

**November 30, 2011
Laney Student Center
Laney College Campus
900 Fallon Street, Oakland, CA 94607
5:30 to 8:00 p.m.**

**LAKE MERRITT STATION AREA PLAN
COMMUNITY STAKEHOLDERS GROUP (CSG) MEETING #12
Draft Preferred Plan**

MEETING SUMMARY

Members of the Community Stakeholders Group (CSG) attended the meeting on November 30, 2011 at the Laney Student Center. The meeting included a presentation of the Preferred Plan and discussion on each chapter of the Preferred Plan. The focus of the presentation and discussion was on the changes made to the Emerging Plan to establish the Preferred Plan, based on the last round of CSG feedback. The presentation was given by Ed Manasse of the City of Oakland, and Leslie Gould and Hannah Lindelof of Dyett & Bhatia. The agenda, presentation, and Preferred Plan are all available on the project website. CSG discussion by chapter is provided below.

CSG DISCUSSION

Chapters 1 and 2: Overall Framework and Vision by Study Area

- There was one comment that the Jack London District should be included in the study area. It was explained that Jack London District would need its own planning process to focus on the uniqueness of that district as a whole.
- If this is the Preferred Plan, what alternatives will be used for the EIR? It was noted that the Preferred Plan covers general consensus and some alternatives on the BART blocks. Alternatives will be developed for the EIR process.
- There was some concern that comments provided to date have not been adequately incorporated. It was noted that one of the objectives of this meeting is to check back in to see if we got it right, talk about how well previous comments have been incorporated, and to identify if there is any strong opposition to any components of the Preferred Plan. It was noted that comments from this meeting will be forwarded to the advisory board, Planning Commission, and City Council.

Chapter 3: Summary of Development Potential

- There were several comments on basic assumptions and pro-forma modeling that went into the financial feasibility analysis. One commenter noted, for instance, that the potential development costs should be closer to \$225 rather than \$285 per square foot.
- There was concern that the results of that financial feasibility analysis are the basis for saying that community benefits related to height are not feasible. It was further noted that it is hard to imagine that in a 25 year period that if the Plan doesn't tie public goods to density (and increased need), no benefits will be achieved. Specific community benefits of concern include affordable housing, parks, and street improvements.

Chapter 4: Land Use and Building Design

Land Uses and Active Ground Floor Uses

- Laney College had a question related to the Land Use Character map, which identifies institutional uses for the college/museum/school but identifies the County buildings as mixed use with required ground floor uses. Question as to the logic of how institutional uses are treated (particularly in relation to the Laney parking lot). It was noted that County uses are less specialized than Laney College or the Museum, that they essentially function more like office uses.
- Why are East 12th and International Boulevard identified as Pedestrian/Residential rather than Pedestrian Transition? The existing commercial area is struggling but could be called out as a Pedestrian zone. Noted in response that ground floor retail would be allowable in East Lake, and active uses would be required on East 12th and International Boulevard.
- Active Ground Floor Uses requirement comments:
 - Laney requested that existing active ground floor uses be identified around Laney College.
 - Comment that there is too much retail identified; that while ground floor retail is great in certain spots, it only works if it is focused; right now it is not focused enough. It was noted in response that the Land Use Character map is more telling in distinguishing between Pedestrian and Pedestrian Transition Zones (Pedestrian Transition Zone slower change over time). Much of the Pedestrian Zone already has retail.
 - Don't be overly restrictive – required active uses could sit vacant which is worse.
 - Noted in response that active uses are not just retail or commercial. The main goal is to draw people in and attract their interest. Plan will be expansive in its definition of active uses. The recently adopted overlay zone in Chinatown addresses a wider range of ground floor uses that can be used as an example.

Height Areas

- There was discussion on the location of height area 2b on 8th street across from the BART parking lot. The BART blocks will have much taller buildings and it doesn't make sense to go only 45 or 85 feet across the street. In particular, there was a desire to change (increase) the height limitation on the site south of the BART Parking lot that is not in the 7th St. API.
- Agree with 45 foot height limit related to the 7th St. API, but also think need lower height limits and base heights in some areas.
- Emphasize that as a key component, whatever happens on the BART blocks should not create a barrier between Laney/BART and Chinatown.
 - Concern from some members that the current proposal is creating a barrier and seems to open more to Fallon Street.
 - Barrier on 8th and 9th Street is Madison Park, as a barrier for the expansion of Chinatown and is a barrier to expansive businesses. Suggest that it move elsewhere close-by.
 - Suggested to add retail along the park.
 - Regarding allowing tall buildings at the BART Station as a potential barrier – what about it is a barrier? Don't think height is a barrier, more important is the design.
 - Noted that just retail at the ground floor doesn't make a connection (active uses not just retail).

- Noted in response that while tall height could be barrier, could also be a beacon and connection.
- Height areas: don't understand the push to rim the lake with taller buildings (East of Channel) – would suggest switching height area 3 and 4 in East Lake so have lower heights near water, stepping back away from the water. Keep lower buildings along channel.

Height Levels and Community Benefits

There was extensive discussion related to the change from three tiered height limits to two tiered height limits, focuses on the loss of the tallest height allowed with a CUP and provision of community benefits.

- Need to clarify if the proposal would still contain incentives related to height, (i.e., menu of affordable housing strategies)
- Why is it necessary to allow extra height without asking for community benefits?
- In response it was noted that this change considered market feasibility (which shows lower height buildings are the likely development) and also the goals of the project, which include achieving transit oriented, high density development.
- Concern that what is proposed is still too tall and continues to set property owners up with increased expectation, resulting in holding buildings/parcels until they can get the speculative price, thereby retarding development. The comment emphasized that to date, over zoning has not worked to incentivize development.
- Opposing CSG opinion noted that tall buildings are possible, and we don't want to limit potential in the area.
- Not trying to reduce development height and density, as long as it is bringing in benefits. High intensity development should provide community benefits because they add stress to existing amenities.
- Want to bring in more businesses, people, and vitality.
- Height limitations/proposals in prior plans included conditions/limitations, which are not included here.
- Need next layer of development standards to be able to assess heights.
- Goal of Plan is to bring TOD to area – argue that the goal should be *equitable* TOD, and that the CUP was essential to ensure equity. Area is very different from area surroundings and can withstand giving back to the community.
- In response it was noted that in a sense the whole plan is a community benefit as it seeks to achieve a range of benefits, such as streetscape improvements. Entire burden cannot be just on new development, has to be shared though multiple mechanisms.
- A lot of benefits would be billed to public – need to capture the value the plan is bringing to the area/giving to land owners in order to preserve economic diversity.
- No one is saying any private developer should be responsible for everything; however, there is some concern that without the CUP they are not responsible for anything.
- Community benefits have always been a key component of community feedback. A key strategy to date has included the height exchange – how was the decision made at this stage to take that out?
- In response: trying to broaden base of where community benefits come from, rather than burdening a specific developer looking at impact fees; analysis showed it is unlikely that we would get desired development and benefits with the previous height/CUP structure. This is only one of many tools that can be used. The Plan seeks to ensure people are enticed to develop in area and will then pay into achieving benefits.

- Goal to identify everything we would like in this plan; group wants diverse income levels and community benefits; no question about that, but question is how to do it.

Chapter 5: Open Space and Recreational Facilities

- Question if added 5% would be for this district or citywide? Responded that the 5% would apply only in this district.
- Take off green mark on Webster Place (note that this is an error; will be removed).
- Areas south of I-880 (along the channel) should be part of Jack London district, not in this Plan. In response noted that the City General Plan and Estuary Policy Plan policies already exist that promote continuous open space along the channel. All channel areas should be part of one project.
- Add on Webster Green if going to add on channel parks
- Shame if we spent public dollars on improving channel area rather than areas within the neighborhood that could really use the improvements (like Madison Sq Park). If they stay in the Plan they should be the last priority if there are open space funds.
- Agree that parks in neighborhood need funds, but also think that parks along the channel are regional assets.
- In response noted that the Plan achieves citywide objectives by including these parks. The Plan also seeks to ensure direct community needs are met.
- There is an ongoing tension between neighborhood and citywide benefits. How do we increase the capacity to serve community (i.e. Lincoln)? The Plan needs to articulate a balance between achieving citywide, regional, and local benefits.
- In response noted that the Draft Plan will have to prioritize community benefits and determine what projects have the the biggest bang for buck.
- Open space is great if people can enjoy it; concern that Madison Square Park not only disconnects Chinatown and Laney/BART but also creates safety concerns. It is good that it is used for Tai Chi a couple hours a day; however, it is felt by some that it is underutilized at other times of the day. In response noted that safety concerns are more related to the design of the park, not the fact that there is open space.
- Requested that the Plan add a potential park (green outline) at the Webster Street undercrossing to reflect possibility of Webster Street Green.

Chapters 6 and 7: Streetscape, Circulation, Access, and Parking

- Need street improvements and mitigations to address air quality, due to large amount of additional growth and increase in travel.
- Noted in response that the increase in trip generation looks only at opportunity sites, so the numbers seem extreme because they are looking at the change from existing vacant lots and one story small buildings to high density development.
- Certain intersections will be impacted; must address mitigation.
- Bicyclists concerned with angled parking as it reduces safety – a mistake for all roads.
- Infrastructure related – glad looking at the possible conversion of 9th street to two-way; would like to also investigate 8th street, Webster, and Franklin.
- Webster underpass considered for improvements – yes, thank you!
- Sharrows are stepchild of great bicycle facilities; good because they give bicycles some space to move, but just putting sharrows in is not anywhere near as strong as a bike lane.
- Access to BART station with bike lanes is very important.
- In terms of parking at the BART (and the recommendation to not replace parking when the site is redeveloped), concern was raised in terms of the impact to people

that don't have other options for accessing the BART Station (i.e. from neighborhoods that are not as well served by transit).

- A major priority is street lighting. Make pedestrian lighting a priority improvement – Phase 1!
- Noted that the Draft Plan will look at many options for improving access to the BART station. It was emphasized that the drawing shown is one option and that there will be more.
- As Laney looks at building a parking garage, maybe they should consider incorporating additional parking for BART. Is there broad support for this?
- Underfreeway areas are currently used for parking; but long term they should accommodate additional active uses.
- Webster Green would add a great asset - Jack London is conducting a meeting from 6:30 to 9:00 p.m. on Dec.12th.
- Edit to map: The Class 3A bikeline is already striped on 2nd Street (painted in the last couple of weeks).
- City has done preliminary traffic studies in Revive Chinatown, which this Plan should build on. Note that we have included several of the key recommendations of Revive Chinatown.

Chapter 8: Community Resources

- It was noted that the City will take into consideration the corner at 8th and Oak, which is not in the historic district (for a possible height limit change/increase).
- There were several comments on how to incentivize affordable housing. For instance, to achieve a benefit like affordable housing, development standards, such as height, parking, or setbacks, could be relaxed. City emphasis is on identifying a range of approaches and incentives.
- Noted that Historic Preservation is a strict and formal policy, rather than a community benefit and should be identified as such (and removed from the list of community benefits on page 8-16).
- Part of the anti-displacement strategy is to retain the 7th Street as 45 foot height limits to lower development pressures.
- Transfer of development rights is not so feasible.
- Noted that there is no actual requirement for affordable housing. How will we be able to get affordable housing? Concerned that City has changed the height rules so no longer tied to achieving affordable housing. City noted that Plan is honing in on a range of strategies that will work.
- Recognized that people support affordable housing, but that there are many obstacles to make it happen. A lot of the methods, like impact fees, if they are only applied to this district there will be a disincentive to build it here. The City has to establish a requirement city-wide. It is a critical piece of the plan and we should keep working on it.
- City noted that there is a 15% requirement for affordable housing as part of the Redevelopment Area. This plan needs to figure out ways to meet the 15% (and hopefully more) in the Planning Area.
- CSG noted that this is much less than the desired 30% for the Planning Area.
- We could recommend that it be here as a requirement; and recommend that it be implemented elsewhere as well. Need to recognize that it is a huge citywide issue.
- Could consider a citywide policy in limited areas, such as ½ mile transit radius.
- Update on the status of redevelopment in Oakland: the City has decided to pay into the account, and keep redevelopment.

- Noted that right now there is a lot of affordable housing that exists in this particular study area.

Chapters 9 and 10: Economic Development and Infrastructure Issues

- No comments.

Next Steps

- Written comments are due Dec. 7th. The report as it exists will be submitted to all the boards, Planning Commission and City Council. Written comments and comments from this meeting will be included in the staff reports.
- All comments received on the Emerging Plan are posted on the website.
- Request to add a special workshop for design of buildings related to height and height design.
- Noted that there will be information on BART sites RFQ available soon.