

REUBEN, JUNIUS & ROSE, LLP

John Kevlin
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February 6, 2023

APPROVED FOR FORWARDING

Delivered by Email (mmorris2@oaklandca.gov)

Michelle Morris
Bureau of Planning, City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

Re: 1431 Franklin Street – BAMBD Analysis

Dear Ms. Morris:

This office represents Tidewater Capital, the project sponsor of two alternative development projects (residential and office) at 1431 Franklin Street. The project is located in the Black Arts Movement and Business District (“BAMBD”). The purpose of this letter is to demonstrate the project’s consistency with the Planning Bureau’s Zoning Bulletin with respect to BAMBD.

The goal of BAMBD is to “highlight, celebrate, preserve and support the contributions of Oakland’s Black artists and business owners and the corridor as a place central historically and currently to Oakland’s Black artists and Black-owned businesses.” The designation was intended to help support a critical mass of arts and entertainment establishments in the area, and to help promote and celebrate the significant current and historical Black leaders, arts, political movements, enterprises and culture in the area. More specifically, the designation is intended to help bring resources to the area through grants and philanthropic funding, and for the City Administrator to consider other tools and incentives to support the implementation of the District including streamlined permitting, funding, staffing, and new placemaking elements in the District.

When development applications are submitted to the Planning Bureau for review that are in the BAMBD, the review should take into consideration the goals of the BAMBD, as defined by Council Resolution 85958, in the following ways:

1. Provide project applicants with a copy of Council Resolution 85958.

Applicant is in receipt and has previously been educated of the Council Resolution 85958. In fact, Resolution 85958 was used as a basis in establishing the Applicant’s Community Engagement Plan in 2019.



Michele T. Morris, Planner III
Reviewed by:

Catherine Payne

Catherine Payne
Development Planning Manager

Approved for forwarding to the City of Oakland
Planning Commission:



Edward Manasse, Deputy Director Bureau of
Planning

2. Encourage applicants to ensure the proposed project is consistent with the goals of the BAMBD. Consistency with the goals of the district can be achieved in many ways, such as:
 - a. Through consistency with draft policies contained in the Draft and Final *Downtown Oakland Specific Plan*;
 - b. As part of applicant's Public Art in Private Development requirements;
 - c. As part of any requirements applicants may have for improvements to the public realm;
 - d. Through architectural design and detailing;
 - e. Through considerations regarding future commercial tenants; or
 - f. Through other strategies the city deems appropriate.

Applicant has pursued the goals of BAMBD through various means that directly align with the methods noted above. In particular:

- I. *The project directly furthers policies in the draft Downtown Oakland Specific Plan. Implementation/Action Step 18 of the Plan calls for:*

Prioritize capital improvements to the Malonga Casquelourd Center for the Arts, particularly the theater and related spaces, as well as provide for regular and ongoing maintenance in the City's upcoming budget cycles and Capital Improvement Planning processes. (Draft DOSP, Page 260.)

The project sponsor has committed to a project-specific condition of approval to allow for diversion of a portion of the project's Public Art fee to be directed to capital improvement projects at the Malonga Casquelourd Center for the Arts Theater and the African American Museum and Library of Oakland (AAMLO) for the furtherance of their respective goals.

- II. *Sidewalk improvements at the new development's frontage funded by the project sponsor include new sidewalks, street trees, and short term bicycle racks. These improvements directly benefit the public realm of the BAMBD.*
- III. *The project has gone through an extensive design and historic review process to ensure its architecture is consistent with, and adds to, the existing historic character of the Downtown Oakland Historic District and the BAMBD. One of the project architect's inspirations and references has been the Lionel J. Wilson building, expressly cited in City Council Resolution*

85958. *The architect studied its use of window proportions and secondary verticals to guide the overall design of the punched windows in the design. The double windows lining the mid-portion of the Lionel J. Wilson building are directly referenced in the articulation of the core for the office design. The architect also referenced its light-colored masonry and took cues from how its windows were detailed.*

- IV. *The Applicant has also committed to performing environmental noise studies related to existing entertainment establishments in the District and to upgrade the acoustical performance of the 1431 Franklin façade design accordingly to mitigate potential future conflict with residents of the new building. These commitments represent a sincere effort to preserve and support the existing vital entertainment establishments in the BAMBD.*
- V. *Even prior to project sponsor’s submittal of its first entitlement application, the project sponsor has continuously engaged with and supported the local BAMBD community, including hosting community markets benefitting over 100 local vendors on the site’s existing parking lot, sponsoring (10) vendors to participate in the community markets, supporting Joyce Gordon’s Oakland Youth Art Explosion Festival, and helping establish a new outdoor parklet for the benefit of small businesses located on 15th Street between Broadway and Franklin Street.*
3. Encourage applicants to consult with nearby business owners in the BAMBD.

Applicant has undertaken a comprehensive community engagement plan and has consulted with a substantial number of business owners, building owners, and non-profits within the BAMBD. This is in addition to a commitment to workforce development groups focused on labor training and the promotion of minority contractors.

Written Supporters of the Project located in BAMBD:

- *Malonga Casquelourd Center for the Arts Theater**
- *African American Museum and Library of Oakland**
- *Oakland African American Chamber of Commerce**
- *The Hidden Genius Project*
- *Complex Nightclub (Previously Venue)**
- *The Hatch**
- *Quick Bite**
- *Wayne Jordan – Owner of the Central Building (436 14th Street)*
- *Good Mother Art Gallery / Agency Oakland*
- *Basilica Design Studio*

- *The Kon-Tiki*
- *Veranda*
- *Que Rico*

Other Business Owners consulted with include:

- *Geoffrey's Inner Circle**
- *Joyce Gordon Gallery**
- *Oakland Ink*
- *Mood's Beauty Bar*
- *Golden Bull*
- *Queen Hippie Gypsy*

Asterisk () indicates business or property cited in Resolution 85958.*

4. Offer capacity support by directing the applicant to resources such as:
 - a. Business Development services offered through the Economic & Workforce Development Department (<https://www.oaklandca.gov/topics/oakland-business-assistance-center>);
 - b. Arts and Culture resources offered through Cultural Affairs (<https://www.oaklandca.gov/topics/arts-and-culture-in-oakland>);
 - c. Special Event permitting through the City Administrator's Office (<https://www.oaklandca.gov/topics/special-events>);
 - d. Planning Bureau's Downtown Specific Plan Team (<https://www.oaklandca.gov/topics/downtown-oakland-specific-plan>);
 - e. BAMBD Community Development Corporation (CDC) (<http://www.bambdc.com>); and
 - f. Community Coalition for Equitable Development (CCED) Community Stabilization and Anti-Displacement Fund (<https://www.ccedoakland.org/>).

The project sponsor has been made aware of these resources by City staff and will continue to consider ways to support and enhance BAMBD prior to and during construction, and after the building is in operation.

Michelle Morris
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Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

A handwritten signature in blue ink, appearing to read "John Kevlin". The signature is fluid and cursive, with a large loop for the letter 'J' and a long horizontal stroke for the 'k'.

John Kevlin

cc: Michael Branson, City Attorney