



HAYWARD AREA PLANNING ASSOCIATION

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The HAPA News

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Ruby Meadow: Going...going...

How Eden housing denied parks to a low-income neighborhood with a severe parkland deficit.

What was the appraisal Eden used?

According Valbridge, "Based on the current zoning and general plan the Site Plan indicates approximately 50 dwelling units are possible on the 2.73-acre portion of the developable portion of the site..." The Valbridge site plan shows on the HARD property and **38 units on the Eden property.**

"The Highest and Best Use of a property is the use that is legally permissible, physically possible, and financially feasible which results in the highest value. ... In appraisal practice, the concept of highest and best use **represents the premise upon which value is based.**"...

["Legally Permissible](#)

The current zoning controls the general nature of permissible uses but is appropriate for the location and physical elements of the subject property, **providing for a consistency of use with the general neighborhood.** The location of the subject property is appropriate for the uses allowed, as noted previously, and a change in zoning is unlikely."

What went wrong?

The Valbridge appraisal had serious error that made it invalid as an appraisal. It omitted the fact that the density could be increased without changing the zoning. Eden asked for a density bonus and got 72 units.

Eden told No One about Valbridge. Eden withheld critical information from Valbridge, the public, Nate Miley, and Alameda County, but I speculate it was not intentional. Eden Housing does not yet respond to my email or mail. I think at some point Eden found they could go for a density bonus (no zone change needed), so they did. They kept the critical content in the Valbridge appraisal secret because they never associated the density bonus with the appraisal and had forgotten about it or thought it was unimportant while processing the application.

Eden, Miley, and the County never considered a project consistent with the appraisal. Advocates for a park never knew about Valbridge and, thus, did not know that Eden's purchase of the property was based on a much smaller project. Advocates never proposed a smaller project consistent with the Valbridge appraisal.

Affordable housing: maximize or optimize?

Eden Housing then faced the question of whether to maximize housing or to optimize housing in balance with other values, which were the unit count, character of the neighborhood, parking, the needs of low-income people for parkland, and relations with the local neighborhood. I believe that Eden's pursuit of maximum housing led to an unbalanced decision. It was a failure in their values.

Eden's rigid commitment to the unit count of 72 when they bought the property based on 38 made the other problems worse. The unit count required a building completely out of character with the neighborhood, contrary to the Valbridge appraisal. The unit count led to

decisions about parking that were wrong in three respects: 1. Eden planned far too many spaces than were needed and never studied how many were needed. 2. Eden did not unbundle the parking, which would have reduced the demand for parking and significantly lowered the rents. 3. Eden laid out the parking very inefficiently as compared with HAPA's alternative development proposal, resulting in paving over some of the most valuable open space in Alameda County.

Concerning low-income people, Eden never recognized the fact that the neighborhood was designated as a low-income priority neighborhood under AB 1550. Concerning parkland, Eden never recognized the severe deficit of parkland in this neighborhood as defined by the Quimby Act and recognized by HARD. Concerning low-income people, Eden ignored strong and continual advocacy by the community.

Sara Conner was a friend of mine and a founding leader of Eden Housing. Eden has done a lot of great work over the years, but in this case, the leadership team was arrogant and used its superior political power to the detriment of a balanced decision and respect for low-income people. I don't think Sara would have approved.

Is it too late?

I don't know, but I will do what I can until chainsaws fell the grand old heritage trees and the meadow is paved over. I am asking Supervisor Nate Miley, HARD, and Eden Housing to allow, if not support, an effort to raise funds to buy the meadow. I am asking Miley to ask Eden to hold off and give us a chance. I am asking HARD to ask Eden to hold off, to declare that there is still a severe parkland deficit in the neighborhood even after dedication of a trail starting at Gary Drive.

I am asking you to email Miley, Eden, and HARD.

Miley: email bosdist4@acgov.org

"Please ask Eden Housing to hold off cutting the trees down in Ruby Meadow and give us a chance to raise funds to buy the meadow. Please ask HARD to help us find funds for acquisition."

Eden: email einfo@edenhousing.org

"Please hold off cutting the trees down and give us a chance to acquire Ruby Meadow for parkland."

HARD: email whej@haywardrec.org

"Please take some easy steps that might help us save Ruby Meadow. Ask Eden Housing to hold off cutting the trees down. Make an informal estimate of the cost. Think about funding sources."

Am I tilting at windmills? Am I pursuing a hopeless cause? Maybe. Join me.

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Also with this news:

HAPA- Eden Ruby Park proposal.pdf: details from Valbridge, plan for 42 units on Ruby Street, affordable housing for Eden at the Hayward BART station, and an estimated cost of acquisition somewhat above \$1 million.

Sent separately: Ruby Meadow pictures.