



November 12, 2013

Laura Kaminski, AICP
 City of Oakland
 250 Frank H. Ogawa Plaza, Suite 3315
 Oakland, CA 94612

Dear Ms. Kaminski:

The **Better Broadway Coalition** comprises Greenbelt Alliance, East Bay Housing Organizations Sierra Club Northern California Chapter, Walk Oakland Bike Oakland, Valdez Plaza Resident Council, Alameda County Building Trades Council, Westlake Christian Terrace Resident Council, California Nurses Association, TransForm, and Urban Habitat. Together our organizations represent multiple stakeholders who live, work, do business and worship in the Broadway-Valdez area. We are pleased to respond to the Draft Broadway Valdez District Specific Plan (Draft Plan) and Draft Environmental Impact Report (DEIR) with the collective comments of the Coalition.

First, we express thanks to you for your work with the Better Broadway Coalition over the past several years. As you know, our Coalition continues to support the vision of the Broadway-Valdez District Specific Plan. To achieve this vision, the Plan needs to contain stronger policies to support a truly balanced neighborhood with opportunities for all Oaklanders. This letter elaborates on our Coalition platform and comments made to the Oakland Planning Commission about the current Draft Plan and the DEIR. We urge your close attention to these issues highlighted below regarding successful retail, affordable homes, smart parking management, circulation and sustainable community design, and jobs.

Viable Retail for Oakland’s Bottom Line

Our Coalition strongly supports the economic development goals of the Broadway Valdez District Specific Plan. Bringing in more retail serves multiple goals: more convenient shopping opportunities, much-needed sales tax revenue, and the development of a vibrant pedestrian district. We are aware that comparison goods stores are a major goal of the plan, but we also encourage strategies that promote a diverse range of retail businesses. Neighborhood-serving retail with goods and services at affordable price points (such as a pharmacy) will help to create varied and vibrant commercial frontage, and will serve existing and new residents and workers at many income levels. This letter also details our recommendations for stronger provisions in the plan for

community needs in addition to retail, and urges staff to work with community stakeholders to make sure the bonus and incentive program in the plan will realize these benefits.

As mentioned several times at the two Planning Commission hearings by commissioners and stakeholders, we believe it behooves the City to update its market study to reflect the significant changes in the economy since the release of the “Upper Broadway Strategy” in 2007 (known as the Conley Report). A deeper analysis of the recent economic trends and the proposed “retail first” program could illuminate opportunities for instituting evaluation mechanisms and metrics, phasing incentives over time, and avoiding unintended negative impacts on the full range of Plan goals. A broader range of market expertise and updated data will help ensure that the retail goals are grounded in realistic assumptions about the local development market, leading to a program that generates tangible results for Oakland and Broadway Valdez residents, and can serve as a successful model for other communities.

These market studies should also inform updates within the Draft Plan to change photos and tables to include currently strong destination businesses, rather than examples of chains that have been closing locations nationally, such as Best Buy and Barnes & Noble. Moreover, with the exciting new independent businesses located in the district that are drawing off the success of Uptown, we encourage Table 4.1 to include mom and pop shops, local businesses, and independent stores, especially those that have been successful. This will not only demonstrate the City’s dedication to local innovation and entrepreneurship, but also facilitate better relationships with current merchants that reside in the Plan Area and in nearby neighborhoods.

Recommendations: The Final Plan should revise Policy LU-10.10 to require community stakeholder involvement in the development of the bonus and incentive program. The Final Plan should update the market study that informs the retail goals and strategies of the plan and the types of destination retail encouraged in the Valdez Triangle, as well as strategies for enhancing neighborhood-serving and independent business throughout the Plan Area.

Homes We Can All Afford

Thriving retail depends on a strong residential presence, as evidenced by older commercial districts such as Piedmont Avenue and the newly revitalized Uptown. To that end, we are glad that the plan still calls for a target of 1,800 residential units and a target of 15% affordability (section 8.5.1).

We urge this 15% target be strengthened with clear policies and implementation strategies allowing it to be achieved over the life and the area of the plan. This would help Oakland make meaningful progress in addressing the continued need for housing accessible to the workforce and achieving its Regional Housing Need Allocation. Further, although the loss of Redevelopment funds creates significant challenges, Redevelopment law requiring at least 15% of housing within a project area to be below-market-rate is still in place. We believe that at least 300 units of affordable housing is an achievable and necessary target, and will help encourage a local workforce to live – and shop – in the area. The plan should have built-in periodic evaluations to assess whether the 15% target is being met, and what policy and regulatory changes will be needed to achieve it.

This is a difficult time to finance affordable housing, now that the city has lost the ability to use tax-increment financing. Given the 25-year time horizon of the plan, however, it is likely that new

sources will be developed to help fund affordable homes, so it is important to take the long view. For example, in October 2013, the City Council voted to set-aside 25% of its former redevelopment “boomerang” funds for affordable housing in future years. Building in an affordability requirement *now* not only provides a much-needed protection against rising housing costs, but creates predictability for developers.

Innovative strategies for creating affordable homes – what the plan describes as a “menu of creative options” – will certainly be needed. These should include height and density bonuses, and/or the creation of an affordable housing overlay zone (similar to the entertainment overlay zone in 4.4.7). Periodic evaluations could allow for these approaches to be phased in or tiered, to reflect changing market conditions over the time horizon of the plan (as suggested in policy 4.5.5) and to encourage early development by developers who wished to build before community benefits requirements take effect.

We also urge more flexibility in ground floor zoning in the North End, recognizing that while not every site or property may be mixed-use, the intent of the plan is to create a mixed-use boulevard overall. While we support the goal of bringing a concentration of retail to the Valdez Triangle, continuous commercial frontage in Upper Broadway is unlikely to be viable in the foreseeable future. Further, the larger sites on North Broadway represent some of the best opportunities for affordable and mixed income development, with appropriate neighborhood-serving uses at the ground floor where feasible. To avoid creating a stumbling block for crucial residential development, we request that the Plan avoid placing strict requirements for ground floor retail on the sites in the "northern combining zone." (Policy LU 10.5) Large retail development on these sites could be limited due to lack of connections to the freeway and the surrounding neighborhood, and should not create a hindrance to bringing new households into the neighborhood to support the larger goals of the Plan.

Finally, we are concerned over the potential displacement impacts of the Plan, particularly in the Valdez triangle where there are a number of smaller, older multi-unit buildings that serve as “naturally affordable” (i.e. unsubsidized) housing. If 1,800 units are constructed over the life of the Plan, this supply will hopefully increase housing options for households at a range of income levels. However, without an affordability requirement, new development can increase the risk of residential displacement; both direct displacement as homes are removed or demolished, and indirect displacement due to rising rents or condominium conversions. Not only would we like to see an affordable housing requirement, the EIR should more fully explore the displacement potential of the Draft Plan, which might require important mitigations (currently designated as “not substantial” in Impact POP-2 of the DEIR).

Recommendation: The Final Plan should require 15% affordable housing, include a detailed “menu of creative options” to create affordable housing that could include strategies like an affordable housing overlay zone, and allow more flexibility in ground floor retail requirements so that key residential developments are feasible (especially in the North End). The Final EIR should include a more robust exploration of the housing displacement impacts of the plan and relevant mitigations for those impacts.

Feasible Parking Policies

To fully achieve the complete community goals of the plan, as well as achieve the City’s “transit first” and climate goals, it is critical for the plan to include robust transportation demand management (TDM) strategies, smart parking demand management tools, and appropriate triggers and conditions for the use of public funding for structured parking. It is made abundantly clear from the DEIR that implementing the Draft Plan’s TDM strategies will result in broad benefits for the Plan Area and could reduce parking demand by as much as 18-30 percent (4.13-107). Robust TDM and parking management will help to create the livable and pedestrian-oriented community that will bring life to the Plan Area and connect it with Oakland’s exciting downtown neighborhoods. The following changes to the Draft Plan area needed to ensure the plan meets these goals.

The plan’s proposed Transportation and Parking Management Agency (TPMA) would provide a great opportunity to make sure that the existing parking supply—inside the plan area, as well as within walking distance outside the plan area—is appropriately utilized and that timely data informs the use of City funds. TDM should start in the first phase of implementation, potentially created through the Lake Merritt Uptown Community Benefit District (LMU-CBD), as suggested in the Draft Plan, which covers half of the Valdez Triangle (IMP-8.2, p. 245). If incorporating the TPMA into the LMU-CBD is not feasible, the Final Plan should incorporate strategies for ensuring the expeditious creation of such an agency.

It is vital for transportation data collection and analysis to begin immediately following the passage of the Final Plan. Policy C-7.11 states: “The Transportation and Parking Management Agency will monitor parking demand in the parking facilities in the early phases of the Plan Area’s development.” However, in implementation table 8.9, this policy is listed as “mid-term.” Implementing Policy C-7.7 in the early phase of the plan to create an area-wide real-time parking information system will also be critical as development occurs to efficiently manage existing parking resources and inform decisions about public investments. For example, data in the Draft Plan show current off-street parking in the Valdez Triangle at 60% capacity. Understanding how parking usage changes from this current low baseline will be crucial for the City to determine how parking management practices could be improved and if and when increased supply is needed.

Public improvements prioritizing non-auto oriented modes in Phase 1—and maximization of existing parking structures and opportunities for shared parking—will help to create a livable community and will provide revenue savings in a time of significant municipal budget shortfalls. Low-cost improvements (e.g. signage, street security, lighting upgrades, streetscape improvements and facilitation of temporary uses) should be made on surface streets to encourage the use of existing on and off-street parking facilities.

The city should design appropriate triggers and conditions for the use of public funding for structured parking. These triggers should include successful implementation of TDM and parking demand management activities envisioned in the plan. Cities such as Glendale aggressively pursued TDM in early phases of their successful downtown revitalization plans and only considered additional public shared parking if these measures were insufficient to meet parking demand

The draft plan should include an analysis of the many ways to pay for a public garage that lessen the City’s financial risk. One common tool is to create an “in lieu” parking program where developers

can pay a reduced fee rather than the full cost of a parking space, which incentivizes development, reduces parking ratios and use of land for cars, and creates an additional funding source for the City to use for increased parking supply. This is being used throughout the country as an effective alternative to funding public parking structures exclusively with general funds and other public dollars (i.e. redevelopment funds/bonds), freeing up these funds to be programmed for other uses to create a safe, vibrant and livable neighborhoods.

It is also critical to create robust incentives for reducing parking, while also retaining developer interest and enhancing the livability of the district. Requiring unbundled parking and offering free transit passes, among other strategies, serve the many goals of the plan, including the City's transit first policy, and are being implemented as requirements throughout the region. Another strategy to compliment an in lieu program is to allow for more flexibility in the minimum parking ratios for residential units. We are glad to see that the plan includes a reduction in parking for affordable housing units and we encourage further exploration of appropriate parking ratios and reductions as incentives.

The proposed Parking Benefits District (PBD) could serve an important role in the Plan Area if it is re-envisioned to provide funding for a range of public improvements in the area besides parking. However, as currently proposed, 100% of the future parking revenue would go into funding more parking garages. The Plan must prioritize early funding from the PBD for pedestrian, bicycle, and livability improvements that will ensure the creation of the safe, vibrant, and complete district envisioned by the plan. Moreover, phase II should include specific dedication of PBD funds to community enhancing infrastructure and remaining bicycle, pedestrian, and streetscape improvements so that these crucial public investments aren't dependent on competitive grants (e.g. One Bay Area Grant funds) and other unreliable funding sources.

Recommendations: Parking demand management strategies (TPMA, real time parking information systems, etc.) should be implemented as early as possible. If financing of a public parking garage is considered in the plan, triggers and conditions should be included so that public investments in such infrastructure are only made if and when needed. Incentives for reducing parking ratios (unbundling parking, free transit passes, in lieu parking program, etc.) should also be required in the Final Plan. The Final Plan should include a broader array of streetscape improvement uses for PBD funds.

Quality Jobs for Oakland Residents

Beyond mentioning the goal of quality jobs, the plan offers no specifics on job quality or a plan for how these jobs will benefit local Oakland residents. First and foremost, the City should consider the value of retaining existing quality jobs in the plan area and workers in the Kaiser and Alta Bates medical districts. It is vitally important that the Final Plan make the jobs/housing connection between the Plan Area's current workforce, opportunities for new quality jobs, and housing opportunities that people can afford. The plan should specify that jobs created should be jobs with good wages and benefits directed at residents from distressed communities in and adjacent to Oakland, and that developers and operators provide a plan as part of their project applications

specifying how they will achieve those goals. The Final Plan should also list “quality jobs” as one of the community benefits in the development of the bonus and incentive program. We hope to see details emerge on the following recommendations in the Final Plan.

Recommendations: In order to ensure that the economic development benefits from the Specific Plan benefit Oakland residents, developers of projects within the plan area should: (1) provide career opportunities for area youth in the construction industry by employing local apprentices enrolled in a California State Certified Labor-Management apprenticeship program; (2) pay area standard wages to construction workers employed on projects enabled by the Specific Plan; and 3) strive toward a goal of a minimum of 50% of the construction workforce from the City of Oakland.

Walkable Streets, Green Building and Greener Ways to Get Around

The current focus on compact development and urban density incorporated into the current Draft Plan leaves ample room for community amenities like open space, plazas, and paseos. We would like this trend of more details on these public spaces to progress further, and recommend that the City consider assigning programming or specific uses to some of the proposed open spaces. We would also like to see aggressive implementation strategies for a central plaza or gathering area. We are pleased with the focus on improving Glen Echo Creek as an additional natural public space. Emphasizing adaptive reuse and specifically urging consideration of the historical properties in the Valdez triangle makes us more confident that new development will not erase the area’s historic character.

We envision a neighborhood that features strong ties, particularly to public transit as well as to the successful Uptown district and Piedmont Avenue. This can be accomplished through more rigorous planning for lively pedestrian streetscapes and a mix of uses to lead pedestrians from the 19th Street Broadway BART station to the new Broadway-Valdez district. We also strongly support the inclusion of Green Streets & sustainable stormwater drainage plans, which we hope are implemented in the early phases of streetscape improvements.

The Draft Plan recognizes the importance of various modes of travel to encourage sustainability and accessibility. It is critical that policy statements supporting alternative transportation options should be requirements, not encouragements, in order to achieve the goals of the specific plan. Overall, pedestrian connections to BART and Uptown should be prioritized in the implementation in order to support Plan goals. While we appreciate creative ideas for alternative transportation options like streetcars, the plan should focus investments and planning on enhancing the existing transportation network to create more benefits for the district, encourage shoppers to use public transit, and provide other benefits for the residents of Oakland.

Features such as widened sidewalks, paseos, bicycle lanes, routes, and other infrastructure elements of Oakland’s Bicycle and Pedestrian Master Plans, as well as street lighting and bulb-outs, will provide for the kind of pleasant environment that is a proven precursor to successful retail development. Changes to the streetscape need to create complete streets that are safe and accessible for all people and transportation modes. For example, while we support ample sidewalks, we also support a balance of needs so that street improvements can also accommodate bicycle lanes where

appropriate and other road improvements. Medians should be removed to protect pedestrians, with the resulting extra lane space dedicated to walking and biking, including Class I (protected) bike lanes.

Recommendations: Retain focus on sustainable, compact, and historically appropriate development and aggressively pursue planning and funding for public spaces in the Plan Area. Ensure that streetscape improvements create complete streets throughout the district and focus transportation investments on enhancing existing services and modes.

Thank you for your consideration of these comments. We look forward to your response on these issues, and we would be happy to discuss these points further with you as the Final Plan and Final EIR take shape over the next few months.

Sincerely,

The Better Broadway Coalition:

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