

**APPENDIX A:
COMMENT LETTERS**

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COMMENT LETTER #A1

From: Totton, Gayle@NAHC <Gayle.Totton@nahc.ca.gov>
Sent: Monday, January 14, 2019 10:46 AM
To: Damon Golubics <Damon.Golubics@hayward-ca.gov>
Subject: SCH# 2018022054 Hayward Downtown Specific Plan

Good morning,

Attached is a comments letter for the environmental document on the project referenced above. The letter will also be sent via the postal service.

Please let me know if you have any questions.

Sincerely,

A1-1

Gayle Totton, M.A., Ph.D.
Associate Governmental Program Analyst
Native American Heritage Commission
(916) 373-3714



January 14, 2019

Damon Golubics
City of Hayward
777 B Street
Hayward, CA 94541

Also sent via e-mail: damon.golubics@hayward-ca.gov

RE: SCH# 2018022054, Hayward Downtown Specific Plan Project, City of Hayward, Alameda County

Dear Mr. Golubics:

The Native American Heritage Commission (NAHC) has reviewed the Mitigated Negative Declaration prepared for the above referenced project. The review included the Introduction and Project Description; the Executive Summary; and the Environmental Evaluation, section 4.4, Cultural and Tribal Cultural Resources prepared by PlaceWorks for the City of Hayward. We have the following concern(s):

1. There is no documentation of any contact or consultation with traditionally and culturally affiliated California Native American Tribes. **A1-2**
2. The Most Likely Descendant (MLD) timeline in section CULT-4 is incorrect. Public Resources Code 5097.98 specifies that an MLD has **48 hours after being allowed access to the site** to make recommendations for disposition of the remains and associated grave goods. **A1-3**
3. Cultural Resources assessments are not required on future construction projects. These should be required to adequately assess the existence and significance of cultural resources/ tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts. **A1-4**

Agencies should be aware that AB 52 does not preclude them from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices". **A1-5**

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. **A1-6**

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

If you have any questions, please contact me at my email address: gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton
Gayle Totton, B.S., M.A., Ph. D
Associate Governmental Program Analyst

Attachment
cc: State Clearinghouse

The California Environmental Quality Act (CEQA)¹, specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.² If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.³ In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).⁴ **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** AB 52 created a separate category for “tribal cultural resources”⁵, that now includes “a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.”⁶ Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁷ Your project may also be subject to **Senate Bill 18 (SB 18)** (Burton, Chapter 905, Statutes of 2004), Government Code §65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. **Both SB 18 and AB 52 have tribal consultation requirements.** Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966⁸ may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Pertinent Statutory Information:

Under AB 52:

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.⁹ and **prior to the release of a negative declaration, mitigated negative declaration or environmental impact report.** For purposes of AB 52, “consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18).¹⁰

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects.¹¹

1. The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project’s impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹²

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process **shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10.** Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³

If a project may have a significant impact on a tribal cultural resource, **the lead agency’s environmental document shall discuss** both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.

¹ Pub. Resources Code § 21000 et seq.

² Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)

³ Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1); CEQA Guidelines § 15064 (a)(1)

⁴ Government Code 65352.3

⁵ Pub. Resources Code § 21074

⁶ Pub. Resources Code § 21084.2

⁷ Pub. Resources Code § 21084.3 (a)

⁸ 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

⁹ Pub. Resources Code § 21080.3.1, subds. (d) and (e)

¹⁰ Pub. Resources Code § 21080.3.1 (b)

¹¹ Pub. Resources Code § 21080.3.2 (a)

¹² Pub. Resources Code § 21080.3.2 (a)

¹³ Pub. Resources Code § 21082.3 (c)(1)

- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 **shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program**, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, **the lead agency shall consider feasible mitigation** pursuant to Public Resources Code §21084.3 (b).¹⁷

An environmental impact report **may not be certified**, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸

This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code §65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of “preserving or mitigating impacts to places, features, and objects described §5097.9 and §5091.993 of the Public Resources Code that are located within the city or county’s jurisdiction. Government Code §65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Public Resources Code §5097.9 and §5097.993.

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor’s Office of Planning and Research’s “Tribal Consultation Guidelines,” which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a “Tribal Consultation List.” If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.**¹⁹
- **There is no Statutory Time Limit on Tribal Consultation under the law.**
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city’s or county’s jurisdiction.²¹
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
 - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²²

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:

¹⁴ Pub. Resources Code § 21082.3 (b)

¹⁵ Pub. Resources Code § 21080.3.2 (b)

¹⁶ Pub. Resources Code § 21082.3 (a)

¹⁷ Pub. Resources Code § 21082.3 (e)

¹⁸ Pub. Resources Code § 21082.3 (d)

¹⁹ (Gov. Code § 65352.3 (a)(2)).

²⁰ pursuant to Gov. Code section 65040.2,

²¹ (Gov. Code § 65352.3 (b)).

²² (Tribal Consultation Guidelines, Governor’s Office of Planning and Research (2005) at p. 18).

- A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
- A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
 - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - If part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have been already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³
- Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

²³ (Civ. Code § 815.3 (c)).

²⁴ (Pub. Resources Code § 5097.991).

²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

From: Christopher Marks <CMarks@alamedactc.org>
Sent: Wednesday, February 20, 2019 5:48 PM
To: Damon Golubics <Damon.Golubics@hayward-ca.gov>
Cc: Saravana Suthanthira <SSuthanthira@alamedactc.org>
Subject: Alameda CTC Response to the DEIR for the Downtown Hayward Specific Plan

Hi Damon,

Please see the attachment containing Alameda CTC's response to the DEIR for the Downtown Hayward Specific Plan. Thank you for the opportunity to review and provide comments on the DEIR.

A2-1

Best,

Chris G. Marks, Associate Transportation Planner

Alameda County Transportation Commission

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7453 direct dial | 510.208.7400 main line

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Facebook: www.facebook.com/AlamedaCTC Twitter: @AlamedaCTC



Our mission is to plan, fund and deliver a broad spectrum of transportation programs and projects that expand access and improve mobility to foster a vibrant and livable Alameda County.



February 20, 2019

Damon Golubics
Senior Planner
City of Hayward
777 B Street
Hayward, CA 94541

SUBJECT: Response to the Notice of Availability of a Draft Environmental Impact Report for the Downtown Hayward Specific Plan

Dear Mr. Golubics,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Downtown Hayward Specific Plan. The plan covers 320 acres at the north end of Hayward and encompasses the Downtown area. The proposed project would establish a planning framework and facilitate future development of new housing and retail; the maximum potential buildout of the plan is 3,427 new residential units and 1,900,000 square feet of non-residential development (either commercial retail or office). The plan also facilitates linkages to other neighborhoods and destinations throughout the city, and aims to enhance the overall character and accessibility of Downtown Hayward.

A2-2

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

- On page 4.13-18, the DEIR states that CMP and MTS roadway segments were analyzed using Alameda CTC's CMP protocol. However, no related information is included in the DEIR. Please clarify what this means and include the list of specific segments analyzed and the results of the analysis.
- Page 4.13-6 of the DEIR states that the Alameda CTC Travel Demand Model was used to evaluate cumulative impacts. However, the DEIR does not state the details of the model assumptions and how the model was modified for a cumulative-with-Specific Plan Conditions scenario.
- Under Impact TRANS-1, page 4.13-28 of the DEIR states that at full buildout the specific plan will generate 46,500 new daily trips (cumulative plus specific plan scenario). The DEIR should also include a breakdown of how many of these occur during the PM-peak hour and on the Metropolitan Transportation System roads, identified in Alameda CTC's response to the Notice of Preparation of an EIR for this project, dated March 26, 2018.

A2-3

A2-4

A2-5

- The DEIR states that impacts to transit as a result of additional congestion at intersections are significant and unavoidable because potential mitigation measures are infeasible. The DEIR should also include details on the mitigation measures that were considered to mitigate impacts to transit service and why those measures were considered infeasible.
- The DEIR does not include details regarding an analysis of impacts of the Specific Plan on bicycle and pedestrian movement. Please include this information in the DEIR.

Thank you for the opportunity to comment on this DEIR. Please contact me at (510) 208-7426 or Chris G. Marks, Associate Transportation Planner at (510) 208-7453, if you have any questions.

Sincerely,



Saravana Suthanthira
Principal Transportation Planner

cc: Chris G. Marks, Associate Transportation Planner

A2-6

A2-7

A2-8

COMMENT LETTER #B1

From: Sasan Saadat <ssaadat@earthjustice.org>
Sent: Wednesday, February 20, 2019 10:50 AM
To: Damon Golubics <Damon.Golubics@hayward-ca.gov>
Cc: Matt Vespa <mvespa@earthjustice.org>; Rachel Golden <rachel.golden@sierraclub.org>; Jewell Spalding <jewellspalding@mac.com>
Subject: Comments on Downtown Hayward Specific Plan DEIR

Mr. Golubics,

Attached, please find comments from Earthjustice and Sierra Club on the Draft Environmental Impact Report for the Downtown Hayward Specific Plan.

Please ensure these comments are included in the administrative record for this action.

Thank you,

Sasan

Sasan Saadat
Research and Policy Analyst

50 California Street, Suite 500

San Francisco, CA 94111

T: (415) 217-2104

EARTHJUSTICE.ORG

B1-1



Via Electronic Mail

February 20, 2019

Damon Golubics
Senior Planner
City of Hayward
Email: damon.golubics@hayward-ca.gov

Re: Earthjustice and Sierra Club Comments on the Draft Environmental Impact Report for the Downtown Hayward Specific Plan

Earthjustice and Sierra Club appreciate the opportunity to comment on the Draft Environmental Impact Report (“DEIR”) for the Downtown Hayward Specific Plan (“the Plan”). Our initial comments focus on the importance of incorporating building electrification requirements into the Plan. The transition from gas to electric homes is critical to reaching a zero emissions future and will not occur at the scale or timing needed absent decisive leadership at all levels of government. Consistent with the City of Hayward’s (“the City”) own stated commitment to reduce greenhouse gas (“GHG”) emissions and California Environmental Quality Act (“CEQA”) requirements to adopt all feasible mitigation to reduce significant GHG and energy impacts, building electrification is an essential component of a defensible strategy to reduce the Plan’s impacts and take meaningful action to address climate change. Building electrification will also provide economic, safety, and air quality benefits for the City of Hayward. We thus strongly support the DEIR’s GHG mitigation measure requiring newly constructed multifamily residential buildings to be all-electric. We look forward to seeing this important and feasible mitigation measure retained in the Final EIR. We urge, however, that the City expand the all-electric requirement to include non-residential buildings as feasible mitigation for the Plan, or at a minimum, create a presumption that other building categories are also expected to be all-electric.

B1-2

I. The Plan Will Have Significant GHG and Energy Impacts.

As the DEIR properly recognizes, “[the] Plan’s cumulative contribution to the long-term GHG emissions in the state would be considered significant.”¹ The significance determination triggers the obligation under CEQA to adopt all feasible mitigation to reduce this impact. (*See, e.g.*, Pub. Res. Code § 21002; CEQA Guidelines § 15092). In addition to GHG emissions, a key purpose of the evaluation of project energy impacts under CEQA is “decreasing reliance on fossil fuels, such as coal, natural gas and

B1-3

¹ City of Hayward, *Downtown Hayward Specific Plan DEIR*, at 4.6-39 (Jan. 7, 2019)

oil.”² Addressing energy impacts of proposed projects requires more than mere compliance with Title 24 Building Energy Efficiency Standards.³ Including gas hook-ups in new projects, and thereby perpetuating reliance on fossil fuels, is contrary to California’s energy objectives and should be considered a significant impact under CEQA. As noted by BAAQMD in its 2017 Clean Air Plan, “[b]ecause buildings are very long-lasting, failure to require best available measures today will mean a missed opportunity for years to come. One of the key strategies to achieve the 2050 GHG reduction targets recommended in the final report for the Bay Area consumption-based GHG emissions inventory is that all new buildings should be required to use electricity (or other non-carbon-based power) for space heating and water heating.”⁴ The California Energy Commission (“CEC”) has reached a similar conclusion, stating in its recent Integrated Energy Policy Report (“IEPR”) that:

New construction projects, retrofitting existing buildings, and replacing appliances and other energy-consuming equipment essentially lock in energy system infrastructure for many years. As a result, each new opportunity for truly impactful investment in energy efficiency and fuel choice is precious. If the decisions made for new buildings result in new and continued fossil fuel use, it will be that much more difficult for California to meet its GHG emission reduction goals. Parties planning new construction have the opportunity instead to lock in a zero- or low-carbon emission outcome that will persist for decades⁵

Including gas hook-ups in new projects, and thereby perpetuating reliance on fossil fuels, is contrary to California’s energy objectives and decarbonization trajectory and must be considered a significant impact.

Notably, the Office of Planning and Research opined in a recent draft Technical Advisory of CEQA and Climate Change that “a building designed to use electricity as its sole energy source (e.g., is not powered by natural gas), follows applicable Title 24 building standards codes, and uses only Energy Star-rated appliances for appliance types that are offered Energy Star ratings, may have a less-than-significant greenhouse gas impact with respect to energy use during building operations.”⁶ Accordingly, building electrification and appliance efficiency requirements would allow the City to mitigate the Plan’s energy impacts to a less-than-significant level.

² CEQA Guidelines, Appendix F, Sec. I.

³ See *California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173, 211.

⁴ BAAQMD, *Final 2017 Clean Air Plan* at 5/17 (Apr. 19, 2017), http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-_proposed-final-cap-vol-1-pdf.pdf?la=en.

⁵ CEC, *2018 Integrated Energy Policy Report Update, Vol. II* at 18 (Jan. 2019), <https://efiling.energy.ca.gov/getdocument.aspx?tn=226392>

⁶ Office of Planning and Research, *CEQA and Climate Change Advisory, Discussion Draft* at 23 (Dec. 2018), http://opr.ca.gov/docs/20181228-Discussion_Draft_Climate_Change_Advisory.pdf.

The DEIR comes close to full mitigation of the Plan’s energy impacts. For all new development, the DEIR requires all major appliances be Energy Star certified. Yet when it comes to requirements for all-electric buildings, the measure is limited only to multifamily residential developments:

Multifamily Residential: All buildings will be all electric, meaning that electricity is the only permanent source of energy for water-heating, mechanical and heating, ventilation, and air conditioning (HVAC) (i.e., space-heating and space cooling), cooking, and clothes-drying and there is no gas meter connection.⁷

While we are encouraged to see that the DEIR has adopted all feasible mitigation for the energy impacts of multifamily residential developments, more can and should be done for other building categories.

II. Building Electrification for Non-Residential New Construction is Feasible and Effective Mitigation to Reduce Project GHG and Energy Impacts.

The DEIR should be modified to require all new construction to be all-electric. End-uses for commercial buildings can be readily electrified. A recent report by Redwood Energy, *Zero Carbon Commercial Construction: An Electrification Guide for Large Commercial Buildings and Campuses*, highlights how standard all electric designs allow large commercial developments to save money and create more comfortable spaces.⁸ The University of California announced in August of 2018 that “[n]o new UC buildings or major renovations after June 2019, except in special circumstances, will use on-site fossil fuel combustion, such as natural gas, for space and water heating.”⁹ This policy is based in part on the results from a number of successful pilots in all-electric buildings throughout the UC system, many of which are non-residential, including a downtown office building at UC Merced and a Genomics Laboratory at Lawrence Berkeley National Laboratory.¹⁰ All-electric restaurants are growing in popularity with both chefs and manufacturers, who express enthusiasm about the increased efficiency, precision, safety, and flexibility of induction cook stoves.¹¹ The City can and must demonstrate its commitment to clean, safe, and climate-friendly buildings by broadening the Plan’s all electric requirement to non-residential buildings. Leaving out such a requirement because of concerns over potentially exceptional cases needlessly locks in fossil fuel infrastructure expansion and frustrates achievement of California’s aggressive decarbonization objectives.

**B1-3
cont.**

⁷ City of Hayward, *Downtown Hayward Specific Plan DEIR*, at 4.6-40 (Jan. 7, 2019)

⁸ See, e.g., Redwood Energy, *Zero Carbon Commercial Construction: An Electrification Guide for Large Commercial Buildings and Campuses* (2019), https://drive.google.com/file/d/1J-DHuP5SfY1FUQr2o1ov2cqsqt_arWle/view.

⁹ University of California, *UC sets higher standards, greater goals for sustainability* (Sept. 4, 2018), <https://www.universityofcalifornia.edu/press-room/uc-sets-higher-standards-greater-goals-sustainability>.

¹⁰ *Id.* at 48.

¹¹ Andrea Victory, *Why Induction Cooking is the Hottest Trend to Hit Restaurant Kitchens*, Food Service and Hospitality (May 31, 2017) <https://www.foodserviceandhospitality.com/why-induction-cooking-is-the-hottest-trend-to-hit-restaurant-kitchens/>

To the extent the City is concerned with unforeseen and narrow circumstances, such as where a developer can credibly demonstrate that it cannot feasibly avoid a gas connection due to the needs of a particular non-residential project, the City should narrowly tailor the DEIR to address this concern. Notably, the City already requires development applications be reviewed to “ensure projects incorporate feasible measures that reduce construction and operational emission for reactive organic gases (ROG), nitrogen oxide (NO_x), and particulate matter (PM₁₀ and PM_{2.5}) through project location and design.”¹² This same type of review should occur to ensure all-electric buildings and electric appliances (which in addition to reducing GHGs, reduce indoor and outdoor air pollution), are incorporated into project design unless demonstrated to be infeasible. We recommend Mitigation Measure GHG-1.2a be revised using this or similar language:

Non-Residential: All buildings will be all electric, meaning that electricity is the only permanent source of energy for water-heating, mechanical and heating, ventilation, and air conditioning (HVAC) (i.e., space-heating and space cooling), cooking, and clothes-drying and there is no gas meter connection, except where the Applicant makes a demonstration, subject to City approval, that incorporation of electric appliances and/or all electric building design is infeasible. All major appliances (e.g., dishwashers, refrigerators, clothes washers, and dryers) provided/installed are Energy Star certified or of equivalent energy efficiency. Installation of Energy Star or equivalent appliances shall be verified by the City of Hayward prior to the issuance of a Certificate of Occupancy.

The next one to five years will be a critical window of opportunity for the City to jump-start this transition away from gas to clean energy buildings. While the DEIR demonstrates the City’s commitment to lead on creating zero-emission multifamily residential buildings, we know there is a critical need to do more. Land use plans present an essential platform for the City to take action on climate, and eliminating natural gas from buildings is indispensable to the City’s hope of reaching its GHG reduction goals. In the process, the Plan will create a pathway to a more prosperous, safe, and healthy Downtown Hayward. Earthjustice and Sierra Club look forward to continuing to work with the City to ensure a robust and CEQA-compliant Plan.

Please contact Matt Vespa at mvespa@earthjustice.org, Sasan Saadat at ssaadat@earthjustice.org, Rachel Golden at rachel.golden@sierraclub.org, and Jewell Spalding at jewellspalding@mac.com with any questions or concerns, and please include each of us in future notifications on the Plan’s development.

Sincerely,

¹² DEIR at 4.6-18 (City Policy NR-2.2).

B1-3
cont.

B1-4

Matt Vespa
Staff Attorney
Earthjustice
50 California Street, Suite 500
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COMMENT LETTER #B2

From: Stuart Flashman <stu@stuflash.com>
Sent: Wednesday, February 20, 2019 12:54 PM
To: Damon Golubics <Damon.Golubics@hayward-ca.gov>
Cc: Sherman Lewis <sherman@csu Hayward.us>
Subject: comment letter on Downtown Specific Plan DEIR

Please see attached comment letter.

Environmental, Land Use, and Elections Law Serving public interest and private clients since 1990	
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B2-1

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February 20, 2019

Attn: Mr. Damon Golubics
City of Hayward
Hayward, CA

Re: Draft EIR for Downtown Hayward Specific Plan

Dear Mr. Golubics:

I am writing on behalf of my client, the Hayward Area Planning Association (“HAPA”), to comment on the above-referenced DEIR. These comments supplement the comments submitted by Mr. Sherman Lewis on behalf of HAPA.

The focus of these comments is the DEIR’s failure to address the potentially significant traffic impacts of the inclusion of parking structures in the specific plan, and more specifically the Plan’s, and the DEIR’s failure to consider the effect of adding a large number of parking spaces in parking structures in inducing a demand for parking spaces at the expense of other alternative transportation modes for people to access the Downtown Hayward area. The result of this induced demand will be to increase the amount of automotive traffic to and from the downtown area and increasing the traffic load and resulting congestion on arterials that access the downtown area.

As has been abundantly documented, including references in Mr. Lewis’ comment letter, there is a well-established relationship between the amount of transportation facilities provided, including roadway lanes and parking spaces, and the amount of automotive trips generated. This relationship can be summarized in one simple phrase, “If you build it, they will come.” What this phrase expresses in a nutshell is that the number of auto trips expands as the available facilities are increased.

Obviously, there are limits on such expansion, but it has been repeatedly shown that when added facilities make auto travel to/from a location easier/less expensive (in either time or money), the number of trips generated increase proportionately. This is particularly true when potential drivers can choose between alternative transportation modes, alternative routes, and alternative destinations. To take a specific example, a potential driver is more likely to take a bus than drive their car if parking spaces are unavailable, difficult to find, or expensive. Conversely, when parking spaces are plentiful, convenient, and available at no cost, drivers will choose their car rather than a bus, train, bicycle, etc.

The DEIR does not consider the effect of this phenomenon on traffic associated with the specific plan. In particular, it does not consider whether reducing the incentives for auto access to the downtown, by providing less parking, less convenient parking, or higher priced parking, would reduce auto trips associated with the specific plan and the associated congestion resulting from the plan’s implementation.

The DEIR needs to be revised to consider an alternative that reduces the incentives for private auto use – either by reducing the amount of parking or increasing its cost. Such an alternative would de-incentivize auto use and incentivize using other transportation modes. Not only would such an alternative reduce traffic and congestion,

B2-2

B2-3

but, because alternative transportation modes are more energy-efficient, it would reduce the energy use and associated GHG emissions from the project. The net result would be to mitigate or avoid some of the project's otherwise significant environmental impacts.

B2-3
cont.

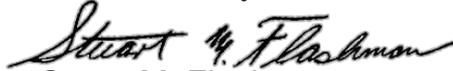
It should also be noted that both BART and AC Transit should be considered responsible agencies for this project, as the project will require modifications to their facilities that they will have to approve. However, the DEIR does not indicate that either of these agencies was consulted during the preparation of the DEIR. Both agencies need to be consulted and the DEIR reissued and recirculated after inclusion of the results of these consultations.

B2-4

Thank you for accepting this comment. Please keep me informed about the progress of the environmental review of this project.

B2-5

Most sincerely,



Stuart M. Flashman

cc: S. Lewis

COMMENT LETTER #B3

From: Sherman Lewis <sherman@csuhayward.us>
Sent: Wednesday, February 20, 2019 10:53 AM
To: Damon Golubics <Damon.Golubics@hayward-ca.gov>
Cc: Stuart Flashman <Stu@stuflash.com>
Subject: Comments on Hayward Downtown Specific Plan and its Draft EIR.

My comments are in HAPA comments on LWC Dntn Specific Plan.docx

The other two attachments are not comments; only repeat what is already in the administration record.

B3-1

--
Sherman Lewis
Academic Senator for Emeriti
Professor Emeritus, CSU Hayward
President, Hayward Area Planning Association
510-538-3692 sherman@csuhayward.us

HAPA Comments on Hayward Downtown Specific Plan

The Hayward Downtown Specific Plan (Plan) shows great expertise across a range of planning professions and is by far the most progressive plan ever presented to Council. Nevertheless, the Hayward Area Planning Association (HAPA) has some severe criticisms of specific ideas which should not be taken as a negative attitude toward the rest. One major criticism focuses on parking subsidies and the other on the oval roundabout, which is inconsistent with the Vision.

1.2 Vision and Plan Goals

Our comment here is how to make the good better, by getting outside the self-imposed envelop of the Plan. It is hard to articulate this criticism as well as I, representing HAPA, would like. The Plan provides design detail for increased non-auto mode but does not discuss how all the policies taken together are a system that reduces auto dependency and car ownership while having high mobility. I would like to see a Vision statement of how a land plan for density over area, a transportation plan for non-auto modes, and pricing incentives can combine to achieve affordability, sustainability, mobility, health and safety, high design aesthetics, and community. Similarly, I did not find in one place a summary of the potential for shifting to non-auto modes combining, walk, bike, transit, and public cars and how these interact with density. I'd like to see the Plan say that a pedestrian neighborhood system could start closer to BART, prove itself, and grow from there.

The Plan generally fails to give a sense of the potential for non-auto modes to access to downtown and to travel within downtown. The vision is exciting but, in a way, seems static; it needs more sense of dynamic change as people learn how non-car mobility works in a pedestrian system and shifts the system away from private cars, reinforcing over time the non-auto mode system to grow even more. The common knowledge now is that a sustainable life style is possible in a few dense cities, but won't work in suburbia. In fact, it is a flexible system that can work in densifying centers and corridors and achieving mode shift in suburban areas. LWC is good at painting verbal pictures; I'd like to see one with people living an upbeat lifestyle with full mobility and better off without the expense and burden of a private car, healthier from walking, saving money and using public cars when needed. Your vision page 30 is good for what we want to see, as a place. I could not find a good place to put a vision about how it feels to live it.

1.3 Key Challenges and Recent Investments – good except on 238

Diagram of the Route 238 Bypass Alternative needs more detail and sharpness.

References to the "Route 238 Bypass Alternative" (p. 16 etc.) need some fixing.

"In the early 1960s, the Foothill Freeway, also known as the Bypass Alternative..." (p. 20) The Foothill Freeway was ended in 1979 and was never known as the Bypass Alternative. The Bypass, 1979 onwards, was never known as the Bypass Alternative; it was the Hayward Bypass.

"The project ran directly through Downtown..." The freeway/Bypass never ran through downtown; part of it ran along Fourth Street from north of A St. to south of E Street on the east side of downtown. It was called the Bypass because it bypassed downtown.

“...was highly controversial as it destroyed historic buildings and disconnected the area.” “Disconnect the area” has no meaning. The projects were not particularly controversial because of destruction of historic buildings.

The projects were controversial for many reasons over decades because they would destroy peoples’ homes, aggravated a housing shortage, condemned homes without housing replacement or relocation benefits thus violating a federal Housing Act, violated NEPA due to lack of an EIS, violated CEQA because of lack of an EIR, violated the 4(f) section of a federal Transportation Act by crossing a public park without adequate search for alternatives, violated the federal Endangered Species Act because of a lack of review of whipsnake impact south of Harder, destroyed open space, had not been reviewed for conformity under the federal Clean Air Act, were denied for state and local funding by MTC, used a sales tax to pay for what a gas tax should pay for, would divide the whole city over a distance of five miles, lacked logical termini, attempted to use funds voters had approved for another project on the Bypass alignment, and was not needed in the first place. I can supply documentation.

“...was proposed to connect I-580 and I-680...” That was true of the Foothill Freeway from 1963 to 1979, but never of the Bypass which stopped at Industrial.

“The Bypass Alternative returns to two-way traffic” (p. 47). This is an error. You mean “The Loop returns to two-way traffic...”

“...rather than a bypass for motorists passing through.” (p. 59) Your meaning is clear but the term bypass is incorrect because nothing is bypassed. Consider: “...rather than as a high-speed route for commuter traffic” or something similar that would be accurate.

“The Bypass Alternative serves considerable regional pass-through traffic...such as commuters between the Tri-Valley and the San Francisco Peninsula or the South Bay.” (p. 61) This is not true. The Usage Study quantified that about 90 percent of the traffic on Foothill downtown was Hayward-based regional traffic, that is, one end in Hayward and the other outside. If Kittleson has, in fact, run the mid-county model with screenlines on Mission below Tamarac and on Foothill above Apple with results that show differently, I would really like to see the model outputs. Your statement reflects the uniformed conventional wisdom.

1.5 Public Participation

Public participation was good except there was no way for participants to choose among major alternatives, which were also excluded from the Plan, resulting in a take-it-or-leave it Plan.

Extensive analyses and reports submitted by the Hayward Area Planning Association, mainly “Ideas for Downtown Hayward” and “Competing Visions for Downtown Hayward” were not referenced, only governmental documents. I submit them again with these comments for reference, for the record but not as a comment, along with my email list appended at the end of these comments. We are glad to see the Plan incorporates so many of the ideas we have long advocated.

2.3 Downtown Land Use Plan

MIXED-USE GATEWAY

Some planner jargon abuses of the English language are worse than others. Seven story buildings cannot be “nestled” against San Lorenzo Creek (p. 36).

Five to seven stories (p. 38) will be very dense for Hayward, are not a short-term prospect, and are even less likely in this location so far from BART. They are probably not needed to reach the 50 person per neighborhood acre threshold needed for major mode

**B3-2
cont.**

B3-3

B3-4

shift. (See Lewis, Sherman. 2017. Neighborhood density and travel mode: new survey findings for high densities. *International Journal of Sustainable Development & World Ecology* 25:2, 152-165, <https://doi.org/10.1080/13504509.2017.1321052> and Lewis, Sherman and Emilio Grande del Valle. 2018a. San Francisco's Neighborhoods; and Auto Dependency. *Cities* 86(2019) 11-24. <https://doi.org/10.1016/j.cities.2018.12.017>.)

"Slip lanes" (p. 38, 39), tuck-under parking and hidden parking garages reveal an auto-centric wolf under the pedestrian clothing.

DOWNTOWN CORE

Two way on the Loop will make getting around easier; two way on B and C probably will not. An operations analysis should look at Loop reform first and then see if B and C going to two way improves things, being sure to consider observed blockage on B St. by parking in the travel lane. Friction on B St. may already slow it to the design speed. Without some evidence to the contrary, B St. and C St. should remain a one-way pair. True, "the inherent design of one-way streets tends to encourage higher vehicular speeds..." (p. 61), but only "tends." Other factors can make a particular street as slow as two-way: narrowness and vehicles parked in the travel lane. To repeat my point, LWC needs to observe parking in the travel lane and actual speeds, because if actual speeds are the desired design speeds, two-way is not needed.

URBAN NEIGHBORHOODS

"The Bypass Alternative returns to two-way traffic" (p. 47) is incorrect; the Plan means "the Plan returns the Loop to two-way traffic."

STATION PLAZA

Good, even great, concepts; some flawed implementation.

BART Station Access should delete the first two bullet points. (p. 73). These proposals go contrary to Plan Vision.

Wiping out BART access (p. 50, 51, 73) on the east side is nonsense; the bus intermodal, passenger lane, and handicapped access must remain and the taxi stand needs to be moved close the station exit. Policy M-7.13 should specify relocating the taxi stand to the station exit. The Plan should reference broader taxi deregulation to allow fair competition with e-hail ride sharing and use of e-hail technology, already approved by the State.

There is no need to change the bus intermodal "...to avoid the delays and congestion of using a bus intermodal..." (p. 73, program C 10). I have observed this intermodal since it was built and have never observed any delays or congestion. It is well-designed and serves its purpose. The relocation of the intermodal to the west side makes transit access far more inconvenient and slower than the existing system, and would move a large pedestrian flow away from accessing downtown. The buildings proposed for the east side can work as well on the west side. The "bus stops on existing streets adjacent to the station" are not identified so it is not clear what might be relocated. What does "Integrating bus stops on existing streets adjacent to the station" mean, specifically?

Changes in bus stop location cannot be ruled out but they have to save travel time. A bus stop on the west side for buses west bound on A St. could have a bus travel time savings greater than the extra walk time to get there.

How many stories are probably needed for a hotel on the BART lot? The large lot size could be big enough for a small conventional hotel. A big one is not only unlikely for Hayward but actually undesirable; it would be out-of-scale for this town. Such a hotel would do more

**B3-4
cont.**

for Hayward than an office building, if feasible. The City needs to confer with BART Real Estate. The Plan should discuss these issues.

Policy M-7.4, M-7.5 and M-7.11 are so similar they should be combined into one.

Policy M-7.2 should specify Greyhound. Policy M-2.4 (p. 74) should include Greyhound, to replace its miserable little building with a place with windows and seating out of the weather.

Reducing BART parking must be done in tandem with growth in non-parking access, which the Plan does not cover and should. BART parking charges are already an incentive for riders to use transit to reach the station, but the needed park-and-ride lots and rapid bus are not in the Plan.

BART would need to agree to how much replacement access is needed to allow building, and initial building should be the northwest lot (p. 50: 5 and 6). Building there will be vastly easier due to the small number of spaces compared to the parking structure. The Plan should have these ideas, both building first where it is easiest, and working with BART on an explicit swap of access that has a trigger for building.

Eleven stories (p. 39) is not only unrealistic but unnecessary for growth and has much less sustainability and higher costs than three to seven stories. "Up to eleven stories" should be deleted from the Plan unless LWC has data showing it is viable. The Plan is deficient in discussing the sustainability, seismic, aesthetic, access and economic disamenities of high-rise buildings, as well as the fact that they are unnecessary for growth and out of character with Hayward. Three to seven story buildings will do the job.

While some smaller activities are desirable for the BART plaza area, it is too small for the farmers market, which is already planned for a much bigger and better space in Heritage Park.

DOWNTOWN SOUTHERN GATEWAY

The oval roundabout (p. 53) is an expensive, dysfunctional, and unnecessary way to achieve the goals of Heritage Park, which is better located for park purposes. Heritage Park does not require crossing heavy traffic to get there, is more centrally located, and already exists. The big investment in Heritage Park should be honored, not ignored.

The drawing has a clerical error lower right; "Foothill Blvd" is actually building frontage for the St. Regis. The label needs to be moved up to either side of the oval or to the top. Mission Blvd. southbound goes out of the frame at the bottom and lacks a label.

The Plan does not explain how the traffic will flow around the oval (p. 53, 54) and looking at its movements indicates less functionality and a higher cost than a circle or signals at Jackson Mission Foothill. The oval has little effect on Jackson-Foothill traffic and some other movements, but Mission traffic is detoured. Eastbound D Street, which now flows across Foothill, would be blocked so badly it would lead to rat-runs similar to the Loop A Street problem. That traffic will likely go to Francisco St., a narrow street. If that is your intent, the Plan needs to explain it, or what LWC predicts will happen.

The oval is too expensive, dysfunctional, and unnecessary to achieve Loop reform, comparable to the Loop in the magnitude of bungling. Frankly, the imaginations of the designers got way ahead of their common sense.

Signals and two-way streets on the Loop are the best short-term, low-cost solution to Loop problems.

**B3-4
cont.**

Longer term, a circle is intriguing, and could be a circle similar to 4 in the drawing (p. 53). E St. would be extended to connect the circle to Second St. A circle has advantages over lights for handling five access roads and numerous left turns. Also, Foothill could be realigned towards Main St. to intersect Mission more squarely and head into Jackson more directly, freeing up enough land for building on the west side, probably creating more land for building than the existing split oval layout. All this can be done at a fraction of the cost and time for building the oval.

If this oval remains in play, planning should not proceed without an operations analysis. An ordinary traffic study will not be sensitive to the operational issues. Even better would be to use some common sense on the three options. Just looking at the oval shows that it will increase VMT and point to point travel times.

3.2 Mobility Vision

I believe Loop reform is **urgent**. The Plan is deficient in discussing Loop problems, such as how point to point traffic has become slower, one-way speeds have increased, reverse direction speeds have slowed, and vmt has increased. I incorporate here by reference HAPA's in-depth analysis. They are not for comment in the Final EIR as they are too long and many parts are out of date. The essential points are made here.

The short-term improvement should be converting the Loop to two-way with signaled intersections using AB 1386 funds. Improvements 2, 3, 4, 5, and 7 (p. 65) on Foothill and Mission should not be done and then have to be redone later. I don't think we should wait til 2034 or later to fix the Loop. (p. 64)

How does the Program CD 17 linear park (p. 19, 124) relate to the oval?

Appendix C makes no reference to the oval roundabout. Why?

Appendix C Program C 13 (p. 375) does not include making Foothill two-way. Why?

Why does program C 13 start in 8 years while 3.2.1 (p. 64) it starts in 15 years?

3.2.3 Transit Network

The City's shuttle feasibility study and the Plan have not considered a downtown smart shuttle. The City is studying, instead, shuttles that resemble AC Transit service with slow, long, infrequent runs and low ridership. Smart shuttles use smart bus technologies, short corridors, and fast/free/frequent service.

They need direct routes, high speeds, and short distances to support low cost. In downtown, assuming Loop reform and a central block busway, one bus would be needed for a BART to Lincoln Landing shuttle. To achieve speed, a smart shuttle uses bus-only lanes, a smaller (p. 20-30 passenger) bus, and guiding docking for no-step entry with no fare collection. They need right-of-way that facilitates speed. Right-of-way improvements include right lane queue jumping, signal preemption, and elevated sidewalk stops at bus floor level for no-step entry. They have very short dwell times. They can use a hybrid diesel electric motor or comparable for torque, regenerative braking, and low carbon energy.

Smart shuttles compete with established personal travel time budgets existing in the corridor; that is, they have to be as fast as existing modes, e.g., cars. Travel time has to consider all modes on a point-to-point trip, such as, from Lincoln Landing, walk/wait/in vehicle/walk to BART, in competition with walk to car/drive out of home parking structure/drive on street/hunt/park/walk to BART.

**B3-4
cont.**

B3-5

Shuttles pay for themselves with land-based finance, some of which is possible for Maple Main and Lincoln Landing, which include developer capital contribution for equipment and way upgrades and rents or HOA dues for operating.

**B3-5
cont.**

Smart shuttles have to be understood within a larger system, not as an add-on that works on its own. They need high densities and incentives to reduce car use such as smart meters and unbundling. Smart shuttles achieve high ridership; they are not per se a social service for people with low incomes. The Plan needs to study such a system and its ridership.

3.3 Proposed Street Design and Appendix B

Some cross sections (pp. 355-368) show no street parking while claiming “maintain curb parking.” Generally, the potential for more diagonal parking is ignored in favor parallel parking with more space for other uses that seem unlikely to get used enough to justify the loss of parking. The amount of bike lanes is not related to behavioral analysis as to whether they will be used, or whether light traffic obviates the need for a bike lane. The Plan is excellent for design in support of bikes but lacks information on probable bike use, resulting in empty bike lanes and lost parking. I don’t know how to estimate bike use, but some effort needs to be made to optimize between bike lanes and parking.

We need performance criteria or warrants for bike lanes and parking. In time, we can hope increased biking and decreased car use can be the basis for shifting the balance.

Separate buffers should not reduce parking; parking itself is a good buffer.

B3-6

The oval roundabout needs analysis; it is a concept in need of operations modeling in comparison to a traffic circle at Mission Foothill Jackson and to a regular intersection. Network modeling will not be sensitive to the problem. Any analysis must look at VMT and point to point travel times, not just speeds. The right-of-way takes and large size make the oval much more expensive than a regular intersection.

The Foothill cross-section (p. 368) does seems too wide. The thru lanes are designed for speed when the Plan calls for slowing cars down. The extra-wide widths preclude diagonal parking, which is easier and allows more spaces. The Plan needs to estimate the width of the “J” cross section and reduce other uses to get diagonal parking, as illustrated in detailed drawings that HAPA has previously submitted to the City.

Comment on 3.3.1: Amen.

3.4 Parking and Transportation Demand Management

Overview

The problem is that the transportation environmental assessment does not meet CEQA requirements for evaluation of impacts. Kittleson assumes that use of the BAAQMD protocol based on CARB’s CalEEMod (Draft EIR p. 4.2-27) is enough, but it is not. These comments and submissions by HAPA establish an administrative record for challenging the adequacy of the EIR. “The Plan” refers to the Plan as such and to the Draft EIR. SB 471 makes VMT an important impact to be evaluated because it is reduced by smart growth. SB 471 excludes LOS because it precludes smart growth and congestion is a factor supporting non-auto modes. The Plan does not evaluate the impact of Plan polices on VMT.

B3-7

The Draft EIR

Appendix C is a technical document produced by Kittleson and not intended to be understood by the public. The opening table shows zero operational percent reduction with 12 columns for pollutants and 9 categories of sources, with all cells reporting 0.00%. The next table has operational mobile mitigation with many categories and policies, among which are

B3-8

four parking policy pricing policies, all reporting 0.00% reduction. The rest of the document of 314 pages has text reporting the policies without providing any quantitative data on their impact on air quality. Similar reporting without supporting data is found for a number of other policies which would reduce air pollution from vehicles.

**B3-8
cont.**

Appendix E is a technical document of 341 pages produced by Kittleson listing 30 roadway mitigation measures and no other policies in the Plan which are expected to reduce traffic. It reports build-out totals for dwelling units, office square feet, "777,485 of retail uses" (presumably square feet), and "1,506,095 of other non-residential uses" (presumably square feet). We used numerous search terms looking for the effect of Plan policies on LOS and VMT without results. The rest of the document does not report on any of the numerous measures in the Plan that will affect traffic. The document reports numerous VMT and LOS results with no quantification of the many Plan policies that would affect them.

B3-9

The traffic volume forecasting approach (p. 67-68) states that the Alameda CTC countywide model is used and no adjustments for the results of plan policies are mentioned. Appendix 6 of Appendix E has travel demand model data that list only taz land uses and nothing on the many policies that affect vehicle trips.

B3-10

Appendix 7 on Project Alternatives is blank.

B3-11

There is no report of the effect of unbundling, cash-out, parking supply, or parking charges. There is no information about how much parking would increase, how much it costs, or mode split.

B3-12

The Hayward Downtown Specific Plan and Associated Zoning Code Update Draft EIR depends on data flowing up from the technical air quality and transportation studies. The Draft EIR lists all plan policies but has no data on their effect on LOS or VMT.

B3-13

Demand for parking

The need for parking in the Plan is culturally assumed, not analytically demonstrated. The amount of parking, pricing of parking, alternative modes, and mode split needs more attention and quantification. Alternative modes get a lot design discussion, but no analysis of how much they will actually be used, leaving no bases for knowing how much parking there should be and what it costs society and the user. The Plan needs to state how much parking is planned, why it is justified, and what are the environmental results.

B3-14

Market price, monetary cost, and economic cost

Market price is what a driver will pay to park at an average of 85% occupancy of parking spaces, and is determined by the value of the destination and the number of spaces. It is based on the willingness to pay. Higher value and more fewer spaces drive up cost; alternative modes meeting travel time budget lower costs.

Monetary cost is the value of the land, cost of construction, and cost of operation. Market price may be higher or lower; if market price is lower than monetary cost, the difference is a subsidy, which subsidizes more car travel and reduces use of alternative modes.

B3-15

Economic cost is monetary cost plus important non-monetary costs that have economic value, typically external costs of traffic, congestion, GHG, air and other pollution, health and safety costs, disamenity costs to pedestrians, costs to other modes, and reduction in total social welfare due to distorted prices. Monetary costs fail to measure value; economic costs require estimating approximations of value in money terms to reach total. Monetary costs are extremely inaccurate by omitting too much of value; economic costs are not precise but are at least more accurate.

Surface vs structured parking

The monetary costs of surface vs. structured parking are quite different, while the market cost and economic cost above the monetary component are similar or the same. From a driver’s point of view, it does not matter if a space is surface or structured; only the charge matters. For non-monetized values, a trip is a trip regardless of where the car is parked. Surface parking is so inexpensive that moderate demand can cover the monetary cost while structured parking usually cannot.

**B3-15
cont.**

Structured parking has a time cost of driving up and down ramps and circling that surface parking does not have. It has much higher construction costs due to the expense of holding very heavy objects up in the air safely. Also, the space taken up by ramps and travel lanes reduces the number of spaces on upper levels. A number of spaces at ground level are also lost to support columns, travel lanes, and ramps. The cost per space needs to be assigned to the upper spaces and compared to surface parking with more spaces on the same footprint.

The downtown parking structure (p. 42) is unacceptable and unnecessary. It goes against Plan policies for non-auto modes and subsidizes traffic and greenhouse gases. It is anti-walkable. It preempts a travel lane needed by the most feasible rapid shuttle route or a housing site. Screening parking from street view does nothing to mitigate the adverse effects of more auto-dependency and the reduced the functionality and attractiveness of this central area.

B3-16

The Plan needs to estimate if the market charge for the upper spaces would cover the monetary costs and, if not, how much the subsidy would be.

Silence on the economics may hide the City’s intent to subsidize parking, as has happened already with the other two city parking structures. A monetary parking charge would probably be so high that few people would park there. The Plan does not discuss a monetary charge or subsidies.

B3-17

The monetary cost of structured parking is likely to be far higher than the market price, resulting in a subsidy which causes adverse external costs. People are unlikely to pay monetary cost because alternatives work better for them. The EIR must evaluate these issues.

Auto vs. non-auto modes

The Plan needs to consider the mode split all policies considered together with particular attention to the role of subsidy. The Plan does not calculate the mode split of the Plan. The Plan has many features reducing auto use: density, mixed use, unbundling, cash-out, market parking charges/smart meters, pedestrian amenity, bicycle amenity, slower vehicle travel speeds, public cars, rapid bus, and transit. These policies can support competitive non-auto travel times in personal travel time budgets. They will reduce auto-ownership and VMT.

B3-18

Unbundling, parking ratios, and minimum parking requirements

The Plan calls for unbundling but fails to analyze its results. It calls for eliminating parking requirements but fails to estimate the results. The Plan fails to discuss how an unbundled parking rent below the monetary cost of providing the parking is a subsidy to parking, in this case from higher housing rents to pay for below-cost parking rents. A developer will build all housing with no parking if 1) the increase in units made possible by less parking, 2) the lower cost per unit from having no parking costs, and 3) non-auto modes meet travel needs all combine to be profitable. The Green Shutter did it.

B3-19

Parking spaces

The Plan calls for “Reuse of underutilized surface parking lots as public plazas provides additional civic gathering space” based on CDM Smith occupancy analysis for peak hour

B3-20

parking. The Plan calls for increase parking in structures and on streets. The Plan has to estimate how many spaces are involved and the policies that would increase and decrease the number needed. What ratio does the Plan expect of housing units to parking spaces?

The Plan has no estimates of losses in surface parking on B and C due to medians, buffers, travel lanes, and bike lanes and going from diagonal to parallel parking. There are no estimates of increased surface parking with Loop reform. The claim (p. 43, “provide opportunities for on-street parking”) that the Plan would increase on-street parking is not quantified; sidewalks, bike lanes, medians, and travel lanes reduce parking.

I incorporate by reference Todd Litman, Parking Management at www.vtppi.org/park_man_comp.pdf and Transportation Cost and Benefit Analysis at www.vtppi.org/tca/

Public cars

I did not find a discussion of how public cars are the final component needed to reduce car ownership by supporting those few trips that are best made by car. I did not find a discussion of public cars as a concept combining car share, car rental, taxi, and ride hail. I think some, maybe all of the idea is embodied in “shared rides,” but I could not find a definition.

Carshare needs a description. You do a great job on unbundling; a paragraph on car share using street parking, web location, and card swipe operation would inform those unfamiliar with it. I found no reference to car rental. Please think twice about car share pods; I don’t think they are the most competitive system. It should not just be part of an employer policy or new project; carshare can be done now dispersed now on the streets based on demand.

You have a lot of pieces but are a bit short of the puzzle. You need to add to your streets policies the need for curb space needed by public cars, provided by them paying the rate or by reservation.

Curb Parking; Smart meters

The Plan is good but weak on market-based pricing and smart meters for street parking, which it calls performance-based parking for curbside parking (p. 84). The Plan needs more detail. It does not explain smart meters and easy pay systems. The Plan must discuss a smart meter program like SFpark and compare it to time limits for efficiency in parking turnover and the benefits to merchants and drivers from the point of view of each. You get part way there but don’t make the sale, unlike unbundling, with a detailed explanation.

Does “set” performance-based pricing for curbside parking mean “implement”?

The Plan calls for implementation “long-term” (p. 77), which overlooks the need for implementation now in places that already are over-parked. It is not a problem that will develop “overtime” (p. 84) problem; it is a problem now. Nobody can park on B St. because it is always parked up.

The Plan should recommend short term implementation involving public education, a pilot program that includes easy pay and business participation in use of funds for local improvements, and gradual implementation. Part 5.1 Implementation is too disjointed to be a clear presentation. You need to talk about a pilot program and explain the benefit of surplus funds for downtown improvement. People need to know there will be free parking nearby if they don’t want to pay. You should mention the features that make Pasadena Old Town so successful.

**B3-20
cont.**

B3-21

You need to propose how to make the sale. You should describe what the staff did in Berkeley that persuaded Shattuck merchants to support charges. Planning needs to discuss how people can be persuaded to support small steps that go against their initial prejudices.

The popular perception of parking availability is that *sometimes parking is really hard to find and we need more*. That is the political reality Council lives with. The last proposal for parking meters was rejected by Council, which panicked when a few merchants showed up fearful of losing customers and not understanding the opposite would occur. The Plan needs to include public education and gradual implementation to overcome popular prejudice. Planning should not succeed at design and fail at psychology.

Minimum Parking Standards

Update Minimum Parking Standards (p. 78) is internally inconsistent: Plan Discussion: “Once these two key policies (market pricing street parking and residential permits) have been implemented, imposing minimum parking requirements becomes unnecessary.” I agree. Plan Recommendation: “reduce minimum parking requirements for projects in areas with high transit accessibility...” I disagree. The recommendation is inconsistent with the discussion and parking requirements should be eliminated. Council won’t do it for political reasons, but that is another problem. For every one person that advocates for no parking requirements, there are a few hundred who don’t want to have a parking problem. You quote Shoup and have a good discussion, (p. 78); so, follow through.

4.1 Infrastructure and Services Introduction

4.2 Infrastructure Capacity and Improvements

4.2.5 Stormwater

Watersheds (p. 96- 101) has some of the best work I’ve seen on local watersheds, superior to AC Flood Control new watershed map on downtown area detail, and comparable to Google Earth Pro. Let’s hope for progress on daylighting. I would like to see it covered earlier, possibly p. 100, ahead of the C.3 issues. The topic is not reached til 150 and then buried in the middle of a paragraph. It pops up on 344 with no discussion, no suggestions of where it might work. The water now flows long parts of Second, Foothill, B, C, Jackson, etc. It should be mentioned in Vision and in 2.2.2 Public Realm. A possible project should be added to the bottom of 102.

It’s Sulphur, not Sulfur (p. 97, also 100), on Google Maps, the nature center, AC Flood Control map, and even in the blue heading above the problem.

Upper Sulphur Creek gets no respect. AC Flood Control put it into the San Lorenzo Creek watershed and does not identify it, but it should be identified.

Either “Floods Zibes” (p. 98) is a new concept or a great typo.

5.2 Potential Funding Sources

In addition to sources cited by LWC, The LATIP AB 1386 Account managed by Caltrans in 2018 had about \$44 million in unprogrammed funds applicable to street projects downtown.

Submitted by

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List of emails sent to City on downtown specific plan (much repetition among them)

Subject	From	Recipient	Date	Size	Locat...
Re: Downtown Specific Plan	Sherman Lewis	Damon Golubics	3/16/2015, 9:28 PM	1.3 MB	Down...
➔ Downtown SP Scope of Work	Sherman Lewis	Damon Golubics, Fred Kelley	3/23/2015, 1:48 PM	1.5 KB	Down...
Re: Downtown SP Scope of Work	Fred Kelley	Sherman, Damon Golubics	3/27/2015, 9:30 AM	18.6 KB	Down...
Re: Downtown SP Scope of Work	Damon Golubics	Sherman Lewis	3/27/2015, 10:17 AM	7.0 KB	Down...
↩ Downtown Specific Plan Task F...	Damon Golubics	Sherman (sherman@csuha...	5/19/2015, 9:57 AM	43.9 KB	Down...
Re: Downtown Specific Plan Tas...	Sherman Lewis	Damon Golubics	5/19/2015, 10:57 AM	4.5 KB	Down...
Re: Downtown Specific Plan Tas...	Sherman Lewis	Damon Golubics	5/19/2015, 1:50 PM	4.6 KB	Down...
Re: Downtown Specific Plan Tas...	Sherman Lewis	Damon Golubics	5/19/2015, 5:06 PM	965 KB	Down...
Go Berkeley and the MTC parkin...	Sherman Lewis	Damon Golubics	6/3/2015, 8:58 PM	2.3 KB	Down...
Re: Go Berkeley and the MTC pa...	Damon Golubics	Sherman Lewis	6/4/2015, 7:41 AM	6.5 KB	Down...
Re: Please forward attached rep...	Sherman Lewis	Miriam Lens, Lory and Dan...	2/17/2016, 10:25 AM	3.5 KB	Down...
➔ Neighborhood parking permits	Sherman	diane.vargas@haywrd-ca.g...	9/1/2016, 2:15 PM	33.3 KB	Down...
Re: Neighborhood parking per...	Damon Golubics	Sherman	9/6/2016, 11:18 AM	5.8 KB	Down...
Downtown Specific Plan - Curre...	Damon Golubics	Sherman (sherman@csuha...	11/15/2016, 11:09 AM	790 KB	Down...
Re: FW: Downtown Specific Plan...	Sherman Lewis	Damon Golubics	11/15/2016, 6:16 PM	28.4 KB	Down...
Re: Smart Growth Parking empt...	Damon Golubics	Sherman Lewis	2/2/2017, 1:11 PM	6.9 KB	Down...
↩ Re: Downtown charrettes	Damon Golubics	Sherman Lewis	3/6/2017, 2:55 PM	8.8 KB	Down...
↩ Re: Hayward charrettes	Damon Golubics	Sherman Lewis	3/6/2017, 3:46 PM	1.8 MB	Down...
➔ Re: Downtown charrettes	Sherman Lewis	Damon Golubics	3/6/2017, 10:12 PM	3.1 KB	Down...
Re: Hayward charrettes	Sherman Lewis	Damon Golubics	3/6/2017, 10:20 PM	3.3 KB	Down...
Downtown charrettes	Sherman	Damon Golubics	3/12/2017, 9:36 PM	3.1 KB	Down...
↩ Re: Downtown charrettes	Damon Golubics	Sherman	3/13/2017, 7:27 AM	9.5 KB	Down...
Re: Downtown charrettes	Damon Golubics	Sherman	3/15/2017, 8:20 AM	7.6 KB	Down...
Re: Charrette input	Sherman Lewis	Damon Golubics	3/17/2017, 9:07 AM	11.7 KB	Down...
Comments for LWC	Sherman Lewis	Damon Golubics	3/28/2017, 4:40 PM	1.1 MB	Down...
Re: Comments for LWC	Damon Golubics	Sherman Lewis	3/28/2017, 4:53 PM	6.2 KB	Down...
downtown plan	Sherman Lewis	Damon Golubics	5/5/2017, 7:27 AM	1.2 KB	Down...
Downtown Plan	Sherman Lewis	David Rizk, Sara Buizer	5/15/2017, 8:27 AM	1.5 KB	Down...
Downtown Plan	Sherman	David Rizk, Sara Buizer, Da...	5/15/2017, 8:52 AM	2.5 KB	Down...
Re: Downtown Plan	Damon Golubics	Sherman	5/15/2017, 9:20 AM	10.4 KB	Down...
Draft Comments on Vision	Sherman Lewis	List-Mayor-Council@hayw...	7/10/2017, 6:10 AM	802 KB	Down...
Re: DTSP presentation today Jan...	Damon Golubics	Sherman Lewis	1/22/2018, 10:17 AM	305 KB	Down...
Hayward Downtown Specific Pl...	Caitlyn Murray	Dave Campbell, Derinda , F...	2/23/2018, 2:19 PM	2.2 MB	Down...
Re: Downtown SP	Damon Golubics	Sherman	2/27/2018, 8:14 AM	9.9 KB	Down...
V	Sherman Lewis	Damon Golubics	3/24/2018, 5:16 PM	1.6 MB	Down...
Re: V	Damon Golubics	Sherman Lewis	3/26/2018, 7:59 AM	9.4 KB	Down...
Council Infrastructure Committ...	Sherman Lewis	Damon Golubics, Laura Si...	10/23/2018, 9:33 PM	3.9 KB	Down...
Re: Council Infrastructure Com...	Sherman Lewis	Damon Golubics	10/24/2018, 8:42 AM	20.2 KB	Down...

Competing Visions for Downtown

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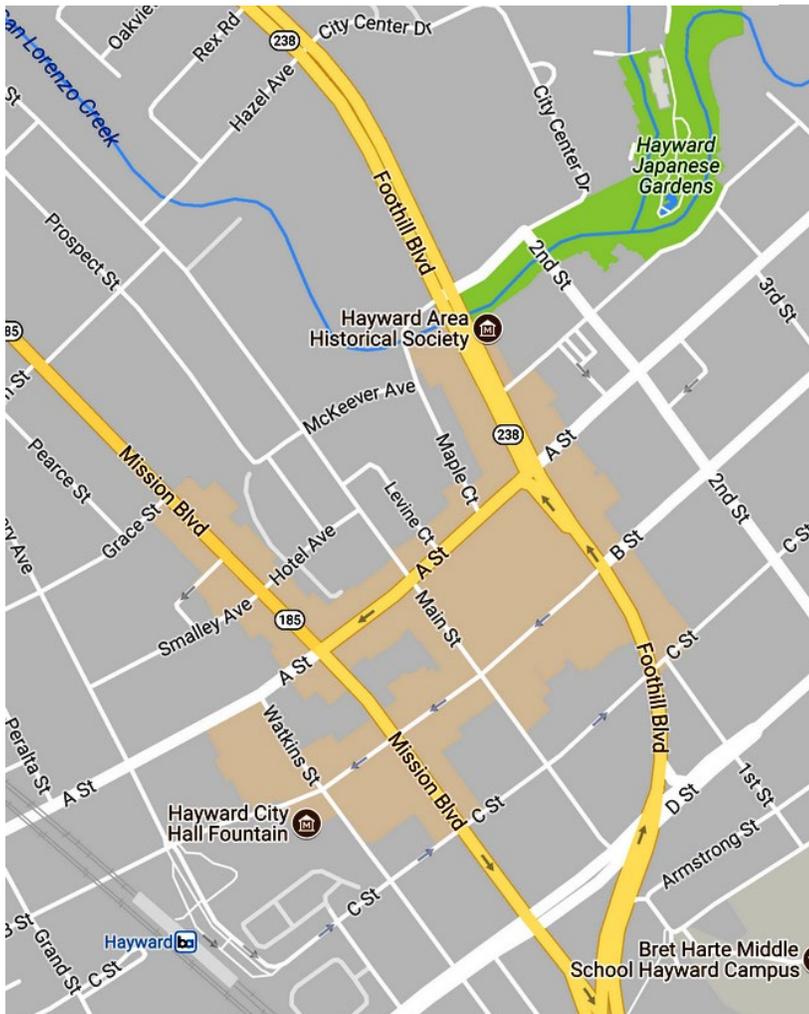
7. The DEIR32

Revised 3/24/2018. More updates may be forthcoming.

1. Competing Visions for Downtown Hayward

This report is HAPA’s comments on the Notice of Preparation (NOP) of the Environmental Impact Report by City of Hayward for the Hayward Downtown Specific Plan Project. The NOP has two sentences about the plan, not enough to be a basis for comments. We assume the plan will be very similar to the Downtown Specific Plan Vision Plan & EIR Long-Term Vision with 74 slides presented May 2017 by the LWC consultants (LWC team) (https://www.hayward-ca.gov/sites/default/files/documents/LWC_Hayward_Vision%20Framework_Draft_052517.pdf). The Vision is a well-illustrated, well-organized report with some good ideas but some glaring problems.

Downtown Hayward



In response to the problems, HAPA presents here a competing vision for downtown. This report builds on “Comments on Plan for Downtown Hayward: Vision or Fiasco?” submitted earlier. Many of its ideas are omitted here, so I incorporate them by reference.¹

The LWC team vision and HAPA vision do not differ in their priorities and goals but in the specific policies and analyses needed to get there. HAPA believes that sustainable growth for downtown depends on reforming the Loop as soon as possible, optimizing cost effective surface parking, discouraging auto modes, radically increasing non-auto modes, and getting more people to live downtown. Transit access depends primarily on rapid buses as detailed in other HAPA reports. Subsidized parking structures will make matters worse.

2. Loop reform

Loop evaluation

The LWC team has a partial and vague critique of part of the Loop. The LWC team “evaluated the conditions of Foothill Boulevard. Based on what we heard, Foothill Boulevard feels like a freeway that passes through Downtown making it difficult to access businesses and residences.” (Slide 23) They reported that “Foothill Boulevard creates a physical and perceptual connectivity barrier.” (Slide 43) Translation: “Foothill is so wide pedestrians won’t cross it.” HAPA believes the LWC team should have looked at the rest of the Loop, not just Foothill, and should have gone into much more detail.

¹ An extensive approach to downtown (which I do not incorporate by reference) is available in *Ideas for Downtown Hayward*. Both reports can be found at <https://www.dropbox.com/sh/zppm2gw5bvsnzd8/AADBfwkjbPNok1h1OCMISEA6a?dl=0>. See also <https://hapaforhayward.wordpress.com/>. These documents overlap with each other and with this report. I lack time to make them into one.

HAPA's evaluation of the Loop (below) may seem long, but it has been much reduced from HAPA's earlier analyses, Ideas for Downtown Hayward and Comments on Plan for Downtown Hayward: Vision or Fiasco? (see footnote 1) These reports have the detail necessary for real analysis.

The Specific Plan report should include these points:

The initial traffic analysis was deeply flawed

The most serious flaw was a failure to see how traffic in the reverse direction from the one-way direction would be so much slower that it would more than offset faster flow in the one-way direction. The Hayward City Council had good intentions for 238 Improvements but chose the wrong goal, intersection Level of Service. The goal should have been retail success and level of service for private car and non-auto modes. Car speeds should be less important than downtown revitalization.

The ACTC has failed to measure speeds in the reverse directions

The Alameda County Transportation Commission (ACTC) has never measured speeds in the three reverse directions and has failed to inform the public about the slow-downs. ACTC is responsible for reporting link speeds. State law requires measurement of level of service using travel speed on major highways. ACTC measures speeds for a specific network of important roads designated in the Congestion Management Plan (CMP). Every two years the ACTC has drivers and timers measure speeds on all the links in Alameda County.

The Loop has 6 links along Foothill, A Street and Mission. For decades, the ACTC measured speeds on Loop street links and never found congestion—using the definition required by state law. In 2010, the most recent year before Loop construction, four links were LOS (level of service) C and two were D. There has been so little congestion that the ACTC CMP reports never commented on them.

One example of a point-to-point link is eastbound on **A Street** from Western Ave. to **Foothill Blvd.** In 2014 and 2016 ACTC measured only to **Mission**, even though people still need to reach A Street. By stopping measurement at Mission, ACTA claimed that the speed in 2016 was 11.9 miles per hour. However, to reach Foothill the speed in reality was more like 5.3 miles per hour. ACTC claimed the link had been shortened and point-to-point travel was not required, but regardless of excuses, the public still needs to travel east on A Street.

Slower traffic

Speed here does not mean how fast traffic seems to move, but objectively measured point-to-point travel times using a stop watch. HAPA research on this issue produced substantial evidence that the slowdown in the reverse directions is greater than the speed up on the one-way directions. In the real world, travel speeds fell to LOS F in all the reverse directions. Considering the three links in the Loop direction and the three in the reverse direction, the net increase in speed in the one-way directions was 2.7 miles per hour, and the net slow-down in the reverse directions was minus 6.9 miles per hour, for a net slow-down of 4.2 miles per hour. The Loop failed at its major goal.²

² For more details, contact me at sherman@csu Hayward.us.

Circularity and increased distances (Vehicle Miles Traveled, VMT)

The Loop makes people go the long way around, increasing VMT, pollution, GHG (greenhouse gases), and energy use. This problem affects both through traffic and traffic with a downtown destination. Through traffic east bound on A Street has to go four turns and four blocks off the direct route. South bound on Foothill is detoured two turns and two blocks out of its way. Some drivers instead turn left onto City Center Drive then right onto Second Street to get south bound, longer than the old straight through route. Northbound Mission also goes two blocks and two turns out of its way using Foothill, or traffic can use Fletcher to Watkins to A Street. Similarly, for reaching Loop streets, any one coming from the wrong side has to go around extra blocks to reach the destination street. Driving east on A Street is especially roundabout, .6 miles via Mission to C Street to Foothill, while going west directly on A Street is .2 mile between the same two points. The increase in speed and distance is costly and accomplishes nothing.

Problems navigating routes

Going to a single place is usually easy enough, even if one-ways make the route go the long way around. However, for two or more errands, the route can be complicated. You can't get from the Lucky store to CVS efficiently, only from CVS to Lucky (0.3 miles). If one is at Lucky and wants to go to CVS, the best route seems to be right on Mission, cross four lanes, left on C Street, left on Foothill, left on A Street, and left again into CVS (0.6 miles). This kind of problem requires planning errands carefully or wasting time driving the long way around.

Jack rabbiting, pulse traffic, inefficiency of lane use

These three issues are all manifestations of the same problem, a street system much bigger than needed. Jack rabbiting occurs when cars at a red light accelerate to excessive speed when drivers see a long stretch of open pavement ahead. Instead of two lanes facing a red light, the Loop has four to five lanes. Cars spread out at the white line usually just a few deep. They see wide open pavement ahead. When the light turns green, the cars speed forward up to 50 miles per hour, only to stop at the next red light. This jack rabbiting could be a major reason that link speeds have not increased even in the Loop direction. Instead of a stream of cars using a few lanes, there is a pulse of traffic using many lanes, followed by a stop light.

Loop lanes are used inefficiently compared with similar urban arterials. The lane use could be measured in average daily traffic (ADT) per lane per block, as compared to other old downtown arterials in the Bay Area. ADT is the appropriate measure for general use, not peak hour volumes. Comparable urban arterials include El Camino, East 14th/San Pablo, and Telegraph Ave. In Hayward, one little-used lane on the Loop is the left lane southbound on Mission south of D Street to Foothill. It is just too far left to attract drivers.

Three routes reduced to two

Previously, northbound traffic could use three routes; now Mission north traffic is blocked, adding to traffic on Fletcher/Watkins and Foothill. Previously, northeast-bound could use three routes; now Jackson traffic is added to Watkins and Foothill. Previously, eastbound traffic could use three routes, now A Street is blocked and adds traffic to C Street and small neighborhood streets. Previously, southbound traffic could use three routes; now Foothill traffic is blocked and adds to traffic on Mission and Second Street. As a result, crossing volumes (e.g., at Watkins and Jackson) are increased and the red-light cycle is longer.

Lanes In, Lanes Out

The Loop simply rearranged traffic within the Loop and with no increase in capacity of outside streets serving the Loop. The typical numbers of lanes entering and leaving the Loop are the same: two for Mission on the north side, and three for Mission on the south side (to Carlos Bee), three for Jackson on the west side and three for Foothill on the north side. There is one exception; Foothill southbound north of A Street narrows to two lanes, reducing the capacity of the whole system and demonstrating that three lanes are not necessary. The Loop only rearranges the flow within downtown. The Loop reduces intersection conflict, increases distances, increases lane changes, and makes traffic faster.

Intersection blocking

The result of forcing more traffic on Jackson to go up to Foothill often creates a problem where northbound Watkins crosses Jackson. Drivers on Jackson often misjudge the traffic lights and get caught in the intersection, blocking northbound Watkins, which has a short signal time. Drivers turning right are unable to get out of the way of traffic behind on a short green cycle. Pedestrians have to weave through traffic that could move at any time. All three problems are shown in one picture below. The same problem occurs for traffic on Foothill coming into the D Street intersection, backing up to block southbound traffic on Mission. This happened to me Dec.



On left: green light, intersection blocked, pedestrians crossing between waiting cars. On right: looking south on Mission with red truck in the way, raining



21, 2015, at night during a rain storm, when I was blocked by a large truck and changing lanes was too dangerous.

Cut-throughs

Eastbound A Street, unable to go straight, often goes left up Mission and then onto neighborhood streets: Hotel Ave. to Main Street to McKeever to City Center Dr. to Foothill. They also go up Montgomery to Simon to Main to Hazel to Foothill. These rat runs are still less convenient for people who need to get east bound on A Street

Another cut-through occurs coming south on Foothill when people don't want to go all the way to A Street, so they turn right on City Center and left on Maple Court, often speeding despite the narrow street.

Another cut-through is east bound on C Street Instead of waiting for the light at Foothill, people drive through the parking structure. When I tried it, there were three cars ahead of me and a I still beat the C Street traffic.



Jackson blocking Watkins

Increased traffic on B Street and C Street

In 2017 the owners of the Book Shop on B Street (before it closed) reported increases in traffic volumes, speed, and noise, which make backing out of diagonal parking dangerous. At least one elderly customer no longer comes downtown due to traffic and the confusion of one-way streets and lane changes created by the Loop. The reason is traffic coming north of Foothill often finds B Street a shorter way

to get west, rather than go an extra block up to A Street.

C Street gets more traffic from east bound on A Street which can no longer use A Street.

Pedestrian problems

Wide expressways make it difficult, uncomfortable, and hazardous for pedestrians to cross the street, as compared to narrower crossings, pedestrian medians, and bulb-outs. Crossing A Street on the one-way blocks has four lanes and is especially difficult. Much of Foothill is seven lanes and over 80 feet wide, far too wide for most pedestrians. Pedestrians feel intimidated seeing a wall of cars headed their way. According to a church leader, the Boy Scouts associated with the Methodist Church on Second Street no longer even try to cross Foothill because of the width and the number of scouts trying to cross all at once.

Traffic-pedestrian conflicts

Pedestrians crossing Mission at B Street delay cars on B Street trying to turn left onto Mission. The Loop increases the number of cars needing to turn left.

Lane changing and merge problems

The Loop requires intense lane changing, with many drivers ignoring pavement markings. It may be possible to observe this problem using the signal control cameras or CCTVs at the intersections.

- From **Mission northbound** onto Foothill merging left to enter the Cinema parking structure.
- From **Foothill southbound** in right lanes, especially the inner lane which must quickly merge into the lane on the left, to westbound on A Street and then must merge more left to get on Mission southbound. Merging left fast enough to get into the CVS lot can be dangerous or impossible.
- **Jackson northeast-bound** onto Foothill merging with traffic from D Street on the left and Mission on the right. Getting from Jackson to Foothill to D Street eastbound is so difficult

Merge of Foothill and Jackson has no safe lane. Cars from Mission are crossing 3+ lanes to the left, and cars from Jackson are crossing 3+ lanes to the right. This is bar none the most terrifyingly dangerous intersection I have ever driven (30 years, all over the country and Bay Area) INCLUDING driving in Tijuana 40 years ago. –Bonnie Peyton, Hayward resident

it is prohibited, forcing a longer route and still difficult lane changes to turn right eastbound on C Street. If the pattern were changed to a two-way system, then D Street traffic at Foothill is reduced by allowing traffic to go up Mission to A Street. Also, merges from Jackson and Mission onto Foothill are reduced by how the traffic lights would pulse traffic between Jackson and Mission.

- **Exiting the Cinema Parking Structure** and turning left onto Foothill it is usually impossible to cross safely six lanes to make a right turn on B Street. You can exit the structure onto C Street to turn left with the green light onto Foothill to get a little more distance to reach B Street and hope the red light for the other traffic holds them off.
- **Exiting the City Parking Structure** onto Mission it can be difficult or impossible to change lanes fast enough to turn left onto C Street
- D Street westbound right onto Foothill and left into Cinema Parking Structure is difficult, requiring changing five lanes in a short distance.
- **B Street westbound from Second St. turning right onto Foothill to reach the far side.** Going to park in front of Copy Pacific requires crossing six lanes of Foothill almost at right angles to reach the seventh lane for parking.
- **D Street westbound from Second Street to enter the cinema parking structure** requires crossing four lanes in about one block. It is easy without traffic but difficult with traffic, which can be thick if on-coming from both Mission and Jackson.

High speeds aggravate the problem of lane changing and merges. I had a scary experience exiting the City parking structure southbound onto Mission and changing four lanes to get eastbound on C Street. The cars behind me made it difficult to see what was coming in the lane back to my left, and I had to slow down to a near stop to see. What I could see was fast traffic coming up at me unwilling to slow down even when I was a foot into their lane. I had to pull in front of the least dangerous car coming up at me and do it three more times. I have a hunch that the driver behind me who honked had to brake a bit.

Queuing (lane stacking) and safety problems

Excessive queuing in left lanes occurs because the Loop goes in the left, counter-clockwise. I have seen this all the time; it is a systemic problem.

- Southbound on Mission in the left lane to go eastbound onto C Street
- Eastbound on C Street left lane to north on Foothill
- Westbound on A Street in the left lanes getting ready to turn left onto Mission Blvd.
Example: On 6/18/16 I was coming down Main to use A Street to turn left onto Mission. When the light turned green, the two left lanes I needed were fully backed up to Main, stacked into the intersection. I couldn't get into a left lane so I went right and circled around via Mission and Hotel back to Main. I did not try to turn right on A Street but kept going on Main two more blocks to reach D Street, where I could turn right and then get let more easily for the left turn onto Mission.
- Westbound on A Street in the left lanes on the east side of Mission
- Eastbound on A Street in the left lane to go north on Mission to reach the Hotel Ave. rat run
- Northbound on Mission in the left lane to go west on Fletcher, sometimes back up outside the turn pocket all the way to the Plunge

- Northbound on Watkins at Jackson, where a sometimes very brief light cycle and the blocking problem described above creates an incentive for drivers to use the left turn only lane to go straight, or to cut left out of the straight lane, cut around blocked cars in that lane, and swerve back into the intersection to continue on Watkins (I've seen it done and done it myself.)
- Westbound on B Street to turn left onto Mission

Parking lost to the Loop

The loss of parking on Loop streets and resulting decrease in commerce must be estimated. The nature of Loop parking needs to be assessed because it does not look or feel like parking. The white lines for parking on the left side of A Street are parallel the curb and lack marks for specific spaces. It is not clear if the area along the curb is for parking. Speeding cars in the adjacent lane make it uncomfortable to open the car door on the traffic side. If cars are right behind it feels uncomfortable, even dangerous to stop, let alone parallel park. Oddly enough, the parking on the right side is not marked, yet gets more parking, possibly because there are more destinations on that side and bulb-outs create a sense of safety.

Land lost to the Loop

The Loop required acquisition of 30 parcels and destruction of 18 buildings. All or most of could be recovered for development and higher uses than pavement.

Longer lights

There seem to be longer lights northbound on Watkins at D Street possibly due to traffic diverted from A Street to D Street, and at other places with very wide pedestrian crossings and long walk signal time.

Public and merchant opinion of the Loop have been strongly negative. Unfortunately, neither the City nor ACTC nor the LWC team have studied Loop problems.

Loop reform

Both visions support Loop reform to make downtown a destination, not an island in an expressway with wide streets and fast traffic. The reversion to two-way traffic, improved surface parking, bicycle lanes, and safer pedestrian crossing can be achieved short term with existing funds in the LATIP.³ The LWC team sees a, "win-win" and a fifteen-year delay in achieving two-way. (Slide 59) HAPA disagrees; the downtown plan top priority should be a real win, a simple reversion to a two-way system, something we could afford that would end the self-inflicted wound of the Loop. Hayward cannot move ahead until downtown is a place to go to, not to go past. HAPA believes Loop reform is most important problem the downtown has and can be solved short-term.

The downtown will still have congestion; most successful downtowns have congestion. Loop reform means more people going downtown, which will have safer traffic with no loss of point-to-point travel time because the traffic will have shorter distances (less circularity) and more intersections, which spread out turning movements and reduce red light times by having less traffic at each intersection. The efficiency of lane use improves. The ease of lane changes

³ Vikash Gayah, "Two-Way Street Networks: More Efficient than Previously Thought?" *Access*, fall 2012. The author confirmed to me that there is an error in Fig. 3; the key is reversed; the bottom dashed line is two-way network with left turn lanes.



improves. Fewer people will try to drive through downtown through induced restraint (explained in *Ideas*).

The Foothill Mission Roundabout

The LWC team claims that “A lozenge shaped roundabout proved to be the most preferred solution by the community.” This claim is undocumented and I question its validity. The LWC team presents a single simplistic concept rather than informed choices.

The oblong roundabout would extend two blocks along Foothill from Mission to D Street. There is no diagram of travel paths, no traffic analysis, no cost analysis, no facts about right-of-way takes and expropriated businesses, no funding source, and no alternatives. The alignment of Mission jogs back and forth. The realignment of eastbound on D Street would deteriorate the existing traffic flow with a long detour around the roundabout. The phasing plan delays a solution to downtown’s most pressing problem for 15 years or more into the future.

The parkland in the middle of the roundabout can only be reached by crossing two lanes of traffic. Parkland always works better with safe and easy pedestrian access.

The debate over intersections vs. roundabouts (aka traffic circles or ovals) is not resolved. Much depends on size and design and the volume of traffic. In both cases, more traffic means slower traffic, and more road capacity means faster traffic. Where collisions result from running red lights, roundabouts can be safer for vehicles. Usually, both types can be made safer if a problem emerges. There are, still, three important problems to consider.⁴

- Roundabouts are more dangerous for pedestrians and bicyclists; “on large urban roundabouts, cyclist have an injury rate 10-15 times that of motorists.” Dutch design can help, but that is not being proposed.
- If the roundabout has different volumes of traffic entering, the road with the larger traffic develops long “**tailbacks**,” that is, cars backing up on the road with more traffic. Tailbacks occur because lower volume entries come in at the same rate as the high volume, a problem solved by traffic lights that hold up the lower volume based on its ratio of traffic to the higher volume. Traffic signals can manage the traffic more fairly and efficiently. The proposed roundabout solves the tailback problem with signals, but then it works like a two-way system. Two-way has waits at the intersection and shorter travel paths; signaled roundabouts have waits at the entrances and longer travel paths.
- Roundabouts take up **more land area**. The LWC team plan does not mention how much land would be taken or its cost. The roundabout would have expensive right-of-way takes and demolish some businesses.

The reader who is new to these kinds of documents should be cautioned. The art work can be misleading. For example, going from slide 40 to slide 41, keep your eye on the plaza, and

⁴ There is a huge literature with little on point. This article was useful:

<https://www.theguardian.com/cities/2015/oct/19/traffic-lights-roundabouts-way-out>

notice how beautiful it becomes. You are not informed that the landscaping is already funded and moving to completion as part of the new library; it is not part of the Vision. Many terms that sound nice can often be meaningless: “focus,” “unique,” “active,” “vibrant,” “catalyze,” “vitality,” “gateway,” “new landmark,” “distinct destination,” “a range of building types.”

A two-way alternative makes more sense. The LWC team supports two-way everywhere except for the roundabout. “Two-way roads enable safe mobility choices to enter Downtown, visit homes and businesses, and increase the economic vitality of businesses on both sides of the street.” (Slide 44)

Coordinated traffic signals would work just as well with two-way. Two-way has no right-of-way takes, threatens no small businesses, would cost far less to build, has more direct travel paths, and has more land that can be made available for development. With two-way, the D Street-Foothill-Mission block with access off D Street can be redeveloped. Two-way can have just as much traffic calming. Two-way can be implemented faster and can use funding now available in the LATIP, for a short-term solution to downtown’s most pressing problem. There is nothing two-way can’t do as well as or better than the roundabout. The LWC team did not discuss any of these issues; the DEIR should.

B Street and C Street

The LWC team proposes conversion to two-way. (Slide 56) The LWC team assumes some benefit with no explanation. HAPA disagrees; B and C work well as a pair and B Street is too narrow for two-way, parking, bikeways, and sidewalks. If the purpose is to make traffic slower, B Street is already slow. Two-way here does not seem to provide more parking. The plan needs to report numbers of spaces for the two options.

The LWC team needs to discuss how deliveries would work, because now a travel lane is often blocked but traffic can still go around easily. The LWC team needs to discuss the availability of LATIP funds for reprogramming. Phase 3 should be Phase 2 using LATIP funds and be the two-way with signals option. The consultants do not seem to realize that the Loop has increased through traffic on B and C, and that two-way might make things worse.

Policies beyond Loop reform

Loop reform ends the devastation of the Loop but will still have congestion and is limited as to how much it can increase access to downtown. The additional policies to increase access are discussed below: parking reform, non-auto modes, and walking-oriented development.

3. Parking reform

Any subsidy for parking, which includes bundling, zoning mandates, and subsidized parking structures, goes against sustainability and economic efficiency. Users should pay the life-cycle cost of the parking they use just like they pay for their cars. Pricing reform would reduce the cost of housing, reduce private car trips, increase use of non-auto modes, increase turnover of parking for merchants, and support redevelopment of land for human use. All of this would significantly improve the urban economy and livability.

Unbundling and parking zoning mandates

The combination of governmentally mandated unnecessary parking and bundling of parking costs into rent are major reasons why Maple Main and Lincoln Landing will degrade the functionality and sustainability of downtown for decades to come.

Unbundling does not increase the cost of rent; it simply splits the rent in two, the rent for the unit and the rent for parking. Initially, the two unbundled rents combined would equal the bundled rent. For example, an apartment with parking at \$1,600 per month could rent the unit for \$1,400 per month and the parking for \$200 per month. Then a low-income family not owning a car and living close to a grocery store and buses could save \$200 per month. Furthermore, instead of a one size fits all rental system, a family needing more spaces could rent more, and one needing less could rent fewer. Over time, supply and demand will produce a balance based on rational prices and consumer choice.

Bundled parking is uneconomic and socially unjust. Those who want to walk and use transit are discriminated against by being forced to pay for something they don't need. The private economy cannot respond to demand for a more efficient life style. Unbundling supports a market-based transition to a more efficient, sustainable life style.

A common concern is that a renter could avoid the parking charge by parking on the street. However, if the street is under-parked, such use is, in fact, efficient. If there is a charge for street parking, there will usually be parking available on the street, explained under modern parking charge policy below. If parking charges are unacceptable politically, neighborhood parking permits can be used, and are quite effective. Hayward has many successful neighborhood parking programs; fears of spillover from new housing are unfounded (discussed in detail in another HAPA report).

Another concern is that an owner of an apartment complex would lose income from unrented surface parking spaces. Vacant spaces, however, reveal that the parking was not need and not economically justified, and the owner should be able to build new units on the vacant land. Currently, bundling is preempting land needed for housing. Downtown living does not require owning a car; it has all the shopping and transit service people need, and carshare/rental would provide for mobility not met otherwise. We can expect that many new residents of the Green Shutter will not own a private car parked locally.

The City now requires bundling: that is, the City requires that developments have parking and that the rentals include parking. The City should deregulate mandates for unneeded parking and allow unbundling. The City should help landlords understand that unbundling can be implemented gradually.

The City should require new construction to provide eco-passes on a per-bedroom basis to owners and renters, funded by a recorded Fixed Charge on the property tax or HOA fee. The City also could facilitate voluntary participation in eco-passes by existing property owners.

Improved surface parking

Greatly increased surface parking requires Loop reform.

Main Street, with little traffic, should have a pilot project for back-in diagonal parking and invite people to practice and comment. It is harder to back-in compared with going head-in, but easier and safer pulling out in the direction of traffic rather than backing out into oncoming traffic. Back-in parking gets easier with practice, and safety advantages make it worthwhile.⁵

⁵ walkBoston, Pedestrian Infrastructure, August 2015, p. 30, Reverse angle parking.

The “downtown block” is defined by Foothill, B Street, Main Street, and A Street. **Downtown block** parking reform would improve flow and increase parking by unifying the CVS and city lots and redesigning the whole layout, including a lane to be used by the circulator. (More on the downtown block below.)

The LWC team estimated increases of new parking spaces for the four opportunity sites, but we need to know the potential for surface parking for the whole downtown, without building more parking structures. Loop reform can provide many more surface parking spaces.

Modern Parking Charges

Free?

“Free” parking means that some parking is underused and chronically unavailable. Some drivers get a windfall while others drive around looking for parking, wasting gas, causing congestion, polluting the air, and unable to get convenient parking they are willing to pay for. Turnover is poor. Shoppers go elsewhere and merchants lose money. Revenues for local improvements are lost. The parking is paid for by taxpayers instead of the people who park. Parking charges increase the cost of parking to users and reduce it for the public which otherwise pays for it.

Parking on B Street is scarce to non-existent. Only 21 merchants have frontage parking along the three blocks from Foothill to City Hall. The downtown block and Lucky store area are also over-parked.

Time limits are inefficient

They have high enforcement costs, poor impact on turnover, and alienation of the public with fines. From the SFCTA On-Street Parking Management and Pricing Study: “The public desires flexible time restrictions, and non-compliance with current time limits is common. Both the resident and business surveys indicate a strong desire for longer or more flexible time limits.”

“Even if the mix of regulations is adjusted to better shape a neighborhood’s desired demand profile (such as by setting and enforcing time limits to encourage short-term use), conventional regulations are inadequate for tackling parking challenges when demand is high and practical capacity limits are routinely exceeded.”

“Relaxed time limits allow users to pay progressive rates to park for a more extended period (if they are willing to pay) without risking a citation. New technologies can also improve the responsiveness and productivity of enforcement personnel. Regulations guided by a principle (i.e., target occupancy), paired with effective enforcement, will tend to improve public acceptance of enforcement, because the enforcement activities support specific goals rather than being perceived as primarily punitive or revenue-generating.”

“Charge higher rates for successive time periods. This strategy is referred to as progressive pricing or length-of-stay pricing. Progressive pricing can be implemented in conjunction with relaxed time limits. By charging a higher hourly meter rate for each additional hour, short-term parking is encouraged and turnover increases, while providing flexibility and convenience to users.”

Redwood City had time limits but then tried variable rates based on demand. It was so successful they got rid of time limits. The program is set up so that market-rate prices encourage turn-over and there was no need for time limits, which aggravate customers. With the removal

of time limits, “occupancy shall be rigorously monitored in order to ensure that the prices are sufficient to generate the needed 15% vacancy rate.”⁶ The right price is the one that means there are always one or two open spots per block. Since the cost encourages turnover, time limits are unnecessary; in fact, any place that needs to impose time limits is not charging enough. Todd Litman has written extensively on parking policy.⁷

A two-hour limit to get turnover is costly to enforce and inefficient compared with modern systems. Several cities have found that the "time limits and tickets" approach didn't create enough parking availability and have switched to parking meters with variable rate pricing.

Modern parking charge policy

Modern parking charge policy applies to surface parking, while an economic charge policy, explained below, applies to new parking structures.

There are big differences between surface parking and proposed parking structures. A market charge is relevant where there is already a sunk cost (existing parking) or where new surface parking is recovered from unneeded travel lanes and has a low cost. Structures have a very high cost per space. Surface parking is far less expensive and can be easily converted to social uses in the future when, hopefully, our culture matures.

Donald Shoup’s book, *The High Cost of Free Parking*, should be required reading for people who oppose market charges. The San Francisco Bay Area Metropolitan Transportation Commission (MTC) has completed a study of policies to improve parking management.⁸ At a workshop June 2, 2015, several ideas were presented for market charging.

A modern system (Advanced Parking Management System)

- should be applied to areas where there is high parking demand much of the day
- charges a market rate to park based on willingness to pay, a voluntary system
- avoids the punitive approach of expensive tickets and aggravation of getting ticket
- adjusts rates based on occupancy, defined as an average of 85 percent of spaces being used or having one or two vacant spaces per block
- uses easy pay technology using high tech meters; no more having to carry change, guessing the time, rushing back, getting a ticket, or leaving time on the meter
- avoids payment in cash with its high overhead costs and security problems of handling currency
- has signs that explain how much is charged, how to pay, and where to find free parking
- increases business with better turnover and non-auto access
- may have low cost enforcement using real-time reporting from occupancy sensors
- may use Internet and in-vehicle navigation systems to help find a parking space
- reduces wasted time, pollution, and congestion from hunting for parking
- does not have time limits, just for time used, up to 24 hours.
- charges can start low, and in a small area to achieve acceptance

⁶ http://www.sfcta.org/images/stories/Planning/ParkingManagementStudy/pdfs/parking_study_final.pdf

⁷ Parking Management Parking Management Parking Management Parking Management Parking Management Strategies, Evaluation and Planning, 12 September 2016, Victoria Transport Policy Institute. <https://www.vtpi.org/tdm/tdm26.htm> and www.vtpi.org/park_man.pdf.

⁸ <https://parkingpolicy.com/>

- has free parking where there is too little market demand
- close-in spaces can charge while low-demand spaces at a distance can be free.
- some free parking further away helps public acceptance and gives those who do not want to pay a place to park.
- produces revenues to improve a downtown or a neighborhood, such as sidewalks, cleaning, litter, signage, façades, policing, street furniture, pedestrian and bicycle amenities, landscaping, traffic calming and solar roofs over parking
- funds do not disappear into the general fund, creating fairness and support for the system
- involves merchants and residents in prioritizing use of funds locally

With pricing, over time the supply balances demand. Without pricing, there can never be enough parking and resources are wasted. It is essential to implement some pricing to start the process of public education and acceptance. The LWC team needs to propose this.



SFPark Smart Meter

Easy pay: modern parking charge technology

San Francisco's SFPark was expensive, but costs are coming down and such an advanced system is not necessary. The most cost-effective charging technology may be the meters used by SFPark. Payment can use stored value cards like Clipper or BART tickets, SFMTA parking cards a tag read by a computer like FasTrak, credit and debit cards, and cell phones. The SFPark smart meter has a larger display screens and shows "PayByPhone" transactions right on the meter display.

Smart phone apps can guide drivers to affordable spots directly, even saving drivers money by indicating where the most affordable parking is located.⁹ The FasTrak used on Bay Area bridges shows how successful a modern system can be. The FasTrak tag and reader system is especially appealing, as it is fully automatic—the driver does nothing except park and leave while the system keeps track of the time. Enforcement can be easy with occupancy sensors that automatically report violators and where they are located. Pittsburgh PA and Redwood City also have modern systems.

The expensive part of a modern system is the initial equipment and installation, requiring smart meters, possibly occupancy sensors, and central computerized management and enforcement system. Less expensive but less easy to use are multi-space meters and payment by entering a license plate number.

Coming advances support flexible time limits where needed. For example, a meter in yellow loading zone could have longer time limits outside of the loading hours.

More discussion¹⁰

From the Chron: "San Francisco will become the first U.S. city to base its parking rates on driver demand citywide.

⁹ Examiner 12/16/12, Reisman

¹⁰ More details at: <https://www.sfmta.com/>; <https://www.sfmta.com/press-releases/sfmta-upgrade-parking-meters-citywide>; <http://www.sfcta.org/transportation-planning-and-studies/current-research-and-other-projectsstudies/street-parking-management-and-pricing-study>

“Beginning in mid-January [2018], motorists who park in the city’s 30,200 metered spaces, or in its lots and garages, will be charged more during peak times and less when demand isn’t as high. Hourly rates will vary by time of day and block by block and be adjusted up or down four times a year, depending on actual use during the previous quarter.

“The Municipal Transportation Agency board approved the plan Tuesday on a 5-0 vote.

“In areas that have had the demand-based rates, he said, “the best thing you can say is that it’s been a nonissue. Nobody notices.”

“At the same time, the city replaced its old mechanical coin-only meters with electronic meters that take credit cards, parking cards or coins, and allow motorists to pay by mobile phone. The meters are linked, allowing them to be remotely monitored and programmed, enabling the MTA to measure demand and adjust rates.

“Under the program, the MTA reviews hourly rates every three months, and decides whether to raise or lower them, in 25-cent increments, or leave them unchanged. The decisions are based on how many vacant metered spaces are typically available on a block during three times of day: morning, midday and evenings.

“Rates can go as low as 50 cents an hour during low-demand times or as high as \$8 an hour at peak times, according to MTA policy, but the highest rate now is \$7 an hour. The average rate at the existing 7,000 demand-based parking spaces, Willson said, is about \$2.50.

“Jim Lazarus, policy director for the San Francisco Chamber of Commerce, said the organization welcomes the new way of setting parking meter rates and called the test program “unusually successful.”¹¹

From the SFMTA:

“Upgrading our parking meters is one more step in making our parking system smarter and easier, while providing more convenient payment options for those who need to park in San Francisco,” said Ed Reiskin, SFMTA Director of Transportation. “These benefits will ultimately make our transportation system more efficient, while continuing to reduce the number of parking citations throughout the city.”

“Citywide, parking citations have already been reduced by 12 percent.

“Free” parking is not necessary for business. Some of the most successful business areas have expensive, limited parking, along with a high level of walk and transit access. Properly implemented, parking charges actually increase local business, as in Old Town Pasadena. Old Town Pasadena is hemmed in by I-210, I-710, and the Arroyo Parkway, plus local arterials. Pasadena took this blighted area and made it a destination with a strong plan, historic preservation, parking charges, and use of parking revenues for improving the area.

“Similarly, in Ventura, former mayor Bill Fulton describes its benefits. In Boulder CO, Los Angeles and San Diego, meter revenues support streetscape improvements to attract more retail business.”¹²

¹¹ <https://www.sfgate.com/bayarea/article/Plan-to-set-SF-parking-rates-based-on-demand-is-12408525.php>.

¹² <http://fulton4ventura.blogspot.com/2010/09/parking-management-that-actually.html> and <http://www.vtpi.org/tdm/tdm72.htm>.

In San Francisco the modern system has reduced costs, has quicker access to parking, supports parking closer to destination, saves energy, pollutes less and reduces congestion.¹³

Galveston TX has free Wi-Fi downtown and a cell phone app that supports an easy-pay system.

A pilot project

A pilot project in modern parking charges should start with B Street and then, if successful, expand to areas with excessive demand for free parking.

BART is charging \$3 to park at the Hayward station, so it is really hard to imagine that people would not pay to park downtown. In fact, the Lucky lot is already having problems from spillover parking from BART commuters.

Currently, the two-hour limit program for the downtown area is losing money, about \$50,000 per year, and “abuse of parking time restrictions is common” (one of several reports by CDM Smith, a traffic consulting firm). Enforcement is expensive and inadequate. To improve the time limits system, in February 2018, the City of Hayward considered proposed capital costs and five-year operating cost totaling \$645,000. The program would upgrade enforcement based on equipment purchases and more personnel and anticipated about \$90,000 net annual income.

CDM Smith or the DEIR should compare modern parking charges with time limits and evaluate a pilot project in modern parking charges for costs, revenues, and turnover. The proposed \$645,000 for time limits should be compared with a modern system. Both systems could have a goal of one space per block face vacant most of the time on average. The report should estimate costs based on the expansion of San Francisco’s parking charges. What is the best meter technology? How much do the new meters cost? What are the other capital costs of the system? What are the administrative costs? What are the revenues? What is the surplus? How could the surplus be used? How much does turnover improve?

The plan needs to include educating and persuading merchants to demand easy pay smart meters. How did San Francisco and Berkeley persuaded merchants to support the programs?

Subsidized Parking structures

Subsidized parking structures are very expensive increase congestion, degrade street quality, and discourage non-auto modes. They are not needed if other policies are implemented. More surface parking is easily possible and at a fraction of the cost of structured parking.

The LWC team Proposes four new subsidized parking structures: 844 spaces in city center, 69 spaces in the downtown block, 385 spaces near BART, and 115 spaces at Foothill and Mission. These structures are inconsistent with the LWC team Statement that downtown “...is accessible by bike, foot, car, and public transit.” (Slide 13) They are contrary to Key Priority #2 for sustainability, which cannot be achieved by spending tens of millions of dollars to increase car traffic downtown. (Slide 9)

In the past, the City has used tax funds to pay for structures where drivers park for free. Parking structures induce traffic and congestion, cause safety problems, pollute the air, discourage alternative modes, are enormously expensive, subsidize global warming, and are unnecessary for downtown growth.

¹³ “SFPark program a success,” San Francisco Chronicle, June 21, 2014

LWC team: “Within larger blocks, transform underutilized city-owned parking by introducing a mid-block green and a public parking structure lined with live-work units. ...New public parking structure allows replacement of surface parking lots with buildings that help form complete block faces along Main Street, A Street and B Street. Incentivize infill development by allowing payment of fee in lieu for use of new public parking structure.” (Slide 27) “A shared-space connection through the center of the block and a new civic space catalyze small-scale incremental infill of 2-3 story buildings served by a public parking structure.” (Slide 28)

HAPA: By our criterion, there are no larger blocks with underutilized city-owned parking. CDM Smith research shows a complex situation, with some, usually inconvenient, surface parking and parking structures occupied less than 80 percent of the time and some more occupied. Sometimes on special events everything is full. Utilization is not improved by structures but by replacing usually unoccupied parking with development, which then improves utilization. The LWC team actually discusses only the downtown block, not blocks. We know from observation that its parking is very well-utilized by Buffalo Bill’s, Bank of the West, CVS, and other businesses. A structure and its access would eliminate much of the existing parking. It makes no sense to eliminate convenient parking to build a parking structure with slower access due to driving up ramps up to higher levels.

A new structure does not have anything to do with forming complete block faces; it is irrelevant. Development is far more incentivized by deregulating zoning, with no need for any fee, which would have to be passed on, increasing housing costs. A structure in the middle of the downtown block does not serve the block, it degrades it. The structure is irrelevant or harmful for having a green, buildings with retail below and housing above, and a busway. Eliminating the structure saves land for social uses and saves capital funds for better investment.

Perhaps the most important slides in the Vision are 51 to 55 on performance measures. They are inconsistent with subsidized parking structures as well as with auto-based LOS, which the LWC team does criticize. The thinking behind slides 51 to 55 needs to be applied to parking structures. Unfortunately, the Vision only suggests that the City apply these metrics and does not actually apply them. The DEIR should assess the performance of the measures in slides 56 to 65 and the policies for improving access and decreasing auto use.

Subsidy?

The LWC team has no information about how much structures will cost or how it will be paid for. The vision needs clarity about the cost of parking structures. The estimate of the cost of a parking structure starts with an estimate of the number of spaces on upper levels minus the number lost to the structure and ramps at ground level. Parking structures only provide parking on upper levels net of spaces on the ground level used for the upper structure. It is expensive to build concrete and steel strong enough to support tons of vehicles above the air in earthquake country.

To avoid subsidy, a parking structure must charge to recover the economic cost. Parking structures that cannot pay their own way should not be built. The economic cost of parking structures includes land value, capital, operating, return on investment, and some defined quantified external costs such as a carbon cost and a congestion cost. The parking charge analysis has to be based on 85 percent daytime occupancy and then consider the elasticity of demand at

that charge. If demand is not high enough to pay the economic cost, the structure should not be built. The hourly rate is likely to be so high few people would park there.

An economic charge is most relevant for planning new parking to see if people would be willing to pay the charge and, if not, not building the structure.

The City Hall Park and BART disabled parking

LWC team: “Existing bus bays and passive open space makes it difficult for a visitor to know how to get to homes and businesses in Downtown. Furthermore, the land around the station is underutilized based on BART’s long-term vision for the station.” (Slide 35) “Better connect BART to Downtown: A sequence of unique open spaces physically defined by active frontages draw people into Downtown.” (Slide 35)

Bus bays. The bus bays and open space do not make it difficult; there is an obvious, wide sidewalk leading into downtown. BART’s vision, whatever it is, should not necessarily be our vision. The land is not underutilized. The bus bays make Hayward a regional inter-modal center and should not be moved.

Disable parking. The drawing shows the park between BART and City Hall and necessary and convenient disabled and taxi access being replaced and built on. The LWC team does not explain the difference between “passive” and “unique” open space. Judging from the drawings, unique means less.

The park. HAPA recommends keeping both the park and the disabled parking. It is not practical to eliminate the disabled parking; it is the only reasonable way to accomplish that function and should not be built on.

The LWC team vision does not connect better and is not unique open space. In fact, it reduces existing open space. The “active frontages” do not “draw people into Downtown” any more than the existing layout and may be worse by putting a kiosk and trees in the way.

HAPA does not regard this area as an opportunity site. It works well as it is.

More Parking Management

The parking charge pilot program described above is a discrete element within the broader policy of parking management. Parking Management means shared parking. Most parking is inefficiently restricted to single purpose use, like only for residents, only for BART riders, or only for one business. Shared parking allows different users regardless of purpose, making more efficient use of the space.

The City’s new Downtown Parking Management Plan is vague. In addition to a back-in diagonal pilot, improved surface parking, modern parking charges, no new parking structures, unbundling, and zoning deregulation, it should have

- No new structured parking
- No parking underneath that is part of a dwelling unit
- No platform parking
- Parking open to all users for short periods
- Management of spillover parking using charges or permit programs
- Leases for long term needs like resident parking

Cities lack powers to implement other reforms relating to gas taxes, congestion charges, bridge tolls, subsidies to oil companies, and externality costs. Auto dependency is the major cause of traffic, and underpricing is the major cause of auto dependency. The LWC team should provide information on how much access to downtown could increase with parking reform but does not look at the whole downtown and emphasizes parking structures instead.

4. Non-auto modes

The LWC team assumes that parking lost to buildings must be replaced by parking structures instead of by non-auto access. The LWC team emphasizes subsidizing parking to get more people downtown and does not consider the potential for non-auto modes. The LWC team (Slides 53 and 55) infers support for pricing measures and transportation demand management (TDM) but does not mention the policies needed, such as employee cash out. The LWC team has no information on how much access could increase with non-auto modes and emphasizes parking structures instead.

Sidewalks and bicycle lanes are necessary but not sufficient to achieve use. The LWC team does not analyze how much complete streets would actually be used, so there seems to be no way of estimating performance using the excellent transportation metrics.

HAPA supports getting people downtown using policies which discourage private car use and encourage non-auto modes.

Improve pedestrian street crossings

Pedestrians need crossing that feel safe and are safe: narrower roadway at pedestrian crossings and pedestrian safety medians. The cross sections of Main Street and other streets on slide 60 show real progress away from overly wide travel lanes that are hostile to pedestrians. However, some cross sections show three and four lane wide roadways that create long pedestrian crossings.

The new senior housing project on the north side of A Street has no safe crossing to Lucky store. Westbound traffic on A Street is fast coming out of the Loop, and eastbound traffic backs up because it is forced to turn onto Mission. The traffic signal is very slow because of left turns.

The access to the Lucky store parking lot needs to have its left turns removed and a crossing safety median added. Traffic into and out of the parking lot from A Street would be reduced to a right turn into the lot and a right turn out. Traffic needing to go westbound traffic on A Street can get there via Mission Blvd.

A Street needs improved cross walks at Maple Court, Main, Mission, and Luck to serve residential developments.

Pedestrians will also benefit from policies for Loop reform, other non-auto modes, parking reform, and attractive mid-rise housing.

Add bike lanes and the East Bay Greenway

Both visions call for more bicycle lanes. The LWC team, however, overdoes it—too many bicycle lanes relative to probable bicycle use. As a long-term idea it might work, but short term HAPA recommends not having bicycle lanes on B Street. The LWC team needs to provide some reason why it thinks so many bike lanes would actually be used, particularly auto pricing measures and design measures to accommodate bicycles at the ends of trips. The LOS for bike

lanes, sidewalks, and transit may be “A” for the facility and “F” in terms of actual use. It would make more sense to plan land development and bike paths, and other bike support policies systematically, as occurs in places with high bicycle use. It’s possible to provide bicycle lanes, sidewalks and transit but if people don’t use them, their performance is inadequate. The analysis needs to study how much they would be used, or there is no way of knowing the performance on the transportation metrics.

HAPA supports the East Bay Greenway Project, which would convert part of the Union Pacific railroad right of way from Lake Merritt BART to South Hayward BART into a “rail trail” for pedestrians and bicyclists. It would especially improve bicycle access to downtown and BART. The easiest section to make into a trail also serves downtown, next to Western Avenue (west side) from Hampton Rd. to Hayward BART station, where the railroad right-of-way is much wider than it needs to be for rail use and already open to informal public use. It could easily become a trail for walking and bicycling that would bring people right to the BART station and downtown at B Street. The trail would need a safety fence to keep people away from the tracks. The Alameda County Transportation Commission and East Bay Parks are sponsors. See <https://www.alamedactc.org/eastbaygreenway> for details.

Transit

Transit includes the downtown circulator, shuttles to Cal State and Chabot College, and the Greyhound station. People choose mode primarily on the travel time and cost relative to the purpose of the trip. They will choose walk mode if it is faster. In some situations, congestion, bridge tolls, and parking costs can induce high transit ridership even when fares are high. In Hayward, abundant “free” parking creates an artificial incentive pushing people into private cars.

The Downtown Circulator

For a circulator to be successful, it has to have enough density over a short distance, be frequent fast and free, and not compete with “free” parking, which requires parking reform. Subsidizing transit without getting the auto to pay more of its own way is a waste of money.

Also, AC Transit is over-subsidized, has low ridership, and is inefficient. AC Transit costs \$206.41 operating expenses per bus vehicle revenue hour, compared to City of Union City Transit at \$105.03. AC Transit high costs are blamed on unions and work rules, but the Stockholm bus service, many years ago, reformed its buses to achieve lower costs and more flexible work rules while retaining unions. Contract bus operators are often unionized and settle for lower pay. A small bus run by a contract operator should cost less than Union City Transit. See <https://www.transit.dot.gov/ntd/transit-agency-profiles> for agency operating costs.

A circulator has to be carefully planned and should have low capital and operating costs. To be successful, a circulator needs to use rapid bus concepts:

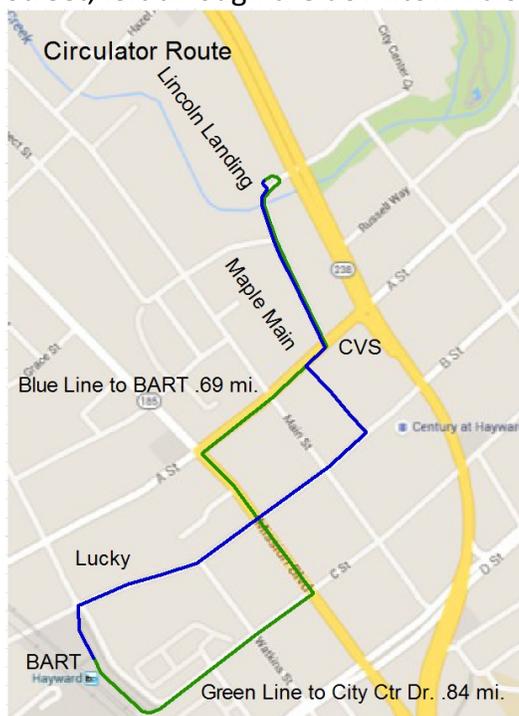
- Serve a short, high density corridor
- Dual mode diesel electric motor for torque, braking energy recovery, renewable fuel potential
- Small, 30-foot bus for maneuverability in traffic
- No fare collection by driver; use proof of purchase and soft enforcement
- Low floor, high sidewalk stops with no step entry and guided docking
- Minimal dwell time

- Shortest possible distance
- Signal preemption and right lane bypass
- Road improvements and new signals
- Usually faster than driving
- Runs most of the day
- Free to most users using eco-pass
- Land-based financing
- Contract operator selected by RFP
- Financers of circulator manage it in consultation with riders and operator

Ridership. Riders would be residents of Maple Main, Lincoln Landing, and downtown, people coming downtown on other transit, and those parking downtown. The ridership estimate should be based on unbundling; otherwise subsidized parking reduces ridership. It should be based on something like how many riders would there be for ten hours of service, with a criterion of 50 percent average occupancy in a 30-foot bus.

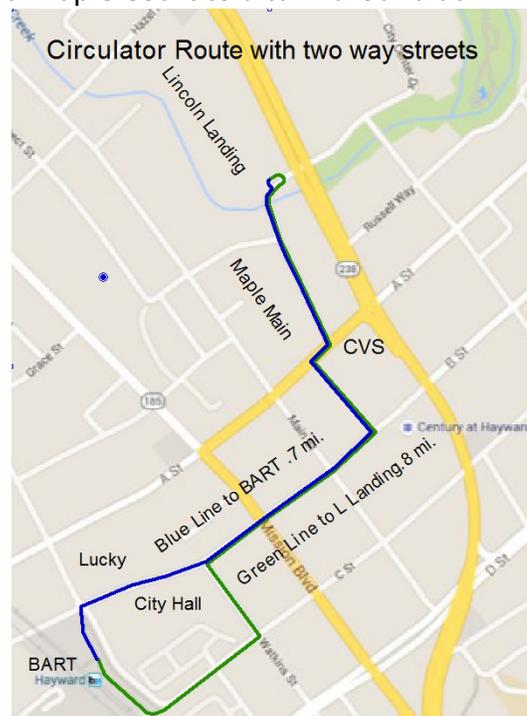
Route, headway. Long suburban routes are not cost-effective due to longer travel time reaching fewer people at lower densities and more competition from use of cars. The circulator has to have a short route, less than a mile, which allows shorter headways with fewer buses, one bus in fact. People make mode choices based on travel time, so the faster and more frequent the service, the more riders it will have. For speed the shuttle has to use the shortest possible route and for frequency it has to have a headway most of the day of 10 minutes or less. These goals can be achieved with a Downtown Circulator using one bus between BART and a turn-around end-of-the-line stop at Lincoln Landing off City Center Dr. as shown at left if B Street remains one way.

The route proposal shown below is based on the two-way traffic pattern proposed in March 2017 by the LWC team. The route from BART goes up C Street, left on Watkins Street, right on B Street, left through the downtown block, along A Street and Maple Court to a turn-around at



Lincoln Landing on City Center Dr. The return route continues on B Street into the station. This route allows one bus every seven minutes. The route outbound from BART goes close to Lucky for shopping on the way home.

The distance is 4,465 feet outbound and



3,720 feet inbound, with a round trip distance of 1.55 miles. At a speed of 15 mph the round-trip travel time would be 6 minutes. With stops and layovers one bus could support a seven to ten-minute headway. The route avoids the distance and slow turns of using Foothill Blvd.

Capital Finance. The capital cost for one bus and right-of-way improvements, excluding Loop Reform, would be about \$1.2 million. Capital costs could be funded by development, a Community Facilities District, city parking revenues, and state funding from cap and trade. In 2015 the Cap-and-Trade Program committed \$25 million each to the Transit and Intercity Rail Capital Program and the Low Carbon Transit Operations Program. The financial planning should include all properties along the route to get support as redevelopment occurs.

Lincoln Landing and the Maple Main Apartments have the cash flow to pay for one bus and right-of-way improvements if required by the City as a condition of approval to mitigate traffic impacts.

The capital cost for one bus and way improvements would be about \$1.3 million, mainly for one high tech bus, traffic lights, and signal changing equipment. It would be funded in part by developers, but they should be able to seek reimbursement from other sources based on serving more than their residents. However, the cost could be only \$4,100 per unit. Funding sources could be Community Facilities District revenues, city parking revenues, and fixed charges on the property tax (Community Benefit District), which could partially replace AC Transit's \$96 per year property tax charge. This project would also score well for state Affordable Housing and Sustainable Communities and Tax Credit Allocation Committee funding.

Operating finance. Initial operating funds should come from a share of the rents at the new projects. All residents would ride for free (eco-pass). Some revenue could also come in part from a fixed charge on property in the downtown area. New developments would also contribute. Operating costs would come to some extent from rent and HOA fees.

Management. Like Union City and Emeryville, Hayward should own and manage the system. An RFP would allow cost-effective management and cost control. The operating cost would be about \$60 per bus service hour.

Ridership. The traffic study should estimate the ridership of the circulator in the context of the related complementary factors of the destination scenario.

"Circulator" refers to the above and not anything proposed by the City.

Cal State and Chabot Shuttles

Non-auto access to downtown would be greatly improved by fast, frequent shuttles to Cal State and Chabot College (via the Amador government center and Southland). These would have characteristics similar to the circulator and are discussed in more detail in other HAPA reports. They would support short-corridor walking-oriented development, also increasing non-auto access to downtown.

"Shuttles" refers to the above and not anything proposed by the City. We need an estimate of increased access to downtown based on these shuttles and the short-corridor, walking-oriented development they support.

It makes no sense to eliminate convenient bus bays at the Hayward BART station when we're trying to increase public transit and the station area is a regional multimodal hub. We need

to have convenient bus bays for the Chabot and CSUEB Hayward shuttles, not make them less attractive with a west-side access.

The movement of buses from B Street into BART and out onto C Street works very well and any plan for the west side would necessarily slow down transit access to downtown.

Moving bus stops away from the BART station to Mission and A makes no sense. Bus rapid transit is usually less cost-effective than rapid bus. Rapid bus to Chabot and CSUEB Hayward should be immediate priorities.

Greyhound Bus Station

Intercity bus service is an important alternative to the automobile.

There is a mysterious prefab structure inside a strange small building at the entrance to the Hayward BART Station from B Street There is a Greyhound sign involved. It all looks like some forgotten relic now devoid of function. Nevertheless, the Greyhound web site says there is station there and has a picture of it. It is open Monday – Saturday, 8:15 AM - 12:30 PM and 4:30 PM - 6:30 PM. The website does not give a schedule for Hayward service but from looking at other schedules it appears that about six buses a day come through, stopping at the curb east of the entrance to the disable parking area.

The City could talk to the Greyhound people about some improvement where people could wait for a bus out of the weather, with glass walls to prevent misuse, with better signage and, well, just be spiffier.

Public cars

Public cars are taxis, ride hail, carshare, and car rental. They need designated public curb space, signage, and policy support. The LWC team does not discuss public cars. Lyft, Uber, and Flywheel are not even mentioned, let alone evaluated for their potential to reduce the need for parking and the need for City policy support.

Carshare/rental, taxi vouchers

These policies for Carshare/rental, taxi vouchers can be required of new residential construction, in lieu of parking requirements, and tie into Parking Management discussed below. One possible site is the city's property at Main and C St's. Taxi vouchers would be given in limited numbers to residents for use, for example, when the circulator is not running and to reach health care.

Taxis vs. Ride Apps

Taxis are dying due to hostile public policy and general ignorance and apathy about the issues. Traditional taxis are antiquated, over-regulated, and inefficient. Ride app services have a clearly superior business providing better service at a lower cost. Taxis are losing out to ride apps, mainly Lyft and Uber. Ride apps are based on the ride service company's software application installed on a smart phone. The app uses a credit card for charging, locates and call the nearest driver, and shows the driver's face and vehicle and a map showing the progress of the car as it moves to the person. A close estimate of fare is determined in advance. No cash is used. My research based on about 20 rides between my house and BART shows that taxis cost about \$13.50 and ride apps trips cost about \$8.

Many people avoid using taxis because of uncertainty about how much it will cost. People are reluctant to ask taxis how much a ride will cost, and the taxis are legally required to charge

the meter rate, which varies and can get expensive. There is also uncertainty about how much to tip. (It is the major reason I don't use taxis.)

Many use ride apps because they do provide certainty. Cell phone app services let you know the cost upfront before you commit, a much better system.

More people would ride taxis if fares were more known. Most rides are to a few locations with little variation in fares. The most common stops in Hayward are the Amador government center, Southland Mall, the industrial area, Chabot College, and CSU East Bay Hayward. We should experiment with posted, fixed fares, like \$10 to Amador Center, \$12 to Southland, \$14 to Chabot or Cal State (these are just guesses). We need information posted at taxi stands about typical fares and about how to pay besides cash, e.g., by credit card or smart phone.

Unfair competition

Ride apps do not compete fairly with taxis.

Ride Apps	Traditional Taxis
Regulated at State level (CPUC), low cost	Regulated at city level resulting in higher costs for medallions, fare boxes, restrictions on taxi stands
Riders can hail a ride more easily, know the fare in advance, pay automatically, and know how soon the car will arrive.	Riders have to go through telephone dispatch, do not know fare in advance, cannot pay automatically, and do not know how soon the cab will arrive.
No use of taxi meters	Taxi meters, invented in 1891, are antiquated, expensive, clunky with a costly annual inspection
Uses smart phone or tablet	Uses phone or hails on the street
No insurance except for CA driver's license	Taxis are required to have high cost insurance.
No wheelchair access requirements	Wheelchair access required for certain percentage of fleet
No service dog transport requirements	Service dog transport required for certain percentage of fleet
No in-vehicle equipment requirements for visually impaired	Visually impaired equipment required for every vehicle
Flexible fares determined by company; unlimited surge pricing	Fares regulated and usually fixed and usually higher than ride apps.
Unlimited vehicles	Number of taxis limited by number of medallions set by city
Drivers are contractors, no worker compensation	Drivers are employees with worker compensation
No emission standards for fleet	Regulated emission standards for fleet
Honoring paratransit debit cards not required	Honoring paratransit debit card payments required
Driver begins/ends shift whenever, flexible hours	Driver works from taxi company location, full days needed to recover the payment to the company
No requirements for distinguishable colors or brands	Requires specific vehicle paint and trade dress

No limit for consecutive working hours by driver	Limited number of consecutive driver-hours
No requirements for Dept. of Justice background checks or Live Scan fingerprinting	Requires Dept. of Justice background checks and Live Scan fingerprinting
No requirement for commercial driver's license	Drivers required to be commercially licensed
Multiple fares or shared rides in same ride (e.g. UberPool, Lyftline), saving riders money.	One fare per ride makes taxis more expensive.
UberRush delivers packages; UberEats delivers lunch.	Taxis can't compete on cost.
Ride apps in Hayward can use the Handicapped Loop to pick up passengers safely, close to the exit	Taxis wait on the far side of B Street in a more distant and hard to see location, unsafe at night.

The BART taxi stand

The **Hayward BART taxi stand** is dysfunctional. It is on the on the north side of B Street (bottom left, the white car is a taxi), which is inconvenient to reach from the BART station exit shown at the bottom center of the picture. It is **400 feet** by sidewalk and pedestrian crossing and a bit shorter by walking in the parking lot and jay-walking across B Street The taxis are hard to see even in daylight. The walk is not inviting and is dark and unsafe at night. Gail Lundholm: "As an older, single woman who likes to travel and enjoys the Symphony, Opera and Ballet in S.F., I have more than once phoned for a cab rather than walk from the BART station to the taxi area after dark." Malca Chall: "Last week on Sunday night I transferred in to the BART Pleasanton line in order to get a taxi right at Castro Valley BART. Imagine night at Hayward!" (March 16, 2016)

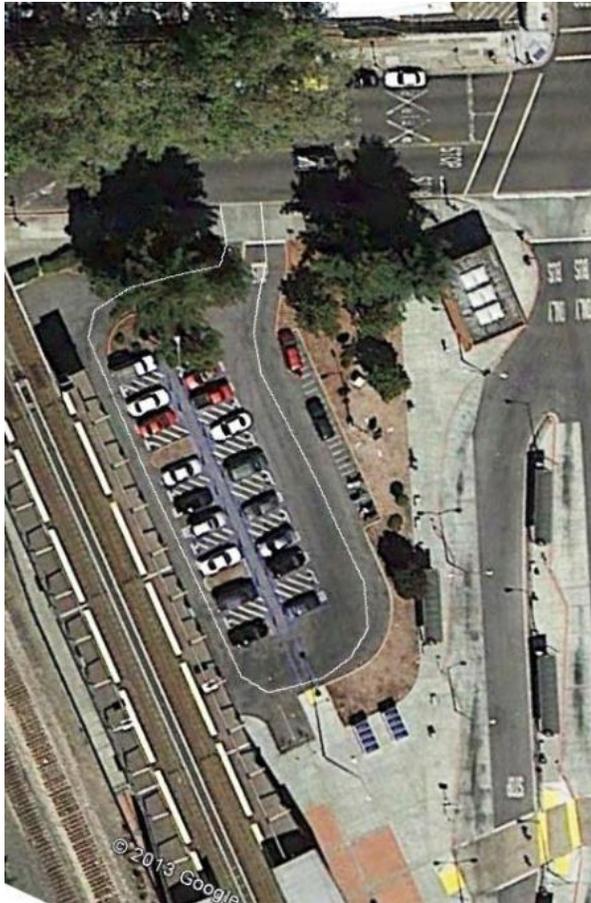
A taxi driver was robbed at gunpoint and sprayed in his eyes with a chemical so he couldn't see. He lost all of his earnings for the day.

In November 2014, HAPA Researcher Dustyn Bindel talked with 3 taxi drivers and reported, "They were pretty excited about someone trying to help them have a taxi waiting area closer to BART. They don't feel too safe both where they're at, and, of course, it'd be better for business."

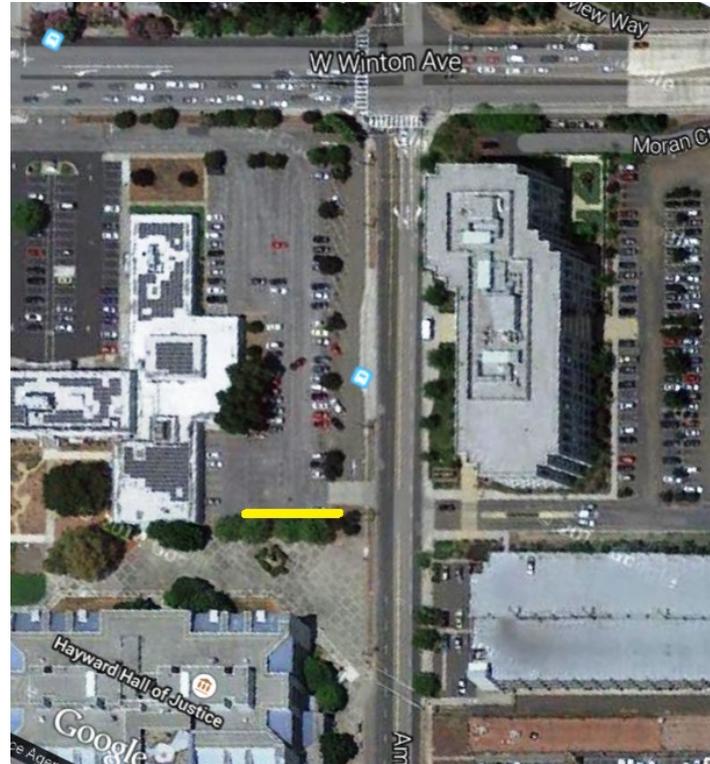
The taxi drivers do not like the location on B Street which faces westbound. Going eastbound legally is roundabout: the taxi has to circle around on Grand to A Street or D Street, so they often make a **logical but illegal U turn** for better service and sometimes get ticketed. Customers, in fact, may complain if the taxi does not make the U turn.

The best taxi access is just **40 feet** from the exit in the **handicapped parking area**, which would allow turning left or right at the exit onto B Street There is plenty of room for three taxis. The picture shows this "station Loop" as a thin white line. Extra taxis could wait in the right side of B Street eastbound and easily turn into the station Loop. Exiting, they can easily go either way on B Street.

Greyhound bus parking signs on B Street eastbound on the west side of the entrance to the disable parking do not seem to be used by buses and need to be removed so that taxis can wait there before pull into the new pick up curb.



Left: white line shows route to taxi stand at BART station. Right: yellow line shows taxi stand at Amador Center



In 2012, Bob Franklin, BART’s access manger, theoretically arranged to have the taxi pick up come in close to the station, and nothing has happened. The BART Board of Directors and BART General Manger do not answer email. Clearly, it will take more effort with BART, specifically having the City ask BART police to allow taxi pick up there. The City needs to ask BART and the City Police need to ask BART police.

Hayward Taxis

Hayward has three main **taxi companies**, Yellow Cab, Yellow Top Cab, and Hayward Taxi Service, plus some self-owned independent taxis. The Yellow Cab office is at 22990 Clawiter Rd., 510-732-8500, and operates with five different cab company names. Hayward Taxi Cabs is at <http://www.haywardtaxicabs.com/> 589-3088. Many of the drivers are Afghan immigrants from the 1980s (needs verification).

The **City of Hayward** has a Traffic Bureau in the Police Department which enforces ordinances that affect taxis, and an ordinance for taxis, Municipal Code Article 5 (www.hayward-ca.gov/city-government/departments/city-clerk/municipal-code/Taxicabs.pdf).

The City’s Article 5 Taxicabs allows one cab per 3,000 residents, or 51 cabs, but there are 67 cabs in service (Officer Limon to Sgt. Corsolini, Jan. 12, 2015). Regulation should size the number of cabs to the needed level by time and day, with more during peak hours. There needs to be some way of **preventing unauthorized drivers** or companies from offering rides.

Taxi Reform

Research. We need to survey taxi drivers on attitudes toward the Loop, U-turn safety on B Street, pick up using the handicapped parking Loop, taxi fare signage, most frequent fares, taxi

stand location at the Amador government center, fixed fares for major destinations, working hours, wait time, income, distribution of rides by time and day, Flywheel and cell phone dispatch, and sizing the driver pool to meet demand. We should query the California Public Utilities Commission, City of San Francisco, and ABAG about a city model ordinance integrating new ride sharing systems with taxis, and regulatory reform.

Regulation of taxi service needs radical change to revitalize traditional taxis. We need a unified regulatory framework: Adoption of Flywheel, reduced fees, flexible fares, medallions that vary by time of day, driver background checks, reduced insurance requirements, and drug and alcohol testing. The number of drivers should be sized to assure an adequate supply balanced with adequate driver income.

Taxi companies. The taxi companies seem to lack entrepreneurial thinking, political organization and advocacy. The companies should support reform before the City is likely to act.

The City. Recommendations for taxi reform were sent to the City in November 2013 and several times since then. To date, we see no City interest in improving taxis service.

We need information from BART on signage, carshare parking, and electric car charging stations for electric taxis and carshare. BART Director Raburn is supportive; Director McPartland does not return calls nor answer email.

The taxi problem is state-wide. The paralysis of the old companies and local government is not going to stop ride app services. There is no proposed uniform new regulatory scheme to increase convenience, riders, and driver income and integrate the two systems.

Modernizing the old taxi service and expanding email if done right would help the environment by making it easier to use a private car less and live without a private car, make rides more available and less expensive, and raise driver income by reducing the large amount of time they spend waiting. A recent report also shows that ride apps can reduce GHG, reduce traffic, and reduce dependency on personal cars, especially in denser smart growth areas.¹⁴ Taxis are a major component of alternative transportation, and mostly easy to fix.

As of 2018, I am still not sure who makes decisions on taxi issues.

5. Walking-oriented development

The LWC team has no information on how much access to downtown could increase with walking-oriented development, does not look at the whole downtown, and emphasizes parking structures instead. We need an inventory of vacant and derelict sites and sites that were taken for the Loop and could be returned to productive use. We need an estimate of increased walk-access to downtown based on walking-oriented development like the Green Shutter Hotel.

Residential development vs. retail and other development

The LWC team's plan ignores the ABAG projections for downtown. (Slide 5) With no explanation, the LWC team apparently falls 68 percent below the ABAG jobs and exceeds the housing by 66 percent. The LWC team also omits assumptions needed to compare the figures.

¹⁴ Caroline Rodier et al., *Synergistic Integration of Transportation Demand Strategies...*, Mineta Institute, October 2015, <http://transweb.sjsu.edu/project/1207.html>. Adding electric cars, charging for parking and transit increase the benefits.

Growth Projections, Downtown Hayward: ABAG vs. Team							
Team Projections							
slide	site	New Residential units	New Retail SF	New Office SF	New Structured Parking	New Surface Parking	New Open Space acres
p. 22	city center	978	30,000	30,000	844	-	1.02
p. 28	downtown	60	-	32,250	69	-	0.86
p. 36	BART	487	92,850	168,000	385	63	3.75
p. 42	Foothill Mission	198	74,800	-	115	239	3.75
		1,723	197,650	230,250	1,413	302	9.38
assume 500 SF per retail employee			retail jobs	+ office jobs	= total jobs		
assume 200 SF per office employee			395	1,151	1,547		
ABAG vs. Team Projections							
Team report	ABAG Projections			Team Projections	Vision compared to ABAG		
p. 5	2010	2040	Growth	Growth	#	%	
Housing Units	4,380	9,500	5120	1,723	Shortfall =	3,397	66%
Jobs	7,570	8,490	920	1,547	Excess =	627	-68%

The projections for 5,120 new units means about 12,000 more people, which would greatly help local purchasing power for downtown business. However, the job growth likely from so much housing growth and outside access seems too small.

The plan should discuss the rationale for this. Since the LWC team plan only looks at four areas, far less than the whole downtown, the basis for their estimates are unclear.

Residential development downtown is caught in a tug of war between the City’s preference for more commerce and the need for more residents to provide demand for that commerce, yet which also takes up land that could be used for commerce. What is the best balance?

HAPA recommends that ground floor frontages on the Circulator route be reserved for commerce. Currently retail rents are low due to lack of demand, indicating too few residents. There is much potential for residential development off the shopping streets and on upper floors. Downtown residential redevelopment should be walking-oriented. If rentals are proposed, units should be recorded as condominiums to allow conversion if market supports it. For a general summary, go to Walking oriented development at

<https://hapaforhayward.wordpress.com/hayward-projects/downtown-hayward/>.

Opportunity Sites

The LWC team looks at four sites and does not look at the whole downtown, ignoring many opportunity sites. On some sites it ignores important options and does not recognize that the existing system is working well.

Hotel Hayward on the BART Site

BART owns a major opportunity site, the vacant lot bounded by A Street, BART, Montgomery Street, and B Street. LWC team: “BART is interested in constructing a Class A Office building on

this site, which they own. Feasibility of an office use on this site is difficult to predict.” (Slide 35) HAPA believes the LWC team should have recommended a desirable use since that was their job.

HAPA recommends studying a **medium-sized hotel and convention center**. Downtown Hayward has no hotels or motels. The site has 2.18 acres, more than the Westin St. Francis Hotel on Union Square in San Francisco with 1.77 acres. The BART site is plenty big enough for a hotel convention center.

Hayward’s competitive advantage is its affordability and closeness by BART to San Francisco.

Most access to the convention hotel should be by BART, not car. This is the ideal site for a hotel from a sustainability access perspective. A special access could be built on the north side of the station, direct from the train into the building. The platform would be extended north across A Street and go down to a mezzanine level with fare gates exiting into the hotel lobby and down to A Street. This kind of transit-oriented growth would reduce auto dependency and increase walking downtown. The BART parcel should be held for this or a similar special purpose using BART access.

The City should consult with an expert on feasibility of a design focused on sustainable access. Attendees could have mobility without renting a car. They could fly into Oakland or SFO and take BART directly to the hotel entrance. Powell Street is 34 minutes away by BART. B Street is an easy walk, and regional parks are not far away. The design could be modular to start small to reduce risk, as a hotel only, then expanding as the market allows.

The best expert in the area seems to be Rick Swig. “Rick Swig operates RSBA & Associates, which was founded in 1986. Since that time, Mr. Swig has provided advisory services to both major hotel management and operating companies, as well as owners of individual hotels and portfolios. Along with his asset management and consultancy work associated with RSBA & Associates, he has also been an investor in hotels since 1989, including currently the Napa Winery Inn in Napa, California. His past background also includes a career with Fairmont Hotels, where he rose to be the Vice-President and Managing Director of the Fairmont Hotel Management Company.”¹⁵

BART Parking Structure

The LWC team recommends “Long-term: redevelop existing BART parking structure into a mixed-use block...” (Slide 36) HAPA recommends doing this as soon as the circulator or a shuttle is running and, at some point, add building on the surface lot to the north. On slide 37 the LWC team supports a new 385 space parking structure in an unidentified location, contradicting what they said on slide 36. It is not clear why it makes sense to tear down one structure and build a new one.

The Downtown Block

Discussion of this area has three parts, surface parking and parking structure discussed above and development, discussed here.

HAPA supports the idea of the LWC team for a “shared-space street—a curbsless street shared by pedestrians, cyclists, and motorists—with permeable pavers functions as a new civic

¹⁵ RSBA & Associates, 400 Spear Street, Suite 106, San Francisco, CA 94105, T 415.541.7722, F 415.541.5333, rickswig@rsbaswig.com

space and low-impact storm water management tool. Storefronts that open to the street and to the center of the block expand ‘eyes on the street’ and expand the network of open spaces.” (Slide 27) In the interim, surface parking should be reformed, as discussed above.

Longer term, three to five story mixed use buildings would complete block faces and have “...active patios facing mid-block green.” (Slide 30) Parking should be phased out as the busway, pedestrian ways, mixed uses, and green space are phased in.

City-owned Site at C and Main

The City should build residential housing three to five stories high next door on the C and Main site with no parking, supported by parking management and public cars. Next door, the Green Shutter Hotel is planned to have no parking at all. MTC has good research at <https://parkingpolicy.com/reduced-requirements/>.

Lincoln Landing and Maple Main

The Lincoln Landing proposal for the Mervyn’s property and the Maple Main site were large opportunity sites. Lincoln Landing had advantages supporting reduced parking: shopping and employment across the street, proximity to downtown amenities like restaurants, shops, and movies, and closeness to BART. This opportunity has largely been lost. Major problems:

1. Bundling will subsidize parking and increase car traffic.
2. Bundling will increase costs for those wanting a sustainable lifestyle.
3. Project orientation to the north using Foothill Blvd. and freeways will take residents out of Hayward.
4. A large parking lot on Foothill, a massive building on Hazel, and parking structure with no doors facing Hazel dominate street frontages and are hostile to pedestrians.
5. An Intermodal Center in the South Tower off City Center Dr. supporting the circulator to BART and private cars was denied.
6. A Creek Walk café connecting the Foothill parking to the Creek Walk to improve amenity for residents, creek walk users, and shoppers was denied.
7. Any adjustment to parking in the North Tower based on results of unbundled parking and green mobility for the South Tower was denied.
8. Dedicated parking for carshare/rental, taxi, and ride app vehicles was denied.

A pending requirement for mitigation may reduce impacts somewhat. *Ideas* has more detail on Lincoln Landing and Maple Main.

Centennial Hall

The LWC team proposes 250 single family houses with parking for this site next to a Safeway and retail center, diametrically opposed to walking-oriented development. Low density is diametrically opposed to smart growth and greatly diminishes the purchasing power needed for local business and reduces sustainability. This area already has adjacent high density to the north and east.

6. Basic Data

Basic data for downtown planning is missing. The LWC team lays out a plan that is visionary but too expensive to implement, is often impractical even in the medium term, ignores critical

choices, has worthwhile goals disconnected from specific ways to achieve them, subsidizes traffic and global warming, calls for pedestrian and bike facilities with no analysis to show that people would use them, and ignores development potential of most of the downtown area.

Land use inventory and holding capacity

The downtown plan needs an inventory of all the land use and the holding capacity of the redevelopable land. We need to see estimates of net new developable land, fault-constrained land, and square feet of open space for all options. We need a table that would show area in parking, travel lanes, bicycle lanes, sidewalk area, lots not needing development, properties available for new construction and redevelopment, and open space, with a sub-total for fault-constrained area. Without adequate quantitative analysis, we have no factual basis for planning.

Traffic Report

The City needs a study that would compare the traffic-increasing approach of the LWC team to one based on sustainability and quality of life. The study would consider all the policies that would reduce auto-access to downtown, many absent from the Vision. The study should consider the proposals of this report which would avoid any parking structures, develop cost-effective surface parking, emphasize non-auto modes, and assume walking-oriented development.

The comparison could use the same housing and job projections, hopefully better reasoned than the ones used so far, showing congruence between resident and non-resident demand on the one hand and local business square footage on the other. There needs to be a holding capacity study which estimates units, square feet, and building heights as a basis for the projection. Instead of no proposals for the BART site or the City site at C and Main, a holding capacity estimate would list all parcels with estimates of developable land, fault-constrained land, and square feet of open space. Land use estimates are the basis for trip generation and absorption for all modes.

A traffic report should estimate trips by residents and by people from outside downtown and all modes that would be used: auto, public cars, transit, bicycles, and walking.

Study Hayward's Existing Smart Growth

Hayward is a regional leader in smart growth but has no information on how well it is performing, which could provide a basis for improved management and growth. Hayward has had substantial smart growth at Atherton Place, City Centre, City Walk, and more, but has no information on **how well they are performing**. Do the residents shop downtown? How much have they reduced car use and increased walk or transit? Is their on-site parking working as planned, or is there spillover parking and use of garages for other purposes? What do residents see as important for improving the neighborhood? How many are Section 8 rentals? Are there any social problems associated with the residents?

7. The DEIR

The LWC team vision is too vague to be a specific plan. The LWC team plan for more traffic and parking structures is inconsistent with complete streets and public spaces designed for social interaction. They assume that parking lost to buildings must be replaced by parking structures instead of by non-auto access. The LWC team provides no analysis of the ability of parking reform and non-auto modes to provide enough access without parking structures. The LWC team has no

analysis of potential access by walk, bicycle, public cars, BART, Bus, circulator, or corridor shuttles from CSUEB Hayward or Chabot College, shuttle ridership based on Bayview Village development, campus residential development, and Mission corridor development based on non-car modes. The Nelson Nygaard consultant showed many pedestrians walking on attractive successful shopping streets but had no idea about how they got there. Sidewalks do not produce pedestrians on their own.

HAPA expects the DEIR to discuss the full range of policies discussed in this report. HAPA opposes subsidized parking structures; it is essential that parking pay its own way. Structures are a misuse of revenues from tax payers which subsidize parking for a few and take funding from alternative modes. The analysis of parking structures, described above, will have to show how much free parking would subsidize global warming, increase traffic, and have other negative impacts, and how many would actually park at the economic charge.

The DEIR needs to discuss parking reform, modern market parking charges and the two-hour limit, non-auto modes, and the potential for walking-oriented development in the whole downtown.

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Related reports:

Bayview Village: www.bayviewvillage.us

http://www.bayviewvillage.us/database/resources/bayview_village_ebook.pdf

The CSU East Bay Hayward to Downtown Corridor

Maple Main

Do streets cause traffic? Traffic psychology; modeling

HAPA Hayward Downtown Specific Plan

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Revised 3/16/2017. More updates may be forthcoming.

1. Overview: Expressway Scenario vs. Destination Scenario

Downtown should be a destination, not an island in an expressway with wide streets and fast traffic. The Hayward Downtown Specific Plan should study and compare an Expressway Scenario, which is the Loop, with a Destination Scenario with two-way traffic, shorter, safer pedestrian crossings, and more surface parking.¹

The downtown scenario will still have congestion, only of a different kind from the Loop. The Destination Scenario should bring more people downtown and improve service for pedestrians, bicycles, and transit. The City’s goal should not be less congestion, but more successful business. The key to success is getting people downtown, for which congestion is irrelevant. Most successful downtowns have congestion.

Getting people downtown requires a number of complementary policies which discourage private car use and encourage non-auto modes: walking bicycling, a rapid bus circulator, fast, frequent shuttles to Cal State and Chabot (via the Amador government center and Southland), transit (BART, AC Transit, Greyhound), and public cars (public curb space). Public cars are taxis, ride hail, carshare, and car rental.

The polies include increasing how much the private car pays its own way by unbundling and smart meters. It requires optimizing surface parking, more residents, parking management, safer attractive crosswalks, and public spaces designed for social interaction. Retail growth follows from consumer demand.

2. Loop Reform

The Specific Plan analysis needs to consider the points made below and to propose ways to reform the Loop.

Loop: Problems

1. The initial traffic analysis was deeply flawed.

The most serious flaw was a failure to see how traffic in the reverse direction from the one-way direction would be so much slower that it would more than offset faster flow in the one-way

¹ Vikash Gayah, “Two-Way Street Networks: More Efficient than Previously Thought?” *Access*, fall 2012. The author confirmed to me that there is an error in Fig. 3; the key is reversed; the bottom dashed line is two-way network with left turn lanes.

direction. The Hayward City Council had good intentions for 238 Improvements but chose the wrong goal, intersection Level of Service (LOS). The goal should have been retail success and level of service for private car and non-auto modes. Car speeds should be less important than downtown revitalization.

2. The ACTC stopped measuring speeds in the reverse directions.

The Alameda County Transportation Commission (ACTC) is responsible for reporting link speeds. Instead of delay at intersection LOS, the state law requires travel speed LOS, how fast traffic can get from point to point. The ACTC measures speeds for a specific network of important roads designated in the Congestion Management Plan (CMP). Every two years the ACTC has drivers and timers measure speeds on all the links in Alameda County.

The Loop has 6 links along Foothill, A Street and Mission. For decades, the ACTC measured speeds on Loop street links and never found congestion—using the definition required by state law. In 2010, the most recent year before Loop construction, four links were LOS C and two were D. There has been so little congestion that the ACTC CMP reports never commented on them.

One example of a point-to-point link is eastbound on A Street from Western Ave. to Foothill Blvd. In 2014 and 2016 ACTC measured only to Mission, even though people still need to reach A Street. By stopping at Mission, ACTA was able to claim that the speed in 2016 was 11.9 miles per hour, but to reach A Street at Foothill the speed in reality was more like 5.3 miles per hour. ACTC claimed the link had been shortened and point to point travel was not required.

ACTA never measured speeds in the three reverse directions and failed to inform the public about the slow-downs.

3. Slower traffic.

Speed here does not mean how fast traffic seems to move, but objectively measured point to point travel times using a stop watch. HAPA research on this issue produced substantial evidence that the slowdown in the reverse directions is greater than the speed up on the one-way directions. In the real world, travel speeds fell to LOS F in all the reverse directions. Considering the three links in the Loop direction and the three in the reverse direction, the net increase in speed in the one-way directions was 2.7 miles per hour, and the net slow-down in the reverse directions was minus 6.9 miles per hour, for a net slow-down of 4.2 miles per hour. The Loop failed at its major goal. For more details, go to https://www.dropbox.com/s/jijs71r8czferc0/ACTC%27s_Missing_Links.pdf?dl=0 (Slow download.)

4. Circularity and increased distances (Vehicle Miles Traveled, VMT).

The Loop makes people go the long way around, increasing VMT, pollution, GHG (greenhouse gases), and energy use. This problem affects both through traffic and traffic with a downtown destination. Through traffic east bound on A Street has to go four turns and four blocks off the direct route. South bound on Foothill is detoured two turns and two blocks out of its way. Some drivers instead turn left onto City Center Drive then right onto Second Street to get south bound, longer than the old straight through route. Northbound Mission also goes two blocks and two turns out of its way using Foothill, or traffic can use Fletcher to Watkins to A Street. Similarly, for reaching Loop streets, any one coming from the wrong side has to go around

extra blocks to reach the destination street. Driving east on A Street is especially roundabout, .6 miles via Mission to C Street to Foothill, while going west directly on A Street is .2 mile between the same two points. The increase in speed and distance is costly and accomplishes nothing.

5. Problems navigating errands.

Going to a single place is usually easy enough, even if the long way around. However, for two or more errands, the route can be complicated. You can't get from Lucky to CVS efficiently, only from CVS to Lucky. If one is at Lucky and wants to go to Salvation Army, the best route seems to be up Mission, right on Hotel, left on Main, right on McKeever, right on Maple Court, right on A Street, and hope you can change lanes to get left into Salvation Army. This kind of problem requires planning errands carefully or wasting time driving the long way around.

6. Jack rabbiting, pulse traffic, inefficiency of lane use.

These three issues are manifestations of the same problem, a street system much bigger than needed. Instead of two lanes facing a red light, the Loop has four to five lanes. Cars spread out on the lanes usually just a few deep, lined up on the white line. Drivers see wide open pavement ahead. When the light turns green, the cars speed forward up to 50 miles per hour, only to stop at the next red light. This jack rabbiting could be a major reason that link speeds have not increased even in the Loop direction. Instead of a stream of cars using a few lanes, there is a pulse of traffic using many lanes, followed by empty pavement.

A Street is two fast downhill blocks. Foothill after D Street gets very fast traffic. High speeds aggravate the problem of lane changing and merges mentioned below. I had a scary experience exiting the parking structure southbound onto Mission and changing four lanes to get eastbound on C Street. The cars behind me made it difficult to see what was coming in the lane back to my left, and I had to slow down to a near stop to see. What I could see was fast traffic coming up at me unwilling to slow down even when I was a foot into their lane. I had to pull in front of the least dangerous car coming up at me and do it three more times. I have a hunch that the driver behind me who honked had to brake a bit.

Loop lanes are used inefficiently compared with similar urban arterials. The lane use could be measured in average daily traffic (ADT) per lane per block, as compared to other old downtown arterials in the Bay Area. ADT is the appropriate measure for general use, not peak hour volumes. The comparable urban arterials include El Camino, East 14th/San Pablo, and Telegraph Ave. One little-used lane on the Loop is the left lane southbound on Mission south of D Street to Foothill.

7. Three routes reduced to two.

Previously, northbound traffic could use three routes; now Mission north traffic is blocked, adding to traffic on Fletcher/Watkins and Foothill. Previously, northeast-bound could use three routes; now Jackson traffic is added to Watkins and Foothill. Previously, eastbound traffic could use three routes, now A Street is blocked and adds traffic to C Street and small neighborhood streets. Previously, southbound traffic could use three routes; now Foothill traffic is blocked and adds to traffic on Mission and Second Street. As a result, crossing volumes (e.g., at Watkins and Jackson) are increased and the red-light cycle is longer.



8. Lanes In, Lanes Out.

The Loop simply rearranged traffic within the loop and with no increase in capacity of outside streets serving the loop. The typical numbers of lanes entering and leaving the Loop are the same: two for Mission on the north side, and three for Mission on the south side (to Carlos Bee), three for Jackson on the west side and three for Foothill on the north side. There is one exception; Foothill southbound north of A Street narrows to two lanes, reducing the capacity of the whole system and demonstrating that three lanes are not necessary. The Loop only rearranges the flow within downtown. The Loop reduces intersection conflict, increases distances, increases lane changes, and makes traffic faster.

9. Intersection blocking.

The result of forcing more traffic on Jackson to go up to Foothill often creates a problem where northbound Watkins crosses Jackson. Drivers on Jackson often misjudge the traffic lights and get caught in the intersection, blocking northbound Watkins, which has a short signal time. Drivers turning right are unable to get out of the way of traffic behind on a short green cycle. Pedestrians have to weave through traffic that could move at any time. All three problems are shown in one picture below. The same problem occurs for traffic on Foothill coming into the D Street intersection, backing up to block southbound traffic on Mission. This happened to me Dec. 21 2015 at night during a rain storm, when I was blocked by a large truck and changing lanes was too dangerous.



Pictures: blockage of Watkins at Jackson, blockage of Mission SB by Foothill NB:

10. Cut-throughs.

Eastbound A Street, unable to go straight, often goes left up Mission and then onto neighborhood streets: Hotel Ave. to Main Street to McKeever to City Center Dr. to Foothill. They also go up

Montgomery to Simon to Main to Hazel to Foothill. These rat runs are still less convenient for people who need to get east bound on A Street

Another cut-through occurs coming south on Foothill when people don't want to go all the way to A Street to turn right, and turn right on City Center and left on Maple Court, often speeding despite the narrow street.

Another cut-through is east bound on C Street Instead of waiting for the light at Foothill, people drive through the parking structure. When I tried it, there were three cars ahead of me and a I still beat the C Street traffic.

11. Increased traffic on B Street and C Street

In 2017 the owners of the Book Shop on B Street (before it closed) reported increases in traffic volumes, speed, and noise, which make backing out of diagonal parking dangerous. At least one elderly customer no longer comes downtown due to traffic and the confusion of one-way streets and lane changes created by the Loop. The reason is traffic coming north of Foothill often finds B Street a shorter way to get west, rather than go an extra block up to A Street

C Street gets more traffic from east bound on A Street which can no longer use A Street

12. Pedestrian problems.

Wide expressways make it difficult, uncomfortable, and hazardous for pedestrians to cross the street, as compared to narrower crossings, pedestrian medians, and bulb-outs. Crossing A Street on the west side of Foothill has four lanes and is especially difficult despite the signs, because drivers don't see pedestrians unless they look left when they need to look right to make the turn. On Foothill, northbound drivers making a left turn on to A Street have no light and only a sign telling them to stop for pedestrians. On Foothill, southbound drivers in the right lane turning onto A Street can make a right on red. The other three lanes are always green, back and forth between westbound on A Street and Foothill southbound to A Street westbound. There is no pedestrian crossing light. Much of Foothill is seven lanes and over 80 feet wide, far too wide for most pedestrians. It is even worse when you look to the left and see a wall of cars ready to head your way.

13. Traffic-pedestrian conflicts.

Pedestrians crossing Mission at B Street delay cars on B Street trying to turn left onto Mission. The Loop increases the number of cars needing to turn left.

14. Lane changing and merge problems.

The Loop requires intense lane changing, with many drivers ignoring pavement markings. It may be possible to observe this problem using the signal control cameras or CCTVs at the intersections.

- From **Mission northbound** onto Foothill merging left to enter the Cinema parking structure.
- From **Foothill southbound** in right lanes, especially the inner lane which must quickly merge

Merge of Foothill and Jackson at the big traffic arch: there is no safe lane. Most of the cars on Foothill are crossing 3+ lanes to the left, and most of the cars on Jackson are crossing 3+ lanes to the right. This is bar none the most terrifyingly dangerous intersection I have ever driven (30 years, all over the country and bay area) INCLUDING driving in Tijuana 40 years ago.
–Bonnie Peyton, Hayward resident

into the lane on the left, to westbound on A Street and then must merge more left to get on Mission southbound. Merging left fast enough to get into the CVS lot can be dangerous or impossible.

- **Jackson northeast-bound** onto Foothill merging with traffic from D Street on the left and Mission on the right. Getting from Jackson to Foothill to D Street eastbound is so difficult it is prohibited, forcing a longer route and still difficult lane changes to turn right eastbound on C Street. If the pattern were changed to a two-way system, then D Street traffic at Foothill is reduced by allowing traffic to go up Mission to A Street. Also, merges from Jackson and Mission onto Foothill are reduced by how the traffic lights would pulse traffic between Jackson and Mission.
- **Exiting the Cinema Parking Structure** onto Foothill it is impossible to cross safely six lanes to get to eastbound on B Street, and challenging to eastbound on A Street. You can exit the structure onto C Street and try to reach B Street with a few more feet to make it, but it is ill-advised.
- **Exiting the City Parking Structure** onto Mission it can be difficult or impossible to change lanes fast enough to turn left onto C Street.
- **D Street westbound right onto Foothill and left into Cinema Parking Structure** is difficult, requiring changing five lanes in a short distance.
- **B Street westbound onto Foothill.** Going to park in front of Copy Pacific requires crossing six lanes almost at right angles to reach the safety of the seventh lane for parking.
- **D Street westbound to Foothill northbound to enter parking structure** requires changing three lanes in about one block and is almost impossible if there is traffic. The method I use is to slow down, lean out the window and look back, wave my arm, and hope that someone will slow down enough to let me in, three times.

15. Queuing (lane stacking) and safety problems.

Excessive queuing in left lanes occurs because the Loop goes in the left direction. I have seen this all the time; it is a systemic problem.

- Southbound on Mission in the left lane to go eastbound onto C Street;
- Eastbound on C Street left lane to north on Foothill;
- Westbound on A Street in the left lane on the east side of Foothill, getting ready for turns into CVS, Salvation Army, Main Street and Mission Blvd. On 6/18/16 I was coming south on Main to use A St, to Mission. When the light turned green two left lanes were fully stacked into the intersection, so I went up Mission, over on Hotel, back across on Main to D Street for the left on Mission.
- Westbound on A Street in the left lanes on the east side of Mission.
- Eastbound on A Street in the left lane to go north on Mission to reach the Hotel Ave. rat run;
- Northbound on Mission in the left lane to go west on Fletcher, sometimes back up outside the turn pocket all the way to the Plunge,
- Northbound on Watkins at Jackson, where a sometimes very brief light cycle and the blocking problem described above creates an incentive for drivers to use the left turn only lane to go straight, or to cut left out of the straight lane, cut around blocked cars in that lane, and swerve back into the intersection to continue on Watkins (I've seen it done and done it myself), and
- Westbound on B Street to turn left onto Mission.

16. Parking lost to the Loop.

The loss of parking on Loop streets and resulting decrease in commerce must be estimated. The nature of loop parking needs to be assessed because it does not look or feel like parking. The

white line for parking is not marked for specific spaces and is not clear if the area is for parking. Speeding cars in the adjacent lane make it uncomfortable to open the car door on the traffic side. If cars are right behind it feels uncomfortable, even dangerous to stop and back into a parallel parking space.

17. Land lost to the Loop.

The Loop required acquisition of 30 parcels and destruction of 18 buildings, all or most of which could be recovered for higher uses.

18. Longer lights.

There seem to be longer lights northbound on Watkins at D Street possibly due to traffic diverted from A Street to D Street, and at other places with very wide pedestrian crossings.

Given longer distances from circularity, routes reduced from three to two, intersection blocking, inefficient lane use, and no increase in capacity on either side of downtown, it seems likely that there is no improvement, and slower point-to-point travel time that is hard to perceive because of higher mid-link speeds, but revealed by the Alameda County Transportation Commission Level of Service Monitoring of the Congestion Management Network.

All of these points should be studied relative to a Destination Scenario. There should be a discussion of the trade-offs between more people coming to downtown and commercial growth versus more and faster through traffic.

Opinions: The Battle of the Anecdotes

Some people love it; some people hate it. Lovers are mostly people who can get through downtown faster. Some of the haters have a learning curve problem, which should not be a long-term factor. Many people understand it and still hate it, such as downtown merchants, Prospect homeowners, people who shop downtown.

Anecdotes are not analysis but dominate political thinking of average people and members of the City Council. Political decisions are often made by counting noses rather than analysis. A member of Council sent me two more pro-Loop opinions: "I have yet to have any issues with the loop. Traffic always flows now."- Jason Oliver. "I remember how horrible the traffic was going through Hayward when I was a student at Cal State. The Loop definitely and improvement." - Victoria Anne Krysiak. (Quoted exactly as sent to me.)

At a meeting in City Hall in March to discuss intersections, Barbara Sachs spoke up in favor of the Loop, to which Linda Bennett took sharp exception, leading to a short tiff. Kevin Dowling (5/18/2016) told me he liked the Loop.

Hundreds of people have commented to the Book Shop owners, Carl and Marilyn Baker Madsen, how much they don't like the Loop. Greg Schluntz, retired and when working part time delivering auto parts for Vic Hubbard before it closed, said they drivers had problems with the Loop after they know how it worked. When I asked a friend what he thought of the Loop, his answer was, "Oh good God!" Casper's Hotdogs reports that their business collapsed after the Loop started. In January my neighbor Lodema Epperson, the Potter, said it was terrible. I asked if I could write that down; she said, My God, yes! It doesn't promote business; it promotes freeways! You have to plan your route; you can't go directly from Bank of the West to the library; forget the rest. A Street is so fast no one can see the businesses there." My student intern from

CSUEB Hayward didn't know what "Loop" meant, so I explained it. His reaction, "I hate the Loop."

I sent an email in February to downtown merchants. Stu Modifies wrote: "As my numbers have shown, the loop has only damaged my business. My personal opinion is do what must be done for the businesses or the city will lose the appeal that many feel it has. Many simply cannot afford both the high rents and the low walk by traffic that we now have. Many of us blame the loop. Many clients have had to call to get help and others have simply arrived with complaints. When coming into my store, it is very important to be in a positive mental state so that you feel comfortable and excited. Frustration does not provide those feelings. I personally have heard from many people that they simply do not come to downtown anymore because of "what a pain it is". The intent is not to complain and blame the city but rather to express an honest view point of how this project has damaged my business personally."

In 2015, the CSUEB Hayward Emeritus and Retired Faculty Association (ERFA) in which I am an officer, searched downtown for a venue for our luncheons. We decided not to use The Ranch because of lack of parking on the south side of Foothill and because of difficulty crossing the Foothill from the north side. From Jack Kilgour: "The Hayward Ranch...has a nice banquet room in which I have eaten many Rotary lunches. To get to the Ranch, one would have to go down Mission Blvd. and turn into and go through the parking lot of a tire company. The Ranch no longer has an overflow parking lot on Watkins Street. If the small parking lot at The Ranch is full, there is a public parking lot not too far away on the far side of Mission Blvd...To get back to The Ranch would involve walking up to the crosswalk, waiting for the light, crossing a very busy street and then walking back down to The Ranch. Needless to say, we are not holding our luncheon at The Ranch. Since the "improvements" were made, I usually avoid downtown Hayward. However, on one occasion I was on Hesperian Blvd. and wanted to go to the Castro Valley Library. Without thinking, I drove up A Street which used to be a direct route to Castro Valley. It no longer is. At some point I was shunted around part of the downtown area to Foothill Blvd. before rejoining A Street. This is crazy! I do not understand the logic or purpose of the "improvements" that have been made to downtown Hayward. For those driving north on Mission Blvd. or coming up Jackson to Foothill Blvd., I guess it speeds things up. Heading in the other direction it is more problematic. Most cities want to encourage people to come to town to shop and do other business. Apparently, Hayward doesn't. -John G. Kilgour, Professor Emeritus, Department of Management, CSUEB." 9/11/2015 email.

ERFA Board members also made critical comments about the Loop. From my email: "I find the new Hayward traffic loop to be inconvenient at best and, at worst, so baffling that it discourages me from visiting the city. Recently, I met friends for dinner at Bijou. Upon leaving, I could not figure out how to get back to highway 580. Having worked in Hayward for many years, I thought I knew my way around. But not so any more. We co-own a building on A Street (near 2nd), in which my husband has his law office. He, too, is confounded by the loop and his clients have expressed their difficulties in getting to and from that downtown location. The loop should be considered a failed experiment and the city should move on." "I don't drive through Hayward, but when I do, I find that lane changes are confusing, difficult to manage and often dangerous. I'm surprised that there are not many reports of accidents everywhere on the Loop." "I seldom come to Hayward anymore because the loop is too difficult to navigate and it is particularly hard

to maneuver at night. I can buy anything available in Hayward in other cities, can attend movies in other cities, and dine in other cities. So why bother with the hassle of Hayward streets!"

From a neighborhood leader in South Hayward on Jan. 28, 2015: "The loop has been a disaster. It has cut the downtown into two parts with an expressway prohibiting it from ever becoming a vital and thriving downtown. ... [Foothill] is one of our main downtown streets. We have the right to develop it for our use and not be required to turn an integral part of our downtown into an expressway for those who don't want to live in our community to race through it. If people want to live and work on opposite sides of Hayward they can take 880, 580 and 680 and not ruin our downtown."

From a friend on Pinedale across from the Plunge: "Merge of Foothill and Jackson at the big traffic arch: there is no safe lane. Most of the cars on Foothill are crossing 3+ lanes to the left, and most of the cars on Jackson are crossing 3+ lanes to the right. This is bar none the most terrifyingly dangerous intersection I have ever driven (30 years, all over the country and bay area) INCLUDING driving in Tijuana 40 years ago. ... Talking with a few neighbors, not just on Pinedale, everyone is concerned about the unsafe driving conditions - even though the PD may have produced stats that support the engineering position that the roadway is "safer"."

I just talked to my neighbor, Joe, today (2/29/16) and mentioned I had some issues with the city, like the loop. He immediately said "Oh my God. It sucks. It's the worst idea." Also, today I asked Jay at Copy Pacific, who said it didn't seem to have hurt his business (he has some parking on Foothill and behind Buffalo Bill's) but that it had not accomplished its goals for downtown.

Kim-yo "Ky" Hsieh emailed me on 3/22/2016: "Hayward really needs to get off the car-boasting band wagon, and really start focus on pedestrian-friendliness infrastructure. Businesses benefit when there is proper parking and good walking accessibility. Foothill Blvd has so many businesses hampered by the frantic 40 mph (sometimes upwards of 45 - 50mph) speeds, that in actually, is like a mini-freeway. People simply are caught up in the momentum (literally) and don't (or wont) stop. They have more of an incentive to just go faster, than slow down and smell our boutique offerings. Thousands upon thousands use Hayward as a pass-through city ... sad, but true."

A friend talked to Benjamin, owner of Cyclepath on Foothill. He opposes the Loop. He talked to Jake at True Value Hardware next door, who said "The Loop has hurt my business. This side of Foothill is not part of downtown anymore."

On March 31, 2016, Diana Dickerson came to my house for my pledge to my church. I asked her what she thought of the Loop. "I think it's disgusting. I have to go out of my way to get where I'm going.... [other comments too fast for me to take notes] ...I hate it. I think it's horrible." A number of people have surprised me with the vehemence of their hostility to the Loop.

On May 13 I got a new tire at Wheel Works at the corner of Jackson and Watkins. I was helped by Derek Sanders, visiting the shop as manager of 81 Wheel Works and Firestone stores in Northern California. He's a Castro Valley native and believes the Loop is a failure for various reasons discussed here. The Loop did not have an identifiable impact on his business, but it does cut off access from westbound on Foothill to Jackson and from northbound on Mission which is forced to go up Foothill.

A few days ago (May 2016) I was talking to Paul Hodges of the HARD Board and I asked him his opinion. He does not like the Loop and mentioned how hard it is to go east on A Street

On September 9, 2016, at 4:40 pm I was driving north on Mission and had to wait through two red lights, service level F.

On Sept. 13, 2016, I talked to Brian Schott, one of Hayward's leading citizens. He told me he did not like the Loop, and suggested bringing Foothill south from A Street to B Street, based on the small number of people going north up Foothill and turning left onto A Street westbound. Since few people are using Foothill to get north to A Street, the Loop should make it easier to get south to B Street Making A Street two-way would also be acceptable.

On Sept. 14, 2016, I was at Citibank setting up a new account for HAPA with Jonathan Jones. We were chatting casually and I asked in a neutral tone, "What do you think of the Loop?" "Oh, the Loop! I hate the Loop!" I had to laugh because I have heard that reaction from so many people. He added, "I can get a team of people to tell you that."

On Jan. 11, 2017, I was at a dinner with the Cassutos and the topic came up. Barbara said, "I'm not happy with the current traffic pattern," and explained how it made it harder to get to Hayward Honda, not just the pattern but also the hazardous way people drove it, lane changing, and left turn jam ups.

On March 15 I went to Kraski's for some bran and chatted with the owner, Elie Goldstein. His store has access from a lot in back and Foothill in front. I asked where most people cam in and he said the lot. I asked about the Loop and he said he opposes it and gave me permission to use his name.

Concerns

The City is about to spend almost \$1 million on studying downtown, but the scope of work is so vague it is hard to know what is meant. For example, it will study "complete streets," which usually entail two-way traffic and more room for bicycles and pedestrians. "Complete Streets make it easy to cross the street, walk to shops, and bicycle to work. They allow buses to run on time and make it safe for people to walk to and from train stations."² The City may, however, ignore complete streets for the Loop for political reasons.

Solutions

One solution, part of the Destination Scenario, is to improve parking and pedestrian and non-auto modes (see below).

The Destination Scenario is likely to be slower and somewhat congested. It will have safer traffic with no loss of point-to-point travel time because the traffic will have shorter distances (less circularity) and more intersections, which spread out turning movements and reduce red light times by having less traffic at each intersection. The efficiency of lane use improves. The ease of lane changes improves. More people come downtown. Fewer people would try to drive through downtown.

Average peak and off-peak speeds should be measured on the 10 blocks of the Loop and compared to pre-Loop speeds and to comparable urban arterials using the CMP methodology. Fast traffic means more air pollution from induced traffic; slow traffic can mean more air pollution unless there are market parking charges, which reduces traffic.

² From <http://www.smartgrowthamerica.org/complete-streets/complete-streets-fundamentals>

This system is far better than the Loop but also has limits if not combined with other policies to reduce traffic. These policies are circulator and a shuttle to Cal State both using rapid bus concepts, market parking charges, and walking-oriented development projects downtown. Loop reform would improve circulation generally, revive commerce on Loop streets, reduce the width of pedestrian crossings, and have safety medians for pedestrians to be able to walk between downtown and north of A Street where three residential developments are taking place (the senior center across from Lucky, Maple Main, Lincoln Landing).

Rebuilding the Loop can easily be financed by reprogramming funds in the Local Agency Transportation Improvement Program (LATIP), which are now dedicated to Mission Blvd. projects (\$19.9 million) and freeway expansions on I-880. (See Staff Report by City Manager, Agreement with Caltrans, Jan. 12, 2016, File #: LB 16-007.) Cities frequently reprogram funds as conditions change.

Once the **Expressway and Destination Scenarios** are defined and studied, the City should survey public opinion and downtown merchants on the choices. The solutions will work better than the Loop, but there are no magic answers.

[Notes: Parking on Loop: add MTC VPP data. Land to build on. A Street at Mission. A Street has no parking 7-9, 4-6.

Traffic circles

A one lane traffic circle has about the same capacity as a two-lane intersection. The Loop serves mostly two-lane inputs and so a two-lane circle might accommodate Loop flow.

The LWC traffic oval

The Arc de Triomphe traffic circle accommodates 12 arterials with 59 lanes (as used, a mix of open, parking, and bus), and is 120 curb-to-curb or about 11 lanes wide, except it has no lanes marked, just wide-open pavement. The YouTube videos of traffic flow at first appear chaotic, but then systematic, with mostly slow traffic and little herds of cars flowing through. Traffic from four lane incoming traffic overwhelms those on the loop, but evidently traffic lights a block upstream cut off the flow, so when the pulse has passed, the cars in the circle can zip around OK.

3. Non-auto modes

The Downtown Circulator

People choose mode primarily on the travel time and cost for the purpose of the trip. In some situations, congestion, bridge tolls, and parking costs can induce high transit ridership even when fares are high. In Hayward, abundant “free parking” pushes people into private cars. For a circulator to be successful, it has to have enough density over a short distance, be frequent fast and free, and compete fairly with parking, which requires smart meters and unbundling. A circulator can have low capital and operating costs.

To achieve these goals, a circulator needs to use rapid bus concepts:

- Dual mode diesel electric motor for torque, braking energy recovery, renewable fuel potential
- 30-foot bus for maneuverability in traffic
- No fare collection by driver; use proof of purchase and soft enforcement
- Low floor, high sidewalk stops with no step entry and guided docking

- Minimal dwell time
- Shortest possible distance
- Signal preemption and right lane bypass
- Needs road improvements and new signals
- Usually faster than driving
- Runs most of the day
- Free to most users using eco-pass
- Land-based financing
- Contract operator selected by RFP
- Financers of circulator manage it in consultation with riders and operator

Ridership. Riders would be residents of Maple Main and Lincoln Landing and also should include downtown area residents, people coming downtown on other transit, and that park downtown.

Route, headway. A long suburban route is usually not cost-effective due to longer travel time reaching fewer people at lower densities and more competition from use of cars. The circulator has a short route, less than a mile, which allows shorter headways with fewer buses, one bus in fact. People make mode choices based on travel time, so the faster and more frequent the service, the more riders it will have. For speed the shuttle should use the shortest possible route and for frequency have a headway most of the day of 10 minutes or more. These goals can be achieved with a Downtown Circulator using one bus between BART and a turn-around end-of-the-line stop at Lincoln Landing off City Center Dr. as shown in the picture.

The route proposal below is based on the two-way traffic pattern proposed in March 2017 by Lisa Wise Consulting. The best initial route from BART seems to be up C Street, left on Watkins St., right on B Street, left on the mid-block street through the parking area, jogging across A Street to Maple Court to a turn-around at Lincoln Landing on City Center Dr. The best return route seems to be back on Maple Court, crossing A Street to the parking lot street, right on B Street, and left into BART. This route allows one bus to go every seven minutes. A bus way traffic light would be needed at Maple and A Street. The route goes close to Lucky outbound for shopping on the way home.

The distance is 4,465 feet outbound and 3,720 feet inbound, with a round trip distance of 1.55 miles. At a speed of 15 mph the round-trip travel time would be 6 minutes. With stops and layovers one bus could support a seven to ten-minute headway. The route avoids the distance and slow turns of using Foothill Blvd.

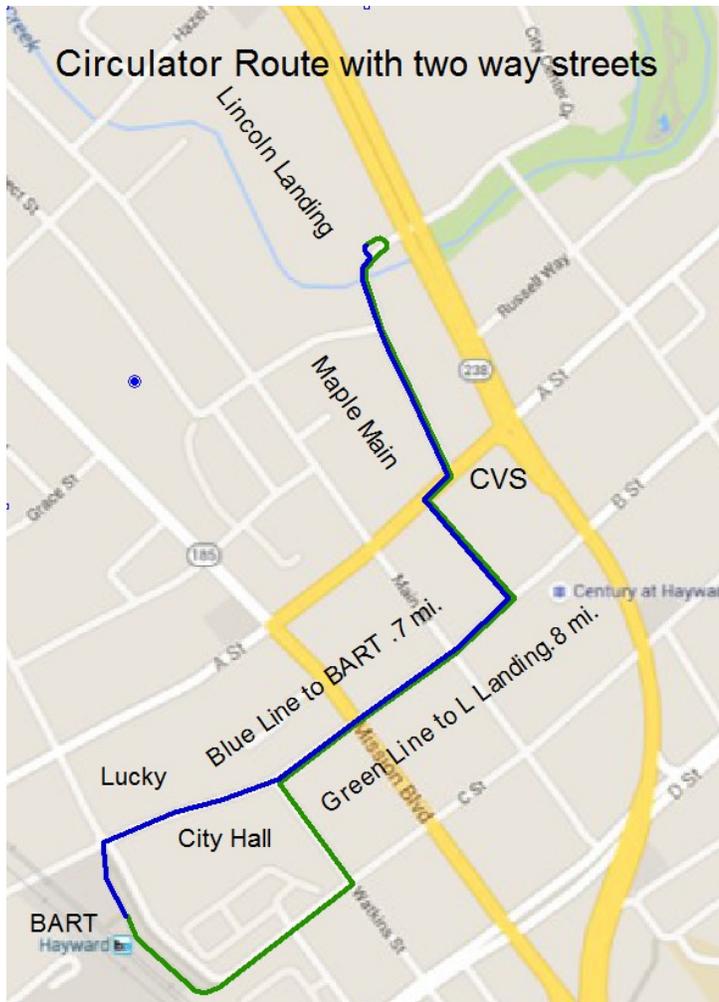
Capital Finance. The capital cost for one bus and right-of-way improvements, excluding Loop Reform, would be about \$1.2 million. Capital costs could be funded by development, a Community Facilities District, city parking revenues, and state funding from cap and trade. In 2015 the Cap-and-Trade Program committed \$25 million each to the Transit and Intercity Rail Capital Program and the Low Carbon Transit Operations Program. The financial planning should

include all properties along the route to get support as redevelopment occurs.

Lincoln Landing and the Maple Main Apartments have the cash flow to pay for one bus and right-of-way improvements if required by the City as a condition of approval to mitigate traffic impacts.

The capital cost for one bus and way improvements would be about \$1.3 million, mainly for one high tech bus, traffic lights, and signal changing equipment. It would be funded in part by developers, but they should be able to seek reimbursement from other sources based on serving more than their residents. However, the cost could be only \$4,100 per unit. Funding sources could be Community Facilities District revenues, city parking revenues, and fixed charges on the property tax (Community Benefit District), which could partially replace AC Transit's \$96 per year property tax fee. This project would also score well for AHSC and TCAC funding.

Operating finance. Initial operating funds should come from a share of the



rents at the new projects. All residents would ride for free (eco-pass). Some revenue could also come in part from a fixed charge on property in the downtown area. New developments would also contribute. Operating costs would come to some extent from rent and HOA fees.

Management. Like Union City and Emeryville, Hayward should own and manage the system. An RFP would allow cost-effective management and cost control. The operating cost would be about \$60 per bus service hour.

Ridership. The traffic study should estimate the ridership of the circulator in the context of the related complementary factors of the destination scenario.

Carshare/rental, taxi vouchers

These policies can be required of new residential construction, in lieu of parking requirements, and tie into Parking Management discussed below. One possible site is the City’s property at Main and C St’s. Taxi vouchers would be given in limited numbers to residents for use, for example, when the circulator is not running and to reach health care.

Pedestrian and bicycle amenities.

Improved amenities for walking and biking are helpful but need additional policies to get people to use them—Loop reform, non-auto modes, parking reform, shuttles, and attractive mid-rise housing.

Pedestrians need crossing that feel safe and are safe: narrower roadway at pedestrian crossings and pedestrian safety islands.

The senior housing project on the north side of A Street has no safe crossing to Luckys. Westbound traffic on A Street is fast coming out of the Loop, and eastbound traffic backs up because it is forced to turn onto Mission. The signals are slow because of left turns. The best solution seems to be put in a pedestrian safety median that would block left turns. Traffic into and out of the parking lot from A Street would be reduced to traffic eastbound on Street only. Otherwise westbound traffic on A St. can access the parking from Mission Blvd., which is now hindered because Mission is a wide, one-way expressway.

19. East Bay Greenway Project

The East Bay Greenway Project would convert part of the Union Pacific railroad right of way from Lake Merritt BART to South Hayward BART into a “rail trail” for pedestrians and bicyclists. It would especially improve bicycle access to downtown and BART. The easiest section to make into a trail also serves downtown, next to Western Avenue (west side) from Hampton Rd. to Hayward BART station, where the railroad right-of-way is much wider than it needs to be for rail use and already open to informal public use. It could easily become a trail for walking and bicycling that would bring people right to the BART station and downtown at B Street. The trail would need a safety fence to keep people away from the tracks. The Alameda County Transportation Commission and East Bay Parks are sponsors. See <https://www.alamedactc.org/eastbaygreenway> for details.

Taxis vs. Ride Apps

20. Unfair competition

Taxis are losing out to ride apps, mainly Uber and Lyft. Ride apps are based on smart phones, technology, and the gig economy. They use the ride service company’s software application installed on the phone. The app uses a credit card for charging, locates and call the nearest driver, and shows the driver’s face and vehicle and a map showing the progress of the car as it moves to the person. A close estimate of fare is determined in advance. No cash is used. My research based on about 20 rides between my house and BART shows that taxis cost about \$13.50 and ride apps trips cost about \$7. Traditional taxis are antiquated, over-regulated, and inefficient. Ride app services have a clearly superior business providing better service at a lower cost.

Ride Apps	Traditional Taxis
------------------	--------------------------

Regulated at State level (CPUC), low cost	Regulated at City level resulting in higher costs for medallions, fare boxes, restrictions on taxi stands
Riders can hail a ride more easily, know the fare in advance, pay automatically, and know how soon the car will arrive.	Riders have to go through telephone dispatch, do not know fare in advance, cannot pay automatically, and do not know how soon the cab will arrive.
No use of taxi meters	Taxi meters, invented in 1891, are antiquated, expensive, clunky with a costly annual inspection
Uses smart phone or tablet	Uses phone or hails on the street
No insurance except for CA driver's license	Taxis are required to have high cost insurance.
No wheelchair access requirements	Wheelchair access required for certain percentage of fleet
No service dog transport requirements	Service dog transport required for certain percentage of fleet
No in-vehicle equipment requirements for visually impaired	Visually impaired equipment required for every vehicle
Flexible fares determined by company; unlimited surge pricing	Fares regulated and usually fixed and usually higher than ride apps.
Unlimited vehicles	Number of taxis limited by number of medallions set by City
Drivers are contractors, no worker compensation	Drivers are employees with worker compensation
No emission standards for fleet	Regulated emission standards for fleet
Honoring paratransit debit cards not required	Honoring paratransit debit card payments required
Driver begins/ends shift whenever, flexible hours	Driver works from taxi company location, full days needed to recover the payment to the company
No requirements for distinguishable colors or brands	Requires specific vehicle paint and trade dress
No limit for consecutive working hours by driver	Limited number of consecutive driver-hours
No requirements for Dept. of Justice background checks or Live Scan fingerprinting	Requires Dept. of Justice background checks and Live Scan fingerprinting
No requirement for commercial driver's license	Drivers required to be commercially licensed
Multiple fares or shared rides in same ride (e.g. UberPool, Lyftline), saving riders money.	One fare per ride makes taxis more expensive.
UberRush delivers packages; UberEats delivers lunch.	Taxis can't compete on cost.
Ride apps in Hayward can use the Handicapped Loop to pick up passengers safely, close to the exit	Taxis wait on the far side of B Street in a more distant and hard to see location, unsafe at night.

21. The County Center taxi stand

There is no taxi stand at a major location for taxi service, Amador county government center. The drivers now lack alternatives and get tickets for illegal stopping. See the yellow line in bottom right picture for an idea.

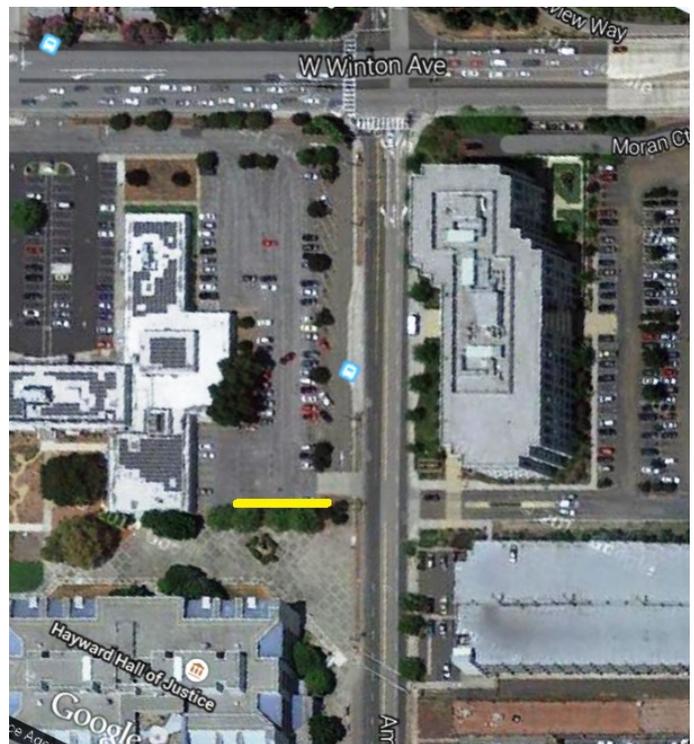
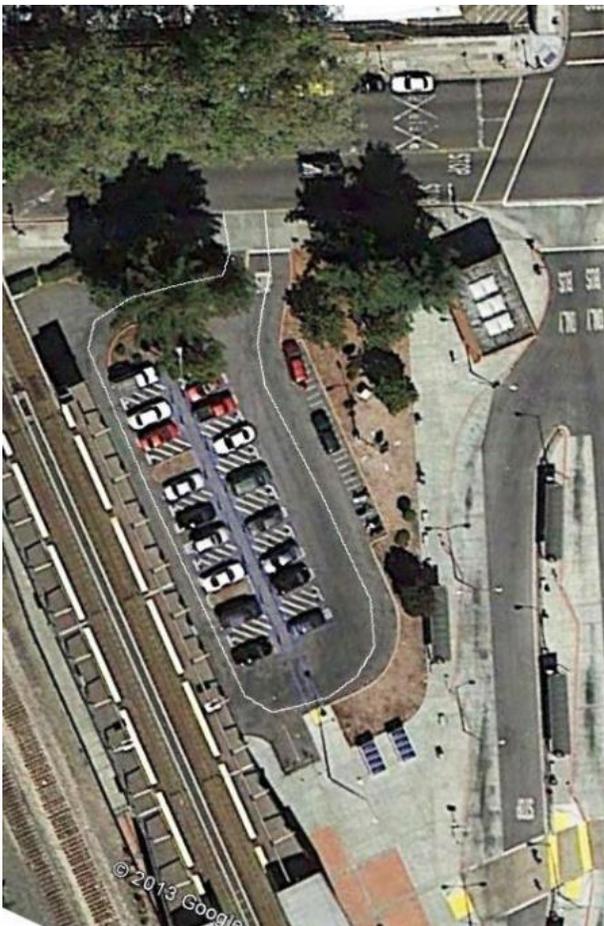
22. The BART taxi stand

The **Hayward BART taxi stand** is dysfunctional. It is on the north side of B Street (bottom left, the white car is a taxi), which is inconvenient to reach from the BART station exit shown at the bottom center of the picture. It is **400 feet** by sidewalk and pedestrian crossing and a bit shorter by walking in the parking lot and jay-walking across B Street. The taxis are hard to see even in daylight. The walk is not inviting and is dark and unsafe at night. Gail Lundholm: “As an older, single woman who likes to travel and enjoys the Symphony, Opera and Ballet in S.F., I have more than once phoned for a cab rather than walk from the BART station to the taxi area after dark.” Malca Chall: “Last week on Sunday night I transferred in to the BART Pleasanton line in order to get a taxi right at Castro Valley BART. Imagine night at Hayward!” (March 16, 2016)

A taxi driver was robbed at gunpoint and sprayed in his eyes with a chemical so he couldn't see. He lost all of his earnings for the day.

In November 2014, HAPA Researcher Dustyn Bindel talked with 3 taxi drivers and reported, “They were pretty excited about someone trying to help them have a taxi waiting area closer to BART. They don't feel too safe both where they're at, and, of course, it'd be better for business.”

The taxi drivers do not like the location on B Street which faces westbound. Going eastbound legally is roundabout: the taxi has to circle around on Grand to A Street or D Street, so they often



make a **logical but illegal U turn** for better service and sometimes get ticketed. Customers, in fact, may complain if the taxi does not make the U turn.

The best taxi access is just **40 feet** from the exit in the **handicapped parking area**, which would allow turning left or right at the exit onto B Street. There is plenty of room for three taxis. The picture shows this “station loop” as a thin white line. Extra taxis could wait in the right side of B Street eastbound and easily turn into the station loop. Exiting, they can easily go either way on B Street.

23. Flywheel

Flywheel is both a ride app for taxis and a new metering system that uses GPS to calculate fares from time and distance. The GPS tracks the cab location every six seconds. (The technology as such is called TaxiOS.) It also handles payment, navigation, dispatch, entertainment, and advertising. Cabs are hailed by cell phone app, phone call, and direct hail on the street. Flywheel uses an Android cell phone with a credit card reader and a credit card number can be stored in the Flywheel cloud. Passengers waiting for a cab are told how close the cab is. Flywheel can manage variable rates (lower for off peak), fare splitting among passengers, pooling different fares into the same ride, and package deliveries.

Taxi drivers now must pay over \$100 to drive a cab for a day, but with Flywheel drivers can split the cost flexibly and work better hours. Flywheel is already in use in over 80 percent of San Francisco taxis. On Dec. 29, 2015, the State of California Division of Measurement Standards approved Flywheel for statewide use.³

24. Hayward Taxis

Hayward has three main **taxi companies**, Yellow Cab, Yellow Top Cab, and Hayward Taxi Service, plus some self-owned independent taxis. The Yellow Cab office is at 22990 Clawiter Rd., 510-732-8500, and operates with five different cab company names. Hayward Taxi Cabs is at <http://www.haywardtaxicabs.com/> 589-3088. Many of the drivers are Afghan immigrants from the 1980s (needs verification).

The **City of Hayward** has a Traffic Bureau in the Police Department which enforces ordinances that affect taxis, and an ordinance for taxis, Municipal Code Article 5 (www.hayward-ca.gov/city-government/departments/city-clerk/municipal-code/Taxicabs.pdf).

The City’s Article 5 Taxicabs allows one cab per 3,000 residents, or 51 cabs, but there are 67 cabs in service (Officer Limon to Sgt. Corsolini, Jan. 12, 2015). Regulation should size the number of cabs to the needed level by time and day, with more during peak hours. There needs to be some way of **preventing unauthorized drivers** or companies from offering rides.

Uncertainty about how much it will **cost to ride** in a taxi is a major reason people don’t use them, and a major reason they do use ride apps. People are reluctant to ask taxis how much a ride will cost, and the taxis are legally required to charge the meter rate, which varies and can get expensive. There is also uncertainty about how much to tip. (It is the major reason I don’t use taxis.) Cell phone app services let you know the cost upfront before you commit, which is a much better system. Most rides are to a few locations with little variation in fares. The most common stops in Hayward are the county buildings at Winton and Amador (Amador Center), Southland

³ Carolyn Said, “Flywheel cloud tool is replacing taxi meters,” SF Chronicle, Dec. 30, 2015

Mall, the industrial area, Chabot, and CSU East Bay Hayward. We should experiment with posted, fixed fares, like \$10 to Amador Center, \$12 to Southland, \$14 to Chabot or Cal State (these are just guesses). We need information about typical fares and about how to pay besides cash were posted at taxi stands.

Research. We need to survey taxi drivers on attitudes toward the Loop, U-turn safety on B Street, pick up using the handicapped parking loop, taxi fare signage, most frequent fares, taxi stand location at the Amador county buildings, fixed fares for major destinations, working hours, wait time, income, distribution of rides by time and day, Flywheel and cell phone dispatch, and sizing the driver pool to meet demand.

We should query CPUC, City of SF, and ABAG about a city model ordinance integrating new ride sharing systems with taxis, and regulatory reform.

25. Taxi Reform

Regulation of taxi service needs radical change to revitalize traditional taxis. We need a unified regulatory framework: Adoption of Flywheel, reduced fees, flexible fares, medallions that vary by time of day, driver background checks, reduced insurance requirements, and drug and alcohol testing. The number of drivers should be sized to assure an adequate supply balanced with adequate driver income. AB3160 (Ting, 2015) would allow on-demand car-pooling or ride sharing by taxis.

Taxi companies. The taxi companies seem to lack entrepreneurial thinking, political organization and advocacy. The companies should support reform before the City is likely to act.

The City. Recommendations for taxi reform were sent to the City in November 2013 and several times since then. As of December, 2015, we see no progress on taxis; no effort by Hayward Police, by Hayward Transportation Division or staff or Council. The taxi companies should be organized and the City on board before going to BART.

BART. Bob Franklin, BART's access manger, theoretically arranged to have the taxi pick up come in close to the station, and for two years nothing has happened. The BART Board of Directors and BART General Manger do not answer email. Clearly, it will take more effort with BART, specifically having the City ask BART police to allow taxi pick up there. The City needs to ask BART and the City Police need to ask BART police. Police permission is the main issue; signage can come later.

Greyhound. Greyhound bus parking signs on B Street eastbound on the west side of the entrance to the disable parking do not seem to be used by buses and need to be removed so that taxis can wait there before pull into the new pick up curb.

We need information from BART on signage, carshare parking, and electric car charging stations for electric taxis and carshare. BART Director Raburn is supportive; Director McPartland does not return calls nor answer email.

The taxi problem is state-wide. The paralysis of the old companies and local government is not going to stop ride app services. There is no proposed uniform new regulatory scheme to increase convenience, riders, and driver income and integrate the two systems.

Modernizing the old taxi service and expanding email if done right would help the environment by making it easier to use a private car less and live without a private car, make rides more available and less expensive, and raise driver income by reducing the large amount of

time they spend waiting. A recent report also shows that ride apps can reduce GHG, reduce traffic, and reduce dependency on personal cars, especially in denser smart growth areas.⁴ Taxis are a major component of alternative transportation, and mostly easy to fix.

As of 2018, I am still not sure who makes decisions on taxi issues.

Greyhound Bus Station

Intercity bus service is an important alternative to the automobile.

There is a mysterious prefab structure inside a strange small building at the entrance to the Hayward BART Station from B Street. There is a Greyhound sign involved. It all looks like some forgotten relic now devoid of function. Nevertheless, the Greyhound web site says there is a station there and has a picture of it. It is open Monday – Saturday, 8:15 AM - 12:30 PM and 4:30 PM - 6:30 PM. The website does not give a schedule for Hayward service but from looking at other schedules it appears that about six buses a day come through, stopping at the curb east of the entrance to the disabled parking area.

The City could talk to the Greyhound people about some improvement where people could wait for a bus out of the weather, with glass walls to prevent misuse, with better signage and, well, just spiffier.

4. Parking

Improved surface parking.

Improved surface parking requires Loop reform. Parking can be improved with better striping, repaving, and back-in diagonal parking. **Main Street** has little traffic and should have a pilot project with back-in diagonal parking, inviting people to practice and comment. Like outcomes: harder to back in; safer and easier to pull out, gets easier with practice, safety advantages make it worthwhile. The midblock area of **Foothill-B-Main-A Street** should be rationalized and accommodate two lanes of through traffic, to be used by the shuttle.

Subsidized parking structures are very expensive and not needed considering all the other policies. Parking structures and subsidized parking increase congestion, degrade street quality, and discourage non-auto modes. More surface parking is easily possible and is a fraction of the cost of structured parking.

Parking Fees and a Pilot Project

Some downtown parking is **over-parked** with poor turnover: B Street, the loop behind Buffalo Bill's and Bank of the West, and the area closest to Lucky. Some drivers get a windfall; others drive around looking for parking, wasting gas, causing congestion, polluting the air, and unable to get the parking they are willing to pay for. Shoppers go elsewhere and revenues for local improvements are lost. The parking is paid for by taxpayers instead of the people who park.

⁴ Caroline Rodier et al., *Synergistic Integration of Transportation Demand Strategies...*, Mineta Institute, October 2015, <http://transweb.sjsu.edu/project/1207.html>. Adding electric cars, charging for parking and transit increase the benefits.

26. Time limits are inefficient.

They have high enforcement costs, poor impact on turnover, and alienation of the public with fines. Currently, the two-hour limit program is losing money, about \$50,00 per year and “abuse of parking time restrictions is common” (CDM Smith report) downtown.

SFCTA On-Street Parking Management and Pricing Study: The public desires flexible time restrictions, and non-compliance with current time limits is common. Both the resident and business surveys indicate a strong desire for longer or more flexible time limits. //

Even if the mix of regulations is adjusted to better shape a neighborhood’s desired demand profile (such as by setting and enforcing time limits to encourage short-term use), conventional regulations are inadequate for tackling parking challenges when demand is high and practical capacity limits are routinely exceeded. //

Relaxed time limits allow users to pay progressive rates to park for a more extended period (if they are willing to pay) without risking a citation. New technologies can also improve the responsiveness and productivity of enforcement personnel. Regulations guided by a principle (i.e., target occupancy), paired with effective enforcement, will tend to improve public acceptance of enforcement, because the enforcement activities support specific goals rather than being perceived as primarily punitive or revenue-generating. //

Charge higher rates for successive time periods. This strategy is referred to as progressive pricing or length-of-stay pricing. Progressive pricing can be implemented in conjunction with relaxed time limits. By charging a higher hourly meter rate for each additional hour, short-term parking is encouraged and turnover increases, while providing flexibility and convenience to users. //

Redwood City: Eliminate Time Limits The program is set up so that market-rate prices will encourage turn-over and thus, there is no need for time limits, especially since they are perceived as aggravating to customers. With the removal of time limits, “occupancy shall be rigorously monitored in order to ensure that the prices are sufficient to generate the needed 15% vacancy rate”.

http://www.sfcta.org/images/stories/Planning/ParkingManagementStudy/pdfs/parking_study_final.pdf

Litman: The right price is the one that means there are always one or two open spots per block. Since the cost encourages turnover, time limits are unnecessary; in fact, any place that needs to impose time limits is not charging enough.

A two-hour limit to get turnover is costly to enforce and inefficient compared with modern systems. Several cities have found that the "time limits and tickets" approach didn't create enough parking availability and have switched to parking meters with variable rate pricing.

27. Modern parking charges

In February 2018 the City is proposing to upgrade enforcement based on equipment purchases and more personnel, and anticipating about \$90,000 income. Capital costs and five-year operating cost totaling \$645,000 should be compared with a modern system. Both systems would have a goal of one space per block face vacant most of the time on average. A modern

system can be cheaper, quicker, and closer to destination. It saves energy, pollutes less and reduces congestion.⁵

CDM Smith should report on costs of SF's parking fee expansion. How much do the new meters cost? What are the other capital costs of the system? What are the administrative costs? What are the revenues? What is the surplus? What is the surplus invested in?

CDM Smith should compare time limits with meters based on willingness to pay and high tech easy pay systems, report on how SF and Berkeley persuaded merchants to support the programs, and on what would a pilot program look like.

More details

: <https://www.vtpi.org/tdm/tdm26.htm> and www.vtpi.org/park_man.pdf

From the Chron: "San Francisco will become the first U.S. city to base its parking rates on driver demand citywide.

Beginning in mid-January, motorists who park in the city's 30,200 metered spaces, or in its lots and garages, will be charged more during peak times and less when demand isn't as high. Hourly rates will vary by time of day and block by block and be adjusted up or down four times a year, depending on actual use during the previous quarter.

The Municipal Transportation Agency board approved the plan Tuesday on a 5-0 vote.

In areas that have had the demand-based rates, he said, "the best thing you can say is that it's been a nonissue. Nobody notices."

At the same time, the city replaced its old mechanical coin-only meters with electronic meters that take credit cards, parking cards or coins, and allow motorists to pay by mobile phone. The meters are linked, allowing them to be remotely monitored and programmed, enabling the MTA to measure demand and adjust rates.

Under the program, the MTA reviews hourly rates every three months, and decides whether to raise or lower them, in 25-cent increments, or leave them unchanged. The decisions are based on how many vacant metered spaces are typically available on a block during three times of day: morning, midday and evenings.

Rates can go as low as 50 cents an hour during low-demand times or as high as \$8 an hour at peak times, according to MTA policy, but the highest rate now is \$7 an hour. The average rate at the existing 7,000 demand-based parking spaces, Willson said, is about \$2.50.

Jim Lazarus, policy director for the San Francisco Chamber of Commerce, said the organization welcomes the new way of setting parking meter rates and called the test program "unusually successful."

<https://www.sfgate.com/bayarea/article/Plan-to-set-SF-parking-rates-based-on-demand-is-12408525.php>

From the SFMTA:

"Upgrading our parking meters is one more step in making our parking system smarter and easier, while providing more convenient payment options for those who need to park in San Francisco," said Ed Reiskin, SFMTA Director of Transportation. "These benefits will ultimately

⁵ "SFPark program a success," SF Chronicle, June 21, 2014



make our transportation system more efficient, while continuing to reduce the number of parking citations throughout the city.”

Citywide, parking citations have already been reduced by 12 percent.

Smart Meters

New easy-to-use smart meters make it easy to pay and accept debit and credit cards,

SFMTA parking cards, **PayByPhone**, and coins; have larger display screens; show **PayByPhone** transactions right on the meter display; and provide flexible time limits that will eventually allow for multiple uses at the same meter. For example, a yellow loading zone meter can be used as a regular meter for longer time limits outside of the loading hours. More details at. <https://www.sfmta.com/>; <https://www.sfmta.com/press-releases/sfmta-upgrade-parking-meters-citywide>; <http://www.sfcta.org/transportation-planning-and-studies/current-research-and-other-projectsstudies/street-parking-management-and-pricing-study>

Free parking is not necessary for business. Some of the most successful business areas have expensive, limited parking, and a high level of walk and transit access. Properly implemented, parking charges actually increase local business, as in Old Town Pasadena. Similarly, in Ventura, former mayor Bill Fulton describes its benefits. In Boulder CO, Los Angeles and San Diego, meter revenues support streetscape improvements to attract more retail business.⁶

MTC has completed a study of policies to improve parking management, with a significant website at <https://parkingpolicy.com/>. At a workshop June 2, 2015, several ideas were presented for market charging. A modern system (Advanced Parking Management System) is based on three ideas: existing high parking demand much of the day in a parking area, willingness to pay, and ease of payment. “Willingness to pay” means that if parking is less than about 70 percent occupied, there is no charge. Occupancy of about 85 percent or more would have a charge that depends on people paying: if vacancies go up, the rate comes down; if occupancy goes up, the rate goes up. Employee parking is not a problem; convenient spaces are still available for others. In practice, employees are quickly priced off to cheaper parking.

A modern system

- charges a market rate to park,
- increases business,
- has low cost enforcement using real-time reporting from occupancy sensors,
- makes it easy to pay,
- reduces time and congestion from hunting for parking,
- does not have time limits,
- has free parking where there is too little market demand,
- adjusts rates based on demand using computerized analysis,
- can use Internet and in-vehicle navigation systems to help find a parking space, and
- Produces revenues for streetscape improvements (sidewalks, cleaning, litter, signage, façades, policing, street furniture, pedestrian and bicycle amenities, landscaping, and traffic calming).

⁶ <http://fulton4ventura.blogspot.com/2010/09/parking-management-that-actually.html> and <http://www.vtpi.org/tdm/tdm72.htm>.

A modern program uses parking revenue to improve the downtown, advised by the merchants. Also, the revenue is based on voluntary payments, not punishment. Use of the funds is very important. They should not disappear into the general fund but be used for improvements in the local area, as was done very successfully in Old Town Pasadena. Funds could also be used for solar roofs over parking, as Chabot did several years ago.

Where parking in downtown is in high demand, there should be a parking charge, based on willingness to pay. Frequent localized shortages occur in the area behind Bank of the West-Buffalo Bills, along B Street, and at the Lucky supermarket. I recommend a pilot project for B Street

A modern system is flexible. Close-in spaces can charge while spaces at a distance might be free. Some free parking helps public acceptance and gives those who do not want to pay a place to park.

Charges could start low, about 50 cents per use. Signs are essential so people know how much is charged, how to pay, and where the free parking is.

The challenge is to find the most cost-effective charging technology. Payment can use stored value cards like Clipper or BART, a tag read by a computer like FasTrak, credit/debit cards, and cell phones. SFPark is now actually saving drivers money in many spots.⁷ Smart phone apps guide drivers to affordable spots directly. The FasTrak tag and reader system is especially appealing, as it is fully automatic—the driver would do nothing except park and leave while the system keeps track of the time. Enforcement is easy; the occupancy sensor and charge system automatically report violators and where they are located. The FasTrak used on bay area bridges and SFPark in San Francisco shows how successful a modern system can be. Pittsburgh PA and Redwood City also have modern systems.

Galveston TX has free Wi-Fi downtown and a cell phone app that supports an easy-pay system. The City could ask MTC for information about the best technology.

Cash payment has high overhead costs and security problems of handling currency, and should be avoided when non-cash payment reaches a high level, similar to how Caltrans gradually increased use of FasTrak on bridges. Charges should be for time used. Long durations are possible up to 24 hours.⁸ No more having to carry change, guessing the time, rushing back, getting a ticket, or leaving time on the meter.

The expensive part of a modern system is the initial equipment and installation, requiring wireless tag readers, card machines, occupancy sensors, and central computerized management and enforcement system. SFPark is probably too expensive for Hayward. Less expensive but less easy to use are pay-by-license plate multi-space meters and smart phone electronic payment, with Pittsburgh PA as a modern example.

Old Town Pasadena is hemmed in by I-210, I-710, and the Arroyo Parkway, plus local arterials. Pasadena took this blighted area and made it a destination with a strong plan, historic preservation, parking charges, and use of parking revenues for improving the area.

⁷ Examiner 12/16/12, Reisman

⁸ NY Times, 12/22/12, Stross

HAPA is now looking for a merchant on B Street who will host a single smart meter. Because there is so little parking on B Street in front of occupied businesses, only 21 merchants have parking in front along the three blocks of downtown.

BART is charging \$3 to park at the Hayward station, so it is hard to imagine that people would not pay to park downtown.

Parking Management

The parking fee pilot program described above is a discrete element within the broader policy of parking management. The City's new Downtown Parking Management Plan should support additional policies, but it is vague. Downtown should have

- No parking requirements in zoning,
- No bundling of parking costs into sales or rents,
- No new structured parking,
- No parking underneath that is part of a dwelling unit,
- No platform parking,
- Parking open to all users for short periods,
- Management of spillover parking using fees,
- Leases for long term needs like resident parking,
- Redesign of inefficient surface parking on Main Street and in the Foothill-B-Main-A block, and
- More diagonal back-in parking, starting with a trial and education on Main Street of a block face painted and signed for diagonal back-in parking.⁹

The City should test the market for unbundled parking in development of the Main and C Street property. The Green Shutter Hotel is planned to have no parking at all. MTC has good research at <https://parkingpolicy.com/reduced-requirements/>.

Any subsidy for parking, which includes zoning mandates, goes against sustainability and economic efficiency. Users should pay the life-cycle cost of the parking they use just like they pay for their cars. Such a policy would increase the cost of parking to users, reduce it for the public, reduce rents that now include parking, reduce private car trips, increase transit use and walking, increase the amount of transit, and redevelop land now in parking for human use. All of this would significantly improve the urban economy and livability.

Unbundling does not increase the cost of parking; it simply splits one price into two, the rent for the unit and the rent for parking. Initially the two unbundled rents combined could equal the bundled rent. An apartment with parking at \$1,600 per month could rent the unit for \$1,450 per month and the parking for \$150 per month. Then a low-income family not owning a car and living close to a grocery store and buses could save \$100 month or more. Furthermore, instead of a one size fits all rental system, a family needing more spaces could rent more, and one needing less, rent less.

Bundled parking is uneconomic and socially unjust. Those who want to walk and use transit are discriminated against by being forced to pay for something they don't need. The private economy cannot respond to demand for a more efficient life style. Unbundling supports a market-based transition to a more efficient, sustainable life style.

⁹ walkBoston, Pedestrian Infrastructure, August 2015, p. 30, Reverse angle parking.

A common concern is that a renter could avoid the parking charge by parking on the street. If the street is under-parked, such use is efficient. If the parking crosses the 85 percent threshold, the parking can be charged based on willingness to pay and the proceeds used to improve the neighborhood, as discussed above.

Another concern is that an owner of an apartment complex would lose income from unrented surface parking spaces. Vacant spaces, however, reveal that the parking was not economically justified, and the owner should be able to build new units on the vacant land. Currently, bundling is preempting land needed for housing. Downtown living does not require owning a car; it has all the shopping and transit service people need, and carshare/rental would provide for mobility not met otherwise.

The City now requires bundling: that is, the City requires that developments have parking and that rentals include parking. The City should allow separate rental of building space from parking space. The City could help landlords understand that unbundling can be implemented gradually.

The City should require new construction to provide eco-passes on a per-bedroom basis to owners and renters, funded by a recorded Fixed Charge on the property tax or HOA fee. The City also could facilitate voluntary participation in eco-passes by existing property owners.

Parking Management means shared parking. Most parking is inefficiently restricted to single purpose use, like only for residents, only for BART riders, or only for one business. Shared parking allows different users regardless of purpose, making more efficient use of the space.

Abolish minimum parking requirements

- More parking means more cars, traffic congestion, and climate pollution.
- Parking spots cost about 80,000 each to build. That makes it more expensive to build, rent, and buy new homes.
- Parking takes up valuable real estate that could be used for more units in multi-family buildings, or storefront retail. In single-family homes, the space could be used for more accessible living space, gardens and trees, and play areas.
- More parking (and driveways) make our neighborhoods less safe, especially for children, seniors, people with disabilities, and cyclists.
- Parking minimums prioritize cars over people in our cities, undermining the walkability and sustainability of neighborhoods.

An [analysis reported by Streetsblog](#) showed that 88% of the new households in San Francisco added between 2008-2012 were car-free households. Since then the increase in transportation choices has made it even easier to live in San Francisco without owning a car. More at [letter of support](#) and [Livable Cities post](#). People living in downtown Hayward do not need to park a car downtown or own a car.

5. Land Use

Residential development vs. Retail and Other Development

Residential development downtown is caught in a tug of war between the city's preference for more commerce and the need for more residents to provide demand for that commerce, yet which also takes up land that could be used for commerce. What is the best balance? Prime ground floor frontages facing the Circulator route (see below) on B and C Streets and on Foothill,

plus A Street, should be preserved as opportunity sites. Currently retail rents are low due to lack of demand, indicating too few residents. There is much potential for residential development off the shopping streets and on upper floors. Downtown residential redevelopment should be walking-oriented. If rentals are proposed, units should be recorded as condominiums to allow conversion if market supports it. For a general summary, go to

https://www.dropbox.com/s/6krz5sa5a49j0j9/Walking_Oriented_Development.pdf?dl=0

Opportunity Sites

28. Hotel Hayward on the BART Site

Downtown Hayward has no hotels or motels. BART owns a major opportunity site, the vacant lot bounded by A Street, BART and railroad tracks, Montgomery St., and B Street It is 2.18 acres. The Westin St. Francis Hotel on Union Square in San Francisco is on 1.77 acres, a smaller lot. The BART site is plenty big enough for a **medium-sized hotel and convention center**.

Hayward's competitive advantage is its affordability and closeness by BART to San Francisco.

Most access to the convention hotel should be by BART, not car. This is the ideal site for a hotel from a sustainability access perspective. A special access could be built on the north side of the station, direct from the train into the building. The platform would be extended north across A Street, and go down to a mezzanine level with fare gates exiting into the hotel lobby and down to A Street This kind of transit-oriented growth would reduce auto dependency and increase walking downtown. The BART parcel should be held for this or a similar special purpose using BART access.

The city should consult with an expert on feasibility of a design focused on sustainable access. Attendees could have mobility without renting a car. They could fly into Oakland or SFO and take BART directly to the hotel entrance. Powell St. is 34 minutes away by BART. B Street is an easy walk, and regional parks are not far away. The design could be modular to start small to reduce risk, as a hotel only, then expanding as the market allows.

The best expert seems to be Rick Swig. "Rick Swig operates RSBA & Associates, which was founded in 1986. Since that time, Mr. Swig has provided advisory services to both major hotel management and operating companies, as well as owners of individual hotels and portfolios. Along with his asset management and consultancy work associated with RSBA & Associates, he has also been an investor in hotels since 1989, including currently the Napa Winery Inn in Napa, California. His past background also includes a career with Fairmont Hotels, where he rose to be the Vice-President and Managing Director of the Fairmont Hotel Management Company."

RSBA & Associates, 400 Spear Street, Suite 106, San Francisco, CA 94105, T 415.541.7722, F 415.541.5333, rickswig@rsbaswig.com

29. City-owned Site at C and Main

The Green Shutter Hotel will have no parking, none, nada, zip. The City should build residential housing three to five stories high next door on the C and Main site with no parking, none, nada, zip if the Green Shutter is at all successful.

30. Lincoln Landing

The Lincoln Landing proposal for the Mervyn's property is a large opportunity site. It has advantages of easy access from freeways via Foothill Blvd., shopping and employment across the street, proximity to downtown amenities like restaurants, shops, and movies, and closeness to

BART. Dolinger's Lincoln Landing: 486 rental apartments, bundled; 1,064 parking spaces, 82,000 sq. ft. retail.

Major problems:

1. Bundling subsidizes parking and car traffic.
2. Bundling increases costs for those wanting a sustainable lifestyle.
3. Project orientation is to the north using Foothill Blvd. and freeways, taking residents out of Hayward.
4. Street frontages are dominated by massive buildings (Hazel), pavement and parking (Foothill, City Center), and a long parking structure two floor high facing Hazel, hostile to pedestrians
5. Lack of Intermodal Center in the South Tower on City Center Dr. and lack of a circulator to BART from the intermodal; they would help non-auto modes.
6. Need a Creek Walk café to improve amenity for residents, creek walk users, and shoppers.
7. Failure to adjust parking in North Tower based on results of unbundled parking and green mobility for the South Tower.
8. Lack of dedicated parking for carshare/rental, taxi, and ride app vehicles.

Most of this discussion moved to archive

31. Centennial Hall

250 single family houses are proposed for this site next to a Safeway and retail center, diametrically opposed to walking-oriented development. It is hard to imagine a worse blunder: wiping out purchasing power and sustainability by downzoning an area that needs mid-density. This area already has high density next to it to the north and east.

6. CSUEB and Chabot Shuttles and short corridor sustainability

7. Study Hayward's Existing Smart Growth

Hayward is a regional leader in smart growth but has no information on how well it is performing, which could provide a basis for improved management and growth. Hayward has had substantial smart growth at Atherton Place, City Centre, City Walk, and more, but has no information on **how well they are performing**. Do the residents shop downtown? How much have they reduced car use and increased walk or transit? Is their on-site parking working as planned, or is there spillover parking and use of garages for other purposes? What do residents see as important for improving the neighborhood? How many are Section 8 rentals? Are there any social problems associated with the residents?

The City should require green housing downtown—energy efficient, PV and thermal solar, zero net, Energy Star lighting and appliances, energy management software controls, water conserving fixtures, and low water landscaping.

8. Downtown Hayward Community Benefit District (CBD)

The City made a proposal but did not pursue it. Downtown property owners would have to pay more taxes, but it is not clear what the money would specifically be used for. The Methodist Church was facing a bill of \$3,200 per year with no benefit. It is cut off from downtown by

Foothill. According to a church leader, the Boy Scouts no longer event try to cross Foothill because of the width and the number of youth trying to cross all at once. The City needs to study the ideas discussed in this report, and consider limiting the area, limiting the projects to be affordable, and getting buy in from affected parties. Action seems years off at this point.

Sherman Lewis

President, Hayward Area Planning Association

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www.bayviewvillage.us

http://www.bayviewvillage.us/database/resources/bayview_village_ebook.pdf

Discussion moved to Ideas for Downtown Surplus or comments to LWC:

Walking oriented development

The Green Shutter Site

The Downtown Community Center

The CSU East Bay Hayward to Downtown Corridor

Maple Main

Do street cause traffic? Traffic psychology; modeling

COMMENT LETTER #B4

From: Tim Frank <tim-frank@msn.com>

Sent: Thursday, February 21, 2019 1:21 PM

To: Damon Golubics <Damon.Golubics@hayward-ca.gov>

Cc: vince@smw104.org; andreas@btcalameda.org; John Belperio <jbelperio@nccrc.org>

Subject: Downtown Specific Plan EIR comments

Damon,

Please find attached a letter that I promised from the Alameda County Building and Construction Trades Council regarding recommended workforce development policy for the downtown plan. I have ccd Vince Sugrue from the Sheetmetal Workers, Andreas Cluver from the Building Trades Council and John Belperio from the Carpenters.

B4-1

Thanks for your attention.

Tim Frank

Building and Construction Trades Council of Alameda County, AFL-CIO

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Auto & Marine Painters, #1176
Boilermakers, #549
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Carpet & Linoleum, #12
Cement Masons, #300
Electrical Workers, #595
Elevator Constructors #8
Glaziers #169
Insulators & Asbestos Workers, #16
Iron Workers, #378
Laborers, #67
Laborers, #304
Laborers, #886
Lathers, #68L
Millwrights, #102
Operating Engineers, #3
Painters, #3
Pile Drivers, #34
Plasterers, #66
Plumbers & Steamfitters, #342
Roofers, #81
Sheet Metal Workers, #104
Sign & Display, #510
Sprinkler Fitters, #483
Teamsters, #853
U.A., Utilities / Landscape, #355

February 21, 2019

Attention: Damon Golubics, Senior Planner
City of Hayward
777 B Street
Hayward, CA, 94541

Dear Senior Planner Golubics:

The need for cities to balance their land use goals with a skilled construction workforce has never been more important. The goals of the long-range Downtown Hayward Specific Plan will not be realized if build-out of the desired 3,430 new homes and over 1.9 million square feet of nonresidential building does not occur within the twenty-year timeframe or by 2040.

The City of Hayward is not alone in planning for growth. Numerous neighboring cities, school districts, special districts and the state of California itself plan to increase production of housing, commercial buildings, and/or public facilities dramatically over the same time period. For build-out to occur concurrently in Hayward and throughout the State, the capacity of the development and construction industries to meet expansion demands will be tested.

Current or looming shortages of skilled construction workers - particularly of residential trades workers - threaten to delay or derail these plans. Over the past three decades, the shortages have been attributable to a reduced utilization of state-approved apprenticeships; fewer young, non-college-educated labor force entrants; the existence of an unappealing career in construction due to dwindling contractor offerings of health and retirement benefit plans; and the related trend of lagging construction productivity growth. These realities have been making an impact on the land use goals of local jurisdictions.

Apprenticeship not only acts to recruit and retain an adequate base of manual construction workers; the programs also serve as a pipeline for future supervisors and licensed independent contractors. The introduction of a requirement to employ apprentices on public works projects into California law in the 1960s dramatically increased the volume of apprentice training. Robust utilization of apprentices throughout the private sector helped California builders to produce over 4.1 million units of housing between 1970 and 1989.

Over 96 percent of the nearly 21,000 apprentices from the greater San Francisco Bay Area who were active or completed their state-approved programs between 2013 and 2018 were affiliated with joint apprenticeship programs. Most

B4-2

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Electrical Workers, #595

Elevator Constructors #8

Glaziers #169

Insulators & Asbestos Workers, #16

Iron Workers, #378

Laborers, #67

Laborers, #304

Laborers, #886

Lathers, #68L

Millwrights, #102

Operating Engineers, #3

Painters, #3

Pile Drivers, #34

Plasterers, #66

Plumbers & Steamfitters, #342

Roofers, #81

Sheet Metal Workers, #104

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Sprinkler Fitters, #483

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U.A., Utilities / Landscape, #355

Most apprentices, however, work on private or public nonresidential projects.

The disconnect between many builders and subcontractors to apprenticeship and health insurance plans has constrained the industry's capacity to expand in response to the needs of the cities and the State of California. In San Francisco, many entitled projects with thousands of units awaiting construction are stalled due to skilled labor shortages, diminished contractor productivity, and construction costs that spiked.¹

It is in the City's economic interest as a land use regulator to support a pipeline of skilled workers to accomplish the objectives and policies of the Downtown Hayward Specific Plan. To increase the prospects for successful implementation and build-out goals of the Plan, the City is advised to adopt the following:

Policy:

Contribute to the stabilization of regional construction markets by spurring applicants of housing and nonresidential developments to require contractors to utilize apprentices from state-approved, joint labor-management training programs, and to offer employees employer-paid health insurance plans.

Program:

Require contractor prequalification for Plan Area projects of 30,000 square feet or more.

Apprenticeship

Each general contractor and each subcontractor (at every tier for the project) will sign a statement stipulating that it participates in a Joint Apprenticeship Program Approved by the State of California, Division of Apprenticeship Standards. For each apprenticeable craft a contractor or subcontractor employs on its workforce, the contractor will maintain the ratio of apprentices as required by California Labor Code section 1777.5 which apprentices are enrolled and participating in a Joint Apprenticeship Program approved by the State of California; Division of Apprenticeship Standards.

Health Care Coverage

Each general contractor and each subcontractor (at every tier for the project) shall sign a statement stipulating to and providing documented proof that the contractor provides full medical, dental and vision coverage for all of its construction craft employees and the employees' dependents and that the contractor has maintained such medical coverage in good standing for 180 consecutive days immediately prior to the submission of the

**B4-2
cont.**

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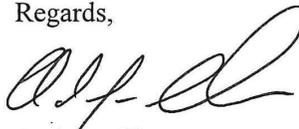
Teamsters, #853

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pre-qualification documents (a copy of the Declaration of Insurance Coverage showing the dates of continuous coverage or proof that the Contractor contributes to an Employee Benefit Plan shall qualify) OR documentary proof that the contractor has offered such medical coverage to its employees within 180 consecutive days immediately prior to the submission of the pre-qualification documents. Any change in coverage must be immediately provided to the City of Hayward.

In sum, the City of Hayward can increase its prospects of meeting the land use goals included in the Downtown Hayward Specific Plan through a sound apprenticeship program. Generating an apprenticeship program will help address the much-needed skilled workforce by facilitating the direct transfer of knowledge to apprentices, and in turn pave the path for skilled craft workers to participate in accomplishing the city's land use goals.

Regards,



Andreas Cluver
Secretary-Treasurer

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