.
6. Class 1 bike lanes in and out of the development and on Niles Blvd. should be incorporated into the plans to encourage more bike use and to contribute towards the City of Fremont's zero vision plans.

Thank you for your attention to my comments and concerns.

*Gratefully,
Theresa De Anda
36812 Second St
Niles C.A.*

Trish Cordova

From: sandi grantham <sgrantham3@pacbell.net>
Sent: Thursday, June 4, 2020 3:26 PM
To: Trish Cordova
Subject: please read at virtual meeting 4 June

Dear HARD Board members and City of Fremont personnel

I think we are putting the cart before the horse by considering this design before deciding whether this high-density housing project should even be built on this site. I am not against single family homes and stores being built but definitely not three-story town houses next to one-story homes. Granted they are "two-story townhouses", but they are above a garage which equals three-stories.

The traffic impact of another 75-150 or more vehicles is uncomprehendable considering the current gridlock during the morning and evening commute times. Has the city even considered what would happen if Niles residents should have to evacuate during an emergency, such as a wild fire?

As for the design, it doesn't resemble downtown Niles buildings at all. Since this will be the Gateway to Niles, I would expect it to reflect the architectural design of the other buildings on Main Street. The proposed metal roll-up doors make it look like an industrial park.

Sandi Grantham
3rd Street resident

Kim Salazar

From: deni caster <deni_jc@yahoo.com>
Sent: Thursday, June 4, 2020 6:57 PM
To: Trish Cordova <TCordova@fremont.gov>
Subject: Niles Gateway

Dear Commissioners,

My involvement with Niles Gateway began in 2014. A local yahoo group was set up to discuss what people "heard" at the community meetings held by Doug Rich. Meeting one brought comments that seemed in approval. Meeting 2 consisted of Mr Rich coming in and saying "here is the plan", and it had already been submitted. There was no community input. In Oct 2014, local residents called Mr Rich to a meeting at a local corner bar/restaurant along with ACWD officials to help explain how this building of 98 units would not affect the shortages of water we were being cautioned of. After the 2015 Planning Commission approval, with all sorts of conditions, a group of frustrated residents of Niles met, and formed Protect Niles. We formed a strategy for our comments at the City Council meeting, but Mayor Harrison limited comments to 1 minute, and he spent the evening chatting with Fred Diaz. It was apparent this was a done deal. BUT, this was/is SUCH a contentious building site. When records on the SF Waterboards GeoTracker website have pollution concerns dating back to 1981 and being situated next to our drinking water.... this was a site that needed a real EIR.

I would like to thank Mr Rich for listening, and for getting to know the Niles Design Guidelines better, and provide a much better suited development. I know people will say it is out of character, but I realize that the financial considerations would make building cottages unrealistic. I am especially excited to see the "flats". Perhaps they will house some of our Niles natives who need fewer steps in their residences.

That all being said, there is no way that these residents will get out onto Niles Blvd. Most of the drivers cutting thru Niles are not very courteous. I sat trying to be allowed to turn left onto J St, where I lived, for close to 5 minutes one night. There must be a way for cars to flow. I strongly suggest that some property, and maybe a unit or two, give way to a roundabout entering Niles. It gives these new residents a chance to actually get out of their development.

I also want the Commissioners to be clear - the EIR stated that there was no need to amass 98 units on this site since, based on the expected market rate sale price, it was not needed to within Fremont's RHNA numbers.

I no longer live in the area, but continue to have very strong ties to Niles - a place, a community, like no other.

Sincerely,

Deni Caster
former 3rd & J St resident
now in Gardnerville NV

ref: [GeoTracker](#)

GeoTracker