



H A Y W A R D A R E A P L A N N I N G A S S O C I A T I O N

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The HAPA News

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Dues due for 2013

We are mailing everyone a dues notice, everyone that is who we hope will send us some dues. If you do not receive a notice in your mail, it's a sign that we have little hope that you will send us dues, but you could brighten our day by sending them anyway. Dues are only \$20 per year, and additional donations are welcome. Make checks out to S.F. Study Center, with HAPA in the Notes line, and mail to HAPA at the address below.



Happy New Year

HAPA now enters Year 35. Our major projects continue: Bayview Village, sustainability and the Beeline bus for CSUEB Hayward, and South Hayward redevelopment issues.



Status Report on Bayview Village

I have been busy with a report on the Caltrans properties, preparing an e-book on Bayview Village, and a long narrative on the Route 238 Bypass project. We have made no progress on finding investors for Bayview Village, so I have been seeing if Caltrans and the City of Hayward will sell the land sooner rather than later. On December 17, 2012, I talked to Assistant City Manager Kelly McAdoo about the City's schedule. There are five City staff that have a lot of irons in the fire, one of the most important of which is managing the disposition of the Caltrans properties. Most of the houses to be sold to eligible Caltrans tenants have been sold. The Bunker Hill area, however, has been a special problem because of the need for major infrastructure: streets, drainage and storm drains, water and sanitary sewers. Bunker Hill has taken a lot of time, as has development near the South Hayward BART station. John DeClerk is the City's property development specialist working with BART and the developer on a condominium project and an Eden Housing project on BART parking east of Dixon Street and the Perry & Key property. The City has consulted with Nelson Nygaard about how to manage parking for BART for the spaces which will be lost to development (see comments below).

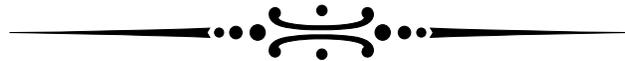
Making progress on Caltrans dispositions depends in part on springing DeClerk loose from the

South Hayward project. His first Caltrans project will be issuing a Request for Interest (RFI) concerning Caltrans and City properties east of Foothill Blvd. and north/south of Carlos Bee Blvd. An RFI goes out to investors and developers to see if they are interested in buying and developing the available vacant properties.

While Caltrans has had problems managing the disposition process, they have brought back from retirement Robert MacPherson, who until recently was in charge of the properties and is very knowledgeable about the complex Caltrans disposition process.

All of this is happening too slowly for me and I don't have any way that I know of to expedite the process. However, I am hopeful that once the Mission/Carlos Bee RFI is out the door, the City and Caltrans can expedite selling the quarry area ahead of other properties, excepting properties with existing structures. These properties include single-family houses, multi-family houses, and offices, and need to be sold before they deteriorate further.

For various reasons, seven houses on Overlook Avenue have been sold or are about to be sold, complicating the Grand Plan HAPA has been working on for Bayview. Hopefully, the old quarry and related Overlook properties will be sold at auction as one package to a new owner, who will then decide what to do with HAPA's Bayview planning, and choose to involve HAPA in their development.



Comments to City Council on South Hayward Access

I oppose any subsidized parking structure at the South Hayward BART station. I also believe a structure that had to pay for itself based on parking charges set a level determined by the market would not be able to pay for itself. A subsidized parking structure is uneconomic and anti-environmental, and an unsubsidized parking structure probably won't work. I request that Council look into these claims before committing to a structure.

Similarly, Council should consider requiring Eden Housing to unbundle parking in any project after Phase I. We know from projects in Arlington VA and from the California Tax Credit Allocation Committee (TCAC) and a project in San Francisco that projects can be unbundled with no difficulty for Tax Credit financing.

Council should consider replanning the land use at the exit to the station to have BART riders walk past retail on their way to shuttles, homes, and cars, as is commonly done in other cities to optimize sales.

The JPA should consider market-based management of public parking through charges based on willingness to pay using technologies of SFPark that have proven to be increasingly

efficient in San Francisco. Such parking needs to be shared among all uses to let the market work in a simple way. For day users, daily charges are appropriate; for long term users like residents, leases are important. Since BART is charging for parking, and there are no competing uses, shared parking should have little or no impact on ridership and would have less administrative overhead. Enforcement of BART-only parking could require a BART rider parking on Tennyson to repark their car to go shopping at a store they are already parked close to. It's unnecessary and inefficient if the Tennyson parking is charged a market rate.

The proceeds could be used to finance a short distance rapid shuttle that is fast, frequent, and free. Some of the financing would come from nexus-based contributions from development and from existing properties whose owners agree to a fixed charge on their property tax in exchange for passes. The JPA would manage the finances and contract with an operator based on an RFP, similar to what Union City and CSUEB Hayward have done. If the neighborhood is allowed to participate in deciding what neighborhood improvements get funded, they might also want information about a shuttle.

The Council should ask for some study of the elasticities of ridership on a shuttle compared to the time it takes to find street parking or structure parking, to walk in a long distance from outlying streets or to walk and take an elevator from the upper levels of a structure. My opinion is that a shuttle would not work for Phase 1, but would be feasible when the main parking area is developed, which would include using the land now planned for a structure for something useful instead. By the same token a larger area of shared market-based parking would provide more revenue for a shuttle and a way to balance parking and shuttle access, as explained in more detail in my other reports.

Further detail on these ideas is contained in a PowerPoint, spreadsheets, and maps that contain the research I have already done, and has not been done by Nelson Nygaard. Many months ago Nelson Nygaard claimed the shuttle would not work, but they never reviewed my data and used irrelevant studies that did not pertain to the facts of South Hayward.

I would like to have seen some assessment of the ability of existing off-street private parking to accommodate a reasonable amount of residential parking. Residents can get four free parking permits (RPPs). Do people need four RPPs? Are they allowed to sell them? Can they rent their spaces to others? How does the JPA plan to enforce against people acting rationally in their self-interest? Does the four per resident reflect informed opinion by residents who could in the majority prefer parking charges to pay for neighborhood improvements? Or does it reflect a fear of a few vocal residents without information about what most people want?

A lot of the Nelson Nygaard report makes sense, using unused street parking to replace lost BART parking. Subsidized parking, however, does not serve a public purpose.



2012 HAPA Accounts

HAPA Accounts, 2012

1/1/2012 through 12/31/2012

Date	Description	Amount
INCOME		\$39,115.00
Donations:Citizens for Alternative Transportation	CATS dissolution contribution	\$13,000.00
Donations:Sherman and Alison Lewis		\$25,000.00
Other Donations	HAPA donors and members	\$1,115.00
EXPENSES		(\$23,128.40)
Attorney Stuart Flashman, HAPA v CSU		(\$11,233.95)
Fees for Archiving and History	Amanda Halperin	(\$1,135.00)
Fees for CSUEB Hayward Sustainability	Isabel Garcia and Katie Melara	(\$567.00)
Fees mostly for Bayview Village:Jacobson Consulting		(\$2,550.00)
Fees mostly for Bayview Village:Nancy Schluntz		(\$2,777.50)
Fees mostly for Bayview Village:taxes		(\$66.99)
Other Fees mostly for Bayview Village		(\$206.67)
Fiscal Sponsor Fee	S.F. Study Center	(\$2,820.83)
Insurance	Calender-Robinson Co.	(\$1,260.00)
Outreach And Promotion	Congress for the New Urbanism, Membership	(\$195.00)
Supplies	printer cartidges, postage stamps	(\$206.56)
Travel	Jacobson Consulting	(\$108.90)
OVERALL TOTAL		\$15,986.60
Opening Balance		\$7,814.22
Closing Balance		\$23,800.82
Change in balance		\$15,986.60



Voters and Advocates Help East Bay Parks Expand Parkland

In our daily life, it is easy to forget how much open land lies to the east of Fremont, Union City, and Hayward—and how much of it could be developed. Over the decades, development has been closing in on nature, and East Bay Parks has been saving what it can. Just as some land is being lost to sprawl, other land is being protected but, surprisingly, that process is coming to an end. Why? Because we are out of land up for grabs.

The latest chapter is not quite written, but within a year we can expect to see a huge expansion of parkland. This chapter started with a big fight over a little snake and a smaller frog. The Alameda whip snake is endangered because it is running out of lizards, because the lizards are running out of bugs, because the bugs are running out rock outcrops and other habitat. The Red-legged Frog is endangered because it is tasty to invasive bull frogs and some fish, and just surviving in rancher cow ponds that dried out over the summer. A last bastion for our snake and frog has been the Ridgeland between the urbanized bay plain and the Livermore-Amador Valley.

Two more ingredients: voters who approved taxing themselves for parks, and advocates for nature, in this case, the Hayward Area Planning Association and the Center for Biological Diversity, thanks to the indefatigable Jeff Miller. The advocates were relying on the biologists at the US Fish and Wildlife Service to enforce the Endangered Species Act, when, lo and behold, a middle manager, under pressure from a big developer and the City of Hayward, caved in and overruled his scientists. Those not amenable to persuasion can be subject to litigation, which the advocates did.

The federal district court apparently forgot about the case and the developers were about to break ground, so the lawyers jumped up to the court of appeal. In quick succession, the district court ruled against us, the appellate court issued a preliminary injunction in our favor, the developers went nuts, and we negotiated a settlement to give East Bay Parks about \$1,500,000.

By the end of June this year, the fund, dedicated to acquiring land on Walpert Ridge, with interest had grown to \$1,773,377.33, as reported to us by Nancy Wenninger, East Bay's Assistant General Manager.

Meanwhile, East Bay had exchanged land on the southern part of the ridge to consolidate its ownership close to Garin Dry Creek Park and was trying to buy land needed for a 3.5 mile extension of the Bay Area Ridge Trail from the park to Niles Canyon. The owner, Fay Louie and associates of Fremont, did not want to sell, and now the Park District is pursuing condemnation. The District is including about seven acres on Niles Canyon, old mill area, for a staging area for better access by trail users.

On a separate track, thanks to the developers sort of generously donating to create the aforementioned fund, and voters approving an extension of the tax, East Bay Parks has ready cash to buy 3,800 more acres on Walpert from Louie et al.

Meanwhile during an even longer meanwhile, after over a decade of waiting and paperwork, the Bailey Ranch development finally dedicated 300 acres on the north side of Garin Park. The Hayward Area Planning Association was instrumental in supporting that dedication, helped by the high cost of pumping sewage up hill and a pragmatic developer.

Meanwhile, a much shorter meanwhile, the Fish and Wildlife Service, which had vetoed public walking on public fire roads in the Garin area, changed its mind, allowing a good trail connection from Garin to the Ridge Trail off to the east. East Bay is also working with the Stonebrae developer to effectuate hundreds of acres of dedications pending north and east of Garin. One problem, apparently, is that the general public might be able to see rich people playing golf nearby, making the golfers feel uneasy, and I can only hope I am being excessively sarcastic.

Now let's jump our gaze off a bit to the east, to the 955 acre Owen property on the east side of Palomares Road, top of Stonybrook Canyon. This beautiful acquisition connects the canyon to park land on Sunol and Pleasanton Ridges on the east, and is less than an inch (on the map on my screen) away from Garin Park.

This latest chapter continues a much longer story of how advocates, voters, and East Bay Parks have grown an amazing legacy for us and our children. The above is just a short summary of recent events that will create another leap forward for all of us. Assistant GM Nancy Wenninger is retiring, and Tri City Ecology should sponsor some kind of shindig in her honor when that land on Niles Canyon comes into public ownership.

Sherman Lewis, President, Hayward Area Planning Association, founded 1978
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Sherman Lewis, President
Hayward Area Planning Association
2787 Hillcrest Ave. Hayward CA 94542
510-538-3692; sherman@csuhayward.us