

**REDEVELOPMENT AGENCY AND
THE CITY OF OAKLAND**
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2007 NOV 15 PM 1:44

To: Office of the City/Agency Administrator
Attn: Deborah Edgerly
From: Community and Economic Development Agency
Date: November 27, 2007
RE: **Public Hearing and Follow up Report and Recommendations on the
Upper Broadway Retail Development Strategy to:**

- 1. Accept the Report and Staff's Recommendation to Pursue Upper Broadway Strategy Alternative 1: Urban Mixed Use with Major Ground-Level Retail Along the Major Arterials of Broadway, 27th Street and Valdez Street, with Residential and/or Office Development Above;**
- 2. Adopt An Interim Ordinance Amending the Zoning Regulations for Three Years or Until the City Council Adopts Permanent Regulations to A) Create the S-5 Broadway Retail Frontage Interim Combining Zone Regulations (S-5 Zone) and B) Amend the Zoning Maps to Include the S-5 Zone on and near Broadway from 23rd Street to Hawthorne Avenue; and**
- 3. Direct Staff to Issue a Request for Proposals for an Upper Broadway Specific Plan and an Accompanying Environmental Impact Report and Parking Study**

SUMMARY

As directed by City Council, staff contracted with Conley Consulting Group to develop a citywide retail enhancement strategy. The contract launched in March 2007 and the consultant has completed work on the Broadway Auto Row/Upper Broadway portion, as directed by the City Council, along with work on citywide and Upper Broadway trade area demographic, psychographic and sales tax data analysis. Attachment A is the Consultant's *Upper Broadway Strategy—A Component of the Oakland Retail Enhancement Strategy*.

At its September 25, 2007 meeting, the Community and Economic Development Committee directed staff to:

Item: _____
CED Committee
November 27, 2007

- Provide the entire consultant report to Council
- Proceed with developing interim zoning controls for the Upper Broadway area
- Address parking locations to support the proposed development
- Begin preparations to launch a Request for Proposals (RFP) for consultants to develop an Upper Broadway Specific Plan and an accompanying Environmental Impact Report (EIR)
- Identify potential funding for project components

Staff recommends that Council accept the report and staff's recommendation to pursue Alternative 1, adopt an ordinance to create interim zoning controls for the area, and approve issuance of an RFP for an Upper Broadway Specific Plan and an accompanying environmental impact report and parking study.

FISCAL IMPACT

If the preliminary recommendations were to be implemented, there would be an initial major cost of funds for preparation of a Specific Plan, including an EIR, and construction of structured parking (up to \$50 million). These costs could be recovered over time in the project areas with the projected developer impact fees and property tax revenue increase, and to the General Fund from increased sales tax and utility user tax revenue, etc. Required funds are available in Broadway/MacArthur/San Pablo and Central District Redevelopment Areas to fund the Specific Plan estimated at \$1.5 million.

In addition to Redevelopment Agency funds, staff is pursuing grants which could fund parts of the Specific Plan. If received, staff can return to Committee for allocation of such funds at a later date.

BACKGROUND

At its February 6, 2007 meeting, Council directed staff to enter into a contract with Conley Consulting Group to conduct a *Citywide Retail Enhancement Strategy*.

Conley Consulting Group has found that Oakland stores capture \$1 billion less than Oakland residents demand for comparison goods. While large in itself, this figure understates the impact on the City's economy because as the largest city in the East Bay, Oakland should be importing sales from neighboring communities. Instead, Oakland exports sales, sales tax revenue and jobs to its neighbors, online and elsewhere; the \$1 billion in leakage represents approximately \$10 million a year in sales tax revenue and 10,400 retail related jobs. While retail jobs do not usually provide the high pay and good benefits found in manufacturing jobs, they do, for example, provide entry level, transitional and part-time work options as well as management training opportunities. In

short, an increase in these types of jobs would represent a significant set of entry level opportunities for youth, college students, and others.

The \$1 billion in sales leakage could support 5 million square feet (sf) of retail space. If, for instance, 450,000 sf of high quality comparison goods retail—composed of lifestyle or big box retailers—could be created in the area, nearly \$167 million in retail expenditure potential and \$1.7 million in annual sales tax could be captured.

Oakland is currently enjoying much interest from retailers. CEDA Business Development Services staff receives on average three calls per week from existing and startup local retailers looking to grow in Oakland. The City has also seen a surge in interest from regional and national retailers. Staff fields inquiries from retail developers as well, many of whom are highly interested in the Upper Broadway area and Alternative 1 (see below). The key limitation in following through with these inquiries is the lack of ready sites and the infrastructure necessary to support them (i.e., parking, streetscape improvements, lighting, etc.)

Consultant's work products

Since March 2007, Conley Consulting Group has analyzed citywide data—demographics, psychographics (consumer profiles based on demographic and spending information), sales tax revenue and housing prices—and produced findings and recommendations for the Broadway Auto Row/Upper Broadway trade area.

In addition to data analysis and interviews with retail real estate experts, the consultant held a shopper survey—mostly online—resulting in over 2,300 completed surveys, and conducted four public meetings. Key demographics information received found:

- The annual spending power of the downtown Oakland employment base is roughly \$283 million.
- The average household income of Upper Broadway trade area residents is about \$76,000. Per capita income is \$32,000 per year, 25% above the state average.
- Within a 20-minute drive of 27th and Broadway, the population is estimated at 1,640,000 with an average household income of \$81,760.

Upper Broadway

The Upper Broadway primary trade area extends from the southern border of the University campus in Berkeley to Oakland's southern boundary, and from Alameda County's eastern border to the bay. It includes the cities of Alameda and Piedmont in their entirety. A portion of the City of Oakland—below MacArthur and east of Fruitvale—is excluded based on the assumption that those residents will likely patronize existing retailers to the south, including the major retailers now located along Interstate 880 and those scheduled to be located there in the near future.

The Conley report divides the Broadway Auto Row/Upper Broadway trade area into

three distinct segments:

Zone 1: Located roughly along Broadway between Hawthorne Avenue and 29th Street. Contains 521,000 sf or about 12 acres.

Zone 2: Located roughly along Broadway between 29th and 24th Streets. Contains 409,550 sf or about 9.4 acres.

Zone 3: Located roughly along Broadway between 24th and 23rd Streets. Contains 119,579 sf or about 2.7 acres.

All zones¹: Located roughly along Broadway between Hawthorne Avenue and 23rd Street. Contains 1,049,215 sf or about 24 acres.

The report outlines three alternative strategies for the physical redevelopment of the Broadway Auto Row/Upper Broadway trade area. These are summarized below:

Alternative 1: Urban mixed use with major retail

This plan calls for anchored, continuous comparison goods retail at ground level along major arterials of Broadway, 27th Street and Valdez Street, as the primary use in each of the three zones, with residential and/or office development above the ground level retail. This alternative would create approximately 1,076,200 sf of total retail space.

Alternative 2: Large format stores

This plan would create individual big box retail anchors at ground level along major arterials of Broadway and 27th Street, with residential development along Valdez Street. This alternative would create approximately 1,112,700 sf of total retail space.²

Alternative 3: Mixed use with secondary retail

This option emphasizes residential development along major arterials of Broadway, 27th Street and Valdez Street, with retail being accommodated along the ground level as a secondary use, most likely convenience and food and beverage outlets. This alternative would create approximately 312,000 sf of total retail space.

¹ While Broadway north of Interstate 580 is part of the traditional Broadway Auto Row, that area does not offer significant available land now or in the foreseeable future, nor, due to the freeway overpass, does it lend itself to being joined with the area south of 580. Because of this it was not included in the Upper Broadway Strategy.

² A 2003 ordinance prohibits large-scale retail stores with more than 10% of sales floor area devoted to non-taxable merchandise. It does not preclude membership stores such as Costco or Sam's Club, multi-vendor markets such as Market Hall or Durant Square, or other big box format stores without a grocery component such as Target or Home Depot.

All three alternatives address the significance of Broadway, the City's "Main Street," and its proximity to downtown, as well as its relationship to adjacent residential neighborhoods, the adjacent medical campuses of Kaiser and Summit/Alta Bates, the successful existing Piedmont Avenue retail street, and the edge of Lake Merritt. All three alternatives are designed to be specific enough to enable programmatic objectives while flexible enough to encourage creativity by individual developers.

Retail nodes elsewhere in Oakland

With its work on the *Upper Broadway Strategy* completed, the Conley team has turned its efforts to the approximately 50 retail nodes elsewhere around the City. The team had two in-depth meetings with City Planning and Redevelopment staff to learn more about the nodes and categorize them by type and retail need. The Consultant team is soliciting the input of merchants, merchant associations and business improvement districts leaders through interviews. From there the team will develop comprehensive strategies for five retail node types and more in-depth strategies for exemplar nodes. The neighborhood retail district strategies will assist the City in targeting efforts to strengthen neighborhood retail environments. This work will be presented to the Council in early 2008.

KEY ISSUES AND IMPACTS

Development challenges and the path to success

The opportunity and challenge of Upper Broadway is that the site is composed of many individual parcels, thus it can be developed incrementally. The Consultant recommends that the City focus first on defining its specific objectives for this project, rather than responding to any one developer's requirements.

A common way for cities to contribute to major retail developments is to cover all or a portion of the acquisition, remediation and relocation costs. In the Upper Broadway area these costs are estimated at \$191.5 million. Unfortunately, there are insufficient funds available now and for the next several years in the Broadway/ MacArthur/San Pablo and Central District redevelopment project areas to cover these costs.

In its September 25, 2007 report to the CED Committee, staff recommended, given these limited resources, that in lieu of the City Council assembling the land, four other actions could be taken, as follows:

- Prepare and adopt an interim set of zoning controls. Currently, the major discretionary zoning tool in this area is design review for residential projects. Smaller commercial projects that do not meet the City's preferred uses would be permitted in most cases. Therefore, it is imperative to develop a set of interim zoning controls that would limit new ground floor activities to those that focus on retail activities through the use permit process and establish a design review requirement for non-residential uses. This task could be accomplished fairly quickly and could be undertaken by current Planning staff.

- Initiate an area Specific Plan. Such a plan would provide an area-wide set of development regulations and requirements, including the distribution, extent and location of land uses, infrastructure standards and financing mechanisms for public improvements. This effort would cost approximately \$1.5 million and take approximately 18 months to two years to complete, including required environmental review.
- Finance about \$50 million of structured parking to serve 450,000 square feet of retail. This effort would include identifying potential sites, preparing initial designs and developing financing mechanisms.
- Review current City policies such as Living Wage, Prevailing Wage and the ordinance prohibiting large-scale retail stores with more than 10% of sales floor area devoted to non-taxable merchandise, as these policies relate to possible development found in the Alternative 1 strategy.

CED Committee action

In concert with staff's recommendations, on September 25, 2007 the CED Committee directed staff to:

- Provide the entire Consultant report to Council
- Proceed with developing interim zoning controls for the Upper Broadway area
- Address parking locations to support the proposed development
- Begin preparations to launch an RFP for consultants to develop an Upper Broadway *Specific Plan* and an *accompanying Environmental Impact Report*
- Identify potential funding for project components

Consultant report

Thus far, the *Upper Broadway Strategy*—see Attachment A—has had a positive reaction among City officials. In addition to the September 25 CED Committee, Economic Development staff presented the Upper Broadway Strategy to the Planning Commission. On October 17 Economic Development and Planning staff presented the proposed interim zoning controls to the Planning Commission's Zoning Update Committee. At its December 18 meeting, the City Council could accept the Consultant's report and staff's recommendation to pursue Alternative 1 and authorize staff to launch the RFP process for the Specific Plan and EIR, and at its January 15 meeting the Council could conceivably approve the Upper Broadway interim zoning controls which would be effective as of that date.

	Zoning Update Committee	CED Committee	Planning Commission	City Council
Meeting	17-Oct	27-Nov	5-Dec	18-Dec
2nd reading	NA	NA	NA	15-Jan

Comments received thus far from CED and Planning Commission members and public speakers include:

- Transportation: As a critical element, staff and the consultants should look at transportation alternatives such as free shuttles connecting to BART, Downtown, etc.
- Parking: Look at consolidating parking so that each project is not required to have its own parking. If a parking bond is issued, proceeds from it should be spread to all areas in the City not just Upper Broadway. Ensure that new parking is well-marketed to shoppers.
- Make connections with adjacent neighborhoods such as Adams Point, Lake Merritt and Piedmont Avenue.
- Outreach to retail developers: As the Oakland Retail Enhancement Strategy evolves, Business Development staff continues to participate in International Council of Shopping Centers conferences and trade shows, distributing information on the *Upper Broadway Strategy* and, when completed, information on the City's numerous other retail nodes. There is already interest from prominent retail developers and more marketing can be done as staff proceeds with the study.
- Work with the business community: Staff works closely with the Oakland Merchants Leadership Forum—which is conducting merchant outreach for the *Strategy*—as well as chambers of commerce, in developing retail business strategies, and staff is coordinating the new Oakland Retail Partnership, an offshoot of the Oakland Partnership initiative of Mayor Dellums and the Oakland Metropolitan Chamber of Commerce.
- Perceived threat of an Upper Broadway development to merchants elsewhere in Oakland: Pay attention to neighborhood commercial districts, especially those outside of redevelopment areas which may be vulnerable.
- “Shrinkage” or theft at Oakland stores: While theft at Oakland stores can be significant, retailers who work closely with the City's Economic Development and Police staff have greatly reduced internal and external shrinkage. Sales at chain stores in Oakland generally are as good or better than the respective chains' stores elsewhere.

Interim zoning controls

Staff proposes to institute a new S-5 overlay zone on Broadway Auto Row from 23rd Street to Hawthorne Avenue. These new interim regulations give the City an opportunity to develop a Specific Plan designed to create a regional retail center along this stretch of Broadway.

The proposed S-5 overlay zone would preserve the ground floor of buildings for storefront businesses that generate pedestrian activity such as retail sales, consumer service businesses, and medical services. New construction would also be required to have a storefront appearance, including ample window area, 12 foot ground floor ceiling height, and a prominent entrance oriented toward Broadway.

New automobile sales, auto repair and servicing, and light industrial activities would be severely limited by the new proposal. This represents a major change for an area that has been a center for these types of activities for many years. Given the City's deficit of retail sales, staff believes that this trade-off is critical to developing the area as a regional retail center.

The report on Interim Zoning Controls presented to the Zoning Update Committee on October 17, 2007 (Attachment B) provides more information. Staff recommends the City Council adopt the Interim Controls.

Interim zoning controls environmental determination

The proposal relies on the following two environmental documents to satisfy any requirements under the California Environmental Quality Act (CEQA): the previously certified Final Environmental Impact Report for the Land Use and Transportation Element of the Oakland General Plan, adopted 1998 (General Plan EIR) and the Broadway/MacArthur Redevelopment Plan Environmental Impact Report, adopted 2000. Furthermore, the proposal is exempt under CEQA Guidelines section 15061(b)(3), known as the "General Rule," which states a project is exempt from CEQA if there is no possibility that the activity in question will have a significant effect on the environment. This section describes how these documents are applicable to the proposal.

General Plan EIR. The proposal relies on the General Plan EIR to satisfy any requirements under the California Environmental Quality Act (CEQA).

The General Plan EIR evaluated the environmental impacts of the proposal and anticipated future reliance on it for actions that were consistent with and intended to implement it. Reliance on the General Plan EIR is appropriate as stated on page I-4 of that document:

The EIR may also be used at a future date by the Planning Commission and City Council to evaluate the environmental impacts of subsequent actions that are consistent with the Land use and Transportation Element or are intended to implement the Land Use and Transportation Element.

The area proposed for the S-5 designation has a Community Commercial General Plan designation. The proposed project is consistent with and implements the Community Commercial designation of the General Plan because it encourages an expansion of commercial activities in the area where it will be mapped.

This General Plan EIR contains several mitigation measures that reduce development impacts proposed by the General Plan to less than significant and identify others as unavoidable or irreversible. Attachment C summarizes the mitigation measures and the impacts associated with the General Plan identified in the EIR. Staff considered and incorporated the mitigations into the proposal.

Multiple projects throughout the City have been constructed and/or entitled in the Community Commercial General Plan designation since the General Plan EIR was certified in 1998. Each of these projects was analyzed during their permitting processes and shown to be consistent with the General Plan. The intensity and character of these projects were, therefore, anticipated by the General Plan EIR.

Broadway/MacArthur/San Pablo Redevelopment Plan EIR. In 2000, the City of Oakland adopted the Redevelopment Plan for the Broadway/MacArthur/San Pablo Redevelopment Project Area (Redevelopment Plan) and certified an associated EIR. The Redevelopment Plan covers approximately two-thirds of the project area. The redevelopment plan is a broad document that does not contain specific projects, but directs and targets funding sources toward affordable housing, general housing and business improvements, infrastructure, and environmental improvements. The EIR identifies the potential impacts of these investments in the project area. Any mitigation required by the EIR has been considered and incorporated into this proposal to mitigate potential impacts (Attachment D).

General Rule. The proposal is also exempt under CEQA Guidelines section 15061(b)(3), known as the "General Rule," which states a project is exempt from CEQA if there is no possibility that the activity in question will have a significant effect on the environment. The proposed regulations would have no change in the development intensity of the area because it does not address residential density or floor area ratio. The proposed changes to permitted activities only restrict certain activities; restricting land use activities would not have a significant effect on the environment. The proposal contains no change in regulations regarding height, setback, open space or other regulations that have an effect on the environment.

Specific Plan

The purpose of a Specific Plan under California Government Code Section 65451 is to provide an area-specific set of development regulations and requirements including the distribution, extent and location of land uses, infrastructure requirements and development standards. The Specific Plan would provide a comprehensive set of development regulations and requirements, including the distribution, extent and location

of land uses, infrastructure standards and financing mechanisms for public improvements. This strategy was set forth in the report *Upper Broadway Strategy—A Component of the Oakland Retail Enhancement Strategy*.

Staff considers that a specific plan approach is desirable for the Upper Broadway area, given:

- The limited resources available in the Broadway/MacArthur/San Pablo and Central District redevelopment project areas to assist private developers in assembling land
- The City's high priority to create an inviting, high quality comparison goods shopping place in Oakland and the challenge of assembling at least ten acres elsewhere
- The natural course of development in Upper Broadway would most likely lead to a minimal amount of "incidental" retail on the ground floor of residential and/or office towers, thus the need for specific development guidelines and plans
- The City and developers will have to fund structured parking, which needs to be fully conceptualized
- The scope of public improvements is beyond what any one developer would likely be required to do, it is important to have area-wide financing mechanisms to build the required infrastructure (parking, sewer, traffic, streetscape, etc.)

If authorized, planners with the City's Strategic Planning Unit are prepared to issue RFPs for the Upper Broadway Specific Plan and EIR. The EIR process would take place simultaneously with the Specific Plan. Public outreach/participation would take place throughout all phases of the plan, including the EIR preparation. If Council approves proceeding with the planning process, individual contracts for the EIR and planning process will be brought back to Council for approval and award as bids are received and firms selected. Staff estimates that the work will take 12 to 15 months. A rough schedule has been mapped out as follows:

January 2008	Issue RFPs for Specific Plan and EIR
February 2008	Evaluate proposals and develop recommendations
March 2008	Return to City Council for contract
April 2008	Begin Specific Plan and EIR
January 2009	Planning Commission workshop
March 2009	Zoning Update Committee meeting
April 2009	Planning Commission meeting
June 2009	Complete Specific Plan and EIR

With its spine running along Broadway between Grand Avenue and Interstate 580, the Upper Broadway retail study area spans two redevelopment areas: Broadway/MacArthur/San Pablo and Central District. Approximately 52% of the study area is in

the Broadway/ MacArthur/San Pablo Redevelopment Area and 48% is in the Central District Redevelopment Area. The costs of the Specific Plan and EIR will be split between the two redevelopment areas based on the percentage share of the study area contained.

The biggest potential benefit to the City from the Specific Plan is the ability to charge fees for new development in the planning area to fund needed infrastructure and other improvements throughout the planning area as whole. This allows the City to plan major infrastructure improvements in an efficient manner instead of the more fragmented nature of improvements dictated by the changing patterns of private development. It also allows money to be spent in areas within the planning area where development may be lagging or may not be attractive because of infrastructure deficiencies.

Parking

Parking concepts that may be looked at in the Upper Broadway Specific Plan include the following strategies identified in *The High Cost of Parking* by Donald Shoup (2005), cited in the *Upper Broadway Strategy*:

- Create a parking district to which developers would contribute parking spaces and/or funds to build parking
- Issue bonds to finance the construction of new parking garages
- Set parking fees based on market demand
- Share meter and garage revenue between the City General Fund, and the respective “parking zone” generating the revenue and/or all commercial districts

The City owns the Telegraph Plaza Garage located on Telegraph Avenue between 21st and 22nd Streets, just south of the study area. An EIR may be needed to study the possible impacts of expanding the garage from two levels to approximately five levels and increasing the number of parking stalls from 350 to 650, as well as for other prospective changes in the area. Staff is considering including the garage in the overall Upper Broadway Specific Plan EIR.

The Consultant identified three existing garages and three prospective new garages in the Upper Broadway area:

	Existing	Proposed
Zone 1	--Broadway & Hawthorne Avenue	--Webster & Hawthorne Avenue --30 th Street southwest of Broadway --29 th Street south of Broadway
Zone 2	None	--27 th Street & Broadway --24 th Street between Valdez & Harrison Streets
Zone 3	--YMCA garage on Broadway between 24 th and 25 th Streets --23 rd & Waverley Streets	None
Adjacent to Zone 3	--City/Paramount Garage on 22 nd Street & Telegraph	--Expanded City/Paramount Garage on 22 nd Street & Telegraph

The Consultant contends that existing garages can accommodate a number of new retail shoppers in the area, given that the existing garages are used primarily for weekday office workers and gym staff and patrons, and new auto storage, and that new shopping parking needs would peak on weeknights and weekends.

SUSTAINABLE OPPORTUNITIES

The Oakland Retail Enhancement Strategy project supports the City's 3 Es: economy, environment and equity.

Economic. The overall goal of the *Upper Broadway Strategy* is to identify retail gaps in order to reduce the more than \$10 million sales tax leakage to locations outside Oakland, retaining more sales tax revenue for the City of Oakland, making it available to provide additional services and programs in the City. No particular economic opportunities in the context of the Specific Plan have been identified due to the preliminary stage in the planning process. However, this type of effort, involving property and business owners, public agencies, community groups and others has often resulted in the identification of new business and development opportunities through increased knowledge of the area, planned public improvements, decreasing land use conflicts, and other strategies.

Environmental. The *Upper Broadway Strategy* identified ways to fill the City's retail gaps in order to reduce the amount of shopping Oaklanders do outside of Oakland. When City residents can shop closer to home, they won't travel as far, thereby using their cars less. Given the goal of increasing retail in Oakland and given the high land prices locally, the *Strategy* is consistent with Smart Growth principles, as it seeks to help Oaklanders shop closer to home, plus low density suburban style retail development is not feasible. No particular environmental opportunities have been identified in the context of the Specific Plan due to the preliminary stage in the planning process. However, if such a planning process were to be undertaken, completed and approved, the

consequent environmental review information will likely inform future City actions concerning clean up of contaminated areas, and green building, green business locations.

Social Equity. Growing the retail base in Oakland, leading to more retailers, will in turn provide increased employment opportunities, especially entry level jobs, as well as promote self-employment/entrepreneurship opportunities for Oakland residents. No particular social equity opportunities have been identified in the context of the Specific Plan due to the preliminary stage in the planning process. However, it is likely that land use and public improvement discussions during the Specific Plan process would include pertinent topics such as clean up of contaminated soils and groundwater due to past industrial activities, access to public parks and open space and other issues.

DISABILITY AND SENIOR CITIZEN ACCESS

The *Upper Broadway Strategy* itself does not look at issues affecting disabled and senior citizen access.

RECOMMENDATION AND RATIONALE

This report presents an interim progress report of the Conley Consulting Group's work on developing an Oakland Retail Enhancement Strategy and some specific implementation recommendations. In the short term, staff recommends preparing an interim set of zoning controls for the area, as outlined. In the longer term, the preparation of an Upper Broadway Specific Plan and development of a parking strategy for the area would be key elements in implementing a retail strategy for the area.

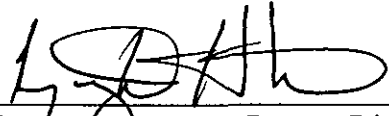
ACTION REQUESTED OF THE CITY COUNCIL/REDEVELOPMENT AGENCY

1. Accept the Report and Staff's Recommendation to Pursue Consultant's Alternative 1: Urban Mixed Use with Major Ground-Level Retail Along the Major Arterials of Broadway, 27th Street and Valdez Street, with Residential and/or Office Development Above;
2. Authorize Staff to Issue a Request for Proposals for an Upper Broadway Specific Plan and an Accompanying Environmental Impact Report and Parking Study.

Staff also recommends that the City Council:

Adopt an ordinance amending the Zoning Regulations to: a) create the S-5 Broadway Retail Frontage Interim Combining Zone Regulations (S-5 Zone), and b) amend the Zoning Maps to include the S-5 Zone and near Broadway from 23rd Street to Hawthorne Avenue.

Respectfully submitted,



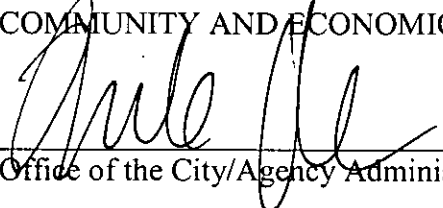
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APPROVED FOR FORWARDING TO THE
COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE:



Office of the City/Agency Administrator

- Attachment A: *Upper Broadway Strategy—A Component of the Oakland Retail Enhancement Strategy*
- Attachment B: Interim Zoning Controls October 17, 2007 Zoning Update Committee staff report
- Attachment C: Impacts associated with the General Plan identified in the General Plan EIR
- Attachment D: Impacts associated with the Broadway/MacArthur/San Pablo Redevelopment Plan EIR

Attachment A: *Upper Broadway Strategy—
A Component of the Oakland Retail Enhancement
Strategy*



UPPER BROADWAY STRATEGY

A Component of the
OAKLAND RETAIL ENHANCEMENT STRATEGY

Last Updated: September 11, 2007



CONLEY CONSULTING GROUP
JRDV ARCHITECTS
STRATEGIC ECONOMICS
COLLIERS INTERNATIONAL



This report was constructed by Conley Consulting Group, Strategic Economics, JRDV Architects and Colliers International with the assistance of City of Oakland staff including Claudia Cappio, Gregory Hunter, Aliza Gallo, Keira Williams and Kathy Kleinbaum.

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I : INTRODUCTION AND EXECUTIVE SUMMARY

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Oakland has long been the nation's largest under served Trade Area for comparison goods, which are defined as merchandise sold in apparel, department, specialty (like jewelry shops and gift stores) and home furnishings stores for which consumers typically like to shop by comparing quality and prices. Unlike other mid-size cities that draw shoppers in from surrounding areas, Oakland stores do not even serve the demand from its own residents. Oakland currently exports approximately 75% of its potential sales in this category, or roughly \$1 Billion in sales every year to the neighboring communities of Emeryville, San Leandro, San Francisco, and Walnut Creek. While the City has many fine merchants, it lacks the larger retailers and critical mass of retail selection that draw its residents to shop outside of town.

In 2006, the Oakland City Council decided to make retail recruitment and development a high priority for the City. A consultant team led by Conley Consulting Group was hired to evaluate the retail enhancement opportunities and create an action plan to implement specific retail revitalization activities in neighborhoods across the City. This report addresses the retail opportunity in the Upper Broadway area, the first component of the citywide strategy. The Citywide Retail Enhancement Strategy is a one year effort, scheduled for completion in Spring, 2008.

Upper Broadway has been identified as a retail development priority area because significant land area is potentially available for new development if and when auto dealers relocate to a new auto mall scheduled to be located on the former Oakland Army Base in the next few years.

A. STEPS UNDERTAKEN

To create this strategy, the Conley Consulting Group consultant team has undertaken the following steps and analyses:

- Toured the Council designated retail priority districts and identified existing nodes of retail activity citywide
- Identified and mapped the location of all retail outlets with sales over \$1 Million in 2005, the latest year available
- Prepared a demographic profile for the City as a whole, and created a document describing the Oakland Consumer
- Defined a Trade Area for comparison goods retail in Upper Broadway, and prepared a demographic profile of that Trade Area.
- Estimated the retail expenditure potential of the City and of the Upper Broadway Trade Area, and the amount of that potential now lost to Oakland as leakage
- Evaluated the parcels potentially available from auto dealership relocation, and



the potential to assemble sites adequate to support a competitive, urban retail development

- Prepared conceptual designs of alternative retail developments in Upper Broadway
- Solicited input from Oakland residents and employees through an online survey and four public meetings held in June and July
- Tested the feasibility of the alternative retail concepts
- Analyzed case studies of other successful retail turnaround situations throughout California
- Identified implementation approaches and an overall strategy, and prepared an implementation plan for retail in Upper Broadway

B. REPORT ORGANIZATION

Following this Introduction and the Executive Summary, the report is organized as follows:

Section II. Oakland's Shortage of Comparison Goods, describes the citywide shortage of comparison goods sales in comparison to the expenditure potential of Oakland residents. Section II also summarizes the retail preferences of Oakland consumers, as revealed in public meetings conducted for this effort. This section also describes the City's retail performance, the loss of potential expenditures due to leakage, and the consequences of that loss.

Section III. Upper Broadway Site Opportunities, describes three alternative retail development concepts for the site areas potentially available in Upper Broadway.

Section IV. Feasibility and City Action Requirements, analyzes the feasibility of retail development and identifies strategies to bridge feasibility constraints. The section also identifies required City actions.

Appendices:

- A. Case Studies
- B. Mixed Use Design Guidelines
- C. Claritas Lifestyle Cluster Profile Definitions
- D. Parking Strategies
- E. Public Meetings

Lost Opportunity
\$1 Billion lost activity from the Oakland economy
\$10 Million sales tax forgone
10,400 jobs retail could have supported

Source: CCG, August 2007.

Major land use changes in the Upper Broadway Area are likely in the foreseeable future, and these changes provide a unique opportunity to create a retail environment that can reverse Oakland's long-standing leakage of retail sales potential, especially for comparison goods (this includes goods sold in clothing, home furnishings, general merchandise and department, gifts, and specialty stores).

In recognition of this unique opportunity the Oakland City Council directed the consultant team to begin work on a citywide retail strategy by looking first at the Upper Broadway area. It is our key conclusion that the Upper Broadway area is the City's single best opportunity to recapture this lost portion of its economy. The team is pleased to present this strategy for creating a major retail environment near the heart of Oakland.

LEAKAGE AND OPPORTUNITY TO RECAPTURE LOST SALES

Today, two out of every three dollars Oakland residents could spend for comparison goods is lost to the Oakland economy, resulting in a leakage of \$1 Billion a year. This missed opportunity has significant consequences: Oakland residents are inconvenienced as they travel elsewhere to shop, the environment is harmed by extra vehicle miles traveled, and Oakland neighborhoods suffer the loss of economic vitality that would enrich the City if these sales could be captured at home. Economically, the City's weak comparison goods retail sector results in \$10 Million in forgone sales tax revenues each year, and the loss of 10,400 potential jobs.

Enhancing retail is important to Oakland residents. When asked about their interest in enhancing retail in Oakland, more than 2300 people responded to the still-ongoing online survey, almost ten times as many responses as expected. Participants at a series of public meetings for this effort strongly expressed a desire to see an improved retail sector in the City, with some expressed caveats about the desired nature of the hoped-for improvements.

UPPER BROADWAY RETAIL OPPORTUNITY

If and when auto dealerships relocate to the proposed auto mall at the Oakland Army base, large land areas will become available, and it will be possible to assemble the only sites that meet the 10 acre size minimum required to create a retail complex with sufficient critical mass to start to reverse these trends in the center of the City. Other potential sites along the City's edge are not as ideally situated to recapture this lost potential.

If a ten acre site is developed on one of the two alternative locations in the Upper Broadway Area as mixed use with major emphasis on the retail component, 450,000 SF of high quality comparison goods retail could be created, along with 850 housing units (or another land value supporting upper floor use), nearly \$167 Million in retail expenditure potential and \$1.7 Million in annual sales tax could be captured. The benefits of successful retail development would go beyond this single project; the case studies of other communities that have successfully turned around their retail sectors show that one successful project makes the next project easier to achieve, and has benefits to other retailers whose customers no



.....

longer travel outside of the community to meet their shopping needs (see Appendix A).

Because there are limited redevelopment resources available in this area, and because land prices are amongst the highest in the City, mixed use development will be required to make the project feasible. The conceptual financial feasibility test of an illustrative development on a 10 acre site shows the project is financially feasible. The results of the test indicate that the recommended mixed-use development could support likely land costs and perhaps contribute to additional capital improvements, assuming that parking costs are publicly funded. Actual development is likely to be at least 5 years in the future. At the time of development near term concerns about the housing and office markets are assumed to be resolved.

REQUIREMENTS FOR SUCCESS

- A critical mass of retail is developed with a coordinated merchandising plan with a distribution of types of stores and shopper amenities such that consumers can be confident of the types, quality, and depth of selection available. Centralized leasing and management is required.
- The tenant mix is appropriate to the preferences of the customer base. The retail complex must serve a recognizable market niche, or cluster of related niches. A popularly priced or lower end retail mix is not likely to capture support from the middle to upper end consumers who are currently poorly served in Oakland.
- Adequate vehicular access and parking will be available, supplemented to the extent feasible by transit access. It is likely that the major, customer attracting retail stores will require parking at about four spaces per thousand square feet of retail space to commit to this retail location, even if transit is made available.
- Shoppers and merchants are free of concern about crime. For shoppers this means freedom from fear of crime against their persons or possessions as they enter or leave the retail environment and while shopping. For merchants this means freedom from fear that their merchandise is secure until purchased, and their employees are secure as they travel to and from work.
- After initial development, the ongoing management of the center is performed at the highest standards, including: marketing and promotion, releasing and tenanting, security, and maintenance.
- The public sector will reduce development risk by creating and sustaining a strong political commitment to the project, one that spans multiple election cycles.

IMPLEMENTATION STRATEGIES TO REALIZE THE OPPORTUNITY

The consultant team has identified a multi level approach to make the opportunity reality. The strategy includes these key components:

1. A Specific Plan is the recommended mechanism to work through the public objectives for the project, to resolve potential land use conflicts and reach community consensus, and create a funding strategy for public improvements. Ensuring that the Specific Plan results in an economically viable vision is a key component of this recommendation.
2. A careful strategy for involving the retail industry must be defined. Given limited public resources, it is likely that the private sector will acquire key sites and develop them according to careful City guidelines. We recommend that Oakland focus first on defining its specific objectives for this project, rather than responding to any one developer's requirements.
3. Design Guidelines are proposed to ensure that retail in the Upper Broadway area is able to leverage the market opportunity, rather than serve as an afterthought in future projects driven by other land-value supportive land uses (see Appendix B). These guidelines may also inform land use policy in other retail-priority areas in the City.

The action-specific implementation strategy is described further in Section V, with roles defined for various units within the Community and Economic Development Agency.

CRITICAL ACTION STEPS

Priority 1: Secure lasting public commitments

Priority 2: Create realistic Specific Plan and EIR

Priority 3: Maintain site availability

Priority 4: High quality retail development in mixed use projects by adopting Design Guidelines

Priority 5: Resolve planning and environmental issues

Priority 6: Create public retail parking finance plan

Priority 7: Solicit qualified developers based on public consensus developed in specific plan



II : OAKLAND'S SHORTAGE OF
COMPARISON RETAIL GOODS STORES

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A. THE OAKLAND CONSUMER

The residents of the City of Oakland comprise a large and potentially lucrative market for retail goods and services. Retail demand in the City is generated by almost 420,000 City residents*, who occupy almost 160,000 households. Oakland's households span a broad range of incomes: 30,500 households have annual incomes at or above \$100,000, 46,000 households have yearly incomes between \$50,000 and 100,000, and 60,000 households have incomes below \$35,000. The average household income of City residents is roughly \$67,500. Per capita income is \$25,500 per year, roughly equal to the California average.

The City's population is growing; new housing development since 2000, supported in part by former Mayor Brown's 10K initiative, has added nearly 6,000 new units to the City's housing stock, with 2,000 units currently under construction, and another 8,000 units the planning stage. Of these new units, over 2,000 are in the downtown area, with another 5,000 to be added in units both planned and under construction.

Table 1. City of Oakland, 2007 Demographics

Population (est.)	420,000
Households (est.)	160,000
Average Household Size	3 persons
Average Household Income	\$70,000
Est. Per Capita Income	\$30,000
Median Age	36 years
Median Housing Price	\$510,000

Source: CCG, Claritas Inc., August 2007.

Sales of new housing units and recent sales of existing homes demonstrate that Oakland continues to attract high income households. New multifamily housing sale prices range from \$300,000 to \$850,000, and average single family homes are selling between \$400,000 and \$900,000. In several neighborhoods, prices reach as high as \$4 Million.

Table 2. Oakland Lifestyle Clusters

Cluster Name	2006 Households	% of Households**	Oakland/ U.S. Index***
Young Digerati	7,000	5%	360
Money and Brains	11,000	8%	370
Bohemian Mix	20,000	13%	740
Cosmopolitans	6,000	4%	320
American Dreams	13,000	9%	400
Urban Achievers	13,000	9%	570
Multi-Culti Mosaic	13,000	9%	500
Close-In Couples	10,000	7%	590
Upper Crust	5,500	4%	250
Blue Blood Estates	2,500	2%	170
Movers and Shakers	4,500	3%	190
Big City Blues	11,000	8%	680

Source: CCG, Claritas Inc., August 2007.

The median age of Oakland residents is 36 years old. The population is highly educated, with more than twice as many college graduates as the national average. Oakland has the fourth highest percentage of households with personal computers in the nation.

B. CONSUMER PROFILES

Based on a combination of demographic and socio-economic factors, Claritas PRIZM defines Lifestyle clusters to predict consumer behavior. More than one third of the City's households belong to the clusters grouped under the heading "Urban Uptown," defined as the nation's

*All figures in this section are rounded to the nearest 10,000.
 **Cluster lifestyle profiles detailed in this table are only those with significant concentration in Oakland, resulting in the total percentage of households not adding to 100%.
 ***An index of 100 means Oakland's concentration is equal to U.S. average.



wealthiest urban consumers with the most sophisticated tastes. The diverse, predominantly childless group called Midtown Mix includes another 24% of Oakland households. Oakland has 3 to 7 times greater concentration of households in these clusters than does the nation as a whole (See Appendix C for Cluster Profile Definitions). These clusters are an attractive shopper support base for new retail.

C. DIVERSITY

Oakland is the most diverse city in the nation, with a population becoming increasingly balanced between Euro Americans, African Americans, Latino Americans and Asian Americans. The different peoples of Oakland live in every neighborhood, with each group represented at every income level.

	2007 Est. Pop.	House- holds	% House- holds
Euro American	130,000	60,000	40%
African American	130,000	50,000	33%
Latino American	110,000	30,000	18%
Asian American	70,000	20,000	15%
Total	420,000	160,000	

Source: CCG, Claritas Inc., August 2007.

D. RESIDENTS' SPENDING POWER AND LEAKAGE

Based on California taxable retail sales trends¹, CCG has estimated the expenditure potential of City residents. Oakland residents have an average annual expenditure potential of almost \$1 Billion for Convenience Goods which include goods sold in supermarkets, drug stores, and other outlets for which convenience is a primary shopper selection criteria, an additional \$1.5 Billion for Comparison Goods, which are products sold in stores such as apparel, home furnishings, and department stores; and a total potential support for retail stores of more than \$4 Billion. If anything, these estimates understate the expenditure potential of Oakland residents given that they are based on sources which typically underestimate the buying power of urban residents and minorities. On the following page, Table 4 details the City of Oakland's retail leakage.

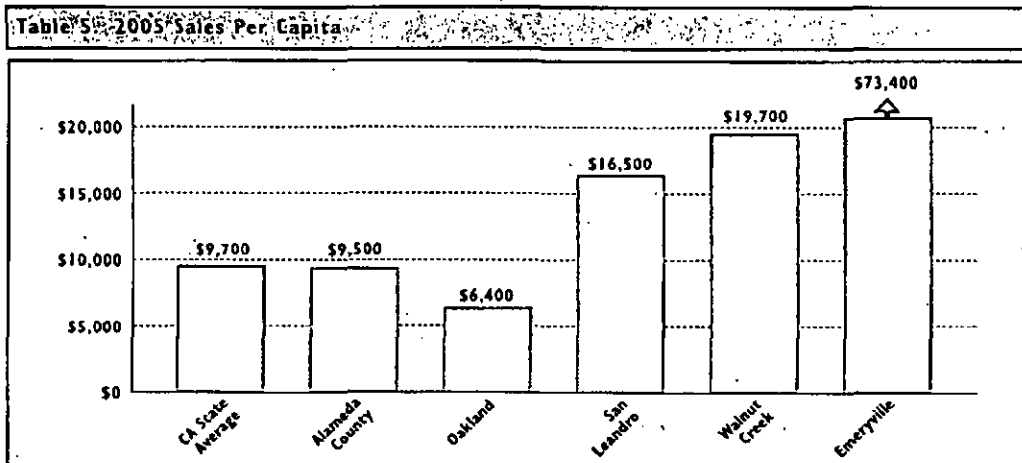
¹ Based on sales trends for the year 2005, the last year for which statewide expenditure data was available at the time of the writing of this report. Because Oakland per Capita spending is similar to the state average, California average expenditure potential patterns were used to project Oakland expenditure potential.

D. RESIDENTS' SPENDING POWER AND LEAKAGE (CONT.)

	Total Expenditure Potential	2005 Retail Sales	Sales Leakage (Import)	Target Sales Performance per SF	Theoretical New SF Supportable
Convenience Goods					
All Food Stores	\$817,380,000	\$584,880,000	\$232,500,000	450	520,000
Comparison Goods					
Apparel	209,930,000	63,880,000	146,050,000	250	580,000
General Merchandise	597,420,000	61,270,000	536,150,000	350	1,530,000
Home Furnishings/Appliances	195,080,000	121,250,000	73,830,000	300	250,000
Specialty	587,610,000	340,680,000	246,930,000	150	1,650,000
Eating and Drinking	520,700,000	426,870,000	93,830,000	275	340,000
Building Materials	405,590,000	310,190,000	95,400,000	300	320,000
Service Stations	432,680,000	434,730,000	(2,050,000)		
All Other Retail Stores	136,540,000	112,620,000	23,920,000	250	100,000
Subtotal Non-Auto Retail Sales	\$4,023,850,000	\$2,735,120,000	\$1,448,620,000		5,280,000
Auto Dealers and Supplies	825,730,000	545,860,000	279,880,000	N/A	
TOTAL	\$4,849,580,000	\$3,280,980,000	\$1,728,500,000		5,280,000

Source: CCG, Claritas Inc., August 2007.

As shown above, existing Oakland retailers capture varying portions of residents' expenditure potential, depending on the category of retail. For comparison goods, the City's merchants capture only one third of residents' retail sales potential. The sales that are not captured by Oakland stores are referred to as leakage, and for comparison goods most of that leakage is presumed lost to stores in other communities. Alternatively, Oakland consumers may shop less than other Californians, or do more of their shopping online.



Source: CCG, Claritas Inc., August 2007.



For the total category of convenience goods, the sales captured by local merchants more closely matches residents' expenditure potential. However within this category, the leakage of food store sales likely reflects the fact that some neighborhoods do not have an adequate supply of full line grocery stores² and these residents shop in nearby cities.

Compared to the state as a whole, and to neighboring cities, Oakland captures significantly less per capita for retail goods sales. Given the similarities in per capita income with the state as a whole, the expenditure potential of Oakland residents should be approximately on par with state averages, or \$9,700 per person, per year.

On an annual basis, Oakland loses more than \$1 Billion in economic activity that could be supported by its residents alone. However, this understates the impact on the City's economy, because as the largest city in the East Bay, Oakland should be importing sales from neighboring communities.

Instead, Oakland exports sales, jobs and sales tax revenues to its neighbors, as shown on the left.

E. OAKLAND EMPLOYEES

Oakland also has a large and growing employment base. City workplaces employ 208,000 persons in 2007, of which nearly 80,000 work in the central Oakland area. Census 2000 data show that of the 175,000 workers who traveled to jobs in Oakland, 67,000 came from homes in Oakland. Like City residents, Oakland workers also comprise an attractive shopper base for potential retailers. The remainder comprises residents of other communities, and thus represents a potential for retail

sales over and above the sales supported by City residents. Approximately 52,000 office employees work in the central Oakland area. The annual spending power of the downtown Oakland employment base is roughly \$283 million.

Lost Opportunity
\$1 billion lost activity from the Oakland economy
\$10 million sales tax forgone
10,400 jobs retail could have supported

Source: CCG, August 2007.

Cluster Name	2006 Households	% of Households*	Oakland/ U.S. Index
Young Digerati	11,000	5%	410
Money and Brains	31,000	15%	660
Bohemian Mix	28,000	13%	750
Cosmopolitans	6,000	3%	250
American Dreams	13,000	6%	250
Urban Achievers	13,000	6%	430
Multi-Culti Mosaic	9,000	4%	250
Close-In Couples	6,000	3%	280
Upper Crust	10,000	5%	320
Blue Blood Estates	2,000	1%	90
Movers and Shakers	14,000	7%	380

Source: CCG, Claritas Inc., MetaFacts; August 2007.

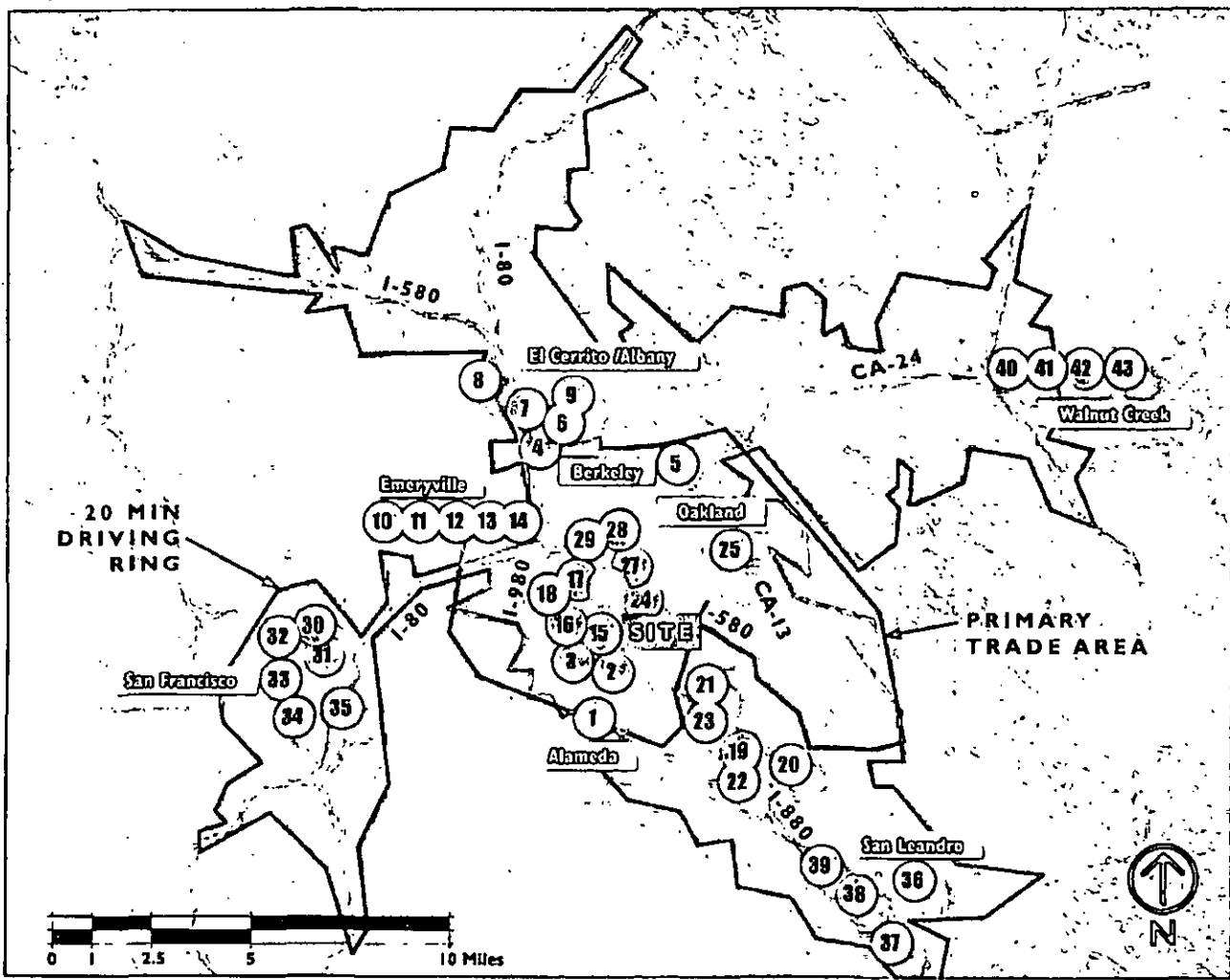
*Cluster lifestyle profiles detailed in this table are only those with significant concentration in Oakland, resulting in the total percentage of households not adding to 100%.

This table and map represent existing comparison retail competition in the East Bay and San Francisco.

#	Center Name	Type	Anchor/Example Tenants
Alameda			
1	Alameda Towne Center	Dept Store Anchor	Mervyns, Trader Joe's, Borders
2	Alameda Bridgside Center	Grocery Anchor	Nob Hill Foods
3	Marina Village	Grocery Anchor	Albertsons, Longs
Berkeley			
4	Fourth Street	Pedestrian Street	Sur La Table, Crate & Barrel Outlet
5	Elmwood	Pedestrian Street	Local merchants, AG Ferrari
6	Gilman Street & San Pablo	Free Standing	REI, Smith & Hawken
El Cerrito / Albany / Richmond			
7	Target	Free Standing	
8	Costco	Free Standing	
9	Solano Avenue	Pedestrian	Restaurants and local merchants
Emeryville			
10	Emeryville Marketplace	Entertainment	Borders, Public Food Market
11	Bay Street	Cinema Anchor/ Lifestyle	16-screen cinema, Barnes & Noble, Apple
12	Powell Street Plaza	Promotional	Circuit City, JoAnn Fabrics, Ross, Trader Joe's
13	East Bay Bridge Center	Free Standing	CompUSA, Home Depot, Babies R Us
14	IKEA	Free Standing	
Oakland			
15	Jack London Square	Entertainment	Yoshi's, BevMo
16	Related Jack London	Free Standing	Bed Bath Beyond, Cost Plus
17	City Center	Vehicular Street	Dress Barn, Radio Shack
18	Old Oakland	Pedestrian Street	Restaurants and local merchants
19	Coliseum Plaza	Free Standing	Autoparts
20	Durant Square	Vehicular Street	Food Maxx
21	Fruitvale Station	Free Standing	Albertsons, Big Lots
22	Hegenberger Gateway	Free Standing	Wal-Mart
23	High Street	Free Standing	Home Depot
24	Lakeshore	Vehicular Street	Arizmendi, restaurants and local merchants
25	Montclair	Pedestrian Street	Restaurants and local merchants
26	Piedmont Avenue	Pedestrian Street	Restaurants and local merchants
27	Rockridge Shopping Center	Vehicular Street	Longs, Safeway, Boston Market
28	College Avenue	Vehicular Street	Restaurants and local merchants
29	Temescal	Vehicular Street	Walgreens, restaurants and local merchants
San Francisco			
30	Union Square	Dept Stores/ Ped Street	Macy's, Saks, Neiman Marcus
31	Market Street / SF Center	Dept Stores/ Ped Street	Nordstrom, Bloomingdale's
32	Fillmore Street	Pedestrian Street	Marc Jacobs, Smith & Hawken
33	Hayes Valley	Pedestrian Street	Restaurants and local merchants
34	Valencia Street	Pedestrian Street	Restaurants and local merchants
35	Division Street / Bryant	Pedestrian Street	Best Buy, Bed Bath & Beyond, Trader Joe's
San Leandro			
36	BayFair Mall	Dept Store Anchor	Macy's, Target, Staples
37	Greenhouse Marketplace	Convenience	Longs, MacFrugals, Safeway
38	Marina Square Mall	Promotional	Ann Taylor, Nordstrom Rack
39	West Gate Shopping Center	Free Standing	Home Depot, Wal-Mart
Walnut Creek			
40	Broadway Plaza	Street/Free Standing	Macy's, Nordstrom, Banana Rep, Crate & Barrel
41	Olympia Place/Plaza Escuela	Street/Free Standing	Container Store
42	Old Downtown	Pedestrian Street	Local merchants



Figure 1. Retail Competition Map



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F. SHOPPER SURVEY AND PUBLIC MEETINGS

An online shopper survey was conducted to determine Oakland residents' and employees' current shopper patterns, preferences, and interest in retail enhancement. The original goal was to obtain 250 responses to the online survey. As of the writing of this report, more than 2300 surveys have been completed. The survey results are not scheduled to be available until after the conclusion of the consultant's efforts on the Upper Broadway area, and are therefore not included in this report.

A series of four public meetings were held in June and July to assess Oakland residents' interest in and concerns about retail enhancement. The outcome of these meetings is described in Appendix E:



III : UPPER BROADWAY SITE
OPPORTUNITIES



In 2006, the Oakland City Council directed staff to investigate the potential to relocate auto dealerships to the former Oakland Army Base. At the time the Council also made the decision to pursue a citywide retail strategy; the consultant effort was directed to focus on the former Auto Row/Upper Broadway area first, due to the possible availability of large sites in the area from auto dealer relocation to the Army Base in the near future. At the time of the writing of this report, two dealerships have made commitments to move to the Army Base. Other dealerships are currently in discussion about relocation, and several dealerships have announced plans to remain in the Upper Broadway area.

Even though at this time complete relocation of the current Auto Row to the Army Base does not seem likely in the near term, it does seem likely that major land use changes will happen in the Upper Broadway area in the foreseeable future. In that context, the team's work in the area can be seen as an illustration of what might be possible if the area were reused for major retail development.

A. SITE ACQUISITION COSTS

Sites in the Upper Broadway area have been selling at prices ranging from \$120 to \$155 per SF, and asking prices are currently as high as \$140/SF. For planning purposes, and in consultation with the City's Real Estate staff, the consultant team estimated the site

acquisition costs at prices ranging from \$120 to \$155/SF, depending on location. In addition to site acquisition costs, any land purchaser will have to demolish the existing structures on site and remediate any hazardous conditions. Demolition costs were roughly estimated \$8.50 per building SF and hazardous material remediation costs at \$22.28 per land SF based on recent cost levels at the Uptown residential development site at 20th and Telegraph. If the sites are acquired with public assistance, or as the result of Redevelopment policy, the current tenants will be entitled to relocation benefits. City staff estimated a rough order of magnitude costs for current site occupants. No relocation benefits were assumed for the auto dealerships, who are presumed to be moving voluntarily and prior to public obligation to pay relocation benefits.

Total acquisition costs for the site areas illustrated in Figure 2 are shown in Table 7, below. Average site acquisition costs



Zone 1	Site Area: 453,900 SF
Zone 2	Site Area: 384,700 SF
Zone 3	Site Area: 119,600 SF



are roughly estimated at almost \$181/SF, with land costs in Zone 2 and 3 at about \$195/SF.

	Zone 1	Zone 2	Zone 3	Totals
Land Area	521,000	409,550	119,579	1,049,215
Building Square Footage	116,791	132,481	15,926	265,198
Acquisition Cost	\$68,600,000	\$61,000,000	\$18,500,000	\$148,100,000
Hazmat Remediation	\$11,600,000	\$9,000,000	\$2,700,000	\$23,300,000
Demolition	\$1,000,000	\$1,100,000	\$140,000	\$23,300,000
Relocation	\$300,000	\$900,000	\$200,000	\$1,345,000
Total Costs	\$81,500,000	\$72,000,000	\$21,540,000	\$175,040,000
Plus 10% Contingency	\$89,000,000	\$79,000,000	\$23,500,000	\$191,500,000
Total Est. Cost per SF	\$170.28	\$192.90	\$196.25	\$180.87

Note: Totals may not add due to independent rounding.

Sources: CCG, City of Oakland, August 2007.

B. MIXED USE

As shown above, total site acquisition costs in the Upper Broadway Area (including land purchase, demolition, hazardous material remediation, and relocation), range from \$170 to \$196/SF, with an average cost across all zones of \$181/SF.

Thus, site acquisition costs in the Upper Broadway Area are among some of the highest in Oakland, and far above the costs which can be borne by single-use retail development. Since there are limited redevelopment resources available to subsidize land costs for development in this area³ the consultant team therefore assumed that retail development in the Upper Broadway Area would necessarily involve mixed use configurations that can support the full cost to buy the site and construct the improvements.

C. RETAIL PROTOTYPES FOR UPPER BROADWAY

1. Urban Mixed Use with Major Retail—is designed and planned to ensure that the retail component functions as a coherent whole, and maximizes the shopper drawing power and retail sales performance of the location. A critical mass of 450,000 SF is typically required for these projects. Leasing bays and window placement are designed to optimize the functionality of the retail use, and sufficient access is provided for restocking merchandise. These projects rely on both transit and parking to accommodate shopper access. Retail

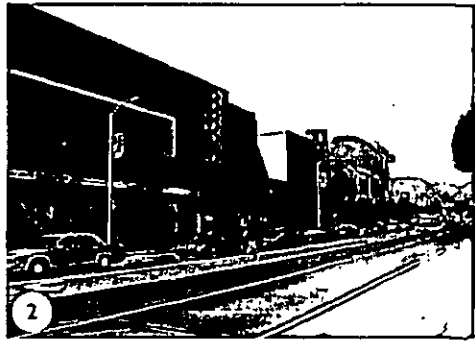
³The Upper Broadway area is included in two Redevelopment Project Areas. The Broadway MacArthur Project Area, which extends to 27th Street was recently adopted and has a limited tax increment flow. Below 27th Street, Upper Broadway is in the Central District Project Area, which is at the end of its term and will expire in six years. According to City sources, uncommitted tax increment funds in the Central District Project Area are extremely limited.

C. RETAIL PROTOTYPES FOR UPPER BROADWAY (Cont.)

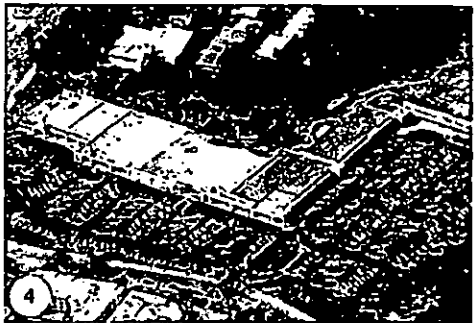
in multiple buildings is designed with a unified merchandising plan so that shoppers are confident that they can meet defined shopping needs. The project often includes either anchor or mini-anchor tenants to draw shoppers, and primarily offers comparison goods, sometimes in combination with dining and entertainment uses. The term lifestyle retail has been applied to both anchored and unanchored retail centers, and can apply to mixed use centers as well. Lifestyle centers often recreate the shopping environment of successful retail streets that developed over time, sometimes requiring great effort to do so (Alternative 1 on page 26).



2. *Large Format Stores*—are typically above 80,000 SF in size and may range up to 140,000 SF. Most stores require 4 to 5 parking spaces per 1,000 SF, and most stores prefer a single use, single story building. Shoppers are drawn to these stores because they are well known to offer a pricing advantage and/or depth of selection not found in smaller stores. A few retailers who are committed to expanding in urban areas where land is both scarce and expensive have developed multi-floor store prototypes and will consider structured parking solutions (Alternative 2 on page 28).



3. *Mixed Use with Secondary Retail*—is planned to maximize the value of the upper floor use, which is the main source of value to the investor/developer. Ground floor retail uses receive secondary concern in project design and development. If the upper floor use is eventually sold, the developer's ongoing interest in the project can be minimal. Achieving and maintaining an optimum merchandising mix, and high quality ongoing retail management is often not a priority for this development prototype. As opposed to the other prototypes, this is not destination retail: the stores, with the exception of restaurants and nightclubs, are



From top to bottom:
 Image 1 – Santana Row, San Jose, is an example of Urban Mixed Use with Major Retail;
 Image 2 – West Hollywood Gateway is an example of Large Format Stores;
 Image 3 – 4th St and Jackson St, Oakland, is an example of Mixed Use with Secondary Retail;
 Image 4 – Safeway, Longs, etc. at Broadway and Pleasant Valley Ave. Oakland, is an example of suburban style retail.



usually patronized by residents or employees from the immediate surrounding area. Under current Oakland zoning, a building with less than 10,000 SF of ground floor retail is not required to provide parking access or set aside space to accommodate truck loading and servicing for the retail use (*Alternative 3 on page 30*).

4. *Suburban Style Retail*—includes both anchors stores (between 25,000 and 50,000 SF in size) and small shop space in single use buildings with surface parking. The FAR, or floor area ratio (the ratio between site area and total building area) is typically about .25, and parking is typically provided at a ratio between 4 and 5 spaces per 1,000 SF of retail space. The goods sold could include comparison goods and convenience goods, or sometimes a blend of the two.

D. UPPER BROADWAY RETAIL DEVELOPMENT OPPORTUNITIES

Background

The Upper Broadway site is very possibly the last chance for Oakland to reestablish destination retail at its historic, cultural and economic core. From the City's founding in the 1850s until as recently as just before the Great Depression, downtown Oakland was the central retail hub for the East Bay, serving much the same role as Union Square serves in San Francisco and Downtown Walnut Creek serves for Contra Costa County and beyond. In particular, Washington Street between 9th Street and City Hall, and Broadway between 13th and 19th Streets were the East Bay's strongest shopping area for nearly one hundred years.

A variety of factors, including improved transportation between the East Bay and San Francisco, the construction of the Caldecott tunnel and the growth of Contra Costa County to the East, gave rise to Oakland becoming "sandwiched" between two evermore prosperous retail centers, one following a strong urban model, the other a strong suburban model. A similar pattern occurred in other American cities such as New York City and Chicago where "first ring" inner cities have suffered the greatest loss of retail and other economic activity.

As has happened in the Bay Area as well as cities across the country, new retailing has over the past 20 years been reestablished to the inner ring, but generally on former industrial sites, such as those in Emeryville. More rarely has an inner ring city been able to reestablish downtown retail where it had previously existed. Two good examples of revitalized first ring downtowns are Santa Monica and Pasadena



Top left: Washington St. Oakland, in the 1940s with major comparison retail at street level on the site of the present day Oakland City Center. Bottom left: Latham Square, Oakland, in 1939, with major comparison retail at street level.

D. UPPER BROADWAY RETAIL DEVELOPMENT OPPORTUNITIES (Cont.)

in Southern California. Both cities had virtually no destination retail 30 years ago, but both successfully recaptured the kind of tenants that previously could only be found in suburban regional malls. (See *Pasadena Case Study* side bar on page 40)

Oakland's efforts to reclaim its retail are not new. In the late 1960s and 1970s a strong effort was made to create a new regional shopping center on the site that eventually became City Center office development with only convenience retail serving a daytime population. A similar failed effort (which nearly succeeded at one point) was the site of the present Forest City development opposite Sears.



Above: Former J. Magnin department store on the corner of Broadway and 20th Street, Oakland, closed in the 1980s.

Alternatives

The three development alternatives encompassing zones 1, 2 and 3 (see Figure 2 on page 20) are all designed to define a strong pedestrian-oriented urban vision supporting retail on key designated streets. They are designed to be specific enough to enable programmatic objectives, while flexible enough to encourage creativity by individual developers.

Major new development is shown focused on the large parcels where their current use as automobile dealerships and other uses may be coming to an end. All three alternatives retain existing historical resources and small parcels which would be difficult to assemble under a single ownership. New development is to be carefully massed and articulated to relate to the existing historical resources. All three alternatives address the significance of Broadway, the city's Main Street, and its proximity to downtown, as well as its relationship to adjacent residential neighborhoods, "Pill Hill" medical campuses and the fine existing retail street of Piedmont Avenue, and the site's location near the edge of Lake Merritt.

Finally these alternatives look at taking advantage of both local and regional access by car, transit and bicycle. The site is inherently advantageous to retail developers as it is easily accessible from several of the busiest freeways in the country. In addition, the necessity of augmenting the streetscape plan in concert with new retail uses allows for opportunities of coordinated transit improvements including additional bike lanes and even light rail. A more comprehensive description of potential streetscape improvements is shown in the Design Guidelines in Appendix B of this report.

The three alternatives are designed around different retail programs and intents. Alternatives 1 and 2 are based on retail programs intent on reducing retail leakage from Oakland to "Lifestyle" types of retailers such as those found at Union Square and Walnut Creek, or



UPPER BROADWAY STRATEGY

A Component of the
OAKLAND RETAIL ENHANCEMENT STRATEGY
 Last Updated: September 11, 2007

"Power Center" tenants such as those found at East BayBridge Center in Emeryville. In particular, the goal for the Alternatives is to reestablish the destination retail that once existed in downtown Oakland, creating at the edge of the downtown, Oakland's own unique variation of a retail heart for the community like Union Square is to San Francisco or downtown Walnut Creek is to Contra Costa County.

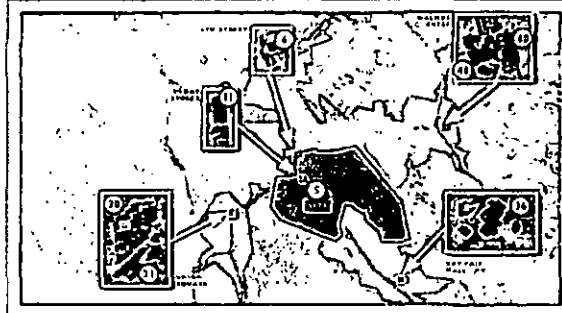
Alternative 3 is based upon on a retail program serving primarily "Neighborhood" or "Community" retail such as those found nearby on College and Piedmont Avenues. The diagrams to the right represent a scale comparison of the Auto Row Upper Broadway site and other prominent retail centers in Berkeley, Emeryville, San Francisco, Walnut Creek and San Leandro.

The alternatives studied and presented to the City in May 2007 include:

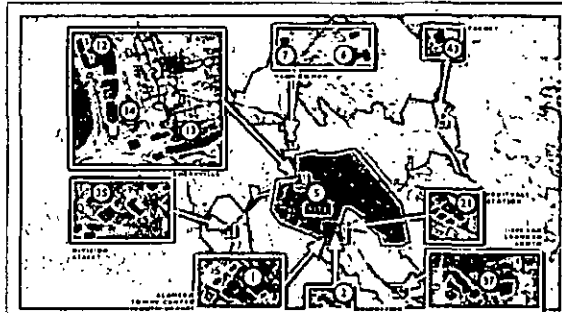
- Alternative 1, "Urban Mixed Use with Major Retail", which focuses on anchored, continuous comparison goods retail at ground level along major arterials of Broadway, 27th Street and Valdez Street, as the primary use in each of the three zones, with residential development above the ground level retail
- Alternative 2, "Large Format Stores", which focuses on individual big box retail anchors at ground level along major arterials Broadway and 27th Street, with residential development in Zone 3 along Valdez Street
- Alternative 3, "Mixed Use with Secondary Retail", which focuses on residential development along major arterials Broadway, 27th Street and Valdez Street, with retail being accommodated along the ground level of these arterials as a secondary use, most likely convenience and food and beverage outlets.

These three alternatives will be explained in greater detail on the following pages.

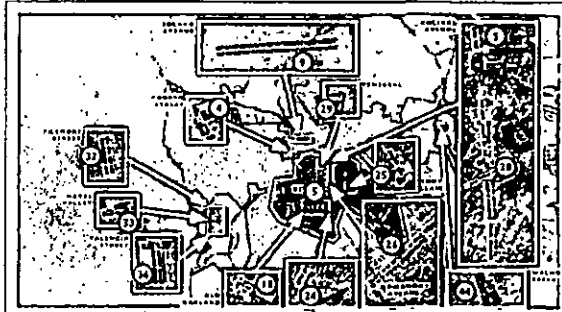
ALTERNATIVE 1 COMPETITION



ALTERNATIVE 2 COMPETITION



ALTERNATIVE 3 COMPETITION



KEY

- Major Anchor
- Cinema
- Small to Medium Stores
- Non-chain Destination

- ALAMEDA**
- Alameda Towne Center
 - Alameda Bridgeside Ctr
 - Marina Village
- BERKELEY**
- Fourth Street
 - Elmwood
 - Gilman St & San Pablo
- EL CERRITO / ALBANY**
- Target
 - Costco
 - Solano Avenue
- EMERYVILLE**
- Emeryville Marketplace
 - Bay Street
 - Powell Street Plaza
 - East BayBridge Center
 - IKEA
- OAKLAND**
- Jack London Square
 - Related Jack London
 - City Center
 - Old Oakland
 - Coliseum Plaza
 - Durant Square
 - Fruitvale Station
 - Hegenberger Gateway
 - High Street
 - Lakeshore
 - Montclair
 - Piedmont Avenue
 - Rockridge Shopping Ctr
 - Rockridge
 - Temescal
- SAN FRANCISCO**
- Union Square
 - Market St / SF Ctr
 - Fillmore St
 - Hayes Valley
 - Valencia St
 - Division St / Bryant
- SAN LEANDRO**
- Bay Fair Mall
 - Greenhouse Marketplace
 - Marina Square Mall
 - West Gate Shopping Ctr
- WALNUT CREEK**
- Broadway Plaza
 - Olympia Place
 - Old Downtown
 - Target



E. ALTERNATIVE I : URBAN MIXED USE WITH MAJOR RETAIL

This Alternative includes destination, comparison goods retail in a lifestyle or regional retail center format as the primary use in each of the three Zones. There is capacity to accommodate up to four Anchor stores in a multi-story format with 50,000 SF floor plates, plus mini anchors (from 10,000 SF up to 50,000 SF) as well as small shop space and parking. This option is mixed use, accommodating residential development on the upper floors. Within this Alternative there are three Combinations, as follows:

Table 8: Alternative I - Development Combinations

Combination*	Zones Developed	Anchor Stores (2 Story)	Mini Anchors (2 Story)	Small Shop Space (1 Story)	Grand Total	Total Parking Spaces (Existing Spaces)
A	1 and 2	4 anchors total, 510,000 SF	200,700 SF	239,900 SF	950,600 SF	7,357 (1,000)
B	2 and 3	2 anchors total, 247,600 SF	192,000 SF	183,000 SF	622,900 SF	4,650 (1,000)
C	1, 2 and 3	4 anchors total, 510,000 SF	286,700 SF	279,500 SF	1,076,000 SF	8,357 (1,000)

Table 9: Alternative I - Area Tabulation

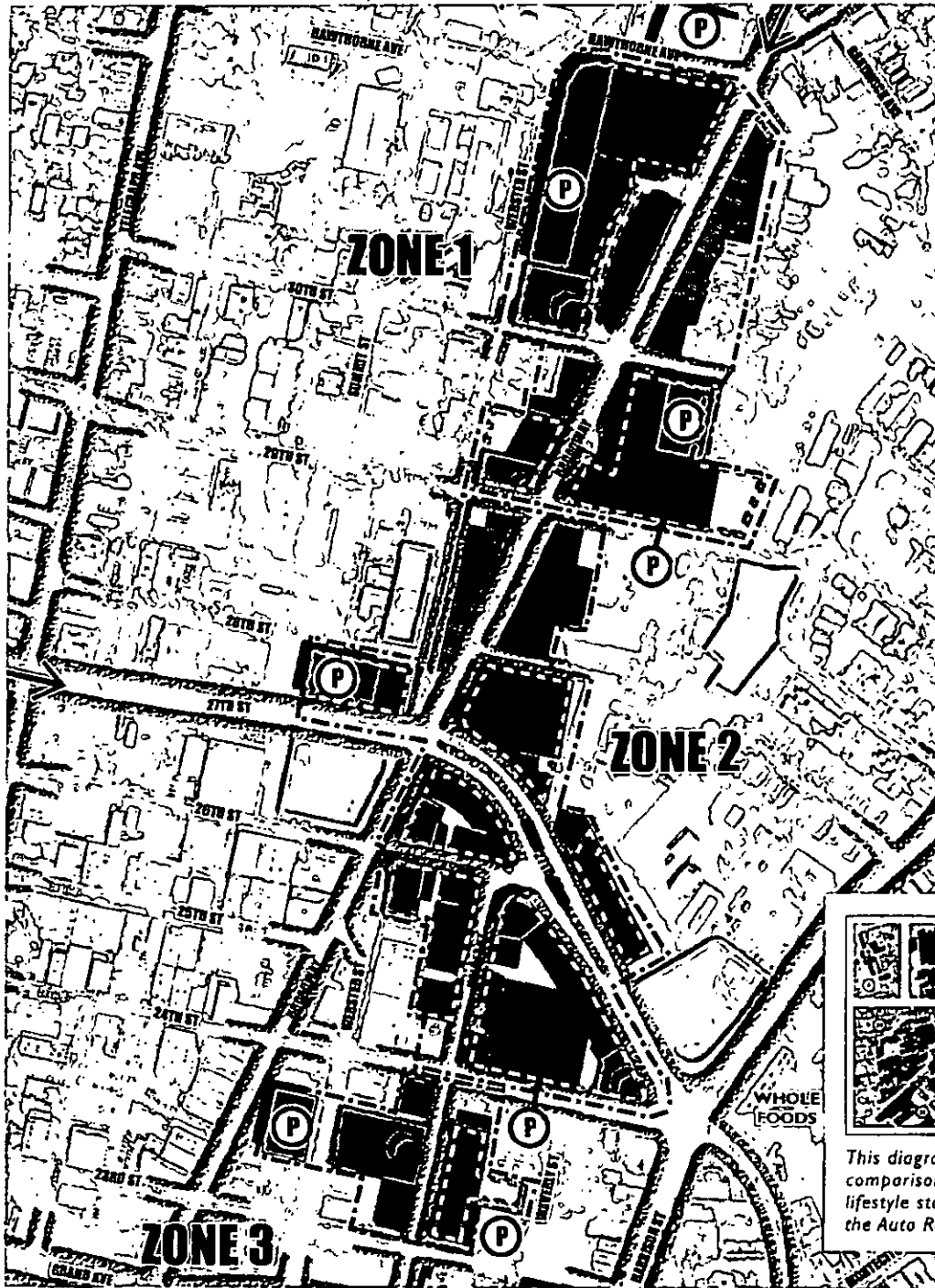
	Site Area	Large Anchors (50,000+ GSF)	Mini Anchors (10,000-49,999 GSF)	Small Stores (Under 10,000 GSF)	Total Retail	Parking (Spaces)	Residential Units
Zone 1							
Site 1	253,900 SF	147,400 SF	65,500 SF	51,700 SF	264,600 SF	2,000	480 units
Site 2	158,700 SF	115,000 SF	-	31,100 SF	146,100 SF	1,207	280 units
Site 3	41,300 SF	-	29,200 SF	13,400 SF	42,600 SF	-	75 units
Existing Parking**						500	
Total	453,900 SF	262,400 SF	94,700 SF	96,200 SF	453,300 SF	3,707	835 units
Zone 2							
Site 4	38,600 SF	-	-	9,400 SF	9,400 SF	750	70 units
Site 5	78,700 SF	116,400 SF	-	10,700 SF	127,100 SF	750	120 units
Site 6	45,600 SF	-	22,600 SF	31,000 SF	53,600 SF	-	80 units
Site 7	109,400 SF	-	28,000 SF	38,500 SF	66,500 SF	850	76 units
Site 8	71,900 SF	131,200 SF	55,400 SF	25,400 SF	212,000 SF	300	300 units
Site 9	40,500 SF	-	-	28,700 SF	28,700 SF	-	60 units
Total	384,700 SF	247,600 SF	106,000 SF	143,700 SF	497,300 SF	2,650	706 units
Zone 3							
Site 10	67,200 SF	-	86,000 SF	11,300 SF	97,300 SF	400	160 units
Site 11	52,400 SF	-	-	28,300 SF	28,300 SF	300	60 units
Existing Parking**						1,300	
Total	119,600 SF	-	86,000 SF	39,500 SF	125,600 SF	2,000	220 units
Grand Tot.	958,200 SF	510,000 SF	286,700 SF	279,500 SF	1,076,200 SF	8,357	1761 units

*Combinations incorporating Zone 3 have the potential to connect to the Uptown and Lake Merritt areas, thus drawing support from and reinforcing Downtown. There is additional potential to accommodate retail on the western side of Broadway in Zone 2, under separate ownership and management.

**Existing parking to be confirmed and may include the use of existing parking structures which may not be fully utilized on the weekend. These include the Broadway Webster Medical Plaza on the corner of Broadway and Hawthorne St, the YMCA on Broadway, and the 180 Grand Public Parking on the corner of 23rd St and Waverly St.

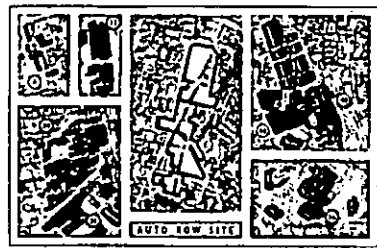


Figure 3. Alternative 1 – Urban Mixed Use with Major Retail



KEY

- Anchor/Cinema
- Mini Anchor
- Small Stores
- Existing Building
- Parking
- Places of Worship
- Existing Parking
- Proposed Parking
- Zone Boundary
- Upper Level Residential



This diagram indicates a scale comparison of comparison goods lifestyle stores from the Bay Area with the Auto Row Upper Broadway site.

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F. ALTERNATIVE 2 : LARGE FORMAT STORES

This Alternative is retail focused, and includes big box retail tenants developed as freestanding stores in the Upper Broadway area. These big box tenants would address a portion of the shortage of comparison goods retail supply for the City of Oakland. There is the potential to add small shop stores, but generally this Alternative depends on the individual stores, rather than creation of a unified shopping environment to draw customer traffic. Within this Alternative there are three Combinations, as follows:

Combination*	Zones Developed	Anchor Stores (2 Story)	Mini Anchors (2 Story)	Small Shop Space (1 Story)	Grand Total	Total Parking Spaces (Existing Spaces)
A	1 and 2	8 anchors total. 990,700 SF	-	66,300 SF	1,057,000 SF	5,010 (1,000)
B	2 and 3	5 anchors total. 546,700 SF	-	122,000 SF	668,700 SF	3,710 (1,000)
C	1, 2 and 3	8 anchors total. 990,700 SF	-	122,000 SF	1,112,700 SF	5,810 (1,000)

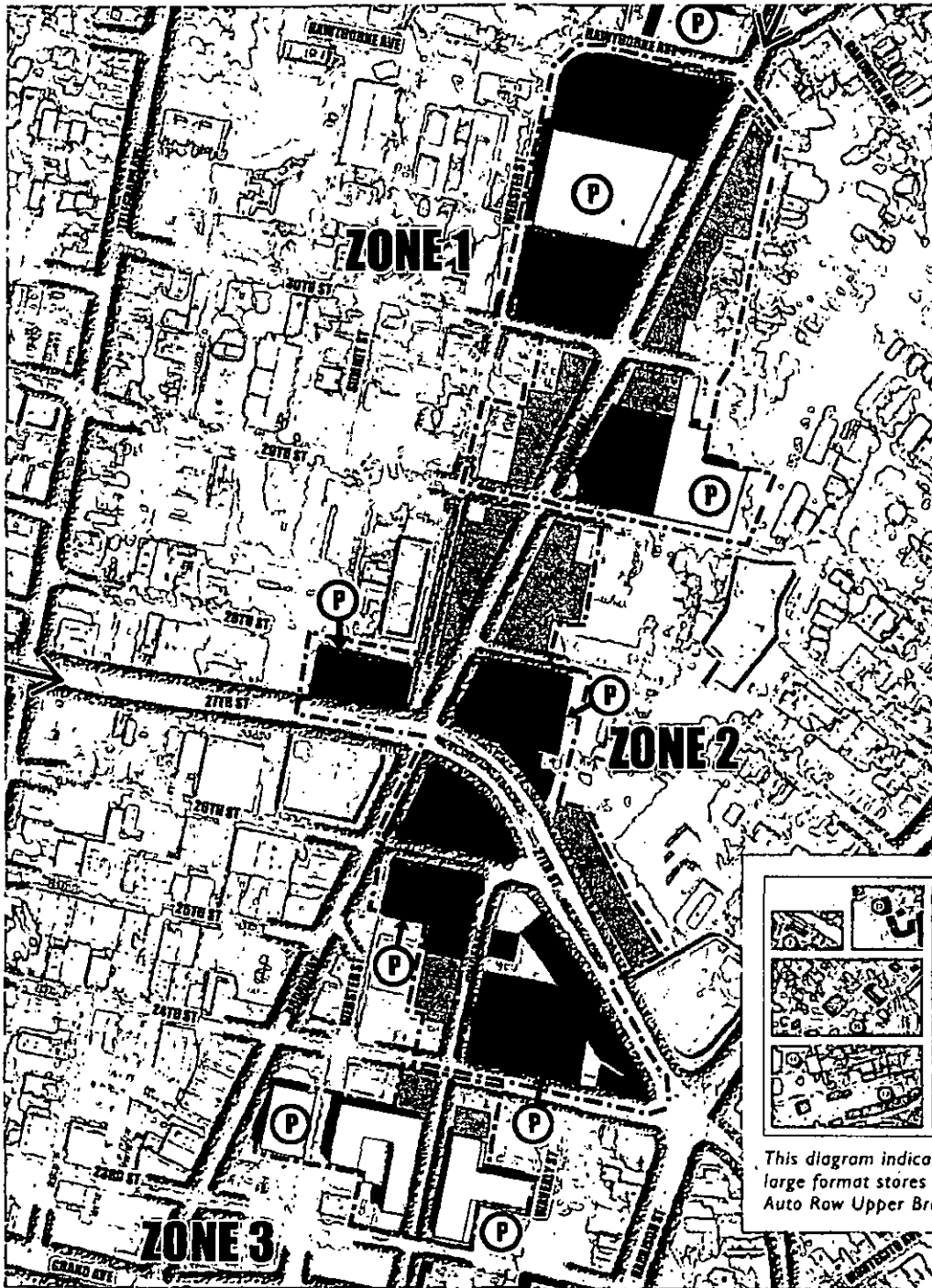
	Site Area	Large Anchors (50,000+ GSF)	Mini Anchors (10,000-49,999 GSF)	Small Stores (Under 10,000 GSF)	Total Retail	Parking (Spaces)	Residential Units
Zone 1							
Site 1	253,900 SF	332,000 SF	-	-	332,000 SF	1,000	-
Site 2	158,700 SF	112,000 SF	-	-	112,000 SF	600	-
Existing Parking**						500	
Total	412,600 SF	444,000 SF	-	-	444,000 SF	2,100	-
Zone 2							
Site 4	38,600 SF	77,200 SF	-	-	77,200 SF	225	-
Site 5	78,700 SF	116,400 SF	-	10,700 SF	127,100 SF	450	-
Site 6	45,600 SF	116,600 SF	-	-	116,600 SF	450	-
Site 7	109,400 SF	77,800 SF	-	12,000 SF	89,800 SF	225	-
Site 8	71,900 SF	158,700 SF	-	43,600 SF	202,300 SF	500	-
Total	344,200 SF	546,700 SF	-	66,300 SF	613,000 SF	1,910	-
Zone 3							
Site 10	67,200 SF	-	-	27,000 SF	27,000 SF	300	200 units
Site 11	52,400 SF	-	-	28,700 SF	28,700 SF	200	75 units
Existing Parking**						1,300	
Total	119,600 SF	-	-	55,700 SF	55,700 SF	1,800	275 units
Grand Tot.	876,400 SF	990,700 SF	-	122,000 SF	1,112,700 SF	5,810	275 units

*Combinations incorporating Zone 3 have the potential to connect to the Uptown and Lake Merritt areas, thus drawing support from and reinforcing Downtown.

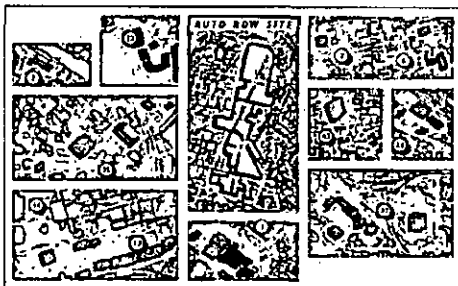
**Existing parking to be confirmed and may include the use of existing parking structures which may not be fully utilized on the weekend. These include the Broadway Webster Medical Plaza on the corner of Broadway and Hawthorne St, the YMCA on Broadway, and the 180 Grand Public Parking on the corner of 23rd St and Waverly St.



Figure 4. Alternative 2 – Large Format Stores



KEY	
	Anchor/Cinema
	Mini Anchor
	Small Stores
	Existing Building
	Residential
	Parking
	Places of Worship
	Existing Parking
	Proposed Parking
	Zone Boundary



This diagram indicates a scale comparison of large format stores from the Bay Area with the Auto Row Upper Broadway site.

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G. ALTERNATIVE 3 : MIXED USE WITH SECONDARY RETAIL

In this Alternative, the primary focus is on non-retail development, with retail accommodated on the ground floor of buildings constructed for another use, illustrated here as residential. It is assumed in this Alternative that the needs of anchor and mini-anchor tenants can not be met; all of the retail is small shop space. The nature of this retail is likely to be primarily convenience and food and beverage outlets, and with a strong representation of service businesses catering to the residents. As such the market potential of the space must be carefully tested in the next phase, before the amount of space identified here as physically possible can be deemed feasible to develop. Within this Alternative there are three Combinations, as follows:

Table 12: Alternative 3

Combination*	Zones Developed	Anchor Stores (2 Story)	Mini Anchors (2 Story)	Small Shop Space (1 Story)	Grand Total	Total Parking Spaces (Existing Spaces)
A	1 and 2	-	-	256,000 SF	256,000 SF	4,800 (1,000)
B	2 and 3	-	-	211,400 SF	211,400 SF	3,080 (1,000)
C	1, 2 and 3	-	-	312,000 SF	312,000 SF	5,680 (1,000)

Table 13: Alternative 3 Area Tabulation

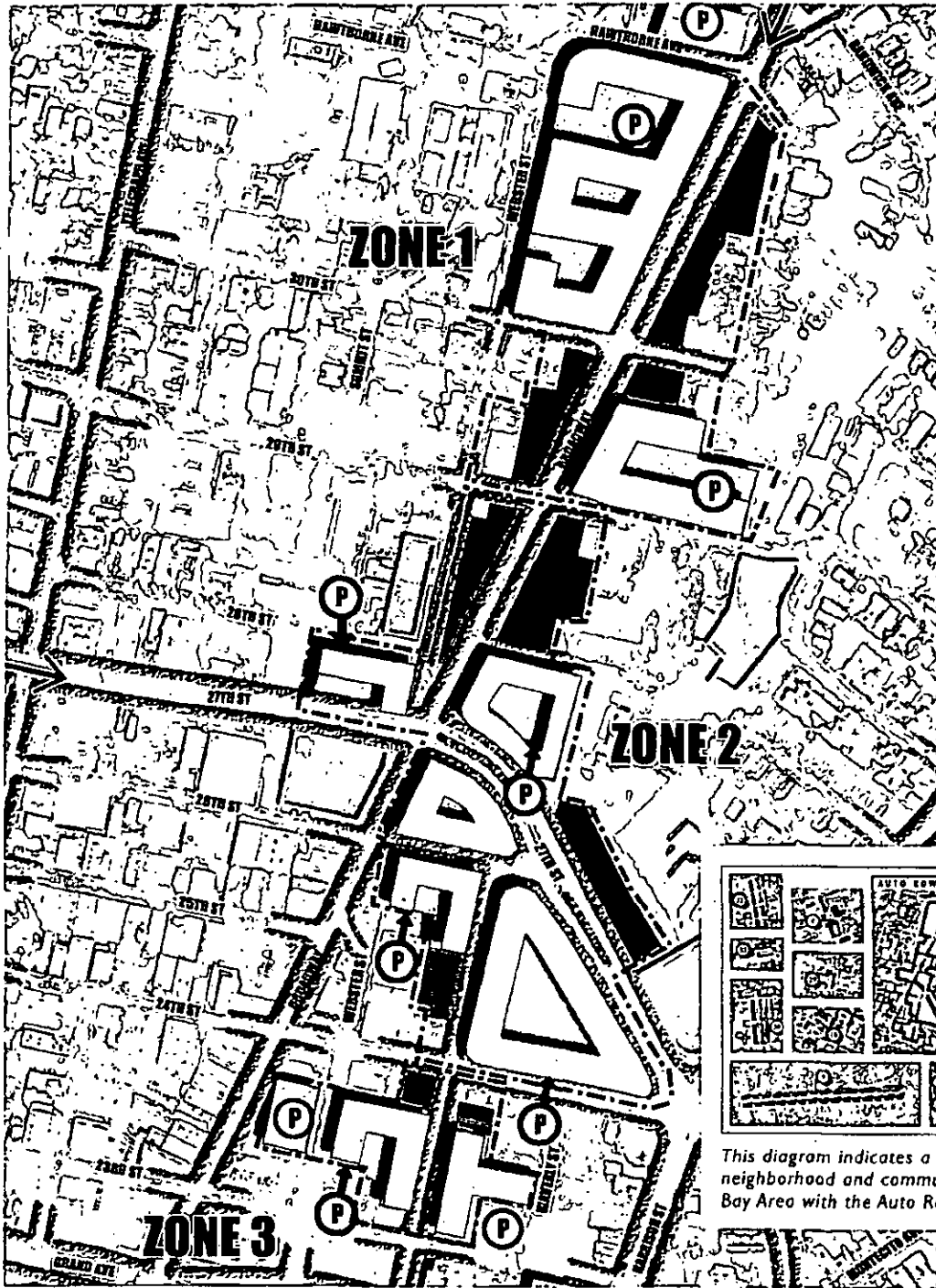
	Site Area	Large Anchors (50,000+ GSF)	Mini Anchors (10,000-49,999 GSF)	Small Stores (Under 10,000 GSF)	Total Retail	Parking (Spaces)	Residential Units
Zone 1							
Site 1	253,900 SF	-	-	76,500 SF	76,500 SF	1,500	700 units
Site 2	158,700 SF	-	-	24,100 SF	24,100 SF	600	350 units
Existing Parking**						500	
Total	412,600 SF	-	-	100,600 SF	100,600 SF	2,600	1,050 units
Zone 2							
Site 4	38,600 SF	-	-	9,400 SF	9,400 SF	250	110 units
Site 5	78,700 SF	-	-	28,600 SF	28,600 SF	200	110 units
Site 6	45,600 SF	-	-	40,000 SF	40,000 SF	-	85 units
Site 7	109,400 SF	-	-	22,900 SF	22,900 SF	350	85 units
Site 8	71,900 SF	-	-	54,800 SF	54,800 SF	480	400 units
Total	344,200 SF	-	-	155,700 SF	155,700 SF	1,280	790 units
Zone 3							
Site 10	67,200 SF	-	-	27,000 SF	27,000 SF	300	200 units
Site 11	52,400 SF	-	-	28,700 SF	28,700 SF	200	75 units
Existing Parking**						1,300	
Total	119,600 SF	-	-	55,700 SF	55,700 SF	1,800	275 units
Grand Tot.	876,400 SF	-	-	312,000 SF	312,000 SF	5,680	2,115 units

*Combinations incorporating Zone 3 have the potential to connect to the Uptown and Lake Merritt areas, thus drawing support from and reinforcing Downtown.

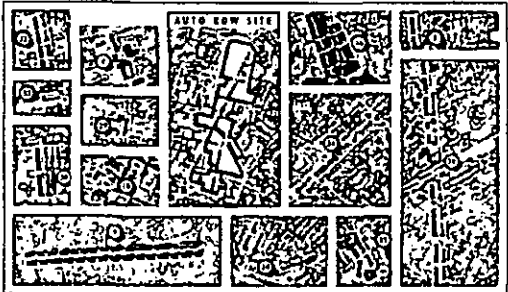
**Existing parking to be confirmed and may include the use of existing parking structures which may not be fully utilized on the weekend. These include the Broadway Webster Medical Plaza on the corner of Broadway and Hawthorne St, the YMCA on Broadway, and the 180 Grand Public Parking on the corner of 23rd St and Waverly St.



Figure 5. Alternative 3 – Mixed Use with Secondary Retail



KEY	
	Small Stores
	Existing Building
	Residential
	Parking
	Places of Worship
	Public Parking
	Proposed Parking
	Zone Boundary



This diagram indicates a scale comparison of neighborhood and community retail stores from the Bay Area with the Auto Row Upper Broadway site.

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IV : FEASIBILITY AND CITY ACTION REQUIREMENTS

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A. MARKET OPPORTUNITY

A site of at least ten acres in the vicinity of 27th and Broadway has the potential to support enough retail to reverse existing shopper patterns for comparison goods stores. Thus a Primary Trade Area for 27th and Broadway can be defined as the geographic area from which the residents can be expected to contribute the majority of their shopper support to a complex of comparison goods, based on the following assumptions:

- Adequate vehicular access and parking will be available, supplemented to the extent feasible by transit access. It is likely that the major, customer-attracting retail stores will require parking at about four to five spaces per thousand square feet of retail space to commit to this retail location, even if adequate transit becomes available.
- A critical mass of retail is developed with a coordinated merchandising plan with a distribution of types of stores and shopper amenities such that consumers can be confident of the types, quality, and depth of selection available.
- The tenant mix is appropriate to the preferences of the customer base. The retail complex must serve a recognizable market niche, or cluster of related niches. A popularly priced or lower end retail mix is not likely to capture support from the middle to upper end consumers who are currently poorly served in Oakland.
- Shoppers and merchants are free of concern about crime. For shoppers this means freedom from fear of crime against their persons or possessions as they enter and leave the retail environment and while shopping. For merchants this means assurance that their merchandise is secure until purchased, and their employees are secure as they travel to and from work.
- After initial development, the ongoing management of the center is performed at the highest standards, including: marketing and promotion, releasing and tenancing, security, and maintenance.

1) Primary Trade Area

The Primary Trade Area is defined in Figure 6, left. Other shoppers, both within and outside of the City of Oakland, are also likely to patronize a successful retail complex in Upper Broadway, but not as their primary shopper location. The Primary Trade Area extends from the southern border of the University campus in Berkeley to Oakland's southern boundary, and from Alameda County's eastern border to the Bay. It includes

Figure 6. Primary Trade Area Map

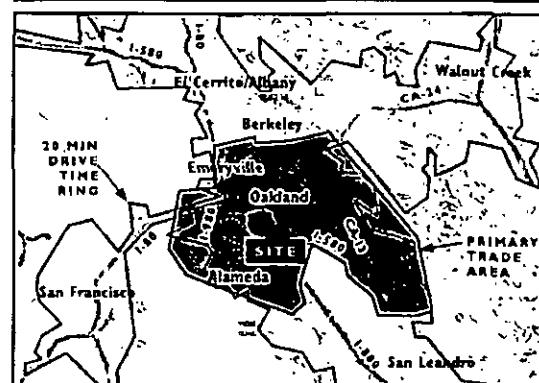


Table 14. Primary Trade Area

Population	Primary Trade Area	15 Min. Drive Time	20 Min. Drive Time
2012 Projection	400,000	830,000	1,670,000
2007 Estimate	390,000	810,000	1,640,000
Growth 2007-2012	1.8%	2.5%	2.1%
Growth 2000-2007	0.3%	1.2%	0.4%
2007 Est. Per Capita Income	\$32,000	\$30,000	\$33,000
2007 Est. Average Age	38.4	38.2	38.9
Households			
2012 Projection	170,000	335,000	670,000
2007 Estimate	160,000	325,000	660,000
Growth 2007-2012	1.5%	2.2%	1.7%
2007 Est. Avg Household Income	\$76,000	\$74,000	\$82,000
2007 Est. Avg Household Size	2.3	2.4	2.5

Source: Claritas Inc, August 2007.

Table 15. Primary Trade Area Lifestyle Profiles

Cluster Name	2006 Households	% of Households*	Oakland/ U.S. Index
Young Digerati	11,000	6%	522
Money and Brains	21,000	13%	617
Bohemian Mix	29,000	18%	994
Cosmopolitans	7,000	4%	357
American Dreams	13,000	8%	370
Urban Achievers	23,000	14%	900
Multi-Culti Mosaic	7,000	4%	257
Close-In Couples	8,000	5%	414
Upper Crust	5,000	3%	204
Blue Blood Estates	2,000	1%	139
Movers and Shakers	4,000	3%	168
Big City Blues	6,000	4%	353

Source: CCG, Claritas Inc., August 2007.

PRIZM defines Lifestyle Profiles based on clusters of demographic and buying behavior characteristics to predict consumer behavior. Forty-nine percent of the Trade Area households belong to the clusters grouped under the heading "Urban Uptown," defined as the nation's

the cities of Alameda and Piedmont in their entirety. A portion of the City of Oakland which is below MacArthur and east of Fruitvale is excluded based on the assumption that those residents will likely patronize existing retailers to the south, including the major retailers now located along the I-880 freeway, and those scheduled to be located there in the near future.

The residents of the Primary Trade Area comprise a large and potentially lucrative market for retail goods and services which could be served from a site near 27th Street and Broadway. There are about 390,000 residents in the Trade Area, who occupy over 160,000 households. These households span a broad range of incomes: 38,000 households have annual incomes at or above \$100,000, 45,000 households have yearly incomes between \$50,000 and \$100,000, and 81,000 households have incomes below \$50,000. The average household income of Trade Area residents is roughly \$76,000. Per capita income is \$32,000 per year, 25% above the California state average

Within a 15-minute drive of 27th Street and Broadway, there are an estimated 830,000 people with an average household income of nearly \$74,000, and this population is expected to grow over 2% over the next five years. Within a 20-minute drive, the population is estimated at 1,640,000 with average household incomes of \$82,000.

2) Consumer Lifestyle Profiles

Based on a combination of demographic and socio-economic factors, Claritas

*Cluster lifestyle profiles detailed in this table are only those with significant concentration in Oakland, resulting in the total percentage of households not adding to 100%.

Walnut Creek Case Study

Walnut Creek is one of the Bay Area's strongest regional-serving retail locations, with average performance in terms of rents and sales volumes higher than all other retail concentrations except for Union Square (San Francisco) and Stanford Shopping Center. Since the first phase of Broadway Shopping Center was privately developed in 1951, the City has played a strong role in guiding the future and success of its retail sector. Starting with the "Little Master Plan" in 1956, the City made decisions on how best to manage its growing retail sector, including public funding for infrastructure improvements. These improvements were the only public investments to date.

In 1996, the City developed the "East Mt. Diablo Boulevard Specific Plan" in order to ensure that the expanding Broadway Plaza retail area contributed to the ongoing vitality of the adjacent downtown retail district. Economic Feasibility testing is an important part of the City's retail development plans.

A. MARKET OPPORTUNITY (CONT.)

wealthiest urban consumers with the most sophisticated tastes. The diverse, predominantly childless group called Midtown Mix includes another 23% of Trade Area households. The primary Trade Area has three to ten times greater concentration of households in these clusters than does the nation as a whole. (See Appendix C for Cluster Profile Definitions)

3) Diversity

Like Oakland, the Trade Area is quite diverse, with a population becoming increasingly balanced between Whites, African Americans, Latinos and Asians. Diversity is spread among every neighborhood, with each group represented at every income level.

Table 16. Trade Area Diversity

	2007 Est. Population
Euro American	170,000
African American	90,000
Latino American	55,000
Asian American	85,000
Total	400,000

Source: CCG, Claritas Inc., August 2007.

4) Trade Area Residents' Spending Power

Trade Area residents have an average annual expenditure potential of nearly \$1.7 Billion for comparison goods, sold in stores such as apparel, home furnishings, and department stores; an additional \$802 Million for goods sold in supermarkets, drug stores, and other convenience retail outlets; and a total potential support for retail stores of \$4.7 Billion.

5) Trade Area Employees

The Upper Broadway Trade Area also has a large and growing employment base. Trade Area workers represent almost 250,000 households. Census 2000 data show that of the 175,000 workers who traveled to jobs in Oakland, 67,000 came from homes in Oakland. The remainder are residents of other communities, and thus represent a potential for retail sales over and above the sales supported by City residents. Oakland employees fall into some of the most attractive lifestyle clusters for retailers. Approximately 52,000 office employees work in the central Oakland area within two miles of Upper Broadway. The annual spending power of the downtown Oakland employment base is roughly \$283 Million.

Table 17. Trade Area Workforce Clusters

Cluster Name	2006 Households	% of Households*	Oakland/ U.S. Index
Young Digerati	16,000	6%	500
Money and Brains	39,000	16%	700
Bohemian Mix	37,000	15%	840
Cosmopolitans	7,000	3%	240
American Dreams	14,000	6%	220
Urban Achievers	18,000	7%	520
Multi-Culti Mosaic	7,000	3%	170
Close-In Couples	6,000	3%	280
Upper Crust	13,000	5%	340
Blue Blood Estates	3,000	1%	90
Movers and Shakers	16,000	6%	370
Big City Blues	10,000	4%	390

Source: CCG, Claritas Inc., MetaFacts, August 2007.
*Cluster lifestyle profiles detailed in this table are only those with significant concentration in Oakland, resulting in the total percentage of households not adding to 100%.



B. RETAIL FEASIBILITY ISSUES

Multiple methodologies were employed to test the potential development feasibility of a major retail project on Upper Broadway. These tests included:

- Retail Expert Feasibility Testing – where experienced retail developers and experts were interviewed by members of the consulting team to gather insights into key concerns and issues
- Financial Feasibility Testing – an analysis of the development and operating proforma for three illustrative alternative configurations of retail development projects in Upper Broadway on Zone 1 (see Figure 2 on page 20)
- Case Study Research – which covered 14 different examples of retail revitalization efforts in communities analogous to Oakland.

The results of these assessments are shown below.

1) Retail Expert Feasibility Test

In order to efficiently identify the key feasibility issues impacting this development opportunity, the consultant team prepared a package of materials on the project, including the site and the potential development plans, market demographics and opportunity, site acquisition costs, and the limited public funds availability. These materials were presented individually to retail experts and developers, who were asked a series of questions on the attractiveness and feasibility of the Upper Broadway retail development concepts developed by the team.

The findings of these feasibility test sessions are summarized below, in two sections: first, the lessons learned from other urban retail development projects, followed by specific recommendations for success of the Oakland project.

a. Urban Retail Lessons Learned:

- Without sufficient critical mass, unanchored retail won't capture enough market support to succeed over the long term. A southern California project was cited as an example of a center where public sector was able to "force-feed" (e.g. provide subsidies to) the key tenants but did not achieve a sufficient critical mass of retail development to make the project viable in the long run. The tenants were ultimately not able to sustain sufficient sales levels to be successful and they are now closing.
- Some apparently successful unanchored lifestyle centers (such as Santana Row, Bay Street) actually borrow from adjacent retail to achieve the required critical mass to attract customer traffic.
- For a lifestyle center, a minimum size of 200,000 SF, but preferably 400,000 SF is required, especially without adjacent anchor stores to assure customer draw.

Walnut Creek Case Study (Cont.)

Based on these plans, the City was able to forgo proposed privately sponsored developments that did not meet public retail development objectives and give approvals only to projects that were fully consistent with City goals.

City officials stress that the public commitment to specific retail development goals, and the ability to maintain those commitments over time and across election cycles, was the key to the long term success of the retail sector. Currently, the City's main concern is with managing the impacts of success: the City is considering strategies to manage parking resources more efficiently, and there is some local concern with the congestion caused by the popularity of Walnut Creek with shoppers through out the region.

Today, with a healthy retail sector that clearly demonstrates the ability to capture sales support from a large and affluent Trade Area, there is a virtual waiting list of tenants seeking any available Walnut Creek location.



Park Street Alameda Case Study

Like many other neighborhood retail districts around the country, Park Street in Alameda has experienced distinct periods of decline followed by reinvestment.

In 1998, the street was experiencing a low point in one of these cycles due to decades of disinvestment and the closure of long-term businesses. A private developer who owned an entire block in the retail district played a catalytic role in Park Street's turnaround with several high-quality renovations that attracted viable tenants like Starbucks.

During this time, the City offered a façade improvement grant program that was aggressively marketed by the Park Street Business Association (PSBA). Though the program was extremely useful for local businesses, the complicated requirements of the program kept it from being widely utilized.

Together with the PSBA, the City revised the requirements for funding, making them simpler and easier to navigate. In addition, the City also changed its procedures

B. RETAIL FEASIBILITY ISSUES (CONT.)

- Securing the anchor tenants is always a major feasibility hurdle for a comparison goods retail project. For Oakland, a cinema is a viable anchor for lifestyle retail.
- Every successful center starts with securing a key initial tenant that serves at the starting place for attracting the full spectrum of retail tenants. While this key initial tenant is usually a major anchor store, for one major Southern California shopping center a 25,000 SF houseware mini-anchor store played that role.

b. Specific Oakland Findings and Recommendations:

- Upper Broadway represents an attractive, if complex and risky development opportunity. Given a strong and lasting public commitment to the project, a site of at least ten acres in size, public assistance with providing parking, and the strong demographics, securing tenants and the necessary development expertise should be possible.
- For Oakland, the announced interest of a store like Target can serve as the key tenant, and if they come others will follow. However, keeping any key tenant committed to the project during a lengthy planning and development period will be difficult.
- Most respondents agreed that while it was easy to see how a downscale retail project could succeed, developing a mid-upper income or fashion-oriented center would entail extra risk and would thus be harder to do successfully.
- Single use retail development can not support land priced at levels in the Upper Broadway area, so a mixed use solution will be required. Land prices in the Upper Broadway area are a serious development constraint, without the ability to use redevelopment to write down land costs.
- Few developers know both how to successfully develop both destination comparison retail and large residential development. Thus, the pool of potential developers is small.
- Urban mixed use projects are complex and require extensive planning and predevelopment work. Oakland should expect a long lead time of at least five years, at minimum.

c. Experts' Recommended City Actions:

- Strong political leadership is a requirement, to demonstrate public will and to secure lasting commitments to the project, from initial entitlements through completion of development. The political commitments will have to span multiple election cycles.



- Retail development will need the same green light and priority that residential development had for the last administration, and the development and retail community must understand and be able to rely on that. In other Cities the mayor usually provides this leadership, but City Council members can also play this role.
- The "Specific Plan" approach is more feasible than the traditional city-led "Site Assembly" approach, given limited City financial resources.
- Prior to a developer coming on board, the City should resolve interest groups' concerns, achieve consensus. The plan must stay in place across election cycles.
- Back-end tax increment financing from taxes generated after the project is up and operating may help defray a financial feasibility gap, but at a steep discount rate. These back-end panels are discounted at a rate similar to other rents and post construction revenues, as opposed to the more favorable rates for a public board.
- City must assist with the cost of funding customer parking at ratio of 4 to 4.5 spaces per 1,000 SF of retail.

Park Street Alameda Case Study (Cont.)

for processing applications and shortened the review period from several months to two days. The new faster and simpler process helped dramatically increase the popularity of the program.

The momentum that came with the renovations and excitement about the street also helped bring several key anchors to the district, including Marketplace, an open air market with grocers, delis, bakeries and other food merchants, and a theater complex currently under construction.

Throughout this period, the PSBA made a strategic decision to adjust their marketing efforts from marketing individual stores to marketing the entire district. The group also hosts three outdoor weekend events a year, which help bring attention to the district and raise funds for promotional activities. The combination of these things helped stabilize Park Street as a regional shopping and entertainment destination.

2) Financial Feasibility Test

The consultant team prepared a financial feasibility test of the three Upper Broadway retail development concepts. Based on the alternative development programs illustrated in Table 18, below, a development proforma model was prepared to estimate development costs and

Table 18. Alternative Upper Broadway Development Programs: Zone 1			
	Suburban Style Retail	Mixed Use with Secondary Retail	Urban Mixed Use with Major Retail
Total Land Area* (Acre)	9.5	9.5	10.4
Building Area Allocation (SF)			
Retail			
Major Anchor	—	—	262,400
Minor Anchor	—	—	94,700
Small Shops	103,150	100,600	96,200
Total Retail	103,150	100,600	453,300
Residential (Units)	—	947	834
Parking Allocation (Spaces)			
Retail Parking	490	—	2,040
Residential Parking	—	—	sp/du
Structured Parking	—	1,394	3,207
Surface Parking	490	500	500
Total	490	1,894	3,707
Revenue Generating Floor Area (GLA)	103,150	1,142,519	1,370,270

*Not all parcels in Zone 1 are used in all development schemes. Source: CCG, JRDV Architects, August 2007.



Pasadena Case Study

Like Oakland, Pasadena experienced significant economic decline particularly after World War II when it became "sandwiched" between the larger more famous city of Los Angeles and suburban retail center locations on larger parcels with lower land prices. By the 1970s, the area along Colorado Boulevard became known as the local "Skid Row". Today Pasadena offers a blend of managed shopping centers and revitalized business blocks.

Key to Pasadena's revitalization has been:

1. Construction of new catalyst projects.
2. Construction of parking structures to support the business district.
3. Remerchandising of existing, often historic structures.
4. Streetscape improvements mitigating a wide vehicular street.

Attempts to revitalize downtown Pasadena by making it more competitive with suburban shopping centers began in the late 1970s with the construction of Plaza Pasadena, a 700,000 SF 3-block enclosed mall at the east end of the downtown. While the mall was initially successful, its fortress-

B. RETAIL FEASIBILITY ISSUES (CONT.)

revenues, and to test the ability to support the required investment with project generated revenues. The Feasibility test explicitly tested the ability of private capital sources to fund project costs, and was designed to indicate the need, if any, for public subsidy.

Table 09. Economic Feasibility Assessment, Alternative Development Scenarios, Zone I

	Suburban Style Retail	Mixed Use with Secondary Retail	Urban Mixed Use with Major Retail
Development Program			
Site Area* (SF)	412,600	412,600	453,900
Retail (SF)	103,150	100,600	453,300
Retail Parking (spaces)	490	0	2,040**
Residential (units)	0	947	834
Residential Parking (spaces)	0	1,894	1,667
Development Costs			
Residential	0	\$411,272,125	\$381,815,775
Retail	\$27,150,000	\$30,620,000	\$125,330,000
Total	\$27,150,000	\$441,890,000	\$507,150,000
Value Created			
Residential	\$49,880,000	\$47,080,000	\$215,790,000
Retail	0	\$568,320,000	\$500,170,000
Total	\$49,880,000	\$615,400,000	\$715,960,000
Land Cost Supportable			
Value of Development	\$49,880,000	\$615,400,000	\$715,960,000
Less: Cost of Sale	(\$1,500,000)	(\$18,460,000)	(\$21,480,000)
Less: Development Costs	(\$27,150,000)	(\$441,890,000)	(\$507,150,000)
Less: Target Return on Sale	(\$5,990,000)	(\$73,850,000)	(\$85,920,000)
Available for Land Payment	\$15,240,000	\$81,200,000	\$101,410,000
Per SF Land Area	\$36.94	\$196.80	\$223.42

*Not all parcels in Zone I are used in all development schemes. **Retail parking for this alternative is assumed to be publicly funded. Source: CCG, August 2007.

The feasibility analysis solved for supportable land price, through a residual land value analysis. A negative value would indicate a need for public support, and a positive value indicates the land price that could be supported by the conceptual development projects.

The preferred development program and feasibility analysis was developed in Spring, 2007. However, it is important to note that as of late Summer 2007, real estate and financial markets and, in particular, the housing industry are in unprecedented turmoil. This analysis assumes that at the time of that the project is developed in five to seven years equilibrium has been regained. Further, while housing is used in this illustrative analysis as the upper floor use that supports land value, it is possible at the time this project is developed another upper floor use may be substituted to support land value in the mixed use development program.



As shown in Table 19, left, each of the conceptual projects were able to support the cost of the building improvements. However, the ability to support land prices varied between the alternatives. The suburban style retail project supported a land price far lower than the prevalent land prices in the Upper Broadway area, and both of the mixed use development projects support the land prices similar to the levels in the Upper Broadway Area:

Thus we can conclude that single use retail development in Upper Broadway is not feasible, given the existing land prices, and that the two mixed use alternatives are financially feasible, with either retail as a secondary use or with retail as a major project component. However, the urban mixed use project is a far more complex development project, and has additional feasibility barriers and risks.

One major assumption of this feasibility evaluation is that neither of the urban projects bears the cost of providing parking for the retail component. For the Mixed Use Development with secondary retail, it was assumed that the retail component of each individual building was under 10,000 SF in size, and that therefore, under current City zoning, no retail parking was required to be built. For the Urban Mixed Use project, it was assumed that the parking was publicly subsidized, and thus not a cost to the project. The cost of the retail parking in this alternative was \$50 million.

There are a variety of methods to finance parking for retail in the Upper Broadway Area (see Appendix D). A combination of parking user revenue, project-generated tax increment, and a portion of sales taxes generated by the project are the likely sources of financing. Creation of a parking management and financing plan that carefully considers the potential use of demand-based pricing is a key next step in the Upper Broadway Implementation Plan.

3) Case Study Research

The Case Studies illustrate that other communities have been able to successfully capture expenditure potential formally lost as leakage (see Appendix A). The lessons learned from these case studies include:

- Attraction of a major anchor tenant like Target can serve as the stimulus for retail in the urban core, reversing former leakage to suburban competition. The key issues are the ability to accommodate the anchor store in an urban environment given urban land prices, and store configurations for smaller urban sites. Those anchor tenants committed to operating in urban locations, like Target, are flexible in considering store layout, access, and parking solutions.
- For urban street retail districts, communities have adopted revitalization efforts ranging from physical upgrades to the retail district's environment, financial assistance to attract key tenants, marketing and promotion programs, strategic introduction of mixed use development, and providing public amenities such as parking. Successful communities have matched revitalization strategies to their specific situations; no single solution works in all situations.

Pasadena Case Study (Cont.)

like exterior did little to help revitalize the surrounding area. One Colorado was completed in 1993, developed by the The Stizel Company, and took a completely different approach. Anticipating both the emergence of the Urban Entertainment Center as well as the outdoor Lifestyle Center, the development incorporated several historic structures that were to become anchors and featured the extension of the existing outdoor pedestrian street environment.

Streetscape improvements along Colorado Boulevard showed how a wide vehicular street could still serve as the spine for a retail district. Given the success of the outdoor urban Colorado Boulevard, in 2001 Plaza Pasadena was completely overhauled by Developers Diversified and recreated into an open air 3-city block mixed use lifestyle center. Like Walnut Creek, the blend of managed urban outdoor mixed use shopping centers and revitalized business blocks has made it one of the most desirable places in California to shop.

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B. RETAIL FEASIBILITY ISSUES (CONT.)

- Lifestyle centers are a new form of retail development that have successfully redirected shopper patterns to their communities. Lifestyle centers, which may or may not include anchor tenants, are generally open air as opposed to enclosed malls, and recreate the traditional pedestrian-oriented street retail environment in a concentrated form. Tenants are typically national chains, with some locally-owned stores included in the mix. There is some indication that over time unanchored lifestyle centers are more successful when developed near existing anchored retail with proven customer draw power.



V : IMPLEMENTATION PLAN

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Implementing the retail enhancement plan for Upper Broadway will require securing long term public commitment to the project and attracting mixed use developers with strong experience in urban retail. The basis of the implementation plan is described in the narrative below and summarized on the attached implementation action plan charts at the end of this section.

A. OPPORTUNITIES AND CONSTRAINTS

1. Opportunities

- The Upper Broadway project could play a significant role in recapturing Oakland's lost retail potential, as part of an overall retail enhancement strategy
- Auto dealership relocation provides site opportunity for critical mass of retail
- Site acquisition process simplified by concentrated land ownership
- Oakland residents and employees highly motivated to support new quality retail in a central location
- Potential to tie into existing success of Piedmont Avenue retail district
- Existing site access adequate with appropriate signage for both Oakland residents and residents of the wider Trade Area
- Site well located to serve high sales potential neighborhoods in Oakland and beyond, thus attractive to tenants
- Potential to serve adjacent medical and office employees
- Evidence of developer, investor, tenant interest
- Conceptual economic feasibility test indicates mixed use project feasible, even with limited public resources available

2. Constraints

- Market forces, without intervention, are unlikely to achieve the goals of the retail plans for Upper Broadway
- Reversing existing shopper patterns will be difficult, given the current absence of significant destination retail in the area, requires critical mass and proven customer draw
- Mixed use project is complex, potential developer pool is small
- Consensus needed: despite widespread support for retail development, there is potential public controversy for any specific development project
- The significant amount of non retail use required for financial feasibility is likely to create controversy
- Sites adjacent to residential neighborhoods, impacts must be managed and mitigated
- Extended development timeframe requires lasting political commitment, even given long term pay off
- Small site ownerships and smaller historically sensitive buildings difficult to assemble, suitable for separate development
- Public support of parking required for development feasibility, at a cost of \$50 Million

B. CRITICAL IMPLEMENTATION ACTION STEPS AND PRIORITIES

Priority 1: Secure lasting public commitment to major retail development in Upper Broadway through Council action and adoption of a Specific Plan and EIR



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- Priority 2: Ensure the Specific Plan is based on a realistic understanding of market and financial feasibility by including feasibility assessment in the specific planning process
 - Priority 3: Ensure adequate site availability for critical mass of retail through the Specific Plan process
 - Priority 4: Ensure high quality retail development in mixed use projects in retail priority areas by adopting Design Guidelines
 - Priority 5: Resolve planning and environmental issues through a Specific Plan
 - Priority 6: Create Public Retail Parking Finance Plan, identify financing strategy and secure required resources
 - Priority 7: Solicit qualified developers to create major retail development, formal or informal RFP process based on public consensus developed in the Specific Plan

C. ORGANIZATIONAL READINESS & RESOURCE

This implementation plan requires coordination between Planning, Economic Development, Redevelopment, and Marketing staff. The existing positions are all currently budgeted in the City, but currently assigned to other duties.

- Retail recruitment will require dedicated senior leadership from the Mayor and City administrator's offices to direct senior staff and resolve policy issues
- Senior level Planning staff person for the Specific Plan and adoption of design guidelines
- Senior and mid level Economic Development staff to ensure that the Specific Plan is economically viable, and the manage the marketing and outreach efforts
- Senior and Project Manager level Redevelopment staff to manage the developer solicitation and negotiation process
- Marketing staff to build an ongoing industry awareness of the project prior to solicitation

D. RESOURCE NEEDS:

Specific Plan and EIR: \$1.0-1.25 Million (outside consultants)

2.25 FTE to manage Specific Plan process (1.125 FTE for two years)

Parking Management and Finance Plan: \$50,000-100,000 (outside consultants)

0.25 FTE

Developer Solicitation: \$25,000-50,000 (outside consultant)

0.5 FTE

Design Guidelines: \$10,000-20,000 (outside consultant)

0.25 FTE

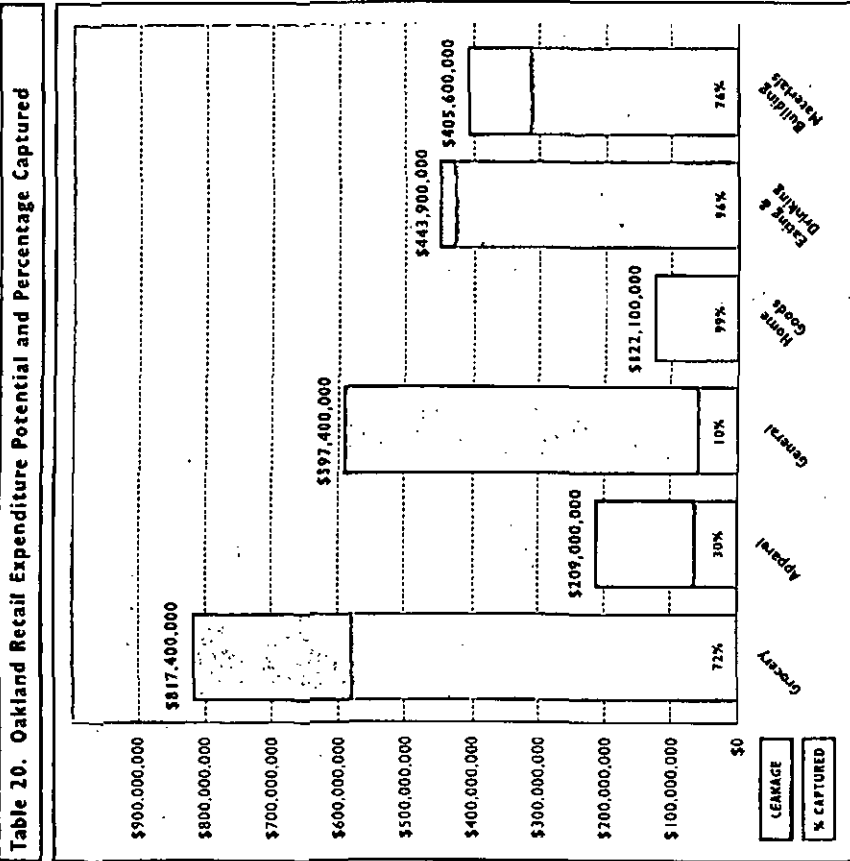
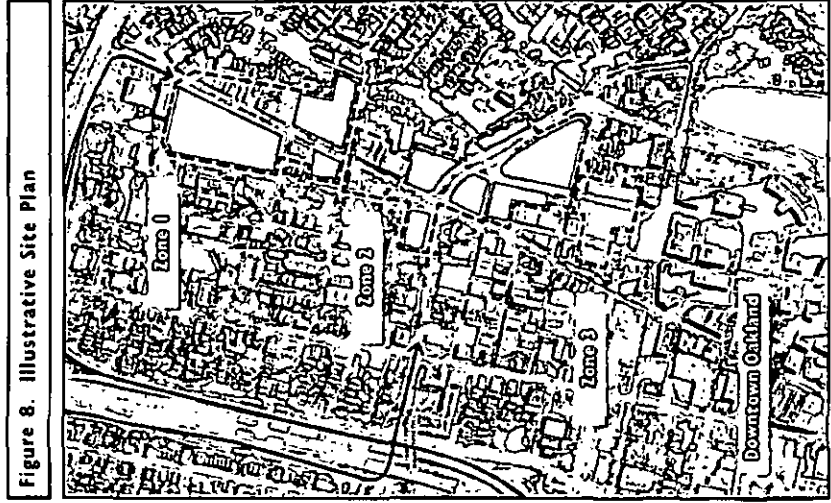
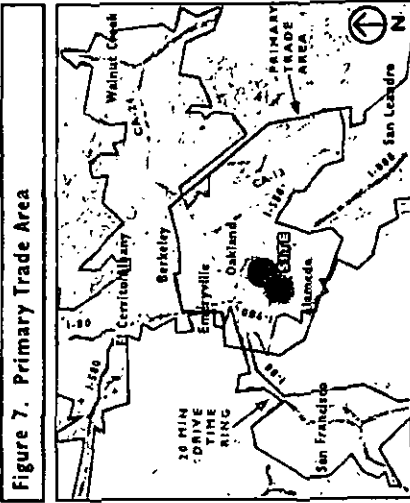
Marketing: Attend Industry Conferences, direct outreach to developers and key tenants

0.25 FTE, for 2 years, \$25,000 (fees, travel)

E. ACTION PLAN

The action plan graphic on the following pages summarizes key elements of the project and the recommended implementation effort.

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Source: CCG, August 2007.

Development Program	Size (SF)	Projected Sales (2007)	Annual Sales Tax
Comparison Goods			
• Anchor 1	123,000	\$32,000,000	\$320,000
• Anchor 2	116,000	\$37,000,000	\$370,000
• Mini Anchor 1	25,000	\$15,000,000	\$150,000
• Mini Anchor 2	15,000	\$8,000,000	\$80,000
• Shop Space	148,000	\$66,600,000	\$666,000
Restaurants	18,000	\$8,100,000	\$81,000
Service Retail	5,000	\$750,000	\$7,500
Total Retail	450,000	\$167,450,000	\$1,674,500



CRITICAL ACTION STEPS

- Priority 1: Secure lasting public commitments
- Priority 2: Create realistic Specific Plan
- Priority 3: Maintain site availability
- Priority 4: High quality retail development in mixed use projects by adopting Design Guidelines
- Priority 5: Resolve planning and environmental issues
- Priority 6: Create public retail parking finance plan
- Priority 7: Solicit qualified developers based on public consensus developed in Specific Plan

RESOURCE NEEDS

- Specific Plan: \$1.0-1.25 Million, 1.125 FTE for two years
- Parking Management & Finance Plan: \$50,000-100,000, 0.25 FTE
- Developer Solicitation: \$25,000-50,000, (outside consultant), 0.5 FTE
- Design Guidelines: \$10,000-20,000, 0.25 FTE
- Marketing: To retail developers and key tenants, \$25,000, 0.25 FTE for 2 years

ACCOUNTABILITY/PERFORMANCE REQUIREMENTS

- Benchmark 1: Present request to adopt Specific Plan to Planning Commission
- Benchmark 2: Present request to adopt Upper Broadway Retail Development Plan to Council
- Benchmark 3: Planning Commission to adopt Design Guidelines
- Benchmark 4: Develop Community Outreach Plan
- Benchmark 5: Develop Industry Outreach Plan
- Benchmark 6: Adopt Specific Plan
- Benchmark 7: Develop parking management and finance plan
- Benchmark 8: Contact 20-40 developers and industry experts, attend 3 industry conferences prior to issuing developer solicitation
- Benchmark 9: Solicit developers to participate in OPA process

Table 22. Upper Broadway Implementation Tasks and Timeline

Task	2007/08		2008/09				2009/10				2010/11				2011/12				2012/13				
	1Q	2Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q	
Planning Commission Considers Specific Plan																							
Council Considers Upper Broadway Retail Strategy																							
Specific Plan and EIR																							
Define Specific Plan Objectives, Internal Alignment																							
Issue Consultant RFP																							
Initiate Specific Plan & EIR																							
Ensure Economic Viability																							
Public Outreach																							
Adopt Design Guidelines																							
Industry Outreach & Marketing																							
Develop Parking Management & Finance Plan																							
Developer Solicitation																							
Developer Negotiations																							
Predevelopment Activities																							
Start of Construction																							

APPENDIX A : CASE STUDIES

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INTRODUCTION

This document summarizes 13 case studies of retail revitalization in communities analogous to retail districts in Oakland. In an effort to find the most appropriate case studies for retail revitalization in Oakland, Strategic Economics investigated 13 brief case studies of retail development. The case studies are organized in three topic areas; Target stores in urban locations, street retail or neighborhood business district revitalization, and Lifestyle Centers with and without department store anchors. Factors considered in selecting these case study projects included trade area demographic characteristics, available lot or required parcel size, scale of the project (square feet of retail), financing method, land assembly required, tenant mix and involvement by the local jurisdiction.

Target Stores in Urban Locations

- Brooklyn, NY
- University Heights, OH
- Peterson Heights, Chicago, IL
- Dearborn Project, Seattle, WA

Street Retail

- Washington Gateway, Boston, MA
- Little Italy, San Diego, CA
- Salvio Pacheco Square, Concord, CA
- Park Street, Alameda, CA

Lifestyle Centers

- Americana at Brand, Glendale, CA
- The Grove, Los Angeles, CA
- Paseo Colorado, Pasadena, CA
- West Hollywood Gateway, West Hollywood, CA

I. TARGET STORES IN URBAN LOCATIONS

Big-box stores like Target, typically located in suburban areas, have large footprints to accommodate both the 50,000+ square foot store and adequate parking. Lots large enough to accommodate these stores are usually not available in urban areas such as Oakland. As big-box retailers have started to become aware of buying power in urban markets, they have created urban format stores to fit on smaller lots and blend into the urban framework. Urban format stores typically have two or more stories, underground parking garages and are constructed up to the sidewalk or lot line.

Atlantic Terminal Mall – Brooklyn, New York

The Atlantic Terminal Target was built in 2004 in Brooklyn, New York. The 24-acre site houses a large five-story commercial complex atop the newly renovated Long Island Rail Road Terminal and does not provide on-site customer parking. The complex and terminal have pedestrian connections to ten subway lines. Target occupies floors two through four of the



UPPER BROADWAY STRATEGY

A Component of the
OAKLAND RETAIL ENHANCEMENT STRATEGY
Last Updated: September 11, 2007

commercial complex and makes up 194,000 of the complex's 373,000 SF of retail space. Target is co-located with a number of retailers including Designer Shoe Warehouse, Daffy's, Bath & Body Works, Verizon, Rockaway Bedding, Carver Savings, Starbucks and McDonald's. Atlantic Terminal houses 470,000 SF of office space in a ten-story tower occupied by the Bank of New York. Atlantic Terminal is located adjacent to the Atlantic Center Shopping



Center constructed in 1996. The office tower was constructed with the help of \$114 Million in Liberty Bonds¹ given to fund reconstruction post September 11th, 2001, a \$37.5 Million grant from the World Trade Center Job Creation and Retention Program and up to \$2 Million in sales tax exemptions after the Bank of New York was displaced following the events of September 11th.

University Square – University Heights, OH

University Square is located outside Cleveland, Ohio in the nearby suburb of University Heights. University Square is in close proximity to John Carroll University and was developed in 2003 by Starwood Wasserman.



University Heights is one of Cleveland's most affluent inner-suburbs.

There are 53,195 households with an average household income of \$79,959 within the Square's three-mile trade area. The shopping center is located on a 13 acre site and contains a total of 600,000 SF of retail space. The development provides 2,500 spaces of structured parking. Target is one of the center's three anchors along with Kaufmann's and Top's Friendly Food Market. The Target is a two-story, 165,000 SF store. A \$21 Million tax increment bond sponsored by Cuyahoga County financed the parking structure. The bond is specifically aimed at inducing redevelopment in inner-suburban areas.

Peterson Avenue – North side Chicago, Illinois

Target built its sixth store in the U.S. on Peterson Avenue in the Rogers Park neighborhood of Chicago's north side. The two-story target is located on a 6.4 acre site and is built up to the sidewalk. The store's first floor is covered parking with retail space above. The Target store has a total of 160,000 SF of retail space on the second floor and 503 enclosed parking spaces on the first floor. The project was developed by Target Corporation for \$42.5 Million and received \$4.6 Million in TIF subsidies from the City of Chicago. Chicago's Peterson Avenue location is the country's first LEED certified Target store. The store has a green roof

¹ Businesses located in lower Manhattan before September 11, 2001 are eligible to receive Liberty Bonds to aid in reconstruction and relocation in New York City.

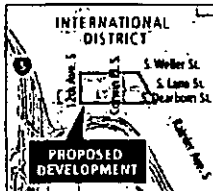
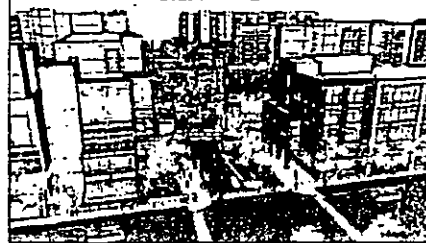
that covers 50% of the building's total roof area, which was required to install as a condition of receiving financial assistance from the city of Chicago. According to Chicago's building code, all new commercial buildings within designated zones are required to have 75% green roof coverage unless the building is LEED certified. The green roof coverage requirement is reduced to 50%, as in the case of the Peterson Avenue Target, when the building is LEED certified. Rogers Park has a total population of 62,008 and is a diverse neighborhood that is roughly 30% African American, 39% Caucasian, 21% Hispanic and 5% Asian and another race respectively. The three mile trade area has a population of 442,694 with a per capita income of \$24,736.

Dearborn Project Target- Seattle, Washington

Seattle's Dearborn project will be located at the intersection of Rainier Avenue and Weller Street bordering Seattle's international district. In the project's three mile trade area there are 150,761 people. The population is 58% Caucasian, 17% African-American and 16% Asian. The per capita income in the trade area is \$35,443. The plans show a mixed use development anchored by an urban format Target, Lowes and Goodwill for a total of 750,000 SF including 600,000 SF of retail. In addition to the three anchors, the development will include small-format retail stores, between 2,000 and 2,300 underground parking spaces and between 500 and 600 residential units. One hundred residential units are reserved for low-income seniors and another 100 units are reserved for workforce housing. Target will occupy two floors of a six-floor structure with parking below and housing above.

PROPOSED GOODWILL DEVELOPMENT
 Dearborn Street Developers LLC and the Seattle Housing Authority on Wednesday announced a public-private partnership to transform the 10-acre Seattle Goodwill site into a multistory, mixed-use project.

STREETS THAT COULD BE VACATED:
 Corwin Place S.: Currently dead-ends in the Goodwill parking lot. Developers want to extend the street north to Weller St.
 S. Lane Street: Currently dead-ends on Goodwill property. Developers propose to extend the street east to connect with Rainier Ave. S.

This architectural rendering shows the proposed development with S. Dearborn St. in the foreground, looking north along Corwin Place S.
View by Dearborn Street Developers LLC SEATTLE WA

Darrell Vange of TRF Pacific LLC, whose local partner is Ravenhurst Development, is developing the project in partnership with the Seattle Housing Authority. The project is sited on the existing 10 acre Goodwill site that has been sold to Ravenhurst Development. Target agreed to locate in the development without an incentive package and with significantly reduced parking ratios due to the company's desire to find an inner-city location. While the project still awaits approval, the site is readily available for redevelopment with the condition that the City must rezone the land to support neighborhood commercial uses.

The Dearborn project is partially financed by the federal New Market Tax Credit available through the Seattle Housing Authority. The tax credit program provides financing for commercial properties in distressed locations.



II. STREET RETAIL

Street retail is the type of retail found in neighborhood shopping districts. They usually contain a mix of chain and local merchants carrying predominantly neighborhood-serving goods. Street retail districts vary in size depending on the population within the trade area and building types range from single story commercial buildings to several story mixed-use buildings.

Washington Gateway Main Street - Boston, Massachusetts

Washington Gateway exemplifies neighborhood revitalization following the National Trust for Historic Preservation Main Street model of incremental change with sensitivity to historic structures and community organizing. Washington Street is a traditional business district in the South End and Lower Roxbury neighborhoods of Boston that experienced extensive urban renewal in the 1960's and 70's. In 1997, the street won a Main Street designation and a non-profit, Washington Gateway Main Street, was established to facilitate new development on vacant sites, create design guidelines, streetscape improvement, traffic and parking plans. WGMS's approach to redevelopment was governed by a strong desire to maintain the racial and economic diversity of the area. WGMS aided in the protection of Don Quijote Market, an existing business that served low-income and minority residents, by helping the owner get a long-term lease from the Boston Housing Authority and financing and



technical assistance for expansion through the Boston Local Development Corporation. Additionally, WGMS gave the market a façade grant. WGMS also saw to it that 1,094 (63%) of the 1,734 new housing units constructed since 1997 were affordable. Washington Gateway offers an example of a neighborhood transformation that combined emphasis on historic preservation, neighborhood design and social equity to create and economically vibrant place.

Little Italy - San Diego, California

San Diego's Little Italy district offers an example of the revitalization of an ethnic neighborhood and the role that Business Improvement Districts (BIDs) can play in neighborhood turnaround. Like Washington Gateway, Little Italy managed to retain the ethnic grocers and restaurants that made it unique, while simultaneously attracting new commercial enterprises and residents to the neighborhood. Likewise, development plans in

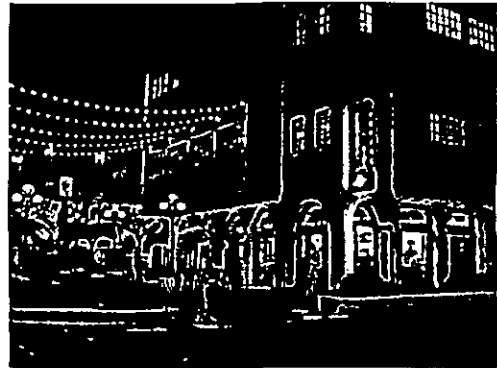


Little Italy struck a balance between restoring historic Victorian homes and paving the way for new construction and infill opportunities that would provide the necessary density to

create a cohesive and vibrant neighborhood. Between 2001 and 2005, 2,000 condominiums and apartments were added in the district and an additional 1,300 are planned. BID revenues allowed retailers to invest in streetscape and signage investments. The program worked so well that retailers then agreed to create a Maintenance Assessment District that covers district-wide maintenance, security and personnel expenses.

Salvio Pacheco Square - Concord, California

Salvio Pacheco Square is one component of the City of Concord's effort to knit together its sprawling downtown. The site, located near a BART station, creates both a vibrant retail and office district and a residential transit village. The goal for the redevelopment of this area was to enhance the existing retail district and encourage high- and medium-density residential development in the area near the BART station. Starting in 1994, the City contributed private funds to renovate the adjacent historic Todos Santos Plaza and in 1997 the Brendan Theater, a key anchor, was added. In addition to these physical redevelopment efforts, the City also embarked on a new marketing strategy for the downtown district that includes hosting weekly music festivals, farmers markets and other events in the square as well as educating retailers about the demographics and buying power of Concord residents. These efforts helped the property owner of Salvio Pacheco Square see the potential of the property and ultimately resulted in an agreement between the property owner and the redevelopment agency to jointly fund streetscape improvements for the square. The property owner also hired a property management company specializing in downtown retail to advise on façade improvements and create a re-tenanting strategy. These efforts helped to solidify and reinvigorate the area's retail district. High-density housing development then followed and the first significant development was built in 2003. Several other residential housing developments have followed.



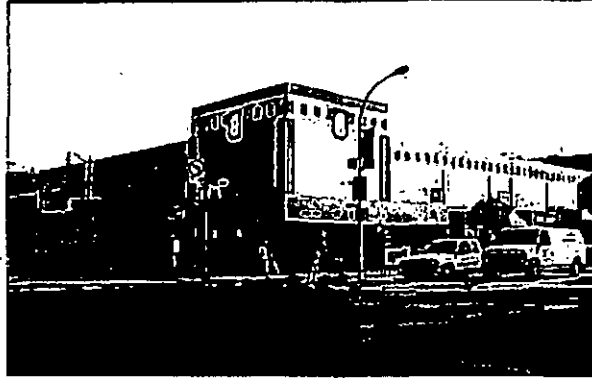
Like many other neighborhood retail districts around the country, Park Street in Alameda has experienced distinct periods of decline followed by reinvestment. In 1998, the street was experiencing a low point in one of these cycles due to decades of disinvestment and the closure of long-term businesses. A private developer who owned an entire block in the retail district played a catalytic role in Park Street's turnaround with several high-quality renovations that attracted viable tenants like Starbucks. During this time, the City offered a

Park Street - Alameda, California

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façade improvement grant program that was aggressively marketed by the Park Street Business Association (PSBA). Though the program was extremely useful for local businesses, the complicated requirements of the program kept it from being widely utilized. Together with the PSBA, the City revised the requirements for funding, making them simpler and easier to navigate. In addition, the City also changed its procedures



for processing applications and shortened the review period from several months to two days. The new faster and simpler process helped dramatically increase the popularity of the program. The momentum that came with the renovations and excitement about the street also helped bring several key anchors to the district, including Marketplace, an open air market with grocers, delis, bakeries and other food merchants, and a theater complex currently under construction. Throughout this period, the PSBA made a strategic decision to adjust their marketing efforts from marketing individual stores to marketing the entire district. The group also hosts three outdoor weekend events a year, which help bring attention to the district and raise funds for promotional activities. The combination of these things helped stabilize Park Street as a regional shopping and entertainment destination.

III. LIFESTYLE CENTERS

Lifestyle centers are large format, pedestrian-oriented retail destinations. They are found in both urban and suburban locations and typically contain national retailers and restaurants. Though lifestyle centers do not typically have anchors, this term now also applies to comparison goods centers anchored by department stores. In this section we refer to both types of comparison goods retail centers. They are a recent trend in retail development and a clear departure from malls. Lifestyle centers are frequently uncovered and designed to resemble large downtown shopping streets and districts. They are considered at the forefront of retail development for their ability to attract large numbers of shoppers who want a pedestrian-friendly retail environment with national chains.

Americana at Brand - Glendale, California

Americana at Brand is a 900,000 SF urban infill project located on a 15.5 acre site in Glendale, California. The project developer is Caruso Affiliated and it is scheduled to open in 2008. Americana at Brand is located in downtown Glendale, a diverse community with large Asian, Caucasian and multi-racial



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populations. The per capita income in the three-mile trade area is \$27,007. Americana at Brand is a high-end lifestyle center anchored by the 18-screen Pacific Theatre, 238 luxury apartments and 100 condominiums. The retail component totals 475,000 square feet and includes stores such as Lucky, H&M, Urban Outfitters and Chico's. The development of Americana at Brand was made possible by active participation and financial aid given by the Glendale Redevelopment Agency. The Redevelopment Agency acquired the 15.5-acre site, paid \$500,000 to ready the site for development and contributed \$12.7 Million in project aid to the development process. The Redevelopment Agency sold 8.5 acres of the site to Caruso Affiliated, retained four acres, and leased three acres back to Caruso Affiliated. Caruso Affiliated operates the development's 2,700 public parking spaces, pays for all necessary site improvements and manages the development's open space in addition to paying for all developments not covered by the project aid.

The Grove - Los Angeles, California

The Grove is a 585,000 SF development located on a 20 acre site in mid-town Los Angeles, California. The Grove is modeled after a 1930's town district with art deco architecture and a streetcar that runs through the development. The Grove was developed by Caruso Affiliated and opened in 2004. A 14-screen theatre, Nordstrom, Crate & Barrel and a number of restaurants anchor the upscale lifestyle center. The Grove development houses 45 retailers, eight restaurants and has a 3,500-space parking garage. There are over 1 Million people in the Grove's five-mile trade area. The population is diverse with large concentrations of African-American, Asian, Caucasian and bi-racial populations. Housing in a three-mile radius is 71% renter-occupied.



Paseo Colorado - Pasadena, California



Paseo Colorado is large-scale, mixed-use, lifestyle center with 566,000 SF of retail and 391 luxury apartments located on a three-block parcel of nearly nine acres in Pasadena, California. Macy's, Pacific Theatres, Gelson's Grocery, Designer Shoe Warehouse, Loehmann's and Equinox anchor the lifestyle center with a total of 60 retailers. The population in Paseo Colorado's five-mile trade area, located in affluent Pasadena, has an average household income of \$92,636, a per capita income of \$28,531 and a population over 500,000.

Paseo Colorado's retail component was developed by and is managed by Cleveland-based Diversified Realty, while Post Properties originally developed the residential component in 2001.

West Hollywood Gateway - West Hollywood, California

The West Hollywood Gateway is a 250,000 SF retail development anchored by Target and Best Buy, located in West Hollywood, California. The development is located within a redevelopment project area. The City assembled the site, performed the environmental impact review and paid for soil remediation. In addition, the City of West Hollywood requested



\$8 Million in Section 8 loan guaranteed funds and \$2 Million in Brownfield Economic Development Initiative Funds for the project. J.H. Snyder and Company developed the project around the neighborhood's historic Formosa Café which remains a neighborhood fixture. Eighteen diverse restaurants and retailers inhabit the center including: Starbucks, Baja Fresh, Daphne's Greek Café, EB Games, Beverages and More!, Ben & Jerry's, Happy Nails, Jamba Juice, Motherhood Maternity, Pomodoro Cucina Italiana, Payless Shoes, Silver Connection, Ulta Cosmetics, Zeke's Smokehouse and Cingular Wireless. The project includes a 1,000-space, two-level underground parking garage.

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APPENDIX B : DESIGN GUIDELINES

PURPOSE

The purpose of the Design Guidelines is to describe the two viable alternatives demonstrated (as none are current City policy), indicate that the development can be implemented by either single or multiple developers, define a strong pedestrian-oriented urban vision supporting retail on key designated streets, and create sufficient certainty and flexibility required to attract developers and tenants.

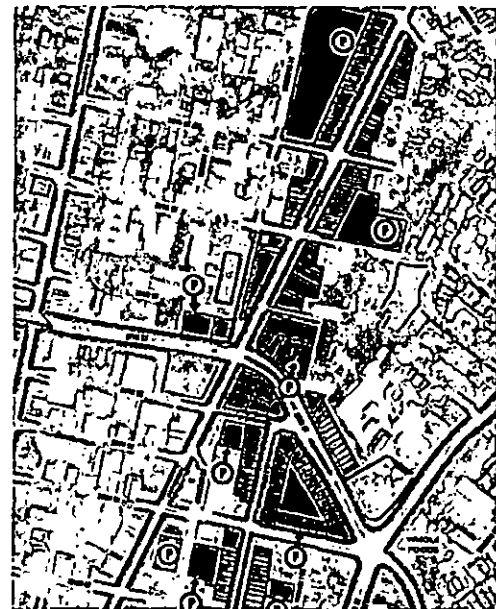
(i) Two Viable Alternatives

Based upon feedback from City of Oakland and developer pre-test presentations in May 2007, two viable alternatives are **Alternative 1 – Urban Mixed Use with Major Retail** and **Alternative 3 – Mixed Use with Secondary Retail**. These were selected as two most viable alternatives for the retail development of the Upper Broadway site.

In creating the Design Guidelines, the models of these two alternatives are being used to indicate a set of “Proposed New Minimum Design Guidelines” and “Additional Design Guidelines with **Alternative 3 – Mixed Use with Secondary Retail** underpinning the “Proposed New Minimum Design Guidelines”, and **Alternative 1 – Urban Mixed Use with Major Retail** underpinning the “Additional Design Guidelines”.



Alternative 1 – Urban Mixed Use with Major Retail underpins the “Additional Design Guidelines”.



Alternative 3 – Mixed Use with Secondary Retail underpins the “Proposed New Minimum Design Guidelines”.

(ii) Single or Multiple Developers

Both alternatives and the Design Guidelines presuppose that the development of the Upper Broadway site can be implemented by either single or multiple developers. As an example, Victoria Gardens was developed on a greenfield site in Rancho Cucamonga, CA by one



UPPER BROADWAY STRATEGY

A Component of the
OAKLAND RETAIL ENHANCEMENT STRATEGY
Last Updated: September 11, 2007

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developer in staged phases. On the other hand, Walnut Creek was developed by multiple developers as land parcels became available for development, in accordance with a Specific Plan generated by the City of Walnut Creek. The Upper Broadway site can be adaptive to either development possibility, through effective guidelines set out by a Specific Plan.



Victoria Gardens – An example of mixed-use development by a single developer.



Walnut Creek – An example of mixed-use development by multiple developers.

(iii) Pedestrian-Oriented Urban Vision

The success of any urban retail development is heavily dependent upon a pedestrian-oriented urban vision. The scale of the building facades, ground level ceiling heights and widths of pedestrian thoroughfares can be singularly responsible for a pleasant urban retail experience. Effective streetscape planting resulting in natural shade can soften the pedestrian experience whilst an enhanced material treatment of sidewalk surfaces can further increase the level of pedestrian enjoyment.



Examples of mixed use development with street level retail from Munich and San Jose with a strong pedestrian-oriented urban vision.

(iv) Flexibility and Certainty

The Design Guidelines are intended to create sufficient flexibility and certainty, required to attract developers and tenants. The guidelines are intended to be flexible within the following four categories: Land Use / Site Organization; Massing And Density; Articulation; and Streetscape. Each of these categories will be addressed in the following order: providing an overview of existing City of Oakland zoning and conditions; describing the "Proposed New Minimum Design Guidelines" requirements for **Alternative 3 – Mixed Use with Secondary Retail**; describing the "Additional Design Guidelines" requirements for **Alternative 1 – Urban Mixed Use with Major Retail**.

**APPENDIX B : DESIGN GUIDELINES
I. LAND USE / SITE ORGANIZATION**





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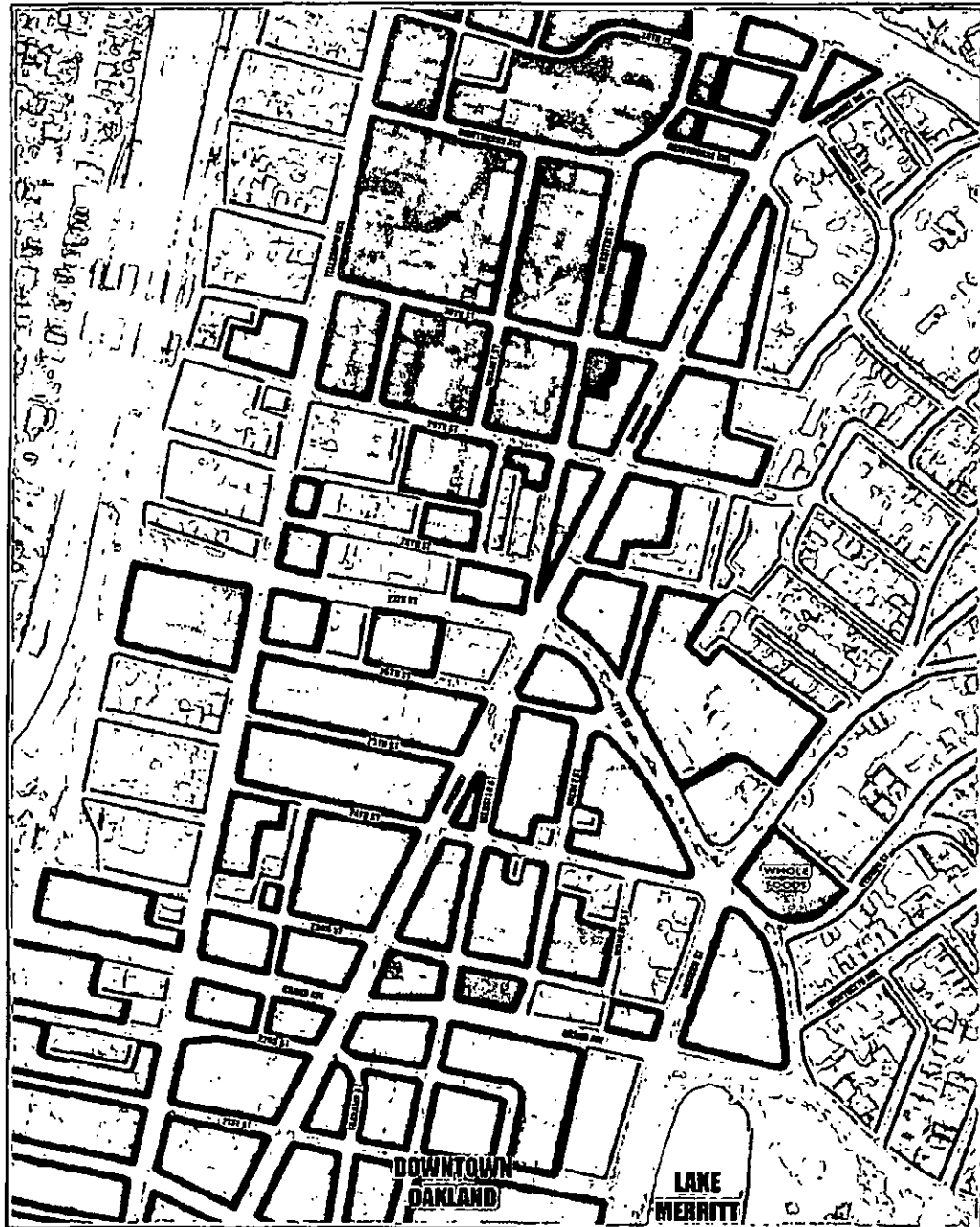
1.0 Existing Land Use

The existing land use and site organization of the Upper Broadway area shows a mix of commercial, residential, and medical uses as well as places of worship. The diagram on this page indicates commercial use is most prominent along the Broadway corridor, increasing as

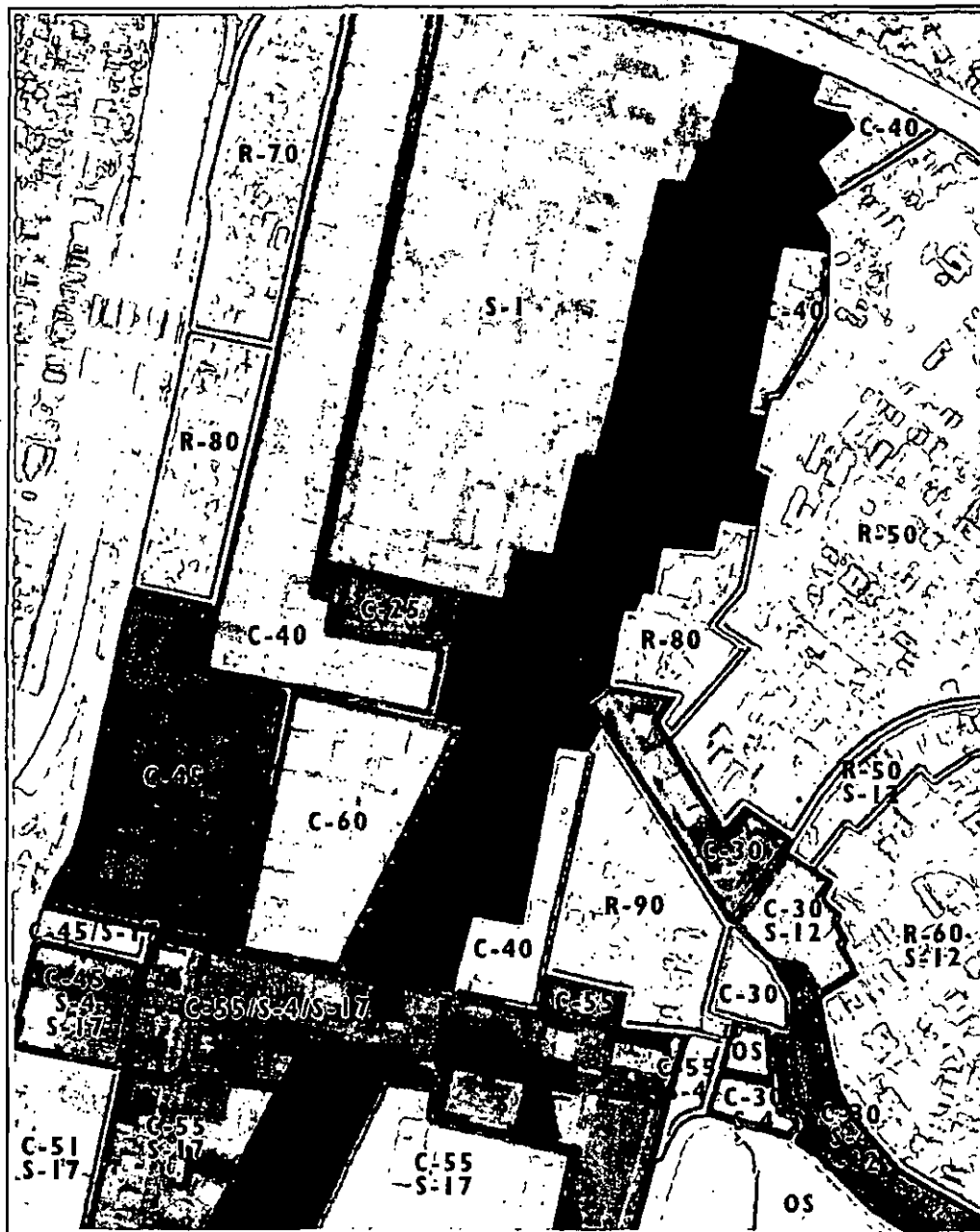
KEY

-  Medical Related
-  Commercial
-  Residential
-  Places of Worship

This diagram represents the existing land uses of blocks within the Upper Broadway site and its immediate surrounds.



Broadway approaches downtown Oakland. Residential use is dotted amongst the commercial land and adjacent to the Broadway commercial corridor. The Pill Hill area is dominated by buildings of medical use with places of worship spread evenly throughout the site. The diagram on this page indicates the existing City of Oakland zoning boundaries and reflects the mix of commercial and residential land use as shown opposite.

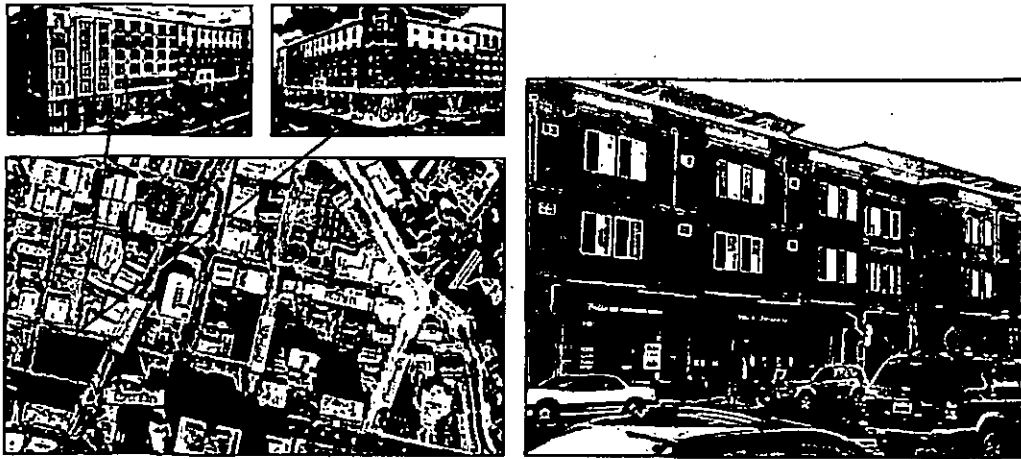


KEY	
C-25	Office Commercial
C-30	District Thoroughfare Commercial
C-40	Community Thoroughfare Commercial
C-45	Community Shopping Commercial
C-51	Central Business Service Commercial
C-55	Central Core Commercial
C-60	City Service Commercial
R-30	One-Family Residential
R-50	Medium Density Residential
R-60	Medium-High Density Residential
R-70	High Density Residential
R-80	High Rise Apartment Residential
R-90	Downtown Apartment Residential
S-1	Medical Center
S-4	Design Review
S-8	Urban Street
S-12	Residential Parking
S-17	Downtown Residential Open Space
S-19	Broadway Auto Row Interim Study
OS	Open Space

I.1 Proposed New Minimum Design Guidelines

OBJECTIVE: To ensure that new residential buildings have retail bases that will support secondary retail (i.e. neighborhood and community retail).

The Proposed New Minimum Design Guidelines are intended to promote mixed use development along key designated arterials, similar to the Broadway Grand development currently being constructed on the corner of Broadway and Grand Avenue in Oakland. Here, residential development is the primary land use with secondary supportive retail at street level to encourage an active street level with vital neighborhood and community retail.



GOOD: Broadway Grand in Oakland is an example of mixed use development meeting the proposed new minimum design guidelines requirements.

BAD: This building in Emeryville is an example of mixed-use development not meeting the proposed new minimum design guidelines requirements.

The Proposed New Minimum Design Guidelines have been structured to encourage developments achieving a land use and site organization that does not allow private residential units at street level. While residential lobbies may be permitted at building entrances oriented towards the main street, all service access must be via a side or rear entry. Furthermore, the street level retail spaces must be organized such that they are transparent, inviting and appealing to pedestrian and vehicular traffic on the main street.

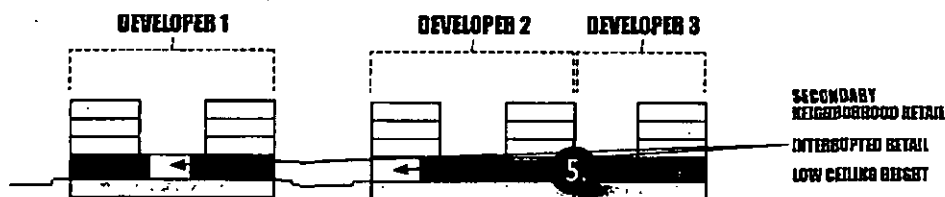
The Design Guidelines encourage development similar to Broadway Grand, with its high ground level retail ceilings and minimal interruptions to the street level retail, and to discourage development such as this example in Emeryville that has standard 9 foot street level ceilings without an active retail or commercial base.



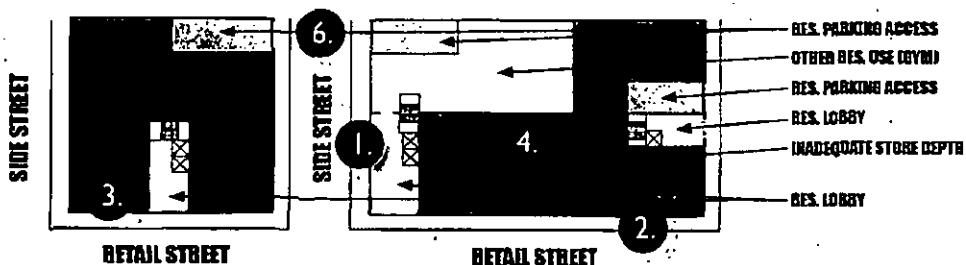
DESIGN GUIDELINES:

1. Ensure that on key designated retail streets (including Broadway, 27th St and Valdez St), ground floor residential units are not allowed.
2. Ensure that retail entrances should be oriented towards the main streets of Broadway, 27th St and Valdez St.
3. Ensure that on key designated retail streets, retail or office land use be required between residential lobbies.
4. Ensure that on key designated retail streets, retail or office land use to be minimum of 50 feet deep and 20 feet wide.
5. Provide a minimum of 12 feet clear-finished height for ground level retail.
6. Ensure that service access be located on side streets.

SECTION







PLAN

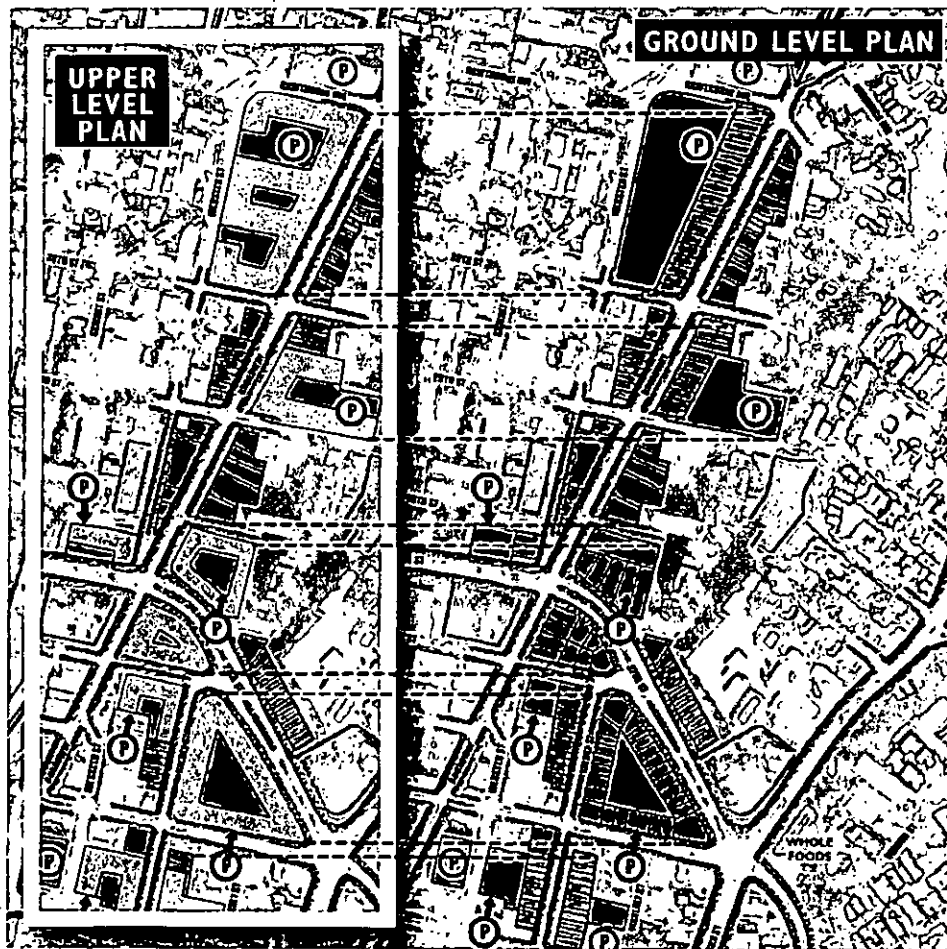


Plan and section for Proposed New Minimum Design Guidelines for land use and site organization.

This diagram represents the ground level and upper level plan meeting the Proposed New Minimum Design Guidelines requirements for the land use and site organization. There is a focus on upper level housing projects with secondary retail at ground level facing the major streets of Broadway, 27th St and Valdez St.

KEY

-  Organic or Street Retail
-  Parking Structures
-  Residential (See inset)
-  Places of Worship



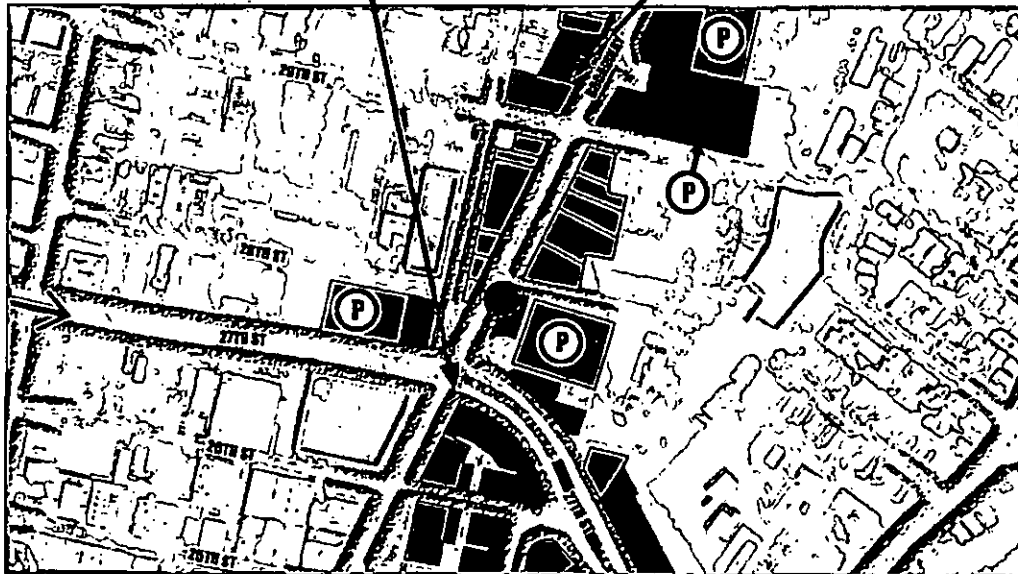
Ground level plan of Proposed New Minimum Design Guidelines for land use and site organization. Inset shows upper level plan with residential units built above ground level retail and parking.



1.2 Additional Design Guidelines

OBJECTIVE: To ensure that new residential buildings have retail bases that will support major retail (i.e. comparison goods lifestyle retail).

The Additional Design Guidelines are intended to extend the Proposed New Minimum and encourage retail-oriented land use and site organization with continuous comparison goods and lifestyle stores at street level and residential development above, similar to Santana Row in San Jose, CA. The Additional Design Guidelines require an increased minimum ground level ceiling height of 18 feet with no residential lobbies, service access, or parking entrances permitted along designated key retail streets.

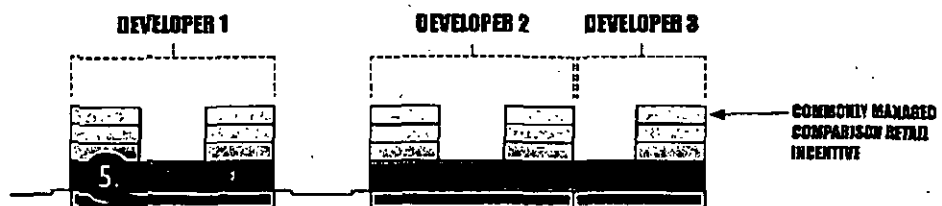


Santana Row, San Jose – an example of successful Urban Mixed Use development with Major Retail.

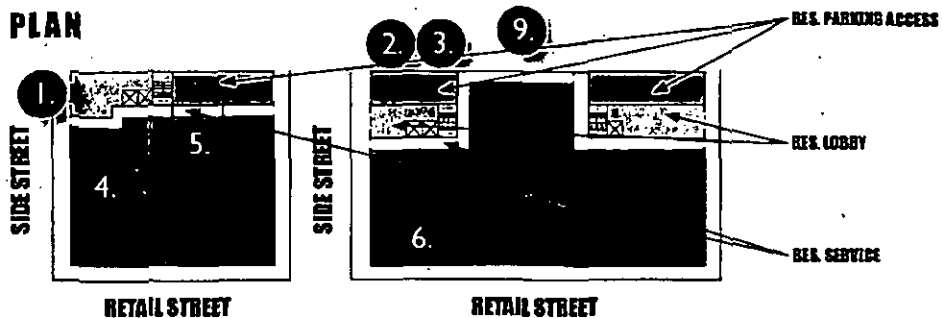
DESIGN GUIDELINES:

1. Ensure that on key designated retail streets, no residential are lobbies allowed – they must be on side streets.
2. Ensure no parking garage entrances are located on designated retail streets.
3. Ensure parking structures be located on sites not facing designated retail streets, but within a maximum of two block walking distance from retail.
4. Ensure lease depth to be a minimum of 80 feet.
5. Provide of minimum 18 feet floor-to-floor height for ground level retail and minimum of 30 feet wide storefront.
6. Ensure some lease areas area be combinable into large tenant areas by avoiding sheer walls, and change of levels.
7. Encourage two level stores where possible.
8. Encourage anchor stores on specific sites shown in plan including Broadway and Hawthorne St, Broadway and 29th St, Broadway and 27th St and Valdez and 24th St.
9. Ensure rear service access for truck loading be required for all retail tenant spaces.

SECTION



PLAN



This diagram represents the ground level and upper level plan meeting the Additional Design Guidelines requirements for the land use and site organization. There is a focus on creating comparison goods and lifestyle retail at ground level facing the major streets of Broadway, 27th St and Valdez St; with upper level residential land use.



APPENDIX B : DESIGN GUIDELINES

2. MASSING AND DENSITY






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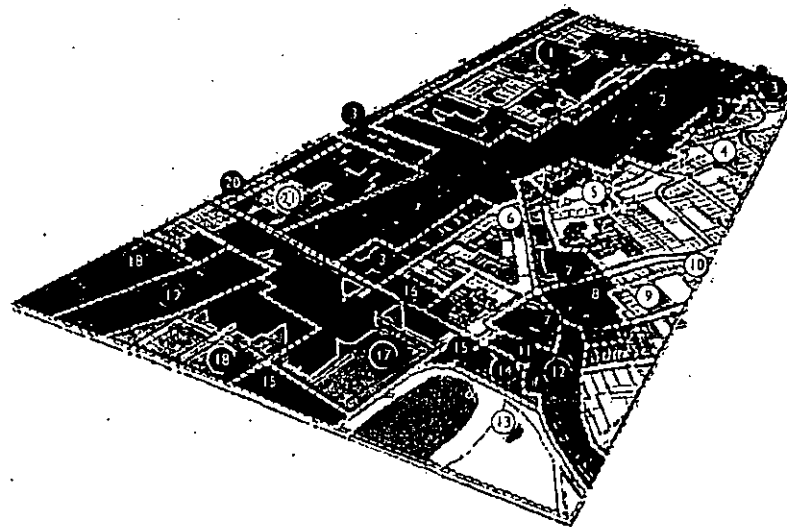


2.0 Existing Conditions and Zoning

The existing massing and density of the Upper Broadway area shows a mix of building heights and density across the site, in response to the City of Oakland zoning restrictions. The maximum height varies from 30 ft in Zone R-50 to no maximum height in most commercial zones. The residential density varies from 1 dwelling/450 sq ft to 1 dwelling/150 sq ft.

KEY

-  Medical Related
-  Commercial and Residential
-  Commercial Only
-  Residential Only
-  Open Space



This diagram represents the existing City of Oakland height, density, and residential and commercial zoning within the Upper Broadway site and its immediate surrounds.

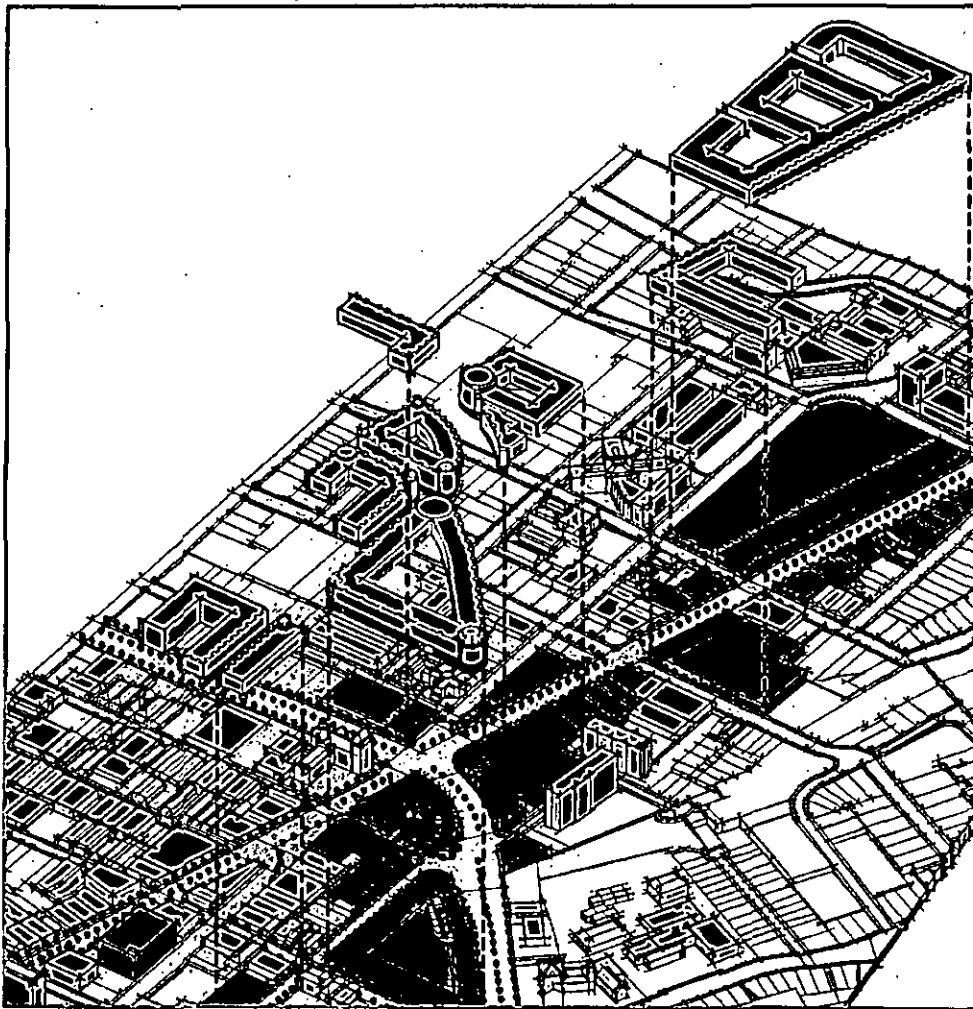
- 1 ZONE S-1**
No maximum height
Max density: 1 dwelling/300 SF
Commercial and Residential
- 2 ZONE C-40/S-19**
No maximum height
Max density: 1 dwelling/450 SF
Commercial and Residential
- 3 ZONE C-40**
No maximum height
Max density: 1 dwelling/450 SF
Commercial and Residential
- 4 ZONE R-50**
Maximum height: 30 FT
Max density: 1 dwelling <4,000 SF
Residential only
- 5 ZONE R-80**
No maximum height
Max density: 1 dwelling/300 SF
Residential only
- 6 ZONE R-90**
No maximum height
Max density: 1 dwelling/150 SF
Commercial and Residential
- 7 ZONE C-30**
Max residential height: 40 FT
Max nonresidential height: 45 FT
Max density: 1 dwelling/450 SF
Commercial and Residential
- 8 ZONE C-30/S-12**
Max residential height: 40 FT
Max nonresidential height: 45 FT
Max density: 1 dwelling/450 SF
Commercial and Residential
- 9 ZONE R-60/S-12**
Maximum height: 30 FT
Max density: 1 dwelling <4,000 SF
Residential only
- 10 ZONE R-50/S-12**
No maximum height
Max density: 1 dwelling/300 SF
Residential only
- 11 ZONE OS/S-4**
- 12 ZONE C-30/S-4/S-12**
Max residential height: 40 FT
Max nonresidential height: 45 FT
Max density: 1 dwelling/450 SF
Commercial and Residential
- 13 ZONE OS**
- 14 ZONE C-30/S-4**
Max residential height: 40 FT
Max nonresidential height: 45 FT
Max density: 1 dwelling/450 SF
Commercial and Residential
- 15 ZONE C-55/S-4**
No maximum height
Max density: 1 dwelling/150 SF
Commercial and Residential
- 16 ZONE C-55**
No maximum height
Max density: 1 dwelling/150 SF
Commercial and Residential
- 17 ZONE C-55/S-4/S-17**
No maximum height
Max density: 1 dwelling/150 SF
Commercial and Residential
- 18 ZONE C-55/S-17**
No maximum height
Max density: 1 dwelling/150 SF
Commercial and Residential
- 19 ZONE C-55/S-8/S-17**
No maximum height
Max density: 1 dwelling/150 SF
Commercial and Residential
- 20 ZONE C-45**
No maximum height
Max density: 1 dwelling/300 SF
Commercial and Residential
- 21 ZONE C-60**
No maximum height
No maximum density
Commercial only



2.1 Proposed New Minimum Design Guidelines

OBJECTIVE: To ensure that mixed use development is massed to support residential with secondary retail base (i.e. neighborhood & community retail):

The current City of Oakland zoning for the Upper Broadway site is a mix of residential and commercial use, resulting in a diverse mix of massing and density across the site. The Proposed New Minimum Design Guidelines are intended to streamline this massing and density so as to viably support a mixed use development with secondary retail.



KEY

Commercial Base

Residential

Parking Facilities

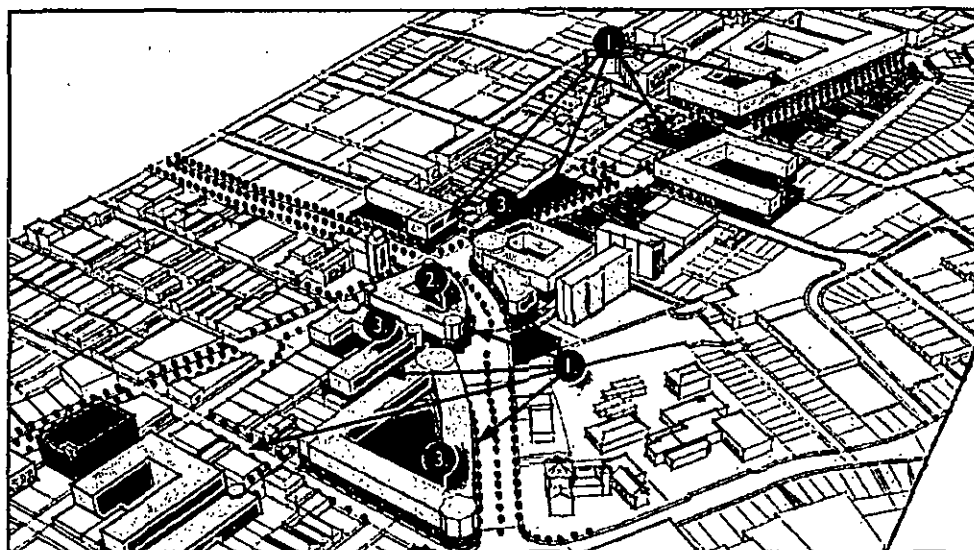
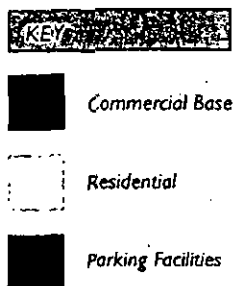
This diagram represents an exploded view of ground level secondary retail massing and upper level residential massing.

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DESIGN GUIDELINES:

1. Provide continuous retail frontage with maximum 5 feet setback from property line of designated key retail streets.
2. Encourage major retail entrances to be specially massed.
3. Encourage special treatment of major corners particularly at Broadway and 27th, 27th and Valdez, and 27th and Harrison.



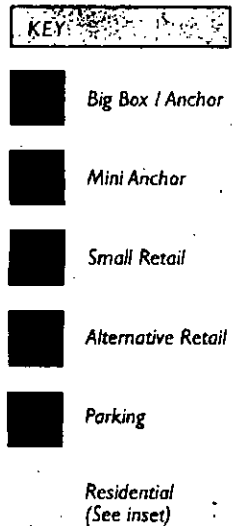
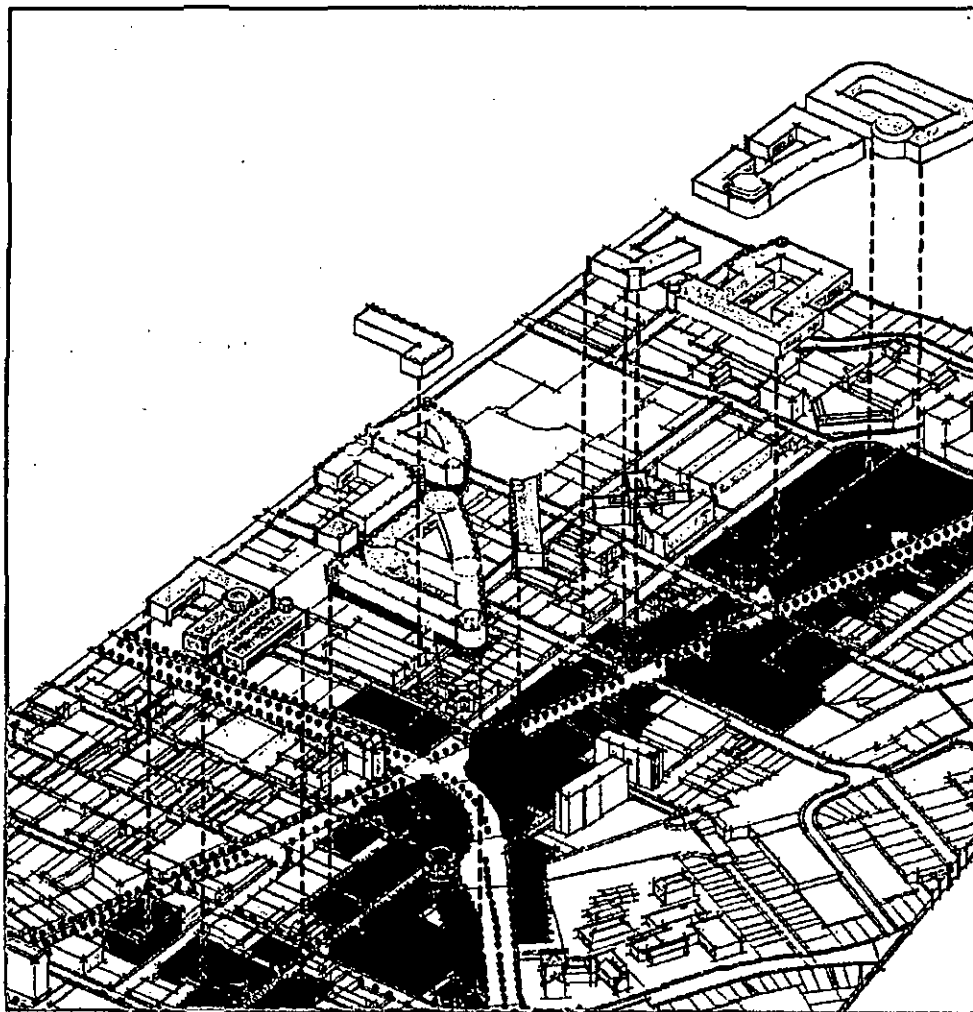
This diagram represents the 3D perspective of massing and density for Proposed New Minimum Design Guidelines.



2.2 Additional Design Guidelines

OBJECTIVE: To ensure that mixed use development is massed to support residential with major retail base (i.e. comparison goods lifestyle retail).

The Additional Design Guidelines for massing and density facilitate an opportunity for combined lease spaces with special massing at key entrances, as well as the opportunity for additional internal pedestrian walkways to maximize ground level retail sites.









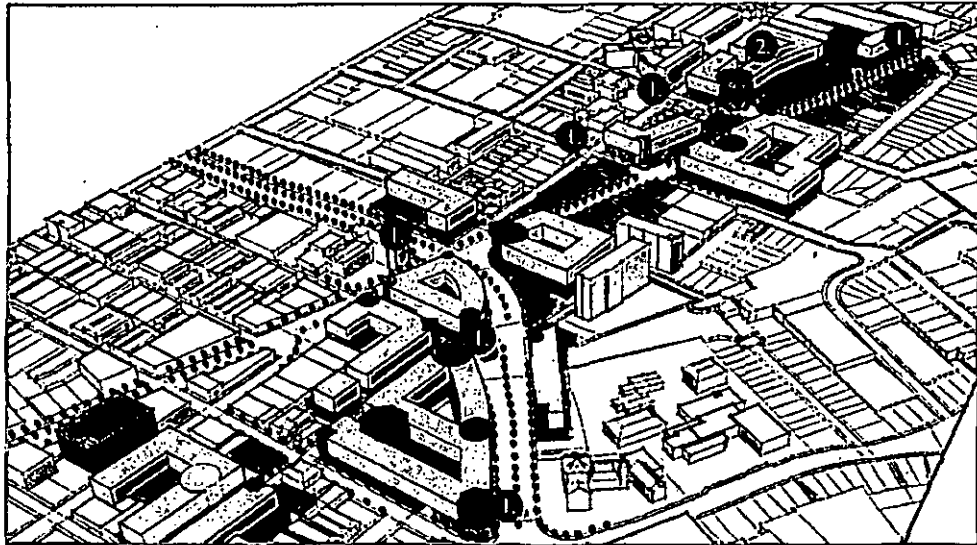
This diagram represents an exploded view of ground level major retail and upper level residential.

DESIGN GUIDELINES:

1. Ensure lease spaces which can be combined into large spaces have major entrances massed at key designated locations including Broadway/Hawthorne Ave, Broadway/30th St, Broadway/29th St, Broadway/27th St, 27th St/Valdez St and 27th/Harrison St.
2. Encourage internal secondary retail pedestrian way where pedestrian circulation can be made to be "anchored" at each end.

KEY

-  Big Box / Anchor
-  Mini Anchor
-  Small Retail
-  Alternative Retail
-  Parking
-  Residential



This diagram represents a 3D perspective of massing and density for Additional Design Guidelines.



APPENDIX B : DESIGN GUIDELINES

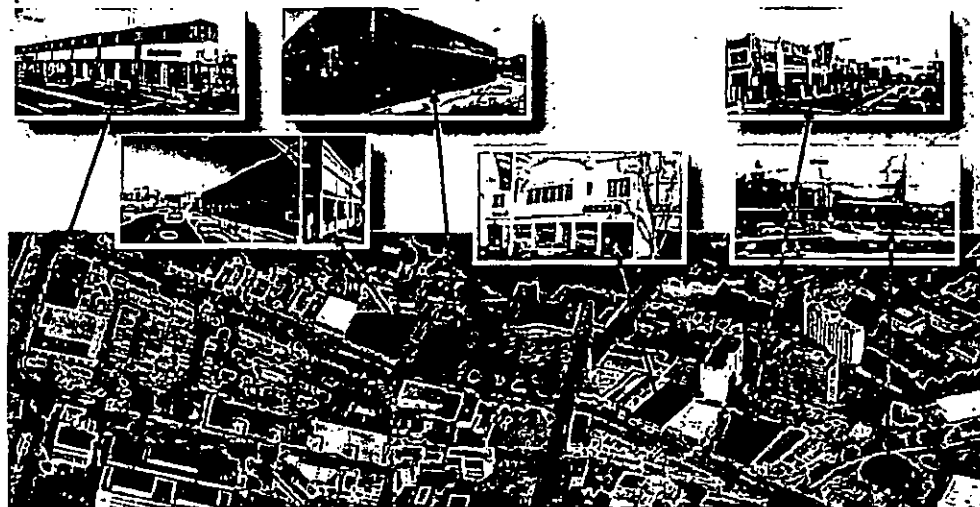
3. ARTICULATION

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3.0 Existing Historical Resources

There are a number of existing historical resources within the Upper Broadway site that must be identified and retained as required to preserve the historical character of the site. Additionally, these existing historical resources may be referenced when determining the articulation of the new mixed use development.



Examples of existing historically significant buildings on the east side of Upper Broadway.



Examples of existing historically significant buildings on the west side of Upper Broadway.

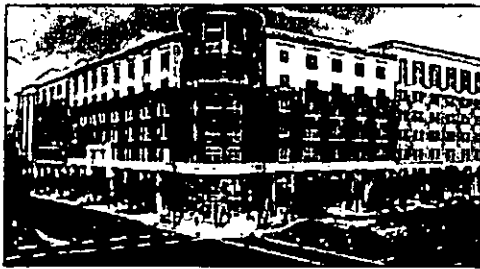
3.1 Proposed New Minimum Design Guidelines

OBJECTIVE: To ensure that mixed use development is articulated to support residential with secondary retail base (i.e. neighborhood & community retail).

The Proposed New Minimum Design Guidelines are intended to encourage a mixed use development that is compatible and complementary to the existing historical resources, whilst providing a retail base that is architecturally different from the upper level residential.

The street level storefronts must be transparent, inviting and appealing to pedestrian and vehicular traffic with signage and awnings incorporated to provide variation across the facades. The guidelines require the use of high quality materials and architectural elements that promote a vital neighbourhood and community retail.

The Proposed New Minimum Design Guidelines are intended to be sufficiently flexible in terms of articulation to result in stylistically different and varied interpretations of the guidelines. Below are several examples of architecturally different developments that meet the criteria of the Proposed New Minimum articulation guidelines.



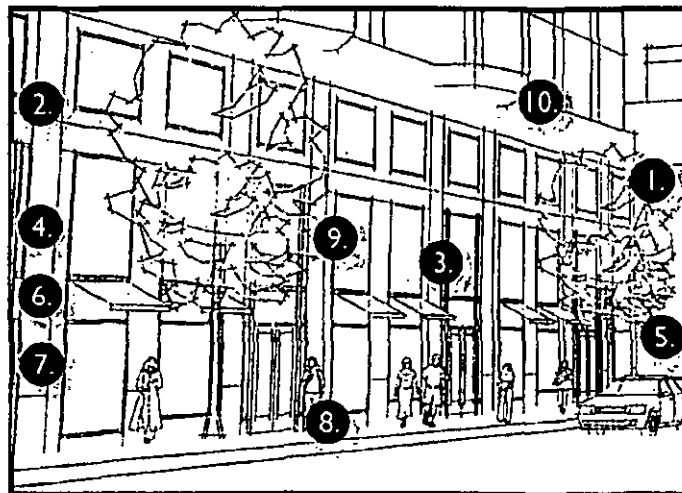
An example of mixed use development meeting Proposed New Minimum Design Guidelines at Broadway Grand, Oakland.



An example of mixed use development meeting Proposed New Minimum Design Guidelines in downtown Berkeley.

DESIGN GUIDELINES:

1. Encourage all new building designs to incorporate or be compatible with existing historical resources to be preserved.
2. Provide strong retail base architecturally differentiated from upper portion of building.
3. Provide designated area for retail signage according to city signage standards.
4. Provide storefront design suitable for retail.
5. Encourage parking entrances to be minimized so as not to disrupt secondary neighborhood and community retail.
6. Encourage ground floor spaces to achieve 80% transparency.
7. Encourage the use of clear, untinted glass on retail base.
8. Encourage building bases to be of good quality materials, such as stone, tile, masonry, brick and terra cotta.
9. Encourage awnings and signage to be incorporated into storefronts to provide shade and variation.
10. Encourage facades to be varied and incorporate architectural elements such as moldings and cornices, with recessed and varied fenestration to create visual interest.



3.2 Additional Design Guidelines

OBJECTIVE: To ensure that mixed use development is articulated to support residential with major retail base (i.e. comparison goods lifestyle retail).

The Additional Design Guidelines for articulation build upon the Proposed New Minimum Design Guidelines to promote a more engaging and active urban mixed use development. There is an opportunity for a cohesive architectural "theme" across the Upper Broadway development site, through which the street level retail is able to flourish as a dramatic, expressive, and memorable retail experience. The transparency of the retail base must be maximized with a required minimum of one show window per store, plus the use of high quality materials such as stone, tile, masonry, brick and terra cotta must be evident at the retail base.

The diversity of architectural facades, use of high quality materials on the retail base, and cohesive "theme" is exemplified at Santana Row in San Jose. Continuous street level retail and individual architectural expression are coupled to create a dramatic and popular urban mixed use development.



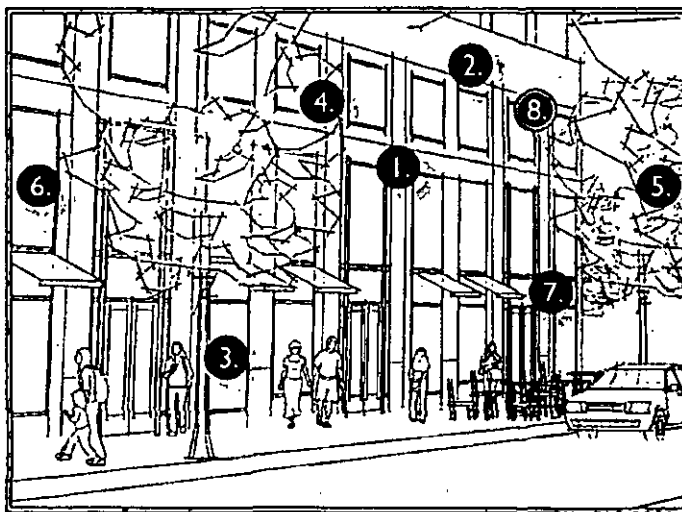
Santana Row, San Jose – An example of mixed use development meeting Additional Design Guidelines.

DESIGN GUIDELINES:

1. Ensure the architectural style of all buildings shall support the designated "design theme" for major retail incorporating comparison goods and lifestyle.
2. Encourage a dramatic ground floor base as suitable for major tenants.
3. Ensure each store front has a minimum of one large show window.
4. Provide designated area for retail signage according to special signage standards of this project.
5. Ensure parking entrances are not allowed on designated retail streets.
6. Ensure ground floor spaces should achieve 80% transparency.
7. Ensure building facade above retail base makes use of high quality materials, such as stone, tile, masonry, brick and terra cotta.

OPTIONAL:

8. Require minimum LEED Silver certification for all new buildings as part of the first green retail center in the Bay Area.



APPENDIX B : DESIGN GUIDELINES
4. STREETScape

CONLEY CONSULTING GROUP
JRDV ARCHITECTS
STRATEGIC ECONOMICS
COLLIERS INTERNATIONAL



4.0 Existing Conditions

The existing streetscape of Upper Broadway features a wide street with two vehicular lanes in each direction, one lane of parking in each direction, a bike lane in each direction and a median strip. The median strip has been enhanced with planting and street banners, however the sidewalk enhancement has been minimal. This streetscaping is catered primarily towards the vehicle, rather than the pedestrian.

The other primary arterials within the site, 27th St and Valdez St, also have two lanes of vehicular traffic in each direction, plus one lane of parking in each direction. 27th St has a wide median, however Valdez St does not. Neither street has provisions for bike lanes, nor is there a focus on sidewalk enhancement for pedestrian usage.

Below are examples of key intersections along Broadway, indicating sections of the streetscape. The vehicular orientation of the streetscape is rapidly apparent.



Examples of the existing Upper Broadway streetscape.

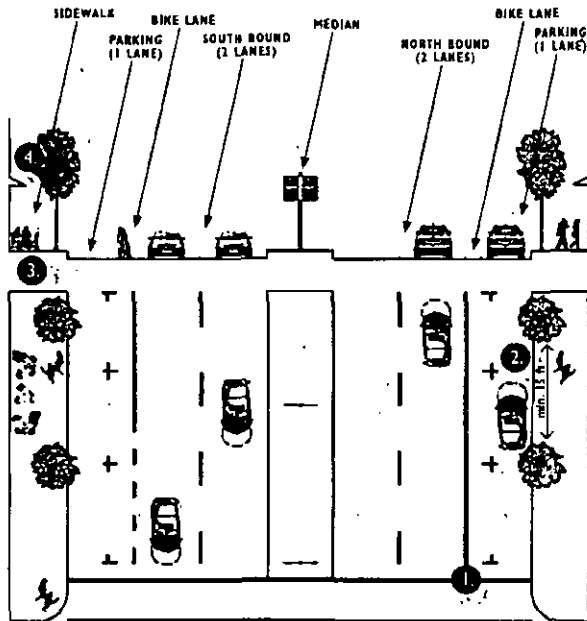
4.1 Proposed New Minimum Design Guidelines

OBJECTIVE: Enhance existing mitigation of wide street and ensure that new residential buildings are connected by a pedestrian-oriented streetscape so as to support secondary retail base (i.e. neighborhood and community retail).

The Proposed New Minimum streetscape guidelines recommend making use of the existing road infrastructure and upgrading the existing streetscape through the material enhancement of the sidewalk, with additional plantings and larger street banners. The encouragement of street cafes is promoted to create an active and engaging street edge.

DESIGN GUIDELINES:

1. Maintain existing curb, vehicular lanes and median while enhancing sidewalk material treatment.
2. Enhance existing street planting with open street trees at least 15 feet apart whose canopies are above ground level storefronts for maximum store and signage visibility.
3. Encourage sidewalk cafes where space is available.
4. Encourage storefront awnings in a variety of colors along key designated retail streets.



SECTION
(ENHANCEMENT
OF EXISTING
STREETSCAPE)

PLAN
(ENHANCEMENT
OF EXISTING
STREETSCAPE)

4.2 Additional Design Guidelines

OBJECTIVE: To mitigate wide street and ensure that new residential buildings are connected by a pedestrian-oriented streetscape so as to support major retail base (i.e. comparison goods lifestyle retail).

The Additional streetscape guidelines propose several possibilities for new streetscaping based on references of successful pedestrian-oriented streets in Barcelona, Berlin and Santa Monica. There is an emphasis upon pedestrians, bike lanes, widened sidewalks to encourage street cafes and restaurants, enhanced signage and lighting, as well as plantings to create shade and soften the pedestrian experience.

There are four streetscape options identified:

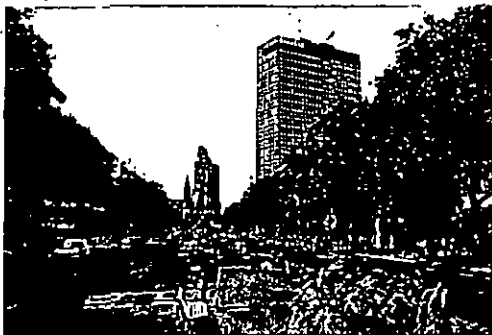
- Option 1 – Bulb Out Parking;
- Option 2 – No Median (for Broadway and 27th St only);
- Option 3 – Widened Median (for 27th St and Valdez St only);
- Option 4 – Implement Light Rail (for Broadway only).



Example of enhanced streetscape in Santana Row, San Jose.

STREETSCAPE REFERENCES
Las Ramblas, Barcelona

An example of a wide, usable and walkable center median. (Only applicable as a possible streetscape for 27th St)

Kurfuerstendamm, Berlin

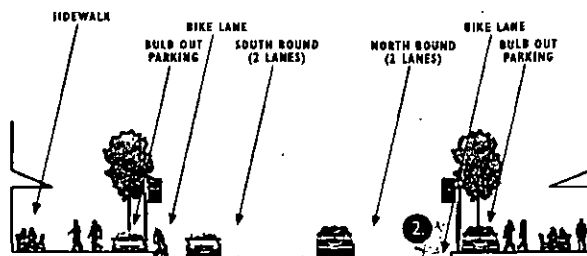
An example of widened sidewalks on both sides of the vehicular thoroughfare with a widened usable median.

3rd Street, Santa Monica

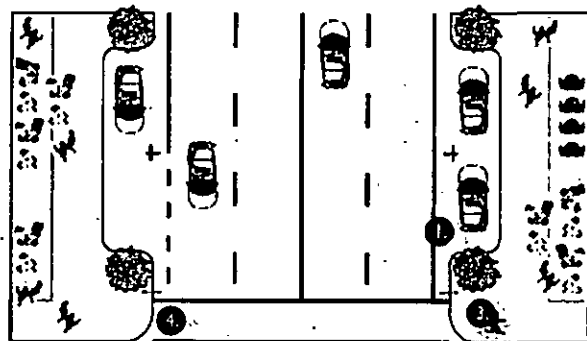
An example of a wide usable median. (Only applicable as a possible streetscape for 27th St)

OPTION I – BULB OUT PARKING:

1. Remove existing continuous parking lanes and replace with bulb out parking along Valdez St, Broadway and 27th Street.
2. Retain bike lane and two lanes of vehicular traffic in each direction.
3. Widen sidewalk where bulb out parking does not occur and at crosswalks.
4. Provide additional crosswalks along Broadway and 27th St to facilitate pedestrian flow and use.



SECTION



PLAN

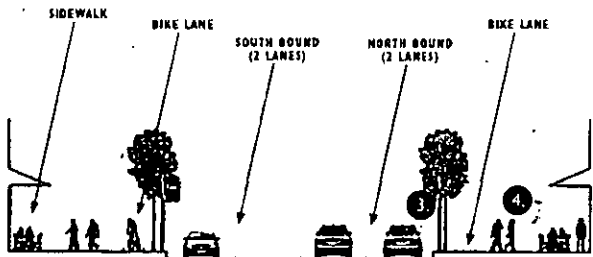


Example of bulb out parking at Victoria Gardens, Rancho Cucamonga, CA.

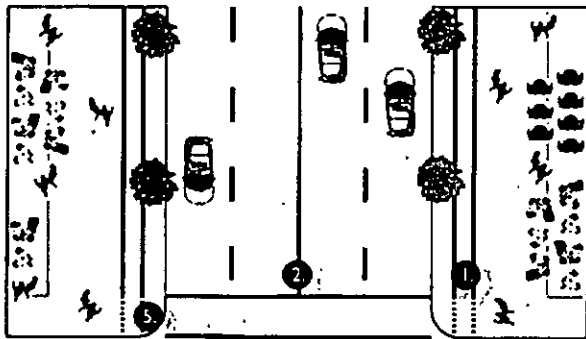


OPTION 2 - NO MEDIAN (FOR BROADWAY AND 27TH ST ONLY):

1. Remove existing parking lanes.
2. Remove existing median.
3. Retain two lanes of vehicular traffic in each direction and separate bike lane from vehicular traffic.
4. Provide widened sidewalks (min. 30 feet) along Broadway and 27th St.
5. Provide additional crosswalks along Broadway and 27th St to facilitate pedestrian flow and use.



SECTION



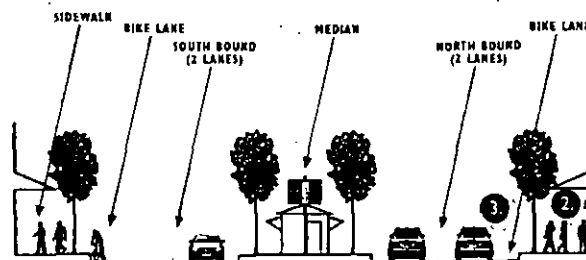
PLAN



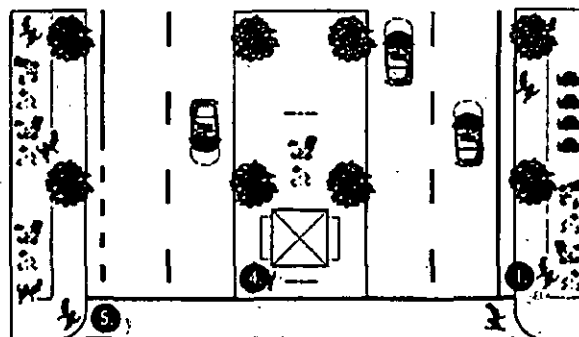
Example of bike lane separated from vehicular lane.

OPTION 3 – WIDENED MEDIAN (FOR 27TH ST AND VALDEZ ST ONLY):

1. Remove existing parking lanes.
2. Provide widened sidewalks (min. 20 feet) along 27th St and Valdez St.
3. Retain bike lanes and two lanes of vehicular traffic in each direction.
4. Provide widened median along 27th St and Valdez St to allow for a center pavilion.
5. Provide additional crosswalks along Broadway and 27th St to facilitate pedestrian flow and use.



SECTION



PLAN

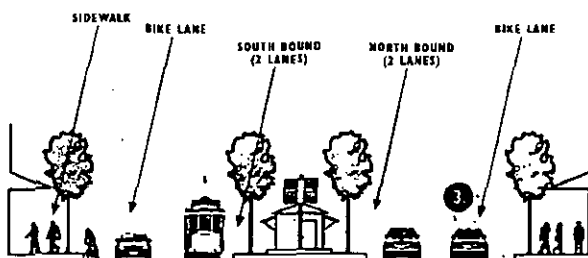


Example of center pavilion in Santa Monica, CA.

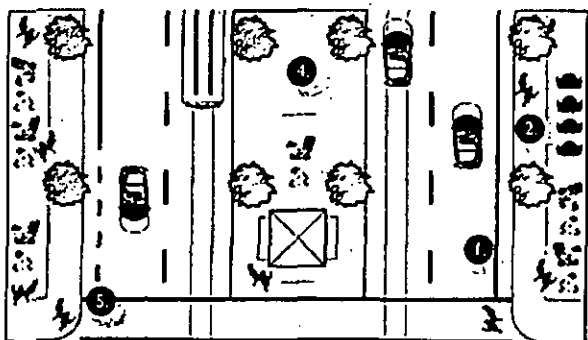


OPTION 4 - IMPLEMENT LIGHT RAIL ON BROADWAY:

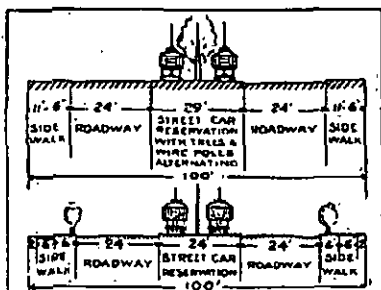
1. Remove existing parking lanes.
2. Provide widened sidewalk (min 20 feet) along 27th St, Valdez St and Broadway.
3. Retail bike lane and two lanes of vehicular traffic in each direction.
4. Provide widened median along Broadway to allow streetcar stops and center pavilions.
5. Provide additional crosswalks along Broadway and 27th St to facilitate pedestrian flow and use.



SECTION



PLAN



Scheme proposed by Werner Hegemann for main traffic streets in Oakland in 1915.

APPENDIX C : CLARITAS LIFESTYLE
CLUSTER PROFILE DEFINITIONS

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U1 - Urban Uptown

The five segments in Urban Uptown are home to the nation's wealthiest urban consumers. Members of this social group tend to be affluent to middle class, college educated and ethnically diverse, with above-average concentrations of Asian and Hispanic Americans. Although this group is diverse in terms of housing styles and family sizes, residents share an upscale urban perspective that's reflected in their marketplace choices. Urban Uptown consumers tend to frequent the arts, shop at exclusive retailers, drive luxury imports, travel abroad and spend heavily on computer and wireless technology.

Young, Urban & Wealthy



04 Young Digerati

Young Digerati are the nation's tech-savvy singles and couples living in fashionable neighborhoods on the urban fringe. Affluent, highly educated and ethnically mixed, Young Digerati communities are typically filled with trendy apartments and condos, fitness clubs and clothing boutiques, casual restaurants and all types of bars—from juice to coffee to microbrew.

Upscale \$78,800 Age 25-44 White, Asian, Hispanic

Older, Upscale Urban Sophisticates



07 Money & Brains

The residents of Money & Brains seem to have it all: high incomes, advanced degrees and sophisticated tastes to match their credentials. Many of these citydwellers—predominantly white with a high concentration of Asian Americans—are married couples with few children who live in fashionable homes on small, manicured lots.

Upscale \$80,500 Age 45+ White, Asian

Young, Midscale Urban Singles



16 Bohemian Mix

A collection of young, mobile urbanites, Bohemian Mix represents the nation's most liberal lifestyles. Its residents are a progressive mix of young singles and couples, students and professionals, Hispanics, Asians, African-Americans and whites. In their funky rowhouses and apartments, Bohemian Mixers are the early adopters who are quick to check out the latest movie, nightclub, laptop and microbrew.

Midscale \$49,500 Age <35 White, Black, Asian, Hispanic

Established, Midscale Urban Couples



26 The Cosmopolitans

Educated, midscale and multi-ethnic, The Cosmopolitans are urbane couples in America's fast-growing cities. Concentrated in a handful of metros—such as Las Vegas, Miami and Albuquerque—these households feature older home-owners, empty-nesters and college graduates. A vibrant social scene surrounds their older homes and apartments, and residents love the nightlife and enjoy leisure-intensive lifestyles.

Midscale \$51,400 Age 55+ White, Black, Asian, Hispanic

Source : Claritas, August 2007



Urban, Multi-Ethnic & Middle



29 American Dreams

American Dreams is a living example of how ethnically diverse the nation has become: than half the residents are Hispanic, Asian or African-American. In these multilingual neighborhoods—one in ten speaks a language other than English—middle-aged immigrants and their children live in middle-class comfort.

Midscale \$50,700

Age 25-44

White, Black, Asian, Hisp

U2 – Midtown Mix

Diversity is the hallmark of Midtown Mix, a group of midscale urban segments. It's the most ethnically diverse social group, besides containing a mix of singles and couples, homeowners and renters, college alumnae and high school graduates. In U2, the households are dominated by childless consumers who pursue active social lives—frequenting bars, health clubs and restaurants at high rates—listen to progressive music, drive small imports and acquire the latest consumer electronics.

Young, Multi-Ethnic, Midscale Singles



31 Urban Achievers

Concentrated in the nation's port cities, Urban Achievers is often the first stop for up-and-coming immigrants from Asia, South America and Europe. These young singles and couples are typically college-educated and ethnically diverse: about a third are foreign-born, and even more speak a language other than English.

LowerMid \$33,500

Age <35

White, Black, Asian, Hispanic

Older, Multi-Ethnic Urban Couples



40 Close-In Couples

Close-In Couples is a group of predominantly older, African-American couples living in older homes in the urban neighborhoods of mid-sized metros. High school educated and empty nesting, these 55-year-old-plus residents typically live in older city neighborhoods, enjoying secure and comfortable retirements.

LowerMid \$37,900

Age 55+

White, Black, Hispanic

Multi-Ethnic, Lower-Mid Urban Families



54 Multi-Culti Mosaic

An immigrant gateway community, Multi-Culti Mosaic is the urban home for a mixed populace of younger Hispanic, Asian and African-American singles and families. With nearly a quarter of the residents foreign born, this segment is a mecca for first-generation Americans who are striving to improve their lower-middle-class status.

LowerMid \$33,600

Age 25-44

Black, Hispanic

Source : Claritas, August 2007

S1 – Elite Suburbs

The most affluent suburban social group, Elite Suburbs is a world of six-figure incomes, post-graduate degrees, single-family homes and managerial and professional occupations. The segments here are predominantly white with significant concentrations of well-off Asian Americans. Befitting their lofty salaries S1 members are big consumers of large homes, expensive clothes, luxury cars and foreign travel. Despite representing a small portion of the U.S. population, they hold a large share of the nation's personal net worth

Wealthy, Older Suburban Couples



01 Upper Crust

The nation's most exclusive address, Upper Crust is the wealthiest lifestyle in America—a haven for empty-nesting couples over 55 years old. No segment has a higher concentration of residents earning over \$200,000 a year or possessing a postgraduate degree. And none has a more opulent standard of living.

Wealthy \$107,000

Age 45+

White, Asian

Wealthy, Middle-Aged Suburban Families



02 Blue Blood Estates

Blue Blood Estates is a family portrait of suburban wealth, a place of million-dollar homes and manicured lawns, high-end cars and exclusive private clubs. The nation's second-wealthiest lifestyle, it is characterized by married couples with children, college degrees, a significant percentage of Asian Americans and six-figure incomes earned by business executives, managers and professionals.

Wealthy \$113,800

Age 35-64

White, Asian

Wealthy, Suburban Boomer Couples



03 Movers & Shakers

Movers & Shakers is home to America's up-and-coming business class: a wealthy suburban world of dual-income couples who are highly educated, typically between the ages of 35 and 54, often with children. Given its high percentage of executives and white-collar professionals, there's a decided business bent to this segment: Movers & Shakers rank number-one for owning a small business and having a home office.

Wealthy \$97,100

Age 35-64

White, Asian

U3 – Urban Cores

Urban Cores segments are characterized by relatively modest incomes, educations and rental apartments, but affordable housing is part of the allure for the group's young singles and aging retirees. One of the least affluent social groups, U3 has a high concentration of Hispanics and African-Americans, and surveys indicate a fondness for both ethnic and mainstream media and products. Among the group's preferences: TV news and daytime programming, Spanish and black radio, telephony services and pagers, cheap fast food and high-end department stores.

Inner-City Multi-Ethnic Families



65 Big City Blues

With a population that's 50 percent Latino, Big City Blues has the highest concentration of Hispanic Americans in the nation. But it's also the multi-ethnic address for downscale Asian and African-American households occupying older inner-city apartments. Concentrated in a handful of major metros, these young singles and single-parent families face enormous challenges: low incomes, uncertain jobs and modest educations. More than 40 percent haven't finished high school.

Downscale \$29,000

Age <45

Black, Asian, Hispanic



APPENDIX D : PARKING STRATEGIES

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PARKING STRATEGIES¹

Retail districts and cities often struggle with questions about parking. How much parking is necessary? What is the right price to charge? Why are some spots always full and others always empty? How can we encourage more people to walk, bike or take transit rather than drive? How can new parking facilities be financed? A few strategies for these issues include, market-based parking, parking districts, reduced parking requirements, parking increment finance.

Create a parking district

Research shows that parking can be managed more effectively and provided more efficiently on a district level than on a site-specific basis. This is especially true in areas experiencing redevelopment and revitalization. In these areas vacant sites are limited and new retail businesses are opening in older buildings that may or may not have adequate parking to serve the new use according to parking requirements. This can often be a roadblock to revitalization. If every business were required to accommodate all of their parking demand on-site, some sites might not be redeveloped because a limited number of uses can occupy the space.

In addition, by providing parking for an entire retail district in one or two locations, cities will encourage trip-chaining or what some call "park once". This strategy reduces the total number of parking spaces necessary to serve a given number of stores or square-foot of retail over traditional retail configurations where each store maintains its own parking and patrons have to park each time they want to go to a different store. If patrons can park once and walk to three or four separate stores, each store can reduce its parking ratios.

Adjust parking prices

Many cities make street parking free or inexpensive in fear that patrons will not park there if the fees are too high. However, if street parking is free or very inexpensive, patrons will spend a longer time driving to look for parking rather than pay to park in a garage. This can create the perception that there is a parking shortage, when in fact many garage spots remain open. In cities that have adopted alternative parking policies by pricing all spaces the same or discounting the garage spots, have found they have higher utilization of all the available spaces and it actually creates more available street spaces.

Market-based pricing adjusts parking prices based on demand. When demand is high for street parking spaces, like during peak periods, prices are higher for street parking spaces than garage spaces during off-peak periods. Redwood City uses dynamic pricing to maintain an 85 percent occupancy rate on street parking spots. This occupancy rate ensures that on average, one space per block is always open. This creates a perception that parking is always easy to find, even though they have not added any parking spaces. By instituting dynamic pricing, more patrons will choose to walk, bike or take transit, come during off-peak hours, or will park in cheaper garage parking spaces. Market-based pricing can affect demand and decreases the amount of parking necessary for any one district.

UPPER BROADWAY STRATEGY

A Component of the
OAKLAND RETAIL ENHANCEMENT STRATEGY
 Last Updated: September 11, 2007



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Generally, revenue from parking meters can be used to fund streetscape improvements in the district in which they are collected. This focused funding generates support from local merchants and faster results than if the money was distributed citywide. However, if revenue is greatly unequal from one district to the next, revenue sharing agreements may offer a more equitable solution.

Revenue Sharing Agreements

In locations with existing parking meters revenue sharing agreements can be used to maintain some revenue for the City while also allowing each Parking Meter Zone to benefit from direct revenue.

Parking Increment Finance

1. The City continues to receive current meter revenue.
2. The City splits any increases in meter revenue with the BID
3. The revenue stream creates a local incentive to increase the number of meters, the meter rates, the hours of meter operation and enforcement
4. Both the BID and the City get new revenue"

Revenue Sharing Among Neighborhoods

In San Diego, the city shares the parking meter revenue among all neighborhoods. This is done to more equitably share revenues. Some wealthy areas of the city generate more revenue because they are desirable places to park and spend time, while poorer areas might generate less revenue because not many people drive into those neighborhoods to shop. Fifty-five percent of the revenue from all parking meters goes into the City's general fund to be shared among all neighborhoods and 45 percent goes back to the neighborhood it was collected from.

Issue Bonds or use Tax Increment Finance

While the revenue gained from higher-priced parking meters can be significant, it is usually not enough to fund the construction of new parking garages. If a large-scale project is being completed, the city can partner with the developer to build a large garage to fulfill the needs of both the development and existing retail. The city or redevelopment agency could offer the developer assistance with land assembly, partial funding or re-zoning.

If private money is not available, the public sector is often well poised to offer direct funding. Redevelopment agencies can use tax increment finance dollars to fund the construction of new garages. Cities can also issue bonds to pay for parking facilities. In Pasadena, a blended approach was used. The City issued a bond to pay for the construction of a public garage and the Redevelopment agency paid the city back over a number of years with tax increment funds.

¹*The High Cost of Free Parking, Donald Shoup. American Planning Association Planners Press, 2005.*

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APPENDIX E : PUBLIC MEETINGS

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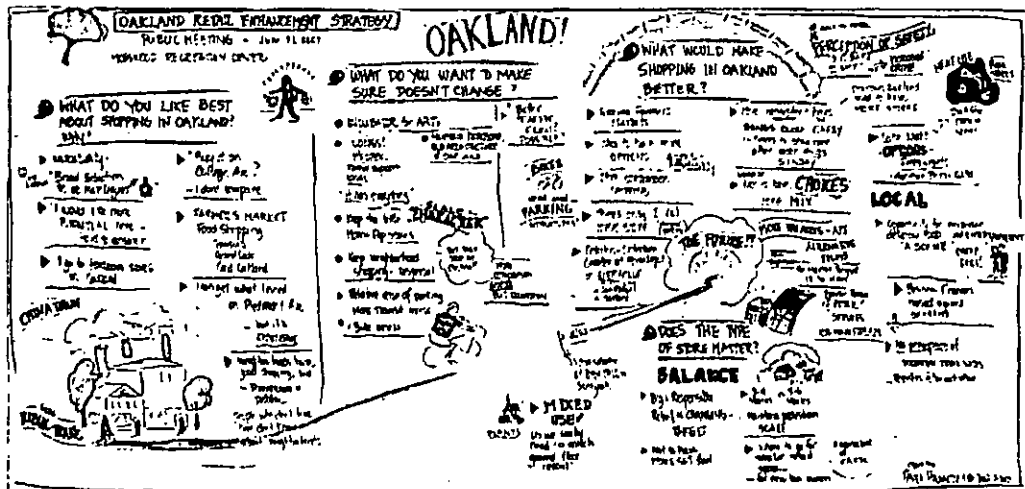
A. SUMMARY OF PUBLIC MEETINGS

The public meeting process consisted of four meetings in community facilities in different sectors of Oakland. A total of 60 participants attended the meetings which were coordinated and publicized by City staff. The following four questions were presented to the participants:

- What do you like about Shopping in Oakland?
- What would make your shopping experience better?
- What do you want to make sure doesn't change?
- Does type of ownership matter?

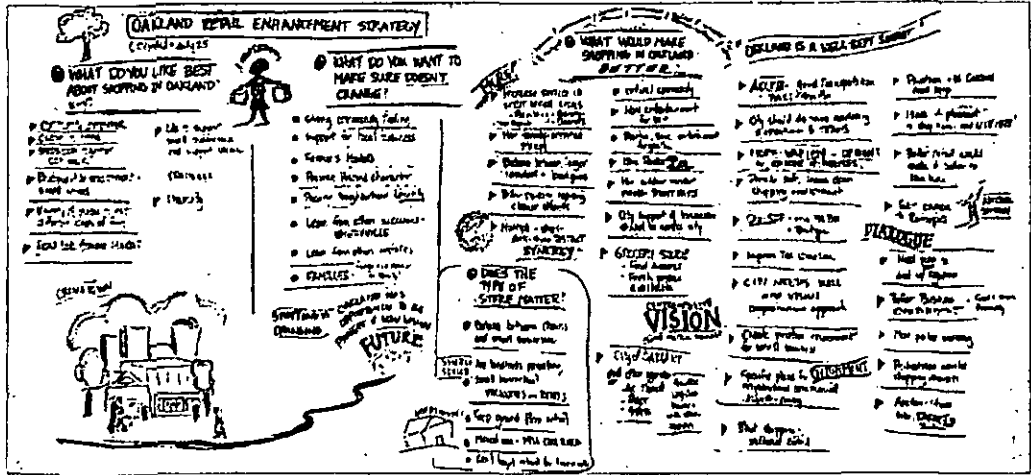
The East and West – While some communities experience high levels of retail service, others live in vacuums with inadequate or convenience goods or services. This was not always the case. People called for City support in managing the neighborhood commercial district business cycles, taking advantage of opportunities, like the changes in the Dimond, and helping neighborhoods in East and West Oakland which are still lacking basic retail services. When presented with the choice of traveling to a location across town or to San Leandro, Emeryville or Alameda for convenience goods, residents choose the quality and convenience of neighboring cities for their basic grocery shopping needs. Everyone would prefer to be able to get their needs met at home, in Oakland, but would travel for a quality shopping experience.

Balance of Large and Small Businesses – There was strong support for small and neighborhood businesses, as a place for day to day shopping. But for “weekend shopping” people needed places to go where they could meet all their needs with ease. People defined “weekend shopping” as primarily comparison shopping for clothing, appliances, sporting goods, gifts and similar items. They expressed a desire for a wide range and mix of high-



June 21, 2007





June 23, 2007

end and affordable department stores, places where they could get everyday things, as well as boutiques with specialty items. All this does not need to occur in one store, but in one location. Ideally parking should be free or at token cost levels. People also called upon large businesses to be community leader and good civic partners providing living wage jobs in Oakland.

Downtown, Weekend Shopping is More Than an Errand – People remembered back in the day when Downtown was “a scene.” People dressed up, were treated respectfully, and everyone went out to Downtown Oakland. People wanted to shop where there were a lot of other people. People wanted interactive programming – music and art activities for youth, children and families. All groups called for a mix of price points which would allow a mix of people to meet their needs including youth, seniors, workers and families. Basic urban design principles of good lighting, wide sidewalks, landscaping and the quality of maintenance of the public space as well as the buildings and ease of parking were identified as factors in people’s decision about where to shop.

Customer Service, Quality and Inventory – These are significant factors in people’s shopping choices. While people were happy to shop locally, for comparison items they did not want to “have to” shop at small local stores. Most importantly, people wanted to be able to make large and gift purchases at name brand stores where if needed, items could be returned or exchanged. Repeated in each of the meetings was the note that the national chains located in Oakland tend to have lower quality selection and merchandising in their Oakland store than in their more suburban locations.

Diversity and Community Character – Thematically all residents across the City appreciate and do not want to lose the distinct neighborhoods and community character of Oakland. In particular the cultural/ethnic neighborhoods were seen as a resource to everyone. Participants felt that all neighborhoods, and all communities, throughout the City should



be able to enjoy a thriving commercial corridor in which people can meet their day to day shopping needs close to home.

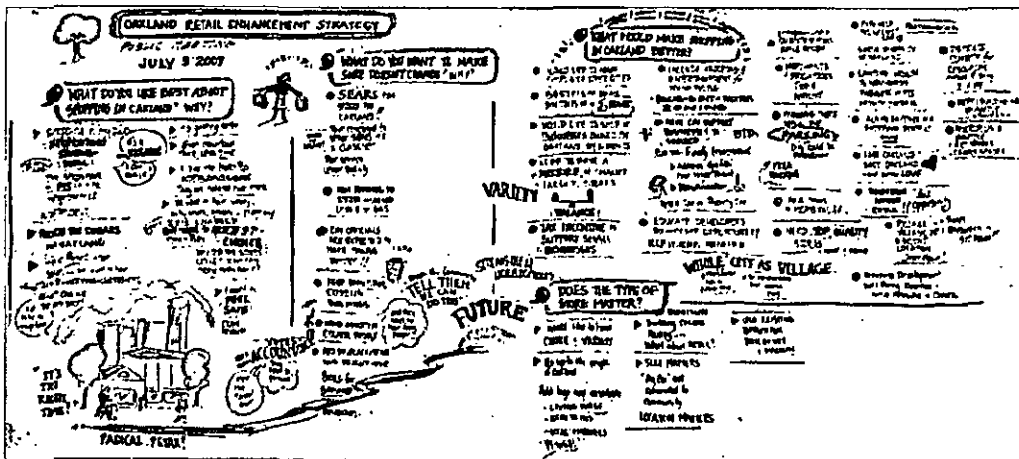
Maintenance and Public Works – All groups called for clean streets and sidewalks, as well as maintenance of street furnishings and sidewalks, curbs etc. Both East Oakland groups pointed out the negative impacts of graffiti and littering.

Community Education – People suggested a need to shift community culture around graffiti and littering, create awareness of the benefits of landscaping and trees, and improve employee attitudes which impact quality of service and long term success of businesses in Oakland.

Safety – While people talked about the increase in crime (mugging) along all commercial corridors throughout the City, the overall perception of crime and safety in Oakland was that things have gotten better.

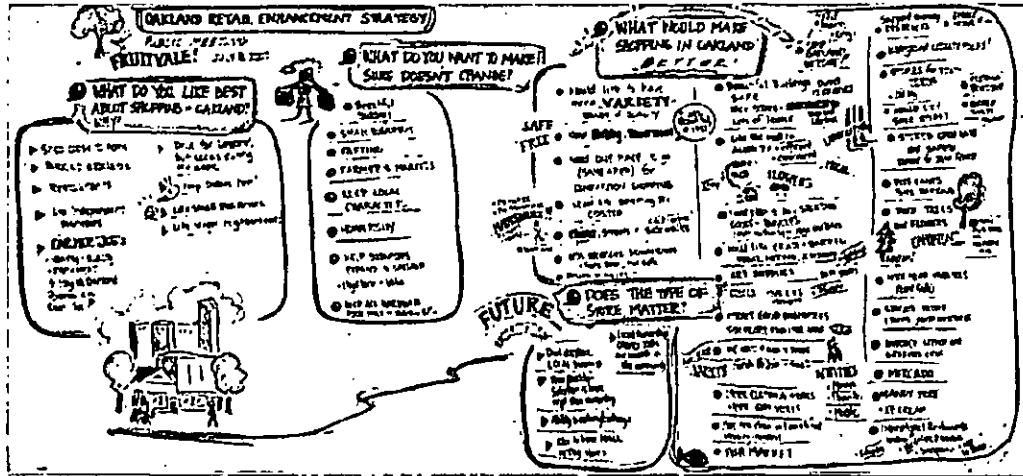
Supporting Expansion of Existing Businesses – Each group identified local success stories, businesses that expanded though did not necessarily stay in Oakland, and called for support of local businesses to expand and grow in Oakland. One of the ideas that surfaced was to create an online list of businesses in Oakland, perhaps with user commentary. Some participants thought that the City should help with filling vacancies – commercial districts with lots of vacancies, like downtown, feel dead and not safe.

Operations – All groups also pointed to the need for later and standardized hours of operation which would make it easier to shop in Oakland after work. In addition to the comments about "lesser" quality of inventory and merchandising, was a request that businesses recognize and serve the diversity of Oakland, and Oaklanders' needs, in particular the neighborhood based stores, not just one target market group.



July 9, 2007



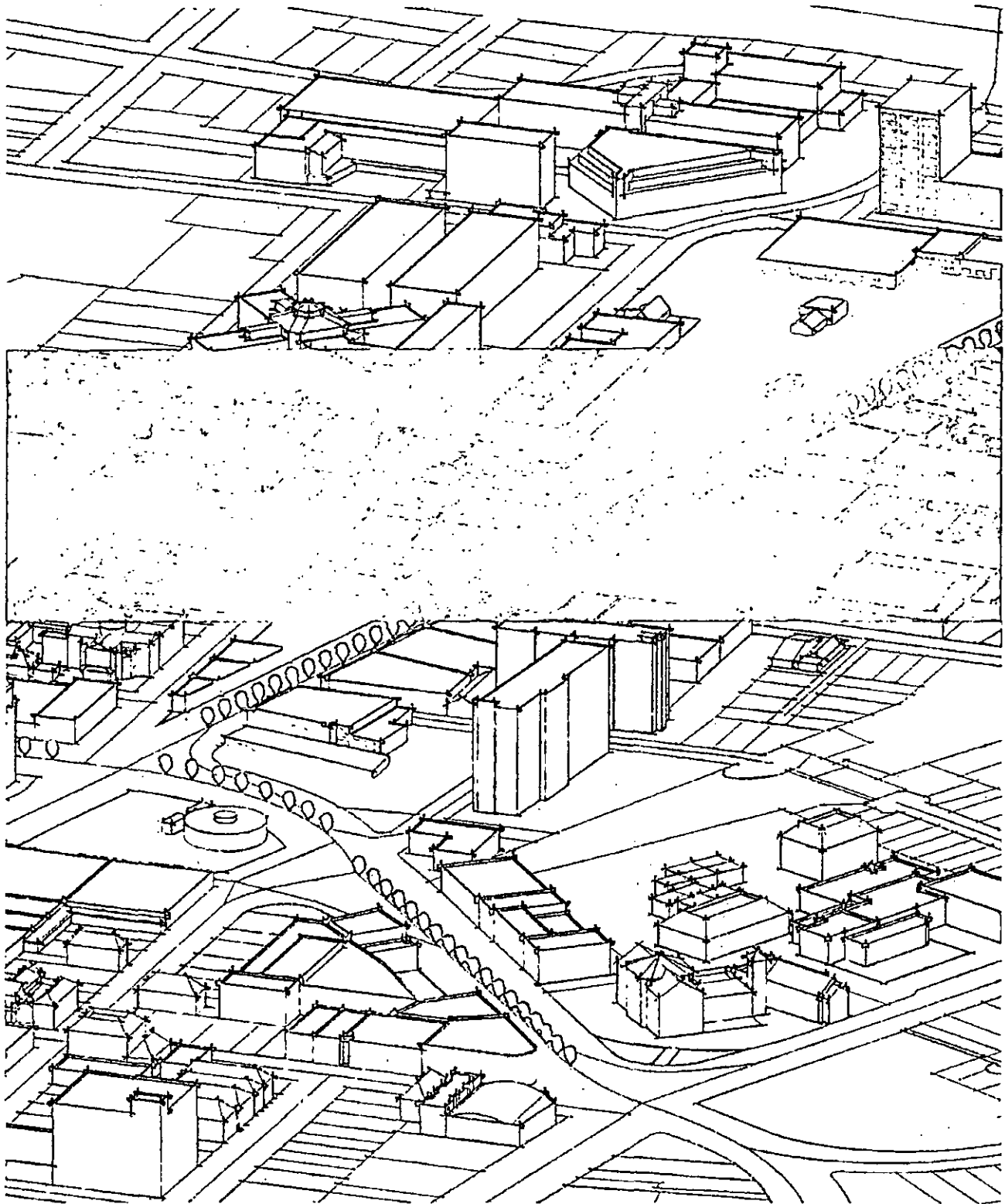


July 11, 2007.

Kinds of Comparison Shopping – People would like to see Oakland include home improvement, comparison shopping, clothing, housewares, shoes, music (instruments), sporting goods, (specialty and general), and big name stores which would bring people to Oakland.

Entertainment - All groups asked for entertainment and shopping that would target and be accessible to youth, and at the same time asked for theater and entertainment that targeted more than 18-35 year old males (including independent films, theaters, etc. for people 40 and over, live music and dance halls – which reflect the diversity of Oakland, bringing in everything from Hip Hop, Jazz and Blues to Salsa).

Across the board all groups wanted to see the reuse of Oakland’s existing handsome building stock, in particular in the Downtown and Auto Row areas and were not willing to see the development and growth of large scale comparison shopping at the expense of the local neighborhood commercial corridors. Another interesting trend was the emphasis and assumption that shopping referred to “family” shopping needs. In one meeting it was very specifically stated that loft residents were transient, which Oakland should not focus its economic development around, rather the City should focus its efforts on attracting the larger scale shopping that families in Oakland need.



CONLEY CONSULTING GROUP
JRDV ARCHITECTS
STRATEGIC ECONOMICS
COLLIERS INTERNATIONAL

**Attachment B: Interim Zoning Controls October 17, 2007 Zoning
Update Committee staff report**

Oakland City Planning Commission

Zoning Update Committee

Michael Colbruno

Doug Boxer

Anne E. Mudge

STAFF REPORT

October 17, 2007

Location:	Lots facing Broadway between 23 rd Street and Hawthorne Avenue (see Attachment B).
Proposal:	Zoning overlay to preserve new ground level facilities and activities for retail use.
Applicant:	Community and Economic Develop Agency
General Plan:	Community Commercial
Zoning:	Community Thoroughfare Commercial Zone
Environmental Determination:	Exempt; Section 15061(b)(3), State CEQA Guidelines, "general rule," no possibility of significant effect on the environment.
Case File Number:	ZT07-432
Action to be taken:	Recommendation to the Planning Commission
For further information:	Contact: Neil Gray at 238-3878 or email ngray@oaklandnet.com

SUMMARY

Staff proposes to institute a new S-5 overlay zone on Broadway Auto Row from 23rd Street to Hawthorne Avenue. These new regulations would be interim to give the City an opportunity to develop a Specific Plan designed to create a regional retail center along this stretch of Broadway. The Specific Plan would provide a comprehensive set of development regulations and requirements, including the distribution, extent and location of land uses, infrastructure standards and financing mechanisms for public improvements. This strategy was set forth in the report "Upper Broadway Strategy, a Component of the Oakland Retail Enhancement Strategy", recently developed by a consultant for the Redevelopment Agency.

The proposed S-5 overlay zone would preserve the ground floor of buildings for storefront businesses that generate pedestrian activity such as retail sales, consumer service businesses, and medical services. New construction would also be required to have a storefront appearance, including ample window area, twelve foot ground floor ceiling height, and a prominent entrance oriented towards Broadway.

New automobile sales, auto repair and servicing, and light industrial activities would be severely limited by the new proposal. This represents a major change for an area that has been a center for these types of activities for many years. Given the City's deficit of retail sales, staff believes that this tradeoff is critical to develop the area as a regional retail center.

BACKGROUND

Given its demographics and central Bay Area location, Oakland is considered the nation's largest underserved area for comparison goods. Oakland currently exports roughly \$1 billion of its annual sales of comparison goods to the neighboring communities of Emeryville, San Francisco, Walnut Creek and San Leandro. To remedy this deficit, the City Council has asked redevelopment staff to develop a strategy to attract retail businesses to Oakland. On February 6, 2007, the City Council approved a contract with the Conley Consulting Group to work with redevelopment staff in the creation of a citywide retail recruitment strategy and implementation plan.

In anticipation of several major auto dealerships moving to the former Oakland Army Base, the first task of the consultant has been to study the future development of Broadway Auto Row between 23rd Street and Hawthorne Avenue. The consultant has made recommendations and laid out options in the report "Upper Broadway Strategy, a Component of the Oakland Retail Enhancement Strategy" (see Attachment D). The report recommends that the City take four implementation steps to create a regional retail center on Upper Broadway/Broadway Auto Row:

1. Prepare and adopt an interim set of zoning controls. The current regulations allow residential and non-retail activities on the ground floor without any discretionary permits from the City. The consultant recommends that interim regulations be adopted by the City that preserves new ground level facilities and activities for retail use.
2. Develop a Specific Plan to provide a comprehensive set of development regulations and requirements, including the distribution, extent and location of land uses, infrastructure standards and financing mechanisms for public improvements.
3. Finance about \$50 million of structured parking to serve 450,000 square feet of retail. This effort would include identifying potential sites, preparing initial designs and developing financing mechanisms.
4. Review current City policies such as Living Wage, Prevailing Wage, and the regulations regarding large-scale retail stores with more than 10% of sales floor area devoted to non-taxable merchandise.

The adoption of the interim controls described in Recommendation 1. is the subject of this report.

EXISTING CONDITIONS

Site area

The area proposed for interim controls includes lots facing Broadway between 23rd Street and Hawthorne Avenue (see Attachment B). This approximately two-thirds of a mile length contains predominantly indoor and outdoor auto sales, auto repair shops, automotive support services, and

light industrial businesses. The area also has several service businesses, particularly below 26th Street, including a gym, a safe company, medical offices, and others.

The structures are generally one and two stories, with several masonry buildings constructed in the 1920's. The first Presbyterian Church is an "A" rated designated historic building located on Broadway at 27th Street. Several other buildings along the corridor are designated as having potential historic importance. Many of these buildings have been successfully rehabilitated to auto showrooms.

Zoning

The area is currently zoned C-40 Community Thoroughfare Commercial Zone. This zone allows a wide variety of commercial activities including auto sales, auto repair, car rental, retail, office, light industrial, and wholesale sales. The zone also allows residential activities anywhere on a lot, including on the ground floor. The C-40 zone contains the following development standards:

Regulation	Requirement
Density	
Permitted	One unit per 450 sf of lot area
Conditionally Permitted	One unit per 300 sf of lot area when a project includes four stories of residential construction
Floor area ratio	
Permitted	3.0 maximum
Conditionally permitted	4.5 maximum upon the acquisition of development rights from nearby properties
Height	No height maximum
Open Space	150 sf per regular unit

General Plan

Community Commercial is the current General Plan designation for the planning area. The General Plan description for this designation is as follows:

Intent: The Community Commercial General Plan land use classification is intended to identify, create, maintain, and enhance areas suitable for a wide variety of commercial and institutional operations along the City's major corridors and in shopping districts and centers.

Desired Character and Uses: Community Commercial areas may include neighborhood center uses and larger scale retail and commercial uses, such as auto related businesses, business and personal services, health services and medical uses, educational facilities, and entertainment uses. Community Commercial areas can be complemented by the addition of urban residential development and compatible mixed use development.

Maximum Density: one unit per 261 square feet of lot area

Maximum Floor Area Ratio: 5.0

The proposed overlay is consistent with this designation because it requires commercial activities on the ground floor of Broadway. The current regulations allow an entire building to be occupied by residential activities.

SUMMARY OF PROPOSAL

The proposal includes a new S-5 overlay zone. An overlay zone is combined with the base zone, in this case the C-40 zone, to modify certain regulations for a particular area. This section summarizes key aspects of the proposed regulations.

Time limit for regulations. Section 17.81.020 states that the S-5 regulations only remain in place for three years or until the City Council adopts permanent regulations. This regulation provides the Redevelopment Agency and the Planning Division time to develop a Specific Plan and perform the necessary environmental review for the area.

Relationship with the base zone. Section 17.81.040 states that regulations in the overlay zone supercede regulations of the same subject in the base zone.

Design Review. Section 17.81.050 would require design review approval for all new construction. The current C-40 regulations do not require design review for commercial buildings.

Permitted Activities. The current C-40 zoning allows for a wide range of residential and commercial activities. The proposed regulations restrict several of these activities to be consistent with the retail district envisioned by the City. It is important to note, however, that any existing legally operating business would be allowed to continue operating regardless of the new regulations. The new restrictions would only apply to expansions of existing businesses and new businesses locating on a lot that does not currently contain the same activity.

The proposal only allows businesses on the ground floor of buildings if they generate pedestrian activity such as retail sales, consumer service businesses, and medical services. Unlike the C-40 zone, the S-5 zone would not allow residential or administrative office activities on the ground floor of any building.

The proposed regulations would significantly change the way automobile activities are currently regulated. The C-40 zone accommodates the automotive related services on auto row by permitting automobile sales, support services, and repair businesses without any requirements for discretionary permits from the City. By disallowing these activities, the proposed S-5 zone would prompt a phasing out of these activities to accommodate the retail environment envisioned by the City. The only exception to this exclusion is a provision that conditionally permits an existing auto sales business in the zone to relocate within the zone if the new location is temporary and necessary to accommodate its eventual relocation out of the S-5 zone. Attachment C contains a table that compares how activities are regulated in the C-40 zone to how they are proposed to be regulated in the S-5 zone.

Ground level of new construction. Section 17.81.070 requires that new construction include ground level commercial space that is at least 30 feet deep and covers the length of the front façade. However, the regulations conditionally permit 20 percent of the frontage be used for parking activities to allow some site plan flexibility. The proposal also contains the following regulations to help ensure a store front appearance and a scale comfortable for pedestrians:

- A minimum amount of window area on the frontage;
- A minimum twelve foot ground floor height; and
- A maximum five foot setback from Broadway.

Conditional use permit for larger construction. Staff proposes to require a conditional use permit for new construction with a floor over 10,000 square feet. This regulation allows staff to review larger projects to assure they are consistent with the regional retail vision the City has for the planning area.

KEY ISSUES AND IMPACTS

The biggest impact of the proposal would be the change of permitted activities in the planning area. As noted, the proposal would not allow new automobile repair, sales, rental, or light industrial businesses in an area that has been a center for these activities for many years. Existing businesses could continue to operate but would be unable to expand and new auto or light industrial activities would not be able to start. Staff believes this is appropriate phasing out of these activities to make room for the regional retail center envisioned by the City Council that will reduce the City's significant deficit of retail sales.

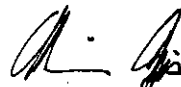
ACTION REQUESTED OF THE ZONING UPDATE COMMITTEE

Staff recommends that the Zoning Update Committee endorse the forwarding of the proposed zoning regulations and zoning amp amendments to the full Planning Commission.

Prepared by:


NEIL GRAY, Planner III

Approved for forwarding to the
Zoning Update Committee of the
City Planning Commission


CLAUDIA CAPPIO, Development Director

ATTACHMENTS:

- A. Proposed S-5 Zone text
- B. Map of proposed S-5 Zone
- C. Comparison of C-40 activity regulations and the proposed S-5 activity regulations
- D. Report: "Upper Broadway Strategy, a Component of the Oakland Retail Enhancement Strategy" by the Conley Consulting Group

Attachment A: The proposed S-5 overlay zone

Chapter 17.81 S-5 Broadway Retail Frontage Interim Combining Zone Regulations

Sections:

17.81.010 Title, purpose, and applicability.

17.81.020 Expiration for S-5 zone.

17.81.030 Zones with which the S-5 zone may be combined.

17.81.040 Relationship to base zone.

17.81.050 Required design review process.

17.81.060 Permitted and conditionally permitted activities.

17.81.070 Special regulations regarding facilities on the ground level of principal buildings.

17.81.080 Special ground floor height regulation.

17.81.090 Building location.

17.81.100 Special regulations applying to new construction over 10,000 square feet.

17.81.010 Title, purpose, and applicability.

The provisions of this chapter shall be known as the S-5 Broadway retail frontage interim combining zone regulations. The S-5 zone is intended to create, preserve, and enhance ground level retail opportunities on the commercial areas of Broadway north of the Central Business District. These interim regulations anticipate the adoption of more comprehensive and detailed regulations and a plan to attract retail opportunities on this area of Broadway.

17.81.020 Expiration for S-5 zone.

The regulations contained in the S-5 zone shall remain in place and be effective for a continuous period of three years from the date of the adoption of the regulations or until the City Council adopts permanent regulations, whichever comes first.

17.81.030 Zones with which the S-5 zone may be combined.

The S-5 zone may be combined with any commercial zone.

17.81.040 Relationship to base zone.

The regulations in the S-5 zone are supplementary to the regulations applying in the zone or zones with which the S-5 zone is combined. Whenever any provision of the S-5 zone imposes overlapping or contradictory regulations with those contained in the applicable base zone, or contains restrictions covering any of the same subject matter, the provision within the S-5 zone shall control, except as otherwise expressly provided in the zoning regulations.

17.81.050 Required design review process.

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Building Facility, Mixed Use Development, Telecommunications Facility, Signs or other associated structure in the S-5 combining zone shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

17.81.060 Permitted and conditionally permitted activities.

The following table lists activities permitted, conditionally permitted, and prohibited in the S-5 zone. The descriptions of these activities are described following the table.

“P” designates permitted activities in the corresponding zone.

“C” designates activities that are permitted only upon the granting of a conditional use permit (see Chapter 17.134) in the corresponding zone.

“L” designates activities subject to certain limitations listed at the bottom of the table.

“--” designates activities that are prohibited in the corresponding zone.

Activity	Regulations	Additional Regulations
Residential Activities		
Permanent Residential	C(L1)	
Residential Care occupying a One-Family Dwelling Residential Facility	C(L1)	17.102.212
Residential Care not occupying a One-Family Dwelling Residential Facility	C(L1)	17.102.212
Service-Enriched Permanent Housing	C(L1)	17.102.212
Transitional Housing	C(L1)	17.102.212
Emergency Shelter	--	17.102.212
Semi-Transient Residential	--	17.102.212
Civic Activities		
Essential Service	P	
Limited Child-Care	C(L1)	
Community Assembly	C(L1)	
Community Education	P(L1)	
Nonassembly Cultural	P	
Administrative	P(L1)	
Health Care	C	
Special Health Care	--	17.102.410
Utility and Vehicular	--	
Extensive Impact	--	
Telecommunication	P	17.128
Commercial Activities		
General Food Sales	P	
Convenience Market	C	17.102.210
Fast-Food Restaurant	C	
Alcoholic Beverage Sales	C	17.102.210
Convenience Sales and Service	P	
Mechanical or Electronic Games	--	17.102.210
Medical Service	P(L2)	
General Retail Sales	P	
Large-Scale Combined Retail and Grocery Sales	--	
General Personal Service	P	
Consultative and Financial Service	P	
Check Cashier and Check Cashing	--	
Consumer Laundry and Repair Service	P	
Group Assembly	C	
Administrative	P(L1)	
Business and Communication Service	P	
Retail Business Supply	C	
Research Service	--	
General Wholesale Sales	--	

Activity	Regulations	Additional Regulations
Transient Habitation	--	17.102.370
Construction Sales and Service	--	
Automotive Sales, Rental, and Delivery	--/C(L3)	
Automotive Servicing	--	
Automotive Repair and Cleaning	--	
Automotive Fee Parking	C	
Transport and Warehousing	--	
Animal Care	C	
Undertaking Service	--	
Scrap Operation	--	17.102.210
Manufacturing activities		
Custom Manufacturing	--	
Light Manufacturing	--	
General Manufacturing	--	
Heavy Manufacturing	--	
Small Scale Transfer and Storage Hazardous Waste Management	--	
Industrial Transfer/Storage Hazardous Waste Management	--	
Residuals Repositories Hazardous Waste Management	--	
Agricultural and Extractive activities		
Plant Nursery	--	
Crop and Animal raising	--	
Mining and Quarrying Extractive	--	
Accessory off-street parking serving prohibited activities	C	17.102.110

Limitations:

- L1- These activities shall not be located on the ground floor of a building on a lot with a property line adjacent to Broadway except for incidental pedestrian entrances that lead to one of these activities in stories above the ground floor.
- L2- These activities may only be located on the ground floor of a building on a lot with a property line adjacent to Broadway upon the granting of a conditional use permit (see Chapter 17.134), and shall conform to the additional criteria contained in Section 17.25.030. However, incidental pedestrian entrances that lead to one of these activities in stories above the ground floor are permitted without the granting of a conditional use permit.
- L3- Existing businesses legally performing Automotive Sales, Rental, and Delivery Commercial Activities within the S-5 zone may expand and/or relocate within the S-5 zone upon the granting of a conditional use permit. Automotive Sales, Rental, and Delivery Commercial Activities are prohibited in all other instances. A conditional use permit for Automotive Sales, Rental, and Delivery Commercial Activity may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and the following additional criterion:
 - 1. That the operation of the activity is temporary and the conditional use permit is required to accommodate the eventual relocation of the business performing the Automotive Sales and Service Activity to a location outside the S-5 zone.

17.81.070 Special regulations regarding facilities on the ground level of principal buildings.

- A. This section shall only apply to lots with a property line adjacent to Broadway.
- B. For the purposes of this section, the front of a building shall be that side facing Broadway and is within 50 feet of the lot line adjacent to Broadway.
- C. Except upon the granting of a conditional use permit (see subsection E), only principal nonresidential facilities (excluding joint living and working quarters) shall be located within the front thirty (30) feet of the ground floor of any new principal building located on a corner lot that is adjacent to Broadway.

D. Except upon the granting of a conditional use permit (see subsection E), only principal nonresidential facilities (excluding joint living and working quarters) and a maximum one driveway shall be located within the front thirty (30) feet the ground floor of any new principal building located on an interior lot that is adjacent to Broadway. This driveway shall be a maximum nineteen (19) feet in width and lead to parking that is at least thirty feet from the front of the building.

E. Upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, twenty (20) percent of the width of the front thirty (30) feet of the ground floor of a new principal building may contain required parking. This conditional use permit may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and the following additional criterion:

1. That the requirements contained in subsections C or D are infeasible due to lot dimensions, topographic features, or other site constraints.

F. The ground level of Broadway facing facades of new principal buildings shall have a store front appearance defined by at least the following design elements:

1. An ample amount of street-facing ground level building facade comprised of clear, non-reflective windows that allow views of indoor commercial space. This includes:

a. A minimum of sixty (60) percent of the front building façade between 3.5 feet and 10 feet in height comprised of clear, non-reflective windows that allow views of indoor commercial space or product display areas. The total area of the front building façade shall not include the area with the driveway;

b. The bottom of any window or product display window being no more than four (4) feet above the adjacent sidewalk; and

c. Product display windows used to satisfy that are a minimum height of 4.5 feet and internally lighted.

2. A prominent and primary entrance feature facing Broadway; and

3. An area designated for signage.

17.81.080 Special ground floor height regulation.

The minimum height from the grade to the ground floor ceiling of newly constructed principal facilities shall be twelve (12) feet. This regulation does not apply to additions to existing buildings.

17.81.090 Building location.

The entire building façade that faces Broadway shall be located within five (5) feet of the sidewalk. This standard shall not apply to plazas, recessed entrances, parks, or space designed to accommodate sidewalk seating areas for restaurants, cafes, and similar businesses. No more than 50 percent of a building frontage shall qualify for the exception for plazas, recessed entrances, or sidewalk seating areas.

17.81.100 Special regulations applying to new construction over 10,000 square feet.

New construction shall only exceed ten thousand (10,000) square feet upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

The underlined text below is not part of the S-5 regulations but is proposed to be amended to the definition section of the zoning ordinance:

17.09.040 Definitions.

“Base zone” means any residential, commercial, or industrial zone.

Attachment C: Impacts associated with the General Plan identified in the General Plan EIR

OAKLAND GENERAL PLAN LAND USE AND TRANSPORTATION ELEMENT

Final Addendum to the Draft EIR

February 1998

ER No. 97-18

State Clearinghouse No. 97062089

Prepared for:

City of Oakland

SUMMARY

A. PROJECT DESCRIPTION

The project is the update of the Land Use and Transportation Element of the Oakland General Plan. The Element combines the State-mandated Land Use Element and Circulation Element into a single integrated document. It replaces the 1980 Land Use Element and the 1974 Circulation Element of the Oakland General Plan and updates the Land Use and Circulation sections of the Oakland Policy Plan. In addition to updating the City's Land Use and Transportation Diagram, the Element introduces new strategies, policies, and priorities for Oakland's development and enhancement during the next two decades.

B. ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential environmental impacts of the project are summarized in Table S-1 at the end of this chapter. This table lists impacts and mitigation measures in three major categories: significant impacts that would remain significant even with mitigation; significant impacts that can be mitigated to a level of less-than-significant; and impacts that would not be significant. For each significant impact, the table includes a summary of mitigation measure(s), followed by a column that indicates whether the impact would be mitigated to a less-than-significant level. Please refer to Chapter III for a complete discussion of each impact and associated mitigation.

As stated in Table S-1 and in Chapter III, the Land Use and Transportation Element would result in significant, unavoidable impacts in regard to transportation, public services, air quality, noise, wind, and consistency with adopted plans and policies.

C. ALTERNATIVES

Chapter IV of this EIR analyzes three separate alternatives to the Land Use and Transportation Element: the "No Project" alternative, which would leave the existing 1980 General Plan in place; the "Alternative Designations" alternative, which considers the choices that were presented but not selected for the various sites analyzed during the Element update; and the "Environmentally Superior" alternative, which identifies lower levels of development in those areas with environmental constraints, including the hills, and requires mitigation of the adverse impacts identified in this EIR to the point where they would be less than significant.

**TABLE S-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Significant Impact	Mitigation Measures	Significance After Mitigation
A. SIGNIFICANT UNAVOIDABLE IMPACTS		
B. <u>Transportation</u>		
B.1: Development pursuant to the updated Land Use and Transportation Element would result in the degradation of the level of service on several roadway segments.	B.1: Implement roadway improvements and transit improvements to reduce congestion on arterial roadways.	SU
D. <u>Public Services</u>		
D.6-2: Development consistent with the proposed Land Use and Transportation Element would result in higher levels of population in areas where fire fighting and evacuation constraints presently exist. These constraints include narrow street widths, insufficient turning radii, steep slopes, distant fire stations, and an emergency water supply that is vulnerable to disruption in the event of an earthquake or power failure.	D.6-2: Proceed with construction of a fire station in the North Oakland Hills to reduce the identified service deficiency in this area, to reduce response times, and to minimize the risk of catastrophic wildfire.	SU
E. <u>Air Quality</u>		
E.1: Implementation of the proposed Land Use and Transportation Element would not be consistent with population and VMT assumptions used in air quality planning, and would result in increased regional emissions of criteria air pollutants.	E.1: To the extent permitted by law, large new development within the City shall be required to implement Transportation Control Measures (TCMs) as recommended by the Bay Area Air Quality Management District (listed under Mitigation Measure E.6).	SU

SU = Significant and Unavoidable

**TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Significant Impact	Mitigation Measures	Significance After Mitigation
A. SIGNIFICANT UNAVOIDABLE IMPACTS		
E.6: Cumulative development of projects in the Downtown Showcase District would result in long-term traffic increases and associated air pollutant emissions, which would adversely affect regional air quality.	E.6: The the extent permitted by law, downtown projects should be required to implement Transportation Control Measures (TCMs) to reduce mobile source emissions. Many of these measures already would be part of the downtown projects due to the proximity of these projects to existing local and regional transit facilities and existing limitations on parking availability.	SU
E.10: Cumulative development of projects in the Coliseum Showcase District would result in traffic increases and associated air pollutant emissions, which would adversely affect regional air quality.	E.10: Implement Mitigation Measure E.6.	SU
L. Noise		
L.8: Development of the downtown projects would generate short-term increases in noise and vibration due to construction.	L.8: The City shall require the project sponsors to implement noise control techniques to minimize disturbance to adjacent or nearby sensitive noise receptors during project construction.	SU
L.11: Construction of projects in the Coliseum Showcase District would generate short-term increases in noise and vibration, and potential noise increases would be the same as described under Impact L.8 above for the Downtown Showcase District.	L.11: The City shall require the project sponsors to implement noise control techniques to minimize disturbance to adjacent or nearby sensitive noise receptors during project construction.	SU

SU = Significant and Unavoidable

**TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Significant Impact	Mitigation Measures	Significance After Mitigation
A. SIGNIFICANT UNAVOIDABLE IMPACTS		
N. <u>Wind</u>		
<p>N.1: Adoption of the Element could result in development that would change wind speeds at locations in the Downtown Showcase District.</p>	<p>N.1: The City shall require the project sponsors to incorporate specific design elements in the final siting and designs for the high rises that could reduce ground-level winds within the Downtown Showcase District.</p>	SU
O. <u>Consistency with Adopted Plans and Policies</u>		
<p>O.3: The proposed Land Use and Transportation Element would be consistent with regional policies and programs except for the Clean Air Plan.</p>	<p>O.3: Implement Mitigation Measures E.1 and E.6.</p>	SU

SU = Significant and Unavoidable

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
A. Land Use		
<p>A.1: Implementation of the proposed Land Use and Transportation Element would alter the Oakland General Plan land use classifications, changing the densities that are allowed in various residential designations and restructuring the commercial and industrial designations to reflect a broader range of industry and business than anticipated in the 1980 Plan. Development consistent with the new definitions could result in a broader range of commercial and industrial uses in some areas.</p>	<p>A.1a: Establish performance based standards which designate appropriate levels of noise, odors, light/glare, traffic volumes, or other such characteristics for industrial activities located near commercial or residential areas.</p> <p>A.1b: Develop "performance" zoning regulations which permit industrial and commercial uses based upon their compatibility with other adjacent or nearby land uses.</p> <p>A.1c: Develop strategies to mitigate conflicts associated with live/ work and home occupation uses.</p> <p>A.1d: During the revision of the zoning ordinance and map, develop zoning district definitions and map boundaries to protect enclaves of lower density residential development that may be designated for more inclusive density categories on the Land Use and Transportation Diagram. Use the General Plan Strategy Diagram as a means of making these determinations.</p> <p>A.1e: During the revision of the zoning ordinance, develop a one acre minimum lot size zoning district. Consistent with the recommendations of the OSCAR Element, apply this district to appropriate areas of the Oakland Hills as a means of maintaining and enhancing neighborhood character.</p>	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>A.2: Land Use Diagram changes could facilitate the redevelopment of large parts of the City, including military bases, transit corridors, the Coliseum area, the Estuary shoreline, and Downtown. Implementation of the proposed Land Use and Transportation Element would change the allowable land uses in a number of locations within the City. Subsequent zoning changes could result in designations that are inconsistent with the existing uses. Zoning changes consistent with the proposed Element could render some uses non-conforming.</p>	<p>A.2a: Establish design requirements for large-scale commercial development that requires adequate buffers from residential uses. Use of open space, recreation space, or transit installations as buffers should be encouraged.</p> <p>A.2b: Develop distinct definitions for home occupation, live/work and work/live operations; define appropriate locations for these activities and performance criteria for their establishment; and create permitting procedures and fees that facilitate the establishment of those activities which meet the performance criteria.</p> <p>A.2c: Ensure that structures and sites are designed in an attractive manner which harmonizes with or enhances the visual appearance of the surrounding environment by preparing and adopting industrial and commercial development guidelines.</p> <p>A.2d: Establish performance-based standards which designate appropriate levels of noise, odors, light/glare, traffic volumes, or other such characteristics for industrial activities located near commercial or residential areas.</p> <p>A.2e: Develop performance zoning regulations which permit industrial and commercial uses based upon their compatibility with other adjacent or nearby uses.</p>	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
	A.2f: Develop an incentive program to encourage the relocation of non-conforming industrial/ commercial businesses or residential uses to more appropriate locations in the City.	
B. <u>Transportation and Circulation</u>		
B.3: Development of Downtown Showcase District projects would result in degradation of intersection levels of service.	B.3: The impacts at the intersection of 12 th Street and Brush Street can be mitigated by increasing the cycle length to 120 seconds.	LS
B.4: Development of the Coliseum Showcase District projects would result in degradation of intersection levels of services.	B.4a: Install a traffic signal at the intersection of 66th Avenue and I-880 southbound ramps and restripe the lanes of the southbound off-ramp. This intersection meets the Caltrans peak hour signal warrants under PM peak hour conditions.	LS
	B.4b: Install a traffic signal at the intersection of 66th Avenue and I-880 northbound ramps. This intersection meets the Caltrans peak hour signal warrants under PM peak hour conditions.	
	B.4c: Install a traffic signal at the intersection of 66th Avenue and Oakport Street and widen Oakport Street to provide a through and turn lane in each direction. This intersection meets the Caltrans peak hour signal warrants under PM peak hour conditions.	

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
	<p>B.4d: Widen the northbound approach at the High Street and Coliseum Way intersection to provide an additional left-turn lane or restripe the eastbound approach to provide double left-turn lanes and a shared through/right-turn lane. This intersection may be subject to changes in traffic patterns as a result of the current studies being conducted to reconfigure the High Street and 42 Street intersection. The identified mitigation measure should be implemented only after the reconfiguration of the High Street and 42nd Street intersection is approved.</p>	
C. Population, Housing, and Employment		
<p>C.1: The Land Use and Transportation Element would alter the amount of land available for new employment uses, increasing the acreage in some categories and decreasing it in others. A net increase in employment development potential would be created through policies and land use designations, including the promotion of redevelopment on over 1,100 acres at three military bases (OKNH, FISCO, and OAB) and 6,500 acres in the Coliseum Area. While the land supply for commercial development would not change significantly, the policy emphasis on Downtown and corridor redevelopment, coupled with airport and harbor expansion and a number of specific developments "in the pipeline," would result in substantially higher employment in the retail, service, and government sectors. Projected employment will be significantly higher than the quantity anticipated by ABAG, creating a demand for new housing and increasing Oakland's jobs:housing ratio.</p>	<p>C.2: The City should maintain a data base of vacant and underutilized parcels in a form that is accessible to all departments. The City should assist developers of affordable and market rate housing in locating appropriate sites for their developments and identifying potential neighborhood concerns.</p>	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
D. Public Services		
<p>D.1-2: Increased water demand would require localized improvements to the water delivery system and could require the addition of new infrastructure such as pumps and storage facilities in areas where major redevelopment or new development is proposed. These areas include the military bases, Downtown, the waterfront, transit station areas and transit corridors.</p>	<p>D.1-2: Review major new development proposals to determine projected water, wastewater, and storm drainage loads compared with available water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.</p>	LS
<p>D.2-2: Increased sanitary sewer flows would require localized improvements to the sewage collection system and could require the addition of new laterals and collection mains and upgraded pumps, lift stations, and other wastewater infrastructure. This impact would be most pronounced in areas where major redevelopment or new development is proposed, including the military bases, Downtown, along the waterfront, around transit stations and along transit corridors.</p>	<p>D.2-2: Review major new development proposals to determine projected water, wastewater, and storm drainage loads compared with available water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.</p>	LS
<p>D.3-2: The proposed Land Use and Transportation Element would allow continued buildout of hill area subdivisions and additional development of vacant land in the Oakland Hills, an area with acknowledged drainage problems.</p>	<p>D.3-2a: Review major new development proposals to determine projected water, wastewater, and storm drainage loads compared with available water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.</p>	LS

LS = Less than Significant

**TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>D.4-1: New development consistent with the proposed Land Use and Transportation Element would increase the demand for solid waste services. Because of the higher population and employment forecasts contained in the Element, demand would increase at a faster rate than it would under the current General Plan.</p>	<p>D.3-2b: Require major new developments to include a combination of on-site and off-site drainage improvements to ensure that such projects do not create downstream erosion or flood hazards, or adversely impact the City's ability to manage stormwater runoff.</p> <p>D.3-2c: Address hill area drainage needs and develop additional drainage policies in the updated Safety Element.</p> <p>D.3-2d: Prepare a comprehensive study of hill area drainage needs and identify policies, programs, and capital improvements to address these needs in the future.</p> <p>D.4-1a: Continue to implement programs that reduce the amount of solid waste generated in the City by encouraging recycling, composting, and other activities consistent with the City's Source Reduction and Recycling Element.</p> <p>D.4-1b: Support solid waste collection, recycling, and disposal rates that are sufficient to cover the cost of adequate, efficient service delivery.</p> <p>D.4-1c: Establish guidelines and incentives for the recycling of construction and demolition debris and the use of recycled concrete and other recycled products in the construction of new buildings, roads, and infrastructure.</p>	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>D.5-1: Development consistent with the proposed Land Use and Transportation Element would result in higher levels of population and employment, thereby increasing the demand for police services. The need for staff, facilities, and equipment would increase in the Downtown, waterfront, military base, and transit corridor neighborhoods.</p>	<p>D.5-1a: In reviewing major land use or policy decisions, consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas, as well as the impact of the project on current service levels.</p> <p>D.5-1b: Develop target ratios of police officers and firefighters to population for annual budgeting purposes. These ratios should be used to assess the feasibility and merits of service fees on new development which finance additional police officers and fire fighters.</p> <p>D.5-1c: Increase police foot patrols and cruisers in high visibility downtown areas and locate funding sources to support them.</p> <p>D.5-1d: Analyze the distribution of services provided by the public and privately operated civic and institutional uses, identify underserved areas of the City and increase services in those areas.</p> <p>D.5-1e: Solicit comments from the Oakland Police and Fire Departments on major new development proposals to ensure that law enforcement and fire protection impacts are appropriately addressed and mitigated.</p>	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>D.6-1: Development consistent with the proposed Land Use and Transportation Element would result in higher levels of population and employment, thereby increasing the demand for fire protection and emergency medical services. The need for staff, facilities, and equipment would increase in the Downtown, waterfront, military base, transit corridor and other residential neighborhoods as redevelopment occurred.</p>	<p>D.6-1a: In reviewing major land use or policy decisions, consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas, as well as the impact of the project on current service levels.</p> <p>D.6-1b: Develop target ratios of police officers and firefighters to population for annual budgeting purposes. These ratios should be used to assess the feasibility and merits of service fees on new development which finance additional police officers and fire fighters.</p> <p>D.6-1c: Retain the existing Fire Stations at all three military bases to facilitate the provision of adequate public services to users of these sites as well as to surrounding properties.</p> <p>D.6-1d: Solicit comments from the Oakland Police and Fire departments on major new development proposals to ensure that law enforcement and fire protection impacts are appropriately addressed and mitigated during project planning and design.</p>	LS
<p>D.7-1: Development consistent with the proposed Land Use and Transportation Element could increase the number of students served by the Oakland Unified School District (OUSD). The greatest impacts would be Downtown and in the Waterfront area.</p>	<p>D.7-1a: Mitigation measures available to the School District to reduce overcrowding include:</p> <ol style="list-style-type: none"> 1) reassigning students among district schools to account for changing population and new development; 2) continuation and expansion of year-round school; 	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS	<ul style="list-style-type: none"> 3) more efficient use of underutilized and/or abandoned school facilities; 4) addition of portable classrooms; and 5) the busing of students to less crowded schools. <p>If these measures do not reduce overcrowding, OUSD may have to expand existing schools or construct new schools. All of these measures would require varying amounts of funding.</p> <p>If current sources of funding including the City of Oakland school mitigation fees, increases in property taxes and sales tax revenues, and increases in state funding are insufficient to pay for the cost of these mitigating overcrowding, the OUSD should formulate and implement specific measures to raise additional funds. Funding sources which may be considered by OUSD include:</p> <ul style="list-style-type: none"> 1) adjustments of school mitigation fees on commercial and residential development; 2) the creation of special assessment or Mello Roos districts or annexation to a Community Facilities District; 3) sale of surplus OUSD property; and 	

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS	<p>4) any other funding mechanisms available to the OUSD by state law or local ordinances, including those measures identified in the OUSD's 1996 Developer Fee Justification Study.</p> <p>D.7-1b: In reviewing major land use or policy decisions, the City will consider the availability of police and fire protection services, park and recreational services, schools, and library services in the affected areas and the impact of the project on the current service levels.</p> <p>D.7-1c: Support the School District's efforts to use local bond issues and voter approved assessment districts as a means of providing adequate school facilities.</p> <p>D.7-1d: Where feasible and appropriate, encourage the inclusion of child care centers in major residential and commercial developments near transit centers, community centers, and schools.</p> <p>D.7-1e: Continue to assist the Oakland Unified School District in securing all of the fees, grants, and other financial resources possible.</p> <p>D.7-1f: Work with the School District to coordinate land use and school facility planning and continue efforts by the City to collect impact fees and monitor the school capacity impacts of new development.</p>	

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>D.8-1: Development consistent with the proposed Land Use and Transportation Element could result in an increased number of patrons at the Main and branch libraries. The greatest impacts would be in the South Hills, where there are presently no library facilities; along the waterfront, where there are no library facilities; and along the transit corridors, where libraries generally exist but are too small to meet projected patronage requirements.</p>	<p>D.7-1g: The Office of Parks and Recreation, Real Estate Division of the Office of Public Works, and the Oakland Unified School District should assess the use of City and school-owned parcels for use as civic, institutional, or recreational facilities.</p> <p>D.7-1h: Support state and federal legislation to promote affordable, safe, high-quality child care, including children with special needs.</p> <p>D.8-1: In reviewing major land use or policy decisions, consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas, as well as the impact of the project on current service levels.</p>	<p>LS</p>
E. <u>Air Quality</u>		
<p>E.4: Proposed General Plan map changes to allow a mix of commercial and residential uses (Urban Residential, Neighborhood Center Commercial, and Community Commercial designations) could result in odor nuisance problems at residential receptors.</p>	<p>E.4: Where residential development would be located above commercial uses, parking garages, or any other uses with a potential to generate odors, the odor-generating use should be properly vented (e.g., located on rooftops) and designed (e.g., equipped with afterburners) so as to minimize the potential for nuisance odor problems.</p>	<p>LS</p>

LS = Less than Significant

**TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Significant Impact	Mitigation Measures	Significance After Mitigation
<p>B. SIGNIFICANT BUT MITIGABLE IMPACTS</p>		
<p>E.5: Construction activities associated with downtown projects in the Downtown Showcase District would generate dust (including the respirable fraction known as PM₁₀) and combustion emissions.</p>	<p>E.5a: The following Basic Control Measures shall be implemented at all construction sites:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily. • Cover all trucks hauling soil, sand, and other loose debris <i>or</i> require all trucks to maintain at least two feet of freeboard. • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites. • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets. <p>E.5b: The following enhanced control measures shall be implemented at all construction sites when more than four acres are under construction at any one time:</p> <ul style="list-style-type: none"> • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more). • Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.) • Limit traffic speeds on unpaved roads to 15 mph. 	<p>LS</p>

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
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B. SIGNIFICANT BUT MITIGABLE IMPACTS

- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.

E.5c: BAAQMD dust control measures would be implemented by contractors of future development projects as outlined in BAAQMD *CEQA Guidelines* (1996) or any subsequent applicable BAAQMD updates. They are as follows:

- Any stationary motor sources (such as generators and compressors) to be located within 100 feet of any residence or school (sensitive receptors) would be equipped with a supplementary pollution control system on its exhaust as required by Bay Area Air Quality Management District (BAAQMD) and California Air Resources Board (CARB).
- To minimize construction equipment emissions, low- NOx tune-ups should be performed on all construction equipment. Contractors should be required to utilize equipment with recent (within 30 days) low- NOx tune-ups to minimize NOx emissions. This would apply to all diesel-powered equipment greater than 50 horsepower and periodic tune-ups (every 90 days) would be required for equipment used continuously for construction of a specific development.

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>E.9: E.9: Construction activities associated with projects in the Coliseum Showcase District would generate dust (including the respirable fraction known as PM₁₀) and combustion emissions.</p>	<p>E.9: Implement Mitigation Measures E.5a, E.5b, and E.5c.</p>	<p>LS</p>
F. <u>Visual and Aesthetic Conditions</u>		
<p>F.2: The Land Use and Transportation Element encourages high-rise development in Downtown Oakland. Such development could potentially block views, cast shadows, appear visually incongruous with adjacent low-rise development, and block views of the City skyline from surrounding neighborhoods.</p>	<p>F.2a: Develop guidelines or a “step back” ordinance for height and bulk for new development projects in the downtown area. Projects should be encouraged to be designed at pedestrian-scale on the street-side, with high towers or strong vertical elements stepping back from the street.</p>	<p>LS</p>
	<p>F.2b: Analyze the desired height of downtown office development and develop zoning regulations that support the preferred skyline design.</p>	
	<p>F.2c: Define view corridors and, based upon these views, designate appropriate height limits and other requirements. Views of Lake Merritt, the Estuary, and architecturally or historically significant buildings should be considered.</p>	

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
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B. SIGNIFICANT BUT MITIGABLE IMPACTS

F.3: The Land Use and Transportation Element would set in place policies and land use designations that encourage mid-rise, pedestrian-scale mixed use development along approximately 20 miles of transit-oriented corridors within the City. Although existing General Plan designations and zoning already permit this scale and mix of development in most instances, the policy emphasis on these areas could create additional momentum for development. Development of the scale proposed by the Plan would generally have positive visual impacts but could interrupt views and create the potential for architecturally incompatible development.

F.3a: Develop standard design guidelines for all Neighborhood Commercial areas that require continuous or nearly continuous storefronts located along the front yard setback, promote small scale commercial activities rather than large scale establishments at the ground level, restrict front yard parking lots and driveways, require small scale pedestrian-oriented signage, have a relatively low height limit, and promote the development of pedestrian friendly amenities at the street level. The standard design guidelines may be expanded to capture the unique or desired character of certain areas.

LS

F.3b: Ensure that structures and sites are designed in an attractive manner which harmonizes with or enhances the visual appearance of the surrounding environment by preparing and adopting industrial and commercial design guidelines.

F.3c: Develop design guidelines for parking facilities of all types.

G. Cultural and Historic Resources

G.2: Excavation of development sites consistent with the Land Use and Transportation Element could unearth archaeological resources. Some of these remains could have scientific or cultural importance.

G.2: Establish criteria and interdepartmental referral procedures for determining when discretionary City approval of ground-disturbing activities should be subject to special conditions to safeguard potential archaeological resources.

LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>G.3: Many of the City's historic resources are located Downtown and along transit corridors. Higher density uses are proposed in these areas and redevelopment is encouraged. This could have direct impacts by increasing the pressure to remove or demolish older buildings, including some historic structures.</p>	<p>G.3a: Amend the Zoning Regulations text to incorporate the new preservation regulations and incentives.</p> <p>G.3b: Develop and adopt design guidelines for Landmarks and Preservation Districts.</p>	LS
L. Noise		
<p>L.3: Proposed General Plan map changes to allow a mix of commercial and residential uses (Urban Residential, Neighborhood Center Commercial, and Community Commercial designations) could pose noise compatibility problems between residential and commercial uses.</p>	<p>L.3a: Establish design requirements for large-scale commercial development that requires adequate buffers from residential uses. Use of open space, recreation space, or transit installations as buffers should be encouraged.</p> <p>L.3b: Mixed residential/ non-residential neighborhoods should be rezoned after determining which should be used for residential, mixed, or non-residential uses. Some of the factors that should be considered when rezoning mixed use areas include the future intentions of the existing residents or businesses, natural features, or health hazards.</p>	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>L.4: Proposed General Plan map changes to allow higher residential densities could pose noise compatibility problems between future residential development and existing, lower density residential uses within the same land use category.</p>	<p>L.4: Where high density residential development would be located adjacent to existing lower density residential development, new development shall be designed to minimize noise impacts on any existing residential uses due to increased traffic on local roadways and increased parking activities.</p>	LS
<p>L.5: Proposed General Plan map changes to allow live-work and other forms of housing in transitional industrial areas could pose future noise compatibility problems.</p>	<p>L.5a: The City should develop distinct definitions for home occupation, live/work and work/live operations; define appropriate locations for these activities and performance criteria for their establishment; and create permitting procedures and fees that facilitate the establishment of those activities which meet the performance criteria.</p> <p>L.5b: Avoid proliferation of existing incompatible uses by eliminating, through appropriate rezoning actions, pockets of residential zoning within predominantly industrial areas.</p> <p>L.5c: Establish performance-based standards which designate appropriate levels of noise, odors, light/glare, traffic volumes, or other such characteristics for industrial activities located near commercial or residential areas.</p> <p>L.5d: Develop performance zoning regulations which permit industrial and commercial uses based upon their compatibility with other adjacent or nearby uses.</p>	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
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B. SIGNIFICANT BUT MITIGABLE IMPACTS

L.7: Implementation of the proposed Land Use and Transportation Element could result in future transportation improvements that could create or aggravate noise compatibility problems with sensitive receptors.

L.7: Future transit improvements shall be designed sufficiently so that future noise levels along these streets can be adequately estimated and considered in the design of future residential or other noise-sensitive developments.

LS

M. Hazardous Materials

M.5: Remediation efforts at an identified hazardous waste site could expose workers and the public to hazardous substances.

M.5: Hazards to construction workers and the general public during demolition and construction shall be mitigated by the preparation and implementation of site-specific health and safety plans, as recommended by the Occupational Safety and Health Administration.

LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
A.3: Implementation of the Land Use and Transportation Element would place a greater emphasis on mixed use development and would require development of mixed use zoning designations. The emphasis on mixed use development could create a greater likelihood for conflicting uses within projects or between projects and adjacent sites.	None required.	LS
A.4: Implementation of the proposed Land Use and Transportation Element could result in future transportation improvements that could have land use impacts.	None required.	LS
B. <u>Transportation and Circulation</u>		
B.2: Development that would occur under the Land Use and Transportation Element would increase transit demand.	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
C. <u>Population, Housing, and Employment</u>		
<p>C.1: The Land Use and Transportation Element would increase housing capacity in Oakland by providing greater allowances for higher density housing in commercial areas than those that already exist and by reclassifying several transit corridors for urban-density housing. Additionally, the Plan reflects emerging plans and development proposals for housing Downtown, at Oak Knoll Naval Hospital, along the Oakland Estuary, and at several BART Stations. The increase in land supply, coupled with specific development projects, are projected to result in a higher number of households in Oakland by the Plan's horizon year of 2015.</p>	None required.	LS
<p>C.3: The Land Use and Transportation Element would redesignate approximately 45 acres on the Land Use Diagram from residential use to "Housing-Business Mix." Although the intent of this designation is to acknowledge the existing pattern and create areas where residential and industrial uses can co-exist harmoniously, rezoning consistent with the General Plan could lead to further encroachment of industrial uses in these areas. This could lead to a loss of housing stock in some locations.</p>	None required.	LS

LS = Less than Significant

**TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
D. <u>Public Services</u>		
D.1-1: Development consistent with the proposed Land Use and Transportation Element would result in an increase in water demand.	None required.	LS
D.2-1: Development consistent with the proposed Land Use and Transportation Element would result in an increase in flows to the regional wastewater treatment plant.	None required.	LS
D.3-1: Implementation of the proposed Land Use and Transportation Element would result in increased development activity Downtown, along transit corridors and around transit stations, along the waterfront, near the Coliseum, and on former military bases. Since these areas are already developed, the increased amount of impervious surface would be marginal and the amount and rate of runoff would not change significantly. The quality of runoff could be impacted by construction, soil disruption, and by the change in land uses in redevelopment areas. However, the shift would generally be away from manufacturing to more service-oriented industry and commerce.	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
<p>D.9-1: Development consistent with the proposed Land Use and Transportation Element would increase the demand for park services, particularly in areas targeted for reuse and intensification. All of these areas, including Downtown, the waterfront, the transit stations and corridors, and the military bases, are located in areas that are already deficient in local-serving parkland. Further development would place even greater demands on the limited park acreage in these neighborhoods, unless additional park area was provided.</p>	None required.	LS
E. Air Quality		
<p>E.2: The proposed Land Use and Transportation Element would be consistent with <i>Clean Air Plan</i> Transportation Control Measures (TCMs).</p>	None required.	LS
<p>E.3: Implementation of the proposed Land Use and Transportation Element would result in traffic increases along roadways in the City which could result in localized air quality impacts.</p>	None required.	LS
<p>E.7: Cumulative development of projects in the Downtown Showcase District would result in traffic increases that could result in long-term, localized air quality impacts.</p>	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
E.8: Cumulative development of downtown projects would result in increased stationary source emissions associated with heating and electricity consumption.	None required.	LS
E.11: Cumulative development of projects in the Coliseum Showcase District would result in traffic increases that could result in localized air quality impacts.	None required.	LS
E.12: Cumulative development of Coliseum projects would result in increased stationary source emissions associated with heating and electricity consumption or other uses.	None required.	LS
F. <u>Visual and Aesthetic Conditions</u>		
F.1: Development consistent with the Future Land Use Diagram could degrade or destroy existing scenic resources in the City, including hillsides, ridges, canyons, trees and riparian areas. However, adoption of the Element alone would not increase the potential for impacts. Existing policies in the OSCAR Element provide general mitigation of visual impacts.	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
G. Cultural and Historic Resources		
<p>G.1: Excavation of development sites consistent with the Land Use and Transportation Element could unearth paleontologic remains. Some of these remains could have scientific importance. However, adoption of the proposed Element would not significantly affect these resources.</p>	None required.	LS
<p>G.4: Increased development and more intense development in areas with high concentrations of older structures could have indirect impacts on these structures by changing their context and setting. Even if left intact, the integrity of older buildings could be compromised as larger, modern buildings are erected on adjoining properties.</p>	None required.	LS
<p>G.5: The Element's emphasis on adaptive re-use and live-work development could result in alteration of older buildings and historic structures in a manner that is architecturally incompatible with the structure.</p>	None required.	LS
H. Vegetation and Wildlife		
<p>H.1: Development consistent with the Land Use and Transportation Element could damage or remove potential habitat for special status species on undeveloped parcels within the City, particularly at the military bases, along the Estuary, and at Leona Quarry.</p>	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
H.2: Development consistent with the Land Use and Transportation Element could trigger impacts on adjacent lands designated for Resource Conservation. Greater levels of noise, traffic, lighting, urban runoff, and human activity on lands adjacent to waterfront parks could reduce the value of these areas as <i>wildlife habitat</i> .	None required.	LS
H.3: Development consistent with the Land Use and Transportation Element could affect the habitat of certain special status plants and result in the loss of special status plant species, and could result in the loss of mature trees on new development sites.	None required.	LS
I. Hydrology and Water Quality		
I.1: Implementation of the proposed Land Use and Transportation Element would result in increased development activity at various locations throughout the City, including locations adjacent to creeks and waterways, which could result in water quality impacts during construction.	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
<p>I.2: Implementation of the proposed Land Use and Transportation Element would result in increased development activity that could alter drainage patterns, could increase impermeable surfaces leading to increased volume of runoff, and could potentially affect quality of stormwater runoff. However, since the areas proposed for the greatest change are already developed with similar uses, the changes in runoff patterns, volume and quality would be negligible.</p>	None required.	LS
J. <u>Energy</u>		
<p>J.1: Development consistent with the Land Use and Transportation Element would result in a marginal increase in energy consumption.</p>	None required.	LS
K. <u>Geology and Seismicity</u>		
<p>K.1: Adoption of the Plan could result in development on existing soil conditions at various locations throughout the City that could cause structural damage to new and existing buildings unless properly constructed.</p>	None required.	LS
<p>K.2: Adoption of the Plan could result in development of many areas that are subject to geologic hazards including steep slopes, high erosion potential, and landsliding and mudsliding.</p>	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
K.3: Adoption of the Plan would result in development that requires grading and earthmoving activities. Grading during construction of individual projects in hillside areas could increase the potential for erosion. This could cause clogging of local culverts, decrease downstream channel capacity, and degrade water quality.	None required.	LS
K.4: In the event of an earthquake, damage from surface fault rupture could affect structures, foundations, and underground utilities that could be developed as a result of Plan adoption.	None required.	LS
K.5: In the event of an earthquake, damage from strong ground shaking or ground failure (liquefaction, densification, or landsliding) could affect structures, foundations, and underground utilities that could be developed as a result of Plan adoption. Human injury and life also could be risked.	None required.	LS
L. Noise		
L.1: Implementation of the proposed Land Use and Transportation Element would increase noise levels along streets throughout the City.	None required.	LS
L.2: Proposed General Plan map changes would redesignate some segments of major transportation corridors from commercial to urban density residential uses, which could pose noise compatibility problems for residential uses.	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
L.6: Proposed General Plan map changes could allow development of light manufacturing, wholesale, business, commercial or mixed uses in areas designated for "Housing Business Mix," posing potential future noise compatibility problems.	None required.	LS
L.10: Future cumulative noise levels along downtown streets could increase to levels that are considered conditionally acceptable for retail commercial, office, and residential uses.	None required.	LS
L.12: Development of projects in the Coliseum Showcase District would result in noise increases along local roadways serving the proposed project.	None required.	LS
L.13: Depending on proximity of future development to I-880 and selected roadways in the Coliseum area, noise levels could be conditionally acceptable for retail commercial or office uses.	None required.	LS
M. <u>Hazardous Materials</u>		
M.1: Proposed land use changes for the Central Business District, Military Bases, Coliseum Area, and BART Transit Villages include a change to mixed uses that may allow housing as well as commercial operations that may use of hazardous materials. In addition, land use changes within the transit corridors would allow commercial land uses transitioning to urban residential uses.	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
<p>M.2: Adoption of the proposed Land Use and Transportation Element could encourage new business and expansion of existing businesses within the areas designated for change, with associated potential increases in the quantities of hazardous substances used, stored and transported, increasing the potential for accidents or spills and increasing the potential for exposure to workers, the public and the environment.</p>	None required.	LS
<p>M.3: Adoption of the proposed Land Use and Transportation Element would increase the potential for demolition and renovation activities within the areas designated for change. Many of these buildings could contain hazardous building materials and demolition or renovation could result in exposure to hazardous building materials, such as asbestos, lead, mercury or PCBs, with associated public health concerns.</p>	None required.	LS
<p>M.4: Adoption of the proposed Land Use and Transportation Element would increase the potential for construction activities within the areas designated for change, which could increase the likelihood of encountering contaminated soil or groundwater and potentially expose workers and the community to hazardous substances.</p>	None required.	LS
O. Consistency with Adopted Plans and Policies		
<p>O.1: The proposed Land Use and Transportation Element would be consistent with federal policies and programs.</p>	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
O.2: The proposed Land Use and Transportation Element would be consistent with state policies and programs.	None required.	LS
O.4: The proposed Land Use and Transportation Element would be consistent with the policies and programs of adjacent jurisdictions.	None required.	LS

LS = Less than Significant

**Attachment D: Impacts associated with the
Broadway/MacArthur/San Pablo Redevelopment Plan
EIR**

**BROADWAY/MacARTHUR/SAN PABLO
REDEVELOPMENT PLAN**

Draft Environmental Impact Report

SCH#99052061

April, 2000

*Prepared by the
City of Oakland
Community and Economic Development Agency*

**TABLE 2-A
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION**

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
A. SIGNIFICANT UNAVOIDABLE IMPACTS		
<u>Air Quality</u>		
<p>C.1: The proposed Plan would not be consistent with the population and VMT assumptions used in air quality planning since growth resulting from the proposed Plan would be consistent with growth projections under the General Plan and the General Plan was determine to be not consistent with the same population and VMT assumptions.</p>	<p>C.1: Policies adopted as part of the General Plan Land Use and Transportation Element (LUTE), including the Bicycle Master Plan, and the Open Space, Conservation and Recreation Element (OSCAR), would help reduce potential regional air quality emissions.</p>	Significant and Unavoidable
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<u>Land Use</u>		
<p>A.3: The proposed project could result in land use conflicts in Subarea 3, particularly along San Pablo Avenue and Stanford Avenue because of the proximity of schools and parks.</p>	<p>A.3a: The City of Oakland will work closely with the Oakland Public School District to assure that land uses proposed by the Redevelopment Plan are compatible with school and park uses, and will restrict uses near schools and parks, that are incompatible with persons under the age of 18.</p>	Less than Significant
	<p>A.3b: The City of Oakland will explore the potential rezoning of areas near schools and parks, if necessary, to permanently restrict land uses near public schools, parks and some residential areas that could be incompatible for persons under the age of 18. The City will coordinate its efforts with adjacent municipalities if the proposed rezoning occurs in adjacent areas.</p>	Less than Significant

**TABLE 2-A (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION**

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
B. SIGNIFICANT BUT MITIGABLE IMPACTS (cont.)		
Land Use (cont.)		
A.4: The proposed project could potentially conflict with the General Plan Historic Preservation Element.	A.4: Mitigation measures, including but not limited to those outlined in the General Plan Historic Preservation Element, in the best combination befitting the specific situation and with the approval of the City of Oakland, would lessen significant effects to an Historic Resource.	Less than Significant
A.5: The proposed project could result in land use conflicts between the City of Berkeley, the City of Emeryville and the City of Oakland in Subarea 3.	A.5a: Representatives from the City of Oakland will meet and confer with representatives of the cities of Berkeley and Oakland to discuss land uses along borders shared with Subarea 3. Such meetings will have the goal of establishing an agreement concerning land uses along the Subarea 3 border, to include present and future uses, building heights, maximum allowable densities, parking, set backs, rehabilitation standards, historic resources, open space requirements and recreational opportunities. A.5b: Representatives from the City of Oakland will confer with representatives of the cities of Berkeley and Emeryville, as part of any rezoning of adjacent areas, and as part of ongoing City-wide zoning update efforts.	Less than Significant

**TABLE 2-A (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION**

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
B. SIGNIFICANT BUT MITIGABLE IMPACTS (cont.)		
<u>Transportation and Circulation</u>		
B.1: The addition of project traffic would result in unacceptable level of service at three intersections during the PM peak hour under existing conditions.	B.1a: By providing "protected + permitted" left turn phasing for the southbound left turns on Broadway, the impacts at the intersection of Broadway / Piedmont Avenue can be reduced to less than significant levels. With these improvements, which could be funded through the Redevelopment Plan by earmarking funds for transportation improvements, the intersection would operate at LOS C without the project and LOS D with the project.	Less than Significant
	B.1b: By providing "protected" left turn phasing for all approaches and re-striping the shared through-left lanes to exclusive left turn lanes on MacArthur Boulevard, the impacts at the intersection of Telegraph Avenue / MacArthur Boulevard can be reduced to less than significant levels. With these improvements, which could be funded through the Redevelopment Plan by earmarking funds for transportation improvements, the intersection would operate at LOS C without the project and LOS D with the project.	
	B.1c: By providing "protected" left turn phasing for all approaches and re-striping the shared through-left lanes to exclusive left turn lanes on 27 th Street, the impacts at the intersection of Telegraph Avenue / 27 th Street can be reduced to less than significant levels. With these improvements, which could be funded through the Redevelopment Plan by earmarking funds for transportation improvements, the intersection would operate at LOS C without the project and LOS D with the project during the PM peak hour.	

**TABLE 2-A (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION**

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
B. SIGNIFICANT BUT MITIGABLE IMPACTS (cont.)		
<u>Transportation and Circulation (cont.)</u>		
B.2: The addition of project traffic would result in unacceptable level of service at three intersections during the PM peak hour under cumulative Year 2020 conditions.	<p>B.2a: By providing "protected + permitted" left turn phasing for the southbound left turns, the impacts at the intersection of Broadway / Piedmont Avenue can be reduced to less than significant levels. With these improvements, which could be funded through the Redevelopment Plan by earmarking funds for transportation improvements, the intersection would operate at LOS C without the project and LOS D with the project.</p> <p>B.2b: By providing "protected" left turn phasing for all approaches and re-striping the shared through-left lanes to exclusive left turn lanes on MacArthur Boulevard, the impacts at the intersection of Telegraph Avenue / MacArthur Boulevard can be reduced to less than significant levels. With these improvements, which could be funded through the Redevelopment Plan by earmarking funds for transportation improvements, the intersection would operate at LOS C without the project and LOS D with the project.</p> <p>B.2c: By providing "protected" left turn phasing for all approaches and re-striping the shared through-left lanes to exclusive left turn lanes on 27th Street, the impacts at the intersection of Telegraph Avenue / 27th Street can be reduced to less than significant levels. With these improvements, which could be funded through the Redevelopment Plan by earmarking funds for transportation improvements, the intersection would operate at LOS C without the project and LOS D with the project during the PM peak hour.</p>	Less than Significant

TABLE 2-A (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
B. SIGNIFICANT BUT MITIGABLE IMPACTS (cont.)		
<u>Air Quality</u>		
C.6: Construction activities associated with development projects within the Project area would generate dust (including the respirable fraction known as PM ₁₀) and combustion emissions.	C.6: Implementation of Policy CO-12.6 of the OSCAR would help reduce short-term emissions associated with future development with the Project area. In addition, Basic Control measures shall be implemented at all construction sites, and enhanced control measures shall be implemented at all construction site when more than four acres are under construction at any one time. In addition, BAAQMD dust control measures would be implemented by contractors as outlined in BAAQMD <i>CEQA Guidelines</i> (1996) or any subsequent applicable BAAQMD updates.	Less than Significant
<u>Noise</u>		
D.2: Development of the future projects within the Broadway/MacArthur/San Pablo Redevelopment Project area would generate short-term increases in noise and vibration due to construction.	D.2: Compliance with the City Noise Ordinance would mitigate noise impacts associated with the future development projects. In addition, measures that comply with the Ordinance noise limits and minimize pile-driving noise and vibration impacts shall be implemented.	Less than Significant
D.3: The proposed Broadway/MacArthur/San Pablo Redevelopment Plan would encourage new residential uses as part of mixed-use retail areas within the Project Area and future noise levels in some areas could be incompatible with these new residential uses.	D.3: A detailed analysis of noise reduction requirements shall be required for any future residential development proposals along arterials or in the vicinity of the MacArthur BART Station, and the design of residential development shall incorporate recommendations of such analyses in the project.	Less than Significant

**TABLE 2-A (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION .**

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
B. SIGNIFICANT BUT MITIGABLE IMPACTS (cont.)		
<u>Public Services and Utilities</u>		
<p>E.4: The proposed project could result in a lack of adequate open space and recreational opportunities for residents of new housing developments.</p>	<p>E.4: Residential developments constructed as part of this Redevelopment Plan must provide the minimum open space required by the Zoning Regulations, with no variances, conditional use permits, or planned unit development applications granted by the City that would reduce the required open space. All residential developments of ten units or more must, in consultation with City staff, provide secure recreational areas, and a grassy open space that can be used by residents.</p>	Less than Significant
<p>E.7: Together with other existing and reasonably foreseeable future development in the vicinity in Oakland, the project would contribute to cumulative demand for increased fire protection services.</p>	<p>E.7: Cumulative demand for fire protection services in Oakland would be mitigated to less than significant levels through individual project planning, design, and approvals, and, if necessary, through the expansion of fire protection services, through the use of tax increments funds, to accommodate growth.</p>	
C. LESS THAN SIGNIFICANT IMPACTS		
<u>Land Use</u>		
<p>A.1: The project would blend with the established communities of Subarea 1, Subarea 2 and Subarea 3.</p>	None required.	
<p>A.2: The project would be generally consistent with applicable plans and policies of the City of Oakland's General Plan Land Use and Transportation Element, Housing Element, and Safety Element.</p>	None required.	

TABLE 2-A (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
C. LESS THAN SIGNIFICANT IMPACTS (cont.)		
<u>Transportation and Circulation</u>		
B.3: The project would contribute incrementally to the cumulative impacts on the regional and local roadways.	None required.	
B.4: The project would increase transit ridership.	None required.	
B.5: The project would increase vehicular and bicycle traffic along identified bicycle corridors and has the potential to increase pedestrian circulation in the Broadway Auto Row and MacArthur Transit Village subareas.	None required.	
<u>Air Quality</u>		
C.2: The proposed Broadway/MacArthur/San Pablo Redevelopment Plan would be consistent with <i>Clean Air Plan</i> Transportation Control Measures (TCMs) since the LUTE was determined to be consistent with <i>Clean Air Plan</i> TCMs and policies of the LUTE would also be implemented as part of future development within the Broadway/MacArthur/San Pablo Redevelopment Project area.	None required.	
C.3: Traffic generated by the proposed Broadway/MacArthur/San Pablo Redevelopment Plan would not significantly increase CO emissions along roadways and at intersections within the planning area.	None required.	

TABLE 2-A (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
C. LESS THAN SIGNIFICANT IMPACTS (cont.)		
<u>Air Quality (cont.)</u>		
C.4: Cumulative development of future development projects in the Project area would result in increased stationary source emissions associated with heating and electricity consumption.	None required.	
C.5: The proposed Broadway/MacArthur/San Pablo Redevelopment Plan would encourage new residential uses as part of mixed-use retail areas within the Plan Area, which could result in odor nuisance problems at residential receptors. This would be a less-than-significant impact due to policies in the recently adopted Land Use and Transportation Element.	None required.	
<u>Noise</u>		
D.1: Implementation of the proposed Broadway/MacArthur/San Pablo Redevelopment Plan would result in future noise levels that are higher than or the same as future noise levels that would occur under the recently adopted General Plan.	None required.	
D.4: The proposed Broadway/MacArthur/San Pablo Redevelopment Plan encourages residential uses as part of mixed-use retail areas and noise compatibility problems could result due to the proximity of residential uses with other uses (including commercial and employment uses).	None required.	

TABLE 2-A (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
C. LESS THAN SIGNIFICANT IMPACTS (cont.)		
<u>Public Services and Utilities</u>		
E.1: The project could result in an incremental increase in calls for City of Oakland fire protection services. This would be a less than significant impact but implementation of the mitigation measure included [at right] would be desirable.	E.1: The proponent of each specific project should include fire protection systems such as fire sprinklers and automatic fire alarm systems in projects even when not required by the applicable building code, if deemed appropriate or necessary by the Oakland Fire Services Agency, on a case-by-case basis. [Optional].	Less than Significant
E.2: The project could result in an incremental increase in ambulance service calls in the project area. However, project operations would not require substantial changes in ambulance provider staffing or equipment.	None required.	
E.3: The proposed project would increase the number of potential users of Mosswood Park and the Golden Gate Recreation Center.	None required.	
E.5: The proposed project could cause an increase in automobile-related crimes in Subarea 1, overloading the staff of the Oakland Police Services Agency.	None required.	
E.6: The project could add an estimated 213 students to the Oakland Unified School District schools.	None required.	

FILED
OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY

Mark P. Wald

City Attorney

INTRODUCED BY COUNCILMEMBER _____
2007 NOV 15 PM 3: 23

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

INTERIM ORDINANCE AMENDING THE ZONING REGULATIONS FOR THREE YEARS OR UNTIL THE CITY COUNCIL ADOPTS PERMANENT REGULATIONS TO A) CREATE THE S-5 BROADWAY RETAIL FRONTAGE INTERIM COMBINING ZONE REGULATIONS (S-5 ZONE) AND B) AMEND THE ZONING MAPS TO INCLUDE THE S-5 ZONE ON AND NEAR BROADWAY FROM 23RD STREET TO HAWTHORNE AVENUE.

WHEREAS, Oakland lacks adequate retail facilities in key categories; experiences a significant degree of retail leakage; community retailing desires are not met, and national retailers are significantly underrepresented in Oakland; and

WHEREAS, Oakland stores sell \$1 billion less than Oakland residents demand for comparison retail goods; and

WHEREAS, Oakland currently captures only twenty-four percent of the trade area's retail sales for comparison goods, compared to other City's such as San Leandro, Berkeley, and Alameda, which capture about forty-eight percent of their potential retail sales, indicating that Oakland has the potential to capture millions of dollars of sales tax revenue currently leaking out to neighboring cities and a portion of those that leak outside the trade area; and

WHEREAS, these conditions exist despite that Oakland is well-positioned to attract retail both geographically and from a standpoint of overall household income; and

WHEREAS, on February 6, 2007, the City Council directed staff to enter into a contract with the Conley Consulting Group to conduct a Citywide Retail Recruitment Strategy and Implementation Plan and to initially analyze retail opportunities for Upper Broadway because of properties for sale and probable relocation of existing auto dealerships to the former Oakland Army Base; and

WHEREAS, the Conley Consulting Group has outlined strategies for the redevelopment of the Upper Broadway/Auto Row area to create a pedestrian oriented retail center; and

WHEREAS, a key component of all the strategies is to adopt a specific plan that would provide an area-wide set of development regulations and requirements that would accommodate new

retail development and infrastructure improvements to the Upper Broadway/Auto Row area; and

WHEREAS, the existing zoning regulations are inadequate and otherwise contrary to the public interest and an interim ordinance is necessary to assure that the ground floor of new and existing construction is preserved for pedestrian oriented retail businesses until such time that a specific plan is adopted; and

WHEREAS, adoption of Chapter 17.81 of the Oakland Planning Code (S-5 Broadway Retail Frontage Interim Combining Zone) would assure that the ground floor of new and existing construction is preserved for pedestrian oriented retail businesses until such time that a specific plan is adopted; and

WHEREAS, the Zoning Update Committee at its meeting of October 17, 2007 recommended forwarding the proposed Chapter 17.81 (S-5 Broadway Retail Frontage Interim Combining Zone Regulations) and recommended approval of the proposal to amend the zoning maps to include the S-5 zone on Broadway from 23rd Street to Hawthorne Avenue to the full Planning Commission; and

WHEREAS, the Planning Commission recommended adoption of the S-5 zone to the City Council after a duly noticed public hearing at their November 28, 2007 meeting; and

WHEREAS, the provisions of the California Environmental Quality Act (CEQA) have been satisfied and the proposal relies on the following environmental documents to satisfy any requirements under the California Environmental Quality Act (CEQA): the previously certified Final Environmental Impact Report for the Land Use and Transportation Element of the General Plan, adopted 1998 (General Plan EIR) and the Broadway/MacArthur/San Pablo Redevelopment Plan Environmental Impact Report, adopted 2000; and

WHEREAS, as a separate and independent basis, the proposal is also exempt from CEQA under CEQA Guidelines section 15061(b)(3), known as the "General Rule", that states a project is exempt from CEQA if there is no possibility that the activity in question will have a significant effect on the environment; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The Oakland Planning Code is hereby amended to add a new Chapter 17.81 (S-5 Broadway Retail Frontage Interim Combining Zone Regulations) to the Oakland Planning Code, as detailed in Exhibit A, hereby incorporated by reference.

Section 2. The designation and location of zones and zone boundaries on the City of Oakland zoning maps are hereby amended as set forth in Exhibit B.

Section 3. This Ordinance complies with the California Environmental Quality Act.

Section 4. This Ordinance shall be effective upon adoption, subject to the provisions of Section

216 of the Charter of the City of Oakland, but shall not apply to building/construction-related permits already issued and not yet expired, zoning applications approved by the City and not yet expired, or to zoning applications deemed complete by the City as of the effective date.

Section 5. If any provisions of this Ordinance or application thereof to any person or circumstances are held invalid, the remainder of this Ordinance and the application of provisions to other persons or circumstances shall not be affected thereby.

Section 7. The recitals are true and correct and an integral part of this ordinance.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
Council of the City of Oakland, California

MPW

EXHIBIT A

AMENDMENTS TO OAKLAND PLANNING CODE

Chapter 17.81 S-5 Broadway Retail Frontage Interim Combining Zone Regulations is added to the Planning Code to read as follows:

“Chapter 17.81 S-5 Broadway Retail Frontage Interim Combining Zone Regulations

Sections:

17.81.010 Title, purpose, and applicability.

17.81.020 Expiration for S-5 zone.

17.81.030 Zones with which the S-5 zone may be combined.

17.81.040 Relationship to base zone.

17.81.050 Required design review process.

17.81.060 Permitted and conditionally permitted activities.

17.81.070 Special regulations regarding facilities on the ground level of principal facilities.

17.81.080 Special ground floor height regulation.

17.81.090 Building location.

17.81.100 Special regulations applying to new construction over 10,000 square feet.

17.81.010 Title, purpose, and applicability.

The provisions of this chapter shall be known as the S-5 Broadway retail frontage interim combining zone regulations. The S-5 zone is intended to create, preserve, and enhance ground level retail opportunities on the commercial areas of Broadway north of the Central Business District. These interim regulations anticipate the adoption of more comprehensive and detailed regulations and a plan to attract retail opportunities on this area of Broadway.

17.81.020 Expiration for S-5 zone.

The regulations contained in the S-5 zone shall remain in place and be effective for a continuous period of three years from the date of the adoption of the regulations or until the City Council adopts permanent regulations, whichever comes first.

17.81.030 Zones with which the S-5 zone may be combined.

The S-5 zone may be combined with any commercial zone.

17.81.040 Relationship to base zone.

The regulations in the S-5 zone are supplementary to the regulations applying in the zone or zones with which the S-5 zone is combined. Whenever any provision of the S-5 zone imposes overlapping or contradictory regulations with those contained in the applicable base zone, or contains restrictions covering any of the same subject matter, the provision within the S-5 zone shall control, except as otherwise expressly provided in the zoning regulations.

17.81.050 Required design review process.

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Building Facility, Mixed Use Development, Telecommunications Facility, Signs or other associated structure in the S-5 combining zone shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

17.81.060 Permitted and conditionally permitted activities.

The following table lists activities permitted, conditionally permitted, and prohibited in the S-5 zone. The descriptions of these activities are contained in Chapter 17.10.

“P” designates permitted activities in the corresponding zone.

“C” designates activities that are permitted only upon the granting of a conditional use permit (see Chapter 17.134) in the corresponding zone.

“L” designates activities subject to certain limitations listed at the bottom of the table.

“--” designates activities that are prohibited in the corresponding zone.

Activity	Regulations	Additional Regulations
Residential Activities		
Permanent Residential	C(L1)	
Residential Care occupying a One-Family Dwelling Residential Facility	C(L1)	17.102.212
Residential Care not occupying a One-Family Dwelling Residential Facility	C(L1)	17.102.212
Service-Enriched Permanent Housing	C(L1)	17.102.212
Transitional Housing	C(L1)	17.102.212
Emergency Shelter	--	17.102.212
Semi-Transient Residential	--	17.102.212
Civic Activities		
Essential Service	P	
Limited Child-Care	C(L1)	
Community Assembly	C(L1)	
Community Education	P(L1)	
Nonassembly Cultural	P	
Administrative	P(L1)	
Health Care	C	
Special Health Care	--	17.102.410
Utility and Vehicular	--	
Extensive Impact	--	
Telecommunication	P	17.128
Commercial Activities		
General Food Sales	P	
Convenience Market	C	17.102.210
Fast-Food Restaurant	C	
Alcoholic Beverage Sales	C	17.102.210
Convenience Sales and Service	P	
Mechanical or Electronic Games	--	17.102.210
Medical Service	P(L2)	
General Retail Sales	P	
Large-Scale Combined Retail and Grocery Sales	--	
General Personal Service	P	
Consultative and Financial Service	P	

Activity	Regulations	Additional Regulations
Check Cashier and Check Cashing	--	
Consumer Laundry and Repair Service	P	
Group Assembly	C	
Administrative	P(L1)	
Business and Communication Service	P	
Retail Business Supply	C	
Research Service	--	
General Wholesale Sales	--	
Transient Habitation	--	17.102.370
Construction Sales and Service	--	
Automotive Sales, Rental, and Delivery	--/C(L3)	
Automotive Servicing	--	
Automotive Repair and Cleaning	--	
Automotive Fee Parking	C	
Transport and Warehousing	--	
Animal Care	C	
Undertaking Service	--	
Scrap Operation	--	17.102.210
Manufacturing activities		
Custom Manufacturing	--	
Light Manufacturing	--	
General Manufacturing	--	
Heavy Manufacturing	--	
Small Scale Transfer and Storage Hazardous Waste Management	--	
Industrial Transfer/Storage Hazardous Waste Management	--	
Residuals Repositories Hazardous Waste Management	--	
Agricultural and Extractive activities		
Plant Nursery	--	
Crop and Animal raising	--	
Mining and Quarrying Extractive	--	
Accessory off-street parking serving prohibited activities	C	17.102.010

Limitations:

- L1- These activities shall not be located on the ground floor of a building on a lot with a property line adjacent to Broadway except for incidental pedestrian entrances that lead to one of these activities in stories above the ground floor.
- L2- These activities may only be located on the ground floor of a building on a lot with a property line adjacent to Broadway upon the granting of a conditional use permit (see Chapter 17.134), and shall conform to the additional criteria contained in Section 17.25.030. However, incidental pedestrian entrances that lead to one of these activities in stories above the ground floor are permitted without the granting of a conditional use permit.
- L3- Existing businesses legally performing Automotive Sales, Rental, and Delivery Commercial Activities within the S-5 zone may expand and/or relocate within the S-5 zone upon the granting of a conditional use permit. Automotive Sales, Rental, and Delivery Commercial Activities are prohibited in all other instances. A conditional use permit for Automotive Sales, Rental, and Delivery Commercial Activity may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and the following additional criterion:
 - 1. That the operation of the activity is temporary and the conditional use permit is required to accommodate the eventual relocation of the business performing the Automotive Sales and Service Activity to a location outside the S-5 zone.

17.81.070 Special regulations regarding facilities on the ground level of principal facilities.

- A. This section shall only apply to lots with a property line adjacent to Broadway.

B. For the purposes of this section, the front of a building shall be that side facing Broadway and is within 50 feet of the lot line adjacent to Broadway.

C. Except upon the granting of a conditional use permit (see subsection E), only principal nonresidential facilities (excluding joint living and working quarters) shall be located within the front thirty (30) feet of the ground floor of any new principal facility located on a corner lot that is adjacent to Broadway.

D. Except upon the granting of a conditional use permit (see subsection E), only principal nonresidential facilities (excluding joint living and working quarters) and a maximum one driveway shall be located within the front thirty (30) feet the ground floor of any new principal facility located on an interior lot that is adjacent to Broadway. This driveway shall be a maximum nineteen (19) feet in width and lead to parking that is at least thirty feet from the front of the building.

E. Upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, twenty (20) percent of the width of the front thirty (30) feet of the ground floor of a new principal facility may contain required parking. This conditional use permit may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and the following additional criterion:

1. That the requirements contained in subsections C or D are infeasible due to lot dimensions, topographic features, or other site constraints.

F. The ground level of Broadway facing facades of new principal facilities shall have a store front appearance defined by at least the following design elements:

1. An ample amount of street-facing ground level building facade comprised of clear, non-reflective windows that allow views of indoor commercial space. This includes:

a. A minimum of sixty (60) percent of the front building façade between 3.5 feet and 10 feet in height comprised of clear, non-reflective windows that allow views of indoor commercial space or product display areas. The total area of the front building façade shall not include the area with the driveway;

b. The bottom of any window or product display window being no more than four (4) feet above the adjacent sidewalk; and

c. Product display windows used to satisfy that are a minimum height of 4.5 feet and internally lighted.

2. A prominent and primary entrance feature facing Broadway; and

3. An area designated for signage.

17.81.080 Special ground floor height regulation.

The minimum height from the grade to the ground floor ceiling of newly constructed principal facilities shall be twelve (12) feet. This regulation does not apply to additions to existing buildings.

17.81.090 Building location.

The entire building façade that faces Broadway shall be located within five (5) feet of the sidewalk. This standard shall not apply to plazas, recessed entrances, parks, or space designed to accommodate sidewalk seating areas for restaurants, cafes, and similar businesses. No more than 50 percent of a building frontage shall qualify for the exception for plazas, recessed entrances, or sidewalk seating areas.

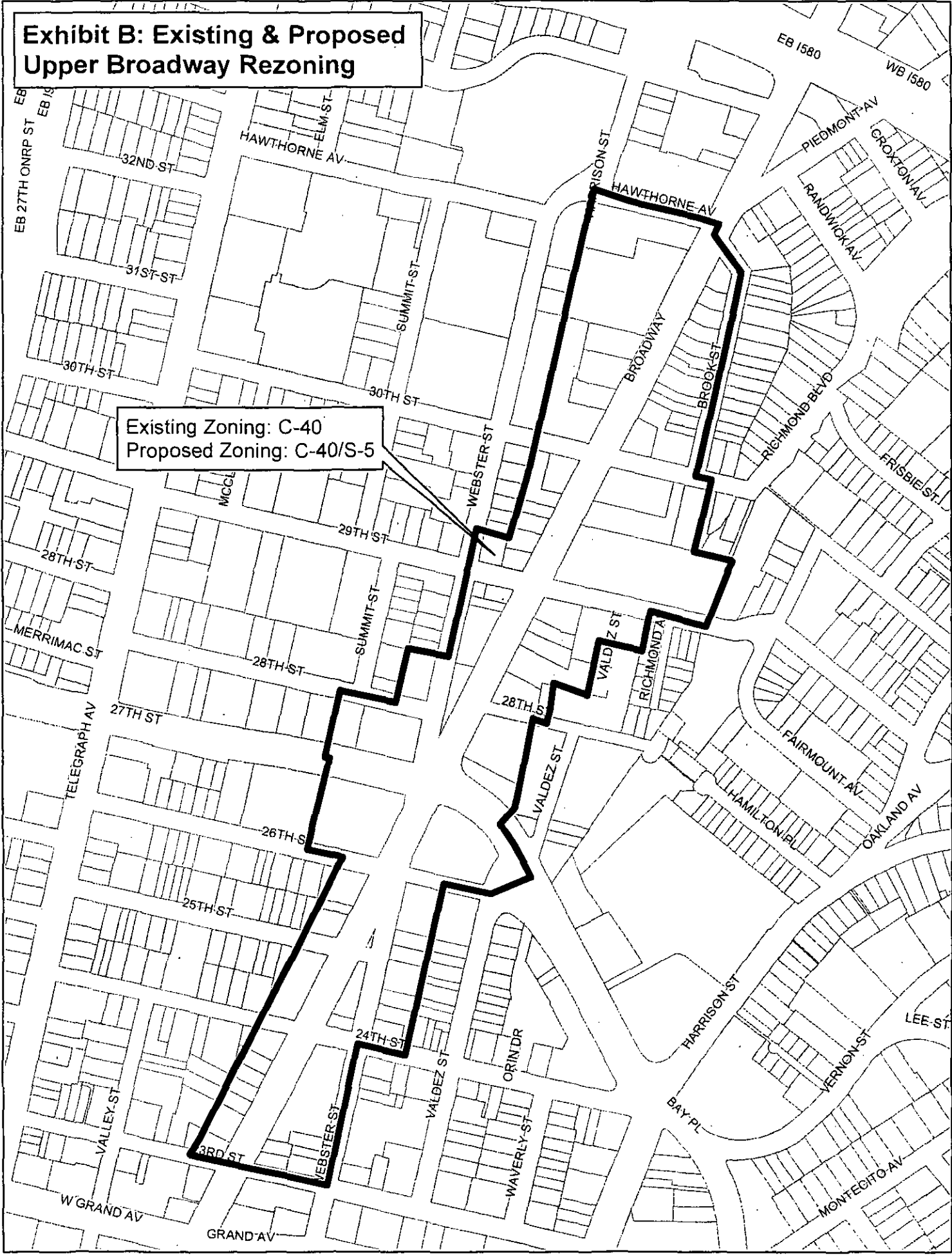
17.81.100 Special regulations applying to new construction over 10,000 square feet.

New construction shall only exceed ten thousand (10,000) square feet upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.”

MPA

Exhibit B: Existing & Proposed Upper Broadway Rezoning

Existing Zoning: C-40
Proposed Zoning: C-40/S-5



7/17/11

NOTICE AND DIGEST

INTERIM ORDINANCE AMENDING THE ZONING REGULATIONS FOR THREE YEARS OR UNTIL THE CITY COUNCIL ADOPTS PERMANENT REGULATIONS TO A) CREATE THE S-5 BROADWAY RETAIL FRONTAGE INTERIM COMBINING ZONE REGULATIONS (S-5 ZONE) AND B) AMEND THE ZONING MAPS TO INCLUDE THE S-5 ZONE ON AND NEAR BROADWAY FROM 23RD STREET TO HAWTHORNE AVENUE.

This interim ordinance creates a combining zone that provides standards for lots fronting and near Broadway from 23rd Street to Hawthorne Avenue regarding ground floor retail construction and allowed activities.