

July 9, 2012  
Laney Bistro  
Laney College Campus  
900 Fallon Street, Oakland, CA 94607  
5:30 to 8:30 p.m.

**LAKE MERRITT STATION AREA PLAN**  
**COMMUNITY STAKEHOLDERS GROUP (CSG) MEETING #13**  
**Draft Plan**

**MEETING SUMMARY**

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Members of the Community Stakeholders Group (CSG) attended the meeting on July 9, 2012 at the Laney Bistro. The meeting included four topics with presentations and discussion. The first presentation was by The Richman Group (TRG) introducing themselves as the recommended BART developer, followed by questions by the CSG to TRG. The second was a presentation of the Plan followed by a discussion of major topics of agreement or issues by each person on the CSG. The third topic was a presentation and discussion of the developer incentive program. Last there was a presentation on zoning concepts with a brief discussion. The agenda, presentation, and Draft Plan are all available on the project website. CSG discussion by CSG member is provided below.

**CSG DISCUSSION**

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**Draft Plan**

Hannah Lindelof from Dyett & Bhatia presented on the Draft Plan, focusing on changes made as compared to the Preferred Plan. The CSG went around the room and each member noted their comments and/or questions, focusing on any major topics of agreement or disagreement.

***Chris Buckley***

- Why doesn't the draft plan contain reference to community benefits linked to heights or FAR as directed by council? What is the timeline for zoning?
- Are the comments on provisions for zoning and massing due in two weeks too? Is there an opportunity to provide suggestions for massing?
- *Ed response: yes, provide those comments as well. We are open to specific ideas.*

***Jennie Gerrard***

- Taxi never mentioned – where is taxi stand?
- Add a specific policy that there is a taxi stand for more than one taxi for those who are dependent on taxis.

***Amber Chen***

- Happy that the Plan acknowledges standard ratios of open space
- Even with new ½ block developments providing 10% can't reach an appropriate open space ratio

- Where is the inclusion of a future tax that would support park/open space operations and maintenance?
- Haven't identified any new parks.
- *Leslie response – have added space and tried to balance needs – make a specific suggestion; new projects cannot make up for past, can only provide for new. Already requiring above and beyond.*
- *Ed – cannot identify private land as park; unless City acquires site can't make it a public park. In phase 2 we could identify an in-lieu or impact fee, could potentially fund additional parks that way.*
- CSG agreed that using dollars for Measure DD extension not a neighborhood priority; there is still a lot of regional open space. Be sure to allocate the money to the neighborhood – not regional open space.

### ***Ener Chiu***

- Like the developer incentive program – though would like a chance to discuss with Chinatown Coalition; more study is needed; good analysis of what could be applicable for the City.
- Triggers for community benefits are still too high, especially compared to what is happening in other places. Given Oakland's current density, developer incentive program levels (and proposed outright height limits) are too high. Need to revisit.
- Coalition provided letter comparing Oakland to Vancouver and San Francisco; use these examples as model for Oakland tower regulations.
- Open space requirements: good to mention Quimby Act – no nexus if under Quimby Act if remediating deficit identified in General Plan. Will be looking to see what in this neighborhood listed as deficit, so can get funded as Phase I.
- Toured SF and looked at private public spaces, need to be careful about what is allowed; many spaces wonderful lunch spaces for office workers, but not accessible to the public. Be sure if getting an exaction serves neighborhood.

### ***Gilbert Gong***

- Lots more information, thanks for additions.
- Lincoln/family educational concern: data still not accurately reflecting needs of community: who the users are, who are school students, who are families. Section on open enrollment: ½ kids at Lincoln don't live in area – serves different area. Most people using recreation center are from all over; transient versus those that live and work in Chinatown.
- Do we really know what the impacts are when we put up buildings and change the streets?
  - Clearly busier in peak hours.
  - Busy streets between 8 and 10; 12 and 2 with pedestrian activity.
  - How current is data?

- Ener - transit and circulation – any updated traffic study must be done with pedestrians in mind and reflect concerns regarding impacting pedestrians.
- Gilbert – no mention of Bus Rapid Transit and impacts to pedestrians.

***Marco Menendez***

- Over next 25 years from institutional point of view (only have 5 year master plans)
  - Build in provision for formal check-in every 5 years.
  - Every 5 years new institutional plans should be consistent w/ Lake Merritt Station Area Plan, and they are not, there should be some process for working out differences.
  - In 5 years at Laney there have been radically different views of how campus should grow.
  - Add: Process or provision or disclaimer: There are going to be changes, and this is how we will address them.
- Like to see more on what the perspectives of other institutions in the area are; want to know more about County and AC Transit perspectives. Have a lot of BART and Laney, great example, want to incorporate more.
- Maintain element of flexibility

***Steve Terusaki***

- This is the first draft that actually noted that this is a Specific Plan; was referred to as a Station Area Plan in earlier versions.
- Important that zoning and design guidelines are vetted; they have not been vetted. Hearing now that the first time we will hear about the zoning will be in the fall. Raise as big warning.

***Ada Chan***

- Kaplan concern related to the master bike plan – not comfortable with lanes going through Chinatown. Understand that is part of bike plan, but note that Kaplan is looking into it.

***Naomi Schiff***

- Have been bringing up some issues that are still not adequately addressed; good progress, but still some items that need to be addressed.
- Need to know the discussion and vetting process for the zoning language.

***Kathleen Kennedy***

- Congratulated on taking what was presented previously and converted into complete picture. Good work so far.
- Policies seem to be stated in a ‘nice to have’ language here, and zoning will not be in that language. Hard to access/give feedback. Need more zoning details to respond to.

***Carletta Starks***

- Link heights and benefits.

- Amazing work, congratulations.

***Nathan Landau***

- Big step forward – a lot more recognition of transit (could be more); especially the identification of transit preferential streets.
- Concern – 7<sup>th</sup> and 8<sup>th</sup> conversion identified as difficult – transit doesn't want to get slower – flag again that working transit is important.
- Think Marco was asking for 5 year review to see how things are working.

***Chris Hwang***

- Thank you for chapter 10 – is it typical to have short term 5 years and then the rest be the rest of the period (2035)?
- Concerned because conversions are all lumped into Phase II – some money ready for studies – could be early in Phase II, especially Harrison Street which has been identified as low hanging fruit (earlier phase?).

***Jennie Ong***

- Concerns about bike lanes going through two of the major streets in Chinatown with loading and unloading – not safe for cyclists going through those streets. From Harrison to Broadway. Businesses and property owners are concerned. Bike lanes should not go through at all.
- Turn lanes also an issue.
- Concerns about parking: nothing addressed for parking spaces for commercial and retail. Concern is that commercial space – already have double parking – to do away with parking requirements going to make the area less desirable. Office and retail should have some required. Otherwise not desirable.
- To add to the chaos is double parking – how to deal with that?

***Colland Jang***

- Like developer incentive program; really important to identify the FAR trigger points.
- Still object that BART blocks are designated area 9 – think plan talks about it being downtown. Think it should be treated like other blocks in area for context.

***Allan Yee***

- Council gave clear direction that those blocks should not discriminate between BART blocks and rest of area (re; heights). Plan doesn't incorporate council direction.
- Eliminated feedback on BART Blocks:
  - BART Station removed from title.
  - Befuddled by how issues community is worried about are dealt with.
- Plan doesn't deal with the needs of the Chinatown district and keeping it competitive (for small businesses) – totally missing here. How to draw people to area and make it easy to park? Not in here.

***Joél Ramos***

- This plan is meant to be Transit Oriented Development (TOD), not auto-oriented; goal is to facilitate less auto use.
- Affordable housing is expensive to build – object to requirement for parking for affordable housing – leave to market to determine. Should be a zero requirement for affordable.
- There should be required TOD measures for all units (pedestrian and bicycle measure or transit passes).
- Transportation Demand Management (TDM) measures should be required of at least affordable housing in exchange for parking requirement. Rather than requiring more parking, require TDM.
- Unbundling parking should be required, not encouraged.
- To make biking safer, design angled parking so back into spaces.
- Relax parking standards in exchange for affordable housing.

***Carl Chan***

- Wonderful job – consultant and city.
- Have to strike a balance –development has to pencil out. Need to understand the supply and demand.
- How much is The Richman Group willing to work with local folks; how much local work are we getting here?
- 6<sup>th</sup> and Oak – affordable housing – not required to provide community benefits (i.e. hire local).
- How much can development do to benefit the community – are their jobs for the community?
- Agree to only require open space on larger sites.

**Development Incentive Program**

Ed Manasse presented on the developer incentive program, specifically requesting feedback on what benefits are most important. CSG comments that followed:

- Doesn't base zoning height determine what the increment would be? Important to know not just increment, but also the starting point.
- *Ed: Can't go above heights, they are the maximum that can be achieved through a developer incentive program. Open to bringing FAR way down, as long as not a suburban model. Is it an affordable housing program? Or multiple benefits? Other incentives, in addition to density and FAR; also reducing permit fees, parking, open space requirements.*
- Ann Cheng – brought handout related to parking ratios and benefits achieved by reducing ratios; several points relevant to parking:
  - Look at parking options underneath I-880.
  - Look at parking benefits districts.

- Separate out parking policies.
- Remove parking issues from mixing in with other things.
- Parking regulations should be tied to benefits.
- Could leverage millions by reducing parking to 0.5 spaces/unit.
- Parking management strategy is essential.
- *Ed – if we reduce the parking requirement then we have nothing left to give; in order to have something to give back in exchange for a benefit need to trade.*
- Ann Cheng – Requirements for pedestrian amenities – benefit districts; how would streetscape be implemented?
- *Ed – some streetscape can be a condition of approval (in front of a development); other ways to fund, i.e., MTC PDA funding/grant opportunities. More challenging improvements are those harder to fund through other sources, such as affordable housing*
- Monuments and gateway signage – where did these cost estimates come from?
- *Response: subconsultant estimates based on similar projects.*
- Naomi - pejorative to call costs “huge” – tantamount to saying we can’t do it. Say high cost instead
- Also, could put community center in fire alarm building and collapse two together.
- *Ed: Bottom line- need to come up with bonuses and increments that developers would make use of. Targeted list or full menu?*
- Ener – Full menu. From coalition’s perspectives our multiple comment letters have prioritized several things (full block park and improvements to parks – especially Madison Square Park)
- Gilbert –Lincoln Recreation Center is crowded: volume at least 10 times greater than it was a few years ago.
- Ener – Priorities
  - If we improve Madison it might also mitigate issues at Lincoln.
  - Community facilities (especially a youth center).
  - Mixed income housing and affordable housing: Want to clarify that we don’t expect money to cover entire gap for affordable housing – will still keep pushing for state and federal money to support housing. Fair to put number there, but don’t expect city to cover all; EBALDC will continue to leverage money as has in past.
  - Reverting 7, 8, 9 10<sup>th</sup>, Harrison, Webster, Franklin Streets to two-way;
  - support for small businesses and entrepreneurs.
- Ener - Like that proposed program is density based – as long as set trigger points right will get increased participation as land values increase over time; also good because need more benefits as more density in demand over time. Ramp up benefits as density ramps up.

- *Ed – do you think community is amenable to shared approach funding; in addition to developer contributions, could set up CFD, BID, etc? Will need broadest approach.*
- Question – if pursue a strategy that requires voter approval, how would large institutional land-owners fit into that? If they all have clout in vote does that change the picture?
- Ener – Institutional uses generally indifferent because don't pay property tax. Biggest concern from property owners – already pay a lot of property tax, and probably over-pay for amenities we receive. Distrust that the City will follow through on services if taxes increase – don't believe will necessarily receive what paying added taxes for.
- John Rennels – BART won't pay tax, but some taxes would be paid on the BART site.
- Joel Ramos – if going to bring in more people need to address facilities:
  - Could fund street improvements through parking benefits district. Neighborhood would have control over how money spent – body created to oversee how money spent. Recommend Plan Policy to support parking district.
- Ada Chan:
  - Must consider the regional nature of who shops in Chinatown, and how they are getting there.
  - Also opportunities to create synergies – parking lot for county – how can new structure be managed to the greater benefit of the neighborhood.
  - Or in new buildings how community manages parking, gets revenue and uses to the benefit of merchants.
  - Operating strategies by the community.
- Robert Raburn- “Huge” – says lower your expectations; actually means need to ramp up solutions. One possibility for funding is cap and trade. About 0.5 billion to be dispersed every year, with affordable housing at transit as one of the items to fund with the money. Include this potential source in the document. Also ask City to join with BART to move cap and trade forward.
- Naomi – not mentioned but in Chinatown could make use of 20% federal tax credit; when talking about benefits to small business conceivable could work out joint applications for federal tax credits. Worked well in Uptown.
- Marco – centers for community facilities? Separate buildings or part of other development? Richman Group maybe has done parts of a community center (though not as a separate building)

## **Zoning**

Christina Ferracane presented on zoning concepts. CSG comments that followed:

- Ener – important to be humble about land use zoning – can't regulate our way into the market. Want to see flexibility, especially around sites that have been vacant.
- Naomi – following development – in several unsuccessful places zoning required retail and it didn't work; regulations should be flexible over time; consolidate commercial areas

rather than start new ones; important to be area by area; don't want new commercial by courthouse if having trouble in existing commercial areas. Agree with Ener – be humble.

- Carl – flexibility is important; what people need is different. Many examples of empty buildings because city limiting what can be done there; has to be medical use – but wouldn't survive in that location; alternatively don't allow in other places where it works well. Along line of supply and demand and rental rates – need a lot of flexibility to work well.