

**Lake Merritt
Station Area Plan**

**Comments on
*Draft Preferred Plan***

(Includes all written comments received by staff as of
February 21, 2012 when this report was finalized)



December 7, 2011

Edward Manasse
Design Review Supervisor
Planning & Zoning Division
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612

Dear Mr. Manasse:

SUBJECT: LAKE MERRITT STATION PLAN

The County of Alameda General Services Agency (GSA) appreciates the opportunity to continue to participate and provide input on the Lake Merritt Station Plan Zoning Proposals. GSA reviewed the materials presented at the August 8, October 3, and November 30, 2011 Community Stakeholder Group Meetings and continues to have very serious concerns relating to use restrictions that limit the opportunities for functional use of County-owned sites.

The Draft Preferred Plan dated November 2011 contains a number of changes from the earlier versions, many of which have eliminated the detail which was previously presented. This makes it extremely difficult to respond to and anticipate specific impacts on the two County sites that are identified in Figure 1.7 as Potential Development Sites. However, it is clear that the imposition of Massing, Ground Floor Design, and Design Compatibility concepts described in Section 4 and the Public Open Space Contribution shown on Figure 5.2 will severely reduce the County's ability to build facilities that will meet the future needs of the County and its citizens.

The current focus of the Plan is on the residential and retail development of the Study Area. Section 3.1 appears to limit the potential for office development to a cluster of governmental and educational uses. With the apparent desire to restrict future office development to governmental agencies and given the unique requirements of County facilities to provide services to the public, we strongly recommend that there be a separate designation for governmental use development within the Study Area.

The County of Alameda in its Real Estate Master Plan has identified needs for new building construction within the Lake Merritt Station Plan area over the coming twenty-five year period. As part of our mission of providing quality services to the public, we have recently acquired a site that would allow for new construction. The County's Real Estate Master Plan is based on the current zoning and the implementation of new development restrictions is not acceptable. The County has been an active participant in the Lake Merritt Station Planning process and has consistently expressed our concerns verbally and in writing. We trust that these concerns and recommendation for a separate governmental designation will be given serious consideration as the planning process continues.

Sincerely,

A handwritten signature in black ink, appearing to read "Aki K. Nakao".

Aki K. Nakao
Director, General Services Agency

AKN:CJ:sd i:\Agency Administration\Assistant Director\Letters and Memos\Lake Merritt response 12_07_11

cc: Caroline Judy, Assistant Director, GSA
Jim Kachik, Deputy Director, GSA-TSD
Kathleen Kennedy, GSA-Portfolio Management



December 7, 2011

(By electronic transmission)

Ed Manasse
City of Oakland Planning and Zoning Division
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA. 94612

Subject: Lake Merritt BART Station Plan- - Draft Preferred Plan (CSG Meeting #12)

Dear Mr. Manasse:

Oakland Heritage Alliance (OHA) would like to thank staff and the consultants for incorporating many of our previous comments into the draft preferred plan. The following comments restate and in some cases modify previous OHA comments that are not reflected in the plan and add new comments in response to new or modified plan provisions:

1. **7th Street/Harrison Square API.** We are very pleased that a 45' height limit is now shown along this API's 7th Street frontage. We strongly endorse the height map (Figure 4.5) proposal to apply this height limit to Area 2B within the API.

We continue to recommend that, since this API has predominantly pitched roofs, the 45' height limit be applied as part of a two-tiered height limit with 45' as maximum height with a pitched roof. Two-tiered height limits are used in most other residential areas of Oakland.

We also recommend that the 45' height limit be applied to the entire API, especially the important Alice Street frontage facing Harrison Square (Chinese Garden Park).

The visual integrity of this API is especially fragile given its mostly 1-2 story wood frame Victorian and Edwardian residential structures. Abrupt height increases at the API's boundaries could result in new buildings much more massive than those within the API that could visually overwhelm the API and compromise its integrity. An example is the new ca. 65' tall building under construction at 6th and Oak Streets (see Attachment 1 photo).

For this API, it may therefore be advisable to provide a **height buffer area** for properties in close proximity to the API. However, in most cases the need for a buffer will depend on the more detailed height standards governing high-rise towers that are to be developed as part of the Final Plan (see Comment 5 below). We will therefore await development of these standards before assessing the need for buffer areas.

2. **Height limits for other historic areas.** We continue to urge a **finer-grained height map to address historic areas** ("Areas of Primary and Secondary Importance") so that height limits are consistent with the development character of these areas as set forth in Policy 3.9 of the General Plan's Historic Preservation Element.

Attached is a marked-up copy of the Figure 4.5 height map showing specific modified heights for portions of these APIs and ASIs.

- 3. Special height and design issues for the MTC/ABAG site.** The podium height for this site has been increased to 85'. The podium height should be reduced to 45'. to avoid visually overwhelming the 7th Street API when viewed from both directions along 7th Street.

In addition, development along the 7th Street frontage should have setbacks and façade articulation comparable to the API's contributing structures along the north side of 7th Street to maintain the streetscape rhythm of their facades.

We've previously stated that 45' podium heights are appropriate for most portions of the planning area including the three "BART blocks".

- 4. Restore previous linkage between "extra" tower height limits and community benefits.** We were surprised that the Draft Preferred Plan deleted the previous proposals' linkage between the "extra" tower height and community benefits. The explanation that this deletion was necessary to allow for **any** high-rise development is unconvincing, given: (a) previous emphasis given to this linkage in earlier versions of the plan; and (b) such recent projects as Eight Orchids, The Ellington, and the proposal for the block bounded by 6th, 7th, Harrison and Webster Streets.

Changing the "extra" height to by-right seems inappropriate given the projects noted above and that buildings using the extra height will be radically out of scale with most of the plan area. Curiously, the discussion in Section 9.2 (Incentives for Economic and Community Benefits) seems to assume that the extra height provision is still in place.

In the absence of such linkage, the by-right height limits for towers should be no greater than shown on the previous height map and possibly limited to just podium heights, especially in Height Areas 4 and 8.

In addition, the community benefits need to be clearly defined and quantified in terms of, for example: extra number and type of affordable housing units: exact nature of any historic preservation provisions: size, location and configuration of public open space: etc. The community benefits approach outlined in Section 9.2 has several components which could help quantify the linkage between community benefits and extra height for individual projects.

- 5. Provide a special CSG workshop on building height and Floor Area Ratio (FAR).** Height and bulk are complex topics that need careful consideration. Staff and the consultants have advised that a special workshop will be held as part of development of the Final Plan and will address detailed height issues such as tower width, tower setbacks from podium perimeters, minimum separation of towers, response to neighborhood context, etc. The workshop also needs to address FAR, since FAR governs overall development intensity and can function as a de facto height limit.

The existing bulk and tower regulations in Table 17.58.04 of the Zoning Regulations are generally inadequate. Vancouver's rules for tower configuration are a good alternative.

The ultimate tower heights will depend on the detailed tower regulations and may therefore need to be changed from the heights presented in the plan documents presented so far.

- 6. Reclassify the Fire Alarm Building site from "flex zone" to "open space".** This City-owned site is essentially part of Lakeside Park and should be recognized as such. The Fire Alarm Building is a B-rated historic building and part of the early twentieth century complex of civic structures within Lakeside Park that, along with the park itself, reflect the "City Beautiful" movement.
- 7. Consider greater density for Site 39 (Laney College Parking Lot).** Why does Figure 3-4 show low-rise buildings for Site 39, which seems like an ideal high-rise site? It would also appear to be a good

location for high-density residential development combined with various other uses, including college-related activities.

8. **Additional historic preservation strategies.** Add and discuss the following strategies to those listed under “protecting historic resources” on Page 8-6:
 - a **Transferable development rights.** TDRs were mentioned in previous documents but are omitted in the Draft Preferred Plan.
 - b **Expand the Residential Facade Program to other building types.** Included as a potential funding source contributions from large scale projects that are allowed extra height and/or floor area in exchange for community benefits.

Add the above strategies to the list of community benefits in Section 8.5.

9. **Delete “incorporating denser and larger development on top of...existing low scale buildings” as a preservation strategy (pp 8-6 and 8-7).** This strategy is very difficult to execute without compromising a historic structure’s integrity.

In addition, the paragraph presenting the strategy is misleading where it describes the King Block API as including “some dense multistory development”. This API is limited to 1-4 story buildings which do not seem particularly dense.

10. **Kaiser Auditorium.** Reuse options need to be presented for this underutilized historic structure. Why is it not shown on the “opportunity site list” (Table 3.3.3) but still shown as Site 20 on the Figure 3.1 map?

11. **Transportation.** The substantial increase in trip generation discussed in Section 7.5 is a very significant issue and needs to be carefully evaluated to identify and minimize adverse effects within the plan area and elsewhere.

As noted in our previous letters, the source of peak hour traffic on 7th Street needs to be determined. It may be I-880 freeway traffic seeking to avoid peak hour congestion. Freeway traffic should be discouraged on 7th Street and specific actions should be proposed as part of the plan process to accomplish this.

Based on the results of this additional analysis of 7th Street traffic, two-way conversion of 7th Street (especially between Harrison and Fallon) and/or wider sidewalks (existing sidewalks are only 8’ wide +/-) to reduce traffic impacts on the neighboring historic buildings and residential uses should be considered. The analysis should also consider the various build-out scenarios at Alameda Point.

12. **Under-freeway pedestrian connections.** While the “art wall” concept is a promising idea, the graphic illustrations in the Emerging Plan Framework also need to show the “active uses” that have been discussed (mobile restaurants, retail carts, public markets, etc.). These active uses should probably abut the sidewalk rather than be separated from the sidewalk by the art wall and in the case of Webster Street be considered an extension of the ground floor retail uses north of the freeway. Lighting should be designed to illuminate the underside of the freeway to mitigate the tunnel effect.

13. **Strengthen the historic preservation language in the Goals and Vision Statements.** One possibility is “maximize the land use and development opportunities created through preservation and restoration of historic buildings”. We note that this language has been added to the Historic Resources section, but it should also be included in the Goals and Vision Statements.

14. Show the boundaries of all APIs and ASIs on all of the planning maps. We are concerned that opportunity sites may creep into valuable API areas and atop other historic resources, without it being easily legible on the planning documents.

15. Improve Harrison Square's (Chinese Garden Park) usability and pedestrian access. Specific possibilities may include:

- a. Narrowing the 7th Street roadway (as suggested in Item 11 above) and providing a traffic signal at 7th and Alice to slow down traffic and assist pedestrians crossing 7th Street to reach the park.
- b. Providing a freeway sound wall.
- c. Providing a more varied range of programs at Harrison Square that address a broader population group.

Although some of these strategies are scattered throughout the Draft Preferred Plan, they should be specifically listed in the Chinese Garden Park discussion on Page 5-8.

Thank you for the opportunity to comment. Please contact Christopher Buckley at cbuckleyaicp@att.net or Naomi Schiff at naomi@17th.com if you would like to discuss these comments.

Sincerely,



Dea Bacchetti,
President

Naomi Schiff and Christopher Buckley
Oakland Heritage Alliance Preservation Committee

Attachments:

1. Photo of new building at 6th and Oak Streets next to the 7thStreet/Harrison Square API
2. Marked-up height map (Figure 4.5) where height limits should be consistent with historic building heights

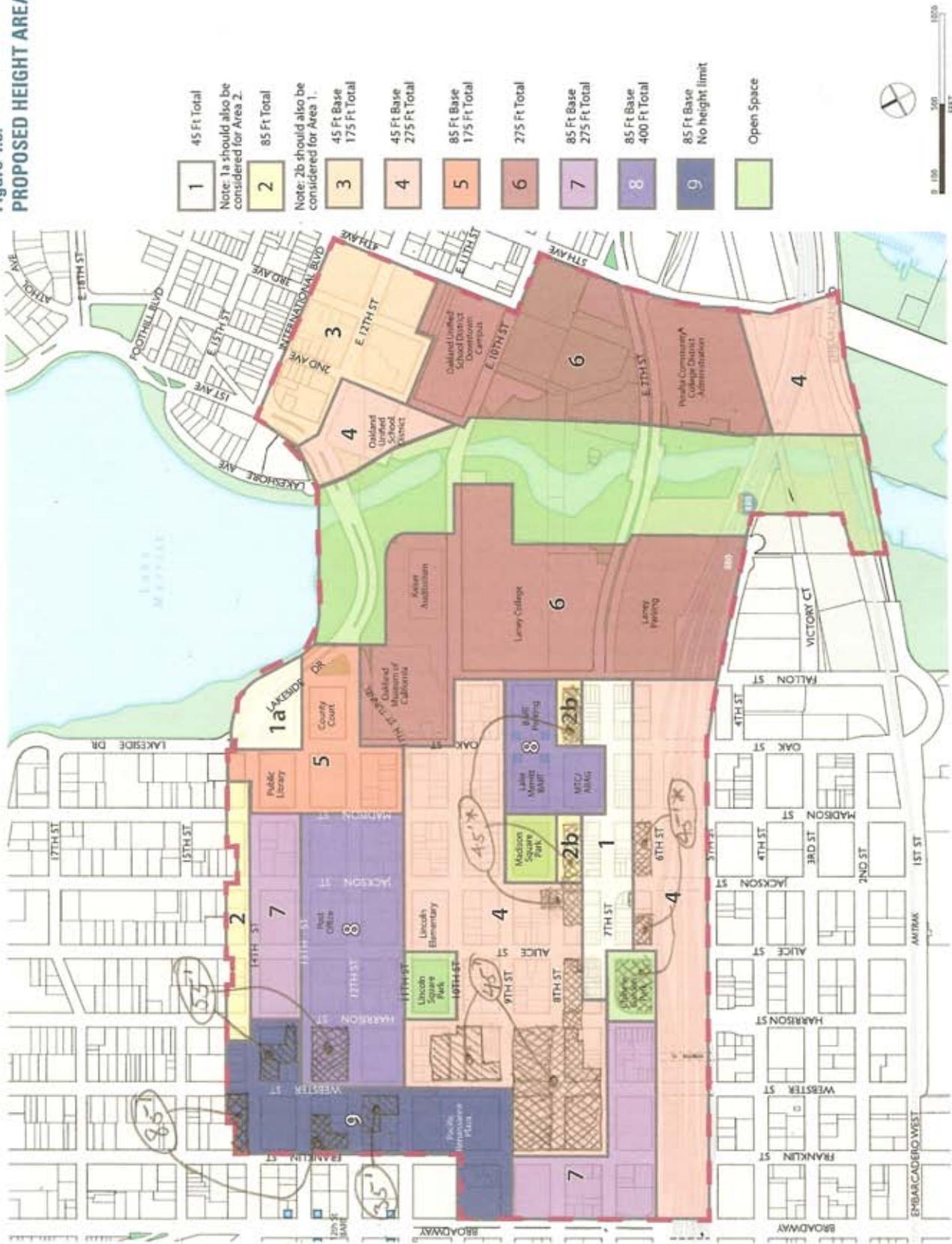
By electronic transmission:

cc: Oakland Heritage Alliance Board and Preservation Committee
Eric Angstadt, Alicia Parker, Christina Ferracane
Leslie Gould, Dyett and Bhatia
Landmarks Preservation Advisory Board
Councilmember Pat Kernighan



HISTORIC AREAS WHERE HEIGHT LIMITS SHOULD BE CONSISTENT WITH HISTORIC BUILDING HEIGHTS

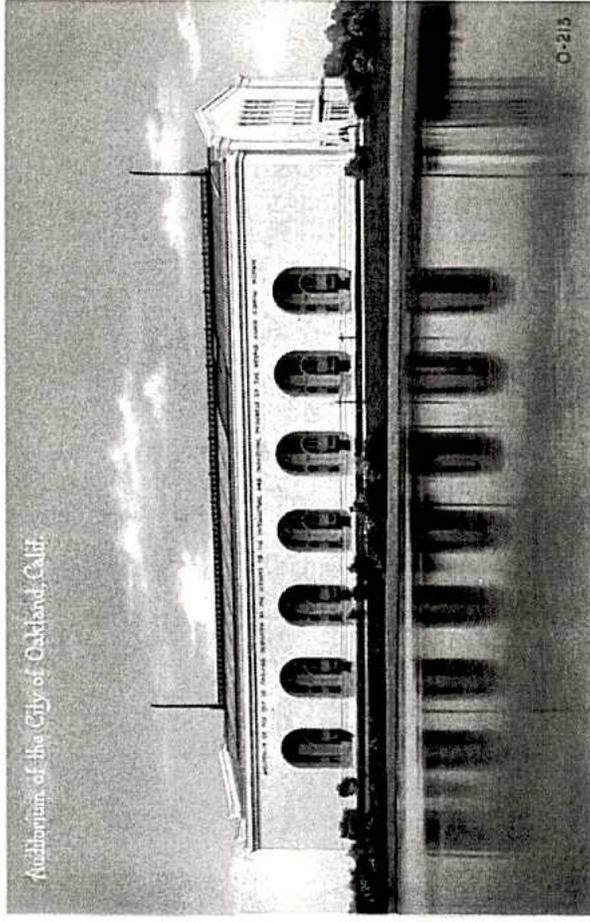
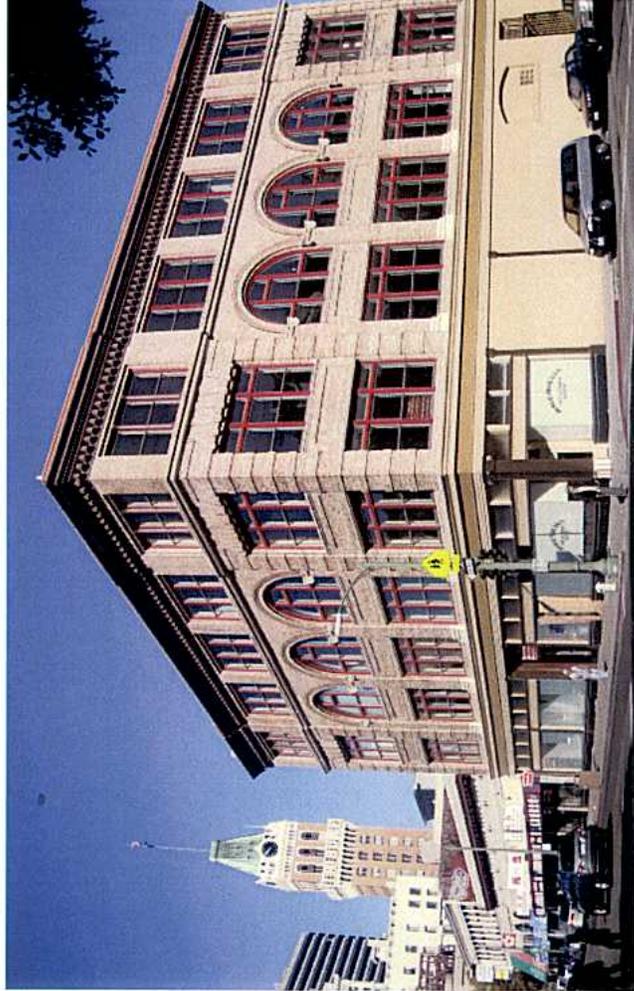
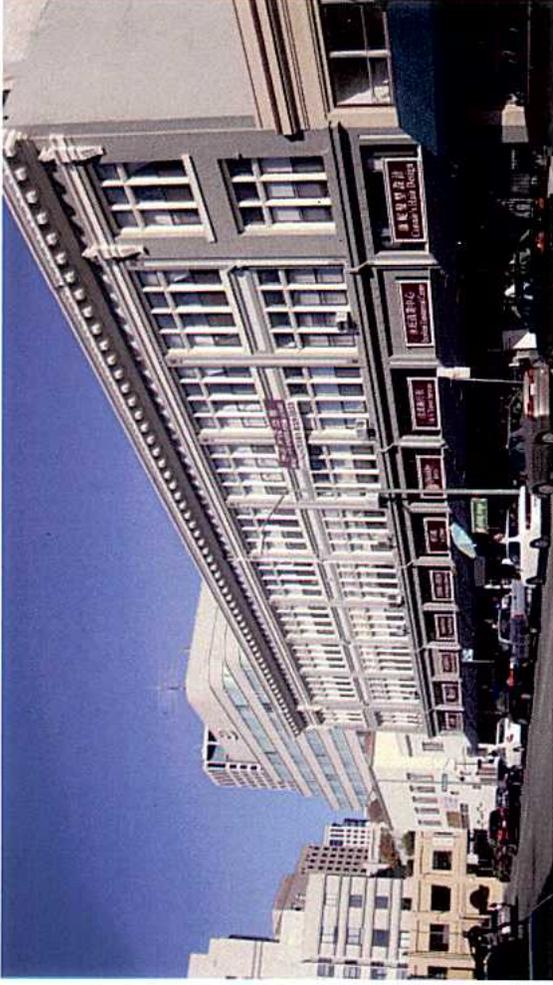
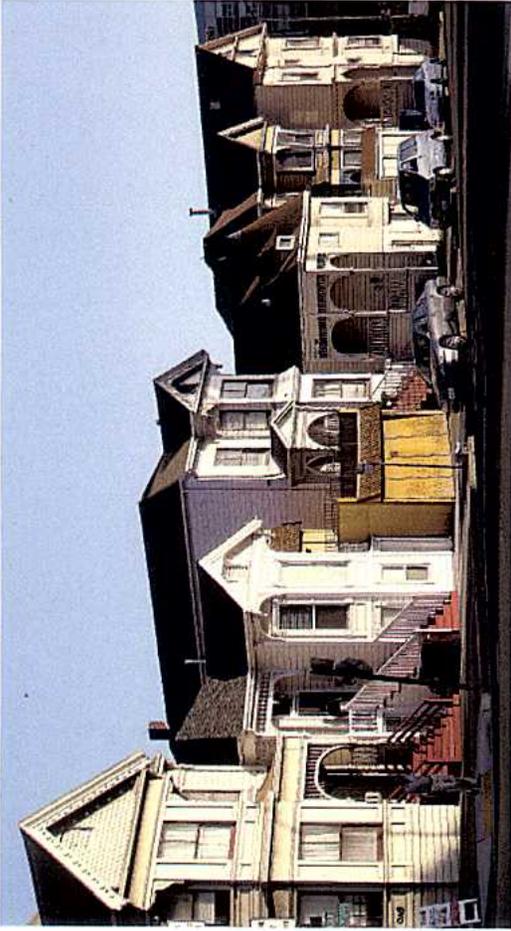
Figure 4.5:
PROPOSED HEIGHT AREAS



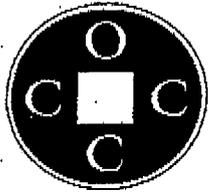
DRAFT PREFERRED PLAN

 AREAS OF PRIMARY IMPORTANCE
 AREAS OF SECONDARY IMPORTANCE

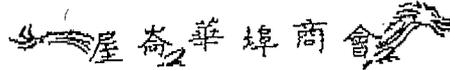
(85') = OAKLAND HERITAGE ALLIANCE - RECOMMENDED HEIGHT LIMIT
 * = HEIGHT LIMIT WITH ALSO EAST 12-7-11



OHA: areas to consider in setting heights and guidelines
 Example of pre-1906 residential (Alice betw 6th and 7th) Chinatown ASI
 King Block Oakland Auditorium



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Introduction

Chinatowns around the country are going through transformation. Traditionally, Chinatowns have been home to immigrants who prefer to live in a community that provides jobs with limited English language requirements and familiar cultural activities. New and first generation immigrants are the backbone of the Chinatown community. However, once the children of the immigrants have access to better education they find better jobs, and move out of Chinatown. Sometime their parents remain in Chinatown because of the cultural support.

With the rise of economic opportunity in China and other Asian countries, the flow of immigrants who want to seek a better life here is on the decline. Today's immigrants are not all unskilled laborers. They are educated, more affluent, and have financial resources to live in suburban neighborhoods and send their children to private schools. The attached article addresses the trends of declining Chinatowns all over the county.

Oakland Chinatown has experienced a similar trend. In the last 3 years, businesses have suffered, which has resulted in the closure of restaurants, retail stores and banks. Never in the history of Oakland Chinatown, have we experienced so many empty storefronts. An additional factor contributing to the decline of business here is the perception of crime and public safety which deters people from coming to Oakland. There are better choices for customers to shop in Asian malls in surrounding suburbs. The Chinatown community lacks a strong consumer base with disposable income.

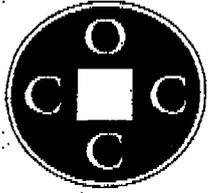
The Lake Merritt BART development plan requires a vision to recognize the changing time and the influx of future residents. This is an opportunity to transform the area into a true transit oriented development consisting of a commercial center and market rate housing which caters to affluent residents. The area is a prime location for such development. It is in close proximity to business centers - downtown financial district, Jack London Square, Port of Oakland and Chinatown. The area is also surrounded by the Museum, Lake Merritt and colleges. The area is easily accessible by public transportation centers - BART and has access to freeways.

In light of this background here are the comments by Oakland Chinatown Chamber of Commerce on the "Preferred Plan."

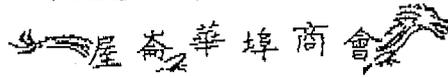
3. Summary of Development Potential Demographics and Population Projections

Due to the economic boom in China, the trend is no longer leaning toward a Chinatown which at one time catered to poor immigrants. We should be ready for a new wave of affluent immigrants with disposable income and families coming here to seek a higher education opportunity for their children

A true transit oriented development should consist of a commercial center and market rate housing designed to cater to residents with disposable income. Immigrant parents may want to stay in Chinatown due to cultural factors but can afford market rate housing



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4.5 Proposed Height Areas

Keep the higher density for the area to attract large-scale new businesses and corporations as they will help sustain small businesses in the area. Area 2b in Figure 4.5 should be part of area 8 as it is not historical.

5.1 Open Spaces and Recreational Facilities

Madison Park, as is, is unsafe and does not have the amenities as a community Park. OCCC recommends it be developed significantly with an underground parking structure and an elevated active park above (example is San Francisco/Chinatown Portsmouth Square or Union Square). The underground parking will relieve parking issues in Chinatown and generate funds for park improvements. It will help the mixed use development with high density housing.

Make the park a public gathering place including a destination point for tour bus pick-ups.

6.3 Streetscape Improvements and 6.4 Recommendations for Key Streets

In lieu of trees, Chinatown needs surveillance cameras and street lights for public safety reasons. With reduction of lanes or changes of one-way into two way lanes, bulb-outs should not be considered as it will allow one lane at a traffic stop. Streetscape should be minimal and easy to maintain. Do not provide streetscape that attract trash collectors

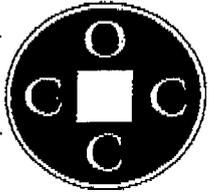
8.6 Draft Affordable Housing Strategy

Re-assess the current stock of affordable housing in the area. This includes future ones in the plan and the 15% that comes with market rate housing. If we go over 15% there is a problem. We do not oppose affordable housing but it should not be concentrated in one general area such as the Lake Merritt BART Station Planning area and should be distributed throughout the city of Oakland. Additionally, this is already a part of the redevelopment area.

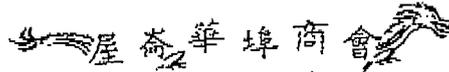
Here is our estimated listing of affordable housing in the area and surrounding area:

Pacific Renaissance Plaza

388 Ninth Street, Suite 258, Oakland, CA 94607 (510) 893-8979 Fax (510) 893-8988 E-mail OaklandCTCchamber@aol.com



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6th & Oakland – currently under construction (70 units)
Oak and 11th St, AHA (45 units)
Frank Mar – Senior (90 units)
14th & Jackson –AHA (70 units)
St. Mark (Senior) (100 units)
Hotel Oakland (Senior (300 units)
211 7th Street Doh On Yuen (Senior) (? Units)
#100 9th across from BART Station – EBALDC (98 units)
Pacific Renaissance Plaza (35 units left)
Nobles Tower, 1525 Lakeside (120 units)
17 & Harrison (65 units) under construction
Madrone Hotel 487 8th St. (32 units)
Swans Housing 9th & Franklin (18 units)
San Pablo Hotel, 19th & San Pablo (144 units)
Fox Court, Apts., 19th Street (? Units)

Total of _____ Units

7.2 Bicycle Access Improvements

We are not in favor of Bicycle Routes in the Chinatown Commercial corridor due to the high density of pedestrians, cars, turns at the end of each block and safety reasons. (Boundaries of this commercial core are Broadway to Harrison Streets and 7th to 10th Streets on Webster and Franklin Streets).

8.5 Community Benefits

No "impact fees" and maintain community benefits to a level where it will not discourage potential developers and investors.

9.1

An Economic Development and Marketing Strategy with incentives should be the priority and driving force for this TOD. Consider EB5 as strategy for the TOD development to attract oversea investors to come and live in Oakland. The success of TOD not only benefits Chinatown community but the entire City of Oakland.

Additional Comments:

The Open Door Mission on 7th Street should be re-located to another area and not be in the heart of a vibrant TOD because it is a deterrent to potential investors and developers.

Move free youth centers from the area to a safe environment because the TOD vision is for business and housing in the downtown business corridor.

Jennie Ong
Executive Director

2011.12.07_Jennie Ong (Oakland CT Chamber).txt

From: OaklandCTChamber@aol.com

Sent: Wednesday, December 07, 2011 5:29 PM

To: Lake Merritt Station Area Plan

Subject: Fwd: Articles about Chinatown

Attachments: Articles about Chinatown

I have attached an article called the "End of Chinatown" to substantiate our reasoning for the Chamber's comments on the Preferred Plan. Once a thriving destination that generated large sales tax revenue for the city will be a slow demise without significant small and large businesses in the Lake Merritt area to sustain Chinatown and the entire city.

Jennie Ong

DISPATCHES

DECEMBER 2011: **CITIES** | **JUSTICE** | **PARENTHOOD**
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The 2010 census showed the population of New York's Chinatown dropping by 9 percent—the first decline in recent memory.

CITIES

The End of Chinatown

DOES CHINA'S RISE MEAN THE END OF ONE OF AMERICA'S MOST STORIED ETHNIC ENCLAVES?

By *Bonnie Tsui*

AS THE MANAGER of a Chinatown career center on Kearny Street in San Francisco, Winnie Yu has watched working-class clients come and go. Most of them, like Shen Ming Fa, have the makings of the quintessential Chinese American immigrant success story. Shen, who is 39, moved to San Francisco with his family last fall, an

English-speaking future in mind for his 9-year-old daughter. His first stop was Chinatown, where he found an instant community and help with job and immigration problems.

But lately, Yu has been seeing a shift; rather than coming, her clients have been going—in pursuit of what might be called the Chinese Dream.

“Now the American Dream is broken,” Shen tells me one evening at the career center, his fingers drumming restlessly on the table; he speaks mostly in Mandarin, and Yu helps me translate. Shen has mostly been unemployed, picking up part-time work when he can find it. Back in China, he worked as a veterinarian and at a school of traditional Chinese culture. “In China, people live more comfortably: in a big house, with a good job. Life is definitely better there.” On his fingers, he counts out several people he knows who have gone back since he came to the United States. When I ask him if he thinks about returning to China, he glances

DAVID LEVENT

at his daughter, who is sitting nearby, then looks me in the eye. “My daughter is thriving,” he says, carefully. “But I think about it every day.”

Recent years have seen stories of Chinese “sea turtles”—those who are educated overseas and migrate back to China—lured by Chinese-government incentives that include financial aid, cash bonuses, tax breaks, and housing assistance. In 2008, Shi Yigong, a molecular biologist at Princeton, turned down a prestigious \$10 million research grant to return to China and become the dean of life sciences at Beijing’s Tsinghua University. “My postdocs are getting great offers,” says Robert H. Austin, a physics professor at Princeton.

But unskilled laborers are going back, too. Labor shortages in China have led to both higher wages and more options in where they can work. The Migration Policy Institute, a Washington, D.C.-based think tank, published a paper on China’s demography through 2030 that says thinking of migration as moving in just one direction is a mistake: the flows are actually much more dynamic. “Migration, the way we understand it in the U.S., is about people coming, staying, and dying in our country. The reality is that it has never been that way,” says the institute’s president, Demetrios Papademetriou. “Historically, over 50 percent of the people who came here in the first half of the 20th century left. In the second half, the return migration slowed down to 25, 30 percent. But today, when we talk about China, what you’re actually seeing is more people going back ... This may still be a trickle, in terms of our data being able to capture it—there’s always going to be a lag time of a couple of years—but with the combination of bad labor conditions in the U.S. and sustained or better conditions back in China, increasing numbers of people will go home.”

In the past five years, the number of Chinese immigrants to the U.S. has been on the decline, from a peak of 87,307 in 2006 to 70,863 in 2010. Because Chinatowns are where working-class

immigrants have traditionally gathered for support, the rise of China—and the slowing of immigrant flows—all but ensures the end of Chinatowns.

Smaller Chinatowns have been fading for years—just look at Washington, D.C., where Chinatown is down to a few blocks marked by an ornate welcome gate and populated mostly by chains like Starbucks and Hooters, with signs in Chinese. But now the Chinatowns in San Francisco and New York are depopulating, becoming less residential and more service-oriented. When the initial 2010 U.S. census results were released in March, they revealed drops in core areas of San Francisco’s Chinatown. In Manhattan, the census showed a decline in Chinatown’s population for the first time in recent memory—

almost 9 percent overall, and a 14 percent decline in the Asian population.

The exodus from Chinatown is happening partly because the working class is getting priced out of this traditional community and heading to the “ethnoburbs”; development continues to push residents out of the neighborhood and into other, secondary enclaves like Flushing, Queens, in New York. But the influx of migrants who need the networks that

Chinatown provides is itself slowing down. Notably, the percentage of foreign-born Chinese New Yorkers fell from about 75 percent in 2000 to 69 percent in 2009.

Chinatowns almost died once before, in the first half of the 20th century, when various exclusion acts limited immigration. Philip Choy, a retired architect and historian who grew up in San Francisco’s Chinatown, has observed the neighborhood population of Chinese immigrants being replaced by new generations of Chinese Americans. “Chinatown might have disappeared if it weren’t for the changing immigration policies,” he told me recently. Only after the 1965 Immigration and Naturalization Act lifted quotas did the Chinese revive Chinatowns all across the country—especially those communities in New York, San Francisco, and Los Angeles.

Of course, since the days of the Gold

Rush, the Chinese always thought they were going to move back to China after earning their fortune elsewhere. As Papademetriou told me, what came before often happens again. Only now, fortune can be found at home.

This departure portends the loss of a place once so integral to Chinese America that Victor Nee and Brett de Bary Nee, in their 1973 book, *Longtime Californ’*, noted that “virtually every Chinese living in San Francisco has something to do with Chinatown.” Two years ago, when I was on tour for my book about Chinatowns—a kind of love letter to the neighborhood that accepted my family when it first arrived in the United States—the future of these enclaves was an open question. But if China continues to boom, Chinatowns will lose their reason for being, as vital ports of entry for working-class immigrants. These workers will have better things to do than come to America. ■

Bonnie Tsui is the author of *American Chinatown: A People’s History of Five Neighborhoods*.

JUSTICE

Prisoners of War

WHY SHOULD VETS GET THEIR OWN COURT SYSTEM?

By Kristina Shevory

MOST COURTROOMS IN the Frank Crowley Courts Building in Dallas hadn’t yet opened for normal business at 8:15 on a recent Friday morning, but onlookers filled the benches in Judge Mike Snipes’s court. Snipes sat erect, grasping a gavel and looking magisterial in his robes. The two tables in front of his bench were laden with cakes and breakfast tacos. A CONGRATULATIONS banner, in gold and silver, hung behind him.

“Ryan Adams and Kinikia Burdine,” Snipes barked in a clipped voice that betrayed his history as an Army colonel. “Front and center.”

The roughly 30 people in the court, most of them veterans, stood and faced the back of the courtroom. Several smiled as “The Army Goes Rolling Along” began to boom from an iPod next to the judge’s bench. The doors flew open and in marched Adams and



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December 7, 2011

Ed Manasse
City of Oakland
Community and Economic Development Agency, Planning
250 Frank Ogawa Plaza, Suite 3315
Oakland, CA 94612

Re: Lake Merritt Station Area Plan – Comments on Preferred Plan

Dear Mr. Manasse,

This letter expresses the Chinatown Coalition's comments on the Lake Merritt Station Area Preferred Plan. The Coalition, comprised of the organizations and stakeholders listed below, have reviewed the plan.

2.7 Upper Chinatown

The existing conditions fail to recognize OSCAR assessment of Chinatown, which shows that it is over impacted and underserved. It also fails to acknowledge Lincoln Recreation as a multi-generational-use center that is highly overused with structural buildings in need major renovations and improvements.

The vision is not open space that complements Lincoln Square Recreation Center, but for adequate recreational facilities to serve the growth and intensity of population growth.

3.1 Summary of Market Demand Analysis

Economic Context

- Does "regional policy favoring growth in urban core areas" constitute real demand? It appears that Oakland lost residents or stayed even from 2000 to 2010.

Chinatown

- No comments on this section. The analysis in this section needs additional specificity.

Demographics and Population Projections

- Is there any judgment regarding whether ACTC and ABAG's projections are realistic? The cited sources imply a population growth of nearly 80% over the next 25 years. If they are not reliable projections, what are more realistic projections?

Retail

- The report projects demand for 414,000 additional square footage of retail space by 2035, but it is difficult to understand, from both the text and tables, how these numbers were derived.

Office

- The report states that the Planning Area lacks employee oriented shopping, dining, lodging, and infrastructure amenities necessary to attract Class A space development. In

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reality, Class A space development and leasing usually attracts employee oriented shopping, dining, and lodging. Some of the infrastructure is already in place with BART and train station accessible to neighborhood.

Hotel

- Is the Oakland hotel sector less vulnerable to economic shifts? Please site sources.
- How have hotels been impacted by recent recession? Please cite backup sources.
- Are any of the four proposed future hotel developments in the Planning Area?
- This section contains no real information about how feasible future hotel development is.

Planning Area Market Opportunity

- The tables in this section need additional explanation and clarity.

3.2 High and Low Development Potential

- Development projections on small lots (0.5 acres and below) seem to be too high. Any development above 3 – 4 stories on these lots will likely not occur unless the lots are combined into neighboring parcels.
- This section contains more in-depth analysis than in previous sections. What does it mean that the development buildout potential is only approximately 1/3 of CMA's estimates and perhaps 75% of ABAG? A conversation with the consultant is needed to explain how the analysis is structured.

3.3 Job Generation and Types of Jobs

- The Plan should be clear that this is not a plan for how to develop jobs. The report is a projection of the emerging plan buildout of space, and how that space translates into number of employees housed, given assuming benchmark ratios of square footage per different types of employees.
- Please note that jobs for local residents (where there is a high proportion of monolingual residents) tends to happen in smaller retail and office spaces.

3.4 Market Feasibility Assessment

Recession Impact

- More specificity in this section is needed. Please site sources in this section.

Scenarios Reviewed

- Revenue Assumptions – the monthly parking revenue closer to \$125/space
- Feasibility Findings
 - Average unit size only 750 square feet? That means only building small 1BR units? Most market rate buildings will tend to have larger square footages to justify the higher rents, although I agree that developers will try to do more 1BR and 2BR units, and fewer 3BR units.

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- Hi-rise residential hard cost probably too high at \$285/SF. Currently closer to \$225 - \$250/SF if no prevailing wage requirements. Why is the mid-rise hard cost in Scenarios A and B (\$285/SF) different from the mid-rise hard cost in Scenario C (\$225/SF)
- Retail vacancy should be increased from 5% to between 30% to 50%. Addition of retail space is generally not a positive impact on project feasibility unless you are already in a retail rich area.
- We agree in general with the development pessimism, but I do not think that it is as negative as this analysis portrays simply because I think the hard costs used in the analysis is too high.

Plan Implications

- We agree that lower density rental residential is the project type that is most feasible in the short run. This leads to the conclusion that the majority of our land is overzoned, which encourages speculation and discourages actual development from taking place.
- We have qualified agreement that in the short term, density incentives will not boost affordable housing development. However, if you phase in the policy over time (which gives the market time to come back), by the time you are seeing rents and sales prices that make high density development feasible (and gentrification becomes a real threat), you will have a policy in place that provides certainty to both the developer and the community.

Chapter 4

The CUP/Community Benefit

We absolutely object to the CUP/Community Benefit component being eliminated from the tower height criteria. As a long term guiding document, current market conditions should not dictate its complete elimination. It is a measurable aspect of development that can be quantitatively exchanged (additional height or density FAR) and directly linked to a set of known community benefits.

Building Massing/Tower Guidelines

Table 17.58.04 is not a standard that will achieve the Emerging Plan's stated goal of limiting the impact of towers and ensuring towers will be well integrated into the existing neighborhood context. Applying those standards to future development would negatively impact smaller scaled neighborhoods like Chinatown. The study team has frequently used visual examples of Vancouver to show high density development that is sensitive to neighborhood and pedestrian scale. Our previous comments have referenced the City of Vancouver's Downtown South Guidelines as the guiding document for tower floor plate, tower dimensions and distance apart of towers.

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Building Heights

We support the lower podium height (to 45 feet) for Zones 1, 3 and 4. However, we oppose the change from the previous report for Zone 8 (55 feet to 85 feet). We oppose the change for Zone 2b (55 feet to 85 feet) and see this as part of Zone 1. As stated, we oppose the proposed by-right tower heights and ask that the previous CUP/Community Benefit tower heights we previously recommended be used. We had proposed stipulating two types of podium heights and two types of tower heights with CUP.

Bart Blocks Concept Plan

The current Emerging Plan continues to show the BART development as disparate building blocks without a cohesive strategy for providing both visual and physical connections between Laney College and the Chinatown commercial center. The Preferred Plan needs to provide guidance on the exiting and entering experience at the Laney College-Chinatown BART station to ensure that the pedestrian experience and streetscape connections that are sought for the area between Laney College and Chinatown are defined. The preferred plan must acknowledge the connection to the Chinatown commercial center as much as it has to Laney College.

Active Ground Floor Uses

We previously had recommended that new buildings have “permitted use” and “conditionally permitted use” categories rather than be strictly “required” to include active uses in new building along key corridors which has been ignored.

We would like to again raise the issue. Planning should not be so prescriptive that it legislates what the market will dictate. The downside of this “prescriptive” planning will be less development and/or vacant space at the ground floor level which works against the concept of creating an active vibrant pedestrian-safe streetscape.

A major premise that needs to be re-evaluated is that a safe pedestrian experience can only happen with “active ground floor uses.” There are many situations where the streetscape itself through its design and amenities offers a safe pedestrian experience; and is far more successful than relying on the business success of retail/commercial storefronts to activate the street.

Along 8th and 9th Streets between Harrison and Madison are many uses that are institutional, cultural and residential. One has to remember that this area is as much a residential/cultural/institutional neighborhood as it is a commercial district. Daycare facilities, churches and residential housing are a significant part of the streetscape along both 8th and 9th. To assume that such uses will go away, or become redeveloped where “active ground floor uses” prevail is “wishful” planning. It is our recommendation that this “requirement” for active ground floor uses be removed and that it is offered as a “recommendation” rather than a requirement. In conjunction with that recommendation, there should be a requirement to develop the pedestrian streetscape to encourage safe streets through lighting and other streetscape amenities that promote safe pedestrian passage and use of the street to promote the attributes of a vibrant and livable neighborhood.

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5.1 Parks and Community Facilities

The Plan's proposal to address the need for recreational facilities in the Planning Area primarily through existing facilities is not adequate or feasible, and does not result in a net gain in facilities for the neighborhood, despite the population growth.

From the first meeting CSG members all agreed that using money for the extension of the DD channel was not a neighborhood priority, because it will always be the most affordable solution (due to lack of development surrounding it and being outside the boundaries of any neighborhood). The coalition requests that it be taken of consideration as an alternative for open space contribution in the project area, or made the lowest priority for park investment.

The Chinatown Coalition asks that an emphasis be placed on neighborhood serving parks and facilities (vs. reinforcing the existing regional serving framework that the public facilities put on the neighborhood). Neighborhood serving facilities ensure that facilities will be fully utilized and at the same time does not exclude the broader regional population. Lincoln Park is a perfect example.

Laney College/Peralta College facilities are designed and programmed to run through multiple cycles through the morning, day and evenings, these are teaching facilities and unlike their open space, are not appropriate for general public access. At best, access would be through organizations (coordinating events at the college similar to the planning process) which is public access, but not control of the facility.

The Oakland Unified School District is developing a space that addresses the needs of La Escuelita Education Complex, but at this time does not address the needs of all school facilities, specifically charter schools, within the area, much less serving the public. Optimum for the project area would be for joint use agreements with Oakland Unified School District to be developed to address existing charter school needs/demand in the project area. Also requested is stronger zoning regulations around the open space provision as part of the development/permitting of charter schools, pre-schools etc. This is not public open space but ensuring that children and youth have adequate recreational space within their educational facilities.

The consultants' proposal that projects contribute differently to park/open space requirements (office buildings provide passive open space, family housing provide play structures) is focused on providing amenities to the building occupants, and not neighborhood amenities. What happens to the space after hours when the office building is closed? The County Building Plaza on any evening or weekend is an example.

In particular the areas where large development opportunities occur which will be the areas of increased residential population. The Plan should explicitly address the need for community/youth center for dedicated programming and social services for not only the growing residential population in the area, but the wider community that is drawn to Chinatown

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throughout the city and east bay region. The Plan should address the growing number of Charter schools and students that will need programming and services.

In addition to the added facilities for programming and services, Lincoln Recreation Center needs structural improvements.

The Plan does not make any recommendations to address how safety concerns at Chinese Garden Park will be improved in order to increase the usage of the park.

6.2 Vision Framework

One concept that has not yet been included should be the incorporation of a beautification plan for landscape, pavement and street intersection designs as planned in this section, as well as wayfinding signage, that will acknowledge and celebrate the existing neighborhood's past, present and future. This should include opportunities for public art and historical markers. As 14th Street and 10th Street have been given specific 'identities', perhaps 8th Street can become a route celebrating the history, culture and art of the community.

6.3 Streetscape Phasing Concept

Again, the Coalition would like to reiterate the priority need for this neighborhood is increasing pedestrian-oriented lighting, to both deter crime and increase evening commercial and residential activity, which is a cultural norm and stated community desire. Please eliminate Phase 2 and replace with phased plan for increasing pedestrian-lighting in neighborhood.

In addition, Figure 6.2 should show adding pedestrian lighting mid-block, as well as at corners.

We also advocate for requirements for all new developments to provide exterior street pedestrian lights at regular intervals along the façades of their developments.

6.4 Recommendations for Key Streets

7th Street West of Fallon

The description in this section lacks clarity around how many lanes will be on this street. All other street descriptions contain this information. Additionally, there needs to be specific recommendations on how to improve access and safety crossing 7th Street between Harrison and Alice Streets, to better connect the community to Harrison Park, if in fact it will remain at present site – perhaps a median island as has been designed for 7th Street east of Fallon, or a pedestrian bridge (with elevators) – so that elderly who use the programs at Harrison Park can have easier and safer access. This is a key problem for the community that this Specific Plan should address and solve.

Webster Street

The description should mention and plans should coordinate with the Webster Street Green plan that is currently underway. Webster Street pedestrian improvements from 7th to 5th should include additional pedestrian lighting, sidewalk widening, and public art in its list.

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I-880 Undercrossings

It might be useful to study if these sidewalks can be widened to accommodate planned active uses and safer, more pleasant pedestrian experiences.

6.5 Transit Hub

A transit hub location should be considered at Madison Street, rather than Oak Street. Having major bus transfers, vehicular drop-offs and BART entries along Madison Street between 8th and 9th Streets will provide the greater level of pedestrian traffic and population that will increase safety and vitality of Madison Park, and also provide a more gracious introduction of this neighborhood to BART travelers. Consider the many precedents of successfully co-locating transit entries with public parks – for instance, Union Square in Manhattan. Locating along Madison Street will also serve to provide connection between the Chinatown community and the entities surrounding the BART development. Another important consideration is how the transit hub’s design, surrounding retail, activities, etc. will reflect a strong connection with Chinatown and community residents.

7.1 Bicycle and Pedestrian Improvements

Introduction

These remarks should acknowledge that traffic related to development in Alameda make it difficult to achieve the circulation strategies, especially those related to pedestrian safety.

Pedestrian Improvements and Traffic Calming

- Installation of four-way crosswalks or scramble systems should focus on the following key intersections:
 - 10th Street and Webster
 - 8th Street and Harrison
 - 9th Street and Harrison

The Preferred Plan includes 8th/9th Streets and Webster & 8/9th Streets and Franklin, but these intersections currently already have scramble systems. A secondary tier of pedestrian improvements for additional intersection such as 8th/9th and Jackson should also be included.

- Under the strategy of coordinating traffic signals and timing to calm traffic and improve the pedestrian experience, the strategy to provide additional crossing times via “press and hold” pushbuttons should be prioritized for placement near senior centers, day care and recreation centers, and parks and schools where both children, adolescents and elderly gather. This should be clarified and acknowledged.
- While we acknowledge that the BMP is City policy, the Chinatown community had little input on the City's Bicycle Master Plan given the proposal to establish Class 1 bike lanes on several streets that impact the Chinatown core. In this light, the specific plan should contain an analysis of what effect that policy will have on Chinatown. Ideally, bike lanes should be located along the periphery of Chinatown and not through its core area. The conflict between bike riders, pedestrians, autos, and delivery vehicles presents a real problem. Those blocks in the Chinatown core that have enough width to accommodate a

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bike lane should instead be prioritized and planned for wider sidewalks and bulb-outs rather than bike lanes.

7.2 Station Access Improvements

- The “Transit” subsection should include the following short-term action: Re-name the Lake Merritt BART Station to the “Laney College/Chinatown BART Station” to reflect the true community’s identity.
- The Shuttle subsection discusses the addition of “shuttle routes or extensions that serve the Chinatown commercial core should also be considered, as outlined in Revive Chinatown.” Figure 7.3 entitled “*Priority Pedestrian, Bicycle, and Shuttle Improvements*” should reflect this recommendation and illustrate a route thru Chinatown to assist with mobility from Chinatown to BART, Jack London Square, as well as parking lots underneath the freeway.

7.3 Roadway Network

- The “one-way to two-way conversion” subsection should reference “*Revive Chinatown*” alternative recommendations for converting 7th through 10th and Harrison, Webster, and Franklin to two-way streets as an appropriate context rather than simply stating the issue is fraught with controversy.
- As stated in our previous comment letter, in order to make the area safer for both bicycles and pedestrians, the inclusion of more two-way street conversions should be proposed in the plan that includes Webster, Franklin and 10th Street west of Madison Street. Overall, two-way street conversions should be prioritized on 7th, 8th, 9th, 10th, Webster, Harrison and Franklin Streets. For example, rather than narrow 8th Street by adding a bike lane, a two-way conversion should be proposed. Additional pedestrian connections at Franklin and Harrison Streets under I-880 undercrossings should also be included.
- The roadway reconfiguration phasing strategy articulates that Phase II, which includes pedestrian-scale lighting, could be implemented prior to Phase I if grant funding becomes available; however, given that pedestrian-scale lighting was the number one priority by the community to address public safety, lighting should be included and prioritized as a Phase I improvement.

7.5 Transportation and Transit Analysis

- As stated in our previous letter, the vehicle trip generation numbers presented in this section represent an alarming exponential increase. With projections indicating that current traffic at peak hours would increase even with a reduction factor for being a TOD neighborhood, the need for an improved and comprehensive traffic impact analysis needs to be acknowledged and included. Since EIR’s address unanticipated impacts, mitigations to these exponential increases in traffic should be considered now in the planning phase given that we know there will be traffic impacts. Air pollution, noise and traffic and pedestrian safety mitigations should be recommended and included in the plan.

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- Given that it is expected that the additional vehicle trip generated will cause significant impacts, it should be articulated that the Plan should not only focus on reducing the amount of vehicle trips via TDM measures to increase walking, biking and transit trips, but also should identify appropriate traffic mitigations and pedestrian improvements.

7.6 Parking

- Two-way conversions within the Chinatown core should be prioritized over angled parking strategies.
- Parking strategies should include and build off *Revive Chinatown's* Parking Management Program recommendations, such as creating a parking signage program, similar to that in San Francisco along Kearny Street, using overhead signs to inform motorists where parking is available. The addition of diagonal parking should be considered on streets just outside of the Chinatown core as recommended by the Revive Chinatown plan.
- Other BART stations have "kiss and ride" loading zones on station property, (e.g. Rockridge, MacArthur). Why should Lake Merritt be any different? Removing metered parking would result in a revenue loss to the city.
- Regarding allowing developers the option to provide on BART owned property, the requirement to provide parking for new development is a city requirement. Therefore developers should have the option to contribute to a city parking district instead or providing required on-site parking.

7.7 Loading Strategies

The Station Area Plan should include recommendations for balancing the needs of merchants and the need to provide some enforcement such as amending Oakland Municipal Code Section 12.04.090 to allow the use of the sidewalk right-of-way in front of businesses in the Plan Area without the need for a yearly permit fee; provided, however, that there is maintained, at all times, a clear space along such sidewalk of not less than five to four feet in width for the use of pedestrians.

Chapter 8

Sections 8.1, 8.3, and 8.4 did not change significantly from the previous Emerging Plan from September, so many of our comments are similar to what was previously submitted:

- Improving the pedestrian experience is critical for preserving and enhancing the vibrancy of the neighborhood. As mentioned earlier, a traffic analysis study should thoroughly assess the origin and destination of traffic traveling down 7th Street. In addition, 8th and 9th Street, as well as Webster, Franklin, and Harrison have been identified as key pedestrian corridors, yet the emerging plan does not explore two-way street "reversions" for these important streets.
- Section 8.1 includes new language that recognizes the need for additional multilingual and cultural community centers and/or library. While this language is incredibly important, we are dismayed that there is nothing in the plan that outlines specific sites or

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mechanisms for achieving these incredibly important and worthy neighborhood institutions that are needed.

- The Chinatown Coalition strongly supports the recommendation for improvements to Madison Square Park, such as adding shelter, seating, play/exercise structures, and public restrooms.
- We strongly support the new language around implementation of policies to mitigate potential noise and air quality impacts to address the neighborhood's proximity to I-880 and other high volume roadways.
- Strategies to address affordable housing and to reduce the effects of displacement and gentrification are critical for ensuring community members of a range of income levels can find quality housing. As Section 8.3 summarizes, housing affordability can affect people's ability to buy food or get medical care, displace residents, or increase overcrowding, and increased rents or mortgage costs can also precipitate eviction and displacement. Please see our comments below regarding how to strengthen the affordable housing recommendations. The lack of these strategies to make housing affordable in the neighborhood can lead to overcrowding, poverty, displacement, and homelessness.
- Similarly, Section 8.3 highlights how active, usable open space is critically essential to community health. Community members utilize open space for a range of activities that have positive health benefits, such as tai-chi, dancing, badminton, basketball, etc. With the proposal for greater density in the area, community members need access to space for exercise and movement to attain physical health and well-being. However, the number of accessible park and recreation space identified in the emerging plan is not sufficient or guaranteed to be active, usable open space. Please see our comments on Chapter 5 for more details.
- Since new development will lead to higher traffic volumes, collision rates, reduced air quality, and noise impacts from vehicles and businesses, strategies are needed to route Alameda, Oakland downtown, and I-880 freeway traffic around Chinatown while allowing facilitated access of Chinatown destination traffic. Transportation and circulation proposals should focus on promoting pedestrian and community mobility to encourage walking, a form of physical activity which can prevent chronic disease, reduce stress, and improve mental health; reducing thru traffic into the Chinatown community which will decrease air and noise pollution impacts; and enhancing pedestrian lighting and safety to ensure that community members feel safe to walk, exercise, and socially interact, all factors that promote health and well-being. Please see our comments on Chapter 7 for more detailed recommendations.
- Section 8.3 should also acknowledge that Oakland Chinatown has significant levels of air pollution. We would recommend including a section acknowledging the following:
 1. Air emissions from vehicles and industrial sources contain pollutants such as ozone, carbon monoxide, particulate matter, nitrogen dioxide, sulfur dioxide, and diesel exhaust--all chemicals that can cause a wide range of health effects including respiratory diseases and cancer.ⁱ
 2. The San Francisco Department of Public Health (SFDPH) performed an Exposure Assessment based on the traffic pattern and proximity of I-880 and

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arterial streets, and estimates that the concentration of PM_{2.5} in Oakland Chinatown is already between 0.6 and 2.2 ug/m³, with the largest midsection in the 1.0 to 1.5 range. For comparison, the action level threshold in San Francisco is 0.2 ug/m³, meaning new residential construction must take affirmative actions to reduce exposure at that level.

- The Public Facilities and Safety section of 8.3 points to Oakland Unified School District facilities as recreational facilities, but does not acknowledge the impact of the recent Charter schools, both on open space and the sustainability of the OUSD system. The OUSD and Laney facilities are not necessarily within easy walking distance for elementary school students coming from the Charter schools that have recently been established within the Chinatown area or the elderly who live or shop in the area. This section should acknowledge the need to identify community facilities, such as a youth/community center, within the Chinatown area that can provide programming space dedicated to services for youth and young adults, and a shared community meeting space for multi-generational use in order to address the neighborhood needs for a safe space that can provide opportunities for youth and community members to gather and socialize to increase *social cohesion, mental health and well-being*, and physical activity, thereby increasing overall community health
- The plan continues to highlight how Lincoln Elementary School is currently already over capacity, and the other small elementary and high school in the planning area are closer to the Eastlake neighborhood. The middle school and high schools serving a large number of students in the planning area are actually located in other neighborhoods. Given the plan is promoting family housing to be prioritized for this area, it needs to identify specific sites for the anticipated increase in students.
- The increased capacity needed by schools to educate increasing numbers of students also creates increased demand for open space and programming that is used by the students. Currently, Lincoln Elementary School and the adjoining Lincoln Square recreation center illustrate how much need there is for open space and programming in the neighborhood.
- Laney College should continue to work on making the campus more connected to community members living in the surrounding neighborhood. Ideas could include offering more job training programs that serve immigrant community members, providing course instruction in community center facilities, and creating accessible and safe pedestrian connections between Eastlake and Chinatown.

8.5 Initial Approach: Community Benefits

The Plan definition of Community Benefits “as community amenities and services that are essential to a sustainable, diverse and highly livable neighborhood” is a co-optation of the term, and not what is meant by the Coalition when referencing Community Benefits.

Historically, community benefits are a recognition of the impacts of development and are negotiated to ensure that the neighborhood/ community most impacted by developments that occur in their neighborhood, receive benefits that mitigate those impacts. Activities and investments that insure the success of the development, or that relieve the city of its role in

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providing city services, are **not** a community benefit as above defined, but a strategy for meeting levels of service established by the city.

In the case of the Lake Merritt Station Area Plan, the community benefit discussion must acknowledge a historical dynamic in which redevelopment resulted in the taking of land for development purposes, *at the expense of* local neighborhood and ethnic communities. This is a historic pattern of urban redevelopment, not unique to Oakland, but in this particular case, the developments that occurred are predominately public-serving entities - MTC, BART, Laney College, Peralta College District, Oakland Museum, Alameda County and the 880 Highway. These developments reduced the total land mass and population of Chinatown, and, at best, serve Chinatown incidentally, not intentionally. The community and this Coalition refuse to allow the continued subservience of its physical fabric and neighborhood development to the solving of regional problems and strategies.

The Chinatown Coalition would like **the Community Benefit discussion of the plan to be reframed in the context of Neighborhood Benefits** and at a minimum include an intentional analysis that balances neighborhood and regional benefits. An example of this would be the issue of park space, with current recommendations to add significantly more regional-serving versus neighborhood-serving park space into the plan area, even though analysis clearly states the inadequacy of neighborhood-serving parks for existing populations, much less future additional population. The need for neighborhood-serving parks' expansion and improvement needs clearer direction and commitment in this specific plan.

Good development with active ground floor street frontage is not a community benefit, it is a community standard. The Chinatown Coalition welcomes development, but believes that more refined and rigorous development scenarios can strengthen the neighborhood fabric and result in success for both the project and the project area.

Neighborhood benefits are a critically important component for supporting the vibrancy and growth of the Chinatown neighborhood and residents. Without a clear mechanism for the provision of necessary neighborhood services, there is tremendous threat that our community will have to bear the impact of increased population, heights, density, traffic, and displacement pressures.

As it is written now, the Plan does not provide a concrete approach for achieving neighborhood benefits. The list of possible strategies does not guarantee the provision of necessary neighborhood benefits, and the one required new strategy in the emerging plan (tying height limits to the provision of benefits) has been eliminated in the current version. There needs to be a mechanism for quantifying neighborhood benefits and expressly linking these benefits to the strategies. As currently written, the list of possible strategies are not required and are without specific requirements. The plan essentially does not provide any mechanism to achieve the community development needs that have been repeatedly expressed by community residents.

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The plan needs to develop an adequate and more specific proposal for ensuring the outcomes identified by the community and this process in its vision for a high density, active transit oriented neighborhood that is economically and culturally diverse. Additionally, it should create a platform and/or prescribe a process for future developments in this area to engage with this community and coalition to ensure developments will provide needed and accepted community benefits in the future. **We cannot support a plan that does not provide a clear, specific, and required process for ensuring our community receives tangible benefits to achieve our vision for an economically and culturally diverse neighborhood.**

8.6 Affordable Housing

As part of our vision for an economically and culturally diverse neighborhood, the ratio of affordable and market rate housing is key for sustaining the vibrant cultural and retail district. Chinatown is one of the region's most successful retail districts that both meets the needs of the local mixed income community and serves as a regional destination for the East Bay Asian community. The community generated \$57 million in retail sales in 2008, representing the city's fifth largest neighborhood retail district, and sales have grown 84% since 1994, compared to 1.7% for the city as a whole. Affordable housing currently represents 30% of the existing housing in the neighborhood, and the 30/70 ratio of affordable housing/market rate housing has shown success in sustaining a vibrant retail district. Future housing in the planning area should also reflect this ratio, enabling workers the opportunity to live close to their jobs.

The latest draft of the plan does not include our goals for ensuring that housing is built for all income levels in Oakland. Our housing goals include the following:

- Requirements for new mixed-income housing development with at least 30% of units in the planning area affordable to families below 60% AMI (\$55,000 for a family of four), including extremely low and very low-income community members. This requirement will support housing for a healthy, diverse mix of incomes, ranging from the lowest income to Oakland's actual median income to higher income residents.
- The development of family housing larger than 2 bedroom units.
- Protections against direct displacement from demolition of existing housing and businesses.
- A strengthening of tenant rights protections for community members against involuntary displacement through gentrification and rising housing costs.
- The Chinatown neighborhood should benefit from publicly-owned parcels, including the development of affordable housing, active park space, and community centers.

Our vision for an economically and culturally diverse community requires a match between housing affordability and jobs. Currently, 54% of workers in this neighborhood are working in the service employment and retail sectors, and typically cannot afford market rate housing.ⁱⁱ The preferred plan anticipates that most job creation will be in the area of office and retail jobs. Housing needs to be made affordable for the workers, whether they are waiting on tables, cleaning offices, or selling merchandise for less than \$12 per hour. Therefore, it is essential that no less than 1,305 to 3,150 of new units be made affordable to current residents, students, and workers. Also, in accounting for new growth, we need to recognize that almost two-thirds of

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Oakland residents are earning less than \$75,000,ⁱⁱⁱ and attracting new residents to the neighborhood will require housing that is affordable to a range of incomes.

Similar to the previous discussion around neighborhood benefits, the plan does not outline a concrete approach for achieving the necessary 30/70 ratio of affordable to market rate housing. Knowing the reality of the difficulty in financing affordable housing, a list of possible strategies does not provide any reassurances that affordable housing will be achieved to the extent that is necessary to keep this neighborhood economically and culturally diverse.

In addition, current existing laws, such as just cause and rent control, are not sufficient to prevent displacement in the neighborhood. Given the immense development pressures that are occurring around transit stops and BART stations all over Oakland, the City's just cause and rent control ordinances should be updated to protect housing from becoming increasingly unaffordable. The discussion of an expansion of condominium conversion policies to the neighborhood is incredibly important and should be required, and the lowering of height limits should be applied to more blocks in the planning area (rather than only along a portion of 7th Street). Please see our comments in Chapter 4 for further discussion.

We cannot support a plan that does not have an adequate and more specific proposal for ensuring our vision of an appropriate mix of housing can be achieved. Additionally, it should create a platform and/or prescribe a process for future developments in this area to engage with this community and coalition to ensure developments will provide the appropriate jobs/housing balance that is needed.

ⁱ Bhatia R, Rivard T. 2008. Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review. Program on Health, Equity, & Sustainability, Occupational & Environmental Health Section, Department of Public Health City and County of San Francisco.

ⁱⁱ City of Oakland, "Existing Conditions Report, Chapter 6," Lake Merritt Station Area Plan.

ⁱⁱⁱ City of Oakland, "Existing Conditions Report, Chapter 6," Lake Merritt Station Area Plan.

The Chinatown Coalition is comprised of the following organizations: Asian Health Services, Asian Pacific Environmental Network, East Bay Asian Local Development Corporation, Oakland Asian Cultural Center, Buddhist Church of Oakland, National Council on Crime and Delinquency, The Spot Chinatown Youth Center, Hotel Oakland Tenant Association, Colland Jang Architecture, Clad Architects, Business Owners and Residents of Chinatown

General Comments

- There are still references to the “Emerging Plan,” instead of the “Preferred Plan.”
- On the Illustrative Views, it would be helpful to include some street names to orient viewers.
- Starting with Chapter 6, there is some funkiness with the punctuation.

Page 1-1:

- In the first paragraph, remove the sentence that starts “The next steps…” This is repeated in the third paragraph below.
- One of the elements that still needs to be completed is an “accessibility plan.”

Page 1-3:

- The paragraph about Specific Plans is confusing. To start, it would be helpful here to explain why a Specific Plan is beneficial to the community. In addition, what does “some areas” mean— topics, or geographic areas? How is it possible to have only portions of the plan that are governed by the Government Code? What are the advantages of this approach?

Page 1-9:

- Some of the affordable housing goals listed on page 8-23 are not listed here. They are good goals, and should be added here.

Page 2-1:

- In the first paragraph, the reference should be to Figure 1.6, not 1.5
- In the fourth paragraph, the reference should be to Figure 1.7, not 1.6

Page 3-8:

- What is the justification for having non-residential development that exceeds the Market Analysis and total jobs that exceed ACTC projections? Why would the plan include more of this type of development than what the market can support (according to your analysis)?

Page 3-9:

- In footnote 3, it should read “ABAG Projections 2009”

Page 3-22:

- In the first paragraph, it should be ACTC not ABAG.

Page 3-29:

- In the first paragraph under “Plan Implications,” why is lower-density housing more feasible in the current market?
- It would be helpful to provide a definition of what “affordable” housing means. For example, what is the household income that is targeted for the units that require subsidies of \$123,000?

Page 4-7:

- The discussion of building heights in relation to construction costs is good. However, the description here is somewhat confusing for a reader that is not familiar with these terms. It would be helpful to explain a bit more about the building types. For example, “Type I without life safety” makes it sound like it is an unsafe building.

Figure 4.3:

- The “Focus Area” boundary is hard to see and the Planning Area boundary is not visible at all
- The colors for heights 3 – 6 are difficult to distinguish
- What does the category “None” mean (if not “No Height Limit,” which is #7)?
- Do the commercial corridor heights only apply to East Lake? It would be better to only have one set of height indicators.
- Fix the place where the road overlaps the legend

Figure 4.4:

- It might be helpful to include some photos of buildings that demonstrate the base / tower heights

Page 4-11:

- In the paragraph about the Draft Heights Map, the area numbers do not seem to correspond correctly to the heights.

Page 4-15:

- The first bullet under “Tower Massing” has an incomplete sentence in the middle.

Page 5-8:

- The text for footnote 9 is missing.

Page 5-10:

- Would in-lieu fees be for capital improvements only, or for expansion of programming as well?

Figure 6.1:

- The map shows improvements for Madison as well as Oak, although this is not included in the description on Page 6-2.

Page 7-9:

- Under “Curb Management” it would be helpful to briefly list the goals/purposes to be achieved by changing the way the curb space is allocated (i.e., what is the problem that is being solved and which users benefit?)

Page 7-11:

- Under “Short Term Actions,” provide more detail about what kind of security improvements at the station are envisioned.

Page 7-12:

- On third bullet under “Medium and Longer Term Actions,” fix page references
- Under “Short Term Actions,” seventh bullet: include more details about how to improve bus waiting area comfort and safety
- Under “Short Term Actions,” eighth bullet: move bus stops to the “far side” of what?

Page 7-19:

- Include a statement about how the TDM measures will be incorporated into or advanced by the plan.

Page 7-20:

- The term “existing redeveloped sites” is confusing. Use “opportunity sites”? Or “sites for redevelopment”?

Page 7-28:

- While the analysis is based on the area as a City Center/Urban Neighborhood place type, the close proximity to the regional center of downtown Oakland and excellent quality transit means the City should aim at the lower ends of the parking ranges. In fact given the availability of numerous paid parking facilities and controlled parking resources in the area, they could eliminate residential parking requirements and let developers choose to provide the level of parking that their analysis indicates the housing market will support, including use of underutilized commercial parking facilities.

Page 7-29:

- The strategies mentioned of further reducing the parking requirements through bundled transit passes and bicycle parking, shared parking, unbundled parking and carshare are highly applicable at this location and additional details will be helpful. Parking cash-out for employees should also be examined.
- In the section about unbundled parking, remove the word “fewer” in the third sentence.

Page 7-30:

- Under “Shared Parking,” what does it mean that “the parking requirement for the redevelopment west of the Lake Merritt Channel is entirely for the proposed residential uses”? Are there no parking requirements for commercial development? Why can shared parking only be implemented in Lakeside? What about shared parking for existing lots? Or sharing between residential and commercial?

Page 7-31:

- Prior to any recommendations to create additional parking, whether on-street (through angled parking) or off-street for new development, there should be a careful analysis of current quantities of parking spaces (including in structures), including occupancy, turnover, and current prices. This information should then be used in an analysis of the comparison of costs for any new parking with the cost of providing additional access for other modes. Often existing parking facilities are underutilized; the Jack London Amtrak structure is heavily underutilized. More cost effective approaches usually include wayfinding, market pricing and programs that support employees parking in structures rather than on-street.
- In the first paragraph, change “angles parking” to “angled parking”
- In the first sentence under in Section 7.7, change “county” to “country”

Page 8-1:

- In the first paragraph under Section 8.1, add “approach” to the end of the first paragraph

Page 8-16:

- Achieving Community Benefits is such an important topic that it should be its own chapter. The strategies described in Chapter 9 should be combined with those listed here so the entire framework can be seen together.
- As you refine this Community Benefits framework, it needs to include specific implementation mechanisms and emphasize certainty – so developers will know what is expected of them and community members know that the benefits will actually be achieved.

Affordable Housing Strategy

- The *Affordable Housing Assessment* done by Conley Consulting Group discusses many of the issues included here in a straightforward and concise manner. It would be helpful to include some of the more detailed information from that report in the Draft Plan.
- In general, the strategy should include specifics about the target number of affordable housing units in the plan, as well as the potential amount of funding available from the different sources and fees identified (especially something like a impact fee for affordable housing).

Page 8-18:

- In the first paragraph, should the average HH size be 1.94, as noted on page 8-19?

Page 8-20:

- Under Housing Prices, what are the implications of the statement “It is reported that a large number of buyers are purchasing distressed properties with cash as opposed to mortgage financing”?
- Under Rental Rates, it would be helpful to clarify what you mean by “relatively affordable,” since this seems to contradict earlier statements about the high proportion of residents who face a high housing cost burden.
- Under Jobs/Housing Impact Fee, clarify that funds from the Housing Trust Fund are made available to nonprofits *to build affordable housing*.
- It would be helpful to include a summary of the implications that the demographic and housing profile have on what kinds of housing is needed in the station area.

Page 8-22:

- Please define “affordable housing” in more detail. It is important to distinguish the different income groups that are served by affordable units (very low, low, and moderate), since different funding sources and implementation strategies are often required to serve these different groups.
- Are the 1,230 units in the pipeline affordable units? If not, how many are expected to be affordable?
- ABAG does not assign housing allocations to specific areas within a city. To clarify this, please replace the text above Table 8-2 with the following: *As part of the Regional Housing Need Allocation (RHNA) process, the Association of Bay Area Governments (ABAG) projects a total need of 14,629 housing units for the City of Oakland by 2014. Twenty-seven percent of these units are designated to be affordable to very low- and low-income households. Based on these city-wide allocations, the City of Oakland has determined that 1,327 housing units are needed in the Plan Area, of which 648 would need to be affordable. The affordability levels of this projected housing need is shown in Table 8-2.*

Page 8-23:

- Remove ABAG in the first and second paragraphs
- In the second paragraph, the numbers do not seem to be consistent (540 vs. 555, etc.). Also, on page 1-1, it says the plan anticipates 3,700 to 5,600 units.

Page 8-24:

- Remove ABAG in the second paragraph.
- For the affordable housing unit types, what specific steps can/will the City take to encourage these? (The description here still sounds more like a goal statement)

- If the opportunity sites in the plan come from the Housing Element, then it seems they *should* be developed as housing, not other uses (unless the City identified more sites city-wide than needed to accommodate its RHNA).
- Under Reduced Parking Requirements, the fact that 49% of area households do not own a car should be added to the section on Transit Use on page 8-19.

Page 8-26:

- The statement that “high rents support strong property values” seems to contradict the earlier statement that the area is “relatively affordable” (page 8-20).
- The section on incentives for affordable housing should be linked to the Community Benefits framework.

Page 8-27:

- The identification of the strategy related to 7th Street is important. It would be helpful to also speak more broadly about the importance of preserving existing affordable units (non-deed-restricted, since those are already protected) as a way of preventing displacement.

Tai Chi Groups
Madison Park, Oakland, CA
(E-mail address:edeveloo@yahoo.com)

December 8, 2011

Oakland Parks and Recreation Advisory Commission
Lakeside Park Garden Center
666 Bellevue Avenue
Oakland, CA

Subject: Lake Merritt Station Area Plan containing height limit proposals which may adversely affect Madison Park and Oakland Chinatown

Dear Commissioners:

On December 14, 2011, subject Plan will be presented to you for approval. In the "Preferred Plan" (page 4-14 of the subject Plan) the proposed height limit for 3 blocks next to Madison Park has been established at 485 feet. This equates to possibly 3 blocks of structures each of which is nearly 50 stories, adversely affecting Madison Park as well as possibly overwhelming the neighborhood character of Chinatown. As such, we request the Commissioners' attention on this issue for possible reconsideration.

Presently there is a base of over a thousand people that use Madison Park for exercising. Of that number, approximately 200 to 300 people show up every morning to do tai chi, etc. These folks are concerned that structures 50 stories high may block out sunlight as well as creating a wind tunnel condition in the area. We therefore urge that you call for a shadow study as well as a wind tunnel study to better understand the impacts on Madison Park.

Please also take into consideration that a 50 story structure may indeed be too high and out of place for Chinatown. The Kaiser Center Building by Lake Merritt where BART Headquarter is now located, is 28 stories. The beautiful complex at 1200 Lakeshore is 23 stories. The senior facilities known as Noble Tower on Lakeside, is 15 stories. On top of all this, the immediate neighborhood of the subject area is 2 and 3 story structures. So, while we fully support the development of BART's transportation village, we feel that the height limits should be reconsidered.

Thank you very much for your time.

Edward Loo
Madison Park Tai Chi Rep

Copy to via e-mail:

Lake Merritt Station Area Plan (Lake_merritt_plan@oaklandnet.com)

Oakland City Council (pkernighan@oaklandnet.com)

BART Board of Directors (robertraburn@covad.net)

Oakland Chinatown Coalition (asyee@aol.com)

Oakland Chinatown Chamber of Commerce (oaklandctchamber@aol.com)



December 7, 2011

Ed Manasse
City of Oakland
Community and Economic Development Agency, Planning
250 Frank Ogawa Plaza, Suite # 3315
Oakland, CA 94612

Re: Lake Merritt Station Area Plan – comments on Draft Preferred Plan

Dear Mr. Manasse,

The following are TransForm’s comments regarding the Community Preferred Plan.

Chapter 7.6 Parking

I. On and Off Street Parking

A parking management district (PMD) should be created within the Station Area to facilitate the shared parking policies recommended. It appears that the community might also be interested in creating a PMD, not enough information has been presented to take advantage of this strategy as a way to not only ensure better vehicle access but to also potentially generate funding for desired streetscaping improvements or to generate funding for local match components of grants for streetscape improvements.

- 1) A section describing current parking demand and behavior for offices and Chinatown need better illumination. Are there ANY studies that can be referenced that would document what the existing condition is?
- 2) Document current history of shared parking or efforts to coordinate parking resources.
 - a. stakeholders should be contacted to discuss what process is needed to develop a shared parking strategy or at least inventory the hurdles to participating in a shared arrangement.
- 3) Page 7-30 Explain what this means: “Since the parking requirement for the redevelopment west of Lake Merritt Channel is **entirely** for the proposed residential uses, shared parking can only be implemented in the proposed redevelopment in the Lakeside neighborhood.” What are the boundaries of the Lakeside neighborhood? Do you mean mostly residential rather than entirely?

II. Ped/Bike Access

1. Provide streetscape cost estimates for each element suggested for improvement: cost to bulb out intersection, cost to add lighting along 2 block faces, cost to add trees for two block faces;
2. Provide total cost estimates for each streetscaping scenario so the public can compare;
3. Provide cost estimates for implementing all improvements proposed in Figure 7.1 regardless of which street configurations are used. Ideally show what is allocated in existing CIPs, what

could be reasonably funded through new development and what costs remain to fully pedestrianize the station area to the extent proposed in Figure 7.1;

4. Include maps showing existing sidewalk widths throughout the plan area and what areas will definitely see sidewalk widening. Overlay with locations where produce market is known to be displayed on the street. This will allow community to know which sidewalks will definitely be widened, particularly given a legislated 5' clear travel width described on page 7-33 (which is confusing as stated; "...not less than five (5) four [*sic*] in width for the use of pedestrians.");
5. Be more clear about which streetscape options will definitely result in sidewalk widening and explain where widening is only for curb bulb-outs or clearly state that widening is proposed for the length of the block, in addition to bulb outs;
 - a. Make the dashed line showing existing edge of curb more visible and highlight what it represents in all diagrams showing sidewalk widths;
 - b. Make sure the "before" schematics actually represent the after shots. The diagrams on what are pages 6-16 and 6-17 show "before" diagrams as 10th and Fallon rather than 10th at Madison. These are two very different before scenarios and it is not clear what is different between existing and proposed;
 - c. Increase the size of the numbers to be legible in the "before" scenarios.

III. Additional Funding Mechanisms (Economic Development Strategies 9.3)

1. Include more information about the Downtown Community Benefit District. Show total district budget and cost of assessment per squarefoot. Show their average budget for cultural events, district promotions, streetscaping, and cleaning.
2. Please include the Temescal Parking Benefit District pilot study as a local example.

Additional Parking and Circulation Policy Changes

- 1) Page 7-29 "Require" unbundled parking instead of "Provide";
- 2) Consider street treatments in the heart of Chinatown on 8th and 9th Streets, between Harrison St. and Broadway to be similar to those proposed for Fallon St. between 8th and 9th Streets as seen in figure 6.3 with the description "Option B" (what is Option A?), and described as "Plaza with Narrowed lanes, Widened Sidewalks, Street Amenities at Frontage, and described as "Modify Street: Pedestrian / Vehicle Plaza" in diagram 7.3;
- 3) Ensure business outreach happens in Chinese to solicit applicants to façade improvement program. Inventory current use of program relative to other business districts. Show if Chinatown is getting it's fair share;
- 4) As a Transit Oriented Development area, the pedestrian should be given priority in the new plan. The community has made it clear that we believe reverting back to a series of two-way streets (versus existing one-way street grids) will make the community safer and more pedestrian friendly, and it should be studied. A traffic analysis should be conducted of traffic on 7th, 8th, 9th, Webster, Franklin, and Harrison streets, all of which have been identified as key pedestrian corridors;

- 5) Future bilingual wayfinding signs should include ¼ mile- 5 min walking distances and ½ mile 10 min walking distances. This metric reminds everyone how far average people are willing to walk. Currently walking across the plan area from end to end feels further than it actually is because of the lack of pedestrian safety features and more uniform streetscape design. As the plan area is built out, it is important for everyone to think in terms of 5 minute walking distances as all the land use districts are proposed to be named as variations of pedestrian zone types.

We Applaud:

- 1) Mentioning Parking maximums and potential for reduced parking requirements if projects provide TDMs including free transit passes or free carshare memberships. Consider a parking maximum of 1 space/1,000 sf of retail, since this is what was used in the market feasibility analysis.
- 2) Mentioned connection between housing affordability and parking requirements. Next step is to recommend what reduced parking requirement ratios should be considered for dedicated affordable housing, which also provides transportation demand management.
- 3) Parking pricing is included as a strategy for encouraging alternative modes. However, we suggest that this strategy be adopted as a primary strategy to promote parking availability and access to businesses. To support that, the plan should include a performance target of a maximum 85% parking occupancy and 15% vacancy at any given time and rely on varying the cost of parking by time of day and street face to meet that demand. See the San Francisco Municipal Transportation Agency's "SFPark" (www.sfpark.org) program as an example.
- 4) Including suggestion of parking maximums, although they should be applied to commercial parking, not just residential.
- 5) To best improve parking in the district, it would be best to take a district wide approach and pool in-lieu parking fees collected from new development for the construction of public/private garages.
- 6) We strongly support the new language around implementation of policies to mitigate potential noise and air quality impacts to address the neighborhood's proximity to I-880 and other high volume roadways.

Chapter 8 – Community Resources

Section 8.3 highlights how active, usable open space is essential to community health. Community members utilize open space for a range of activities that have positive health benefits, such as tai-chi, dancing, badminton, basketball, etc. With the proposal for greater density in the area, community members need access to more open space. The need for neighborhood-serving parks' expansion and improvement needs clearer direction and commitment in this specific plan.

- We strongly encourage an explanation of how bike lanes have been shown to reduce traffic volumes, collision rates, noise, etc. wherever they have been implemented. Since new development is anticipated to lead to higher traffic volumes, collision rates, reduced air quality, and noise impacts from vehicles and businesses, strategies are needed to provide



alternative modes of local travel and to route Alameda, Oakland downtown, and I-880 freeway traffic around Chinatown while allowing facilitated access to Chinatown. ***Bike lanes (as proposed in the City’s Master Bike Plan) coupled with a commercial loading strategy and better parking management could be an important method of reducing the negative impacts of vehicular traffic through Chinatown and throughout the planning area.*** Additionally, walking and biking (which calms and reduces traffic) also helps to prevent chronic disease, reduces stress, and improves mental health. Finally, reducing thru traffic by two-way streets, widening sidewalks, and installing bike lanes will all decrease air and noise pollution.

8.5 Initial Approach: Community Benefits

We are extremely concerned that basing height limits on the provision of benefits has been eliminated from the Draft Preferred Plan. There needs to be a mechanism for quantifying neighborhood benefits and expressly linking these benefits to implementation strategies. This could be done by changing the relevant text on page 8-16 to read “Relaxing height standards in exchange for benefits, such as higher ratios of affordable housing”. “Air rights” are part of the public realm and should not simply be given away without exchange for public benefits that go beyond the potential to increase property and sales tax revenues for the City. We acknowledge that the draft plan clearly states that strategies to achieve affordable housing will be more clearly outlined in the Area Plan, however, we do want to express our deep concern and our readiness to work more closely with the City and or it’s consultants to develop strategies that will address this.

8.6 Affordable Housing

As part of the Great Community Collaborative’s vision for an economically and culturally diverse neighborhood, a balanced ratio of affordable and market rate housing is key for sustaining any livable community. Affordable housing within any Transit Oriented Development (TOD) makes it possible for workers of the shops and services within the TOD to be able to live nearby, thereby reducing greenhouse gas emissions and vehicle miles traveled for the region. Chinatown is one of the region’s most successful retail districts that both meets the needs of the local mixed income community and serves as a regional destination for the East Bay Asian community. **Affordable housing currently represents 30% of the existing housing in the neighborhood, and the 30/70 ratio of affordable housing/market rate housing has shown success in sustaining a vibrant retail district. Future housing in the planning area needs to reflect this ratio, enabling workers the opportunity to live close to their jobs.**

The latest draft of the plan still does not clearly meet TransForm’s goals for ensuring that housing is built for all income levels in Oakland. We recognize that the current Draft plan clearly states that the Area Plan will reflect strategies to meet this need, and we hope that when it does, it reflects the following:

- Requirements for new mixed-income housing development with at least 30% of units in the planning area affordable to families below 60% AMI (\$55,000 for a family of four), including extremely low and very low-income community members. This requirement will support housing for a healthy, diverse mix of incomes, ranging from the lowest income to Oakland’s actual median income to higher income residents.



- A strengthening of tenant rights protections for community members against involuntary displacement through gentrification and rising housing costs
- Designating publicly-owned parcels to be used for the development of affordable housing, active park space, and or community centers.

Our vision for an economically and culturally diverse community requires a match between housing affordability and jobs. While we welcome developing most of the new housing for people of higher incomes as an investment in the community and as a catalyst for new development and reinvestment, 54% of the workers in the neighborhood are working in the service employment and retail sectors and typically cannot afford market rate housing.¹ As indicated by the study we submitted last time, the preferred plan anticipates that most job creation will be in the area of office and retail jobs. Housing needs to be made affordable for the workers in the area, whether they are waiting on tables, cleaning offices, or selling merchandise for less than \$12 per hour, as so many of them do now and will in the future. Therefore, **it is essential that no less than 1,305 to 3,150 of the total new units be made affordable to low-wage workers, seniors, and students, and strategies need to be more clearly spelled out in the plan as to how that can be accomplished.**

In addition, current existing laws, such as just cause and rent control, have not been sufficient to prevent displacement in the neighborhood. Given the immense development pressures that are occurring around BART stations in Oakland, the City's just cause and rent control ordinances should be updated to protect housing from becoming increasingly unaffordable. The discussion of an expansion of condominium conversion policies to the neighborhood is incredibly important and should be required, and the lowering of height limits should be applied to more blocks in the planning area (rather than only along a portion of 7th Street).

We thank you for the opportunity to provide input in this portion of the planning process. We look forward to seeing how you will address the concerns and comments that we and others in the community have expressed in the Draft Area Plan

Sincerely,

Joél Ramos
Community Planner

¹ City of Oakland, "Existing Conditions Report, Chapter 6," Lake Merritt Station Area Plan.

BART Comments

p. 2-1 14th Street Corridor. The section needs to provide more urban design / structure framework about the importance of 14th Street for the City of Oakland, even for key uses outside the study area. Shouldn't it be a ceremonial street that links Oakland City Hall to Lake Merritt?

p. 3-7 Public Open Space. Scenario #1 - "half-black plaza" ???

p. 4-3, Figure 4-1 Land Use Character. The plan envisions future development on Peralta property west of East 7th Street. Why does is the character "institutional" as that is not consistent with vision?

p. 4-16, Location of Parking Entrances. For large lot development, or on corners where possible, the location of entrance points to parking lots and structures should avoid conflicts with primary transit and pedestrian streets. Side streets or alley ways are preferred locations.

p. 4-17, Green Buildings. Consider requiring Electric Vehicle (EV) charging stations for major development. Unclear if the City has a recommendation on the number or percent of EV spaces. Three big city consortium, including Oakland, is developing standards.

p. 5-3, Figure 5-1 Open Space. Only 2 of the 4 BART station portals at the Lake Merritt station are shown in blue. They should all be the same color blue.

p. 5-5, OSCAR. OSCAR appears be used several times before it is defined on p. 5-14.

p. 6-2, streetscape / Jack London. In addition to creating better connections to Chinatown, the area also needs better connections from Jack London / Warehouse District to the Lake Merritt BART Station.

p. 6-2, streetscape / bus. There should be some discussion of streetscape improvements to speed bus transit in specified corridors, especially the 11th / 12th couplet (per MTC Transit Sustainability Project).

p. 6-5, Bullet #3. Bulb outs may not work in all situations. For example, on Oak Street between 8th and 9th, bulbs would take valuable curb space needed for kiss and ride, bus and taxi zones.

p. 6-5, Bullet #4b. Phase 3 (Option B) could be problematic if vehicles double park.

p. 6-8, Section 6.4. This section should have some discussion about streetscape improvements needed to improve bus speeds, especially on transit priority streets such as the 11th / 12th couplet (per MTC Transit Sustainability Project).

p. 6-11, Oak Street. Corner bulb-outs may not work between 8th and 9th streets.

p. 6-22, Figure 6.3, I-880 underpass. Is there any evidence (or anecdotes) that the installation of walls along the I-880 underpass at Oak and Webster will improve public safety (or at least the perception of public safety)? Does OPD have an opinion on this?

p. 7-2, Figure 7-1, Circulation Improvement Strategy. There should be a designation for transit preferential streets. How best to improve surface transit operational speed in order to provide better service? See MTC TSP work, and potential fund sources through RTP.

What is the significance of the black line on 10th St., b/w Webster and Madison?

p. 6-5, 3rd bullet. Pedestrian Signage / Wayfinding. Any new wayfinding program should build off of the existing Chinatown area modular wayfinding program that was implemented by the City a few years ago to better connect to regional transit. The design for this came out of an earlier collaboration with City, community and BART. The current wayfinding does extend as far as the Lake Merritt BART station (MTC / ABAG building).

p. 7-9, 4th paragraph. Kiss and ride area potentially identified on 9th Street requires further examination.

p. 7-9 (and 7-11), Bicycle Access to Lake Merritt BART (first paragraph). To clarify on bike access to LM, revise to "... allows bicycles onboard BART trains during commute hours." Should also be noted that bicycle access demand is expected to increase with the opening of the BART extension into Santa Clara County / Silicon Valley in 2018.

p. 7-9, Station Capacity (2nd paragraph). While it is true that the station does not have any identified peak period capacity constraints during normal conditions, BART does have concerns about the ability to safely accommodate peaking due to special events (such as from the proposed Victory Court Ballpark, or major events at the Oak-to-Ninth waterfront). It is unclear until we see analysis from the Ballpark EIR. In the meantime, the statement should be revised to the following: "Although the Lake Merritt station is not expected to have any capacity constraints related to the station itself in the future under normal peak commute conditions, ..."

p. 7-9, Transit Mode Share (2nd paragraph). What is the basis of a 23% transit mode share (Dowling, 2003)? For the Kaiser Center FEIR that was completed in 2010, the City used a 30% transit mode share. Appendix G.5 of the Kaiser Center DEIR has an AECOM memo on mode share (Oct. 17, 2008). Table 1 of that memo shows a transit mode shares for commercial office clusters within downtown of Oakland, with a range of 55% for the City Center (12th Street BART) and 30% for the rest of downtown (source cited is Dowling, 2003). An additional data point is a 27% mode share from the 2000 Census data for the broader downtown Oakland. All of these are higher than the proposed 23% for LM.

The AECOM memo also indicates that for the "rest of downtown" that the highest transit mode share are achievable with aggressive transportation demand management programs:

It must be stressed that for the transportation surveys distributed in Metro Center, County Center, and some Upper Downtown office buildings such as the Caltrans Building, the transit mode share tended to be higher than other office buildings in the “Rest of Downtown” area, as the aforementioned office buildings contain offices of State and County public agencies. State and County agencies provide transit subsidies as part of employee benefits, therefore resulting in a higher transit mode share than typically observed at other office buildings. (Kaiser Center DEIR, Appendix G.5, AECOM, p. 4)

pp. 7-9 / 7-10, Section 7.2 Station Access Improvements. Proposal being reviewed by BART Police and M&E. Will get you their comments, if any, next week.

p. 7-10, Short Term Actions, 1st bullet. Issue with installation of meters in front of residents.

p. 7-10, Short Term Actions, 2nd bullet. Don't agree with this strategy (restricting curb passenger loading zones to occupied vehicles during peak commute hours) as it is difficult to enforce.

p. 7-10, Short Term Actions, 2nd bullet. Or one bus, taxi and kiss and ride. Additional bus zone needed on north side of 8th between Oak and Fallon.

p. 7-10, Medium and Longer Term Actions, 5th bullet. Where should the electric vehicle parking/recharging stations be located?

p. 7-10 / 7-11, Bicycle Access. To clarify this section, BART attempts to provide a variety of bicycle parking choices at each station. The basic program includes both racks (for short-term, quick parking) and lockers (for longer-term, higher security parking). Where demand is high, BART also seek to compliment these choices with a high-capacity / high-security facility. As identified under Medium and Longer Term, depending on demand, BART should work with future developer and City to expand bicycle commuter parking in a high-capacity facility as part of a new development. As identified, there may also be opportunities for a shared facility with Laney College.

In the short term, bike parking is currently at capacity both on racks and electronic bike lockers. Within the next two years we will be adding additional lockers through existing capital grants (number TBD) and we will be adding additional wave racks (3-4 with a capacity of seven bikes each).

p. 7-11, Medium and Longer Term Actions, 2nd bullet. Improve ped path from parking lots under I-880 to BART station.

p. 7-12, Short Term Action, 1st bullet. "... designating the curb edge for buses, taxi and kiss and ride."

p. 7-12, Short Term Action, additional bullet. Install bus, taxi and passenger pick up directional signs in station.

p. 7-12, Short Term Action, 4th bullet. Increase areas on 8th Street between Oak and Fallon.

p. 7-12, Shuttles. The narrative should also note the potential for expanded shuttle or AC services (and curb space) due to future Oak-to-Ninth development, and/or the Victory Court Ballpark proposal.

p. 7-19, 2nd bullet. City of Alameda is also a key destination for shuttle service.

p. 7-26, BART Parking.

p. 7-26, Other Parking Lots. Explore expanding and/or sharing BART riders.

p. 7-26, Other Parking Lots. Parking fee of \$2 is too low to promote use of transit.

p. 7-30, Shared Parking. Consider shared parking for Laney and BART users.

p. 7-30, Parking Pricing. New electronic meters allow for higher prices after longer time periods. Example, cost per hour ... Hr 1 - \$1, Hr 2 - \$2, Hr 3 - \$4.

p. 7-32, Loading Strategies, 1st bullet. Consider using meters in loading zones – charge min for time on meter helps remind zone user of time limit restraints.

Additional Comments / Questions:

Has there been any outreach to potential major office developers on the proposed land use / zoning?

Parking Requirements. Were these discussed at all?

From: Nathan Landau [NLandau@actransit.org]
Sent: Monday, December 12, 2011 4:11 PM
To: Ferracane, Christina; Manasse, Edward
Cc: Cory LaVigne; Tina (Konvalinka) Spencer; Sean DiestLorgion
Subject: AC Transit Key issues on the Lake Merritt Station Area Plan

Christina, Ed--Here are our current comments on the draft Lake Merritt Station Area Plan. These comments largely recapitulate previous ones, and also respond to new proposals in the plan (such as an extension of the Broadway shuttle). We are of course happy to discuss these with you further.

Overall--We appreciate the City's effort to develop a plan for a walkable, transit-oriented mixed use district which is developed around the needs of pedestrians, bicyclists, and transit passengers. AC Transit supports improvements to the walking environment, as virtually all of our passengers in this area walk to their bus stop. Some ways to make the transit-orientation of the Plan stronger, and to facilitate bus transit, include:

Goal 7 Transportation--We support the commitment to "Preserve **and reinvest in transit services and facilities to make sure operators can continue to provide reliable services.**" That is an important baseline which cannot be taken for granted. However, for this city center urban neighborhood the plan should support a broader goal which might be characterized "**Support transit services and facilities so that transit can be a central element of mobility for area residents.**" *There could be a brief explanation of this goal, which could note the hundreds of daily bus and BART trips which serve the plan area. This discussion could be illustrated with a "spider map" of all transit lines serving the plan area and their destinations.*

Transit Destinations--The Plan lists Chinatown and Jack London Square as potential "shuttle" destinations from Lake Merritt BART. It also states (p. 7-13) that the B shuttle could be extended to Lake Merritt BART. These statements are made without any analysis of existing service or travel patterns (e.g. given the closeness of Lake Merritt BART to the Chinatown core, how much demand/need for shuttle service is there?). There is no analysis of cost effectiveness or attractiveness of the many potential methods to provide improved transit in the area, nor is there any discussion of how service improvements would be funded. *The City, AC Transit, and BART should work together to analyze and define what transit improvements would be appropriate.*

Transit Streets Network Policy and Map -The plan includes a number of maps defining the circulation network. Figure 6-1 "Streetscape Vision" indicates the overall role of various streets in connecting key locations within and adjacent to the plan area. Figure 7-1 "Circulation Improvement Strategy" highlights potential locations for road diets and for bicycle and pedestrian improvements. Figure 7.3 notes "Priority Pedestrian, Bicycle, and Shuttle Improvements."

But there is no map or set of a policies which delineates the existing and/or planned surface transit network. *A Transit Streets Network Policy and map should be incorporated into the plan. The policy should indicate how key streets would be managed for transit preferential use (as BART has suggested). The policy and map would include 11th/12th St. as the principal east-west transit corridor connecting Downtown Oakland, the plan area, and East Oakland; Broadway as the primary north-south transit spine, 7th-8th St. as an important transit corridor for service to Alameda--along with the Tube entrance and exit on Webster and Harrison Sts. , while noting other transit streets. Given the importance of the transit corridor to Alameda, existing traffic congestion in this corridor must be addressed. The stronger the transit corridor, the greater the consideration surface transit should be given in streetscape changes.*

Road Diets--The plan proposes road diets reducing the number of travel lanes on a number of streets including 8th St. and an undefined segment of Webster St. We are particularly concerned about road diet proposals on our key corridors in Chinatown and to and from the Tubes. Chinatown can already experience high levels of congestion and long established practices of double parking reduce the effective capacity and speed of Chinatown streets. Even as the plan is proposing this, AC Transit is working with MTC--in the Inner East Bay

Comprehensive Operational Analysis--to identify how key trunk bus routes (such as line 51A which goes through this area) can be made faster and more reliable. 8th St. and Webster St. need to be identified as key transit corridors when they are described. *The Plan should develop proposals which improve pedestrian safety and amenity in these areas without unduly impacting bus transit.*

Two Way Conversions: We believe that the decision to defer consideration of conversion of streets to two way traffic is appropriate. Such conversions are complex and raise numerous issues for transit and other modes, particularly on major arterials. The Plan's proposed approach of seeking other methods to improve the pedestrian environment is sound. The City can continue to develop proposals for two way streets that appropriately consider the impact on all modes and on neighboring properties.

Lake Merritt Station Transit Hub--We appreciate the inclusion in the plan of the "transit hub" concept at Lake Merritt station. We look forward to continuing to work with the City and BART to develop this concept.

Nathan

January 10, 2012

Dear Mayor, Council Members, and Distinguished Community Leaders:

I own and operate my law office at 212 Ninth Street, Oakland, California 94607. I am one among 44 owners in our building. Our building is diagonally across the vacant Madison Square Park and down the street from the BART station.

The blocks which are owned by BART present a unique opportunity for Oakland. I don't believe there is any vacant land in any downtown area in the Bay Area where a developer or developers could build a project of great magnitude as afforded by these city blocks if development is permitted by the City. With its proximity to the BART station and Broadway, these blocks present one of the most exciting opportunities for growth and development and could not only increase the tax base for Oakland but turn the downtown area around.

In the last 25 years that I have been in the Bay Area and lived in the East Bay, I have seen Oakland lose retail and commercial businesses and large businesses opt out of Oakland. It is evident that we lack the ability to develop convention business because of the lack of quality hotels. We have the Marriot downtown and some small hotels, but nothing sufficient to invite businesses from bringing their employees or business partners to our city. We have a great container port but we lack the business structure to commercially connect with the port.

There are voices who want to limit building height and install green pathways in Chinatown and our area. However, those plans lack feasibility and will not bring life to the Oakland area. Under this plan, there is encouragement for development and no pull to enhance or provide business or commercial life.

We are commencing an era where there will be less and less support for cities from both State and the Federal government. We need to attract businesses who will provide jobs and generate commercial activity. It is well and good to talk about low density, but what developer will develop property given the expense of construction and the lack of return on such low density development.

I recognize that there are people who want low income housing or elderly housing and such construction can and should take place, but not at this prime location. If we limit development to such use, such use will not support business or commercial development and we are not a welfare state that can support such development. If we want to provide social services, we need a tax base to support them. We are heading for bankruptcy unless we develop our economic base and support development that creates jobs and wealth.

Broadway at one time was the most valuable property in California. We need to encourage business so that once again Oakland can become a valuable and desirable location.

The Madison Square Park has been a problem for owners and residents in this area for a number of years. Most of the time, it draws vagrants and homeless and a criminal element. People walking to and from the BART have had purses snatched and we have suffered from vandalism

and theft. There have been homeless people sleeping in the stoops of our building (which has amounted to a public health hazard inasmuch as they have urinated and defecated on our property.) The vacant park draws the criminal element and houses homeless people who are pushed away from our building. We need to end this blight. We need to live up to the potential that this City affords.

I don't think Gertrude Stein was right when she said there is no there there. However, if we do not seize the opportunity in Oakland, there will be no there there.

Thank you for your attention to this issue.

Very truly yours,

/s/ Baron J. Drexel



Land Use and Transportation Committee

Brendon Levitt, Co-Chair

Steve Lowe, Co-Chair

Memorandum

TO Ed Manasse [emanasse@oaklandnet.com]
City of Oakland, Planning Department

FROM Brendon Levitt [brendon@jlda.org]
Gary Knecht [gary@jlda.org]

CC Christina Ferracane [CFerracane@oaklandnet.com]

DATE 21 December 2011

RE Webster Green Development Principles

To the Planning Commission:

At the recent Parks & Recreation Advisory Commission meeting Chapter 5 of the Lake Merritt Station Area Plan (Open Space and Recreational Facilities) was presented and comments solicited from commissioners as well as the general public. On behalf of JLDA, Gary Knecht asked that the Webster Street underpass be somehow designated as "open space" along with other open space shown in the plan so that the "Webster Street Green" in the Estuary Policy Plan would be connected to Chinatown and that connection between Chinatown and the waterfront could finally be made (at least on paper).

Evidently, several commissioners echoed Gary's comments, and he told me that you asked for an image of the Green that could be included in the Lake Merritt Station Area Plan. I am attaching a JPG to this email for use in that document. I am also forwarding herewith the list of development principles that were agreed upon at the recent JLDA-sponsored Webster Green design charrette:

1. The Webster Green need not be "green." It should be a linear park that is central to the Jack London District, and as such it must be in keeping with the character of the District, which is decidedly urban and industrial. While plantings, community gardens, and paths were all proposed there was general agreement that the Webster Green should not be a traditional park like Central Park in Manhattan or Golden Gate in San Francisco. It should be a series of spaces that embrace the post-industrial nature of the District.

2. The Webster Green should house diverse program elements while creating a unified and iconic place. Example uses included: picnic areas, a central gathering area and band shell, night market, food truck access, skate park, dog park, and community gardens.

3. Webster Green programs should reinforce existing building uses: where there are more residences, a dog park and community gardens; where there are more businesses, picnic areas.



4. Traffic patterns along Webster Street should change. The Green should house pedestrian and bike paths, while car lanes and parking need to be rethought. There was general consensus that Webster Street could be one lane southbound with one lane of parallel parking. This would free up 40-50' of additional street area to be appropriated for the Webster Green.

5. The intersection of Embarcadero and Webster needs to be made safer and simpler. Two ideas that emerged from the charrette were to: (a) make Webster one-way to the south, or (b) completely close Webster to traffic between Embarcadero and 2nd Street.

6. Webster Street between 6th and 7th Streets needs to be a better gateway to Jack London District and Alameda. Currently it is confusing and unsightly. Teams proposed a continuation of the Webster Green to 7th Street that would clarify traffic patterns and provide a welcoming front door to the District.

7. The Webster Green should be designed to host community events. Seasonal events could include: night market, small concerts, movies, holiday decorations, weddings, etc.

8. The Webster Green must be a sustainable development. It should foster inter-generational interactions, host a community garden for local restaurants and individuals, incorporate swales for rainwater and street runoff, use drought-tolerant planting to minimize water use, minimize pump and lighting energy use, and use recycled or reclaimed materials.

9. Webster Green will require imaginative financing mechanisms to pay for capital costs and ongoing maintenance. City of Oakland Redevelopment funds and federal grants were the primary funds discussed. CalTrans, the Port of Oakland, and BART are also significant property owners in the area who would benefit from the Green. Local businesses, non-profits, and residents would be a third tier of financing either as a Community Benefits District or as donations. In addition, the Green should be designed to generate some income from events such as concerts or festivals and from vendors such as food trucks.



Conceptual photomontage of the Webster Green connecting Jack London District to Chinatown.



Webster Green

Jack London District Neighborhood Design Charrette

07 December 2011

Land Use and Transportation Committee

Brendon Levitt, Co-Chair

Steve Lowe, Co-Chair

contact: board@jlida.org





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Participants

Lower Webster Team A

- Lee Stickle
- Jerome Jacobs
- Timothy Panza
- Judy Moran
- Denis Yurchikov

Lower Webster Team B

- Lara Rose
- Greg Hoelscher
- Anne Lew
- Deborah V. Acosta

Upper Webster Team A

- Wright Yang
- Paul Thyssen
- Ada Chan

Upper Webster Team B

- Damon Eaves
- CK Kuebel
- Margot Lederer

Floater

- Brendon Levitt
- Roman Desota

Development Principles

JLDA organized a neighborhood design charrette on December 7, 2011. This was a working session to discuss and sketch ideas for a potential Webster Green connecting Chinatown to the waterfront. Participants were divided into four teams: two worked on Lower Webster (Embarcadero to 4th Street) and two worked on Upper Webster (4th Street to 7th Street). All teams were asked to address specific categories of development: character, program, features, transportation, financing, sustainability, and events. After ninety minutes of intense brainstorming, the groups came together to present their ideas and discuss outcomes. This document will present the ideas discussed.

Several development principles emerged from the four teams' work.

1. The Webster Green need not be “green.” It should be a linear park that is central to the Jack London District, and as such it must be in keeping with the character of the District, which is decidedly urban and industrial. While plantings, community gardens, and paths were all proposed there was general agreement that the Webster Green should not be a traditional park like Central Park in Manhattan or Golden Gate in San Francisco. It should be a series of spaces that embrace the post-industrial nature of the District.

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9. Webster Green will require imaginative financing mechanisms to pay for capital costs and ongoing maintenance. City of Oakland Redevelopment funds and federal grants were the primary funds discussed. CalTrans, the Port of Oakland, and BART are also significant property owners in the area who would benefit from the Green. Local businesses, non-profits, and residents would be a third tier of financing either as a Community Benefits District or as donations. In addition, the Green should be designed to generate some income from events such as concerts or festivals and from vendors such as food trucks.



Google Earth aerial view of the Webster Street corridor from Chinatown (up) to the waterfront (down).

Background

The idea of creating a linear park above the Alameda Tube on Webster Street has been around since at least 1999 when the City of Oakland and the Port of Oakland jointly published the Estuary Policy Plan:

“Webster Street Green”: Webster Street (between the water and I-880) should be reconfigured to create an attractive greenway that can function both as an important pedestrian route to the waterfront and as an attractive open space amenity for the mixed-use loft district that is emerging around it. The Webster Street right-of-way is adjoined by an easement over the Webster tube to Alameda. As such, it is unbuildable. By relocating the surface parking lots above the tube, the easement and street right-of-way can be designed to create the Webster Street Green.

A decade later the Palm Plaza was developed at the end of Webster Street between Embarcadero and the waterfront. Subsequent development efforts have stalled, but recent work on the Lake Merritt BART Station Area Plan has identified Webster Street as an important link from Chinatown to the waterfront.

Precedents

Several types of precedents for the Green were discussed at the charrette. These were divided into the following broad categories:

- Post-Industrial Parks
- Gathering Spaces
- Linear Spaces

Examples are presented on the following pages.



Excerpted map from 1999 Estuary Policy Plan. Label 5 shows the Webster Green.

Precedents

Post-Industrial Parks



Showplace Triangle, San Francisco. Previously the intersection of 8th and 16th Streets in San Francisco, this “parklet” claims the street as park with minimal infrastructure and capital investment.



High Line, New York. Previously a derelict elevated track on Manhattan’s depressed lower west side. Recent redevelopment as a linear park has dramatically transformed the neighborhood and positively impacted property values.



Gasworks Park, Seattle. The abandoned gas plant and environmentally degraded site were reappropriated and bioremediated in the 1970’s and now serves as a play structure and fields for the public.



Duisburg North Landscape Park, Germany. Reuse of industrial plant by integrating a bioremediated landscape with vegetation. Here is a garden partitioned by the old foundations of a blast furnace.



Potemkin Meditation Space, Kurumata, Japan. Post-Industrial meditation park using simple, industrial materials - a “cultivated junk yard” in the words of the designer.



Diagonal Mar Park, Barcelona. Former industrial district along a river reinvigorated by a central park that is animated by playful sculptures, fountains, and oversized planters.

Precedents

Gathering Spaces



High Line, New York. Wood steps and a board walk create a small informal gathering space along a linear promenade.



Parc Andre Citroen, Paris. A dry garden forms a large, central gathering and play space that is surrounded by low benches that double as walkways.



Parc Andre Citroen, Paris. A small paved seating area is surrounded by raised planting beds that give it a sense of privacy and seclusion.



Victory Gardens, San Francisco Civic Center Plaza. Temporary installation of organic food production area serves as place of community engagement as well as a productive landscape.



Picnic area (Location unknown). Informal seating area surrounded by raised planter beds.



Panhandle, San Francisco. Temporary Band Shell made from recycled materials created a place for community events.

Precedents

Linear Spaces



Linear Park (Location unknown). Varied paving materials and treatments of the edges create spatial variety.



Arts District, Dallas. Curving path through linear park creates different types of spaces for solitary or community enjoyment.



Lakeshore East Park, Chicago. Simple, elegant linear promenade next to the lake uses a restrained palette of materials and elements to maximal effect.



Discovery Green, Houston. Seasonal lighting and decorations help invigorate the axial walk.



Linear Park (Location unknown). Boardwalk defines linear promenade adjacent to urban swale. Benches provide areas for small gatherings or picnics.



I-75 & I-85 Interchange, Atlanta. Simple but effective linear park where two freeways cross. Layered zones allow a variety of places to take place in very little space.

Lower Webster

Team A

Constraints

- Noise from freeway, Tube, and train
- Intersection of Webster & Embarcadero is unsafe and confusing
- Street Parking
- Physical presence of the freeway and train tracks
- Traffic study needed to see impacts on changing lane directions, reducing lanes, removing parking
- 2nd to 4th Streets lack a pedestrian scale and feel unfriendly

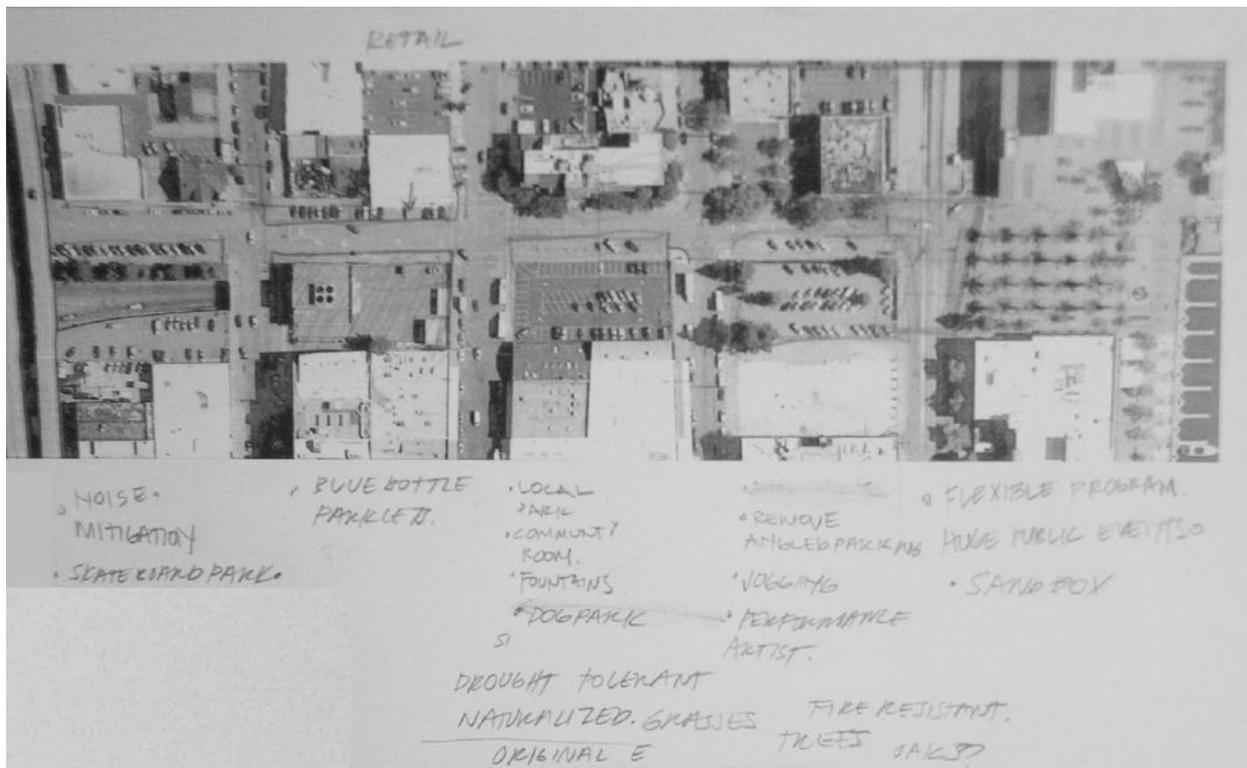
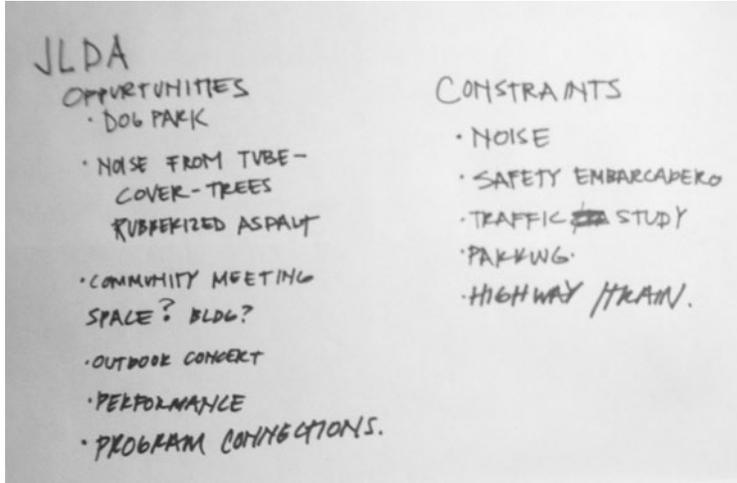
Opportunities

- Webster Green would help mitigate noise from freeway, Tube and train - cover trees and rubberized asphalt would help absorb sound
- Create a community meeting space (perhaps a community center?)
- Outdoor concert space or other performance space
- Establish connections with the Webster Green to adjacent program
- Create gradient of uses from waterfront to freeway that reflects the surrounding uses:
 - Embarcadero-2nd: Community Space for Performances or Artists
 - 2nd-3rd: Quiet Community Zone - passive community zone with picnic tables and benches
 - 3rd-4th: Dog Park
 - Parklets as appropriate to activate retail such as Ceruti Cellars, Blue Bottle Coffee and Warehouse Bar
- Create connections and overarching themes across entirety of Webster Green: Community, Ecology
 - Jogging and walking trail
 - Bike trail
 - Par course
 - Ecological Landscape ('what was here originally')
 - Drought-tolerant trees and grasses

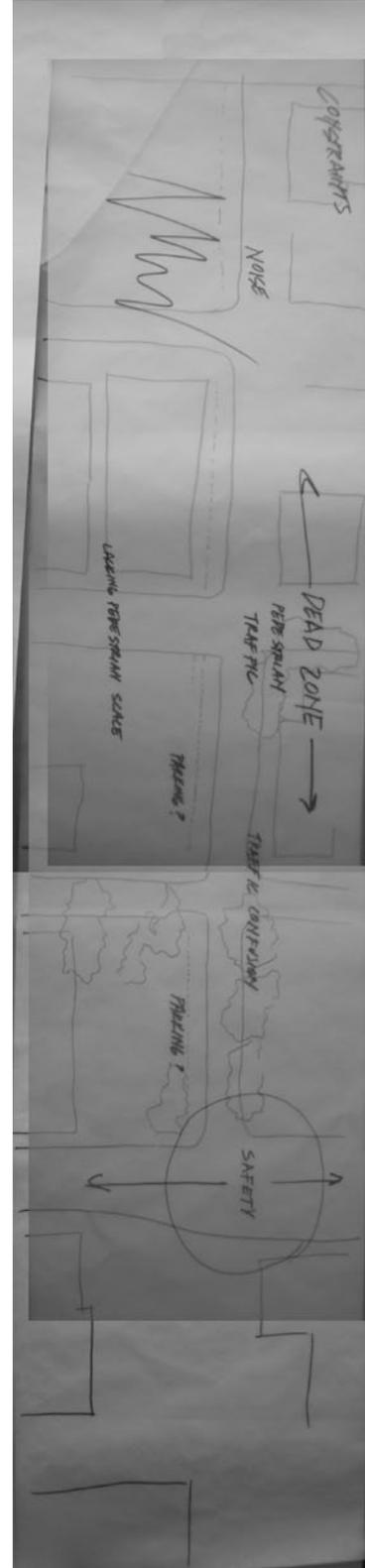
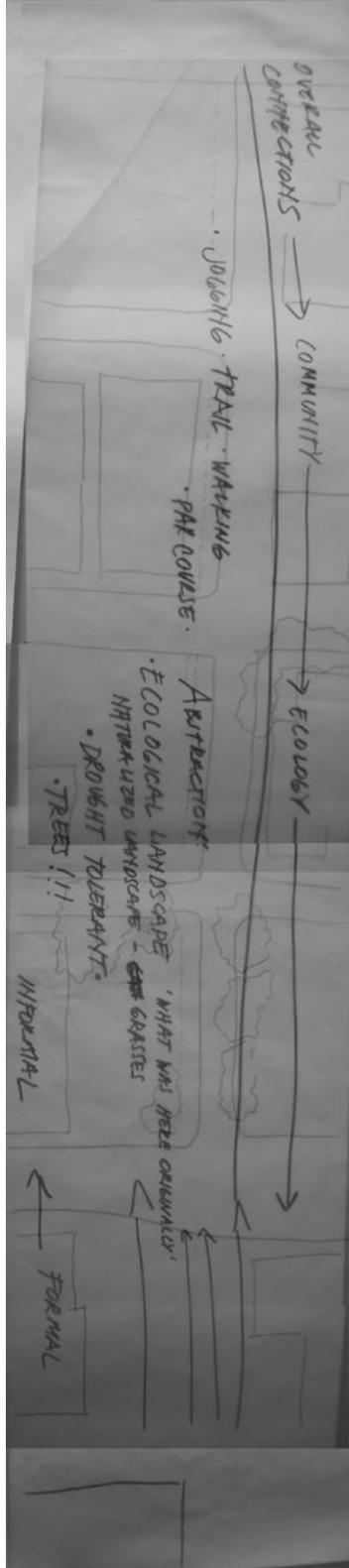
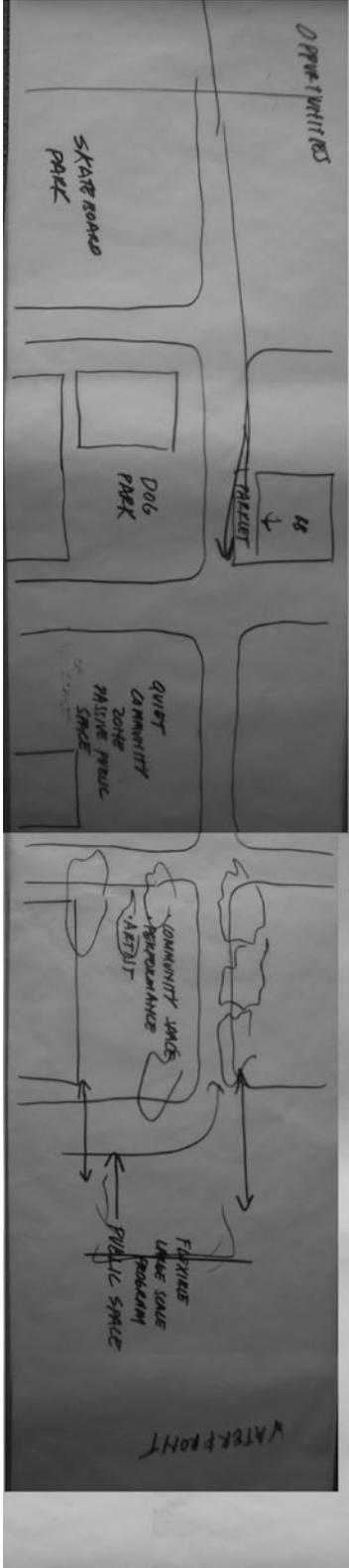


Lower Webster

Team A



Lower Webster
Team A



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Lower Webster

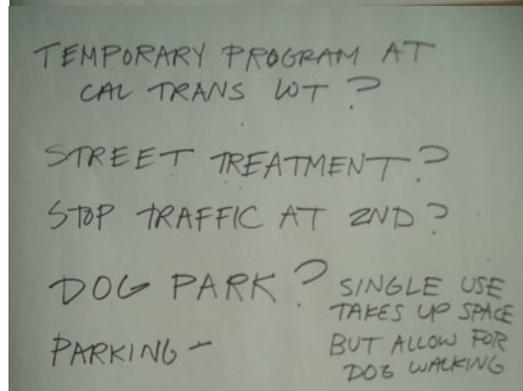
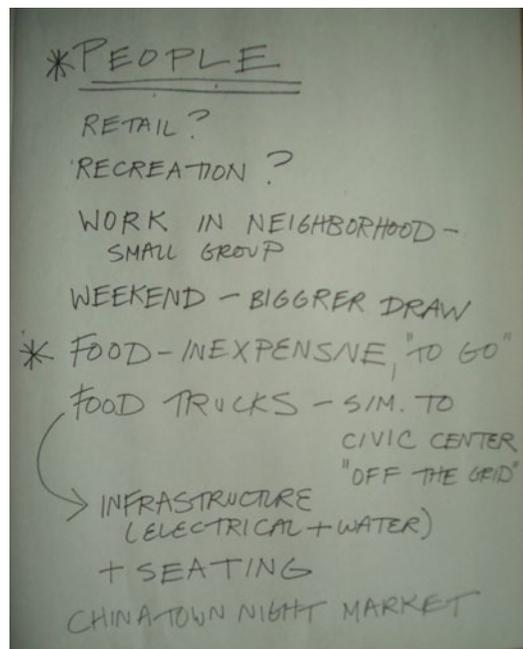
Team B

Team B echoed Team A's thoughts about creating a gradient of uses throughout the length of the Green that respond to adjacent existing uses.

They saw Embarcadero to 2nd as a zone that could connect across Embarcadero and integrate with the existing Palm Court next to Bocanova. By closing Webster to traffic along this block, they sought to eliminate the unsafe traffic conditions that currently exist while simultaneously creating continuity and connection to the waterfront for pedestrians and bicyclists. They envisioned that this zone could be home to a band shell that could house small events and a play space that expands to fill not only the existing parking lot above the Tube but also the whole of Webster Street.

From 2nd to 3rd, the Webster Green could transition to a space that caters more to the office tenants in the area. A picnic grove and a clearing for food trucks could be a major draw for neighborhood businesses and residents alike. The team emphasized that the growing trend of high quality, low cost food trucks would be in keeping with the cultural heritage of the area as a produce warehouse district. It would also create synergies among other existing establishments such as Cerruti and Blue Bottle. This area would be especially attractive to food trucks if the Webster Green were able to offer integrated utilities such as electricity, power and waste disposal.

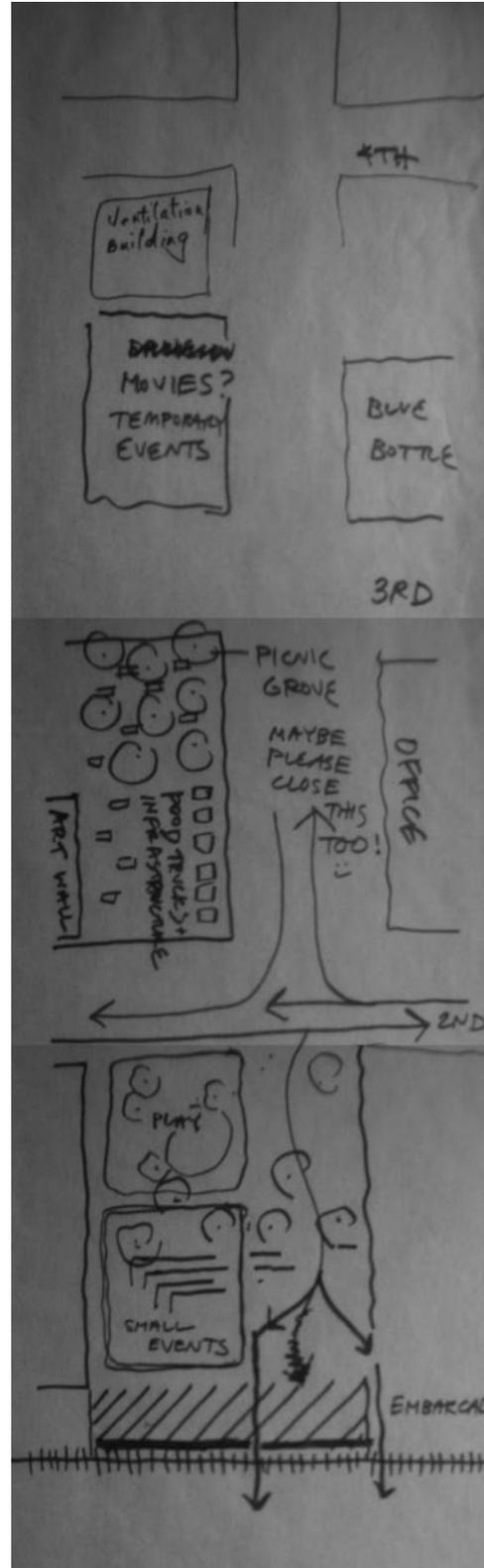
From 3rd to 4th, the group thought that the Ventilation Building working yard could be shared from time-to-time with neighborhood events such as outdoor movies or performances.



Lower Webster

Team B

KIDS? NOT MANY
 OPEN SPACE - VISIBILITY
 BANDSHELL? SOME WORRY ABOUT NOISE
 → RESTRICTED USE - LUNCH TIME
 FREE BUS - DRAW PEOPLE FROM DOWNTOWN
 → SMALL VENUE - INFORMAL, FLEXIBLE
 COMMUNITY GARDEN?
 → BUT CONCERNS ABOUT IT BEING CLOSED OFF / NOT DEMOCRATIC.
 → COULD THIS GO DOWN 4TH ST?



Upper Webster

Team A

Team A's emphasis was on extending the Webster Green all the way up to 7th Street. They described a linear promenade that would occupy parts of the Webster Tube Ventilation Yard and continue under the freeway into Chinatown. This would create physical and visual continuity between Chinatown and Jack London District. It would also provide a means for dealing with many of the problems in the area:

- Webster Tube Ventilation Building is loud and unsightly
- Webster Tube on-ramp is loud
- The I-880 Underpass is dark, dirty, and dangerous
- Traffic patterns in the block between 6th and 7th are confusing and dangerous

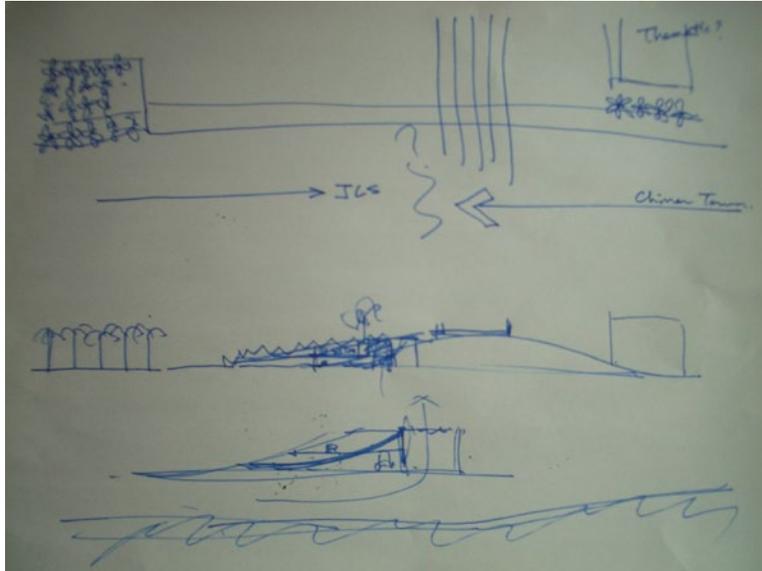
The team sought to resolve these problems by:

- Claiming some of Webster Street for the Park
- Masking the Webster Tube Ventilation Building with trees and/or vegetation
- Masking the Webster Tube on-ramp with trees and/or vegetation
- Improving the Freeway Underpass with lighting, paving, signage, art, and vegetation
- Activating uses under the Freeway, such as a dog park
- Extending the Green to form a median on Webster between 6th and 7th, thereby clarifying traffic patterns and forming a suitable gateway to both Jack London and Alameda



Upper Webster

Team A



Remove 1 Alameda lane
between 7th and 6th
Extend median to 7th - add trees
Possible dog park under freeway
Remove parking on North side of Webster
at 4th and 3rd.

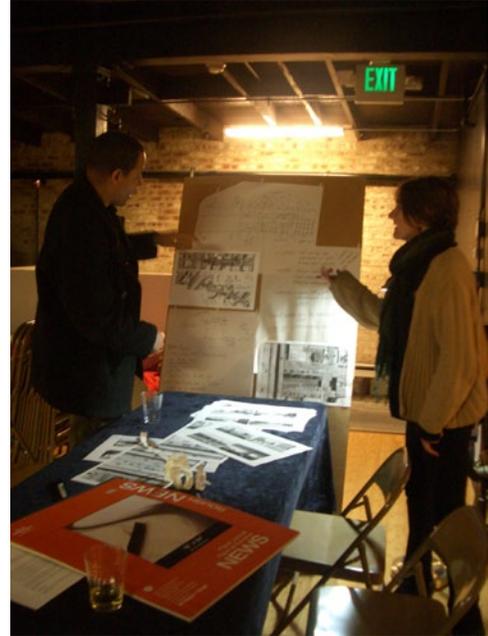


Upper Webster

Team B

Webster Street should be one southbound lane for traffic, and the other lane should be reserved for market stalls and food trucks. Adjacent to the stalls could be a continuous swathe of park that is a series of grass dunes that could give a unique look and feel to the area. It could house bicycle and walking paths to make the whole stretch from 7th Street to the waterfront into a pedestrian-friendly area. Streetscape elements can tie the long stretch together with special lighting, signage, etc. On the other side of the street, parallel parking would be interspersed with “parklets” where appropriate. The design vocabulary of these parklets could refer back to the grass dunes of Webster Green but they would only occur as needed.

Along the dune promenade, there might be several distinct moments that lend a distinct character to the Green. For instance, the Webster Tube Ventilation Building could be used as an outdoor theater. Large-scale industrial sculptures (i.e. from American Steelworks) could populate the route and create further “destinations” along the length. The freeway could be another special moment along the Green as it gets transformed from into a “sparkly and bright and friendly” place.



Upper Webster

Team B

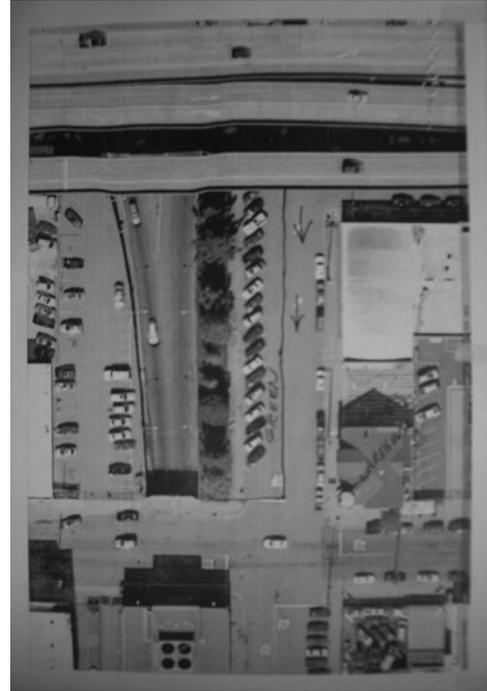
CO DESIGN - light/access for
underpass at both
B'way and Webster } *sparkly
and bright
and FRIENDLY*

WEBSTER - ATTRACTIONS
NIGHT MARKETS
AMERICAN STEELWORKS - sculptures

CORRIDOR BETWEEN 7th & 4th =
GREEN and or PEDESTRIAN FRIENDLY
DUNES

STREET LAMPS tying PRODUCE DEPARTMENT TO
JLDA

OPEN UP - A THRESHOLD, NOT BOUNDARY



Gaslight Theme

(Side View)

semi prominent shelter for kids/animal.

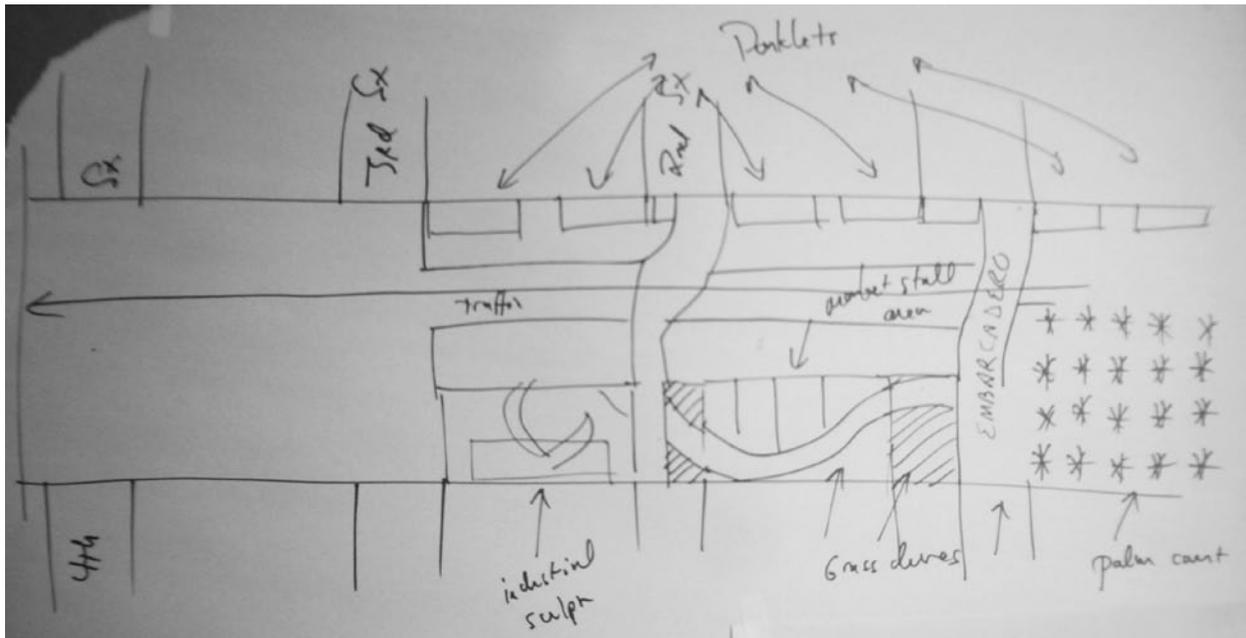
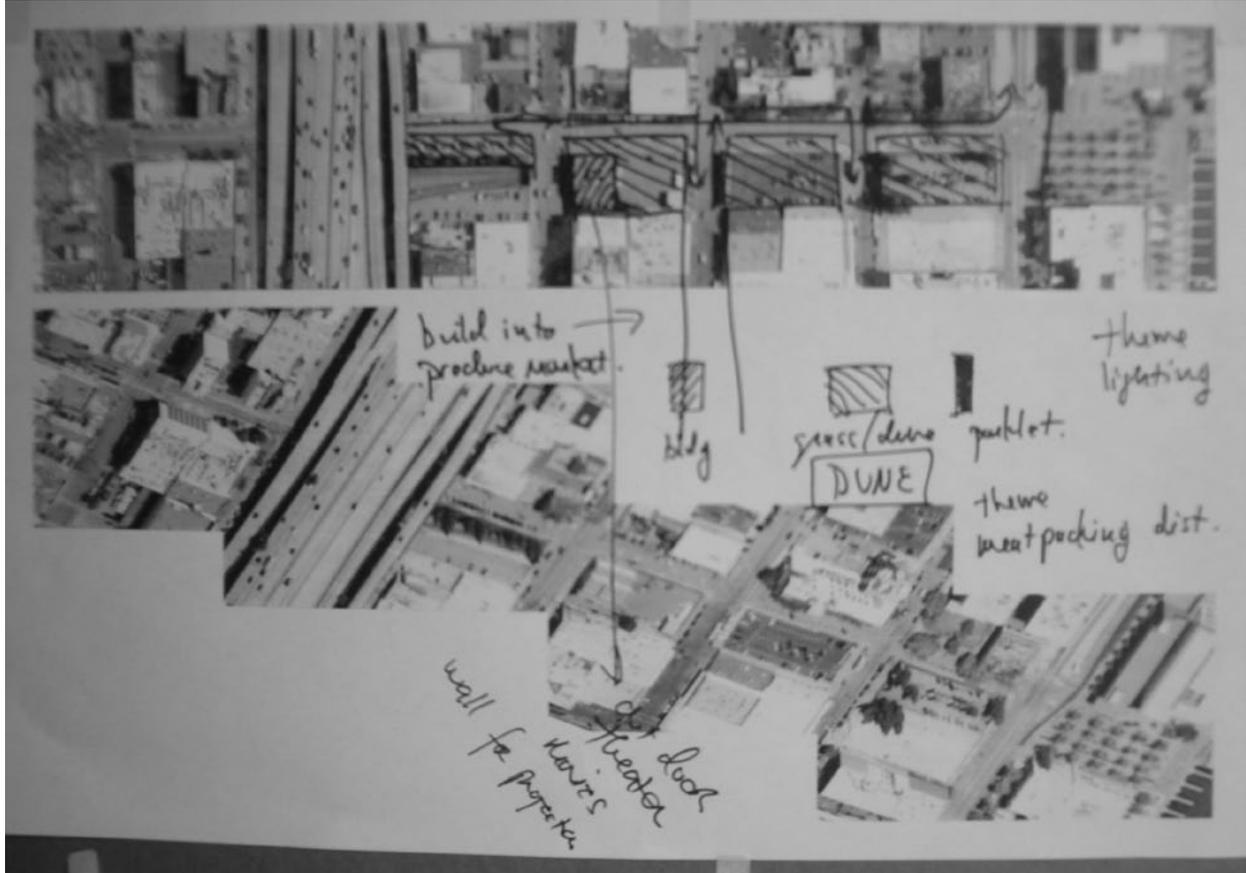
pedestrian dunes

one lane
one way
traffic

Build on:

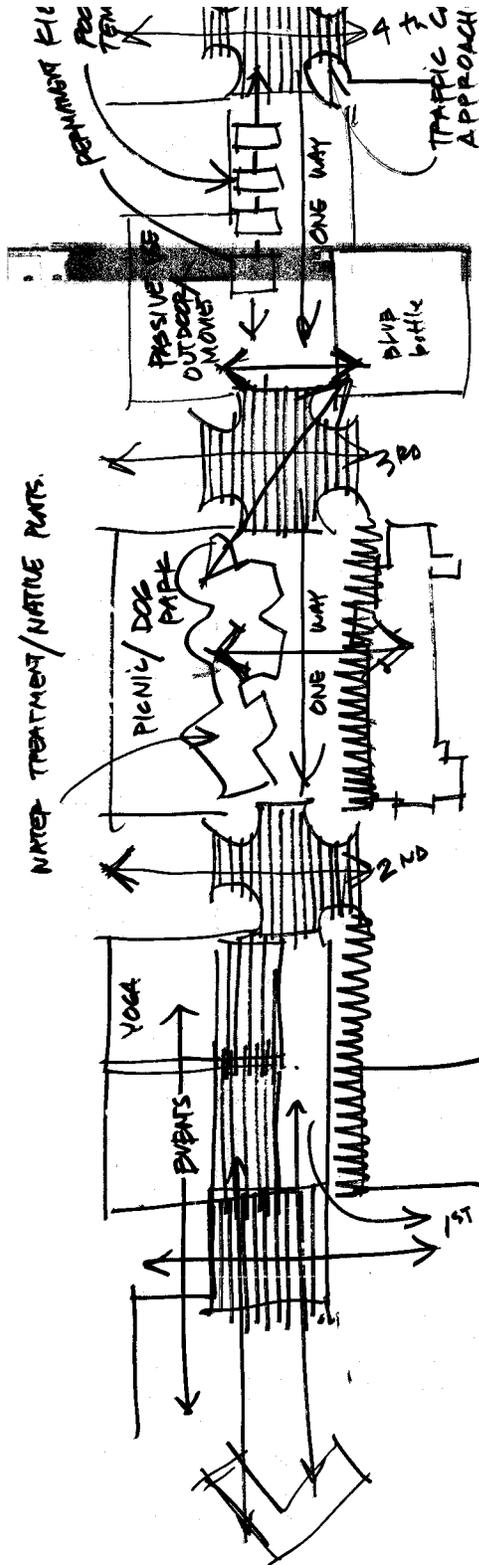
- + Produce market theme (Chelsea Meat packing)
- + Real Brides street
- + pop up businesses
- + Gaslight District
- + Food trucks
- + Dunes to Grass for kids, couples
- + One Lane/One Way Street on Webster.
- + Other Lane for Market stalls
- + Be inclusive of •

Upper Webster
Team B



Lower Webster

R3 Studios

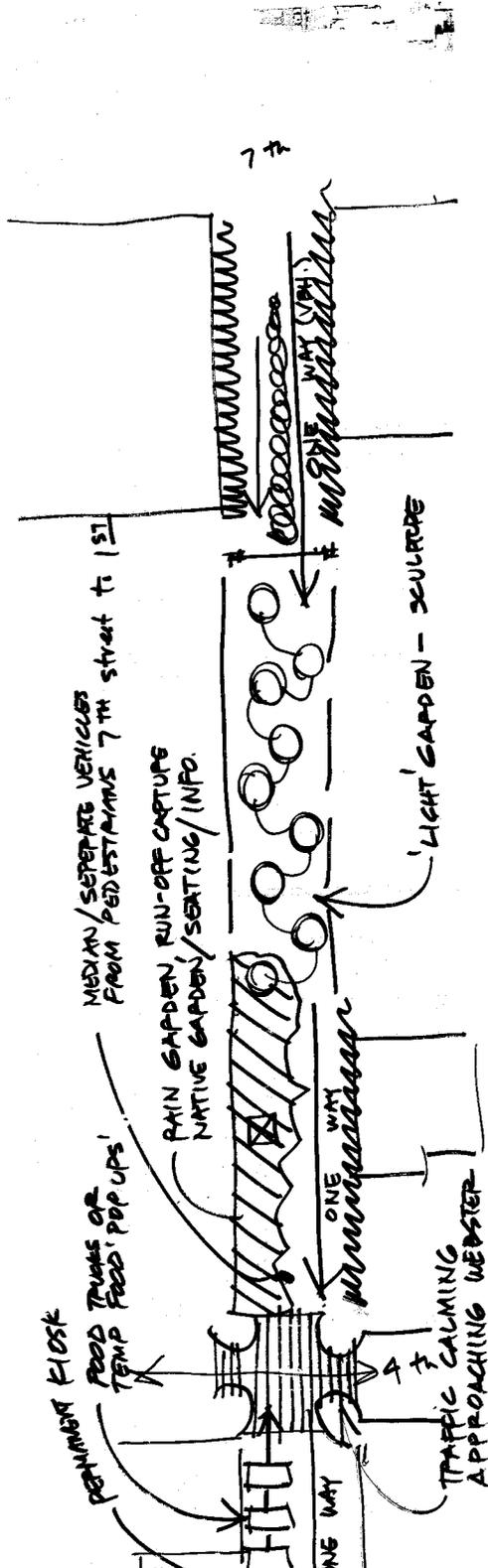


— LOWER WEBSTER — OPPORTUNITIES

1. LINKS: establish identity
2. OUTDOOR LIFE:
 1. DOG PARK
 2. PICNIC — LUNCH CROWD
 3. CONCEPTS
 4. PARK
 5. WATER TREATMENT (RAIN GARDENS)
 6. FOOD SERVICE — 'POP-UPS'
 7. ESTABLISHED COFFEE FACILITY AT MID POINT
 8. MOVIES
 9. TRAFFIC CALMING (VEH.)
 10. MEETINGS
 11. DECORATIVE THEMED LIGHTING 7th to 1st
3. ENHANCED CONCRETE/SURFACE AT INTERSECTIONS
4. CLOSE 1st STREET VEH. TRAFFIC ON WEEKENDS.

Upper Webster

R3 Studios



UPPER WEBSTER OPPORTUNITIES

1. EAST-MEETS WEST (CHILO)
CHINATOWN - JACK LONDON
2. NIGHT MARKET
3. ART
4. 'LIGHT' GARDEN / ART UNDER-PASS @ BBO
5. LIGHTED PASSAGE
6. RAIN GARDEN / NATIVE PLANTING CAPTURE FREEWAY WATER SURFACE WATER / TREATMENT
7. ONE WAY VEHICULAR TRAFFIC ON WEBSTER.
8. TREES IN MEDIUM ONLY SCULPTURE TREES LOCAL ARTIST
9. TRAFFIC CALMING AT INTERSECTIONS

Next Steps

There are several steps that can be taken in parallel towards turning these visions into reality. The major milestones we will need to clear are city approvals, funding, land procurement, design, and construction:

- Work with neighboring community groups (Chinatown, Old Oakland, Downtown) to build support for the Green.
- Work with CalTrans to determine initial feasibility and ownership rights. The Marler Johnson Highway Park Act of 1969, states that a local agency can request use of an airspace site for park or recreational purposes.
- Work with City of Oakland Planning Department to determine suitability of land use and changes to traffic patterns.
- Work with City of Oakland Community and Economic Development Agency (CEDA) and Redevelopment to determine what funding is available.
- Work with City of Oakland Parks and Recreation to determine long-term management and maintenance.
- Work with a landscape architect or design-build entity to design the Green.
- Work with contractor or design-build entity to construct the Green.



While JLDA will continue to advocate for the Webster Green, we do not currently have the resources to actively steer the process. If the Jack London District forms a Community Benefits District, the Webster Green might be a suitable project for such an organization to take on.

January 17, 2012

TO: President Vien Truong, and Planning Commissioners C. Blake Huntsman, Michael Colbruno, Madeleine Zayas-Mart, Jonelyn Whales, and Chris Patillo
FROM: Oakland Chinatown Chamber of Commerce and Oakland Chinatown Coalition
RE: Lake Merritt BART Station Plan

Dear City of Oakland Planning Commissioners:

The Oakland Chinatown Chamber of Commerce and the Oakland Chinatown Coalition have a common goal of ensuring the vibrancy and sustainability of Chinatown. We have compiled key elements that we feel are essential to contributing to Chinatown's vibrancy as a regional destination and community, but remain absent from the Preferred Plan. They are as follows:

- 1-** Pedestrian lighting should be a first phase priority of the plan.
- 2-** Concrete and specific traffic and air pollution mitigation strategies need to be articulated in the plan to address exponential traffic projections.
- 3-** Improvements to the Lake Merritt BART Station should provide a clear connection to Chinatown and the station should be renamed to reflect the community's identity (Chinatown/Laney).
- 4-** Grow and extend small businesses from Chinatown to Laney by establishing: 1) zoning that supports local businesses, 2) a small business innovation and incubator fund that can assist with small business sustainability and growth, 3) an effective mechanism for attracting EB5 investments into the area.
- 5-** Re-convert 7th, 8th, 9th, 10th, Harrison, Webster, and Franklin Streets to two-way streets to calm traffic and improve safety without a reduction in lanes.
- 6-** Provide mechanisms to ensure neighborhood community benefits are provided as part of development. They are a critically important component for supporting the vibrancy and growth of the Chinatown neighborhood and residents.
- 7-** Major improvements needs to be made to Madison Park and a mechanism by which funds can be secured to manage the park needs to be established.

We ask that the Planning Commission request staff to incorporate our joint recommendations into the Plan, allow review of the changes by the community, and return to the Commission for recommendation to the City Council before the EIR moves forward. This will ensure that the costly environmental review document will focus on a Preferred Plan that reflects the needs and desires of the Chinatown community.

Sincerely,

Jennie Ong

Oakland Chinatown Chamber

Sherry Hirota

Oakland Chinatown Coalition

The Oakland Chinatown Chamber has over 400 members representing diverse ethnic groups and a range of businesses and professions in both Oakland Chinatown and outside of the Oakland Chinatown area. The Oakland Chinatown Chamber of Commerce was formed in 1985 by a group of local business people who wanted to promote business in the Asian community and provide a forum for the discussion of government policies

The Oakland Chinatown Coalition is a broad, neighborhood-based coalition, including Asian Health Services, Asian Pacific Environmental Network, East Bay Asian Local Development Corporation, Oakland Asian Cultural Center, Buddhist Church of Oakland, National Council on Crime and Delinquency, Lincoln Recreation Center, The Spot Chinatown Youth Center, Hotel Oakland Tenant Association, Colland Jang Architecture, Clad Architects, and Residents of Chinatown.

From: Miller, Scott
Sent: Wednesday, January 18, 2012 4:28 PM
To: Manasse, Edward; Ferracane, Christina
Cc: Angstadt, Eric
Subject: FW: Oakland Chinatown Chamber Concerns and Comments For Comm Mtg 1/18

From: OaklandCTChamber@aol.com [mailto:OaklandCTChamber@aol.com]
Sent: Wednesday, January 18, 2012 4:05 PM
To: vienv.truong@gmail.com; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattilo@PGAdesign.com; Miller, Scott
Subject: Oakland Chinatown Chamber Concerns and Comments For Comm Mtg 1/18

Re: Lake Merritt BART Station Planning Area

Dear President Truong and Oakland Planning Commissioners:

On behalf of the Oakland Chinatown Chamber and the business community, we are submitting our concerns and recommendations for the development of the Lake Merritt BART Planning Area.

Due to the economic downturn in Oakland during the last 3 years, Chinatown businesses have suffered, which resulted in the closure of restaurants, merchant stores and banks. These are the issues happening in our community:

- Rental decline
- Vacancy rate up
- Sales down to loss of customers
- Perception of crime
- Competition from Asian Malls

That said, the Oakland Chinatown Chamber of Commerce is supporting a vision for a development at the Lake Merritt BART Station Plan that will build a stronger Oakland and sustain Chinatown as a vibrant community with these recommendations:

A true transit center with high density mixed-use development

Commercial centers that promotes small and large businesses such as the Pacific Renaissance Center

Support market rate housing that attracts family with disposable income

No arbitrary height limits in the area

Incentives to attract investors and create EB-5 Programs

The Madison Square Park should be made available for development to improve the open space. An example is underground parking with elevated open space, such as Union Square or Portsmouth Square in San Francisco. The monies generated will support the maintenance of the Park.

Thank you for your consideration. Please feel free to contact me for any questions.

Jennie Ong
Executive Director
Oakland Chinatown Chamber of Commerce
510 893 - 8979

TO: CITY OF OAKLAND

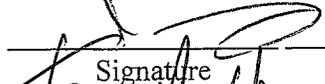
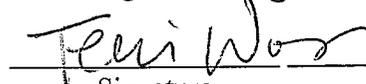
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The primary goal is to attract businesses which will provide jobs, generate commercial activity and housing that builds a revenue base which our City of Oakland currently lacks. We strongly believe that we can work together to bring up the spirit and economy of our community in the instant future. Thank you!

BY:

 Signature	77-8 th St. #201 Address	JChu8888@AOL.com. Email
 Signature	77-8 th St. #202 Address	nwong202@gmail.com. Email
 Signature	77 th St #199 Address	tchao2002@hotmil.com Email
 Signature	77 th Street, #206 Address	glwong@sbcglobal.net Email

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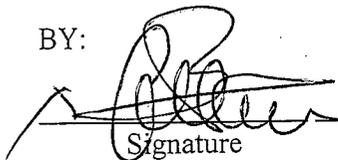
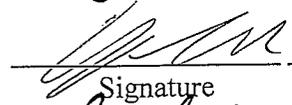
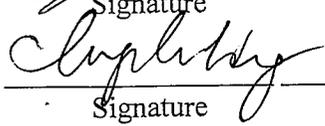
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BY:

 Signature	77-8 th St. #203 Address	bba trucking-comny@a Email
 Signature	73 8 th St. Address	Yule's Sabarwal Gmail.com Email
 Signature	77-8 th St #180 Address	Email
Signature	Address	Email

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BY:

Marcus J. Westley 7311 Coral Rd Oakland CA 94603 SoccerAss.com
Signature Address Email

KEVIN FORD 1265 82ND AVE APT A FLIGHTSIM0118@YAHOO.COM
Signature Address OAKLAND CA 94621 Email

RUFINA LOUIE 475 Orange St # 208 rufinalouie@yahoo.com
Signature Address Oakland, CA 94610 Email

PAULINA LAU 388 9th Street # 201 paulinelau88@yahoo.com
Signature Address Oakland, CA 94601 Email

TO: CITY OF OAKLAND

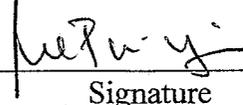
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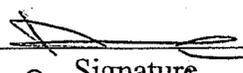
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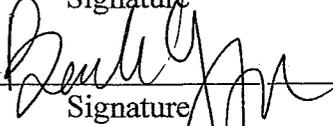
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BY:

 2438 47th AVE ST. OAKLAND WWW.PYLICHUNG@YAHOO.COM
Signature Address Email

 388 9th ST #114 OAKLAND CA 94607 395comm@gmail.com
Signature Address Email

 388 9th ST #114 OAKLAND CA 94607 395comm@gmail.com
Signature Address Email

 311 OAK #116 OAKLAND theabach@yahoo.com
Signature Address Email

 311 OAK ST #116 OAKLAND free@yahoo.com
Signature Address Email

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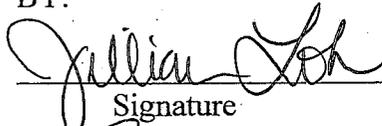
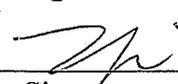
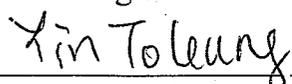
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BY:

	24 Downey Pl. Oakland CA 94612	jillianloh@lohrealty.com
Signature	Address	Email
	388 9th St, #208 Oakland CA 94607	PCC208@GMAIL.COM
Signature	Address	Email
	1614 Cedar St Oakland CA 94612	
Signature	Address	Email
	388 9th St #122 Seshu House	
Signature	Address	Email

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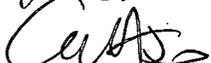
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BY:

 Signature	388 9th St. #229 Address	Sylvia.P.P.P@siglobal.net Email
 Signature	801 Franklin St. #712 Oakland Address	evadob128@yahoo.com Email
 Signature	388 9th St #218, Oakland Address	wongal@sutterhealth.org Email
 Signature	388 9th St #218 Oakland Address	LOANWANG88@yahoo.com Email

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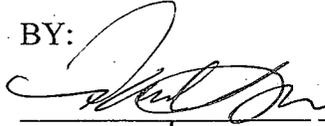
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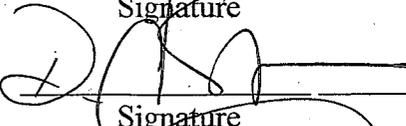
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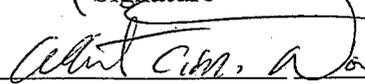
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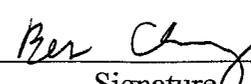
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BY:


Signature ^{Oakland, CA 94610} 21 Humphrey Pl. Address paul@lohreality.com Email


Signature 6319 CASTLE DR. OAKLAND ⁹⁴⁶¹¹ Address rdasilva@lohreality.com Email


Signature 333-9th, Oakland, Ca. 94607 Address Email


Signature 327 Pacific Ave, Address Alameda, CA 94501 sbcheung74@gmail.com Email

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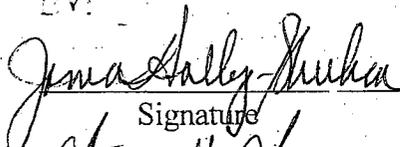
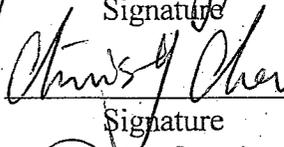
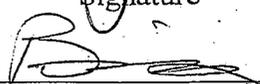
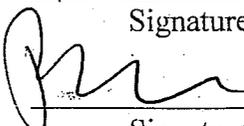
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BY:

	388 Ninth St, Ste 250, Oakland, CA 94607	holly4@sbcglobal.net
Signature	Address	Email
	388 Ninth St Ste 258 Oakland, Ca 94607	kristychen723@yahoo.com
Signature	Address	Email
	900 webster St. Oakland CA 94607	
Signature	Address	Email
	388 9th St St 109	
Signature	Address	Email

TO: CITY OF OAKLAND

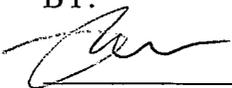
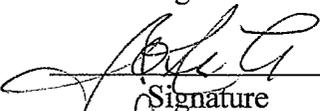
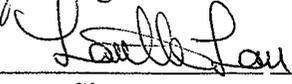
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BY:

	1902 E 23rd St	Jeffrey.ken.lam@gmail.com
Signature	Address	Email
	24 Downing Pl. Oak.	JohnLo@LOWREALTY.COM
Signature	Address	Email
	3548 Quigley St	Anyun86@yahoo.com
Signature	Address	Email
	388 9th Street	CaryZVYLA@yahoo.com
Signature	Address	Email

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BY:

Maedan Chen 1540 WELLINGTON ST OAKLAND CA 94602
Signature Address Email

Kim Woy 124 CORAL DR ORINDA -
Signature Address Email

Michelle Wang 388 9th ST. OAKLAND, CA, 94607
Signature Address Email

Alan 1028 McKimley Ave, Oakland, CA 94610
Signature Address Email

Jeff 388 - 9th Street OAKLAND CA 94607

TO: CITY OF OAKLAND

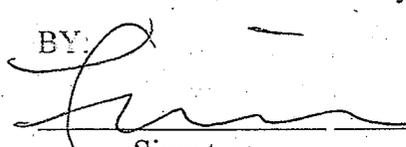
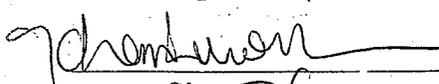
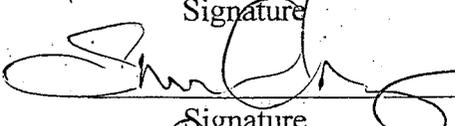
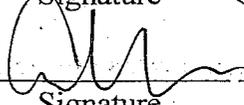
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BY:

	388 9th St Oakland, CA 94607	
Signature	Address	Email
	1295 E 33rd St Oakland 94610	
Signature	Address	Email
	388 9th St. #259 Oakland CA 94607	
Signature	Address	Email
	388 9th St #259 Oakland CA 94607	
Signature	Address	Email

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BY:

<i>Francis Jan</i> Signature	<i>900 Alice St. #128 Oakland CA 94607</i> Address	<i>Property owner</i> Email	<i>francisjan@allstate.com</i> Email
<i>George On</i> Signature	<i>701 Franklin St.</i> Address	<i>Legendary Palace</i> Email	<i>Ang ofc@gmail.com</i> Email
<i>George On</i> Signature	<i>708 Franklin St</i> Address	<i>Property owner</i> Email	<i>" "</i> Email
Signature	Address		Email

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BY:

Property owner of
Betty S.F. Hui-Loni 212 9th Street, 0417 203 BettyLoni@yahoo.com
Signature Address *Oakland* Email

Signature Address Email

Signature Address Email

Signature Address Email

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BY:

Property owner of
Joseph Lim 988 Franklin St, UNIT 1303 *SLWTC Sbc Global.net*
Signature Address OAKLAND, CA 94612 Email

(SUGGESTION)
Judith Wellington 388 North St. #218 *Judith@wellingtonproperty.co.com*
Signature Address Oakland Email

Vanessa 938 Webster St
Signature Address Oakland Email

Lily 825 Webster St OAK
Signature Address Golden Pkwy Email

TO: CITY OF OAKLAND

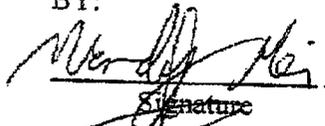
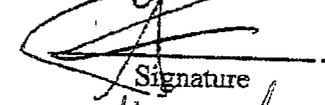
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BY:

	212 9th ST. STE 310	fastforward43@hotmail.com
Signature	Address OAKLAND, CA 94607	Email
	212 9th ST. STE 310	wmei333@yahoo.com
Signature	Address OAKLAND, CA 94607	Email
	371 9TH ST OAKLAND	
Signature	Address	Email
Signature	Address	Email

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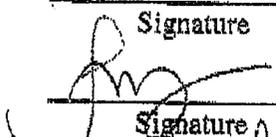
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Signature	Address	Email
	" "	legalthire@yahoo.com
Signature	Address	Email
	" "	edmondck1231@gmail.com
Signature	Address	Email
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<u>Beatrice</u>	<u>212 9th St., Oakland, CA 94607</u>	<u>Beatricechan@anphc.com</u>
Signature	Address	Email
<u>Chen</u>		<u>Costa Kyeulung@anphc.com</u>
Signature	Address	Email
<u>Kelly Chy</u>	<u>40538 Lg Parisienne way Fremont, CA 94549</u>	
Signature	Address	Email
<u>J.P.</u>		<u>kkleung1919@yahoo.com</u>
Signature	Address	Email

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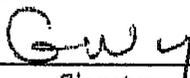
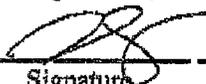
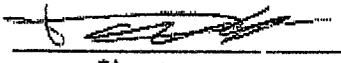
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BY:

		<u>annaime@gmail.com</u>
Signature	Address	Email
		<u>Kathy Zhang 110881@yahoo.com</u>
Signature	Address	Email
		<u>boarddc@gmail.com</u>
Signature	Address	Email
<u>Stanley Yum</u>		<u>show yun thin@gmail.com</u>
Signature	Address	Email

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BY:

~~(7647)~~
933 Jackson St
LING WANG
Oakland CA 94607

Signature

Address

Email

Harry Lin DDS 933 Jackson St. harryphlin@yahoo.com

Signature

Address

Email

Isaac Tsai DDS 933 Jackson St

Signature

Address

Email

Shu Li Liu 933 Jackson St. Oakland CA 94607

Signature

Address

Email

TO: CITY OF OAKLAND

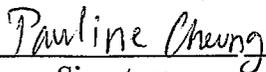
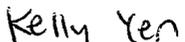
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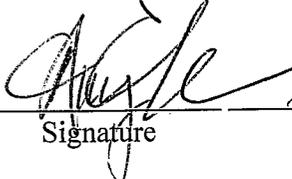
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BY:

 ^{STC. 213}
312-9TH ST. OAK. 94607 OAKLANDBANKPOFT@AOL.COM

Signature

Address

Email

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Email

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Email

Signature

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TO: CITY OF OAKLAND

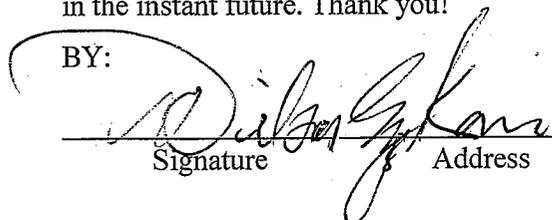
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BY:

 712-9440 St. #110, Oakland, CA 94607
HKOPTICAL@yaho.com

Signature	Address	Email

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re: Lake Merritt BART Development Plan

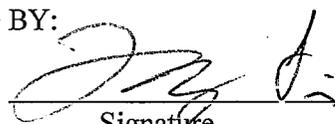
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BY:

	212 9 th St #204 Oakland	eastbaybroker@aol.com
Signature	Address	Email

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From: Vivian Yi Huang [mailto:vivianh@apen4ej.org]
Sent: Tuesday, January 17, 2012 7:30 PM
To: Miller, Scott; 'Vien Truong'; Blake.Huntsman@seiu1021.org; michaelcolbruno@clearchannel.com; MzmDesignWorks@gmail.com; pattillo@PGAdesign.com; jaw1123@aol.com
Cc: 'Julia Liou'; 'Ener Chiu'; 'Willie Yee'; 'Chiu Eva'
Subject: Chinatown Coalition's Comments regarding the Lake Merritt BART Station Area Plan

Hello Oakland Planning Commissioners:

Tomorrow, the Planning Commission will review the Lake Merritt BART Station Area Plan. The Chinatown Coalition is a diverse group of organizations, community residents, and business owners who are committed to building a healthy Chinatown as a strong neighborhood.

Attached is a document (entitled "Comparison Document") that highlights our concerns with the current Lake Merritt BART Station Area Plan and the specific policy and zoning recommendations that we would like to see adopted in the plan. We want to see the Station Area Plan actively and intentionally plan for Chinatown to continue to grow as a strong, economically vibrant, and diverse neighborhood. The Chinatown Coalition recognizes that we need intentional policies to ensure that the planning area develops as a mixed-income and diverse transit-oriented area. We ask that our recommendations are included so that the plan makes clear the City's intention to maintain the area as economically diverse and inclusive. I believe most of you have been contacted regarding the issues, but please call me at 510-282-0135 if you have any questions.

Also, I am also attaching a copy of a brochure that describes the Chinatown Coalition and [please see our Dec 7 letter] with our comments on the current version of the Lake Merritt BART Station Area Plan as additional background information.

Vivian

Vivian Yi Huang
Campaign & Organizing Director
Asian Pacific Environmental Network
510-834-8920 x 304
vivianh@apen4ej.org
www.apen4ej.org

CHINATOWN/LAKE MERRITT BART STATION AREA HISTORY



1882
Chinatown

1906: San Francisco earthquake spawns influx of San Francisco Chinatown refugees into Oakland Chinatown.



1950
Chinatown

1963: California outlaws racial discrimination in housing, allowing Chinese families access to housing outside of Chinatown.

1966: HUD approves the Oakland Redevelopment Agency's Central District Urban Renewal Plan; no local support.

1960 - 1970: Chinatown loses 13% of its residents and 20% of its housing units due to encroachment into Chinatown by various redevelopment projects and suburban flight.



2000
Chinatown



1850s: First Chinese arrive in Oakland.



1936: The Ming Quong Home opens, but must be relocated for BART in 1965.

1950s: Chinatown shifts from bachelor to family community with relaxation of immigration laws.



1953: The Oakland Chinese Community Center opens.



1959: Freeway is constructed.



1965: The new BART construction relocates Madison Park and takes over three blocks in Chinatown.

1967: Edward B. Wong and Chinatown business leaders release their redevelopment recommendations.

1981: Asian Branch of the Oakland Public Library opens.



1960s - 1970s: Many new community groups are formed.

1968: Rev. Frank Mar holds first Chinatown community meetings, leading to the establishment of the Oakland Chinese Community Council, now Family Bridges, Inc.

1970s - 1980s: Immigration laws abolish national-origin quotas, and Chinatown gains a more diverse, Pan-Asian population. Residential area expands to "China Hill."



1985: A group of merchants forms the Oakland Chinatown Chamber of Commerce to promote the general welfare and prosperity of the Oakland Chinatown area.



Photo Credit: Just Cause

2003: Residents and activists protest evictions from the Renaissance Plaza, ultimately resulting in victory for the residents.



Photo Credit: SF Streetsblog

2004: New street crossings are installed for pedestrian safety and beautification.

Center for Community Innovation, 2009.

LAKE MERRITT BART STATION AREA PLAN 2011



The City of Oakland, BART and the Peralta Colleges/Laney College have initiated a public partnership to develop an Area Plan for the community surrounding the Lake Merritt BART station. The Area Plan will bring together the goals and objectives of key neighborhood stakeholders to generate a shared vision for the planning area that builds on the successes of Chinatown as a transit-oriented neighborhood while providing strategic opportunities to link key transit destinations such as Laney College, Chinatown's commercial core, the Oakland Museum of California, Kaiser Auditorium, the East Lake neighborhood, Alameda County offices, and other institutions in the area. The planning effort is committed to community engagement in the creation of this shared vision.

OAKLAND CHINATOWN COALITION

The OCC is a broad, neighborhood based coalition of service and community based organizations, businesses and professionals, churches, and residents who live, work, play, and shop in Chinatown. We have advocated for the Specific Plan to make nine key improvements to our neighborhood through a strong community engagement process: public safety, access to jobs, affordable housing, community facilities/open space, small businesses, transportation, cultural preservation, and public health.

FOR QUESTIONS CONTACT:

East Bay Asian Local Development Corporation
Ener Chiu, (510) 287-5353

Asian Pacific Environmental Network
Vivian Huang, (510) 834-8920

Asian Health Services
Julia Liou, (510) 986-6830



9 PRINCIPLES FOR THE LAKE MERRITT BART STATION AREA COMMUNITY

1. PUBLIC SAFETY:

Immediately implement pedestrian-scale street lighting along 8th, 9th, Jackson, and Alice Streets.



Image Credit: Lawrence Ko Leong



Image Credit: Metropolitan Transportation Commission

2. JOBS:

Ensure that any project with public funding is subject to the City's local hiring requirements.



Image Credit: Lawrence Ko Leong

3. HOUSING:

Protect current residents against displacement, and ensure that at least 30% of the housing in the project plan is affordable to families at or below 60% of Area Income, including extremely low and very low-income families.



Photo Credit: EBALDC

4. HEALTH:

Create a pedestrian-friendly environment with open space that promotes public safety, walking, and exercise. Facilitate destination traffic to Chinatown while diverting Alameda, Oakland, and I-880 through traffic away from the area in order to improve air quality and community health.



Photo Credit: Darren Yee

5. COMMUNITY FACILITIES AND OPEN SPACE:

Improve Madison Park with physical programming and regular programming. Add a block of contiguous park space to the Chinatown core. Establish a Community/Youth Center that provides programs and services.

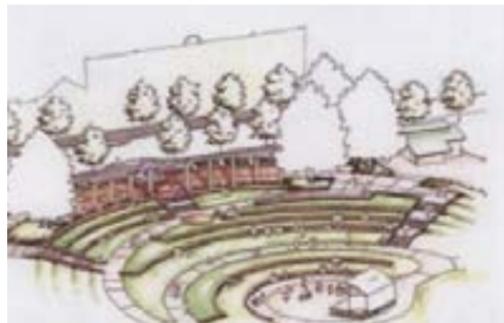


Image Credit: Lawrence Ko Leong

6. BUSINESS:

Encourage new grocery stores, farmers markets and healthy restaurants, attract new businesses, especially pharmacies, banks, and bookstores.



Photo Credit: www.blog.taiwan-guide.org

7. COMMUNITY ENGAGEMENT:

Ensure that community residents and organizations are involved in decision-making and monitoring of the neighborhood plan.



Photo Credit: Eva Chiu

8. TRANSPORTATION:

Calm traffic on 7th Street, install pedestrian scramble systems at controlled intersections on 8th and 9th streets between Harrison and Jackson Streets, and convert 7th, 8th, 9th, 10th, Harrison, Webster, and Franklin streets into two-way streets.

9. CULTURAL PRESERVATION:

Celebrate Asian culture using streetscape improvements, public art, historical markers, and bilingual signage. Zone for active ground floor uses, especially along 8th Street and 9th Street. Rename the BART Station to Oakland Chinatown/Laney BART Station.



Photo Credit: Darren Yee

BUILD STRONG NEIGHBORHOODS: A HEALTHY CHINATOWN

The Lake Merritt BART Station Area Plan has had unprecedented community resident participation in a neighborhood planning process. What was most exciting was the agreement that **transit-oriented development (TOD) which builds strong neighborhoods is the priority**. Overwhelmingly, residents and business owners agree that development is needed to support economic growth & fully realize the opportunities of this neighborhood.

Chinatown has been and continues to be a strong and vibrant neighborhood with businesses, services and cultural offerings that serve newcomers, the neighborhood, and the greater API community DESPITE the continuous displacement, containment and chipping away at the boundaries that came about as part of urban renewal. The construction of Interstate 880 in the 1950s destroyed 8 blocks between 5th and 6th streets. In the late 1960s, the Bay Area Rapid Transit headquarters and Lake Merritt BART station took 2 blocks of housing, Laney College took another 8 blocks, and the Oakland Museum of California took another 4 blocks. This practice of relocation, displacement and containment of Chinatown for city interests dates back to the 1800's when Chinese settlements were moved three times throughout the downtown area (once for the location of City Hall). Even through the early 1990s, Asian businesses were not allowed to cross Broadway through Bramalea Pacific's policy of not renting to Asian businesses in Old Oakland.¹

There is now a significant influx of development and infrastructure investment² in the planning area among the very urban renewal projects that historically displaced parts of Chinatown. We want to see the Station Area Plan actively and intentionally plan for Chinatown to continue to grow as a strong, economically vibrant, and diverse neighborhood. We appreciate that the current plan preserves Madison Park, promotes improvements to make the park more functional and active for community residents, addresses the conditions of the 880 underpasses, and makes pedestrian-oriented sidewalk improvements.

The federal Department of Housing & Urban Development emphasizes the importance of **"mixed-income TOD"** and in summary says "to date, many of the most successful examples of developments near transit are the result of clever exceptionalism"³ having required **"persistent advocacy and extraordinary public attention."** Five policy mechanisms⁴ are identified for achieving successful mixed-income TOD: 1) Inclusionary zoning; 2) Linkage fees; 3) Incentive-based zoning; 4) Adjust zoning to promote household diversity; and 5) Development agreements. **While these strategies are referenced in the proposed plan, none are fully analyzed or included.**

The current plan fails to include meaningful mechanisms to ensure the existing Chinatown community will continue to grow and thrive. With the loss of redevelopment, it is now even more imperative that the City requires a variety of policy mechanisms to ensure mixed-income TOD can occur. **The Chinatown Coalition recognizes that it will take focused and intentional policies on the part of City Leaders to ensure that the planning area develops as a mixed-income and diverse transit-oriented area. We ask that City Planning Staff be directed to fully analyze and put forward the following policy and zoning recommendations for adoption. The plan needs to make clear the City's intention to maintain the area as economically diverse and inclusive.**

¹ Quote from Doug Salter, Bramalea Pacific President in Oakland Tribune, October 7, 1991

² Measure A passed in 2006, providing \$6 million for the Peralta Community College district headquarters, \$100 million for Laney College's expansion, new library, athletic facilities and modernization of existing facilities, and \$56.2 million for the Oakland Museum of California's renovation. Measure DD provides \$27 million for the improvement of the Lake Merritt Estuary Channel, proposed Measure B reauthorization includes funding for the Jackson Broadway 880 Interchange (which is not supported by the community), and BART has currently issued a RFQ for development to occur on the two BART lots.

³ http://www.hud.gov/offices/cpd/about/conplan/pdf/preserving_promoting_housing_transit.pdf

⁴ <http://www.mitod.org/tools.php>

The Chinatown Coalition is a broad, neighborhood-based coalition, including Asian Health Services, Asian Pacific Environmental Network, East Bay Asian Local Development Corporation, Oakland Asian Cultural Center, Buddhist Church of Oakland, National Council on Crime and Delinquency, The Spot Chinatown Youth Center, Hotel Oakland Tenant Association, Colland Jang Architecture, Clad Architects, Business Owners and Residents of Chinatown.

City's November 2011 Draft Plan Land Use & Building Design (Chapter 4)	Chinatown Community Platform Land Use & Building Design (Chapter 4)
Proposes height limits by right to unlimited heights in some areas, with no provision of neighborhood community benefits to mitigate impacts	Set height limits by right to 45/55 feet, allowing increased height in exchange for neighborhood community benefits.
Proposes active ground floor uses in the planning area, but needs more details.	Support the growth and expansion of Chinatown to Laney College with 1) zoning guidelines to support local businesses that reflect the character of the current Chinatown neighborhood, 2) a small business innovation and incubator fund that can assist with small business sustainability and growth, and 3) an effective mechanism for attracting EB5 investments into the Chinatown area.
City's November 2011 Draft Plan Open Space and Community Facilities (Chapter 5)	Chinatown Community Platform Open Space and Community Facilities (Chapter 5)
Requires developments larger than half a block to provide 10-15% of the lot as open space or contribute an in-lieu fee, resulting in space primarily provided for building occupants rather than the overall neighborhood.	Designate a full block for an additional active neighborhood-serving park
Recognizes the importance of multilingual community and youth centers, but does not make any recommendations or mechanisms to create them.	Provide community and youth centers for dedicated programming and social services for not only the growing residential population in the area, but the wider community from throughout the East Bay region.
City's November 2011 Draft Plan Streets and Transportation (Chapters 6 and 7)	Chinatown Community Platform Streets and Transportation (Chapters 6 and 7)
Proposes only 9 th and 10 th Streets for two-way street conversions.	Revert 7 th , 8 th , 9 th , 10 th Streets, Harrison, Webster, and Franklin to two-way streets to calm traffic and improve safety.
Acknowledges significant traffic increases, but does not plan for its impacts	Provide concrete traffic and air pollution mitigation strategies to address projections of exponential traffic increases.
Proposes transit hub improvements on the BART blocks but needs more connection to the community's identity.	Provide clear connection to Chinatown and rename the station to reflect the community's identity (Chinatown/Laney).
Proposes a streetscape phasing concept where pedestrian-oriented lighting occurs in later phases.	Make pedestrian-oriented lighting a first phase priority.
City's November 2011 Draft Plan Neighborhood Community Benefits (Section 8.5)	Chinatown Community Platform Neighborhood Community Benefits (Section 8.5)
Does not provide a concrete approach for guaranteeing the provision of necessary neighborhood community benefits. Without a clear mechanism for the provision of these necessary services, our community will continue to bear the unmitigated impact of increased population, heights, density, traffic, pollution, and displacement pressures.	Require mechanisms to ensure neighborhood community benefits are provided as part of development. They are a critically important component for supporting the vibrancy and growth of the Chinatown neighborhood and residents.
City's November 2011 Draft Plan Affordable and Family Housing (Section 8.6)	Chinatown Community Platform Affordable and Family Housing (Section 8.6)
Does not provide a requirement for providing housing affordable to a range of incomes.	Require mixed-income housing to be developed, with at least 30% of units in the planning area affordable to families below 60% AMI (including significant percentages for extremely and very low-income people), supporting housing for a healthy, diverse mix of incomes, ranging from the lowest income to Oakland's actual median income to higher income residents.
References existing laws, which are not sufficient to prevent displacement in the neighborhood.	Strengthen tenant rights protections for community members against involuntary displacement through gentrification and rising housing costs.

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TRANSFORM



January 17, 2012

**Memo Regarding Strengthening Tenant Protections in the Lake Merritt Station Area Plan
Attached: Memo on Strengthening Tenant Protections**

Honorable Chair Troung and Planning Commissioners,

TransForm would like to submit the attached memo for yours and staffs consideration regarding the strengthening of tenant protections in the Lake Merritt Station Area Plan.

As you are aware, the City of Oakland has an extremely high percentage of renters and the Lake Merritt Station Area is no exception. While owning a home is often a preferred way to meet one's housing needs, renting an apartment is often the only choice for most tenants, and a preferred option for many, based on the desire to stay mobile, to meet a temporary need, or to simply free up resources for other values such as healthcare or a higher standard of living.

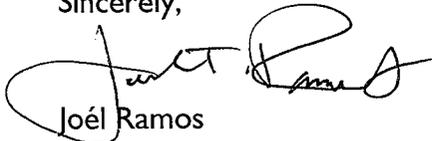
Either way, renting an apartment is a choice that should continue to be made available for a diversity of incomes, particularly in accordance with meeting the needs of current and future employees who work in so many of the service-oriented jobs in Oakland's economy.

The Lake Merritt Station Area Plan promises to attract lots of investment, and we hope that great care is taken to meet the goals expressed in the plan, specifically to "strengthen tenant protections". However, the plan is currently very limited in scope of specific recommendations on how to achieve that goal. Our hope in submitting this memo to you and staff is to provide you with some policy direction in how the goal of strengthening tenant protections in the face of certain increases of real estate values could be accomplished in the Lake Merritt Station Area Plan.

We hope that you will direct staff to examine these policies and create a strong set of policy recommendations that can ensure the planning area stays as diverse and as flourishing as it is, and will continue to offer affordable homes for so many families that have been renting in the area for years, and in some cases, for more than a generation.

Thank you for your consideration of these policies. We would be happy to meet with you and further discuss them and how we could be of assistance in tailoring them to be as specific –yet as broad- as possible.

Sincerely,



Joél Ramos
Community Planner

STRATEGIES TO “STRENGTHEN TENANT RIGHTS”- INHERENT GOAL IN THE LAKE MERRITT STATION AREA PLAN

INTRODUCTION

In the discussion of its Affordable Housing Strategy, the Lake Merritt Station Area Preferred Plan has noted specifics that throw light on the vulnerability of low income renters in the Planning Area in the event of an increase in rents. The Plan outlines that: “Most housing units in the Planning Area are renter-occupied (84%), with only 16% of units occupied by owners...The Health Impact Assessment prepared for this Plan notes that for Planning Area census tracts, 45% of residents are cost burdened (paying equal to or more than 30% of their household income on rent) and may have difficulty affording necessities such as food, clothing, transportation and medical care...”

The average market rate monthly rent in Oakland in 2009 according to Realfacts was \$1,550. Trends over the decade show that rents began to rise in 2005 to their current level. According to the Health Impact Assessment, the Plan Area is relatively affordable at 70% of the median gross rent in the City overall...”

The Center for Transit Oriented Development’s TOD Action guide has laid out specific characteristics that confirm a risk of displacement in transit districts. Rising rents or home prices and a high number of renters (particularly low-income renters) are two of these. There is a simple reasoning behind this correlation. Renters who are already cost burdened will be unable to afford higher rents and are most likely to leave their unit with any further increase.

Displacement processes are also directly affected by the area’s housing policy. The latter can either prevent displacement or accelerate it. Lack of provision of adequate affordable housing, for instance, will promote displacement and presence of strong tenant rights will preclude it. In such a context, the Lake Merritt Station Area Preferred Plan’s acknowledgement of the crucial need for affordable housing in the Planning Area deserves a commendation. “It is imperative that a strategy is in place to ensure affordable housing is available to all existing and future residents, especially since having affordable rents targeted to 30% of household income both stabilizes low income residents and provides these households with expendable income for other living and recreating expenses.” This strategy is also in alignment with the affordable (rental) housing goals laid out in the City of Oakland’s Housing Element and the Lake Merritt Station Area Plan. Goal 5 of the City of Oakland’s Housing Element seeks to “Preserve Affordable Rental Housing”. The Lake Merritt Station Area Plan’s affordable housing goals include “Prevent involuntary displacement of residents and strengthen tenant rights.” These inherently will aim to protect renters against potential displacement.

The significance of tenant rights is particularly heightened when other affordable housing strategies seem implausible. The Preferred Plan reflects how federal funding will be insufficient to subsidize new affordable housing in the Planning Areas and local funding will be dependent on the backing of Bay Area voters on the related initiatives. Also, although the Preferred Plan has identified impact fees as a viable source, it remains non committal to this strategy. In such a scenario, preserving existing affordable

housing may be the most feasible way to provide affordable housing in the Planning Area and strengthening tenant rights will support that.

The Preferred Plan discusses the existing tenant rights in Oakland that benefit renters in the Planning Area.

“Residential Rental Adjustment Program: The city’s residential rental adjustment program limits rent increases to once per year at an amount equal to the average annual percentage increase in the Consumer Price Index. This ensures stability in rental rates for existing tenants. The City’s Just Cause for Eviction Ordinance helps to ensure tenants are not subject to eviction motivated by a rental property owner’s desire to increase rents...

Condominium Conversion Ordinance: Oakland’s Condominium Conversion regulations include tenant protections in the form of early tenant notification requirements, right of first refusal, and tenant relocation and moving assistance...”

In a broader sense, tenant protections as above are reflective of a bulwark against potential displacement in the Planning Area. Recent work of two of our partner organizations, Causa Justa :: Just Casuse that has done extensive community involvement and the Center for Community Innovation which does research and technical assistance, however, suggests that the tenant protections in their current form have significant gaps and will as such offer limited overall benefits to renters in the Planning Area. The next segment discusses these gaps in detail and also includes recommendations to close them. Although the recommendations are applicable to the entire city of Oakland, ***we hope that the recommendations will be included in the subsequent Lake Merritt Station Area Preferred Plan, since they are in alignment with the Lake Merritt Station Area Plan goal of ‘strengthen(ing) tenant rights’.***

FRAMEWORK OF IMPROVED TENANT PROTECTIONS IN THE CITY OF OAKLAND.

I. EXPAND OAKLAND’S RENT CONTROL/ADJUSTMENT ORDINANCE

Oakland’s Residential Rent Adjustment Program limits yearly rent increases only for units constructed before 1983. That leaves the units built after 1983 subject to unlimited rent increases. Also exempted from the ordinance are units in owner-occupied buildings with fewer than 3 total units and in buildings with major renovations. The Center for Community Innovation conducted a housing inventory for the Planning Area (shown below). The housing inventory map highlights in red the units exempted from rent ordinance within the ¼ mile radius around the Lake Merritt BART Station. This is a fairly significant number.

 ***We propose expanding the rent ordinance to include a greater number of units--units constructed after 1983 and all owner occupied buildings within the planning area.***

2. EXPAND OAKLAND’S JUST CAUSE FOR EVICTION ORDINANCE.

While the city's Just Cause for Eviction indeed "helps to ensure tenants are not subject to eviction motivated by a rental property owner's desire to increase rents...", it only applies to buildings built before 1980. This we have seen before exempts a fairly significant number of units. Also, currently, the tenants having been served an illegal rent increase by landlords have to file a petition disputing the increase within 60 days. Landlords are not required to file any petition before they raise rents.

We propose expanding the spirit of Measure EE to reflect the intentions articulated in the LMSAP to include units built after October 1980 within the planning area. We also propose eliminating the 60-day deadline for tenants to file petition due to illegal rent increase and mandating a petition from landlords if they wish to increase rents within the planning area.

3. STRENGTHEN THE CONDO CONVERSION ORDINANCE

We propose limiting the number of conversions per year, based on a lottery (as in San Francisco) –set number, 100 units or 50% of the yearly average of rental units constructed in the previous two years.

We propose enacting an affordable housing mitigation fee for each converted unit, which goes into a city-administered affordable housing pool (as in Berkeley)

We propose requiring one-for-one replacement, or eligible "conversion rights" for all conversions. Oakland already requires conversion seekers to be granted conversion rights in specific "conversion impact areas." Most of the Lake Merritt Station area and all of Chinatown are NOT included in these areas.

We propose a mandating a cap for conversions in the planning area—in order to spread conversions equitably throughout the City, not to exceed 15% of the units in the area as averaged over the city.

We propose enacting a moratorium on all conversions if the planning area vacancy rate falls below a certain level (e.g. 5%).

We propose stronger enforcements to address "stealth conversions" where a tenant vacates a unit based on a reason other than a just cause for eviction, and the unit remains vacant during the conversion process, allowing the landlord an end-run around the Tenant Assistance Program. Currently, there is virtually no enforcement capacity.

4. IMPROVE THE CODE ENFORCEMENT RELOCATION ORDINANCE

Measure EE mandates a provision of relocation money to tenants by landlords in cases when the latter serve move-out notices (temporary or permanent) for reasons of codes compliance or a need of necessary repairs to bring the rental unit up to code or habitable. Oakland's current Code Enforcement Relocation Ordinance also states that the City of Oakland shall assist tenants with relocation expenses if the landlord refuses to provide these funds.

We propose that both in cases within the planning area where landlords provide relocation money to tenants or when the City of Oakland does so, the provision of money happens at the same time as the move-out notice, 30-days before the move out. This will allow the tenants to secure and pay for new housing before the move-out

rather than after. This is also logical since the funds are supposed to assist in the payment of deposits and first/last month rents in the tenants' new apartments.

We also propose a policy that it requires existing tenants who are not purchasing their converting unit within the planning area receive:

a) Moving assistance in the form of a \$1,000 flat fee, for moving from the subject property allowing for annual increases of rent adjusted to the index in rent control laws and b) Relocation assistance equivalent to one year of rent at fair market or relocate tenant to a comparable rental unit in Oakland acceptable to the tenant.

Comparable unit should be defined by:

1. rent price
2. unit size by square feet
3. number of bedrooms
4. similar access to public transportation;
5. meets special needs of the household to be displaced, and
6. for tenants with school age children, a rental unit located in the same catchment of the child's current school.

 We also propose that the landlords be required to provide tenants with the following documents in move-out cases a) copies of building permit(s), (b) statement of needed repairs and (c) copy of CEDA violations report.

5. ADD MOLD TO OAKLAND'S HABITABILITY CODE AND REQUIRE OAKLAND CODES & COMPLIANCE TO TREAT MOLD IN RENTAL UNITS AS A CODE VIOLATION.

Mold is a serious health issue and currently not included in the City of Oakland's habitability code.

We propose that the City of Oakland adopts a similar requirement as the City of San Francisco, which already classifies mold as a health nuisance under the San Francisco Health Code, Article 11, Section 581. The San Francisco Code states that the mold must be 'visible or otherwise demonstrated' which means that even if there is no visible sign of mold a landlord can be cited if an inspector smells the mold.

The Toxic Mold Protection Act of 2001 was the first law in the country to regulate toxic mold exposure in the home and workplace. It requires that landlords who know or should know of the presence of mold disclose that information to potential and/or or current tenants. (Health & Safety Code Section 26147). Landlords often have tenants sign "Mold Addendums" in addition to their rental contract.

We propose that landlords be required to hand tenants a form to disclose this information instead of putting the burden on tenants, particularly new tenants, who may not see mold until well after their move-in date.

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2. EXPAND OAKLAND'S JUST CAUSE FOR EVICTION ORDINANCE.

While the city's Just Cause for Eviction indeed "helps to ensure tenants are not subject to eviction motivated by a rental property owner's desire to increase rents...", it only applies to buildings built before 1980. This we have seen before exempts a fairly significant number of units. Also, currently, the tenants having been served an illegal rent increase by landlords have to file a petition disputing the increase within 60 days. Landlords are not required to file any petition before they raise rents.

We propose expanding the spirit of Measure EE to reflect the intentions articulated in the LMSAP to include units built after October 1980 within the planning area. We also propose eliminating the 60-day deadline for tenants to file petition due to illegal rent increase and mandating a petition from landlords if they wish to increase rents within the planning area.

3. STRENGTHEN THE CONDO CONVERSION ORDINANCE

We propose limiting the number of conversions per year, based on a lottery (as in San Francisco) --set number, 100 units or 50% of the yearly average of rental units constructed in the previous two years.

We propose enacting an affordable housing mitigation fee for each converted unit, which goes into a city-administered affordable housing pool (as in Berkeley)

We propose requiring one-for-one replacement, or eligible "conversion rights" for all conversions. Oakland already requires conversion seekers to be granted conversion rights in specific

11, Section 581. The San Francisco Code states that the mold must be 'visible or otherwise demonstrated' which means that even if there is no visible sign of mold a landlord can be cited if an inspector smells the mold.

The Toxic Mold Protection Act of 2001 was the first law in the country to regulate toxic mold exposure in the home and workplace. It requires that landlords who know or should know of the presence of mold disclose that information to potential and/or current tenants. (Health & Safety Code Section 26147). Landlords often have tenants sign "Mold Addendums" in addition to their rental contract.

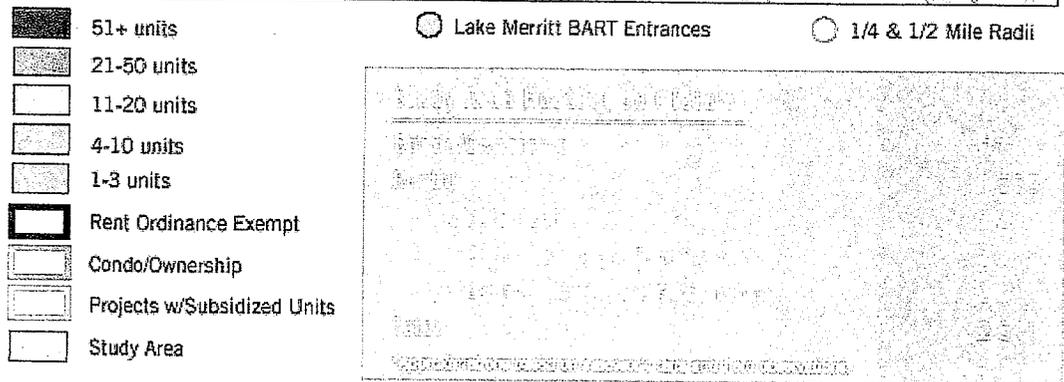
We propose that landlords be required to hand tenants a form to disclose this information instead of putting the burden on tenants, particularly new tenants, who may not see mold until well after their move-in date.

Map 3 | Housing Inventory

Lake Merritt/Chinatown, Oakland, June 2011



Sources: Alameda County Assessor's Parcel Data 2009 & Center for Community Innovation Field Study, October 2010 & May 2011



6. EXPAND THE FORECLOSURE REGISTRATION ORDINANCE

Property owners in Oakland violate the local habitability codes in their buildings often at the inconvenience of their tenants.

The Foreclosure Registration Ordinance requires those property owners, including lending institutions, whose property is in the process of foreclosure or going to be foreclosed and vacant to register their property to ensure they are being maintained in accordance with the relevant sanitary and building codes and local regulations concerning external and/or visible maintenance.

We propose expanding this ordinance to include tenant occupied properties in Oakland. This will allow the tenants to identify their landlords and also reach to them regarding repairs and habitability issues.

7. PROTECT THE RIGHT TO STAY FOR SECTION 8 TENANTS IN FORECLOSED PROPERTIES.

SB 1137 in California protects the tenants living in foreclosed properties from eviction by the new property owner to some extent. It requires a tenant to receive a notice of foreclosure of the property and either a lease or a 60-day eviction notice by the new owner. The federally-enacted Protecting Tenants at Foreclosure Act (the "PTFA") became effective on May 20, 2009, applies to foreclosed properties that were originally financed by a federal agency or to any residential property after May 20, 2009 and is an improvement over SB1137. The PTFA requires that the new property owner give a 90 day eviction notice (as opposed to California's 60 day notice) to tenants after the foreclosure has been completed. Also under the PTFA the tenant can continue to live in the foreclosed property for the remaining lease term unless the new owner intends to occupy the property as their primary residence.

We propose that the PTFA be locally enforced particularly in case of section 8 tenants.

8. FORECLOSURE EVICTION MORATORIUM

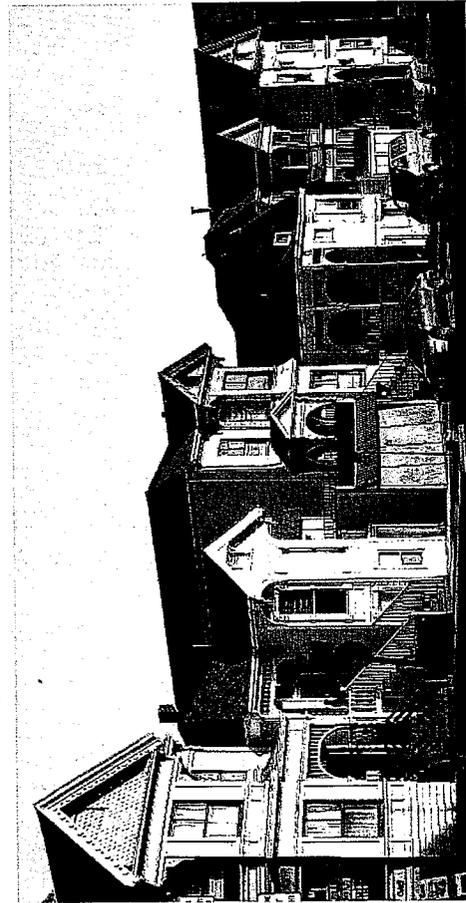
According to a study, for more than 50% of East and West Oakland residents, unemployment and underemployment is the main reason behind their inability to pay rent or mortgage.

We propose a moratorium on foreclosure evictions of families where one or more persons in the household have lost their job unless some federal assistance is made available to such households.

9. EMERGENCY HOUSING SERVICES

We propose allocation of funds in the City's budget for the following services: (a) No interest loans for housing repairs for seniors and residents on a fixed income; (b) Emergency loans and grants for: first/last months rent, security deposits and emergency rental costs (especially for tenants who have experienced some type of catastrophe: fire, foreclosure, uninhabitable, unhealthy or hazardous conditions); 3) Counseling services for first time homebuyers on mortgages and financial literacy.

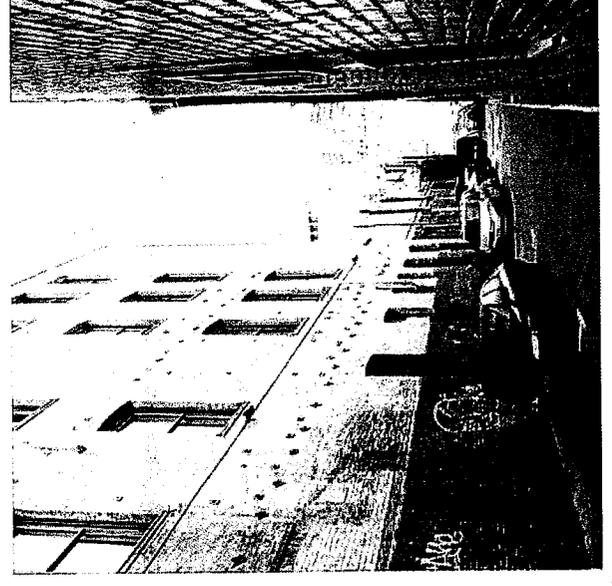
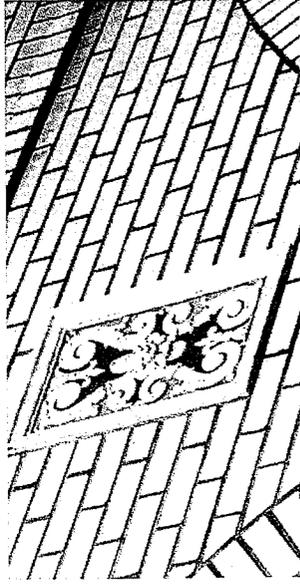
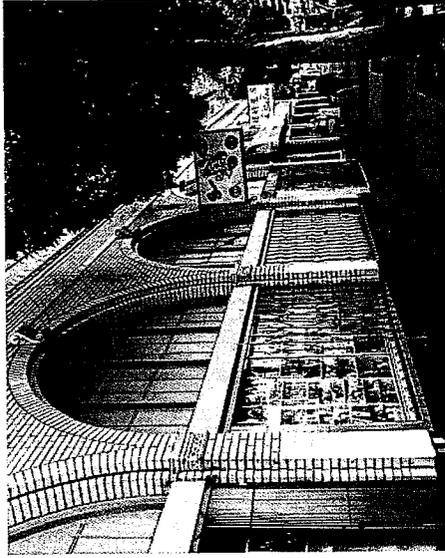
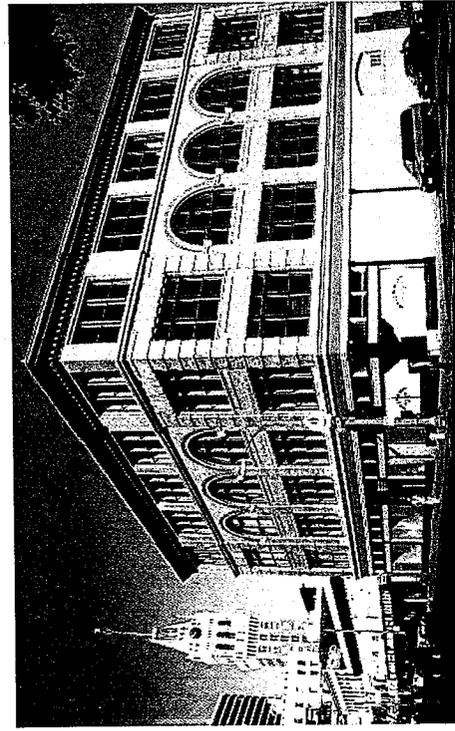
Oakland Heritage Alliance 1-18-12: historic areas to consider in setting heights and guidelines



Example of pre-1906 residential (Alice between 6th and 7th)



Chinatown ASI



King Block:
 12th St. (above
 left) 13th St.
 (above right)
 Could the King
 Block Alley
 (right) be reused
 similarly to
 Belden Place in
 downtown San
 Francisco (left)?

