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Dismissal of lawsuit clears way for approved redevelopment of former Mervyn's headquarters property

Legal challenge to adequacy of environmental review was final obstacle for Lincoln Landing project—476 apartments and 80,500 square feet of ground-floor retail space

HAYWARD, Calif., Oct. 23, 2017—A community group has dropped its legal challenge to city approval of Lincoln Landing, which calls for construction of 476 market-rate apartments over 80,500 square feet of retail space at the site of the former Mervyn's headquarters on Foothill Boulevard.

Hayward Smart Growth Coalition requested dismissal of its Alameda County Superior Court lawsuit on Oct. 11. The suit contended the city violated the California Environmental Quality Act by approving Lincoln Landing without adequately studying and addressing project impacts.

The request for dismissal followed confidential negotiations between the Coalition and Lincoln Landing developer Dollinger Properties of Redwood City. No deal or terms of an agreement to settle the dispute have been made public by the Coalition or Dollinger.

"We are grateful that differences over the approval of Lincoln Landing have been resolved or set aside," City Manager Kelly McAdoo said. "We are on the verge of transformational change in Hayward that will bring many new residents and visitors to live, work, shop and dine downtown, and this project is a big, big part of that."

The City Council voted unanimously on April 25 to approve Lincoln Landing. Earlier in the year, the Council also approved Maple and Main, another downtown project that calls for 192 market-rate apartments, 48 apartments priced affordably to very low-income households, 48,000 square feet of rehabilitated medical offices, and 5,500 feet of retail space.

Later, on May 9, the Council voted to approve Mission Crossings, a re-imagining of the former Hayward Ford automotive dealership at 25501 Mission Boulevard into a mixed-use development of 142 townhouse-style condominiums, an extended-stay hotel, and retail space to be constructed around an urban agricultural garden.

Of the three, only Lincoln Landing faced a legal challenge. Combined, the Lincoln Landing, Maple and Main and Mission Crossing projects represent nearly a half billion dollars in new private real estate investment in the city.