

MEMORANDUM

TO: Members of the Planning Commission
Ed Manasse, Strategic Planning Manager

FROM: Landmarks Preservation Advisory Board
Joann Pavlinec, Secretary

SUBJECT: **LPAB Advisory Comments – May 14, 2012**
Draft Environmental Impact Report (DEIR)
Scoping Session on the Broadway Valdez District
Specific Plan

DATE: May 16, 2012

At the May 14, 2012 Landmarks Preservation Advisory Board (LPAB, Board) regular meeting, the Board was requested to receive public comments and to comment on the scope of the Draft Environmental Impact Report (DEIR) for the Broadway Valdez District Specific Plan (Plan), including what information and analysis should be included pertaining to cultural and/or historical resource issues. The Board unanimously voted that their comments be included in the scoping process and analyzed in the DEIR and forwarded to the Planning Commission, the Strategic Project Manager and the DEIR consultants. Their comments follow.

The DEIR should take into consideration the potential negative adverse impacts to historic structures if the Plan continues to direct adaptive reuse development only 'where feasible', instead of making adaptive reuse a Plan priority.

Comments:

Page 6 - B. Project goals, 3. Authentic Oakland Place: Several speakers and Board Members recommended removing the words 'where feasible.' It is not difficult to assert that a project is 'infeasible.' One Board member suggested that it be replaced with 'a priority to focus on reuse of historic buildings.'

The DEIR should include incentives that reduce infeasibility and encourage retention of historic resources. Develop Mitigation Measures and include incentives in the Plan to increase feasibility of adaptive reuse. These mitigation measures could reduce the

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above potential negative adverse impact to Less than Significant. The following comments discuss incentives that could be included.

Comments:

Page 14 – E. North End Land Use Concept, Reuse of Existing Buildings: Include incentives for owners of Potential Designated Historic Properties to seek National Register, Landmark and/or Heritage Property designation. *Designation could permit owners to apply for Federal Tax Credits and the Mills Act Property Tax Abatement Program, and would also encourage retention of the resource under the Demolition Findings.* Note that designation of a PDHP puts it on the Local Register and makes it a historic resource under CEQA. Need to acknowledge that the universe of ‘historic resources’ is subject to change; PDHPs and ASIs should be given the benefit of doubt.

Page 24, 42 – Flexible Building Standards: The State Historical Building Code is not mentioned. Explore relaxation of requirements including and beyond the State Historical Building Code. Los Angeles’ Adaptive Reuse Program, for example, streamlined fire and building code issues, specific to the building type they were targeting for rehabilitation in the downtown area.

Develop solutions to the typical fire and building code issues for rehabilitation of historic building type(s) in this Plan area(s). Resolve these issues, and include them in the Plan, in advance of building owners’ consideration of rehabilitation. Readily available ‘flexible building standards’ could be an incentive for rehabilitation and a model for use citywide.

Include a Transfer of Development Rights Program or other programs and incentives to encourage retaining existing historic resources and locating height along Broadway.

The DEIR should discuss the conflict between maintaining the area’s unique and authentic feel, Authentic Character with the Relocation of Important Resources as an alternative to reuse on the site. The DEIR should develop Mitigation Measures to insure the Potential Negative Impact of relocation which could affect aesthetic as well as cultural resource CEQA issues, especially diluting Areas of Secondary Importance, is minimized. The DEIR should include in its analysis the character defining features of each of the Areas of Secondary Importance. Potential Mitigation Measures are outlined in the comments below.

Comments:

Page 24 – D. Adaptive Reuse and Historic Building Fabric, Authentic Character, Adaptive Reuse, and Relocation of Important Resources: Adaptive Reuse maintains authentic character. Relocation takes

away from authentic character of both the moved building and its site, though it is preferable to demolition. *Develop measures that incentivize Adaptive Reuse and Repurposing and minimize reliance on relocation.*

Page 24 – D. Adaptive Reuse and Historic Building Fabric, Relocation of Important Resources: This is too open ended. Instead the Plan should *identify move-on sites where properties could be relocated, within the Plan areas.*

The *DEIR* should address the concern that the Plan may impact the sense of micro-places in Oakland. The Areas of Secondary Importance (ASI) provide this sense of micro-place and they should not be diluted.

Comments:

Waverly Street is a strong ASI; it is not a good place for retail, and it could dilute the focus of retail along Broadway. If height is permitted/encouraged on Harrison it would draw business away from Broadway. Broadway already has its character as Oakland's retail space, but needs strengthening. Height should be on Broadway in order to strengthen this major corridor. Since it is likely that not all of the Retail Priority Areas will be developed, the *Waverly area should be marked as a Relocation (receiving) Area, not a site for new retail construction.*

The micro-places have attracted entrepreneurs, restaurateurs, etc. because of the older buildings. If it weren't for these older historic buildings, these entrepreneurs would not be there. The energy of the Oakland Art Murmur, pop-up storefronts, etc. is due to historic resources. *Develop measures that support the retention of both the historic resources and the entrepreneur atmosphere that create the energy. Focus on local entrepreneurial retail instead of destination retail.*

The DEIR should discuss the Potential Negative Adverse Impact of removing the landscaped center median which could increase traffic speed and also expand the street space. Include a Mitigation Measure to reduce these two potential negative adverse impacts by revising this street section plan as suggested in the comment below.

Comment:

Page 31 – Figure 14: Broadway (North of 27th Street): Retain a planting strip down the middle to slow down traffic and break up the street space. *Recommend replacing this street section with Alan Jacobs' example (see Attachment) to provide two lanes of faster traffic in the middle of the street, separated by planted median strips from a slower drive/parking lane to each side.*

The *DEIR* should look at areas of the Draft Plan Concept where ambiguity of goals and statements could result in Negative Adverse Impacts. Require review and modification to succinct, clear direction.

Comments:

This plan has greatly improved over the previous plan. However, a lot of detail has been removed, and much of the text allows reviewers to read into what they wish. Be more specific.

Include more detailed information on parking ratios in order to get an idea of the range of parking standards for each type of development. Even if it is too early to determine where the center of gravity will happen and parking structures will be located, the parking ratios could be included.

Concern that bike parking is not specific in the plan. It will be crucial when it becomes a destination area.

The *DEIR* should look at how Glen Echo Creek would be developed to avoid the negative adverse impact of adding hardscape to the area, which would not be compatible.

Comment:

Increased use of Glen Echo Creek could require hardscape and that would not be historically or aesthetically compatible. Several features of the Creek need restoration, including the pergola and the bridge. *Recommend that the restoration of the pergola and bridge in the Glen Echo Creek area be included as a Mitigation Measure.*

The *DEIR* should address Archaeological Resources, as outlined in the comments below.

Comments:

- Modify *Issues to be Addressed in the EIR*, page 4 of the LPAB May 14, 2012 report as follows:
 - Cultural and Historic Resources
 - Assessment of the presence of and potential impacts to historic structures;
 - Assessment of potential impacts to Cultural records search to determine the potential presence of prehistoric or other archaeological sites;
 - Appropriate coordination with Native American organizations as required under CEQA and SP 18.
- Additionally:
 - Require a pre-construction archaeological study; and
 - Prepare an archaeological treatment plan, to be reviewed by the LPAB prior to the start of any of the sub-surface work at the site.

Other Comments and Recommendations:

- Recommend that Biff's restaurant be restored as a family restaurant, which is a use that will be needed in the area. The remainder of the site would be perfect for a park
- Include *Attachment F: Map of Major Opportunity and Retail Priority Areas and Historic Resources* from the May 14, 2012 LPAB Report in the Draft Plan Concept and all other documents to better understand how the Draft Plan Concept interfaces with Historic Resources.
- **Page 26 – V. Circulation, Access and Parking:** Applauds 'transit first' orientation over parking; it's a good direction and permits pedestrians, bicyclists, bus, streetcar and shuttle users to view the historic resources.
- Street cars have been good for economic development in other cities.
- Focus on workforce housing.

Attachments: Conceptual Street Sections from *Great Streets* by Allan B. Jacobs.

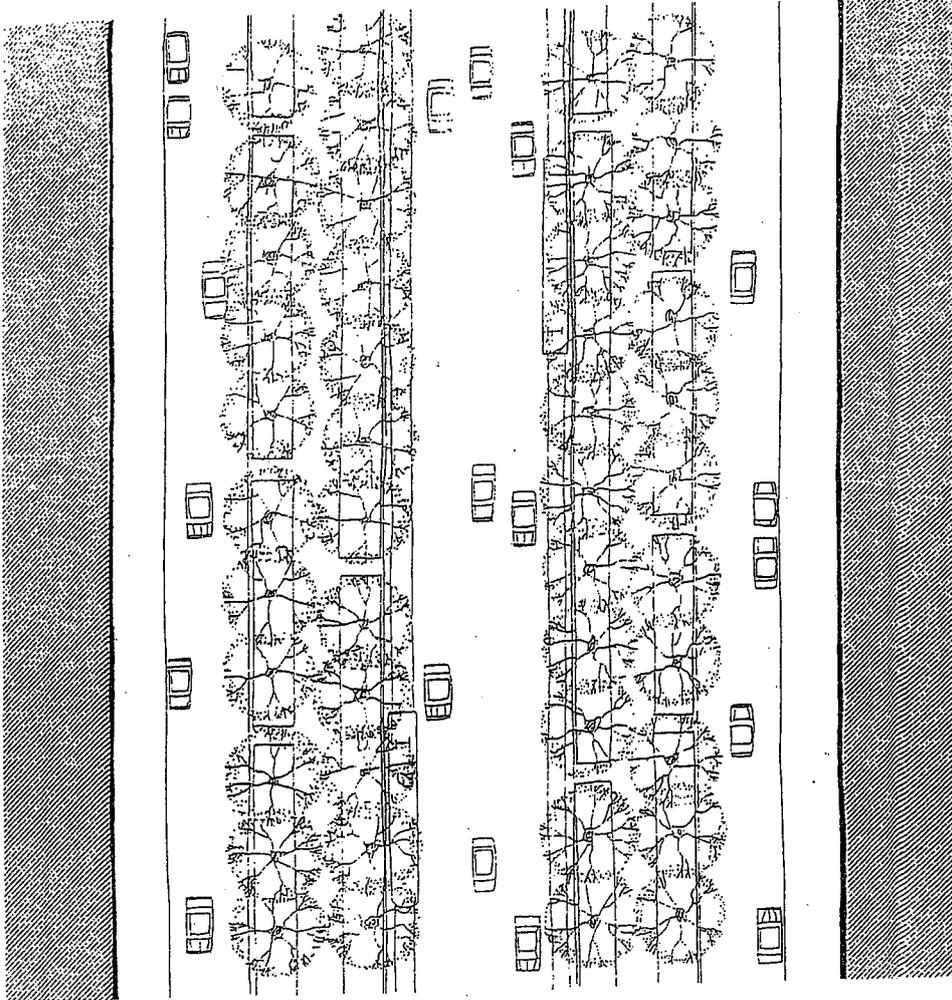
Cc: Project Consultants:

WRT

ESA

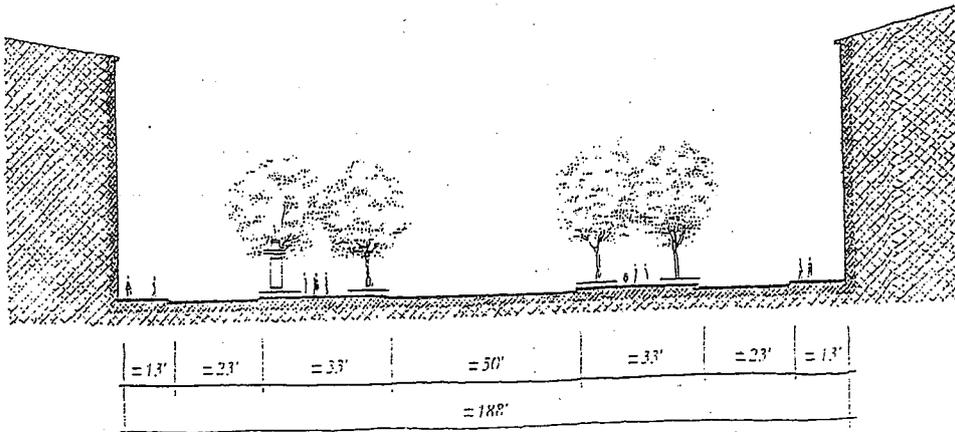
Fehr & Peers

Ref: BroadwaySpecificPlan/5-14-12LandmarksPreservatonAdvisoryBoardComments



RECOMMENDATIONS

- CONCEPTS FOR STREET SECTIONS
- MODIFY NO. OF LANES



Approximate scale 1" = 50' or 1:6

Champs-Elysées: plan and section

