

OCTOBER 29 ZUC MEETING SUMMARY

The October 29 ZUC meeting was a professionally facilitated workshop regarding stakeholder's interests in the Downtown/ Central Business District area. Surlene Grant, Managing Member of Envirocom Communications Strategies, LLC facilitated the workshop. The objective of the meeting was to allow stakeholders an opportunity to be heard and ask questions of each other; to allow the ZUC to discuss issues/ interests presented to them and to provide the ZUC with information to make recommendations on the rezoning proposal(s).

The meeting began with major stakeholder groups providing a short position statement for the benefit of the ZUC and the other groups. The groups included the Chinatown Chamber of Commerce, the Oakland Builders Alliance, the Oakland Heritage Alliance, CALM, and East Bay Housing Organization. A short statement was also made by a representative of the Pedestrian and Bicycle Committee. The major positions expressed were as follows:

- The Chinatown Chamber expressed opposition to height limits and support for tall buildings, citing the cultural, social, and economic significance of density to the Chinese community.
- The Oakland Builders Alliance expressed concern about the process, and indicated a plan should be done before zoning was applied. They felt the process was unnecessarily divisive. OBA directed attendees to their website for details on their proposal regarding height limits.
- Oakland Heritage Alliance presented a detailed and mapped proposal for applying "fine-grained" height limits based on existing concentrations of historic buildings. Their proposal would result in an urbane mix of tall and low scale buildings.
- CALM presented a mapped proposal for the lake edge, setting a 55' limit south of 17th Street and an 85' limit north of 17th Street. They explained the aesthetic and ecological reasons for this proposal, and cited the General Plan designation of "Maintain and Enhance" as a rationale.
- EBHO indicated their commitment to ensuring that whatever zoning scenario was selected, a substantial percentage of the new units should be set aside as below market rate. They also indicated an interest in extending the CBD redevelopment area, and saving SROs.

Following the presentations, staff presented its proposal for height limits, focusing on four geographic areas. An additional position was presented by a Pedestrian and Bicycle Committee member, indicating the zoning proposal should more closely conform to the General Plan goal to make downtown a retail and entertainment destination and a vibrant and dense regional center.

The following notes summarize the dialog between stakeholders, and the ZUC about outstanding issues and other interests presented. The discussion took place in several segments.

Summary of Stakeholder Dialog

I. General Discussion

The facilitator asked participants to discuss the comments made by the presenters that particularly resonated. The following feedback was provided:

- We've had this argument before about saving historic buildings and protecting historic places. What is the fate of the produce market?
- I support development of an area plan. We are looking at individual blocks when we haven't looked at the big picture. The absence of an area plan is compelling us to do parcel-by-parcel analysis. We haven't had the conversation we need to have. The reality is we are not at logger heads—it's just that the hierarchical nature of planning has not been observed.
- Has staff observed the "maintain and enhance" and "grow and change" designations from the General Plan in its zoning proposal?
 - o *Staff response – yes.*
- Our focus in this discussion is on the physical fabric. We also need to consider the social and economic themes in this discussion. We don't have the resources of San Francisco.
- How many historic buildings are in the CBD? (Participant references the historic resources map furnished by the Planning Department in response).
- We can't move forward if too many buildings are considered historic.
- We would like to get into this conversation as part of a planning process.
- It would be helpful to analyze how much land we actually *need* for development (based on projections) and work from that.

II. Common Values Exercise

The facilitator indicated she had captured common values and vision ideas based on the five presentations. She walked the group through her conclusions, noting that participants appeared to want to:

- Support the General Plan.
- Create a vibrant downtown.
- Support new development.
- Provide a mix of affordable housing and market rate housing.
- Maintain/enhance neighborhoods; Grow/Change in appropriate areas.
- Increase profitability and sustainability.
- Protect assets but also recognize that development is not a threat.
- Keep what is attractive about Oakland.
- Maintain housing the stock.
- Protect open space.
- Preserve views.
- Enhance the urban experience.

- Integrate different types of housing, including affordable housing and Transit Oriented Development (TOD).
- This should be a community driven vision – look at economic and social, as well as physical.
- Enhance trade, commerce, and development
- Achieve land conservation and open space preservation
- Maintain open space, and the integrity of open space

The facilitator asked for comments. Participants had the following reactions:

- Add views from downtown, views of the lake, and views along the perimeter of the lake to the list. No more Essex-like buildings – acknowledge that the Lakeside high-rises were a “planning mistake” instead of adapting new buildings to match their height.
- Place buildings to preserve views and ecology.
- The Kaiser building blocked the wind on the lake, which affected sailing. Don’t make the Lake Merritt shoreline Miami Beach. Acknowledge the impacts of taller buildings on recreation and the environment.
- Acknowledge past planning “mistakes” rather than using them as precedents.
- Kids need more sunlight at the lake’s edge to promote personal health and essential Vitamin D. Tall buildings block sunlight at the expense of public health.
- Respect existing neighborhoods within downtown.
- Enhance the collective character of Oakland by allowing each district to touch the lake in a different manner, reflecting development over time, and linking the fabric of neighborhoods to the lake.
- Recognize microclimate impacts.
- Sustainability is the key. People who work downtown should be able to live downtown.
- People want an exciting skyline.
- Maintain economic and ethnic diversity of the inhabitants.
- Avoid displacement. Don’t sidebar it – it’s an important value statement. Maintain Single Room Occupancy Hotels.
- Balance residential, retail and office uses.

A Commissioner noted that all of these values are already in the General Plan, and we were all on the same page. The disconnect is that it has taken us 10 years to implement the Plan, which is why we are having this conversation now. The planning process has been followed, but it has taken too long— however, we must make do and move forward. Our focus tonight is on height limits.

- We need to have neighborhood serving retail and food access.

III. Issue Area 1 – Lake Merritt Edge

The facilitator asked for comments on staff's proposal for height limits in Area 1, along Lakeside south of 17th Street. The following comments were made:

- Whatever height limits we come up, it should not endanger historic buildings. Follow the plan we have adopted rather than changing it at will when particular developments are proposed – follow the zoning we adopt.
 - o What does *endanger* mean?
 - o Don't make it economical to tear down buildings.
- My understanding is unlimited height is only to be allowed in a small number of areas. Most of downtown's historic resources are already protected under this proposal and other ordinance protections. It's really a question of how to deal with "fine-grained" places in the middle of the CBD like 17th Street (between Franklin and Webster). We need to focus on the fine tuning, not the vision.
- The old boathouse is being renovated, and the historic Camron Stanford house is nextdoor. There are 2 low buildings across from it, and we don't think someone should be able to tear them down and erect a 170' tall building.
- Maintain 55' to respect the fact that the existing buildings in the Gold Coast are 55' tall. Building towers will change the neighborhood.
- There are no developable lots on Lakeside Drive. Why are we worried about this?
 - o Because of economics, the building across from the boathouse could be easily knocked down. It's not designated historic and is not protected, etc.
- Personally, I am not concerned about my view of the Tribune building or tearing down the 2-3 story buildings. You can't demolish a 2-3 story building in this market anyway – it's not economical. I just want to be able to build as tall as I can on the vacant lots.
 - o But one doesn't do zoning just on vacant lots and what's there now. It's about the long-term future. What if there's a fire or earthquake? Don't just consider today's economics.
- The Gold Coast is workforce housing. It's a diverse neighborhood. If you build something like the Essex, you don't build community. Those people are not assimilating. Don't gentrify with upscale units.
- Most of the buildings in the Gold Coast are 35'. We want a 55' cap. This is a "maintain/enhance" area. There are 3 high-rise buildings on Lakeside that were a mistake. If you put additional high rises in the remaining gaps, there will be no views into downtown. We see no value to continuing the mistakes of the past. If the land is rezoned for high rises, it would change its value and lead to demolition. That would be disastrous. The tall buildings are oppressive. Going from 35' to 55' is a 66% increase. That's enough. Forget about the "wedding cake" tower allowance.

- Avoid buildings that look like lines of refrigerators (i.e, boxy cubes). A graduated height limit is better moving toward Broadway.
- My vision of downtown may be different than others. Downtown right now is not working. We need to improve downtown, not do downzoning. We need a balance between old and new. We need to respect each others opinions. I don't want to end up with nothing at the end of this meeting. I can't say that a street has to be a particular height before its "good" or "bad." For me, it's a matter of supply and demand. I respect your opinion but I disagree.
- What is driving the passion toward not having a height limit in Chinatown?
 - o Where many of the residents come from [Hong Kong], land is very expensive so it's all high rise development. Tall buildings are regarded as a symbol of prosperity, jobs and urbanity. That is our vision. We are not opposed to low-rise mixed in, or saving historic buildings. For example, I like the approach of integrating historic buildings such as the Legendary Palace restaurant with taller Class A buildings nearby.
 - o I am OK with the approach taken in San Francisco, where historic buildings and tall buildings sit side by side.
- Why do we charge for parking on Saturday?
- Let's talk about the fine-grained approach and Height Area 2. CALM and Chinatown have both made compelling arguments with maps for these areas.
- I have a comment on Issue Area 1. Tall buildings are not sinister. Don't be afraid of them. We need to talk about Lake Merritt as a whole, not just a few blocks. This area represents 7% of the shoreline. It is not bad to have taller buildings in such a small area. If we're going to lose tall buildings here, then we should allow them elsewhere on the lake.
- I have three comments: (1) I don't want to leave development to the whims of the market; (2) I love Hong Kong but I think it's disastrous environmentally. Don't apply it to Oakland; (3) We need to create public benefit when we add value, i.e., allowing more density. That's where affordable housing comes in.
- I understand the graduated height argument, but if there is a big reduction for slender towers above 55', is that economical to the developers? Will they still build?
- Oakland residents have always been protective of Lake Merritt parklands. This is our one opportunity to protect the *private* land around the lake and we should not squander it.
- Why don't we just identify the buildings we want to save along the lake and allow more height elsewhere?

IV. Issue Area 2 – Lakeside Drive Group

The facilitator introduced the discussion of Issue Area 2, north of 17th Street in the vicinity of 244 Lakeside, a cluster of historic mid-rise apartment buildings. Participants had the following comments:

- Clarify that we are talking about requiring low heights in only a small part of the CBD – the OHA and CALM proposals for this area will in no way threaten development in Chinatown.

- The area represents a tiny piece of the lakefront. There are only 2-3 projects that could happen on all of Lakeside. We should leave the opportunity to create future landmarks (as well as protecting the existing ones).
- We acknowledge that there are mid-rise buildings in the 244 Lakeside Drive Group. Therefore, 85' limit is appropriate here.
- There is only one developable site in this area – Schilling Gardens. If we build on it, the benefits will outweigh the cost.
- We disagree, but it's a done deal—and there is no point arguing about that now. I would like someone to point out a buildable lot in this area other than Schilling Gardens. There are no development sites so why is this even an issue?

V. Issue Area 4 – (not a geographic area, but rather a different approach to mapping, in which clusters of historic buildings are recognized and protected with lower height limits)

The facilitator introduced the topic. The following comments were made:

- San Francisco has taken this approach: Belden Alley. 55' is the maximum on the alley and 400' tall buildings are allowed on adjacent blocks.
- Fine grained approach won't work in the present structure of Oakland.
 - o Can't build high rise **residential** development on Broadway (not desirable). There are physical problems with Broadway and market problems for housing. If you require a CUP for buildings over 55', developers won't build because of the potential for opposition. Too many unknowns, uncertainty.
 - o Show us a map of the fire grained approach and we'll tell you (wants to see specific things to preserve to know if fine grained approach can work).
 - o Disagree that high-rise wont work on Broadway. Just look at the proposed Encinal Tower.
- How do you define historic? (A participant explained the rating system and the Survey.)
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VI. Next Steps

The facilitator turned the meeting over to the Chair.

- o Commissioner Boxer – I would like to see more analysis of view corridors and shadows as we make our choices. We need data to either support or refute the concerns expressed here. In any case, it is better and more productive to have a dialogue like this with moderated back and forth than to hear have 2 minute public testimony (as in other ZUC meetings).
- o Commissioner Mudge – The more specific the comments, the better. What do people want to see and where?

- Commissioner Colbruno – There's so much agreement. Let's focus on the very small number of buildings we are not in agreement on. Also, focus on long-term.

X. Public Comment

A number of speakers addressed items that were not on the agenda, including comments on the CBD rezoning process, the logistics of the meeting and the room set-up, and ethics issues.