

Published February 3rd, 2021

CountryHouse memory care facility at Wilder moves one step closer to reality

By Sora O'Doherty



Image provided by staff report

why the appellants believe that the proposed development should not be approved.

Despite massive opposition to the proposed CountryHouse memory care facility by 95% of all residents of Wilder, the Orinda city council on Jan. 19 denied an appeal of the planning commission's approval. The denial followed a full hearing on the appeal, which was continued from Nov. 17. The planning commission approved plans on July 14 for the memory care facility - a 38-bed congregate care facility with 24-hour non-medical care for seniors with dementia and Alzheimer's - to be located on a 1.1-acre parcel at 1 Wilder Road on a piece of land adjacent to Highway 24.

Throughout the process, there has been vociferous opposition by residents of Wilder. The appellant, Wilder Owners Association, represented by attorney Shondra Armstrong, has 90 days in which to seek judicial review of the council's decision from the courts. Armstrong gave a presentation to the city council outlining all the reasons

After hours of hearings, the city council rejected all the arguments advanced by the appellants. In a resolution adopted on Jan. 19, the council found that the project is consistent with Orinda's General Plan as a congregate care facility within the public, semipublic and utility zone. The council also found that the proposed development does not impair existing views, block access to light and air, or infringe on the privacy of neighbors. As stated in the staff report, "Because conformance with applicable general plan policies would effectively mitigate scenic impacts, the project complies with the Scenic Highways statute," and the council agreed. The city also found that the environmental impact report was thorough and sufficient.

The council also rejected the appellants' concerns that the facility would present traffic and safety dangers, particularly in regard to emergency evacuation, and that the developer was unjustly benefiting from special taxes and bonds paid by Wilder residents for improvements to the area.

The tone of the debate was somewhat hostile, with Wilder residents stating that the council was pitting new Orinda residents against old Orinda residents. Eric Egan, president of the HOA but speaking as an individual, said it was offensive to suggest that Wilder residents want to discriminate against dementia patients.

Robert Finch said that kitchens that are not kitchens are contrary to common sense and to California law, and Mark Bresnik called the kitchen issue "Russian roulette."

The kitchen issue was perhaps the most divisive topic. Because of the PS zoning, developments require use permits. One of the specifically allowed uses is as a congregate care facility. The Orinda municipal code requires congregate care facilities to include small kitchens in each individual dwelling unit. However, because dementia patients, who are the only residents of memory care facilities, are not safe around some kitchen appliances, the small kitchens at CountryHouse will be for the use of staff and guests only. The appellants found this to be both unsafe and disingenuous.

Joel Goldman, who spoke for the applicant, found the views on kitchens interesting. While he said that he appreciated homeowners showing such concern for potential residents, Goldman explained that dementia is a gradual process. "Many people, hundreds if not thousands, are living in apartments with stoves or microwaves, rendered inoperable." He added, "In all my years, I cannot recall a single incidence of a fire started as a result."

In addition to the comments presented at the Zoom meeting, a number of comments were submitted in writing, and several of those expressed strong support for the project. Written comments from attorney Armstrong detail the appellant's arguments.

All of the five council members had positive feelings about the proposed development. Council Member Darlene Gee complimented the architecture. "As someone licensed in traffic," she said, "I don't believe it will generate much traffic at all." She concluded that she does not believe that this facility will take away from Wilder, and stressed that she has no negative feelings about residents in Wilder.

Council Member Nick Kosla emphasized that he has voted against developments in his four years on the planning commission, but he felt that the applicant "has gone above and beyond" to create a very beautiful

building. In this case, he added, the exceptions make the project better.

Vice Mayor Dennis Fay believes that the development will be an attractive addition to the area. Mayor Amy Worth stressed that Orinda does not have any place that can provide care for dementia patients. "People are in desperate need of memory care facilities," she said, and the development speaks to the need for such a facility in Orinda. "This property could be used for a lot of different things that would have greater traffic impact or other concerns," she said, but memory care will have lower impact.

Written comments on the proposed development may be read on the city's website at <http://orindaca.iqm2.com/Citizens/Board/1000-City-Council>

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