

**CITY COUNCIL MEETING
TUESDAY, APRIL 30, 2019**

**DOCUMENTS RECEIVED
AFTER PUBLISHED AGENDA**

ITEM #8 – PH 19-027

**ADOPTION OF THE DOWNTOWN SPECIFIC
PLAN AND DEVELOPMENT CODE AND
CERTIFICATION OF THE FINAL
ENVIRONMENTAL IMPACT REPORT, PER CEQA,
WITH A STATEMENT OF OVERRIDING
CONSIDERATIONS AND MITIGATION
MONITORING AND REPORTING PROGRAM**

REVISIONS



DATE: April 30, 2019

TO: Mayor and City Council

FROM: City Manager

THROUGH: Director of Development Services

SUBJECT Adoption of the Downtown Specific Plan and Development Code and Certification of the Final Environmental Impact Report, per CEQA, with a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (Report from Development Services Director Simpson)

RECOMMENDATION

That Council accepts the amendments to agenda item #8, PH 19-027, regarding minor corrections to page 3 of Attachment II Ordinance of the Downtown Specific Plan item. Attached is a "track changes" version of the Ordinance showing the changes on page 3.

Recommended by: Damon Golubics, Senior Planner

Approved by:

Kelly McAdoo, City Manager

ORDINANCE NO. 19-

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HAYWARD ADOPTING THE DOWNTOWN DEVELOPMENT CODE AND AMENDING THE CITY'S ZONING MAP TO INCORPORATE ALL PROPOSED DOWNTOWN HAYWARD REGULATING PLAN MAP AMENDMENTS CONTAINED IN FIGURE 2.1.020.1 OF THE DOWNTOWN SPECIFIC PLAN AND CODE

WHEREAS, on April 30, 2019, the City Council held a public hearing and adopted findings of support for the adoption of the Downtown Development Code and all proposed Zoning Map amendments as set forth in the companion Resolution (No. 19-__); and

WHEREAS, the Council hereby finds, based on evidence and records presented, that:

A. All proposed Zoning Map amendments are necessary to implement the Downtown Specific Plan and Code;

B. The Downtown Specific Plan and Code, along with all proposed Zoning Map amendments, will ensure that the definitive and precise vision of the Plan and Code is achieved;

C. There are six (6) separate land use documents that regulate development and establish land use policies/goals for areas within Downtown Hayward. This number of documents makes it difficult to implement a consistent vision for various projects in the City. One of the many reasons for the City to craft a new Downtown Specific Plan is to make it easier for everyone interested in doing business in Downtown to comply with the goal of creating a more dynamic shopping, entertainment and arts district. All proposed Zoning Map and Code Amendments will help accomplish this important project goal;

D. The Downtown Specific Plan and Code provides a strategy to achieve the community's vision of a resilient, safe, attractive, and vibrant historic Downtown by clearly outlining an implementation plan, delineating an inclusive, multi-modal circulation system, integrating public open spaces, and establishing new regulations that clearly establish Downtown Hayward as the heart of the City and a destination for visitors and residents. The proposed Zoning Map and Code changes will help implement this key Specific Plan and Code strategy;

E. The Plan will guide initiatives and investments that capitalize on the City's unique assets, such as its central location in the Bay Area, its proximity to educational institutions, the Downtown Hayward Bay Area Rapid Transit (BART) station, the beautiful parks, creek and public gardens, the compact street grid, the historic buildings, and the extensive public

art. All proposed Zoning Map and Code amendments will enhance all future initiatives and investments within the Downtown Plan area boundaries;

F. Pursuant to Section 10-1.3400 (Amendments) of the Hayward Municipal Code (Zoning Ordinance), all proposed parcels and properties within the City of Hayward Downtown City Center Priority Development Area (PDA), which is also the Study Area for the Downtown Specific Plan project, shall be rezoned to new zoning designations as shown on Figure 2.1.020.1 (Regulating Plan) Downtown Specific Plan Development Code (Page 2-4). The rezoning complies with the "Purpose" of the Amendments Section (Section 10-1.3405) of the Hayward Municipal Code (Purpose) as initiated by the Hayward City Council since the benefit of the proposed rezoning benefit the public necessity, convenience, and general welfare. All proposed rezoning reflects the independent judgment of the Planning Commission and its staff and as adequate and in compliance with purpose and intent of the Downtown Specific Plan and Code.

G. All proposed properties subject to reclassification are within the Downtown Specific Plan Study Area/PDA as directed by the City Council pursuant to Sections 10-1.3415 (Initiation) of the Hayward Municipal Code.

H. The Planning Commission held a public hearing on March 28, 2019 and reviewed all reclassifications in the Downtown Specific Plan and Code pursuant to Section 10-1.2820 of the Hayward Municipal Code. Notice was given pursuant to Section 10-1.2820.

I. Pursuant to Section 10-1.3425 of the Hayward Municipal Code, the Planning Commission recommends approval of all proposed reclassifications to the City Council. The Commission's recommendation for approval are based upon all the following findings:

- Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward. All proposed rezonings are consistent with the purpose and intent and all other applicable provisions of the Downtown Specific Plan and Code;
- The proposed changes are in conformance with the purposes of the Ordinance for the Downtown Specific Plan and all applicable, officially adopted policies and plans;
- Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified. Utility and traffic modeling was done for the Downtown Specific Plan project affirming that there are adequate streets and public facilities to serve all uses permitted when property is reclassified or rezoned; and
- All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be

achieved which is not obtainable under existing regulations. Each rezoned property within the Downtown Specific Plan Study Area will be within the purpose and intent of the Downtown Specific Plan, specifically that all uses permitted will have of a beneficial effect currently not achieved or obtainable under all existing regulations governing uses within the Plan Study Area.

J. On April ~~23~~30, 2019, the City Council held a public hearing on each Planning Commission recommendation for approval related to the proposed rezoning within the Plan Area (Section 10-1.3430) and Notice was given pursuant to Section 10-1.2820.

K. The City Council considered all reclassifications at their April 30, 2019 meeting.

L. The City Council or Planning Commission did not impose any conditions of approval for the reclassification of property within the Downtown Specific Plan Study Area contrary to Section 10-1.3450 of the Hayward Municipal Code.

M. The Ordinance rezoning and reclassifying property within the Downtown Specific Plan Study Area shall become effective upon adoption of the Ordinance. In the case of an Ordinance relating to a text amendment, the decision of the City Council shall become effective 30 days after adoption of the ordinance.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Provisions. The City Council incorporates by reference the findings contained in Resolution No. 19-__ as well as the Findings set forth above, in support of all proposed Zoning Map and Code amendments as identified in Figure 2.1.020.1 (Regulation Plan) of the Hayward Downtown Specific Plan and Code.

Section 2. Downtown Development Code as shown on Exhibit "A" is hereby adopted. Section 3. The City's Zoning Map is hereby amended to change all Zoning Map designations to the proposed Zoning Map changes as identified in Figure 2.1.020.1 (Regulation Plan) of the Hayward Downtown Specific Plan and Code as shown in the attached "Exhibit ~~BA~~A," introduced herewith and as specifically shown in this Ordinance.

Section 4. Severance. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of the Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 5. Effective Date. In accordance with the provisions of Section 620 of the City Charter, the Ordinance shall become effective immediately upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the ____ day of ____, 2019, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the ____ day of ____, 2019, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

Mayor of the City of Hayward

DATE: _____

ATTEST:

City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

AGENDA QUESTIONS & ANSWERS

Item 8

AGENDA QUESTIONS & ANSWERS

MEETING DATE: April 30, 2019

Item # 8: [PH 19-027](#) Adoption of the Downtown Specific Plan and Development Code and Certification of the Final Environmental Impact Report, per CEQA, with a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (Report from Development Services Director Simpson)

In Chapter 6 of the plan, (page 1-3) the following is noted

“Exemptions. Properties in Figure 2.1.020.1 (Regulating Plan) zoned Central City-Residential (CC-R), Central City-Commercial (CC-C), Planned Development (PD), and Open Space (OS) are exempt from this Chapter and will continue to be subject to the standards and requirements of Chapter 10 (Planning, Zoning, and Subdivisions) of the Hayward Municipal Code (Hayward Code).”

Does this applicable section of the HMC need to be included or linked in this document to support the goal of having one consolidated code for stakeholders to follow?

Staff will include references to those sections that will remain the same zoning in the Specific Plan document and will also include an electronic hyperlink directly to the Municipal Code in the Plan to take users of the new code to existing zoning code sections.

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EMAIL FROM CARL GORRINGE

Subject: FW: Downtown Specific Plan EIR

From: Carl Gorringer <>

Date: April 29, 2019 at 5:34:04 PM PDT

To: Hayward City Council <List-Mayor-Council@hayward-ca.gov>

Cc: Kelly McAdoo <Kelly.McAdoo@hayward-ca.gov>, Damon Golubics <damon.golubics@hayward-ca.gov>

Subject: Downtown Specific Plan EIR

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Dear Hayward City Council:

Here is my input for the Downtown Specific Plan EIR public hearing on 4/30/2019.

It is my opinion that the plan to create a Roundabout would not be good for Downtown Hayward, as I believe that this will lead to an increase in Vehicle Miles Traveled by commuters, and thus lead to increases in Greenhouse Gas Emissions. This is due to commuters taking alternative routes that are longer in distance traveled. I also believe that it would lead to significant traffic congestion throughout Hayward, due to various factors including increased miles traveled, slowed traffic, and increase in traffic accidents at the roundabout, which is a "single point of failure" which could cause significant halts in traffic among connecting major roads.

In terms of safety, I believe the Roundabout would not be very safe for pedestrians to cross, considering the amount of traffic flowing through it, and just isn't ideal for retail storefronts due to the traffic. People prefer less traffic, not more, in walkable areas. We should focus our storefronts along B & C Streets instead. There is no need for a plaza in the middle of a roundabout when we'll already have a major plaza at the old library site.

I've attended multiple public meetings on this plan, and have been VERY disappointed in the lack of any alternatives suggested regarding the site of the Roundabout.

Restoring A Street to 2 ways should be a Short-term Priority with no reduction in lanes. This will reduce traffic and simplify eastbound travel.

B Street in Downtown could really use bike lanes. I've suggested turning B St from Watkins St to Foothill Blvd into a single-lane one-way road with bike lanes and ride-hail drop-off spots. Grand St from A to D St could really benefit from bike lanes as well.

Thanks for reading.

Carl Gorringer,
Downtown Hayward resident

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EMAIL FROM SHERMAN LEWIS

From: Sherman Lewis < > **On Behalf Of** Sherman Lewis

Sent: Tuesday, April 30, 2019 2:12 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>; Joy Rowan < >; Bruce Barrett < >; Evelyn Cormier < >; Alison < >

Subject: Additional Comments on Downtown Plan and the EIR

Two more thoughts:

1. The policy should be no minimum parking requirements. The original strong policy has been weakened. **Bold underline** shows weakness: "Amend the Code to remove minimum parking requirements **(for small projects) and reduce minimum parking requirements** for projects in areas with high transit accessibility within the Plan Area." (Downtown Plan p. 78). Reduce? Really? Let the developers decide how much parking. Parking policy is the most difficult cultural change Council has to deal with personally and in the community. You don't seem to be ready. You proclaim a climate emergency, then balk at taking action--like removing the bold underline.

2. Coordinate the new plan with parking management: do not allow new tenants to buy cheap \$50 permits for public parking.

Let the free use for limited time and the paid use for no time limit fill up the lots, educate people about smart meters and markets, and do a pilot somewhere.

Time limits are inefficient; smart meters are efficient; and people can be educated to support them, or you can tolerate continual deterioration of parking and pay a consultant a lot to tell you the same thing.

Continuing rhetoric:

Staff and consultant have put you on their railroad; they have shown you the tracks and hidden the cliff. Does the executive summary discuss the issues I have emailed you about?

Your power to decide is being taken away. Great ideas that should be there are not there. Ask questions, get answers.

Ideas for Downtown Hayward has been updated with no major changes except a new section on Appendix E: transportation and circulation data, attached.

The full update can be downloaded from the HAPA dropbox at

<https://www.dropbox.com/s/tvgchcdmwwyhlq/Ideas%20for%20Downtown%20Hayward.pdf>

(let me know if it does not download.)

Sherman Lewis

Professor Emeritus, Cal State Hayward

President, Hayward Area Planning Association

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

Subject:Comments on Downtown Plan and its DEIR

Date:Thu, 25 Apr 2019 14:59:57 -0700

From:Sherman Lewis <>

To:Mayor Council List <List-Mayor-Council@hayward-ca.gov>, Joy Rowan <>, Bruce Barrett <>, Evelyn Cormier <>, Alison <>, Michael Stuchlik <>

- The downtown plan is not ready for prime time; delay it.

- The consultants are telling you what to do, not giving you choices.
- People have been consulted but not actually been given choices.
- There are many great policies here.
- The oval traffic circle is goofy. Do you really understand how it would work? For each traffic flow?
- You have not looked at two sensible alternatives.
- You have no information on effective speeds and no information of traffic volumes.
- Do you really intend to sever D Street, taking out two blocks of it?
- B St. won't work two-way. You know that.
- Parking structures cause global warming--not to mention more traffic, de-completed streets, and preemption of non-auto modes. The DEIR has no evaluation. HAPA will try to sue on this.
- Bicycle lanes are great if people use them. You have no information that people will. You should not preempt parking in favor of phantom bike riders. Start small, have a performance criteria for expansion.
- The potential for public cars is poorly discussed.
- An affordable rapid bus system has been ignored.
- In general, there are no real alternatives in the DEIR.

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Sherman Lewis
 Professor Emeritus, Cal State Hayward
 President, Hayward Area Planning Association

Appendix E

Appendix E of the EIR on the Downtown Plan has transportation and circulation data and it is very sad. It was expensive; it measured the wrong thing; it does not even mention what must be analyzed to assess impacts. Nelson Nygaard messed up the street pattern design; Kittleson messed up the analysis. Kittleson used its model to justify the project, not to figure out the best alternative. Appendix E purports to meet CEQA requirements using official guidelines of the Bay Area Air Quality Management District, which are quite inadequate to evaluate impacts.

In 341 pages of descriptions, irrelevancies, and analysis, Kittleson obsessed on intersection LOS F and only one solution, make the intersection bigger: 51 lane additions to intersections and 7 lane additions to freeways. Such a policy will induce more traffic and make matters worse. It is based on rigid assumptions that ignore alternative policies. It directly contradicts Compete Streets policy: Plan at p. 371, Program C 3: "Reduce motor vehicle travel lanes on the following roadways to reallocate space for other uses..."

Fortunately, massive lane expansions are too expensive to have any impact, but we still need an adequate EIR.

Kittleson bases its analysis exclusively, without adjustment of the ACTC Travel Demand Model.¹ Yet the policies of the plan are designed to change those model outputs and those impacts have to be evaluated. In general, four-step models like the one ACTC uses over-predicts congestion for the "no-project alternative" in future years. The models use the same trip table of travel demand for all scenarios when it, in reality, would change among them.

The EIR ignores

1. Intersection LOS is the wrong thing to measure. State law has eliminated LOS as a basis for determining significant impacts. Congestion due to development in dense centers is an impact that no longer requires mitigation.²
2. LOS based on link speed, effective speed, pedestrians, bicycles, transit, public cars, local residents, and business access.
3. City policy: "LOS F may be acceptable due to costs of mitigation or when there would be other unacceptable impacts, such as right-of-way acquisition or degradation of the pedestrian environment due to increased crossing distances or unacceptable crossing delays." The EIR fails to discuss this.
4. The impact of the plan on vehicle miles traveled (VMT), effective speed, link traffic volumes, link speeds, induced demand, induced restraint, land use changes due to network changes, alternative modes, travel time budgets, walkable systems, and pricing reforms. (As shown above, the ACTC model reports volumes on every block.) An adequate traffic study would have revealed slower point-to-point travel times despite more speed, increased VMT for the same traffic inputs, and increased link volumes for the Loop, all of them negative impacts. The traffic study needs to show if the currently excessive

¹ Appendix E, Item 1, pp. 48, 65; https://www.alamedactc.org/wp-content/uploads/2018/12/AlamedaCTC_ModelDocumentation_FinalReport_20151109-2.pdf?x28501.

Appendix E has a dead link:

https://www.alamedactc.org/files/managed/Document/17533/AlamedaCTC_ModelDocumentation_FinalReport_20151109.pdf

² Kittleson, Appendix E, p. 56 on SB 743

traffic on B Street is reduced; it needs to cover the increase in traffic on Francisco Street.

5. For the oval and alternatives to the oval, the costs of buying right-of-way, loss of existing businesses, costs of construction, financing, time needed to completion, performance (traffic volumes, traffic speed, effective speed). One obvious alternative is a signalized intersection with Foothill realigned east to create green space and buildable area and to create a shorter, more functional travel distance across the intersection.
6. How parking garages with free parking induce traffic and are costly to tax payers.
7. How much downtown residential development and policies supporting non-auto modes will reduce traffic.
8. How much market parking charges could reduce traffic.
9. How much parking cash out could reduce traffic.
10. How much support for public cars could reduce traffic.
11. How much a downtown circulator could reduce traffic.
12. How much transit improvements could reduce traffic.
13. How much rapid bus to Cal State East Bay and to Chabot could
14. How much the ACTA trip generation would be reduced in response to plan policies, which is rather the point of complete streets. Complete streets are not a theory or just posturing and symbolic politics; they are intended to reduce traffic.
15. The impact of plan policies on mode split.
16. Problems that would occur if B Street is made two-way.
17. The functionality of the B and C Street one-way couplet for efficient bus and passenger lanes at the BART station relative to two-way.
18. The functionality of keeping B Street and C Street two way. One-way on B Street won't work because it is narrow and has a lot of traffic. Any vehicle parked in a travel lane would block traffic, which is an existing problem but drivers can use the other lane to get around.
19. The impacts of closing two blocks of D Street and the performance of street narrowing, land recovery, and mural recovery relative to existing conditions and the plan proposal.
20. The need to evaluate the claim that the oval with four (or a "mitigated" six lanes) lanes of traffic would "support increased pedestrian activity" and "reduce travel speeds." The volume and speed of traffic must be estimated. On its face, the claims look totally bogus.
21. How a combination of cost-effective recovery of street parking, improvement in non-auto modes, and new housing could provide access to downtown.
22. How traffic origins and destinations would change due to induced restraint created by a two-way system favor trips downtown and discourage trips through downtown.

How to get an adequate EIR

Concerning performance of the oval and alternatives, the City should use a **traffic flow optimization analysis**, not the usual four-step model to evaluate the options. Given the same screenline loading of the network around the big intersection, a traffic simulation flow

model could evaluate the three options. Traffic simulation is an operations analysis of flow through several intersections.

“Traffic simulation or the simulation of transportation systems is the mathematical modeling of transportation systems (e.g., freeway junctions, arterial routes, roundabouts, downtown grid systems, etc.) through the application of computer software to better help plan, design, and operate transportation systems. Simulation of transportation systems started over forty years ago, and is an important area of discipline in traffic engineering and transportation planning today. Various national and local transportation agencies, academic institutions and consulting firms use simulation to aid in their management of transportation networks.

“Simulation in transportation is important because it can study models too complicated for analytical or numerical treatment, can be used for experimental studies, can study detailed relations that might be lost in analytical or numerical treatment and can produce attractive visual demonstrations of present and future scenarios.” See [traffic simulation](#).

Signal timing is an output of traffic simulation models. It is “used to distribute right-of-way at a signalized intersection. Signal timing involves deciding how much green time the traffic signal provides to an intersection approach, how long the pedestrian WALK signal should be, and numerous other factors.” See [signal timing](#).

“TRANSYT-7F is a traffic simulation and signal timing optimization program. The primary application of TRANSYT-7F is signal timing design and optimization. TRANSYT-7F features genetic algorithm optimization of cycle length, phasing sequence, splits, and offsets. TRANSYT-7F combines a detailed optimization process (including genetic algorithm, multi-period, and direct CORSIM optimization) with a detailed macroscopic simulation model (including platoon dispersion, queue spillback, and actuated control simulation).”

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STAFF RESPONSE

From: Kelly McAdoo <Kelly.McAdoo@hayward-ca.gov>
Sent: Tuesday, April 30, 2019 4:42 PM
To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>
Cc: Miriam Lens <Miriam.Lens@hayward-ca.gov>; Laura Simpson <Laura.Simpson@hayward-ca.gov>; Damon Golubics <Damon.Golubics@hayward-ca.gov>; Alex Ameri <Alex.Ameri@hayward-ca.gov>; Fred Kelley <Fred.Kelley@hayward-ca.gov>; sherman.lewisiii@gmail.com
Subject: FW: Comments on Downtown Plan and its DEIR

Good afternoon Mayor and Council –

I am forwarding staff's responses to Dr. Lewis' first email – see comments in red text below. Staff will be available to address further during tonight's meeting.

Thank you-
Kelly

Kelly McAdoo
City Manager
City of Hayward | 777 B Street | Hayward, CA 94541
☎ Phone: 510.583.4305 | Fax: 510-583-3601 | * Email: kelly.mcadoo@hayward-ca.gov



From: Sherman Lewis <> on behalf of Sherman Lewis
<>
Sent: Thursday, April 25, 2019 3:06 PM
To: List-Mayor-Council; Joy Rowan; Bruce Barrett; Evelyn Cormier; Alison; Michael Stuchlik
Subject: Comments on Downtown Plan and its DEIR

The downtown plan is not ready for prime time; delay it. The Downtown Specific Plan has been in development for a three-year period, since the project's initiation. Additional time was added to the original two-year schedule to allow full community participation and Council feedback in crafting a new vision for the Downtown. Extensive public outreach was achieved and feedback received through several well-attended workshops and through public hearings at Planning Commission and City Council.

The consultants are telling you what to do, not giving you choices. Staff, the Planning Commission, the community and City Council all have been

actively involved in the assemblage, review and development of the all project documents, including all options and choices related to how the Plan unfolds over the next 20 to 30 years.

People have been consulted but not actually been given choices. The Downtown Specific Plan project team has created a flexible Downtown Plan and Code that embodies choice and flexibility. The smart code allows for flexibility and choices along with incentives for desirable businesses and other compatible uses to locate in Downtown.

There are many great policies here.

The oval traffic circle is goofy. Do you really understand how it would work? For each traffic flow? The “oval traffic circle” was evaluated extensively by the project consultant team and their transportation engineering staff and the City’s Transportation Division as a viable option to slow speeding traffic through Downtown. Please note that the traffic circle is an option. Over time, ultimately, through incremental changes, the core roadway system may return to a traditional grid system that will efficiently and effectively slow traffic through Downtown Hayward, one of the goals of the Downtown Plan effort.

You have not looked at two sensible alternatives. You have no information on effective speeds and no information of traffic volumes. Speed and traffic volume information was analyzed and reviewed by City engineering staff and the consultant team as part of this project. This data was factored into circulation system computer simulations to ultimately lead to recommended mobility changes in the short-term, midterm and long-term within the Plan study area.

- Do you really intend to sever D Street, taking out two blocks of it? This is one option available within the Plan as a way to slow traffic down through Downtown. In the long-term, the City may opt to go back to a traditional grid system versus a plan to “sever D Street.”
- B St. won't work two-way. You know that. This option was studied during the course of the project and it is a viable option should Council direct City staff to move forward with this Downtown circulation enhancement sometime in the future.

- Parking structures cause global warming--not to mention more traffic, de-completed streets, and preemption of non-auto modes. The DEIR has no evaluation. HAPA will try to sue on this. A thorough analysis of all mobility components have been extensively evaluated within the Downtown Plan study area and as part of the Environmental Impact Report completed for the project. The entire Bay Area regional is part of an area on nonattainment with regard to air quality impacts. Even if Hayward's Downtown Specific Plan suggested that no new parking garages could be built over the life of the plan, other aspects of the Plan (new residential units, new commercial businesses, etc.) would still trigger unavoidable impacts with regards to future air quality measurements (worse air quality over the long run within the Plan area) Also, direction from Council and input from the public was part of all final goals, policies and programs contained in the final version of the Downtown Specific Plan document.
- Bicycle lanes are great if people use them. You have no information that people will. You should not preempt parking in favor of phantom bike riders. Start small, have a performance criteria for expansion. The final draft Downtown Specific Plan has been crafted to enhance all modes of transportation, including enhanced improvements for pedestrian and bicyclists currently lacking within the Plan area. This directive was part of the main vision and ultimately Plan goals identified at the beginning of the Downtown Specific Plan project.
- The potential for public cars is poorly discussed. This option has been included as part of the Downtown Specific Plan. Future private development projects within the Plan area will be reviewed on a case by case basis to determine whether car-sharing is feasible or financially viable to include within each development.
- An affordable rapid bus system has been ignored. This program, currently under evaluation by the City's Transportation Division staff, is a separate effort, and is also on a parallel path with the Downtown Specific Plan effort.
- In general, there are no real alternatives in the DEIR. All CEQA analysis for the project complies with State CEQA Guidelines and all applicable court cases that further refine environmental law, rules and regulations for environmental assessments of projects like Hayward's Downtown Specific Plan effort.

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Sherman Lewis
 Professor Emeritus, Cal State Hayward
 President, Hayward Area Planning
 Association 510-538-3692,
 <Ideas for Downtown Hayward.pdf>
 <Comments on Draft EIR.pdf>