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OAKLAND

2013 DEC 24 PM 12:07

CITY OF OAKLAND

# AGENDA REPORT

**TO:** DEANNA J. SANTANA  
CITY ADMINISTRATOR

**FROM:** Fred Blackwell, Assistant  
City Administrator

**SUBJECT:** Latham Square Plaza Redesign

**DATE:** December 20, 2013

City Administrator  
Approval

Date:

12/24/13

COUNCIL DISTRICT: 3

## RECOMMENDATION

Staff recommends that the City Council approve:

**A Resolution Approving A Permanently Expanded And Redesigned Latham Square Plaza; That The 1500 Block Of Telegraph Avenue Be Redesigned To Reduce The Travel Lanes From Three To Two, With One Travel Lane Northbound And One Travel Lane Southbound.**

This recommended action would modify the Council-adopted design plan for Latham Square, reducing the width and number of travel lanes from three lanes to two lanes and expanding the plaza area. Staff further recommends that Council direct staff to consider design elements that assure the most flexible and safe use of the plaza area for all modes and users, including consideration of a curb-less street; and direct that staff begin transportation planning studies of the downtown area's circulation to ensure that singular projects are advanced within a planned transportation network that can promote long-term flexible use of this and other plaza areas.

## EXECUTIVE SUMMARY

In 2008, the City received a \$9.9 million Proposition IC grant for streetscape improvements in the downtown/uptown areas, of which \$6.5 million remains. In addition to improvements at the Latham Square Plaza (\$2.9 million), other physical improvements are in progress in the neighborhood, for the 17<sup>th</sup> Street BART Entry, San Pablo Avenue, 17<sup>th</sup> Street, and Washington Street. In 2007, the City Council approved a new intersection configuration/design at Broadway and Telegraph, and Telegraph from 15<sup>th</sup> Street to 20<sup>th</sup> Street. This new design included minor expansion to the Latham Square Plaza. This is illustrated in *Attachment A*.

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Collectively, these projects were intended to improve the Uptown area's identity, increase public safety, improve pedestrian movement, increase traffic efficiency and provide for shared bicycle and vehicular travel lanes. The goal was to increase economic development and to compliment the public and private investments being made at the Forest City Uptown Project, the Fox Theater renovation, the Broadway West Grand housing development as well as to support retail development. However, this entire project was delayed due to the discovery of unreinforced privately owned basements below sidewalks in the City right-of-way. Progress has been made, but that part of the Streetscape project has not been completed.

In August of 2012, the City began exploring ways to improve and expand pedestrian space in the Latham Square area envisioned in the 2007 approved design. This resulted in the idea of a "pilot" project with a revised circulation system and new temporary amenities. This was presented to the City Council and approved in April 2013. The pilot project was intended to gauge the feasibility of a permanent street closure and pedestrian-only plaza for daily use and programmed events, and to provide an option besides implementation of 2007 plan for Latham Square (only). The pilot project was to consider community feedback, document actual use of the plaza, complete traffic studies, and survey local businesses, property owners, and other stakeholders.

Since the closure of the 1500 block of Telegraph (July 15, 2013) and the implementation of the Latham Square Plaza pilot project on August 16, 2013, two perspectives of the pilot have emerged. Citizens opposed to the permanent street closure are concerned about the limited circulation and access to and from the Telegraph corridor to Broadway. Citizens in support of the permanent street closure want a large pedestrian-only space for safe daily use and community gatherings. Therefore, staff has developed a solution that could address the concerns expressed by both sets of stakeholders. The design includes:

1. Expansion of Latham Square Plaza (from 2,500 square feet to 9,500 square feet), with permanent seating and other amenities similar to the pilot project, to allow for daily use and community gatherings. This larger Plaza will be more easily accommodate events, kiosks, food carts, benches, landscaping, public art, restoration of the historic fountain, and other amenities than the existing plaza.
2. Re-design and narrowing of two vehicle lanes in the 1500 block of Telegraph (one northbound and one southbound) to retain vehicular circulation and access to properties and businesses in the Telegraph corridor and Broadway.

The recommended design for the two-way circulation plan for the 1500 block of Telegraph is shown as **Attachment C**. Other options studied include a circulation plan for Telegraph Avenue open to vehicular traffic from 16<sup>th</sup> Street one-way south (**Attachment D**), and for complete closure of Telegraph Avenue to vehicles between 16<sup>th</sup> and Broadway (**Attachment E**). The CEQA determinations for the recommended redesign option (two-way traffic), along with the two options for one-way traffic and complete closure of Telegraph Avenue, are described later in this report.

The proposed Plaza will be designed not only to allow flexibility for temporary closures, but also to enable the City to act efficiently if future studies recommend new multi-modal roadway arrangements in the Uptown area (e.g., converting streets from one-way to two-way, narrowing streets, reducing lanes, or closing streets).

The terms of the grant require that construction of the improvements be complete by December, 2014. To meet this deadline, design must be completed by March 2014 (2 months), advertisement, bid and award must be completed by June 2014 (less than 4 months) and then construction (6 months). There is no float in the schedule. If the 2013 design is not implemented, the City Council's prior-approved 2007 design will be.

Failure to meet the December 2014 deadline risks losing \$2.9 million of the Proposition IC grant funding. At the time this report was prepared, staff was informed that the California Legislature is considering an extension to some of these grant funds. However, no formal notice has been provided. Should an extension be granted, it is anticipated that it will be up to one year maximum.

Once the City Council has approved the Plaza's basic circulation plan, staff will hold an additional community meeting to gain input on final design options for amenities and the flexible design of the space.

### **BACKGROUND/LEGISLATIVE HISTORY**

Over its 160-year history, Latham Square has undergone several redesigns, changing both its look and function. However, the gateway to Telegraph Avenue at Broadway has not been closed to vehicles, streetcars, or buses since its original construction.

The City Council approved a re-design in January of 2007 that intended to provide a safer intersection at 15<sup>th</sup> and Broadway while maintaining two-way traffic on Telegraph Avenue. The redesign also provided an opportunity to improve Latham Square amenities. However, after further review in 2012, staff recognized that the redesign created an extensively long intersection on Broadway at 15<sup>th</sup> Street which created difficulties for both drivers and pedestrians (very long signal cycles). In addition, the Plaza expansion was very minimal and would not have provided much opportunity for expanded daily use and/or special events. A CEQA analysis was completed and accepted by City Council on this design in 2007, and is being used as the basis for the present recommendation of a two lane (one way northbound and one way southbound) arrangement for the 1500 block of Telegraph Avenue.

Construction of the pilot project was approved by City Council in April 2013. While a longer-term pilot was originally envisioned when the concept was developed, actual construction did not begin until July 2013 with full closure of the two lanes on Telegraph Avenue between Broadway and 16<sup>th</sup> Street on July 15<sup>th</sup>. On September 28<sup>th</sup>, the south bound lane of Telegraph Avenue was re-opened from 16<sup>th</sup> Street to Broadway as Phase II of the pilot project. In the time available, City staff evaluated both phases of the pilot through community feedback, traffic data collection,

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field observations, steering committee meetings (staff/community stakeholders), community meetings, and an online survey.

## ANALYSIS

### Community Response

Since the Plaza pilot project began, City staff has met with various stakeholders and gathered feedback from community members through a series of door-to-door canvassing, email, surveys, on-site observation, community meetings, and interviews. Meetings were held with community stakeholders from Walk Oakland Bike Oakland (WOBO), Oakland Heritage Alliance (OHA), the Cathedral Building occupants/owners, residents, the Downtown Business Association, and other business owners.

A community meeting was held on September 14, 2013, two months after the pilot project opened for use. Approximately 40 people – property owners, business owners, merchants, office workers, neighborhood residents and interested citizens attended the workshop. At the meeting, those favoring the re-opening of Telegraph to vehicles were overwhelmingly property owners, business owners, and some ground floor retail businesses. Reasons cited by those opposed to the closure of Telegraph included perceived loss of business because of constrained vehicular access (the time frame for the pilot project was not sufficient to complete an economic analysis) and the potential use of the space for illicit activities. Those favoring closure were generally residents from throughout the City, bicyclists, and pedestrians from nearby businesses and office buildings. Reasons cited by those supportive of the closure of Telegraph included use of the space for lunchtime, community activities, special gatherings, and safe pedestrian space within the busyness of the downtown streets.

Another community meeting, attended by about 55 people, was held on Wednesday, November 20, 2013 at City Hall. Similar opinions on opening or closing Telegraph were cited as in previous meetings. Additionally, there was discussion among many of the benefits of a permanently flexible space, i.e., a “shared street” or “flexible street” concept on Telegraph Avenue with curbs flush to the Plaza (also known as a curb-less solution). This design can allow for multi-modal travel and can encourage slow speeds. Staff is exploring the feasibility of this kind of treatment to serve this particular block.

Finally, the current proposal was brought before the Council Public Works Committee on December 17 for consideration. However, the item did not advance to Council. At the Committee the same issues raised throughout the process were discussed. Committee members suggested staff consider “curb-less street” and other flexible and safe design elements in the final design. The item did not advance to the full Council. However, the comments made by members of the Public Works Committee have been incorporated in this current report and resolution.

### Plaza Use, Events and Programming

City staff conducted frequent field observations of plaza use at various times of the day. These observations suggest that the highest use of the plaza occurs on weekdays during lunch and early afternoon hours, typically 8-15 people, at any given time. Use of the space was observed to be sparse during mornings, evenings and weekends unless there were special programmed events.

The City of Oakland issued an Encroachment Permit to the Downtown Business Association in to maintain the plaza and oversee programming. The DBA cleans the plaza, maintains the plants and trees, and takes care of any graffiti that may appear. 11 free music, poetry reading, Libros Libres book giveaways, and "Plaid Friday" have occurred, with attendance varying from 30-40 people.

### Vehicle Traffic Analysis

Congestion in the downtown, (which is measured by a metric called Level of Service - LOS) shows that all 3 circulation options have a similar and very limited negative impact on congestion. None of these options require mitigation. However, the closure of northbound Telegraph Avenue at Broadway creates an inconvenience by adding 1/3 of a mile distance between permitted left turns off Broadway from 15<sup>th</sup> Street to 19<sup>th</sup> Street (see *Attachment F*). Also, traffic counts before and after the closure assesses the relative results of detouring vehicular traffic. The pre and post-closure counts indicate that in the 1600 block of Telegraph, vehicular traffic dropped from approximately 6,830 vehicles per day (pre-closure) to 2,420 vehicles per day, or about a sixty-five percent (65%) drop.<sup>1</sup> The implications of this drop are not clear; for example, it could be the result of through traffic finding another route, or people with specific destinations downtown deciding to take BART. (Approximately 10,000 persons per day enter and exit BART at the 12<sup>th</sup> and 19<sup>th</sup> Street stations). The drop in vehicular trips on Telegraph Avenue in this area has been very concerning to some business owners that rely on drive-by traffic for business visibility.

About 3,700 vehicles per day previously turned left from Broadway onto Telegraph, but no longer can turn, due to the northbound street closure. Instead, if they intend to travel up Telegraph toward Berkeley they must now detour four blocks north and turn left at 19<sup>th</sup> Street. However, the counts show that less than half of those vehicles (1,170) are turning left at 19<sup>th</sup>. It is unknown where the other 2,630 vehicles are traveling; however, they are by-passing the Telegraph Avenue corridor between 15<sup>th</sup> & Broadway and 19<sup>th</sup> & Broadway. Traffic detours are illustrated on *Attachments G, H, and I*.

### Recommendation

Based on the wide-ranging input from the community, traffic data as described, and the need to finalize a project that can be constructed in the short time-frame of the grant, staff recommends approving an expanded and redesigned Latham Square Plaza, including a provision for left turns from northbound Broadway onto Telegraph. The 1500 block of Telegraph Avenue should

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<sup>1</sup> Hourly traffic counts were collected in January and September, 2013. Daily volumes are projected, based upon the p.m. peak hour on the days that counts were collected.

be redesigned to have narrower than existing northbound and southbound lanes that are designed in such a way as to allow the Latham Square to have the maximum amount of pedestrian area possible.

This recommendation is summarized as follows:

- Expansion of the Plaza to nearly four times its original size (non-pilot project) to allow for increased pedestrian space and new amenities, landscape improvements, and community programming;
- Consideration of a flexible design, including consideration of “shared street” design elements such as a curb-less boundary between the travel lanes and sidewalk and plaza area, that will allow Telegraph Avenue to be safely used by multiple travel modes and users at the same time, as well as be temporarily closed as needed for special events and other programming;
- Improved pedestrian access and safety to/from Latham Square Plaza by providing clear signs, lighting, and street markings; and
- Two-way vehicle circulation on the 1500 block of Telegraph for through-access and deliveries to local businesses.

Staff recommends this design as it preserves the maximum flexibility over time for any future changes in the use of this space for various modes of transportation, including the potential full closure of the street at a point in the future.

Staff also recommends that Council provide direction on long-term planning for vehicle and other modal circulation in the downtown area. Throughout the pilot project process and subsequent public dialogue it became clear that the existing circulation patterns in the downtown area prevent consideration of changes such as full or partial closure of Telegraph Avenue. Staff believes that a broader evaluation of the circulation might provide opportunities for this or other locations that are not currently feasible.

### **PUBLIC OUTREACH/INTEREST**

See the Community Response section in the **ANALYSIS** section

### **COORDINATION**

Offices consulted in the preparation of this report include the Office of the City Attorney, Budget, Office of Neighborhood Investment, the Public Works Agency, the Department of Planning and Building, and the Fire Department.

## COST SUMMARY/IMPLICATIONS

\$2.9 million in grant funding from the Uptown Proposition IC grant under the California Department of Housing and Community Development's Infill Infrastructure grant program is available for the design and implementation of the Latham Square Project. Sufficient funding for the final design and construction of the Latham Square project is available in Fund 2144 (California Housing and Community Development), Project C464560 (Latham Square/Telegraph Avenue Streetscape). No bicycle or pedestrian Measure B funds have been allocated in the budget to this project. The terms of these grant funds require that construction of this plaza be complete by December 31, 2014 (unless the City receives confirmation from the State that the grant has been extended for one year or more).

## CEQA

The recommended redesign option for circulation around Latham Square Plaza (as shown in *Attachment C*), along with each of the alternative redesign options (as shown in *Attachments D and E*), are categorically exempt from the provisions of CEQA, since they are not expected to have a significant effect on the environment. Each of the three redesign options qualify for a Categorical Exemption under *CEQA Guidelines* Sections 15183 (projects consistent with a general plan, or zoning), 15301 (Class 1 – operation, repair, or minor alteration of existing facilities), 15302 (Class 2 – replacement or reconstruction of existing structures or facilities) and 15332 (infill development projects). This conclusion is summarized in *Attachment L*, and relies on the detailed environmental analysis conducted to support Resolution No. 80358 C.M.S. (which approved the 2007 Latham Square design) and on additional traffic analysis conducted during the pilot program's full closure phase. The analysis demonstrates that each of the options would have no significant effect on the environment.

For questions regarding this report, please contact Michael Neary at (510) 238-6659.

Respectfully submitted,



FRED BLACKWELL  
Assistant City Administrator

**Attachments:**

**Attachment A:** - 2007 Design

**Attachment B** – 2013 Pilot Project Design

**Attachment C** – 2013 Recommendation: Two Vehicle Lanes on 1500 Block of Telegraph

**Attachment D** – One Vehicle Lane on the 1500 Block of Telegraph- Southbound

**Attachment E** – No Vehicle Lanes on the 1500 Block of Telegraph

**Attachment F** – Street Grid Map with Left Turn Restrictions

**Attachment G** – Street Grid Map with Broadway Detour

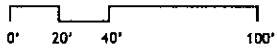
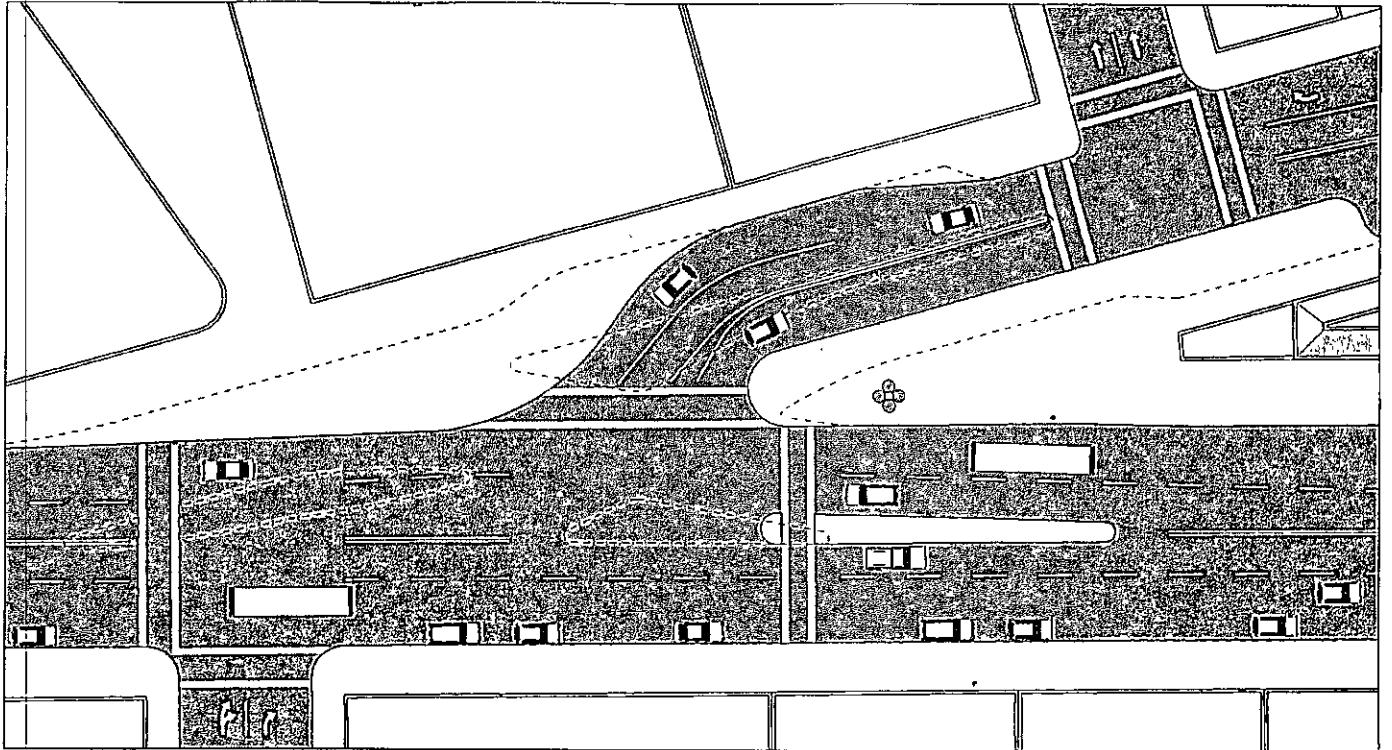
**Attachment H** – Street Grid Map with Telegraph Avenue Detour

**Attachment I** – Street Grid Map with 16<sup>th</sup> Street Detour

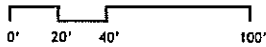
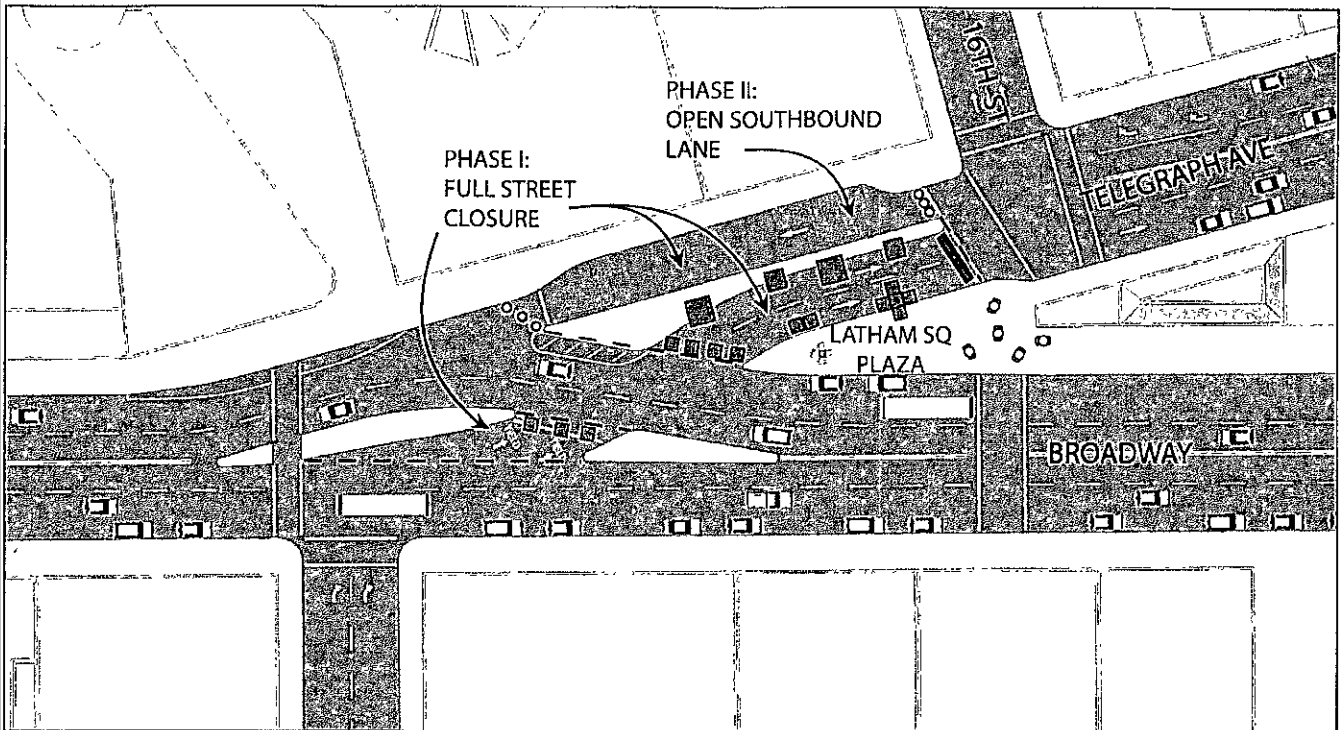
**Attachment J** - Description of CEQA Exemptions for the Latham Square Plaza Redesign Options



*Attachment A: - 2007 Design*



Attachment B – 2013 Pilot Project Design



PILOT PROJECT

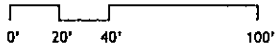
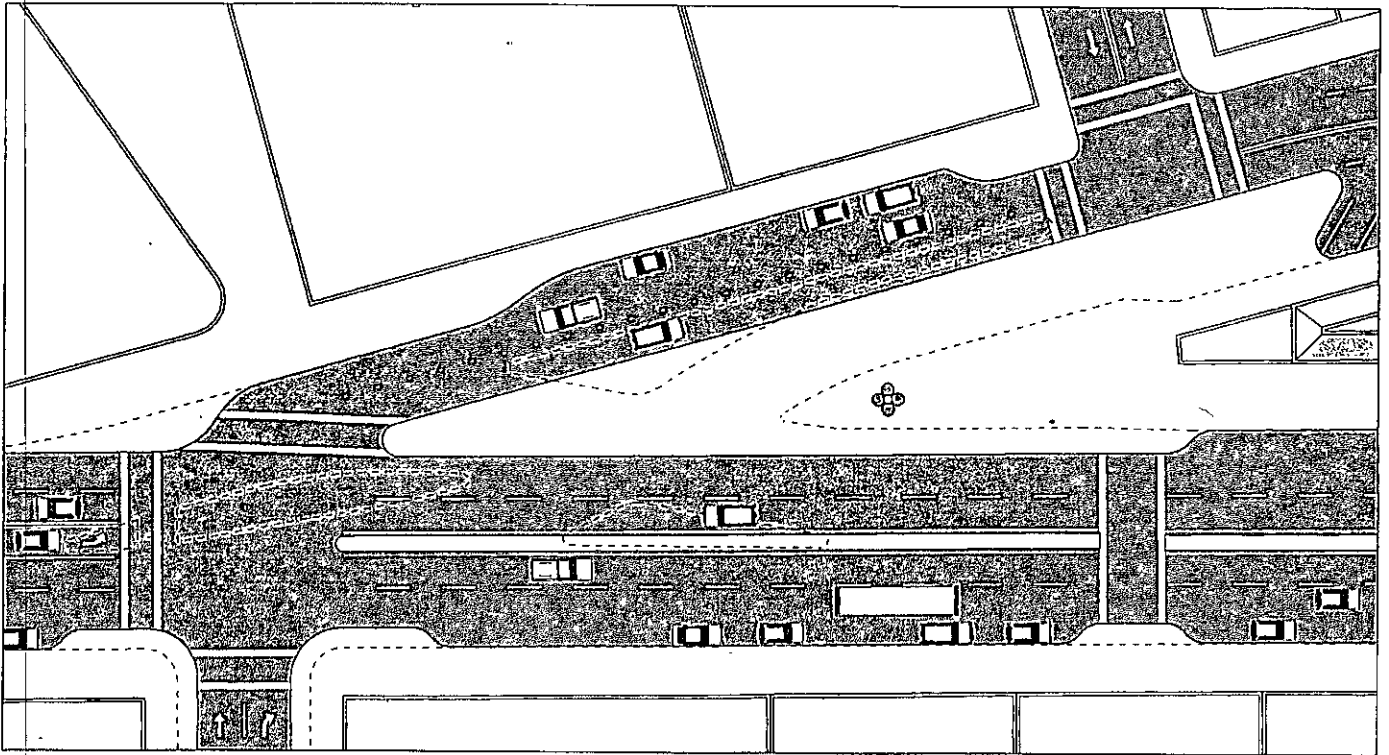
**July 15, 2013**

- PHASE I:**  
(10 weeks)
- Two (2) northbound lanes closed
  - One (1) southbound lane closed
  - Street furniture, planter boxes with trees and landscaping added

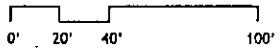
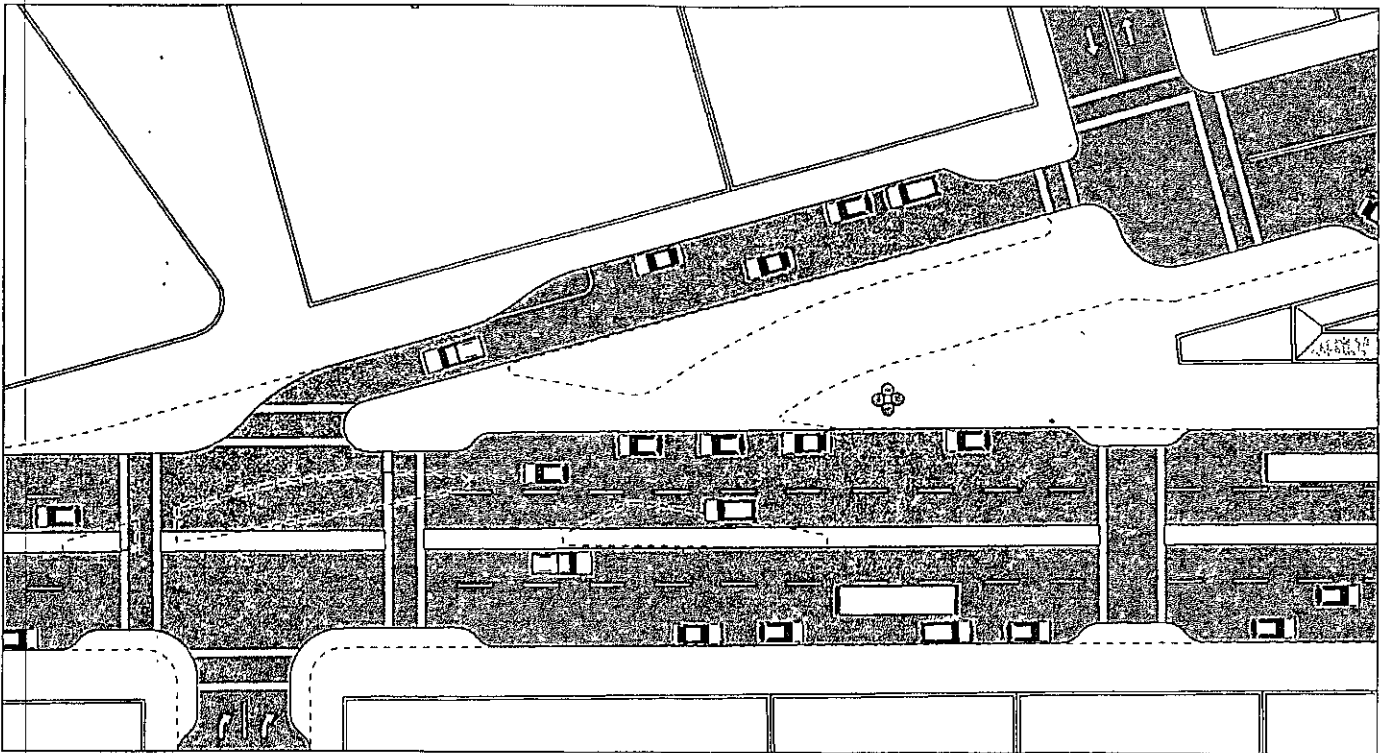
**September 28, 2013**

- PHASE II:**
- Southbound lane opened, bollards removed
  - Street furniture, planter boxes with trees and landscaping remain in place

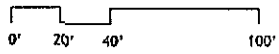
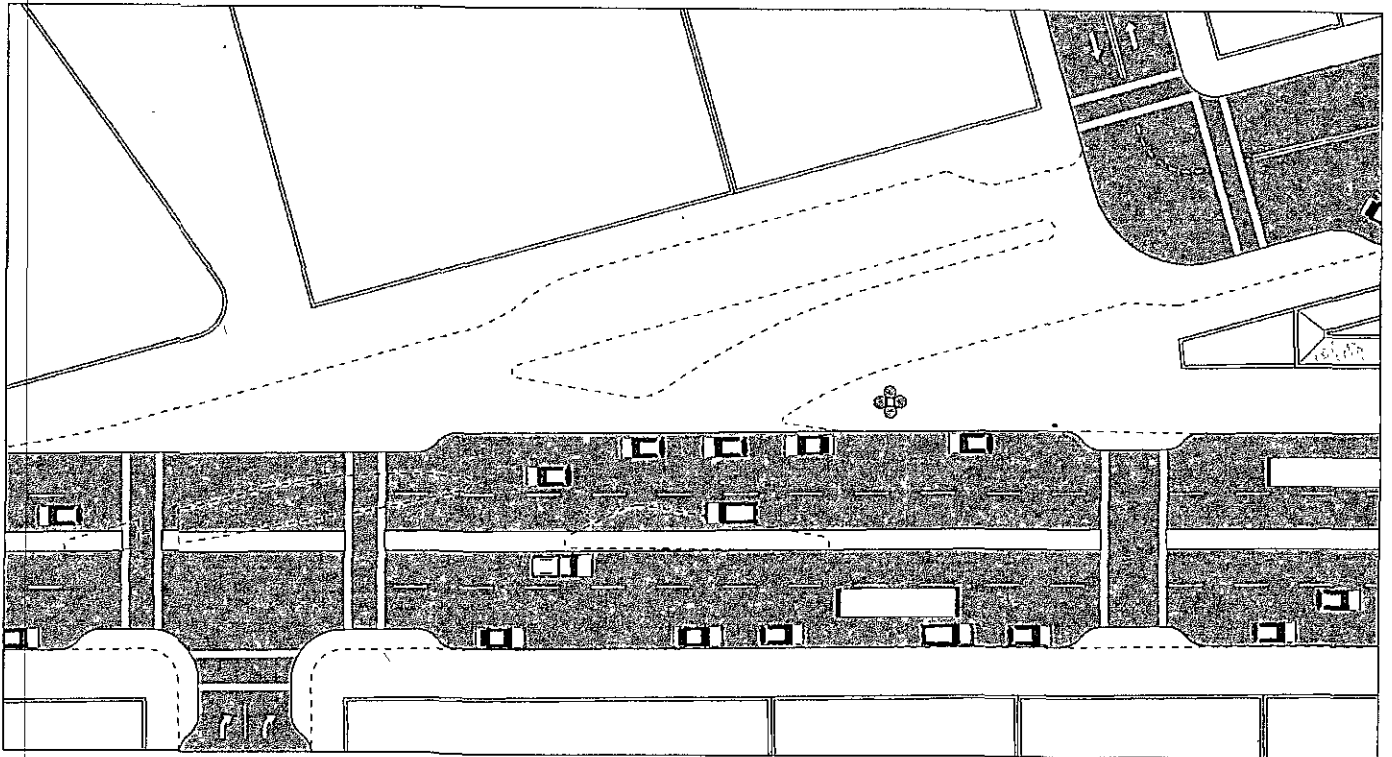
*Attachment C* – 2013 Recommendation: Two Vehicle Lanes on 1500 Block of Telegraph

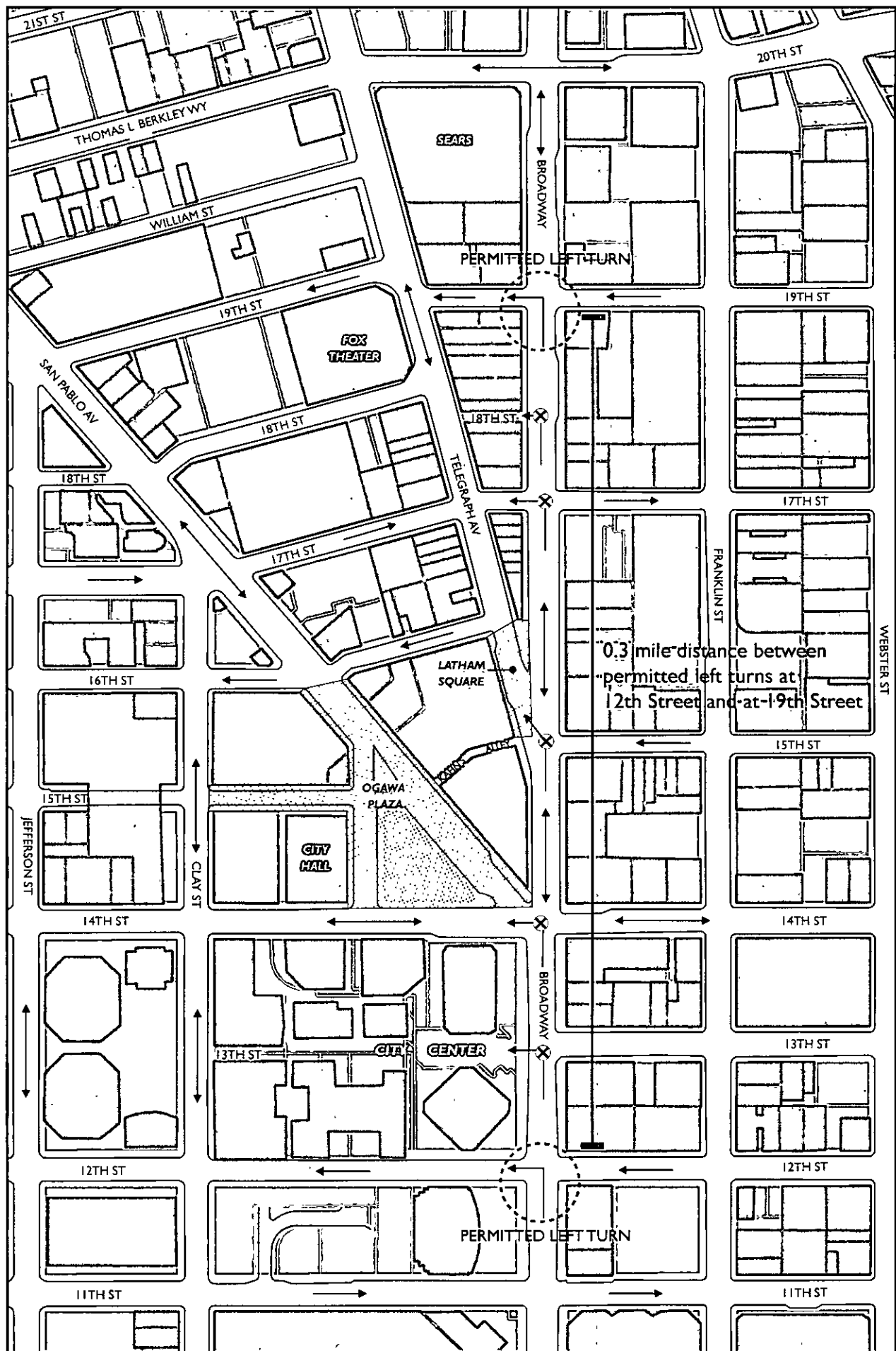


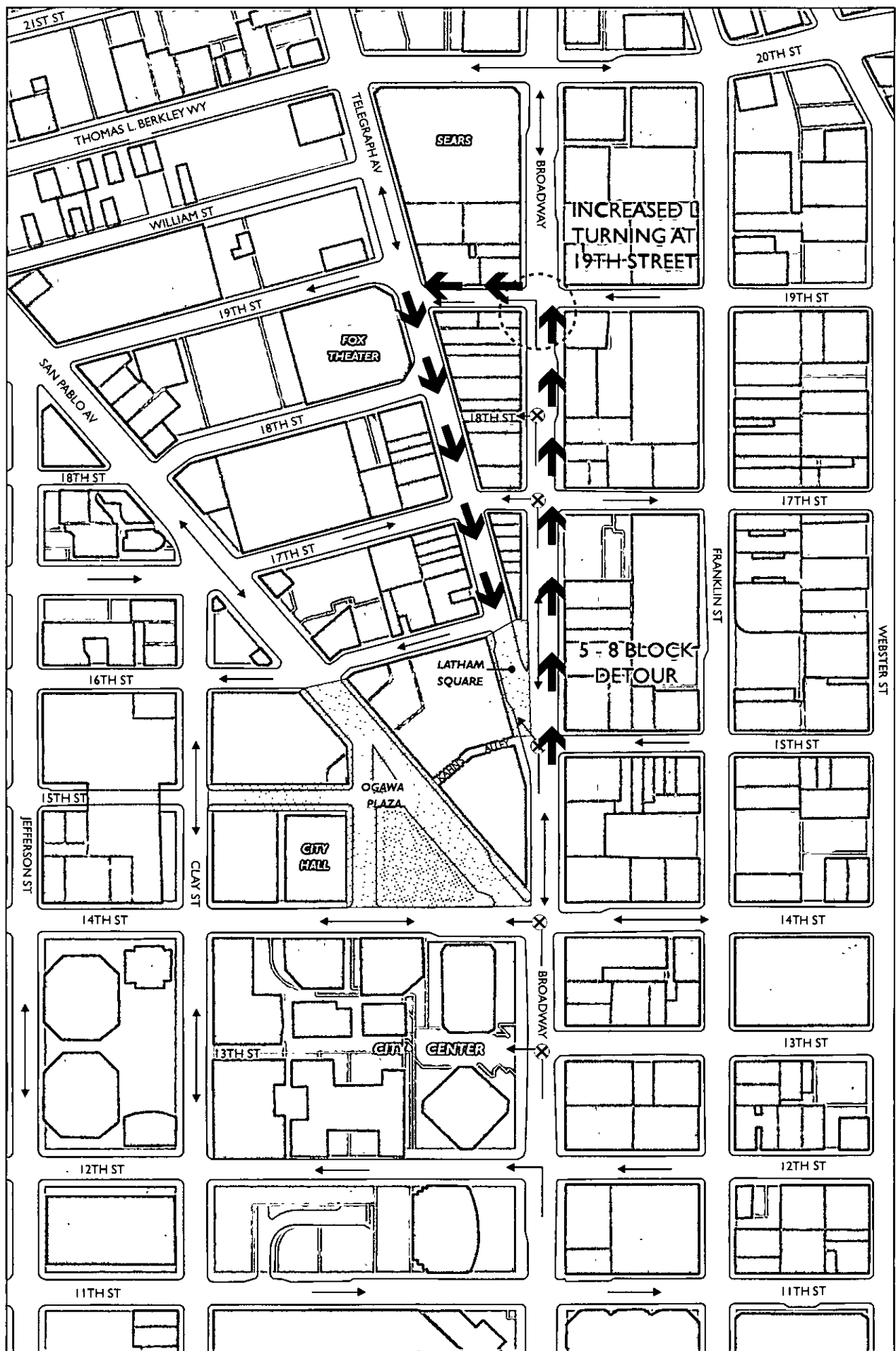
*Attachment D* – One Vehicle Lane on the 1500 Block of Telegraph- Southbound

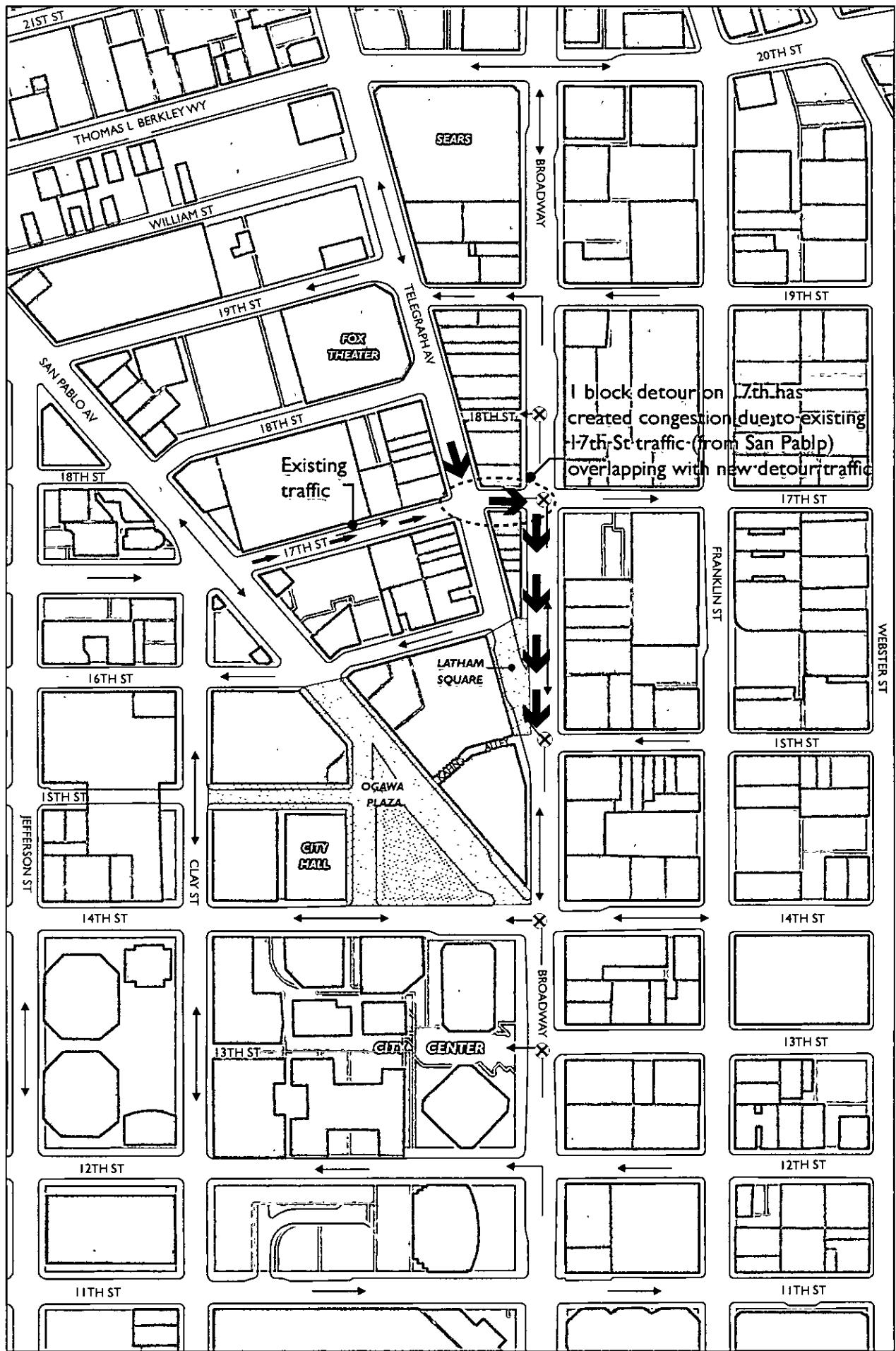


*Attachment E* – No Vehicle Lanes on the 1500 Block of Telegraph

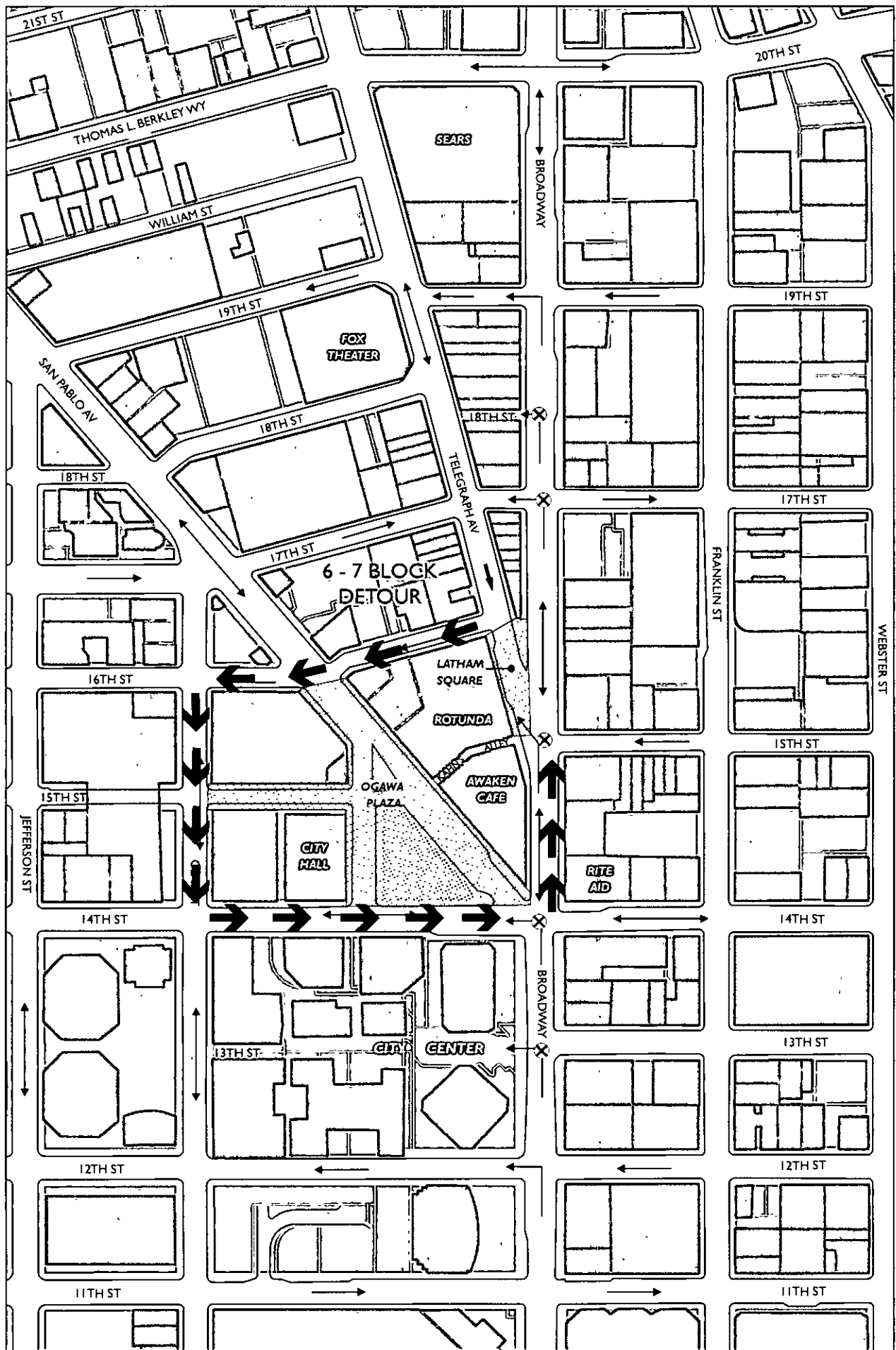












**Attachment J: Description of CEQA Exemptions for the  
Latham Square Plaza Redesign Options**

Sections 21080 and 21084 of the California Public Resources Code exempt certain projects from the provisions of CEQA. Section 21084 specifically requires the *CEQA Guidelines* to include a list of these projects (found in Article 19, Categorical Exemptions), which are not expected to have a significant effect on the environment. Table 1 summarizes the Categorical Exemptions that apply to the recommended Plaza Redesign option and the two alternative options.

*CEQA Guidelines* Section 15300.2 lists project types for which Categorical Exemptions may not apply (exceptions). Table 2 summarizes how the redesign options are *not* subject to any of these exceptions.

**Table 1. Categorical Exemptions Applicable to Latham Square Plaza Redesign Options**

CEQA Categorical Exemptions	Relationship to the LSP Redesign Options
15183. Projects Consistent with a General Plan, or Zoning	<p>CEQA mandates that projects consistent with existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as necessary to examine whether there are project-specific significant effects.</p> <p><i>Each of the circulation redesign options is consistent with General Plan policies to enhance the vibrancy of downtown, and have no project-specific significant effects.</i></p> <p><i>Two-Way Traffic – A previous traffic analysis projected that there would be no significant effects per the City of Oakland’s Threshold of Significance</i></p> <p><i>One-Way Traffic – The traffic analysis for the full closure provides sufficient information to determine that the one-way traffic redesign option would have no significant effects.</i></p> <p><i>Full Closure – An analysis of traffic conditions during the full closure portion of the pilot program found no significant effects per the City of Oakland’s CEQA Thresholds of Significance.</i></p>
15301. Existing Facilities	<p>Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities. Existing highways and streets are included in the exemption. The key consideration is whether the project involves negligible or no expansion of an existing use.</p> <p><i>Each of the three options is a minor alteration of existing sidewalks and streets, as well as minor alteration of existing mechanical equipment such as light standards. The proposed project would not expand upon impact-causing facilities nor would it increase the capacity of such facilities. Rather, each of the options would reduce the number of traffic lanes on a City street (Telegraph Avenue), reducing the capacity of that street, while still generally improving traffic operations in the Downtown area. While each of the options would expand pedestrian and bicycle facilities, such facilities generally do not result in significant impacts to the environment (e.g. air pollution, noise, etc).</i></p>

**Attachment J: Description of CEQA Exemptions for the  
Latham Square Plaza Redesign Options**

<b>CEQA Categorical Exemptions</b>	<b>Relationship to the LSP Redesign Options</b>
15302. Replacement or Reconstruction	<p>Class 2 consist of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. This includes facilities involving negligible or no <i>expansion</i> of capacity.</p> <p><i>Each of the options is the reconstruction of city transportation and civic facilities, under different configurations, in their current location, that would result in equal or reduced capacity of impact-causing facilities relative to their current capacity.</i></p>
15332. Infill Development Projects	<p>Class 32 consists of projects characterized as in-fill development meeting the following conditions:</p> <p>(a) Consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. <i>Each of the redesign options is consistent with General Plan policies to enhance vibrancy of downtown Oakland, and complies with applicable zoning regulations.</i></p> <p>(b) Occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. <i>The Latham Square Plaza Redesign site is within the City of Oakland, and is less than 5 acres.</i></p> <p>(c) Site has no value as habitat for endangered, rare or threatened species. <i>The Latham Square Plaza Redesign site has no habitat value for any species of concern.</i></p> <p>(d) Approval would not result in any significant effects relating to traffic, noise, air quality, or water quality. <i>As described earlier, none of the redesign options would significantly affect traffic, noise, air quality, or water quality.</i></p> <p>(e) The site can be adequately served by all required utilities and public services. <i>The Latham Square Plaza Redesign site is located in downtown Oakland, and is adequately served by all required utilities public services.</i></p> <p>The italicized text above shows that redesign options meets each of five criteria necessary for this categorical exemption.</p>

As noted earlier, Table 2 (on the following page) lists the exceptions that apply generally to Categorical Exemptions, and describes why each is *inapplicable* to recommended Plaza Redesign and the two alternative redesign options.

Attachment J: Description of CEQA Exemptions for the  
Latham Square Plaza Redesign Options

**Table 2. Summary of Exceptions to Categorical Exemptions**

Possible Exception	Applicability of Exception to Recommended Plaza Redesign Options
<i>Location.</i>	<p>Classes 4 and 6 are qualified by consideration of project location. Categorical exemptions in these classes do not apply where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law.</p> <p><i>There are no designated environmental resources of hazardous or critical concern in the vicinity of the Latham Square Plaza Redesign site.</i></p>
<i>Cumulative Impact.</i>	<p>All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.</p> <p><i>The unique geometry and civic significance of this intersection means that each of the redesign options is unique. There are no other successive projects of the same type in the same place anticipated or known at this time.</i></p>
<i>Significant Effect.</i>	<p>A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.</p> <p><i>There are no unusual circumstances that would cause any of the options to have a significant effect on the environment.</i></p>
<i>Scenic Highways.</i>	<p>A categorical exemption shall not be used for a project which may result in damage to scenic resources, within a highway officially designated as a state scenic highway.</p> <p><i>There are no designated scenic highways in the vicinity of the Latham Square Plaza Redesign site.</i></p>
<i>Hazardous Waste Sites.</i>	<p>A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.</p> <p><i>There are no listed hazardous waste sites in the vicinity of the Latham Square Plaza Redesign site.</i></p>
<i>Historical Resources.</i>	<p>A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.</p> <p><i>There are several historic resources located in and around Latham Square. The Rotunda and Cathedral Buildings are City of Oakland Landmarks and also listed on the National Register of Historic Places, and Latham Square Fountain is a City of Oakland Landmark. However, none of the redesign options would cause a substantial change in the significance of these resources because they would not demolish or materially alter in an adverse manner those physical characteristics that account for the historic nature of these resources, per the Secretary of the Interior's Standards for Rehabilitation &amp; Illustrated Guidelines for Rehabilitating Historic Buildings.</i></p>

2013 DEC 24 PM 12:07 RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION APPROVING A PERMANENTLY EXPANDED AND REDESIGNED LATHAM SQUARE PLAZA; THAT THE 1500 BLOCK OF TELEGRAPH AVENUE BE REDESIGNED TO REDUCE THE TRAVEL LANES FROM THREE TO TWO, WITH ONE TRAVEL LANE NORTHBOUND AND ONE TRAVEL LANE SOUTHBOUND**

**WHEREAS**, in 2008, the City received a \$9.9 million dollars in a Proposition 1C California Department of Housing and Community Development Infill infrastructure grant, of which \$2.9 million has been set aside for intersection reconfiguration and streetscape improvements to Latham Square; and

**WHEREAS**, in January of 2007 City Council approved a modified street design for Latham Square and Telegraph Avenue from 16<sup>th</sup> to 20<sup>th</sup> Street (Resolution 80358 C.M.S.); and

**WHEREAS**, the 2007 design included two lanes of vehicular traffic (one lane in each direction) and widened sidewalks for Latham Square on both the plaza side and Telegraph Avenue sidewalk; and

**WHEREAS**, in April of 2013, the City Council approved C.M.S. No. 84348, which authorized a temporary street closure on Telegraph Avenue between 16<sup>th</sup> Street and Broadway in order to create a temporary or "pilot" pedestrian plaza with new amenities; and

**WHEREAS**, staff has worked with representatives of the community to evaluate the success and challenges of the temporary plaza in the time available, given grant constraints; and

**WHEREAS**, the community process highlighted the benefits and challenges of changing traffic patterns and uses of public space in the downtown area; and

**WHEREAS**, the most recent design called for three lanes of traffic, two in the southbound and one in the northbound direction; and

**WHEREAS**, the proposed permanent two-travel lane design relies on the detailed environmental analysis conducted to support the 2007 design (Resolution No. 80358 C.M.S.); and

**WHEREAS**, the proposed design has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines sections 15183 (projects consistent with a general plan); 15301 (existing facilities); 15302 (replacement or reconstruction); and 15332 (infill projects), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively would provide an overall basis for CEQA clearance; and

**WHEREAS**, the Proposition 1C grant requires that final invoices for constructed project must be submitted to the State of California (granting agency) before February 1, 2015; and

**WHEREAS**, to meet the deadline for submittal of final invoices to the State, the City must complete project design and construction by December 31, 2014; and

**WHEREAS**, if the 2013 project is not approved, implementation of the Latham Square portion of the 2007 plan will be implemented in order to make some improvements and expend the grant monies before expiration; now, therefore, be it

**RESOLVED**, that the City Council authorizes the City Administrator to implement the 2013 Latham Square plaza design; and be it

**FURTHER RESOLVED**, that the 2013 Latham Square Plaza design include two lanes of through traffic, one in each direction; and be it

**FURTHER RESOLVED**, that the plaza be designed with elements that support the short- and long-term flexible use of the space; and be it

**FURTHER RESOLVED**, that staff shall consider design elements that encourage the safe use of the area by all users and modes, including the use of a curb-less boundary between the sidewalk and plaza area and the vehicular traffic area in its design development; and be it

**FURTHER RESOLVED**, the staff will hold at least one community meeting to allow for input into the design of Latham Plaza proper prior to completing the 35% design drawings, and be it

**FURTHER RESOLVED**, that staff will initiate a long-term circulation analysis of the downtown area to evaluate the removal of constraints to permanentiy flexible spaces such as Latham Square.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California