

Preliminary Draft Downtown Oakland Specific Plan
Summary of Community Comments

Comments on the Preliminary Draft Downtown Oakland Specific Plan were submitted via letters, email, and notes from approximately two dozen public hearings and stakeholder meetings. Staff compiled these by chapter (e.g. Economic Opportunity, Housing, etc.), identifying key issues and questions raised by the community and summarizing the comments. Each of these were reviewed and addressed by the project team in order to develop the Draft Plan.

In some cases several similar comments have been summarized, in some cases the language is taken verbatim from a single or representative comment.

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1 ECONOMIC OPPORTUNITY

Industrial Zoning

Should the City maintain industrial zoning at and near Howard Terminal to protect industrial jobs? If not, where are other appropriate locations to focus industrial uses?

- A ballpark at Howard Terminal with associated residential development will cause conflicts with the existing working waterfront (and train).
- Retain light industrial zoning in the Art + Garage District to protect “makers” (artisan producers and fabricators).
- Protect industrial zones, including at Howard Terminal, to protect blue-collar jobs.
- Laney College is looking for R&D “maker” space to train their students in.
- Protect and grow highly-paid industrial jobs that leverage Oakland’s industrial and freight transportation, including Port of Oakland operations.

- Manufacturing is missing from the existing and key sectors. The regional community college consortium sees manufacturing as an important source of job growth and requires that its colleges provide training in it.
- Howard Terminal currently provides blue-collar, living wage jobs. Do not allow Howard Terminal's jobs to become only low-wage service jobs with conversion to a ballpark.
- Update Policy E-2.3 to include reference to all freight and industrial transportation uses.

Support Local/Small/Equity Businesses

How should the City support businesses owned by people suffering from racial and other disparities? What partnership and financial resources could be used or created?

- Acknowledge that Old Oakland is an emerging hub of black- and minority-owned small businesses. We need policies and incentives to grow and support them.
- Provide TDR program, City incentives and County property tax incentives to support small, long-time property owners of vintage warehouses in Uptown (target outreach to them).
- Develop a mix of “mom and pop” and anchor stores, including showrooms for online stores.
- What are the policies to support inclusivity (racial, ethnic, economic, disability)? Provide financial incentives, such as cheaper rent for businesses owned by people with disabilities.
- Invest in the 14th Street corridor, which has many black-owned businesses, to balance the investment the City has already made in the Fox Theatre and Uptown. Police presence is one form of investment, particularly to support entertainment businesses.

Job Training/Hiring/Apprenticeship

Should the City require the use of apprentices, prevailing wage, health care, and hiring targeted at Oakland residents, women, people of color, re-entry populations, and extremely low-income individuals in development construction downtown?

- Incorporate (require, incentivize, and/or support) training and apprenticeships in construction jobs, where there is currently a shortage of skilled workers to build the development envisioned in the plan. (Apprentices are currently 93% people of color, including 26% African-American.)
- Require prevailing wages, local hire and health care for construction workers on projects downtown.
- Develop partnerships with Laney College, the City and private enterprise to train Oakland residents in the employment sectors targeted for expansion.
- Highlight workforce development as a strategy to support the unhoused population.
- Local hire for construction for formerly incarcerated is already a policy [this is probably accurate for City-funded projects only].

Jobs/Office Development

Should the City encourage (and require) much more intense office development than shown in the Preliminary Draft Plan? In Jack London? What is a healthy balance of employment and housing development? How do we encourage Class B and C space?

- The Preliminary Draft Plan falls short in creating a regional jobs and housing hub to provide economic growth for the city. The downtown is unique in the city and region in its access to BART, and is the most efficient location to focus jobs and grow the tax base that generates revenues for services for the entire city. Prioritize more jobs over housing than currently shown. Consider what the split should be between office and residential.
- Develop larger office, industrial and maker spaces in Jack London than shown in the Preliminary Draft Plan; it's a proven desirable office market. Designate office priority sites in Jack London.
- The entire downtown must be an employment hub; not just two separate office nodes at BART stations.
- Make downtown the regional hub for employment, transportation and economic activity in all of Northern California. The East Bay relies on Oakland to alleviate overcrowding on BART and housing demand/prices.
- Incorporate the recommendations of SPUR's "A Downtown for Everyone" (and read the section about "Why It's Hard to Develop Office Buildings"). For instance: (1) Partner with business support organizations to augment the city's Business Assistance Center (2) Develop an online portal to assist companies in getting through the business permit process (3) Establish a downtown "jobs squad" focused on outreach and services to existing companies (4) Explore incentives and restart successful programs, such as the building façade improvement program (5) Hire a chief economist with responsibility for analyzing the economic impact of proposed city legislation (6) Consider creative ways to add new space for jobs
- Describe how many square feet are projected in office priority sites vs. opportunity sites. Explain the methodology used to arrive at the figures.
- Increase the number of office priority sites, include opportunities for office conversion, and include smaller footprint sites, which may have more impact for economic vitality.
- In the online survey, 51 respondents supported requiring some commercial/office uses, 12 were unsure, and 6 did not support.
- Consider development/protection of Class C and innovation space, not just Class A office. This is needed for many sectors, including small businesses and community-serving nonprofits. Look at how the Central SOMA plan (SF) approached this.

Master Lease Program

How would a master lease program be funded? Structured?

- Provide details for the master lease program, which is good in theory.

- Use an intermediary nonprofit to handle the master lease program rather than the City running it.
- Implement the master lease as an “interim measure” before the DOSP is adopted.
- Develop a master lease program instead of requirements for new development to provide affordable space. Requirements would disincentivize housing construction and increase the cost of housing to subsidize the commercial space.

Affordable Commercial Space

How should the City facilitate local ownership of property? Incentivize property owners to rent their retail spaces? Create flexibility to avoid an oversupply of ground-floor retail?

- In the online survey, affordable retail, office and commercial space was among the top three community benefits selected (25+ of 69 respondents selected this).
- Do not require retail on ground floor everywhere; there are already many empty storefronts. Allow adaptability to avoid over-supply and vacancies.
- Support varied models of ownership for both housing and commercial space, including community land trusts. Ownership is critical to ensure sustainability, build community wealth, and stem displacement.
- Facilitate equitable access to capital/financing for small businesses and developers.
- Propose pilot projects to developers of projects under construction to retain/house small business owners (example, woman-owned Ethiopian business could relocate to another building owned by the same developer).
- Discuss the factors leading to rent increases and high small businesses turnover while there are also many vacancies.
- Institute commercial rent increase limits.
- Incentivize commercial property owners to keep their spaces rented/occupied. Conversely, tax vacant retail spaces and apartments.
- Use flexibility and incentives rather than requirements.

Funding Resources

Should the City develop an Enhanced Infrastructure Financing District?

- Use tax elements such as an Enhanced Infrastructure Financing District (EIFD) to target resources to small businesses rather than prohibit competing uses.
- Instead of relying on developers to provide community benefits through bonuses and impact fees, reduce costs to development to provide ongoing revenues for the city.
- Update and increase the jobs-housing impact fee for commercial development.
- It is unrealistic to expect private sector development to provide the range of community benefits proposed; the plan should avoid costs that render projects infeasible. The City should

instead use the substantial tax revenues generated by development on an ongoing basis to pay for those services and benefits.

- Calculate the revenues generated by proposed DOSP development, not just the one-time impact fees.

Types of Jobs

Should the City facilitate and incentivize certain industries to target entry and middle-wage jobs? How would the City do this? Alternatively, how would the city incentivize development of entry and middle-wage jobs within growth industries? Or training to achieve the higher wage jobs?

- Develop downtown as an international center for technological and social innovation to create more jobs at all levels and provide revenues that can be used to provide job training and education available to all its citizens.
- Do not displace Oaklanders by transforming the city and shifting to high-skill jobs. Most jobs downtown are out of the reach of many Oakland residents. Need to create jobs for non-college educated people.
- Target industries that can both thrive downtown and provide living wages and explain how the plan will incentivize those industries.

Miscellaneous

Is the City providing wi-fi downtown already? Is there anything that can be done to facilitate a grocery store?

- Access to grocery stores and retail is limited.
- Acknowledge the economic value of well-maintained and activated parks and public space to support property values, jobs and businesses.
- Provide wi-fi service for all as an equalizer.
- Policy affects the flow of capital, so if the City creates a plan for a grand design, the public sector will reduce the costs for private capital and transform/redevelop the city.

2 HOUSING

Affordable Housing and Art Space

- Without affordable housing and/or cultural spaces, art studios or fabrication, we not only force longer commutes and impact the air quality of the region and contribute to global warming, but without anti-displacement policies we permanently and negatively impact Oakland's original creative economy.
- (p. 133) Housing Strategy #5: Create an affordable housing policy that sets aside a certain number of units for artists who meet specific income and occupational requirements and help meet the need for artist housing and workspaces through live-work spaces. We are in FULL AGREEMENT WITH THIS STRATEGY and believe that retaining as much light industrial/maker zoning as possible will support a stronger economic development outcome for better jobs in advanced and traditional manufacturing.
- A dynamic strategy will be required which includes both short-term and temporary housing solutions, as well long-term permanent housing and associated social services.

- Downtown is the least efficient place to provide BMR housing, and the most efficient place to generate funds for BMR housing throughout Oakland through market-rate housing impact fees.

Housing Goals (including by income level, for students, families, disabled, legacy residents), projected housing, RHNA numbers, how the goals relate to the rest of the city

- Need affordable housing / anti-displacement strategy
- Housing goals are too low
- No new housing programs; should include specific plan for affordable housing
- No upzone without affordable housing
- Impact fee to inclusionary requirement: will result in fewer extremely low units
- Policy around condominium conversions is inconsistent with Councilmember Kalb’s work
- Expand impact fees
- Incentives should not necessitate change in construction type.
- The Plan goals for affordable housing are far too low. The plan presents a range of goals, from 15% to 25% of new development, for future affordable housing construction. This will result in a reduction in the percentage of downtown housing that is affordable. Coupled with vacancy decontrol requirements in rent control and the threat of loss of housing from condo conversion, demolition, and other causes, this will result in less diversity downtown, not more.
- Current goals fall far short of what the City needs to do to meet its Regional Housing Needs Allocation targets by income level. RHNA numbers for the 2015-23 Planning Period allocate 28% of the City’s housing need to the very low and low income categories, and an additional 19% to moderate income. A housing production target of 15%-25% falls short of this ratio. The Plan should help advance the Housing Element’s goals.
- Prioritize affordability for very low, low, and moderate income housing. Current balance is 93% above moderate income housing and 7% affordable citywide—imbalance is greater downtown.
- Need to periodically recalculate impact fee as development occurs in real-time
- Using assumption of 1.7 ppl. per household does not meet family goal
- Consider the idea of setting an aspirational affordable housing goal as a target, and maybe including an interim goal
- Policy H-2.10: Re homeownership opportunities; first time homebuyer mortgage assistance program requires participant to be Oakland resident or employee. Need to add legacy residents for return—how does the city ensure broader application pool?
- Policy H-2.10 (“Explore legally compliant ways of targeting homeownership resources to individuals or groups harmed by discriminatory housing policies”): To Jeff Levin’s point above, I think we can flesh this policy out a little more prior to releasing the document. I would expand this to include rental housing, not just homeownership. The city already has a live/work preference for all affordable housing we help fund. We also have Affirmative Fair Housing marketing guidelines and review the marketing plans of affordable developments to ensure they reach various racial and ethnic groups. We could potentially add a “legacy resident” preference, which Portland has done. I think the next steps would be thinking about the practical steps that would be involved with implementing this—how applicants could go about proving that they (or their parents or grandparents) were harmed by redlining or displaced due to urban renewal. (Perhaps we could identify a nonprofit partner to help do this outreach and documentation work.) I think it’s also worth being honest about the numbers involved—tens of thousands of

people were harmed by redlining and urban renewal, whereas down payment assistance might benefit a few dozen families a year.

- H-1.3: Discussion of publicly-owned land should be linked explicitly to City Council Resolution 87583 CMS (Kaplan/Guillen) adopted on December 11, 2018 and any implementing ordinances subsequently enacted

Implementation (including streamlining city process)

- As the City develops the Draft Plan and in particular the implementation section, specific policies, strategies and potential resources should be identified and the City should commit to pursue those to the maximum extent possible. We believe the Plan should set ambitious targets that more closely align with actual needs, calculate the gap in resources and policies needed to achieve those targets, and then lay out a plan to fill those gaps
- What about sea level rise in Laney College area?
- P. 137, H-1.1: this is helpful, but building has become prohibitively expensive, and the City needs to assist with cost containment where possible. They can do this by simplifying their building code, fast-tracking affordable housing project review in the building department, downzoning land (more on this later), and fully funding awarded NOFA projects rather than giving away small pieces of awards over multiple rounds
- City should be responsible for notifying affordable housing developers when demolition or SRO conversions are happening
- One goal that we have discussed in HCD is implementing a centralized online waitlist for affordable housing, similar to what SF has. Some of these policy goals around preferences for specific demographic groups would be much easier to implement with a centralized waitlist. A centralized waitlist would enable us to collect useful data about who is applying for affordable housing. (Race, gender, income, household size, etc.) This might enable us to further our work in terms of researching and addressing race & equity goals.
- H-2.13: We strongly support expediting the review and approval of 100% affordable projects. The City has on numerous occasions committed to such action but in practice this has not been the case. We recommend adopting provisions for ministerial approval of affordable housing projects that conform to current zoning (including any density bonuses provided). At a minimum, this should include adoption of procedures and training of staff on the applicability of SB 35 streamlining, but we urge the City to consider streamlining measures that go beyond this basic State requirement.

Define Affordability, Target Lowest Income Levels

- Community Benefits should include at minimum units for no-to-low-income levels, deed-restricted moderate-income ownership units, all with long-term affordability.

Unhoused Population (including recommendations for more assistance for those still housed by close to losing their home)

- Address homelessness prevention. Call out displacement and homelessness prevention separately – not all who are displaced will become homeless.
- Be clear about race in homelessness policies – make sure we’re targeting African Americans, who are overrepresented. Make the homelessness Measure of Success explicit about housing the homeless; don’t imply removal

- Why can't vacant housing be used as temporary housing for the thousands of unhoused people forced to live on the streets?
- H-2.11: The City's affordable housing regulatory agreements already require prioritization of units for people who were displaced by "no-fault" evictions. The City should consider expanding the definition of displacement to include persons who were forced to move due to an unaffordable rent increase or series of rent increases (with appropriate documentation).
- H-2.12: We strongly support measures to ensure that housing meets, at a minimum, basic habitability standards. At the same time, any pro-active inspections and enforcement must include provisions to protect residents from both direct displacement due to the rehabilitation work needed and economic displacement from the pass-through of the costs of that work in the form of higher rents that may be unaffordable to low income tenants.

Funding (mechanisms such as impact fee, increase/inclusionary requirement, EIFD, density bonus; amount needed and gap)

- Maybe impact fees could instead be raised to encourage use of on-site provision without creating a requirement
- By creating areas of unlimited heights or heights that are well beyond market demand and creating 'by-right' FARs that are more than double even those in some areas of Downtown San Francisco, the City of Oakland will be endorsing a public action that gives away "windfall value increases" to private landowners, but would receive nothing for the public in return.
- Additional density or height should only be granted with submittal of a required, prioritized, and uniformly applied set of "community benefits" (as many other cities have done).
- We also need to use the Plan to create new resources or private action that creates affordable housing. And the resources are only one side of the equation. The other two issues are cost escalation (particularly in construction and land costs) and timing risk (particularly in entitlements and permitting)
- P. 137, H-1.4: increasing impact fees to housing will only raise a marginal amount. What about reducing other impact fees to affordable housing? For instance, the EBMUD system capacity charge, which is essentially a water impact fee disproportionately disincentives urban dense development by charging approximately \$12,000 per unit. Can the City work with EBMUD to eliminate or reduce that fee, especially given that urban households use perhaps 1/3 of the water that a typical suburban home uses?
- H-1.5: This policy should refer to creation of multiple new revenue streams dedicated to supporting construction and preservation of affordable housing. While EIFDs are one such approach, it is not the only one. We support the use of a range of value-capture approaches, and these should be called out in addition to EIFDs.
- Policy H-1.5: Regarding EIFDs, how do we create a transparent tool for community benefits? County and City should combine increment
- Incentivize affordability (housing) 2-tiered development system; baseline intensity and bonus for height. What are the specific incentives and bonuses that can demonstrably result in a significant amount of affordable housing? What does the City have to offer that will be of sufficient value to developers?
- Need a study of inclusionary policy and fees that will find the sweet spot of maximizing affordable housing revenue to the city while still encouraging overall housing production need

indicators that dictate when and why you need to reassess aspects of the plan. Don't wait for a calendar-based revisit. (scenarios: for example if Google develops in San Jose; if West Oakland BART takes off, etc.)

- H-1.7: If the City is considering replacing the impact fee with an inclusionary zoning requirement, it must ensure that any inclusionary requirement produce the same number of units, and at the same depth of affordability as the fee would yield. If an inclusionary requirement is adopted, the City should provide enough flexibility to allow this to be met not just by affordable units within a market-rate building, but also through subdividing larger parcels to permit adjacent market-rate and 100% affordable projects, and allowing the affordable units to be built on adjacent or nearby parcels.
- Impact fee: income targeting is significantly lower than what you get with inclusionary
- The problem with inclusionary housing is that it goes to people with higher incomes (see San Francisco); need to make sure enough is targeted at the <30% AMI population
- Need to rethink application of density bonus program whereby affordable units can be offsite/adjacent rather than within the market-rate development
- Address Chinatown on DOSP and its share of any tax increment
- H-2.6: Provision of supportive services is important for affordable housing and critical for SROs and housing targeted to people with special needs. This Policy needs to be more specific. The City should pro-actively work with Alameda County and other entities to provide multi-year funding for services. Currently most services are funded only annually even though the housing is restricted to these populations for at least 55 years. This poses particular challenges for SROs and other special needs housing.

Retain Existing Affordable Units

- Retention/preservation vs. production; focus should be on retention and preservation; waive transfer tax and business tax as one example to support retention/preservation of existing housing.
- Policy H-2.1: Re Purchase and Rehab; mix of city and private non-profit developers acquire and rehab SROs
- Need policy for 1:1 replacement for any demolished building and other demolition protections, e.g., owners prohibited from taking advantage of bonus incentive program. Alternative could be either 1:1 replacement or no bonus incentive.
- H-2.7: While we support strengthening the condominium conversion ordinance, we are opposed to the approach proposed here. As Planning staff are aware, we have been working for several years on changes to the condominium ordinance that would extend coverage to 2-4 unit buildings, strengthen the requirements for "conversion rights" to ensure that genuine replacement units are added to the rental housing supply before conversions can take place, provide for better noticing, and ensure that tenants get adequate relocation assistance and priority for the replacement units. Planning staff has been consulted on this language and we are surprised to see a completely different (and less effective) proposal here. This language should be deleted and replaced with language that is consistent with the efforts already underway
- The Plan currently contains no controls to prevent the demolition of existing rental housing to make way for new development. The City should either prohibit development on sites that

currently have rental housing units or did so within the past 10 years, or condition approval of such projects on provision of full 1-for-1 replacement with units comparable in size and affordability.

Affordable Housing Overlay (related to citywide project)

- Oakland Housing Authority is in discussions with Bureau of Planning on a potential citywide overlay zone for affordable housing. OHA working on developing parameters right now and hope to have something concrete to discuss soon.

Design Guidelines

- Chapter 02 (Housing) should acknowledge the opportunity to integrate meaningful open spaces in large-scale new multi-family and mixed use developments. This could go a long way to meet the recreational needs of future residents. Since these folks won't have backyards, they will rely on such spaces for air, play, and connection to the outdoors. (Also, this section needs some baseline data on the existing number of residents and housing units.) A strategy should be added to P. 132-133 (or a policy to page 137-140) to expand opportunities for outdoor recreation in new developments, including rooftop gardens and on-site recreational facilities like tot lots.
- P. 138, H-1.6: Also, Oakland should adopt the family friendly development guidelines that other cities like Emeryville and SF have already developed. Encourage childcare/daycare spaces in the commercial ground floors, or in live-work spaces that can be designated as family daycare operations

Density in Jack London

- The plan shows an increased residential density on the East side of the District, where housing is already being developed. While this makes sense, we recommend that the plan explore housing density near the proposed Howard Terminal/A's ballpark. In general, the height illustrated in Jack London seems unnecessarily smaller in scale. Why not taller buildings in JLS?

3 MOBILITY

Broadway

- Clarify/fix why cycle track is shown on Broadway section (p. 171, Fig. M-11) and not on bike maps (p. 160, 161; Fig. M-3 & M-4)
- Decide on Broadway as transit priority:
 - Can we assuage concerns that it will divert traffic onto neighborhood streets?
 - How to handle bike lanes possibly interfering with AC Transit (Broadway is designated as a "low stress core network" bike lane)
- Discuss placemaking for Broadway? (where/how; design guidelines?)
- Vision:
 - Can/should Broadway be more prominently featured the plan? If so, how can we do this?
 - Should we add Broadway to goals?

Priorities

- Vision (expand?: state affirmatively/succinctly):
 - Transit hub vision (downtown Oakland and SF as dual transportation hubs)
 - (e.g., Salesforce in SF or San Jose's Diridon Station)
 - How is downtown epicenter of rail and transit for all of East Bay
 - Take advantage of "reverse commute"
 - Support Oakland's role as a regional employment center
- Establish modal priorities (make this more clear in document)?
- Related to establishing modal priorities, describe how car dominated downtown produces negative outcomes?
- Establish modal hierarchies (hierarchy of needs) for every downtown street (example: Telegraph Ave., 14th St. and Grand Ave. are part of AC Transit's frequent network, yet are also designated as bike priority streets). Minimum: design these streets in a way that does not further degrade bus reliability
- Need to add (?) where all-day dedicated transit lanes are not feasible due to planned road diets, elements such as peak period transit lanes, bus boarding islands, queue jumps

New Transbay Crossing / BART Station

How to address second transbay crossing?

- Coordinate w/ regional transit agencies to create a multi-modal facility (possibly located near Jack London Square) that will connect a second Transbay crossing, AC Transit, Capital Corridor, Ferries (and possibly BART)
- Locate Transbay crossing through the densest part of downtown by primarily under either Broadway, Franklin, or Webster (delete mention of BART alignment of I-980)
- Don't put transbay crossing on the map but do address it
- BART transbay crossing has not reached level of specificity needed to make concrete land-use or construction-related decisions; plan should consider the implications of this endeavor for the urban fabric of downtown and maintain flexibility to allow increased employment density around future rail alignment
- Mention as a policy recommendation to study the location options for a second transbay crossing and BART Station in downtown
- Preference for a Jack London BART station

BART Recommendations

- BART is not discussed meaningfully yet; look at SOMA's BART discussion
- To expand upon Policy M-2.5, past BART planning efforts have identified the following needs:
 - 19th Street Station Project Needs:
 - new elevator connecting street and concourse
 - escalator canopies with roll-down doors to protect escalators from overnight damage and reduce escalator outages
 - new entrance at north end of station to expand pedestrian access to station and respond to new development
 - additional ticket vending machines or faregates to accommodate additional riders
 - 12th Street/City Center Station Project Needs:

- new elevator connecting platform and concourse
- escalator canopies with roll-down doors to protect escalators from overnight damage and reduce escalator outages
- interior upgrades including lighting and improvements to address fare evasion
- additional ticket vending machines or fare gates to accommodate additional riders

Traffic

- Where is traffic study/traffic analysis on which the recommendations are made for downtown (specifically Chinatown)
- Want deeper analysis of downtown's traffic patterns
- Comments related to specific streets [need to decide on response/level of analysis to support plan-level recommendations vs. what will become future study]:
 - Recommendations for 9th St.: need to address how to handle school traffic, loading/unloading and access to driveways
 - Recommendation for 7th St.: likely need more than one lane; there are a number of driveways which may make the cross section difficult to implement

Transit

- Expand Free B shuttle to weekends
- Expand Free B (connect Brooklyn Basin, Howard Terminal and destinations throughout downtown)
- How to make transit a primary mode of choice for downtown Oakland commuters and residents?
 - Make transit passes (required as part of TDM) flexible for use on all transit systems (is this within the scope of Downtown Plan?)
 - Require free transit passes for new development (or subsidize through zoning incentive program?)
 - Require easypasses for all employers (or subset of employers) and residential buildings over 50 units (do we do this already?)
- Partnerships between transit agencies
- Rail quiet zone (include this)
- Bus stop improvements: announce incoming busses (see also sidewalks/public realm comments)
- Transit priority treatments (transit only lanes, bus boarding islands, queue jump and transit signal priority)
- Add Grand Ave. (between Broadway and Harrison) as a dedicated transit lane (add to map Fi. M-5?)

Curbside Management

- Strengthen curbside management (TNCs, deliveries, medical drop-off/pick up (Chinatown) etc.)
- How to address specific comments re: curbside management for Chinatown (e.g., near Chinese School @ 9th St.)?
- Proposed cross section of Franklin and Webster do not show how passenger and merchant loading and unloading will happen (graphic)

Sidewalks / Public Realm

- Examine key nodes; how can enhanced street trees and stormwater swales serve a connectivity function? Bring green space into urban street network; 100% corners
- Show connection between new parks to existing parks (program of wayfinding through green space)
- Fig. M-2 “connectivity improvement” should connect 8th St. across Broadway
- Improve bus stops and transit stations (world class transit hub)

Parking

How to balance small business and entertainment venue needs for parking with city’s goals to reduce VMT (plan must provide concrete policy guidance). Suggestions:

- Plan for parking on 25th St. (galleries, etc.)
- Parking under the freeway
- More centralized parking options
- Expand Chinatown’s parking pilot

One Way Streets

- Webster: extend “priority” designation to throughout Chinatown
- Priority two-way conversion for Harrison St. and Oak St.
- Chinatown wants two lanes in each direction (for loading) (concern over road diet)
- What/where is traffic analysis/study to arrive at Preliminary Draft Plan recommendations? Did it address extent of conversion and impact from road diet? If not, when would this happen?

Industrial Uses/Truck/Freight

- Designate 3rd street as a designated heavy truck corridor (Schnitzer Steel suggested several text edits to underscore this point throughout the plan; see comment letter)
- Sentiment from current industrial -related businesses: industrial uses contribute to family-*supporting* wages, the city’s tax base, are thriving and should be supported
- Include policies which support Oakland’s industrial and freight transportation needs, challenges, impacts and benefits. Mobility Chapter should avoid exclusive focus on transit, ped, cyclists without also acknowledging the significant and intense existing freight characteristics of the fabric of Oakland’s industrial economy. All modes are benefitted from an adoption of policies which will continue to provide for anti-congestion and improvements to support freight transportation efficiency. (pp. 30-31, 40, 143-183)
- Delete all references to bicycle, pedestrian, transit, and shared-use path infrastructure meant to serve Howard Terminal and surrounding Port properties and uses which are exclusively industrial.
- “Jack London District”: Include specific new policies in support of Oakland’s industrial and freight transportation, including Port of Oakland operations, and the need to preserve industrial zoning and buffering to protect freight and industrial assets and to grow future investment. (pp. 77-78)

Bike Lanes

- Need connections from BART stations to bike lanes on map
- Consider Chinatown’s request to move bike lanes from 8th and 9th to 10th and 14th St.

- 14th St. Rendering graphic: tactile tiles not oriented in one direction and thus dangerous for blind people; suggest Berkeley's zebra crossings
- Figure M-3: Proposed Low-stress Core Bicycle Network
To prevent conflicts between bicyclists/pedestrians and truck traffic, revise Figure M-3 to relocate the low-stress core bicycle network route show along 3rd Street to 4th Street, or otherwise ensure that 3rd Street can continue to operate as a Heavy Truck Corridor. Show the shared-use path along Embarcadero West terminating at Martin Luther King, Jr. Way.

I-880

- Additional recommendations for freeway undercrossing (specifically call out suggestions/options in the Draft Plan):
 - Business activities
 - Parking
 - Public art
- Animate both sides of I-880 (5th St. and 6th St.)
- Add “connectivity improvements” at 5th St. and 6th St. at Washington (graphic/table of improvements) I-880

I-980

- Acknowledge the possibility for a lid part over I-980 as an alternative to rerouting 70,000 cars a day onto surface streets
- Loss of I-980 will be detrimental to flow of traffic (diverted to local streets including Chinatown; reduce patronage to Chinatown; increase emissions; and create significant costs and impacts to Oakland's port and industrial freight economy)

Howard Terminal

- Concern that the Draft Plan doesn't consider the potential A's ballpark; there will be a lot of gameday traffic that will spill over into the neighborhood
- Fig. M-2: Howard Terminal and nearby freight train tracks will not be an easy place to transform into walkable pedestrian, environment
- Why is gondola not being considered, but other improvements are?

Emerging Technologies

More prominently state policies for emerging mobility and technologies; ideas discussed include:

- How new technology impacts curb space management
- Smart technology being used to manage transportation infrastructure
- How is plan addressing scooters, ride share and autonomous vehicles
- Rename bike lanes: “mobility lanes”
- Digitize curb space (to change and track use of curbs) to better manage curbs, transit/mobility regulations, parking, etc.
- Create pilots to respond to new technology
- Electric charging stations (including disabled parking spaces)

Miscellaneous

- Accessibility changes:

- M-3.5 “serve needs of residents, and diverse mobility needs”
- Seems like most recommendations are geared toward young, able-bodied (bike lanes, etc.) what about elderly and disabled (who need car drop off locations)?
- Plan for disability community? (part of the City of Fremont is designed for the blind)
- Mayor’s commission on Persons with Disability to include specific recommendations on disability/access over the next six months
- Consider increasing Transit impact fees (would an increase in “transportation” impact fee impact transit? How are these fees used?)
- Plan to connect to Brooklyn Basin (expand Fig. M-2 to show connectivity with Brooklyn Basin?)
- Fix info graphic “how people move today (info does not match info on the next page)
- Need to address Measures of Success

4 CULTURE KEEPING

Affordable Arts/Cultural Space

- (p.201) C-1.2: Change “Explore the development of...” to “Develop an incentive program...”. Ensure subsequent Community Advisory Group meetings review TDRs and community benefit / incentive measures or programs.
- (p. 209) C-2.4: “Establish a program to connect available and underutilized venues with those seeking spaces for special events.” Extend this to permanent cultural spaces.
- (p. 210) C-3.1: “Continue leasing City-owned properties downtown at Below Market Rate (BMR)...” We believe the Planning Commission’s recent landmark decision set a precedent and should be applied to ALL DEVELOPMENT as well as, and especially, private development on public lands where 30% of affordable units be available to people whose income level is at 30% AMI AND require 30% of ALL RESIDENTIAL UNITS to be AFFORDABLE. In addition, in keeping with the landmark decision, REQUIRE 20% of GROUND FLOOR SPACES TO BE BMR.
- (p. 210) C-3.1: Regardless of whether the City continues to grant occupancy to arts and cultural organizations at below-market rates, to protect affordable space, the City should establish a community access fund to defray the operating costs of the private non-profits that manage the facilities. By freeing up the non-profits’ funds, the City would increase their accessibility to artists and non-profit organizations in need of performance venues.
- (p. 210) C-3.2: “Incentivize the use of privately-owned vacant or underutilized buildings as temporary affordable art or social enterprise space.”
 - There are also a number of unleased ground floor spaces that should not be limited to “retail use”. We would amend this policy to INCLUDE PERMANENT in addition to TEMPORARY and INCLUDE a CONTINUUM of LOCATIONS ONCE THE INTERIM USE PERIOD IS COMPLETED.

Art + Garage District

- Several individual and group comments were supportive of the Art + Garage District
- In 2015, the Art + Garage District had 23 cultural spaces. By 2018, 12 of the original 23 (or 52%) closed with 66% of those displaced due to rent hikes ranging from 48% to 250 percent

- (p. 202) C-1.4: We fully agree with this policy intent yet do not believe that street banners, street painting or wayfinding markers are a priority in the AGD

Black Arts Movement and Business District (BAMBD)

- **Supportive of inclusion of BAMBD in Draft Plan; need for increased City investment and the development of specific policies to enhance current and ongoing Culture-Keeping efforts within BAMBD, which the CDC has been implementing without much in the way of official municipal support.**
- This [market-rate development and CBA-negotiated investment] momentum needs to be a lever for prioritizing an arts and culture strategy that supports the intentions behind the City's proclamation of the BAMBD and other cultural districts.
- Cultivation of cultural strategies AND economic development strategies which are tethered, can greatly increase the visibility, viability and sustainability of BAMBD. The strategies outlined in section C-1.5, in our view, represent what should be a minimum threshold of City investment in BAMBD, and should be implemented in such a way as to support community-led cultural and economic development efforts.
- We are encouraged by ongoing conversations with community members, Planning staff, Council Districts 2 and 3 staff, and the Cultural Affairs Department, and we are looking forward to deeper discussions around municipal investment, culture-specific policies, and how the City can support economic development efforts with these stakeholders in the weeks and months to come

Cultural Districts

- Policy C-1.1: last paragraph: add mention of Mayor's Artist Workspace and Housing task force as identifying helping to identify challenges and zoning solutions
- Policy C-1.5: pull the last bullet (related to prioritizing improvements to Malonga Casquelourd) out into its own policy and add propose a study of management issues to ensure its well utilized in fair and transparent ways
- P. 57 Map of proposed cultural districts: add Uptown (similar to map on page 271 (fig. LU-7)?)
- Develop arts district 'district councils'
- How will arts districts be funded, managed and implemented?
- areas of special importance, including the AGD district, Old Oakland, Chinatown, Produce Market, Jack London Makers Zone, Chinatown, and the Black Arts Movement and Business District that should also be preserved under the plan with the above provisions, customized to each Cultural District
- Art & culture should be addressed throughout the plan
- Why restrict ground floor bars/entertainment? What is meant by arts uses being "outcompeted" by other uses? Arts uses require foot traffic that bars/restaurants bring. Who will benefit from zoning restrictions on bars/restaurants?
- Need credit enhancements ("affirmative" enhancements) to rent space to artists
- What about requiring a Conditional Use Permit for non-arts uses instead of prohibiting bars/restaurants? Conditional Use Permit should expire when the business closes
- Need zoning for creative arts uses (distinguished from retail)
- Demonstrate how Cultural Easements or Land Trusts might be implemented.

- New residents need to understand that there are existing entertainment venues when they move in.
- Need money to renovate buildings for noise
- If there is a Ballpark on the waterfront, is a “Jack London Maker District” the best and highest use?
 - The Plan should re-visit uses and height limits associated with proposed “Jack London Maker District” west of Broadway. There is no reason maker space should not co-exist with higher height limits
 - Consider architectural constraints for buildings along 3rd Street and suitability for industrial/maker space. Many 3rd street buildings are at rail height.
 - If there is a Ballpark on the waterfront, the Plan should consider whether a Maker District should and can dominate that District.
- In general, any suggestions in the policies and the preliminary draft requiring the present owners to pay for displacement or relocation costs should be eliminated. Policy or zoning requirements such as the ones described not only eliminates the opportunity for organic change and growth, but it penalizes owners unfairly and inhibits the control of the property that they legally deserve as property owners.
- The idea of providing incentives and mechanisms to encourage the growth of the arts and art spaces is great, but requirements placed on owners is an issue.
- C-1.1 Cultural Districts –Supporting the arts should be a City-wide cost or pursuit [not the burden of present owners]. If an individual owner wants to support the arts, then it should be their choice. I work for one of the largest stakeholders in the Garage/Arts District, and the only reason that developed was because we wanted to support the efforts. Imagine if the City had required that auto uses stay in those buildings; you would’ve precluded artists from ever moving in. It is a huge disincentive for anybody to ever lease to an artist if the City is going to regulate it and burden the owner.

Displacement

- How is displacement being tracked? From what point in time? The Culture Keeping section uses data from 2016. An interim measure would be to reconnect with those that participated in the survey of around 900 artists, get testimonials.
- Artists United with over 70 arts organizations is publicizing this issue throughout their network and mobilizing members to pay attention to the action the City of Oakland is taking on this and other matters related to creating economic empowerment and access to fair and affordable housing for artists in the city.
- DIVERSE, VIBRANT Art + Cultural activities are indicators of a HEALTHY CITY. The EIR (Environmental Impact Review) must include how the displacement of artists, artisan producers, cultural icons, galleries and long-time ethnic based business owners is an indicator of declining community health.
- The arts spur economic growth including business attraction and retention. Without specific and bold attention to the sector, Oakland may not fully realize the equitable vision that we all seek. Additionally, without intentional planning around ethnic and cultural preservation, based on proven precedents, displacement and historical erasure are certain. Please, assess your current position, then go two steps further.

- (p.188): Outcome C-3 : “Oakland’s artists and creative community are able to find workspaces, etc.” We need to say, “RETAIN and find AFFORDABLE workspaces, performance spaces, and galleries, etc.”
- Prevention of displacement needs to extend to preservation of cultural assets and small, locally-owned businesses, particularly those rooted in communities of color. The loss of these uses also acts to catalyze displacement of residents as the amenities and services they rely on are lost to more expensive retail and entertainment uses that are out of reach to existing residents. Prevention of displacement needs to focus not just on individual households but on vulnerable communities as well.
- Cannabis uses out-competing artists, as are SF artists (outcompeting Oakland artists)
- (p. 212) C-3.5: “Creating a master lease program...to sublease to artists and arts organizations.” ALL CITY PROPERTIES THAT ARE MADE AVAILABLE TO PRIVATE DEVELOPERS MUST INCLUDE ALL THE AFFOREMENTIONED ANTI-DISPLACEMENT MEASURES.
- ALTERNATIVE ARTS and CULTURAL PRESERVATION MEASURES MUST BE IDENTIFIED AND **THOROUGHLY STUDIED**. Interim measures, prior to the adoption of the Downtown Plan **will assist with** speedy and informed implementation.
- We also believe that the Downtown Plan should strive to uphold the aspirational goals indicated by the Cultural Plan, and seek to populate the Cultural Resources Map in the Preliminary Draft exponentially. We think the strategies laid out in LU-1.4 could have significant potential for vibrant cultural growth.
- Diversity issue: There’s an issue with race and what race the people working for the City are: who is behind the desk issuing permits? Have they been to our venues?
- Identify measures of success (include actual numbers)

Library

- New library – Measure DD was for operations only, now that operations are covered, wanting to take up new site for Main Library
- No libraries near Brooklyn Basin
- Library is producing a Master Facilities Plan
- Swap library (current location) for a different location near BART, Schools, etc.

Public Spaces

- Paseos should be required; Festival streets – how to implement to connect arts and different cultural experiences
- Chapter 04 (Culture Keeping) should acknowledge the role of parks in accommodating civic events and providing common ground where all Oaklanders can gather. Activation of places like Jefferson Park and Lafayette Park should be acknowledged. Policy C-2.1 is a good start, but doesn’t go far enough. This Plan should be acknowledging our parks in the same way it acknowledges our cultural institutions.
- “Downtown over the past 20 years has witnessed a visual genocide of public space with spaces defensively designed such that those without money are prohibited from occupying and enjoying that space.”
- Culture Keeping:
 - If city has money it should be spent on affordable spaces, not streetscape. BID or CDC can do that, or cultural district. Spend public money on more effective measures.

- Broadway is an exception to streetscape question – important main street, redesign with mobility we have today, and future. Include maintenance and durability.
- Likes the graffiti art shown; should have graffiti art walls near waterfront, play structures and skate parks; need “destination tags”
- The City’s existing Public Art requirement is not necessarily resulting in great art projects (some are a mis-match to the project)

Chinatown

- Need more forward vision for Chinatown; link Oakland Chinatown and Jack London to capture market growth (in restaurants, etc.); the plan is missing a mention of the more affluent, educated Chinese American (and thus their capitalizing on this potential new market); Just think what a new Ding Tai Fung dumpling house would do for the activity in Jack London Square; need a more forward looking 21st century vision for this part of Downtown Oakland
- alternate vision that is more forward looking, and it includes these elements: (1) Increase the commercial floor space of Oakland Chinatown by 300,000 SF by expanding Chinatown in all directions, (2) Recruit four or five top flight contemporary Chinese/Asian restaurants from Taipei, Hong Kong, Singapore, Shanghai, Chengdu and/or Beijing. Provide location options in the Jack London Waterfront, Uptown and the new ballpark district. (3) Add 150 public parking stalls in the more than ample public right-of-way currently planned for bike lanes. (4) Add 1,000 housing units including 30% affordable units. (5) Recruit one new cultural institution...
- Need more discussion about advantages of Cultural Heritage District; Chinatown community should be involved with discussions (including culturally responsive design guidelines); We would be in favor of a CCHD if it can provide not only funding, but concrete mechanisms to achieve some of the following provisions:
 - (1) Creating commercial spaces that can be easily subdivided into smaller square footages to encourage small business growth and limit big box retail;
 - (2) Infrastructure improvements including the wider sidewalks, more storm drains and more city trash cans.
 - (3) With the wider sidewalks, we would like vendor sidewalk limit to be changed from two feet to three feet;
 - (4) Increased pedestrian lighting.
 - (5) Incentives for buildings to contribute to community amenities like Chinatown parks.
 - With the increase 10,000 units, it will put a lot of pressure on existing recreation centers and parks. (6) With the analysis and work for two-way street reconversion, we would support the City adding a Scramble Crosswalk at 10th and Webster, and at 10th and Harrison.
- What is considered Chinatown – For planning and historical purposes, we wanted to emphasize the Chinatown extends from Broadway to Fallon Street and from 6th Street to 14th Street an. We are not challenging for example the Black Arts Movement and Business District establishing a 14th Street Corridor, but we wanted to acknowledge these are overlapping communities that occasionally work together on issues of common concern.
- summary of existing conditions to establish a baseline of community resources that must be preserved, if not expanded, under the Downtown Area Plan, through the following provisions: (1) Include the non-profit OACC, its origin, and purpose, in the summary of existing conditions as a Culture Keeper. (2) On page 193, the DOSP should list Chinatown’s existing public spaces,

including OACC, Lincoln Square Recreation Center and Park, and Madison Park to acknowledge and protect these existing resources. (3) On page 194, Figure C-1, the Cultural Asset Map should include the Asian Branch of the Oakland Public Library. (4) On page 196, the Plan states, "A concerted effort to protect and celebrate Oakland's ... institutions and artists is necessary to prevent cultural displacement. Investments in the form of facility upgrades, marketing and branding targeted to ... the Malonga Casquelourd Center for the Arts and the Oakland Asian Cultural Center, should be prioritized...." We agree.

- Fig. VG-19 (rendering of 9th street) seems like a stereotype; 19th Century culture. Need more contemporary interpretation (Shanghai/Hong Kong)

Miscellaneous

- Clarify infographics (see PDF mark up)
- Clarifications to "summary of existing conditions" (see PDF mark-up)
- C-2.2 the most recent Special Events Task Force focused mostly on indoor venues, not festivals and parades
- C-2.4: Not sure it's accurate to say we have a wealth of underutilized performance, practice and other available spaces. they are hard to find and we particularly lack small venues -- and 300-500 seat spaces.
- P. 50: clarify that an intermediary would run a master lease program (not the City); any time the master lease program is discussed, make sure this distinction is made. Policy C-3.5 has the correct characterization of the master lease program.

5 COMMUNITY HEALTH

Social Services and Healthcare

- Concern that trade workers don't have access to health care
- Facilities for basic health and hygiene access should be considered (restrooms, showers, drinking water)
- Suggestion that physical space and facilities should be allocated and resourced to administer basic social services and health care resources
- Elder Council
One of the most under-utilized resources in our community are Elders. In an effort to access and activate their wisdom and knowledge an Elder Council can be formed. The operation of the council would be as follows: Members would be secured, and paid, to speak to groups of corporate workers on their own personal history as a citizen of Oakland (in an effort to provide political, socio-economic, and historical context), as well as on methodologies and ways to help support the Elder population in the Uptown Area (ie doctor visits, communing over meals, provision of meals, transportation to faith services, etc.). There are several Senior Citizen homes in the Uptown area that can be used as a resource.

Safety

- Concern that sex trafficking is not adequately addressed

- Suggestion that design guidelines of parks should be considered to curb vandalism and unlawful behavior in parks
- Suggestion to consider the ways in which parks are policed; Special training for OPD
- Concern about a lack of police on the ground and a lack of funding, especially as DT Oakland adds 29,000 new units. Including stigma around safety at large event venues.
- Concerns about drug dealing and gang activity; specifically, the corner of 13th and Broadway

Parks Maintenance

- Many concerns about the lack of resources for maintaining existing park and recreation facilities
- Suggestion to explore alternative funding strategies including public-private partnerships for parks maintenance as well as adopt-a-park volunteerism.
- Concerns that the maintenance of certain parks is prioritized, while others are in disrepair, is inequitable.
- Concern that too much focus is put on creating new public spaces without a clear strategy to maintain existing and forthcoming parks and open spaces.
- Concern that other public rights of way, in addition to parks are also in need of improved maintenance resources
- Concern that the state of some park facilities render them unusable.

Parks and Open Space

- Concern about the lack of emphasis on programming of parks and open spaces
- Concern that investment in new parks and open spaces will result in fewer resources to spaces that are currently being used and enjoyed.
- Concern that putting Park and Open Space under the umbrella of Community Health discounts the role and multiple functions of these spaces in the public realm
- Acknowledgement that Webster Green is a good idea but seems disconnected from a broader parks network strategy.
- Concern about appropriate design and programming of open space in freeway underpasses.
- Concern that privately owned public spaces (POPS) are not adequately considered
- Concern that multigenerational spaces are needed, including playgrounds that incorporate universal design principles.
- Comments that prefer the capping of I-980 with a park rather than the surface boulevard concept

Environment and Sustainability

- Many comments from Sierra Club related to GHG reduction strategies and the potential economic and public health benefits of more sustainable infrastructure
- Concern that climate change and climate justice are only incorporated in the Community Health Chapter
- Concern that sea level rise considerations are not adequately incorporated into the land use chapter; Example Jack London and Victory Court
- Concern that buffer zones are needed between forthcoming residential development and industrial land use (pg. 28-30, 33-34, 45, 52-53, 58, 113-140, 215-247)

Environmental Impact Report (EIR)

- Many concerns that the impacts of the DOSP on Chinatown will not be adequately addressed in EIR
- Suggestion that the EIR analysis include a social and economic impact analysis
- Suggestion that anti-displacement measures be evaluated in the EIR

Community Facilities

- Concern about the lack of basic public facilities, including restrooms, showers, and drinking water
- Question about how schools and childcare are being considered in the plan
- Suggestion to incorporate plans for the main library in the plan
- Concern the Lincoln Rec center is already over capacity and anticipated new development will increase strain on the facility.
- Concern about the lack of accessible healthy food DT, i.e. lack of grocery store.

Green Loop

- Concern that the Green Loop concept is over emphasized throughout the plan (mentioned 35 times)
- Concern that more attention should be placed on further developing concepts and implementation strategies for placemaking nodes along the loop, rather than conceptualizing it as a green circle.
- Concerns that the Green Loop does not align with community priorities and that existing mobility infrastructure is need of attention.

Unhoused Population

- Concern that unhoused population count referenced in the plan is vastly underestimated
- Concern that the unhoused population is composed disproportionately of African Americans; Equity Concern
- Concern about the general lack of emphasis on this issue within the Community Health chapter
- Concern about the general lack of emphasis on this issue throughout the plan (a complicated issue related to economic opportunity and affordable housing, in addition to community health)
- Concern that strategy for addressing unhoused population does not include an explicit reference to mental illness and addiction
- Acknowledgement that the unhoused population crisis is a regional issue, but that DT Oakland has a significant share.
- Acknowledgement that a dynamic strategy will be required which includes both short-term and temporary housing solutions, as well long-term permanent housing and associated social services.

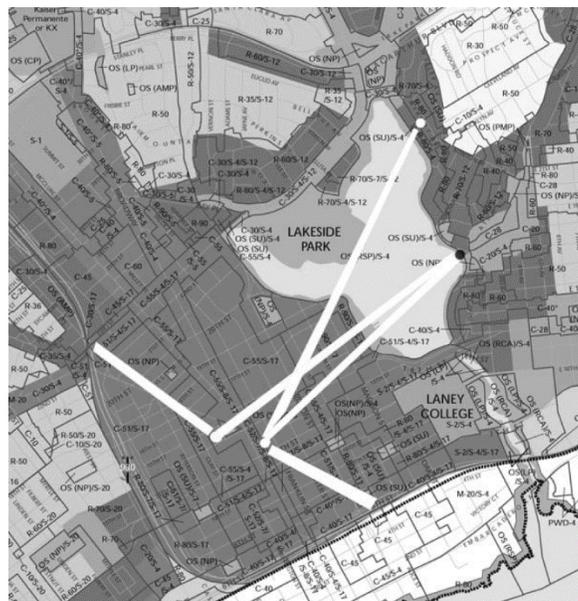
6 LAND USE

Height / Intensity

- Question to City Staff: Related to Draft Plan: will a revised height map be published (incorporating community feedback, technical analysis)?

Reduce Intensity, Protect Viewsheds to Iconic Historic Buildings

- The draft intensity map on Page 284 increased the height limit for: (a) the Old Oakland API to 65 feet from the 55 feet adopted in 2009; (b) most of the Lakeside residential area API to 65 feet and 85 feet from 2009's 55 feet; (c) portions of the Cathedral Neighborhood API to 85 feet from 2009's 55 feet; (d) portions of the Telegraph Avenue/KONO ASI to 65 feet and 85 feet from the 2009's 45 feet; (e) the 17th Street API to 65 feet from 2009's 55 feet; and (f) portions of the 25th Street Garage API to 65 feet from 2009's 45 feet. In most of these APIs and ASIs, the height limits should actually be reduced to reflect the predominate heights of the contributing historic buildings and to anticipate potential height increases that must be granted to projects receiving residential density bonuses
- Wants view corridors to protect views of downtown across Lake Merritt (new 1314 Franklin will cover the view of the Tribune Tower); Preserve important view corridors of iconic historic buildings, such as City Hall; the most important views of these buildings include corridors from two locations on the east side of Lake Merritt and two locations on the I-880 and I-980 freeways (see [OHA attachment](#), and image below). San Francisco preserves view corridors on their zoning height map using reduced heights within these corridors
- Do not create areas of unlimited or very tall by-right heights and densities; upzoning has contributed to the massive run up in land prices and it only benefits existing landowners; developers no longer have any reason to use incentive program



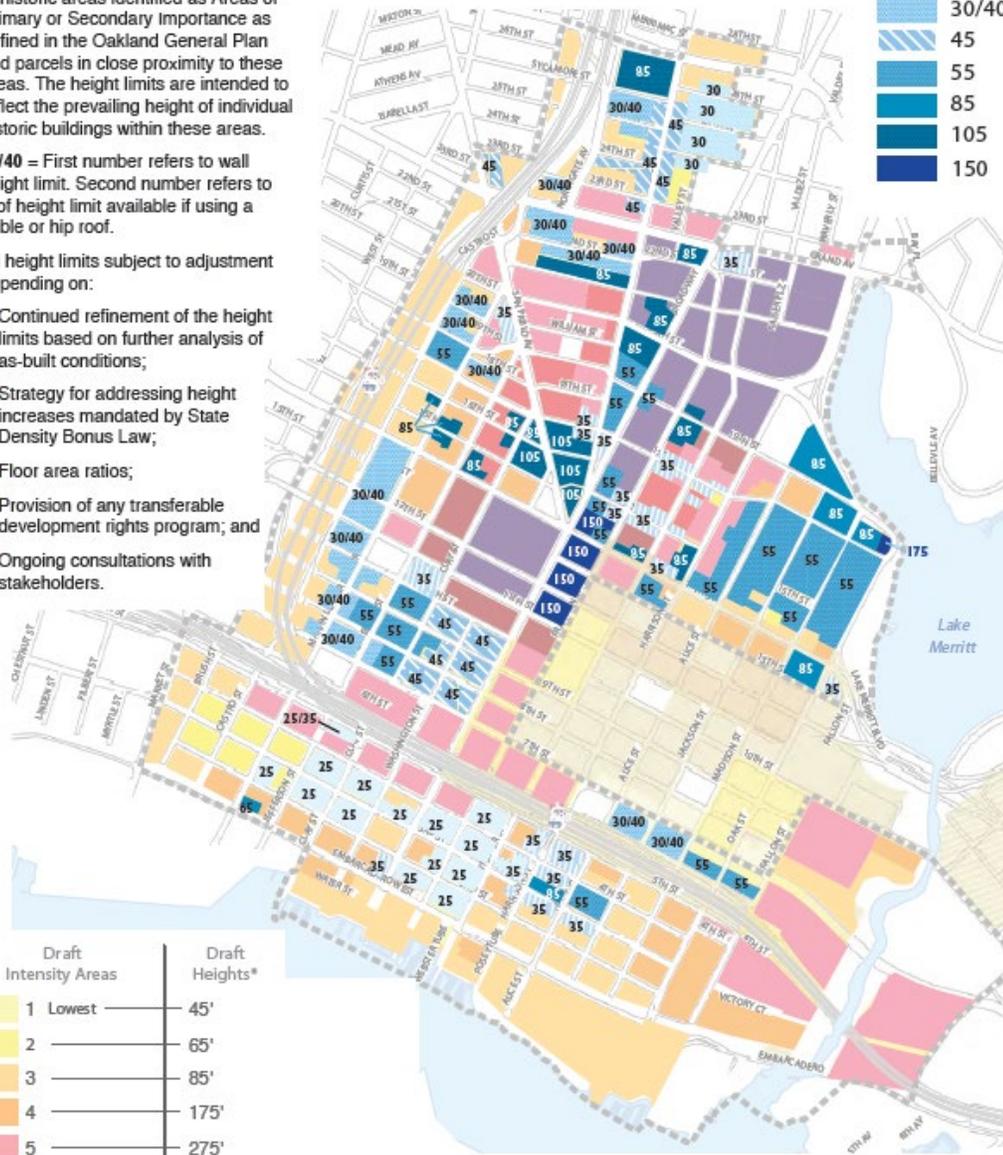
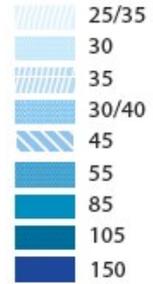
- OHA height map proposal (see [OHA attachment](#), and image below) The recommended height limits apply to historic areas identified as Areas of Primary or Secondary Importance and parcels in close proximity to these areas.

**Oakland Heritage Alliance
Preliminary Height Limit Recommendations: 3-1-2019**

OHA Recommends

NOTES:

- The recommended height limits apply to historic areas identified as Areas of Primary or Secondary Importance as defined in the Oakland General Plan and parcels in close proximity to these areas. The height limits are intended to reflect the prevailing height of individual historic buildings within these areas.
- **30/40** = First number refers to wall height limit. Second number refers to roof height limit available if using a gable or hip roof.
- All height limits subject to adjustment depending on:
 - Continued refinement of the height limits based on further analysis of as-built conditions;
 - Strategy for addressing height increases mandated by State Density Bonus Law;
 - Floor area ratios;
 - Provision of any transferable development rights program; and
 - Ongoing consultations with stakeholders.



Draft Intensity Areas	Draft Heights*
1 (Lightest Yellow)	45'
2 (Yellow)	65'
3 (Light Orange)	85'
4 (Orange)	175'
5 (Light Red)	275'
6 (Red)	450'
7 (Dark Red)	Unlimited
8 (Purple)	Unlimited

284
01.16.19 PRELIMINARY DRAFT PLAN

Support Increased or Unlimited Height and Density

- Height and density should be unlimited downtown and not a condition of density bonuses based on payment of community benefits; making developers pay community benefits for housing is contrary to the urgent need to balance the City's budget and continue to provide basic services. City should incentivize increased density to grow sustainable sources of tax revenue. Higher density and height limits should be allowed throughout downtown, including: Area bounded by 14th St to the south, 980 to the west, 27th to the north, and Broadway to the East (along the San Pablo and Telegraph corridors in particular).
- If there was unlimited height, City could permit doubled density in exchange for community benefits + streamlined review
- Can't do affordable housing any higher than 7 stories, so need to incentivize anything over 75 feet. Affordable housing developers will be building the same 7-story building anywhere in the city
- Create enough density to bring critical mass needed for lively pedestrian streets day and night, weekdays and weekends.

Reconsider Planning Processes, Provide Additional Information

- Provide a list of recent tall downtown buildings indicating heights in feet, number of stories and floor area ratios. This information is needed to assist staff, consultants, decision-makers and the public in assessing current market demand for buildings of various heights and their visual impact
- Working group to address height/intensity/zoning
- Show proposed floor area ratios (FARs) as well as proposed height limits.
- How do the proposed limits on height interact with the feasibility of actually using State Density Bonus? Are the base heights set in a way that makes use of density bonus less likely?
- Don't need homogenous heights/districts; we can put tall buildings next to short buildings

TDR / Historic Preservation

- Provide a robust TDR program; consider its feasibility; consider interim TDR rules
- Make existing property owners aware of potential option

Possible TDR "sending" sites:

- Vintage warehouses in Uptown
- Church at 17th St. / Franklin St. as candidate
- Old Oakland
- Produce Market
- Lower Broadway
- Art + Garage District (25th Street area)
- Lakeside Apartments
- Downtown National Register

Possible Impacts on historic properties (from implementation of the specific plan):

- Increased demolition and/or adverse alteration to historic properties
- Possible erosion of the integrity of APIs, and possible disqualification; damage the integrity of historic areas, compromise their sense of time and place

Project alternative:

- Development intensities in areas with concentrations of historic properties that are no higher than levels in place prior to the 2009 rezoning

Mitigation Measures:

- Apply height limits to APIs and areas in close proximity that do not exceed the prevailing heights of contributing buildings
- TDR program (and reduce existing by-right height, FAR and densities to make the program effective)
- In APIs where contributing buildings are predominantly pitched roof, require pitched roof (in proportionate configurations)
- New development in areas with concentrations of historic buildings, provide design guidelines that require massing, composition, surface materials, fenestration, detailing and other architectural treatment compatible with historic buildings
- Broaden application of CA historic building code (include the CA Historic Building Code in the list of historic preservation mechanisms on page 294-296 (CHBC allows more cost effective solutions to address code issues, etc.; all of Oakland's PDHPs should be considered for CA Historic Building Code; other communities use cut-off dates such as 50 years old or pre-1942 to define CHBC eligibility)
- New structures should be visually subordinate to contributing buildings so as not to visually overwhelm the API/ASI; in many cases this means the heights of new buildings need to be lower than the tallest adjacent contributing building

Jobs / Office Development

- 17 million sq. ft. (office?) would double what we have now; half the size of downtown SF; something like Dallas
- Lot size important; downtown's superblocks have done poorly
- Few lenders will finance combined housing/office tower (Fig. LU-12; graphic)
- Density is missing: commercial density is needed for long term tax base; need more land dedicated to commercial
- Be bold about creating the density needed to make downtown a jobs/housing center
- Density is missing in office by 50-100% and housing by about 25%
- Too much energy into splitting up the pie, not growing it; people conflate density with hot market causing the housing crisis
- Plan shows a ratio of 8:1 housing:office; we can include more office but still provide the same amount of housing by building more densely
- Office priority zones are far too limited; office creation should be prioritized throughout downtown
- Challenges to achieving Downtown's competitive advantage: Limited number of prime sites for major office development (i.e., parcels of sufficient size, on or near Broadway, close to the BART stations)
- Few meaningful measures suggested to incentivize the creation of office space (without this could become bedroom community to SF); Prop M limits office in SF, Oakland can be the primary beneficiary by aggressively building office space for businesses that cannot find space in SF

- Hausrath – see comment letter with fiscal analysis of impact development downtown and more intense development alternative
- “Jobs-housing balance” vs. “workplace vs. residential”
- Don’t determine land uses based on the highest revenue projection; residential provides other economic benefits, such as supporting retail.

Community Benefits

- Do not require developers to “buy up” with community benefits in order to achieve density. This may backfire if developers do not take advantage of the bonus, leading to both no community benefits, and a low-intensity downtown, near transit, where intensity should be highest.
- The plan must be informed by principle of value capture; a portion of the publicly created value needs to be recaptured in the form of public benefits, including affordable housing
- Assess impacts to development feasibility when developing community benefit program.
- Community benefits should be a condition of development
- Need clear mechanism for community benefits
- City should assess extent to which current zoning does or does not encourage the use of density bonus; city should look strategically at different areas of downtown and see where a recalibration of base zoning would incentivize the use of density bonuses that would provide affordable housing; alternatively, the City could maintain existing zoning but require a CUP that allows building to the maximum intensity only when affordable housing and other benefits are provided.
- Modify (reduce) the excessive “by-right” intensities currently in place within many parts of downtown to a two-tiered set of intensities consisting of relatively low by-right intensity that would be increase to a “bonus” intensity in exchange for community benefits
- I'd like to see a serious discussion about pros and cons of reducing heights in some areas to make incentives and bonuses more attractive and more likely to be utilized
- Additional density or height should only be granted with submittal of a required, prioritized, and uniformly applied set of "community benefits"
- Don’t penalize density (by offering increased density in exchange for community benefits); density actually costs more and has to be incentivized
- Community benefits need minimum performance standards (including intensity) don’t allow developers to opt out (under build and not provide community benefits)
- How do we ensure benefits meet people in the community? Need to talk about all of Oakland, not just one neighborhood
- Old Oakland would like to be involved with setting (community benefit) priorities for their neighborhood
- Can proformas used for justifying developer requests for increases in height be made public?
- Does the Planning Department get copies of the Community Benefit Agreements negotiated on a case-by-case basis? In the existing CBA process, there is no transparency, accountability or follow through
- Consider value capture zoning incentive program models from other cities, such as Emeryville, which has a points-based system (SF TDR program and Emeryville program)
- Can current projects be subject to community benefits?

- The biggest community benefit from new office buildings and residential projects are jobs, housing and expanded tax revenues (and greater funds for affordable housing, transportation and capital improvements through impact fees); if city requires too much in other benefits, projects may not get built
- Community benefits are sold as creating certainty for developers, however, when city implements them (such as impact fees) they become the new floor upon which additional community benefits are negotiated. If we are going to standardize community benefits, must be clear and absolute. Current community benefit structure is often hijacked by individuals and small groups that demand benefits for themselves or their group and the benefits do not help the greater community (and often detrimental to larger community).
- conduct an economic analysis that compares the long-term benefits to the City of new office development as compared to the one-time impact fees garnered at the time of entitlement.
- Consider moving to a tax-increment financing model (EIFD) for large office development to fund community benefits rather than a policy that relies on one-time fees
- A key ingredient to a vibrant inclusive downtown are well-considered and activated ground floor uses; finding common agreement on below market rate uses for ground floor space is in the best interests of both developers and the community, provided the density permitted above and the flexibility on use are enough to pencil out a pro forma. It may be more productive to acknowledge that creativity is the key and limiting a developer's ability to curate and activate ground floor uses limits the plans overall success.
- Tie small business and other benefits to density: do not give away higher density allowances for free.

List of Benefits

(list of benefits on page 293 of Preliminary Draft is incomplete); community comments have included the following community benefits:

- childcare
- investment in existing neighborhood parks (specifically Jefferson, Lincoln, Chinese Garden, and Lafayette Square Parks)
- investment in Lincoln Rec Center
- investment in the Oakland Asian Cultural Center
- investment in Malonga Center for the Arts
- units for no-to-low-income levels, deed-restricted moderate-income ownership units, all with long-term affordability.
- Incentives for US military veterans
- Arts activities
- Historic preservation
- Affordable housing
- Support for small independent businesses
- Public open space: capital investment in universal-design play equipment, outdoor exercise stations, skatepark, public urban gardens
- Public open space: investment in programming for youth activities such as sports and cultural events

- Job training programs
- Contribution towards stipend for traditionally under-represented population's involvement in ongoing oversight of downtown plan implementation
- Subsidized transit passes (for low income people (youth) who live outside of downtown)
- culturally-responsive streetscape infrastructure such as lighting fixtures, wayfinding signage, banners/cultural markers, historical markers, benches, gateway features, bus stop amenities, street trees, etc.
- investment in public restrooms
- storage lockers for individuals without permanent homes

Focus Areas

Chinatown

- Oak Street, south of 10th. BART is in support of Option 2: Change Zoning to conform to area's 'Mixed Use' General Plan designation, increase intensity toward BART. One of our Lake Merritt TOD Blocks is currently slated for high-rise office, and BART supports zoning changes to create a hub of dense mixed use office, commercial, and residential development close to the Lake Merritt BART station.

Lake Merritt Office District

- EB4E supports Option 2: "Designate Office Priority Sites."
- BART is in support of "Option 2. Designate "office priority" sites or require office uses."

Central Core

- Redevelopment of City Center seems unlikely
- Also appropriate for open space, community center. People need recreational activity

Lakeside

- Oakland Housing Authority wants more intensity near Harrison St./ 15th St./19th St. (The 275-foot height limit should be retained on both sides of Harrison Street in the Lakeside District.)
- No change to height at Lake Merritt/Gold Coast (CALM fiercely urges retention of the current zoning and height limits for the Gold Coast area (an area of "Primary Importance") that resulted from the 2010 rezoning: 85 ft. north of 18th St; along the north side of 14th St; and along Lakeside Ave opposite Lake Merritt; and 55 ft. east of Harrison to the rear property line of Lakeside.)

West of San Pablo

- Majority of area near San Pablo is too low-scale and under-planned; need higher heights

Old Oakland

- Extend Old Oakland overlay to include all of Old Oakland as a potential "cultural district" (not an entertainment district); should extend the boundaries to grow and preserve the neighborhood character
- Preserve mixed-age, mixed-income, mixed-use nature of Old Oakland

- Flaw that this draft does not require all new construction and renovations to conform with the sizes, shapes and forms of existing buildings; majority of buildings are 100+ years old and three stories and serve residential or small retail purposes
- Want more than just offices, residential, entertainment and commercial uses in the neighborhood. We also need to attract and incentivize other neighborhood uses such as community-serving, educational/day care uses, and nonprofit space.
- Do not raise heights so high that Old Oakland is in a bowl of taller buildings or in shadows all day long

Laney College

- Laney Parking Lot Development Feedback
 - Would likely face pushback from environmentalists (from development near the Lake Merritt Channel)
 - Housing at the parking lot could be a good thing (would need mixed use to provide the laboratory/practical application/incubator space)
 - Would need public/private partnership
 - Concern about gentrification
 - Laney and parking lot are within an Opportunity Zone, any implications?
 - Check with Facilities Planning Committee

KONO Art + Garage District

- Agreement with establishing cultural district;
- boundaries should overlap with the Broadway Valdez Specific Plan for housing density purposes, impacts, incentives, urban design and wayfinding mapping reasons. We should also be considering the full blocks and both sides of the major arterials of Grand Ave, Broadway, 27th Street and Telegraph. The more recent borders now extend further west of Telegraph Ave to Northgate.

Architectural Design

- Incorporate inclusive design guidelines to ensure housing stock serves a range of incomes, ages, abilities and household sizes and demand sustainable, architectural excellence.
- This being an “ARTS DISTRICT” the architecture should be stellar and designed in keeping with “FUTURE HISTORIC STATUS”. If building above historic buildings is permitted at all, provide for significant setbacks similar to the 20-foot setback on Broadway in the Broadway Valdez Specific Plan.
- Implement interim measures (related to TDRs and/or Land Trusts)
- Incorporate a citywide TDR policy; need a “tool-kit” for owners in a cultural or historic zone to educate and offer alternative options like TDRs or Land Trusting
- To preserve the truly unique historically relevant brick buildings, Transfer of Development Rights (TDRs) should occur on all industrially zoned streets within the borders of Grand Ave, Broadway, 27th Street, and Telegraph Ave.

Height/Use

- Higher density development should be situated along the main arterials, break out of the “box design”

- Re: Art + Garage District Focus Area Option 2: after 2/25/19 artists stakeholder meeting, there was a strong DISALLOW residential housing within the district and push higher density development at 45', mid-block, and 65' at major nodes along the transit corridors of Telegraph, Grand, Broadway and 27th Street
- the "preferred option" (Option 2) of changing the zoning to allow residential on some streets in the AGD Area DIRECTLY CONTRADICTS page 200 in the plan where PDR (Production, Distribution and Repair) is inherently supportive of artisan production and other light industrial creative economy activity.
- EB4E supports the principles of Option 2: "Allow Housing, Provide Height Bonus, Implement Height Overlay." For planning bonuses, consider quotas for production, design, repair space, while designating the balance of parcels as eligible for a height bonus for on-site affordability for very low or low-income housing units on-site. It is not necessary that every development provide both arts space and below-market rate units, just that both are provided within new developments generally within the neighborhood. We also support the drafting of an ordinance to mitigate and adjudicate nuisance complaints that may arise from the influx of new residents into the Arts + Garage District. Consider prioritizing Live/Work units in areas with more potential complaints in order to attract new residents with potentially higher nuisance threshold
- BART is in support of "Option 2. Allow housing, provide height bonus, implement art overlay." By increasing the height limit from the current 45' and allowing housing in a sensible way, this area could be a lively hub of artistic uses mixed with infill housing. By carefully permitting additions and modifications to existing historic buildings, development here could happen in a measured and reserved fashion.
- Maintain a 25' height limit within the district, with the ability to increase the height (with setbacks from the street) where specified and agreed-upon community benefits are provided, along major boundary corridors of Telegraph, Grand, 27th St. and Broadway.
- Allow for proportional increased height along Broadway and Telegraph avenues to a maximum depth of 100' from these streets when these developments provide community benefits as negotiated with community representatives.
- Arts stakeholders request that the current zoning regulations are upheld and that there are no Conditional Use Permits approved within the area prior to the adoption of the final Downtown Specific Plan unless an agreed-upon set of community incentives are incorporated into the project based on Cultural District community review
- Protection for Creative Arts Uses identified as manufacturing, artist and maker uses, within the district by the incorporation of zoning use that prohibits creative office or residential in the interior parcels.
- Zoning regulations are updated too slowly to regulate uses; why should we try to protect arts uses? should just let the market dictate what happens; arts in Uptown were not always there
- P. 277 We would request that the uses along 25th Street be changed to Mixed-use flex, and add residential as one of the driving uses in this land use designation (p. 278).
- LU – 2.3: the Cultural Districts and Zoning can be used to incentivize, but not require specific uses; this removes the owners' rights. As noted before, had this been done for auto there would've never been any art users in those spaces and specifically our buildings.
- P.284 – Intensity along 25th should be Level 2 allowing 65' and along Telegraph maybe pushed to Level 4

Jack London General Comments

- Why is the plan not addressing the Produce Market? (Solving the question of where that goes in the long term, and what replaces it is a huge opportunity)
- Both Office and Housing images seem to suggest mid-rise and lower density, not high rise, but Jack London is an appropriate place for high rise
- Train Quiet Zone should be explicitly recommended
- Sea Level Rise: sea-level rise impact zones defined, but then planned development shown in those zones, is that realistic?
- Lack of clear aspirational vision for waterfront district
- Need a plan to engage the County, Caltrans or Union Pacific for defined Opportunity Sites.
- Jack London: low height on Broadway to protect historic Buildings, Height Limits and Historic Buildings in general, i.e. height limits seem odd in the District (figure LU 11 pg. 284)
- The proposed 2-3 story scale of industrial buildings seems unrealistic (won't get layered, multiple-story buildings)
- Jack London District also appears to be under-zoned; the entire Jack London area should enjoy much more office and residential density
- Figure LU-11b: Draft Intensity Map (Draft Plan p. 284) designates the property at 15 Embarcadero West as well as the surrounding parcels as having a height limit of 85 feet. Downzoning these parcels and capping height at 85 feet would limit the opportunity to create a mixture of mid- and high-rise development along the waterfront like nearby Brooklyn Basin. Properties like 15 Embarcadero West and other adjacent parcels are underutilized and the downzoning proposed will only further ensure that they will remain underutilized and the housing we so desperately need will not be built

Victory Court

- EB4E supports Option 2: "Mixed-Use with Increased Intensity." This option prioritizes dense residential development that will provide a link with the Brooklyn Basin and can also be designed to open up new vibrant public spaces along the Channel.
- BART is in support of "Option 2: Change zoning to conform to the Victory Court area's 'Mixed Use' General Plan designation; increase intensity toward Oak Street and I-880." These Options for the Oak Street and Victory Court Area would capitalize on the potential for this under-utilized region of Downtown to be a new hub of housing, jobs, and activity close to transit.

Lower Broadway

- EB4E supports Option 2: "Increase Intensity." Consider using planning bonuses to incentivize very low and low-income BMR units on-site, privately-owned public spaces, and retail plates suitable for a grocery store. A grocery store is particularly important given the recent loss of Smart & Final in Old Oakland.
- Need more specific planning for Lower Broadway
- Lower Broadway: no additional height (contains Oakland's oldest documented buildings from the 1850s and 1860s, is proposed for an 85 foot height limit, greatly exceeding the existing approximately 20 foot to 30 foot heights of these very important one and two story buildings)

West of Broadway

- EB4E supports Option 2: “Allow Housing at the Periphery of District.” We also support the reconfiguration of transit and streets to reflect increased connectivity between Jack London Square, the Downtown Core, a potential Howard Terminal ballpark and West Oakland BART.

Industrial Uses / Howard Terminal

- Several text edits pertaining to clarifying/strengthening industrial nature of Jack London vicinity (see example of text edits under “direction from PBD to DKP”)
- Question whether the Draft Plan needs to characterize a baseball stadium at HT as likely. The scope, scale and purposes are fluid, ranging from no development to complete build out. Draft Plan should not just presume the need to address only a stadium-centric scenario in the industrial buffer (HT) (could be specialty cargoes, such as alternative energy systems, or for bulk cargo, etc.) (letter proposes to specifically delete text on pg. 272 related to redevelopment of HT having significant influence on nearby blocks)
- Consider freeway undercrossing: Draft Plan should consider gondola; coordinate among county redevelopment sites and BART
- Build a new stadium at site of current Laney College and build new state-of-the-art Laney College campus (plus other college facilities) at the Coliseum site; no stadium at Howard Terminal
- Stadium should be addressed in the Draft Plan (including potential traffic, open space and gondola aspects)

Environmental Impact Report (EIR)

- Study a plan without height limits, far greater density and additional office priority sites (need more of a regional business center); don’t study creating view corridors (b/c further limit projects)
- Oakland Heritage Alliance requests early consultation re: EIR alternatives and mitigations
- EIR should streamline future projects

Parks & Open Space

- Land use policies should acknowledge opportunities for parks and open space
- Land use chapter should acknowledge that parks and open space are a legitimate use for opportunity sites (rather than focusing all these sites on housing); parks and open space can also be located on rooftops, upper floors, and portions of these sites.
- Chapter 06—the Land Use and Urban Design framework—should look at parks as a defining feature of the Downtown landscape, just like offices and residential uses.
- The Land Use and Urban Form profile on P.60 should mention the need for parks.
- The “General Plan Policy Direction” section should acknowledge the direction provided by the OSCAR Element as well as the Land Use and Transportation Element. OSCAR calls for significant investment in new Downtown open space, including a new neighborhood park in the KONO/Northgate area.
- Place bigger emphasis on capital improvements for parks and rec centers (new development will put significant pressure on existing resources); Currently, over 10,000 new residential units are planned, but only 1.3 million (9%) of public spending is going towards capital improvements.

Little to no funding has been allocated to improving our downtown parks and there has been only limited investment thus far despite the growth. (p.254)

- P.35 parks and open space conditions are also poor at multiple downtown locations in Old Oakland and Chinatown; “Parks and open space conditions vary and are in generally poor condition throughout downtown Oakland.” Please review: Continuing Crisis report by the Oakland Parks and Recreation Foundation which recommends the City seek new sources of funding to maintain parks. Both of Old Oakland’s historic square parks received failing “D” grades.
- P 264—the reference to the I-980 surface boulevard should include a reference to the lid park as an option.
- gardens should be planted around the bottom of the existing trees on both sides of 17th Street between Franklin and Webster. These gardens would be maintained with the help of the business owners (in conjunction with the City of Oakland) who are in closest proximity to the garden/tree. Street lanterns, surrounded by potted flowers, be placed along both sides of 17th Street between Franklin and Webster.
- **DOSP should feature a rule/recommendation along the lines of "any playground built downtown must be accessible/inclusive."** ([SF recently adopted playground accessibility guidelines](#))

Miscellaneous

- Recognizing that demand for ground floor retail will be reduced over time due to the internet sales, the following uses should additionally be allowed on the ground floor on an incentive basis:
 1. Worthy non-profits who benefit from pedestrian interaction.
 2. Artists and art galleries.
 3. Maker space visible to pedestrians.
 4. Managed pop-ups featuring locally made merchandise of high quality
- no practical steps are included that would provide housing for the currently homeless, for the housing-insecure, for the gentrification-pressured, and for people of low and moderate income; to ignore the large population of unhoused people would be a serious error, leaving us with permanent encampments, first sign of recession
- reduce parking maximums; restrict the amount of new parking to levels that facilitate greater density and promote the use of public transportation, walking and biking
- If you try to “steer” market through zoning prohibitions, should have periodic feedback loops
- We should encourage great buildings and have developers build out great ground floor spaces (that would be universal – work no matter what business inhabits them)
- Oakland is behind the times because it requires CUP
- Upzone other neighborhoods (such as Rockridge) and provide jobs downtown
- Concern that the plan language isn’t very robust. Too much “consider” and “study”
- Revisit design guidelines
- Dynamic vision for public realm missing
- Developers need streamlined approval process
- Enforcement is an ongoing problem: new buildings and businesses are initially ADA compliant, but then over time they change things (e.g. restaurants move tables closer together so people in

wheelchairs can't pass; they increase the torque on front doors to keep wind from blowing doors open)

- How does the plan intersect with the Lake Merritt Station Area Plan and WOSP?
- A localized, all stakeholder "Council" for developers/city to present to and have monitoring and accountability functionality, per specific area.
- 980: The Connect Oakland vision represents a major opportunity to develop city for people rather than cars, equity by reopening broken links with West Oakland; EB4E supports Option 3 for its potential to open up more housing and community area as well as mass mobility through a potential new BART line connecting to a new Transbay Tube. We support engaging with state legislators and officials and regional bodies to build toward a long-term solution on the lines of Option 3.