



Oakland Measure DD Community Coalition

21 May 2014

To: Hui-Chang Li, Urban Economic Analyst II

Subject: Proposed Modifications and Expansion of the Initially Proposed Development of the Lake Merritt Boulevard “Remainder Parcel”

Dear Ms. Li,

The Measure DD Community Coalition is a broad-based, citywide body of over 100 individuals and organizations sanctioned by the City Council to oversee and guide the progress of projects funded by Measure DD. At the Coalition’s 19 May 2014 meeting, DD Manager Lesley Estes presented sketches of a substantially modified proposal from that presented to the Coalition in Dec 2013 for the “remainder parcel” at E 12th Street and Lake Merritt Boulevard. As presented, the selected developer seeks to greatly increase the initially proposed number of residential units, and expand their proposed underground parking garage into the subsurface of the adjacent reserved parkland, among other substantial planning and design changes. The developer’s ENA requires close coordination with Measure DD improvements. Such proposed changes will greatly impact the reserved parkland—which houses a major storm drain and sanitary sewer installation—as well as the recently-completed park at the Lake Merritt Channel and, consequently demand additional review by the DD Coalition.

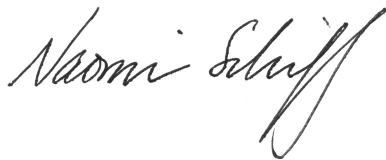
During considerable discussion by members of the Coalition, the following are among the issues and concerns raised:

1. The remainder parcel was created by the Measure DD project using Measure DD funds. Development of this parcel and any possible consideration of expansion into the adjacent reserved parkland must include substantial and well-defined community benefits.
2. Such benefits, at a minimum, must explicitly serve Lake Merritt Park, and must be clearly detailed in any agreement between the City and the developer. A mechanism such as a special assessment district for building owners and occupants may be needed to ensure that benefits are provided in perpetuity.
3. Landscaping of the adjacent reserved parkland and maintenance of its landscaping by the developer was already presented as being part of the original development proposal, so those elements are considered fixed, and not associated with the current request for expansion.
4. We reiterate earlier statements that a substantial portion of the sale proceeds for the initial development parcel should be placed in a special fund for maintenance of Measure DD improvements at Lake Merritt Park. Such fund should augment existing maintenance funding and not be fungible.
5. Any consideration of expansion of the project into the subsurface of adjacent reserved public park space shall include additional compensation to the City in the form of long-term lease payments. This compensation shall also be placed into the above-mentioned special fund for Lake Merritt Park maintenance.

6. Any consideration of expansion of the project into the subsurface of adjacent reserved public park space includes the understanding, as with other developments which benefit from public assistance, that the development is not eligible to generate “condominium conversion rights.”
7. More information is needed to properly evaluate the developer’s expansion proposal. Grades of the reserved parkland down to the Channel path must be shown compared with existing grades. A “shadow study” must be provided to evaluate the impact of the proposed building on the reserved parkland.
8. Previous review comments by the Coalition included a desire that the slope of the adjacent reserved parkland should remain basically unchanged, and that the new park be primarily un-programmed open space, and be landscaped with local native plants suitable for the park’s status as a Resource Conservation Area. Retaining walls and terraces are not desired, and hidden areas that contribute to anti-social behavior must be avoided.
9. Any proposed subsurface garage expansion and any disturbance or relocation of the existing storm drain and sanitary sewer structures must be competently engineered, and both the garage and utility structures must remain completely below grade. There must be adequate soil cover for trees and deep-rooted native landscaping, without substantial changes to the existing grades.
10. The development proposal initially presented to the Coalition provided 247 units, 201 off-street parking spaces, and 5000 SF of ground floor neighborhood-serving commercial in a 24-story building. The sketch presented Monday evening shows 343 units and little in the way of other important details. Details of such changes to the design of the proposed development since it was last presented to the Coalition need to be provided.

The Coalition has designated a task group to meet with the developer or developer’s representative(s) to gain further understanding of the developer’s proposed expansion and its rationale; modifications of the design from that initially presented; and developer’s proposals of compensating community benefits. Developer should propose a mutually convenient time and place for a meeting with the Coalition task group. Please coordinate with Naomi Schiff, Task Group Facilitator, email: naomi@17th.com, and/or James Vann, email: jamesevann@aol.com.

Sincerely,

A handwritten signature in black ink that reads "Naomi Schiff". The signature is written in a cursive, flowing style.

Naomi Schiff, for the
Measure DD Coalition Task Group

cc:

Patrick Lane, Development/Redevelopment Program Manager
Lesley Estes, Measure DD Program Manager
Rachel Flynn, Director of Planning & Building