

3.	Location:	Central Business District
	Proposal:	1) Amend the zoning regulations to create four new zones and a height/bulk/intensity map for the Central Business District (CBD); 2) Amend the Zoning Maps to include the new CBD zones.
	Applicant:	City Planning Commission
	General Plan:	Central Business District (CBD)
	Existing Zoning:	R-80 High-Rise Apartment Residential Zone R-90 Downtown Apartment Residential Zone C-40 Community Thoroughfare Commercial Zone C-45 Community Shopping Commercial Zone C-51 Central Business Service Commercial Zone C-52 Old Oakland Commercial Zone C-55 Central Core Commercial Zone S-2 Civic Center Zone S-4 Design Review Combining Zone S-7 Preservation Combining Zone S-8 Urban Street Combining Zone S-17 Residential Open Space Combining Zone
	Environmental Determination:	The proposal relies on the previously certified Final Environmental Impact Report (EIR) for the Land Use and Transportation Element of the General Plan (1998) and the Housing Element Update Initial Study/Mitigated Negative Declaration (2004).
	Case File Number:	RZ08060, ZT08054
	Action to be taken:	Continue discussing and providing preliminary recommendations to the Zoning Update Committee and Planning Commission on the protection of historic resources in the CBD, with respect to the proposed Central Business District Amendments to the Zoning Regulations.
	For Further Information:	Contact case planner Joann Pavlinec at (510)238-6344 or by e-mail at jpavlinec@oaklandnet.com

BACKGROUND

Attached is a copy of the August 11, 2008 report regarding potential strategies to protect and retain historic buildings in the Central Business District (CBD). These strategies were presented to the Landmarks Preservation Advisory Board (LPAB) in response to the Zoning Update Committee's (ZUC) request that the Landmarks Board review the proposal to amend the zoning regulations to create four new zones and a height/bulk/intensity map for the CBD, with respect to retaining historic resources in the CBD.

At the August 11, 2008 LPAB meeting, the Board passed a Motion (Yes – 3; No – 0; Abstain – 1) to recommend Strategy Numbers 2, 3, 5, 7, 9, 10, and 14 without precluding that the Board may recommend additional strategies following a Board workshop (also recommended at this meeting) in the near future. The Board passed an additional Motion (Yes - 3; No – 0; Abstain -

1) to request that the Planning Commission not decide on the proposed CBD Zoning Amendments until the Board has had adequate time to study and comment on the proposal.

In the meantime, Board members agreed to forward any questions to staff in order that these could be addressed at the Board's workshop.

Board Workshop – September 11, 2008

A Board Workshop, to continue discussing and refining preliminary recommendations to the Zoning Update Committee and Planning Commission is scheduled for September 11, 2008. An oral summary of this Special Meeting workshop will be presented at the regular scheduled September 15th LPAB meeting.

The following Board Member questions/comments were submitted for Board discussion prior to the Board Workshop:

Provide the percentage of historic resources in the Central Business District.
(See Attachment C)

Clarify and look at the implications of the height and bulk definitions for each zone/historic district.

Develop specific strategies that will protect historic buildings.

Develop regulations that provide for the critical mass of existing historic fabric to influence new proposed development.

Provide more certainty for developers. Oftentimes, a developer's risk level is too high in historic districts where the regulations require a case by case basis review. Instead, provide more predictable height, parking and open space, etc. requirements for rehabilitation of historic buildings and/or new development in historic districts. Build development standards into the proposed zoning regulations so that development in historic districts is more predictable by establishing a basic height limit more in line with historic districts/areas.

Make it clear that the proposed Central Business District Regulations take preservation seriously. The intent of the proposed regulations, Section 17.58.010 A.6, states 'Preserve and enhance distinct neighborhoods in the Central Business District.'

Recognize how historic preservation is integrated with encouraging sustainable development in the CBD proposal. Historic resources should not be demolished only to be replaced with development of a lesser substance. Look at uses near historic districts to encourage businesses that cater to the surrounding occupants' needs in order to lower the carbon footprint by reducing the need to drive. For example, historic districts that are largely residential should have services such as a corner grocery or a coin laundry nearby. This would strengthen the neighborhood and make them attractive places to live.

Review the demolition regulations for the CBD, and insure that buildings cannot be demolished to create parking.

Limit overbearing development in historic districts in the CBD. Consider historic district overlays for the CBD that allow a "good neighbor" approach, similar to zoning development standards for small scaled neighborhoods.

Zoning Update Committee Meeting – August 20, 2008

Attached is the August 20, 2008 ZUC staff report which includes the Board's recommendations to the Planning Commission. At this meeting, Historic Preservation staff also gave an oral presentation to the ZUC summarizing the Board's August 11th discussion. The ZUC did not

make a decision on the proposed zoning amendments at this meeting, but requested additional information from the Strategic Planning staff and requested that a workshop to hear stakeholders be planned. Since this meeting, a joint workshop between the ZUC and the LPAB has tentatively been scheduled for Monday, October 6th at 5 PM. A stakeholder's workshop with the ZUC has been scheduled for Wednesday, October 29th at 5:30 PM.

RECOMMENDATIONS

1. Receive any testimony from interested citizens;
2. Continue discussing preliminary recommendations to the Zoning Update Committee and Planning Commission on the protection of historic resources in the CBD, with respect to the proposed Central Business District Amendments to the Zoning Regulations; and
3. Determine preliminary recommendations to be discussed at the joint ZUC/LPAB meeting tentatively scheduled for Monday, October 6th at 5 PM.

Respectfully submitted:

ERIC ANGSTADT
Interim Deputy Director of CEDA

Prepared by:

Joann Pavlinec
Historic Preservation

Attachments:

- A: August 11, 2008 LPAB staff report
- B: August 20, 2008 ZUC staff report
- C: Percentage of Historic Resources in the CBD
- D. Proposed CBD Zoning Maps – Includes Most Recent Revisions

Ref: cbdhistoricpreservation – 08-9-15