Miriam Lens

From: Greg Jones [redacted]
Sent: Tuesday, April 24, 2012 12:02 AM
To: Tim Koonze
Cc: Frank Goulart; Anna May; Miriam Lens; Valerie Snart; Al Parso; Jim Morinville; Barbara Jervis
Subject: Maple Court Condo Project

Tim,

Here are two sets of comments regarding the Maple Court project. Please ensure these comments are included as part of the record on this item and are provided to the Council for their consideration.

The first comments are a summary of the recent Prospect Hill Neighborhood Association meeting. These comments do not necessarily reflect a consensus (nor my personal views) and are not necessarily exhaustive, but are a reflection of some of the concerns raised. Others from the neighborhood have previously raised additional concerns, while others may yet still bring additional matters up to the Council at the meeting tomorrow evening. In no particular order, here are a few of the issues raised that the neighborhood is concerned about and wish addressed in the project.

- Parking is inadequate within the project. Providing only 1 deeded space per unit is unrealistic both in terms of actual demand as well as the units' sale/resale values. The idea of charging rent for a second space when on-street and municipal lot parking is available nearby is unrealistic.
- The logic used by planning staff that there is no current retail activity along Maple Court is flawed. The businesses directly across from this project, with a parking lot in between, are viable and active. The argument that no pedestrian traffic now exists so therefore we don't need to maintain street level commercial is circular. The zoning designation now in place on the properties is designed to encourage such pedestrian-friendly street scapes. Staff argues that we don't have it now, so remove the street level commercial requirement with the CUP? This makes no sense.
- There are concerns that the residential units on the street level will be a "dead" space -- unattractive and unenticing to pedestrians.
- The number of vehicle trips in the initial study are unrealistic. It would appear they are based on the low number of vehicles anticipated because of the low parking requirement. Here again, staff is backing into their logic and compounding the errors in analysis.
- Archaeological remnants may in fact be on site. This possibility needs to be clearly addressed in any conditions of approval.
- The house currently on one of the parcels is to be relocated to an area of historical integrity. Who makes the decision as to where it is relocated?

This second list of issues are specific concerns I personally have with the project:

- As above, parking for a residential ownership project that provides only 1 space per unit is inadequate. Regardless of being close to transit, the reality is that in previously built projects in the downtown parking remains an ongoing problem, and those were built under more liberal parking requirements. The municipal lot that currently serves the businesses along Maple (even though they all

have Foothill Blvd street addresses) will be negatively impacted by residential overflow, as will street parking extending down Maple and McKeever.

- Maple can certainly support additional commercial space. The argument used by some on the Planning Commission that because there is so much vacant space in the downtown they approved the CUP is short sighted. Commercial space with parking directly across from it would very desirable for small businesses. Neighborhood-serving retail space would be a benefit to the area.
- Residential use on the street level in the commercial core will kill the likelihood of activating the street scape. Look at other projects in the downtown. They become isolated enclaves, not active parts of a larger neighborhood. Street level commercial will activate the street and encourage pedestrian traffic. Despite the high vacancy rates currently being suffered along B Street, visit during lunchtime or on a Friday or Saturday evening, and the sidewalks are active places. Residential areas are isolating. Placing residential above commercial space, either as live/work space or standard residential will provide the residential that is envisioned as necessary to increasing demand in the downtown while maintaining the activated street level spaces.
- What sort of assurances does the City have that the project won't become predominately a rental community? I would like to see the HOA require that no more than 50% of the units be allowed as rentals at anytime. One downtown neighborhood recently put such a restriction in place, but it would be much easier to do so during this stage of development with just one owner voting on the HOA requirement as a condition of approval.

It would be informative to revisit the original intent of the first floor requirement and really question why the City would make an exception in this case when we have projects such as the Cannery still not completed and filled. Do we really need more residential in the downtown so badly that we are willing to give up commercial space for at least the next 100 years? It should also be noted that the properties involved in this project have been assembled for this project, so we are not dealing with a property owner that wasn't aware of the zoning requirements as they started developing this project. If the developer needs to expand vertically to get the necessary units built for the project to be financially viable, I would prefer to see that than lose the ground floor commercial space.

I am excited about the potential investment in our downtown core, an area in much need of investment. However, we cannot let our downtown relinquish street level property to residential use. Downtown commercial space is a finite resource that while not currently in scarcity, will be in demand in the future if we do things right. If we don't believe that, then we should just roll up the sidewalks in the downtown now and ignore our current zoning, downtown plans (yes, plural) and send the message to the community that Hayward is NOT open for business by discouraging any new commercial space development in the future.

Please reverse the Planning Commission's decision and deny the CUP that eliminates the zone's street level commercial space requirements.

Regards,

Greg Jones
President, Prospect Hill Neighborhood Association
Downtown Hayward Resident