Case File Number ER030004, PUD13170, DA13171

Attachments

Attachment F: Public Comments Provided in Writing

From:

William Purcell <w_purcell@me.com>

Sent:

Friday, December 13, 2013 11:50 AM

To:

Payne, Catherine

Subject:

Ellis/JLS

Hi we met very briefly at the Ellis presentation. I'm a board member of Jack London District Association and sate immediately in front of you at the meeting. Please forward the link that describes the project.

Best

Bill

W. Purcell
Commercial Real Estate Services
P.O. Box 2532
Danville, CA 94526
(925) 997-4762: w purcell@me.com

Lic #: 0754288

From:

Sandra Threlfall <info@waterfrontaction.org>

Sent:

Wednesday, December 18, 2013 2:32 PM

To:

Payne, Catherine Pattillo, Chris

Cc: Subject:

Deaign Review Board for JL Square project

Attachments:

JLS housing 2013.doc

I have attached some brief comments regarding the Jack London Square Development Project proposal for sites D and F2.

Thank you for your consideration of my comments.

Sincerely, Sandy Threlfall Executive Director Waterfront Action

From:

Sandra Threlfall <threlfall@pacbell.net>

Sent:

Thursday, March 27, 2014 12:25 PM

To:

Payne, Catherine

Subject:

Ellis Partners" Jack London towers project

Dear Catherine Payne,

I would like to find the current status of this project. Will they be doing a Health Impact Assessment analysis for it? The HIA was brought up at the Community meeting last month.

Thank you, Sandra Threlfall

From: Sent: To: Subject:	Vivian Kahn <viviankahn@comcast.net> Thursday, May 08, 2014 10:18 AM Payne, Catherine Re: Jack London Sq Dev Project Hearing</viviankahn@comcast.net>
Thanks for the update, Catherine	
Vivian	
On May 8, 2014, at 10:13 AM, Pa	yne, Catherine < <u>CPayne@oaklandnet.com</u> > wrote:
<pre>> agenda. The report will be avail > http://www2.oaklandnet.com/ > ni</pre>	for the May 21 Planning Commission ilable next Friday (May 16), at: Government/o/PBN/OurOrganization/PlanningZo
> ng/o/Commissions/index.htm	
> Please let me know if you have	additional questions. Thank you.
>:	·
> .	
> Catherine Payne	
>:City of Oakland Bureau of Plant	
> 250 Frank Ogawa Plaza, Suite 2	114
> Oakland, CA 94612	
> Email: cpayne@oaklandnet.cor	<u>n</u>
> Phone: 510.238.6168	
> Hours, M, T, Th, F, 9 a.m 2 p.r	n.
>	
> Original Massaga	
>Original Message > From: Vivian Kahn [mailto:vivia	nkahn@comcast netl
> Sent: Tuesday, May 06, 2014 10	· .
> To: Payne, Catherine	, , , , , , , , , , , , , , , , , , ,
> Subject: Jack London Sq Dev Pr	oject Hearing
>	9,000,000,000
> Hi Catherine,	
>	
> I see that Item 3 has been pulle	ed. Is there a new date for the
> hearing or have they dropped t	
>	
> Vivian	
>	
> Vivian Kahn, FAICP	
> KAHN/MORTIMER/ASSOCIATES	5
> 737 Second Street #307	
0-14-4 CA 04607 2007	

> (510) 842-0542 > > > >

Vivian

Vivian Kahn 737 Second Street #307 Oakland, CA 94607-3007 (510) 842-0542

From:

Steve Lowe <ewolnephets@sbcglobal.net>

Sent:

Wednesday, April 23, 2014 4:00 PM

To:

Sandra Threlfall

Cc:

Payne, Catherine; JLDA Board; Gary Knecht; Chris Patillo; Moore, Jim

Subject:

Re: Jack London Square Towers

Dear Sandy:

The letter your Waterfront Action group is providing illustrates very well how distorted the original vision for our waterfront has become – and how wrongheaded both the Port and the developers selected via the Port's RFP process have been with respect to the promises made regarding retail mix and leasing policy.

If more concessions are to be made in order to mitigate such failure and, at times, arrogant disrespect for community collaboration in determining the highest and best interests of the public on public trust property, then a binding Community Benefits Agreement should be mandated by Council to accompany such new, extra and, most likely, financially consequent subsidies, especially if the Port and the City will be granting such concessions with the expectation that the developer(s) will more than likely be flipping the property as soon as such entitlements can be secured.

While the thoughts I'm expressing do not represent a formal position of the Jack London District Association, the discussions we have had around the Boardroom table are laced with more than cynicism with regard to this embarrassingly difficult subject — embarrassing in that all of the objections, suggestions and offerings from the community have almost always been rejected out of hand by Oakland's inbred power structure.

Cordially,

- S

On Apr 23, 2014, at 12:43 PM, Sandra Threlfall < info@waterfrontaction.org > wrote:

Catherine,

I am sending these documents to enhance your understanding of Public Trust requirements, based on our conversation at the Aquatic Center a few weeks ago. Waterfront Action opposes any changes to the original development agreement, both the amendment and the extension.

I have included the December letter and two attachments related to the "Stipulated Agreement of 2005."

Thank you,

Sandra Threlfall
Executive Director
<JLS Stipulated Judgement 5-6.pdf><JLS Stipulated Judgement 18-25.pdf><JLS Dec.2013 letter.pdf><JLS
Public Trust issues.pdf>

From:

Tefford Reed <tef4d@yahoo.com>

Sent:

Saturday, March 29, 2014 12:42 PM

To:

Payne, Catherine

Subject:

Re: Planning variances for D and F2 Jack London Building Proposals

Hello Catherine,

Hope all is well. I see that it looks like the Ellis Partners Jack London project was taken off of the agenda for April as you predicted. Do you have any insight into the planned meetings for this project. Way back when it was a Planning meeting and then two council meetings required to push things through. Is this still the case?

Do you know the next time this project will come up in planning, zoning or council?

Thanks for your help,

teff

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Tefford Reed < tef4d@yahoo.com > Sent: Monday, March 3, 2014 9:05 AM

Subject: RE: Planning variances for D and F2 Jack London Building Proposals

The item is currently TENTATIVELY scheduled for Planning Commission on April 2. However, that may move out into May. Do I have your mailing address to ensure you receive the agenda and future notices?

Catherine Payne

City of Oakland Department of Planning and Building

250 Frank Ogawa Plaza, Suite 2114

Oakland, CA 94612

Email: cpayne@oaklandnet.com

Phone: 510.238.6168

Hours, M, T, Th, F, 9 a.m. - 2 p.m.

From: Tefford Reed [mailto:tef4d@yahoo.com]

Sent: Sunday, March 02, 2014 8:44 PM

To: Payne, Catherine

Subject: Re: Planning variances for D and F2 Jack London Building Proposals

Catherine.

Any visibility yet to when the next meeting on the Jack London development will be? Last we talked you were thinking some time in March. Just want to make sure there is appropriate neighborhood participation for the next meeting.

From: Tefford Reed < tef4d@yahoo.com>

To: "cpayne@oaklandnet.com" < cpayne@oaklandnet.com>

Sent: Sunday, February 16, 2014 1:07 PM

Subject: Re: Planning variances for D and F2 Jack London Building Proposals

Catherine,

Can you please tell us when the next planning or zoning meeting for this project will be and if know when it might end up on the city council's agenda?

teff

From: Tefford Reed < tef4d@yahoo.com >

To: "cpayne@oaklandnet.com" <cpayne@oaklandnet.com>

Sent: Thursday, January 16, 2014 4:32 PM

Subject: Planning variances for D and F2 Jack London Building Proposals

Catherine,

Thanks for taking the time with me yesterday evening to explain the process. I have the drawing package and would like it if you could point me to the proposal and staff recommendation packet for this project on-line?

I am very concerned that although this developer has taken on a project that is very popular with the city government, Jack London Square, they have not proven to be great stewards of the licenses they have been given so far and seem to be coming back to the city government looking for a blank check without regard for neighborhood impacts.

The impact of their proposed buildings will be substantial. Since there is no clear city plan for the area covered by Jack London Square, we risk breaking the principle of good waterfront development by walling off the waterfront with two highrises now, and who knows how many more later. This will substantially impact the historic produce and waterfront neighborhood, which as you know set the standard of low rise buildings in the 20's and 30's.

I am attaching a shade analysis based on the 293ft height for the F2 plot stated by the developer. Actual height will be higher due to mechanicals and roof access. It clearly shows that shadows will be cast as far as 428 Alice street, and the historic Safeway Building containing Chop Bar as discussed last night. Shadows to the East and West will be longer blotting out the sun for at least a 24 square block mixed used neighborhood.

I am also attaching pictures of what many in the neighborhood consider blight. The Amtrak garage that is frankly ugly, not in keeping with the local architecture and rarely used due to cost. Unfinished buildings, which have not been completed, presumably to avoid the same taxes that are claimed as benefits for this project, and the over-grown hotel lot which could meet the need of residential units instead of building up! It is clear that the plan of building commercial buildings along the waterfront

with this developer in the last 10 years has not really worked, what makes us as a city think their performance will be better in the next 15 years?

I appreciate if you would enter these concerns into the record and we invite the commission to come down to our neighborhood any time for a little tour,

Teff Reed 510-772-7821 plan as of either the date an ordinance or regulation is enacted or becomes applicable to the area which incorporates the provisions of this section.

- (b) The display is located within an area zoned for residential use either on the date on which the removal requirement is adopted or becomes applicable to the area.
- (c) The display is not located within 660 feet from the edge of the right—of—way of an interstate or primary highway with its copy visible from the highway, nor is placed or maintained beyond 660 feet from the edge of the right—of—way of an interstate or primary highway with the purpose of its message being read from the main traveled way.
- (d) The display is not required to be removed because of an overlay zone, combining zone, or any other special zoning district whose primary purpose is the removal or control of signs.
- (e) The display is allowed to remain in existence for the period of time set forth below after the enactment or amendment after January 1, 1983, of any ordinance or regulation necessary to bring the entity requiring removal into compliance with Section 5412, and after giving notice of the removal requirement:

Fair Market Value on Date of		Minimum Years	
Notice of Removal Requirement		Allowed	
Under \$1,	,999	2	
\$ 2,000 to \$3	,999	3	
	,999		
	,999		
	,999	<u>6</u>	
\$10,000 and o	ver	7	

The amounts provided in this section shall be adjusted each January 1 after January 1, 1983, in accordance with the changes in building costs, as indicated in the United States Department of Commerce Composite Cost Index for Construction Costs.

§ 5412.2. Removal without compensation; displays on incorporated agricultural areas; requirements; adjustments

A city or city and county, whose ordinances or regulations are otherwise in full compliance with Section 5412, is not in violation of that section if the entity elects to require the removal without compensation of any display which meets all the following requirements:

- (a) The display is located within an incorporated area shown as agricultural on a local general plan as of either the date an ordinance or regulation is enacted or becomes applicable to the area which incorporates the provisions of this section.
 - (b) The display is located within an area zoned for agricultural use either on the

From: Sent: Tefford Reed <tef4d@yahoo.com> Sunday, March 30, 2014 6:36 PM

To:

Pavne, Catherine

Subject:

Re: Planning variances for D and F2 Jack London Building Proposals

Tnx.

t

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Tefford Reed <tef4d@yahoo.com> Sent: Sunday, March 30, 2014 11:29 AM

Subject: RE: Planning variances for D and F2 Jack London Building Proposals

The project is currently scheduled to be reviewed by the Planning Commission on May 7, 2014. Council dates would be scheduled after a recommendation is received from the Planning Commission (and Council requires a 30-day notice for the General Plan Amendment so the earliest would be mid-June). Yes, the project still requires Planning Commission, followed by 2 visits to the City Council. You are now on the project-specific mailing list so you will receive a hard copy of all future agendas for the this project. Please let me know if you need any additional information.

Catherine Payne
City of Oakland Department of Planning and Building
250 Frank Ogawa Plaza, Suite 2114
Oakland, CA 94612

Email: cpayne@oaklandnet.com

Phone: 510.238.6168

Hours, M, T, Th, F, 9 a.m. - 2 p.m.

From: Tefford Reed [mailto:tef4d@yahoo.com] Sent: Saturday, March 29, 2014 12:42 PM

To: Payne, Catherine

Subject: Re: Planning variances for D and F2 Jack London Building Proposals

Hello Catherine,

Hope all is well. I see that it looks like the Ellis Partners Jack London project was taken off of the agenda for April as you predicted. Do you have any insight into the planned meetings for this project. Way back when it was a Planning meeting and then two council meetings required to push things through. Is this still the case?

Do you know the next time this project will come up in planning, zoning or council?

Thanks for your help,

teff

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Tefford Reed < tef4d@yahoo.com > Sent: Monday, March 3, 2014 9:05 AM

Subject: RE: Planning variances for D and F2 Jack London Building Proposals

The item is currently TENTATIVELY scheduled for Planning Commission on April 2. However, that may move out into May. Do I have your mailing address to ensure you receive the agenda and future notices?

Catherine Payne

City of Oakland Department of Planning and Building

250 Frank Ogawa Plaza, Suite 2114

Oakland, CA 94612

Email: cpayne@oaklandnet.com

Phone: 510.238.6168

Hours, M, T, Th, F, 9 a.m. - 2 p.m.

From: Tefford Reed [mailto:tef4d@yahoo.com]

Sent: Sunday, March 02, 2014 8:44 PM

To: Payne, Catherine

Subject: Re: Planning variances for D and F2 Jack London Building Proposals

Catherine,

t.

Any visibility yet to when the next meeting on the Jack London development will be? Last we talked you were thinking some time in March. Just want to make sure there is appropriate neighborhood participation for the next meeting.

From: Tefford Reed <tef4d@yahoo.com>

To: "cpayne@oaklandnet.com" <cpayne@oaklandnet.com>

Sent: Sunday, February 16, 2014 1:07 PM

Subject: Re: Planning variances for D and F2 Jack London Building Proposals

Catherine,

Can you please tell us when the next planning or zoning meeting for this project will be and if know when it might end up on the city council's agenda?

teff:

From: Tefford Reed <tef4d@yahoo.com>

To: "cpayne@oaklandnet.com" < cpayne@oaklandnet.com>

Sent: Thursday, January 16, 2014 4:32 PM

Subject: Planning variances for D and F2 Jack London Building Proposals

Catherine,

Thanks for taking the time with me yesterday evening to explain the process. I have the drawing package and would like it if you could point me to the proposal and staff recommendation packet for this project on-line?

I am very concerned that although this developer has taken on a project that is very popular with the city government, Jack London Square, they have not proven to be great stewards of the licenses they have been given so far and seem to be coming back to the city government looking for a blank check without regard for neighborhood impacts.

The impact of their proposed buildings will be substantial. Since there is no clear city plan for the area covered by Jack London Square, we risk breaking the principle of good waterfront development by walling off the waterfront with two highrises now, and who knows how many more later. This will substantially impact the historic produce and waterfront neighborhood, which as you know set the standard of low rise buildings in the 20's and 30's.

I am attaching a shade analysis based on the 293ft height for the F2 plot stated by the developer. Actual height will be higher due to mechanicals and roof access. It clearly shows that shadows will be cast as far as 428 Alice street, and the historic Safeway Building containing Chop Bar as discussed last night. Shadows to the East and West will be longer blotting out the sun for at least a 24 square block mixed used neighborhood.

I am also attaching pictures of what many in the neighborhood consider blight. The Amtrak garage that is frankly ugly, not in keeping with the local architecture and rarely used due to cost. Unfinished buildings, which have not been completed, presumably to avoid the same taxes that are claimed as benefits for this project, and the over-grown hotel lot which could meet the need of residential units instead of building up! It is clear that the plan of building commercial buildings along the waterfront with this developer in the last 10 years has not really worked, what makes us as a city think their performance will be better in the next 15 years?

I appreciate if you would enter these concerns into the record and we invite the commission to come down to our neighborhood any time for a little tour,

Teff Reed 510-772-7821

From:

MM Kirsch <mmkirsch@sbcglobal.net>

Sent:

Monday, December 16, 2013 10:11 PM

To:

Payne, Catherine

Subject:

Development projections for Jack London district

I would like to quickly give you feedback on the local resident and business opinions of the proposed developments in Jack London Square.

The parking lot at Embarcadero and Broadway has 3 proposed uses. It is a rather small parcel that could be incorporated into the "low rise" nature of the surrounding buildings. A high rise structure seems to be very much out of context and has the potential to "wall off" the waterfront to residents and visitors as well. I am unsure of the impact of a high rise building at the other end of JLS, but it make better sense to locate it there. There are few buildings by the train station, and, hopefully, there would be little impact on the character of that neighborhood.

We hope that the city of Oakland and the developers of properties that could generate tax income would not be blinded by short term financial goals, but find a resolution that would be in the best interest of the community. We, the local residents, have invested ourselves and our investments and our faith in the future of a better Oakland... An Oakland with a vibrant and caring community.

Sincerely,

Martha Kirsch

From:

MM Kirsch <mmkirsch@sbcglobal.net>

Sent:

Tuesday, December 17, 2013 11:20 PM

To:

Payne, Catherine

Subject:

Fw: Jack London development

---- Forwarded Message -----

From: MM Kirsch <mmkirsch@sbcglobal.net>

To: "cpayne@oaklandnet.net" <cpayne@oaklandnet.net>

Sent: Monday, December 16, 2013 11:00 PM

Subject: Jack London development

Catherine Payne,

Thank you for your presence on Dec. 11, and clarity regarding the city of Oakland's position and regulations in regards to the proposed development of parcels in Jack London Square.

I am a current resident of the area, and have opinions and concerns that maybe reflected by many of my neighbors who were unable to attend the informative meeting of December 11. It was informed to the public that there would be a design review of the proposals on the week of 12/16. This is a very busy week for resident and staff of the city as well!

I am totally opposed to a "high rise" tower in the Embarcadero/site at Embarcadero and Broadway! I believe that a high tower is totally inapproriate for this site. The scope and density of the building is appalingly out of character with the low rise nature of the current waterfront and produce market that exist. Keeping a low profile along the waterfront provides a convivial and welcoming path to the enjoyment of residents and visitors as well.

Marcy Kirsch

From:

Paul Brousseau <object88@gmail.com>

Sent:

Thursday, December 12, 2013 7:33 AM

To:

Payne, Catherine

Subject:

Jack London planning feedback

Good morning Catherine,

First off, let me say thank you for the clarity behind the review process, which you brought to last night's meeting around the development plans in Jack London Square by Ellis.

My thoughts on the subject... Build up, up, up. Oakland is both landlocked and growing. With proper planning, the city can grow, and it makes more sense to me to allocate for that with new construction on empty spaces, than to displace existing building in the future.

Furthermore, Jack London does need more people. I moved into the area 3 years ago, and in the small time, it seems to have grown tremendously. It's no longer easy to casually walk into Chop Bar for dinner, as I did for a week while painting and moving into my place...

And that's a good thing. It means a healthy and thriving business and more tax revenue.

And yet, we don't have a grocer. I believe the developers; we need a critical mass of residents, and it seems foolish to "maybe" get there with a low or medium rise building. Go up, up, up and get more people in. (That will also attract a lot more restaurants, maybe even freeing up a space at Chop Bar...?)

Will it change JLS? Yes, of course it will. I think going full high-rise will change it for the better.

Thanks for reading.

Sent from my iPhone

From:

Joanna Adler <joannaadler@yahoo.com>

Sent:

Wednesday, January 15, 2014 11:41 PM

To:

Payne, Catherine

Subject:

Minimum project for JLS

Catherine -

I have a question about the question of "minimum project." After the meeting, Mr. Rubensten (sp?) from JLSP came up to me and said that I was wrong about Site D being part of the minimum project. He said that it was Site D *OR* one of the F buildings. So I went to the Development Agreement, which I found is indeed now online (thank you), and here is what is says on page 115 (Exhibit E: Minimum Project) of the pdf:

"1. Development of improvements on Development Parcel Site D and and Development Parcel Site F-1, as shown on the Site Plan, containing a minimum of 145,000 square feet of space in the aggregate for any of the uses permitted for such Development Parcels pursuant to the Project Approvals, and in accordance with all terms and conditions of the Project Approvals."

I'm not a lawyer, so I don't really understand this. The spirit of the agreement that was discussed leading up to this agreement was quite clearly to say that the developer needed to build at least these two buildings, but what I understand in reading this is that they only have to build 145K square feet within one or both of these buildings (not F2/F3) -- is that correct? If so, this is the kind of frustration we face as citizens who do not get to see the DA, no matter how many times we ask for it...

Also, one of the Commissioners mentioned not understanding the JLS project's 24/7 aspect, and you might want to explain that they had original marketed the project as having a world class cooking school, an art house movie theater, and offering more retail similar to the SF Ferry Building --- things that were supposed to give the area more appeal on evenings and weekends. They also have California Canoe and Kayak, which is a major source of cohesion holding the waterfront and retail together. Anytime you can see the waterfront in action - kayaks, ferries, ships, etc - it's great to have a reminder of the commerce, sport, and wildlife the water provides.

In regards to the Site G dwelling units that I asked you about - you said that it is in the DA, but I can't find it. Can you point me in the right direction? I can't find the footprint and height parameters either -- I know what was agreed to in the City Council meeting, but since things appeared to have changed behind closed doors and on paper, I'd love to have that pointed out to me. I'm trying to keep the sarcasm and bitterness out... and I'm trying to remind myself that I'm *FOR* residential being added to Jack London Square. I just want to see it be done in a way that makes sense. I can't appreciate their ways in trying to make it happen.

One last request -- can you make sure my name is added to the snail mail notices? I post them in our building for others to see. My address is:

Jóanna Adler 255 3rd St., #305 Oakland, CA 94607

Thank you for your help.

Cheers, Joanna

From:

Marcus Johnson <marcus.johnson@amstutzassociates.com>

Sent:

Thursday, December 12, 2013 11:23 AM

To:

Payne, Catherine

Subject:

Proposed Development at JLS

Hi Catherine,

I attended the meeting last night, which I support.

My question, Will the agenda for the DRC be available on-line soon?

Marcus

###

Marcus A. Johnson,

Amstutz Associates Phone: 510.290.8300

www.amstutzassociates.com

This message is protected by the electronic communications privacy act, 18 USC 2510 et seq, and may not be opened or forwarded without the consent of the named recipient(s). The information contained in this message is confidential, is intended only for the use of the individual or entity named, and may be subject to the Amstutz Associates-client privilege. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately at (510) 290.8300. Thank you.

From:

Marcus Johnson <marcus.johnson@amstutzassociates.com>

Sent:

Wednesday, February 19, 2014 10:25 AM

To:

Payne, Catherine

Subject:

Re: Jack London Square DA amendment

Hi Catherine,

What's happening with the Jack London Square DA Revision since the Design Review Committee in December?

Marcus

On Friday, December 13, 2013 1:02 PM, "Payne, Catherine" < CPayne@oaklandnet.com > wrote: Interested Parties: Here is the link to the Jack London Square DA Revision Design Review Committee Staff Report:

http://www2.oaklandnet.com/oakca1/groups/ceda/documents/agenda/oak044317.pdf

The report includes brief information regarding the approved project and analysis of the proposed revisions (and provides submitted plans and draft design guidelines). Please forward this to any other interested parties.

Please contact me with questions or comments for the Design Review Committee. Thank you.

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

From:

Joanna Adler <joannaadler@yahoo.com>

Sent:

Thursday, January 30, 2014 6:10 PM

To:

Payne, Catherine

Cc:

Miller, Scott

Subject:

Re: Minimum project for JLS

Catherine,

Thanks -- I now understand the residential designations a little more clearly. I think it would have benefited the Developer to perhaps explain that a bit more clearly.

At this point there are several aspects of the JLS development that I am uncomfortable with:

- 1. The minimum plan somehow changed between the talks and the DA. From what I've heard, this is not an uncommon practice with Council, and I will bring it up during an open forum session at some point.
- 2. The pedestrian bridge between Site G and F1 is missing the outside access on the F1 side. This should be rectified immediately. The developer supposedly says it was not required, but I believe this should be part of any negotiation if they want something.
- 3. I am really uncomfortable with a complete waiver of office space, but perhaps a compromise can be reached. For example -- if you build x square feet of residential space, then you can release x square feet of office space. That becomes hard to police though. I'm just not open to a complete waiver because then we'll see these two buildings turn into full office buildings and the hopes of 24/7 activation will be even less. I'd really like to see some residential units there.
- 4. I know that things take time, but they've had their time and they squandered it. I also understand that the economy during some of their time was not in their favor. However, other developers have managed during this trying time and managed to make the most of it. I think the City was very generous in the deal they agreed to in the first place.

I had major surgery back in December, so I'm just starting to get back my energy. I'm happy to meet if you feel it would be helpful. Perhaps we can talk about ideas for compromise. I'm fine with residential, but I'm not sure that more residential with ground floor retail (especially done wrong) is the answer. But I'm also pretty clear that I want to stick with the same footprint and height limits for those sites that were agreed upon back with the original DA.

So when's the next public meeting?

Cheers, Joanna From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler <joannaadler@yahoo.com>
Cc: "Miller, Scott" <SMiller@oaklandnet.com>
Sent: Thursday, January 30, 2014 9:23 AM
Subject: RE: Minimum project for JLS

Hi, Joanna. I think your understanding of the DA is correct—there is a minimum square footage that must be constructed and it must be contained at one or more of a selection of sites. Regarding the residential proposal: 1) the proposal for residential development is a change to the approved project (residential was not approved in 2004 although the use was analyzed in the EIR); 2) currently, the only site on which residential use is permitted is Site G (based on the underlying zoning and General Plan designation); 3) A GPA would allow residential on both sites D and F2, as well; 4) the PUD regulations allow permitted uses and densities to be located anywhere within a PUD, meaning a developer could concentrate the permitted residential density from 3 parcels within their PUD onto one parcel even if it exceeds the permitted density/land use for that specific parcel. The applicant is requesting consideration of a GPA and of a revision to the PUD to accommodate the proposed residential uses and densities.

Joanna, please feel free to contact me or request a meeting to discuss your concerns. Also, please know that the DA and all approvals are available through the City Clerk or through me. You need only make the request and we will make the entire administrative record available to you. Please let me know if you have additional questions or require further clarification. Thank you.

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Tuesday, January 28, 2014 10:58 PM

To: Payne, Catherine

Subject: Re: Minimum project for JLS

Hi -- I just wanted to check in and see if you'd had a chance to find any answers. I'm also wondering what the next meeting dates will be.

Thanks, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: joannaadler@yahoo.com

Sent: Friday, January 17, 2014 1:18 PM Subject: RE: Minimum project for JLS

Hi, Joanna. I am doing some research before I respond to your questions below. Thank you for your patience.

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

----Original Message----

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Wednesday, January 15, 2014 11:41 PM

To: Payne, Catherine Subject: Minimum project for JLS

Catherine -

I have a question about the question of "minimum project." After the meeting, Mr. Rubensten (sp?) from JLSP came up to me and said that I was wrong about Site D being part of the minimum project. He said that it was Site D *OR* one of the F buildings. So I went to the Development Agreement, which I found is indeed now online (thank you), and here is what is says on page 115 (Exhibit E: Minimum Project) of the pdf:

"1. Development of improvements on Development Parcel Site D and and Development Parcel Site F-1, as shown on the Site Plan, containing a minimum of 145,000 square feet of space in the aggregate for any of the uses permitted for such Development Parcels pursuant to the Project Approvals, and in accordance with all terms and conditions of the Project Approvals."

I'm not a lawyer, so I don't really understand this. The spirit of the agreement that was discussed leading up to this agreement was quite clearly to say that the developer needed to build at least these two buildings, but what I understand in reading this is that they only have to build 145K square feet within one or both of these buildings (not F2/F3) -- is that correct? If so, this is the kind of frustration we face as citizens who do not get to see the DA, no matter how many times we ask for it...

Also, one of the Commissioners mentioned not understanding the JLS project's 24/7 aspect, and you might want to explain that they had original marketed the project as having a world class cooking school, an art house movie theater, and offering more retail similar to the SF Ferry Building --- things that were supposed to give the area more appeal on evenings and weekends. They also have California Canoe and Kayak, which is a major source of cohesion holding the waterfront and retail together. Anytime you can see the waterfront in action - kayaks, ferries, ships, etc - it's great to have a reminder of the commerce, sport, and wildlife the water provides.

In regards to the Site G dwelling units that I asked you about - you said that it is in the DA, but I can't find it. Can you point me in the right direction? I can't find the footprint and height parameters either -- I know what was agreed to in the City Council meeting, but since things appeared to have changed behind closed doors and on paper, I'd love to have that pointed out to me. I'm trying to keep the sarcasm and bitterness out... and I'm trying to remind myself that I'm *FOR* residential being added to Jack London Square. I just want to see it be done in a way that makes sense. I can't appreciate their ways in trying to make it happen.

One last request -- can you make sure my name is added to the snail mail

notices? I post them in our building for others to see. My address is:

Joanna Adler 255 3rd St., #305 Oakland, CA 94607

Thank you for your help.

Cheers, Joanna

From:

Joanna Adler <ioannaadler@yahoo.com>

Sent:

Tuesday, January 28, 2014 10:58 PM

To:

Payne, Catherine

Subject:

Re: Minimum project for JLS

Hi -- I just wanted to check in and see if you'd had a chance to find any answers. I'm also wondering what the next meeting dates will be.

Thanks, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: joannaadler@yahoo.com

Sent: Friday, January 17, 2014 1:18 PM Subject: RE: Minimum project for JLS

Hi, Joanna. I am doing some research before I respond to your questions below. Thank you for your patience.

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

----Original Message----

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Wednesday, January 15, 2014 11:41 PM

To: Payne, Catherine

Subject: Minimum project for JLS

Catherine -

I have a question about the question of "minimum project." After the meeting, Mr. Rubensten (sp?) from JLSP came up to me and said that I was wrong about Site D being part of the minimum project. He said that it was Site D *OR* one of the F buildings. So I went to the Development Agreement, which I found is indeed now online (thank you), and here is what is says on page 115 (Exhibit E: Minimum Project) of the pdf:

"1. Development of improvements on Development Parcel Site D and and Development Parcel Site F-1, as shown on the Site Plan, containing a minimum of 145,000 square feet of space in the aggregate for any of the uses permitted for such Development Parcels pursuant to the Project Approvals, and in accordance with all terms and conditions of the

Project Approvals."

I'm not a lawyer, so I don't really understand this. The spirit of the agreement that was discussed leading up to this agreement was quite clearly to say that the developer needed to build at least these two buildings, but what I understand in reading this is that they only have to build 145K square feet within one or both of these buildings (not F2/F3) -- is that correct? If so, this is the kind of frustration we face as citizens who do not get to see the DA, no matter how many times we ask for it...

Also, one of the Commissioners mentioned not understanding the JLS project's 24/7 aspect, and you might want to explain that they had original marketed the project as having a world class cooking school, an art house movie theater, and offering more retail similar to the SF Ferry Building --- things that were supposed to give the area more appeal on evenings and weekends. They also have California Canoe and Kayak, which is a major source of cohesion holding the waterfront and retail together. Anytime you can see the waterfront in action - kayaks, ferries, ships, etc - it's great to have a reminder of the commerce, sport, and wildlife the water provides.

In regards to the Site G dwelling units that I asked you about - you said that it is in the DA, but I can't find it. Can you point me in the right direction? I can't find the footprint and height parameters either -- I know what was agreed to in the City Council meeting, but since things appeared to have changed behind closed doors and on paper, I'd love to have that pointed out to me. I'm trying to keep the sarcasm and bitterness out... and I'm trying to remind myself that I'm *FOR* residential being added to Jack London Square. I just want to see it be done in a way that makes sense. I can't appreciate their ways in trying to make it happen.

One last request -- can you make sure my name is added to the snail mail notices? I post them in our building for others to see. My address is:

Joanna Adler 255 3rd St., #305 Oakland, CA 94607

Thank you for your help.

Cheers, Joanna

From:

Joanna Adler < joannaadler@yahoo.com>

Sent:

Friday, January 17, 2014 1:53 PM

To:

Payne, Catherine

Subject:

RE: Minimum project for JLS

Thanks, Catherine -- Much appreciated.

Cheers, Joanna

On Fri, 1/17/14, Payne, Catherine < CPayne@oaklandnet.com > wrote:

Subject: RE: Minimum project for JLS

To: joannaadler@yahoo.com

Date: Friday, January 17, 2014, 1:18 PM

Hi, Joanna. I am doing some

research before I respond to your questions below. Thank you for your patience.

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

----Original Message----

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Wednesday, January 15, 2014 11:41 PM

To: Payne, Catherine

Subject: Minimum project for JLS

Catherine -

I have a question about the question of "minimum project." After the meeting, Mr. Rubensten (sp?) from JLSP came up to me and said that I was wrong about Site D being part of the minimum project. He said that it was Site D *OR* one of the F buildings. So I went to the Development Agreement, which I found is indeed now online (thank you), and here is what is says on page 115 (Exhibit E: Minimum Project) of the pdf:

"1. Development of improvements on Development Parcel Site D and Development Parcel Site F-1, as shown on the Site Plan, containing a minimum of 145,000 square feet of space in the aggregate for any of the uses permitted for such Development Parcels pursuant to the Project Approvals, and in accordance with all terms and conditions of the Project Approvals."

I'm not a lawyer, so I don't really understand this. The spirit of the agreement that was discussed leading up to this agreement was quite clearly to say that the developer needed to build at least these two buildings, but what I understand in reading this is that they only have to build 145K square feet within one or both of these buildings (not F2/F3) -- is that correct? If so, this is the kind of frustration we face as citizens who do not get to see the DA, no matter how many times we ask for it...

Also, one of the Commissioners mentioned not understanding the JLS project's 24/7 aspect, and you might want to explain that they had original marketed the project as having a world class cooking school, an art house movie theater, and offering more retail similar to the SF Ferry Building --- things that were supposed to give the area more appeal on evenings and weekends. They also have California Canoe and Kayak, which is a major source of cohesion holding the waterfront and retail together. Anytime you can see the waterfront in action - kayaks, ferries, ships, etc - it's great to have a reminder of the commerce, sport, and wildlife the water provides.

In regards to the Site G dwelling units that I asked you about - you said that it is in the DA, but I can't find it. Can you point me in the right direction? I can't find the footprint and height parameters either -- I know what was agreed to in the City Council meeting, but since things appeared to have changed behind closed doors and on paper, I'd love to have that pointed out to me. I'm trying to keep the sarcasm and bitterness out... and I'm trying to remind myself that I'm *FOR* residential being added to Jack London Square. I just want to see it be done in a way that makes sense. I can't appreciate their ways in trying to make it happen.

One last request -- can you make sure my name is added to the snail mail notices? I post them in our building for others to see. My address is:

Joanna Adler 255 3rd St., #305 Oakland, CA 94607

Thank you for your help.

Cheers, Joanna

From:

jenny.ferrando@gmail.com on behalf of Jenny Ferrando <jenny@portworkspaces.com>

Sent:

Tuesday, January 14, 2014 11:28 AM

To:

Payne, Catherine

Subject:

Jack London Square Development

Hello Catherine,

Per your discussion with Michael Carilli, I am sending you the link to the Save Jack London website. Is all the Estuary, Land Trust Act and other information correct and up to date?

Additionally, I am including the Change.Org link which shows the voices of over 100 local residence who are in opposition of the proposed changes.

http://savejacklondon.org/

http://www.change.org/petitions/oakland-city-planning-commision-save-jack-london-square-waterfront

Jenny Ferrando The Port Workspaces (510) 444-0770

From:

jenny.ferrando@gmail.com on behalf of Jenny Ferrando <jenny@portworkspaces.com>

Sent:

Tuesday, January 14, 2014 2:59 PM

To:

Payne, Catherine

Subject:

Re: Jack London Square Development

Yes, Thank you.

On Tue, Jan 14, 2014 at 12:22 PM, Payne, Catherine < CPayne@oaklandnet.com wrote:

Thank you. Would you like me to include the petition as a comment to submit to the ZUC on Wednesday?

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

From: jenny.ferrando@gmail.com [mailto:jenny.ferrando@gmail.com] On Behalf Of Jenny Ferrando

Sent: Tuesday, January 14, 2014 11:28 AM

To: Payne, Catherine

Subject: Jack London Square Development

Hello Catherine,

Per your discussion with Michael Carilli, I am sending you the link to the Save Jack London website. Is all the Estuary, Land Trust Act and other information correct and up to date?

Additionally, I am including the Change.Org link which shows the voices of over 100 local residence who are in opposition of the proposed changes.

http://savejacklondon.org/

http://www.change.org/petitions/oakland-city-planning-commision-save-jack-london-square-waterfront

Jenny Ferrando

The Port Workspaces

(510) 444-0770

Jenny Ferrando The Port Workspaces (510) 444-0770

From:

jenny.ferrando@gmail.com on behalf of Jenny Ferrando <jenny@portworkspaces.com>

Sent:

Tuesday, January 14, 2014 4:22 PM

To:

Payne, Catherine

Subject:

Re: Jack London Square Development

Is it possible to present a short slide show at tomorrow's meeting?

On Tue, Jan 14, 2014 at 12:22 PM, Payne, Catherine < CPayne@oaklandnet.com > wrote:

Thank you. Would you like me to include the petition as a comment to submit to the ZUC on Wednesday?

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

From: jenny.ferrando@gmail.com [mailto:jenny.ferrando@gmail.com] On Behalf Of Jenny Ferrando

Sent: Tuesday, January 14, 2014 11:28 AM

To: Payne, Catherine

Subject: Jack London Square Development

Hello Catherine,

Per your discussion with Michael Carilli, I am sending you the link to the Save Jack London website. Is all the Estuary, Land Trust Act and other information correct and up to date?

Additionally, I am including the Change.Org link which shows the voices of over 100 local residence who are in opposition of the proposed changes.

http://savejacklondon.org/

http://www.change.org/petitions/oakland-city-planning-commision-save-jack-london-square-waterfront

Jenny Ferrando

The Port Workspaces

(510) 444-0770

Jenny Ferrando The Port Workspaces (510) 444-0770

From:

Joanna Adler <joannaadler@yahoo.com>

Sent:

Monday, May 12, 2014 9:45 PM

To:

Payne, Catherine Gary Knecht

Cc: Subject:

Re: Minimum project for JLS

Catherine,

I got two notices again today (I must be on the list twice now after not getting any notices before)... but hey, I'm happy to get noticed!

I was wondering if I could get a paper copy of the addendum by tomorrow afternoon? I am going out of town on Wednesday and want to read the addendum on the plane. I tried to download it tonight, but it's 355 pages! Having a paper copy would be helpful.

It is a tad frustrating that this was moved to 5/21. I get back that morning from Toronto. With so many people out of town, it would be nice to have it moved to the next meeting. It's frustrating to get this 355 page document now -- it's like a dry novel that I need to read over my family visit. Ugh. But I guess I'll do what I have to do... but a hard copy would be helpful.

I'll make my way downtown if you can make it happen.

Thanks, Joanna (510) 435-0771

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Gary Knecht <knechtgary@aol.com>; Joanna Adler <joannaadler@yahoo.com>

Sent: Thursday, May 1, 2014 9:23 AM Subject: RE: Minimum project for JLS

I am furrowing my brow because I specifically provided a mailing list with both of your addresses (as well as others) to the administrative staff with instructions to provide you with the May 7 agenda. Please note that the item was removed from the May 7 agenda and will now be on the May 21 agenda. I will AGAIN direct administrative staff to include you in the mailing for that agenda. I apologize for this.

Catherine Payne City of Oakland Bureau of Planning 250 Frank Ogawa Plaza, Suite 2114 Oakland, CA 94612

Email: cpayne@oaklandnet.com

Phone: 510.238.6168

Hours, M, T, Th, F, 9 a.m. - 2 p.m.

From: Gary Knecht [mailto:knechtgary@aol.com] Sent: Wednesday, April 30, 2014 10:23 PM

To: Joanna Adler Cc: Payne, Catherine

Subject: Re: Minimum project for JLS

Nor have I.

Gary Knecht The Egghouse 229 Harrison Street Oakland, CA 94607 Land: 510-893-9829

Cell: 510-502-9829

On Apr 30, 2014, at 9:48 PM, Joanna Adler < joannaadler@yahoo.com > wrote:

Fyi, I have never received any notice of the meeting you mentioned coming up next week.

Joanna

Sent from Yahoo Mail on Android

From: Payne, Catherine < CPayne@oaklandnet.com>;

To: Joanna Adler < joannaadler@yahoo.com>;

Subject: RE: Minimum project for JLS Sent: Tue, Apr 1, 2014 4:04:56 PM

The item is now scheduled for the May 7 Planning Commission agenda. I will not schedule the item for City Council until after the Planning Commission hearing. I just double-checked and you are on the USPS mailing list for this project so you SHOULD receive the agenda for this item. Please let me know if you have any questions. Thank you, Catherine

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Monday, March 31, 2014 11:16 PM

To: Payne, Catherine

Subject: Re: Minimum project for JLS

Catherine,

I've been preoccupied... has anything happened? I haven't seen any notices in my stack of my mail and my neighbors haven't said anything about meetings in March or anything coming up. Have I missed something?

Thanks, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler <<u>joannaadler@yahoo.com</u>>
Sent: Friday, January 31, 2014 8:12 AM
Subject: RE: Minimum project for JLS

Joanna: I will submit your comments to the record and they will be included in the Planning Commission staff report. The next hearing is the tentatively scheduled Planning Commission meeting on April 2. I suspect the item will be pushed out further into April or May, but I have reserved a spot on that agenda. You ARE on the

mailing list (I have confirmed that), so you SHOULD receive a notice of that meeting. We do not need to meet unless you want to. Please let me know if you have additional thoughts or questions. Thanks,

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Thursday, January 30, 2014 6:10 PM

To: Payne, Catherine Cc: Miller, Scott

Subject: Re: Minimum project for JLS

Catherine,

Thanks -- I now understand the residential designations a little more clearly. I think it would have benefited the Developer to perhaps explain that a bit more clearly.

At this point there are several aspects of the JLS development that I am uncomfortable with:

- 1. The minimum plan somehow changed between the talks and the DA. From what I've heard, this is not an uncommon practice with Council, and I will bring it up during an open forum session at some point.
- 2. The pedestrian bridge between Site G and F1 is missing the outside access on the F1 side. This should be rectified immediately. The developer supposedly says it was not required, but I believe this should be part of any negotiation if they want something.
- 3. I am really uncomfortable with a complete waiver of office space, but perhaps a compromise can be reached. For example -- if you build x square feet of residential space, then you can release x square feet of office space. That becomes hard to police though. I'm just not open to a complete waiver because then we'll see these two buildings turn into full office buildings and the hopes of 24/7 activation will be even less. I'd really like to see some residential units there.
- 4. I know that things take time, but they've had their time and they squandered it. I also understand that the economy during some of their time was not in their favor. However, other developers have managed during this trying time and managed to make the most of it. I think the City was very generous in the deal they agreed to in the first place.

I had major surgery back in December, so I'm just starting to get back my energy. I'm happy to meet if you feel it would be helpful. Perhaps we can talk about ideas for compromise. I'm fine with residential, but I'm not sure that more residential with ground floor retail (especially done wrong) is the answer. But I'm also pretty clear that I want to stick with the same footprint and height limits for those sites that were agreed upon back with the original DA.

So when's the next public meeting?

Cheers, Joanna From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler < joannaadler @yahoo.com > Cc: "Miller, Scott" < SMiller @oaklandnet.com > Sent: Thursday, January 30, 2014 9:23 AM Subject: RE: Minimum project for JLS

Hi, Joanna. I think your understanding of the DA is correct—there is a minimum square footage that must be constructed and it must be contained at one or more of a selection of sites. Regarding the residential proposal: 1) the proposal for residential development is a change to the approved project (residential was not approved in 2004 although the use was analyzed in the EIR); 2) currently, the only site on which residential use is permitted is Site G (based on the underlying zoning and General Plan designation); 3) A GPA would allow residential on both sites D and F2, as well; 4) the PUD regulations allow permitted uses and densities to be located anywhere within a PUD, meaning a developer could concentrate the permitted residential density from 3 parcels within their PUD onto one parcel even if it exceeds the permitted density/land use for that specific parcel. The applicant is requesting consideration of a GPA and of a revision to the PUD to accommodate the proposed residential uses and densities.

Joanna, please feel free to contact me or request a meeting to discuss your concerns. Also, please know that the DA and all approvals are available through the City Clerk or through me. You need only make the request and we will make the entire administrative record available to you. Please let me know if you have additional questions or require further clarification. Thank you.

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Tuesday, January 28, 2014 10:58 PM

To: Payne, Catherine

Subject: Re: Minimum project for JLS

Hi -- I just wanted to check in and see if you'd had a chance to find any answers. I'm also wondering what the next meeting dates will be.

Thanks.

Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: joannaadler@yahoo.com

Sent: Friday, January 17, 2014 1:18 PM Subject: RE: Minimum project for JLS

Hi, Joanna. I am doing some research before I respond to your questions below. Thank you for your patience.

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

----Original Message----

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Wednesday, January 15, 2014 11:41 PM

To: Payne, Catherine

Subject: Minimum project for JLS

Catherine -

I have a question about the question of "minimum project." After the meeting, Mr. Rubensten (sp?) from JLSP came up to me and said that I was wrong about Site D being part of the minimum project. He said that it was Site D *OR* one of the F buildings. So I went to the Development Agreement, which I found is indeed now online (thank you), and here is what is says on page 115 (Exhibit E: Minimum Project) of the pdf:

"1. Development of improvements on Development Parcel Site D and and Development Parcel Site F-1, as shown on the Site Plan, containing a minimum of 145,000 square feet of space in the aggregate for any of the uses permitted for such Development Parcels pursuant to the Project Approvals, and in accordance with all terms and conditions of the Project Approvals."

I'm not a lawyer, so I don't really understand this. The spirit of the agreement that was discussed leading up to this agreement was quite clearly to say that the developer needed to build at least these two buildings, but what I understand in reading this is that they only have to build 145K square feet within one or both of these buildings (not F2/F3) -- is that correct? If so, this is the kind of frustration we face as citizens who do not get to see the DA, no matter how many times we ask for it...

Also, one of the Commissioners mentioned not understanding the JLS project's 24/7 aspect, and you might want to explain that they had original marketed the project as having a world class cooking school, an art house movie theater, and offering more retail similar to the SF Ferry Building --- things that were supposed to give the area more appeal on evenings and weekends. They also have California Canoe and Kayak, which is a major source of cohesion holding the waterfront and retail together. Anytime you can see the waterfront in action - kayaks, ferries, ships, etc - it's great to have a reminder of the commerce, sport, and wildlife the water provides.

In regards to the Site G dwelling units that I asked you about - you said that it is in the DA, but I can't find it. Can you point me in the right direction? I can't find the footprint and height parameters either -- I know what was agreed to in the City Council meeting, but since things appeared to have changed behind closed doors and on paper, I'd love to have that pointed out to me. I'm trying to keep the sarcasm and bitterness out... and I'm trying to remind myself that I'm *FOR* residential being added to Jack London Square. I just want to see it be done in a way that makes sense. I can't appreciate their ways in trying to make it happen.

One last request -- can you make sure my name is added to the snail mail

notices? I post them in our building for others to see. My address is:

Joanna Adler 255 3rd St., #305 Oakland, CA 94607

Thank you for your help.

Cheers, Joanna

From:

Joanna Adler <joannaadler@yahoo.com>

Sent:

Monday, March 31, 2014 11:16 PM

To:

Pavne, Catherine

Subject:

Re: Minimum project for JLS

Catherine,

I've been preoccupied... has anything happened? I haven't seen any notices in my stack of my mail and my neighbors haven't said anything about meetings in March or anything coming up. Have I missed something?

Thanks, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler <joannaadler@yahoo.com> Sent: Friday, January 31, 2014 8:12 AM Subject: RE: Minimum project for JLS

Joanna: I will submit your comments to the record and they will be included in the Planning Commission staff report. The next hearing is the tentatively scheduled Planning Commission meeting on April 2. I suspect the item will be pushed out further into April or May, but I have reserved a spot on that agenda. You ARE on the mailing list (I have confirmed that), so you SHOULD receive a notice of that meeting. We do not need to meet unless you want to. Please let me know if you have additional thoughts or questions. Thanks,

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Thursday, January 30, 2014 6:10 PM

To: Payne, Catherine Cc: Miller, Scott

Subject: Re: Minimum project for JLS

Catherine,

Thanks -- I now understand the residential designations a little more clearly. I think it would have benefited the Developer to perhaps explain that a bit more clearly.

At this point there are several aspects of the JLS development that I am uncomfortable with:

- 1. The minimum plan somehow changed between the talks and the DA. From what I've heard, this is not an uncommon practice with Council, and I will bring it up during an open forum session at some point.
- 2. The pedestrian bridge between Site G and F1 is missing the outside access on the F1 side. This should be rectified immediately. The developer supposedly says it was not required, but I believe this should be part of any negotiation if they want something.

- 3. I am really uncomfortable with a complete waiver of office space, but perhaps a compromise can be reached. For example -- if you build x square feet of residential space, then you can release x square feet of office space. That becomes hard to police though. I'm just not open to a complete waiver because then we'll see these two buildings turn into full office buildings and the hopes of 24/7 activation will be even less. I'd really like to see some residential units there.
- 4. I know that things take time, but they've had their time and they squandered it. I also understand that the economy during some of their time was not in their favor. However, other developers have managed during this trying time and managed to make the most of it. I think the City was very generous in the deal they agreed to in the first place.

I had major surgery back in December, so I'm just starting to get back my energy. I'm happy to meet if you feel it would be helpful. Perhaps we can talk about ideas for compromise. I'm fine with residential, but I'm not sure that more residential with ground floor retail (especially done wrong) is the answer. But I'm also pretty clear that I want to stick with the same footprint and height limits for those sites that were agreed upon back with the original DA.

So when's the next public meeting?

Cheers, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler <<u>joannaadler@yahoo.com</u>>
Cc: "Miller, Scott" <<u>SMiller@oaklandnet.com</u>>
Sent: Thursday, January 30, 2014 9:23 AM
Subject: RE: Minimum project for JLS

Hi, Joanna. I think your understanding of the DA is correct—there is a minimum square footage that must be constructed and it must be contained at one or more of a selection of sites. Regarding the residential proposal: 1) the proposal for residential development is a change to the approved project (residential was not approved in 2004 although the use was analyzed in the EIR); 2) currently, the only site on which residential use is permitted is Site G (based on the underlying zoning and General Plan designation); 3) A GPA would allow residential on both sites D and F2, as well; 4) the PUD regulations allow permitted uses and densities to be located anywhere within a PUD, meaning a developer could concentrate the permitted residential density from 3 parcels within their PUD onto one parcel even if it exceeds the permitted density/land use for that specific parcel. The applicant is requesting consideration of a GPA and of a revision to the PUD to accommodate the proposed residential uses and densities.

Joanna, please feel free to contact me or request a meeting to discuss your concerns. Also, please know that the DA and all approvals are available through the City Clerk or through me. You need only make the request and we will make the entire administrative record available to you. Please let me know if you have additional questions or require further clarification. Thank you.

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Tuesday, January 28, 2014 10:58 PM

face as citizens who do not get to see the DA, no matter how many times we ask for it...

Also, one of the Commissioners mentioned not understanding the JLS project's 24/7 aspect, and you might want to explain that they had original marketed the project as having a world class cooking school, an art house movie theater, and offering more retail similar to the SF Ferry Building --- things that were supposed to give the area more appeal on evenings and weekends. They also have California Canoe and Kayak, which is a major source of cohesion holding the waterfront and retail together. Anytime you can see the waterfront in action - kayaks, ferries, ships, etc - it's great to have a reminder of the commerce, sport, and wildlife the water provides.

In regards to the Site G dwelling units that I asked you about - you said that it is in the DA, but I can't find it. Can you point me in the right direction? I can't find the footprint and height parameters either -- I know what was agreed to in the City Council meeting, but since things appeared to have changed behind closed doors and on paper, I'd love to have that pointed out to me. I'm trying to keep the sarcasm and bitterness out... and I'm trying to remind myself that I'm *FOR* residential being added to Jack London Square. I just want to see it be done in a way that makes sense. I can't appreciate their ways in trying to make it happen.

One last request -- can you make sure my name is added to the snail mail notices? I post them in our building for others to see. My address is:

Joanna Adler 255 3rd St., #305 Oakland, CA 94607

Thank you for your help.

Cheers, Joanna

Payne, Catherine	
From:	Joanna Adler <joannaadler@yahoo.com></joannaadler@yahoo.com>
Sent:	Wednesday, April 30, 2014 9:49 PM
To:	Payne, Catherine
Subject:	Re: RE: Minimum project for JLS
Fyi, I have never rece	sived any notice of the meeting you mentioned coming up next week.
Joanna	
Sent from Yahoo Ma	il on Android
To: Joanna Adler < joan Subject: RE: Minimum Sent: Tue, Apr 1, 2014 The item is now scheduntil after the Planning	· ·
From: Joanna Adler [ma Sent: Monday, March 31 To: Payne, Catherine Subject: Re: Minimum p	
Subject to minimum p	
Catherine,	
I've been preoccupie neighbors haven't sai	1 has anything happened? I haven't seen any notices in my stack of my mail and my d anything about meetings in March or anything coming up. Have I missed something?
1. 1	
Thanks,	
1 110111779	
Joanna	

To: Joanna Adler <<u>joannaadler@yahoo.com</u>>
Sent: Friday, January 31, 2014 8:12 AM
Subject: RE: Minimum project for JLS

Joanna: I will submit your comments to the record and they will be included in the Planning Commission staff report. The next hearing is the tentatively scheduled Planning Commission meeting on April 2. I suspect the item will be pushed out further into April or May, but I have reserved a spot on that agenda. You ARE on the mailing list (I have confirmed that), so you SHOULD receive a notice of that meeting. We do not need to meet unless you want to. Please let me know if you have additional thoughts or questions. Thanks,

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Thursday, January 30, 2014 6:10 PM

To: Payne, Catherine Cc: Miller, Scott

Subject: Re: Minimum project for JLS

Catherine,

Thanks -- I now understand the residential designations a little more clearly. I think it would have benefited the Developer to perhaps explain that a bit more clearly.

At this point there are several aspects of the JLS development that I am uncomfortable with:

- 1. The minimum plan somehow changed between the talks and the DA. From what I've heard, this is not an uncommon practice with Council, and I will bring it up during an open forum session at some point.
- 2. The pedestrian bridge between Site G and F1 is missing the outside access on the F1 side. This should be rectified immediately. The developer supposedly says it was not required, but I believe this should be part of any negotiation if they want something.
- 3. I am really uncomfortable with a complete waiver of office space, but perhaps a compromise can be

reached. For example -- if you build x square feet of residential space, then you can release x square feet of office space. That becomes hard to police though. I'm just not open to a complete waiver because then we'll see these two buildings turn into full office buildings and the hopes of 24/7 activation will be even less. I'd really like to see some residential units there.

4. I know that things take time, but they've had their time and they squandered it. I also understand that the economy during some of their time was not in their favor. However, other developers have managed during this trying time and managed to make the most of it. I think the City was very generous in the deal they agreed to in the first place.

I had major surgery back in December, so I'm just starting to get back my energy. I'm happy to meet if you feel it would be helpful. Perhaps we can talk about ideas for compromise. I'm fine with residential, but I'm not sure that more residential with ground floor retail (especially done wrong) is the answer. But I'm also pretty clear that I want to stick with the same footprint and height limits for those sites that were agreed upon back with the original DA.

So when's the next public meeting?

Cheers,

Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler <<u>joannaadler@yahoo.com</u>>
Cc: "Miller, Scott" <<u>SMiller@oaklandnet.com</u>>
Sent: Thursday, January 30, 2014 9:23 AM
Subject: RE: Minimum project for JLS

Hi, Joanna. I think your understanding of the DA is correct—there is a minimum square footage that must be constructed and it must be contained at one or more of a selection of sites. Regarding the residential proposal: 1) the proposal for residential development is a change to the approved project (residential was not approved in 2004 although the use was analyzed in the EIR); 2) currently, the only

site on which residential use is permitted is Site G (based on the underlying zoning and General Plan designation); 3) A GPA would allow residential on both sites D and F2, as well; 4) the PUD regulations allow permitted uses and densities to be located anywhere within a PUD, meaning a developer could concentrate the permitted residential density from 3 parcels within their PUD onto one parcel even if it exceeds the permitted density/land use for that specific parcel. The applicant is requesting consideration of a GPA and of a revision to the PUD to accommodate the proposed residential uses and densities.

Joanna, please feel free to contact me or request a meeting to discuss your concerns. Also, please know that the DA and all approvals are available through the City Clerk or through me. You need only make the request and we will make the entire administrative record available to you. Please let me know if you have additional questions or require further clarification. Thank you.

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Tuesday, January 28, 2014 10:58 PM

To: Payne, Catherine

Subject: Re: Minimum project for JLS

Hi -- I just wanted to check in and see if you'd had a chance to find any answers. I'm also wondering what the next meeting dates will be.

Thanks,

Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: joannaadler@yahoo.com

Sent: Friday, January 17, 2014 1:18 PM Subject: RE: Minimum project for JLS

Hi, Joanna. I am doing some research before I respond to your questions below. Thank you for your patience.

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

----Original Message----

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Wednesday, January 15, 2014 11:41 PM

To: Payne, Catherine

Subject: Minimum project for JLS

Catherine -

I have a question about the question of "minimum project." After the meeting, Mr. Rubensten (sp?) from JLSP came up to me and said that I was wrong about Site D being part of the minimum project. He said that it was Site D *OR* one of the F buildings. So I went to the Development Agreement, which I found is indeed now online (thank you), and here is what is says on page 115 (Exhibit E: Minimum Project) of the pdf:

"1. Development of improvements on Development Parcel Site D and and Development Parcel Site F-1, as shown on the Site Plan, containing a minimum of 145,000 square feet of space in the aggregate for any of the uses permitted for such Development Parcels pursuant to the Project Approvals, and in accordance with all terms and conditions of the Project Approvals."

I'm not a lawyer, so I don't really understand this. The spirit of the agreement that was discussed leading up to this agreement was quite clearly to say that the developer needed to build at least these two buildings, but what I understand in reading this is that they only have to build 145K square feet within one or both of these buildings (not F2/F3) -- is that correct? If so, this is the kind of frustration we face as citizens who do not get to see the DA, no matter how many times we ask for it...

Also, one of the Commissioners mentioned not understanding the JLS project's 24/7 aspect, and you might want to explain that they had original marketed the project as having a world class cooking school, an art house movie theater, and offering more retail similar to the SF Ferry Building --- things that were supposed to give the area more appeal on evenings and weekends. They also have California Canoe and Kayak, which is a major source of cohesion holding the waterfront and retail together. Anytime you can see the waterfront in action - kayaks, ferries, ships, etc - it's great to have a reminder of the commerce, sport, and wildlife the water provides.

In regards to the Site G dwelling units that I asked you about - you said that it is in the DA, but I can't find it. Can you point me in the right direction? I can't find the footprint and height parameters either -- I know what was agreed to in the City Council meeting, but since things appeared to have changed behind closed doors and on paper, I'd love to have that pointed out to me. I'm trying to keep the sarcasm

and bitterness out... and I'm trying to remind myself that I'm *FOR* residential being added to Jack London Square. I just want to see it be done in a way that makes sense. I can't appreciate their ways in trying to make it happen.

One last request -- can you make sure my name is added to the snail mail notices? I post them in our building for others to see. My address is:

Joanna Adler 255 3rd St., #305 Oakland, CA 94607

Thank you for your help.

Cheers, Joanna

From:

jenny.ferrando@gmail.com on behalf of Jenny Ferrando <jenny@portworkspaces.com>

Sent:

Tuesday, January 14, 2014 4:49 PM

To:

Payne, Catherine; Michael

Subject:

Petition Comments

Attachments:

Save JLS Petition Comments.pdf

Hello Catherine,

Attached you will find a PDF of all the comments that have been submitted via change.org.

If you have any questions, please let me know.

Jenny Ferrando The Port Workspaces (510) 444-0770

From:

Gary Knecht <knechtgary@aol.com>

Sent:

Thursday, May 01, 2014 10:50 AM

To:

Payne, Catherine

Cc:

Joanna Adler

Subject:

Re: Minimum project for JLS

And, of course, I will be out of town on the 21st.:-)

But I'd like to be notified and see the staff report.

Gary Knecht The Egghouse 229 Harrison Street Oakland, CA 94607 Land: 510-893-9829 Cell: 510-502-9829

On May 1, 2014, at 9:23 AM, Payne, Catherine < CPayne@oaklandnet.com > wrote:

I am furrowing my brow because I specifically provided a mailing list with both of your addresses (as well as others) to the administrative staff with instructions to provide you with the May 7 agenda. Please note that the item was removed from the May 7 agenda and will now be on the May 21 agenda. I will AGAIN direct administrative staff to include you in the mailing for that agenda. I apologize for this.

Catherine Payne
City of Oakland Bureau of Planning
250 Frank Ogawa Plaza, Suite 2114
Oakland, CA 94612
Email: cpayne@oaklandnet.com
Phone: 510.238.6168

Hours, M, T, Th, F, 9 a.m. - 2 p.m.

From: Gary Knecht [mailto:knechtgary@aol.com]
Sent: Wednesday, April 30, 2014 10:23 PM

To: Joanna Adler **Cc:** Payne, Catherine

Subject: Re: Minimum project for JLS

Nor have I.

Gary Knecht The Egghouse 229 Harrison Street Oakland, CA 94607 Land: 510-893-9829 Cell: 510-502-9829

On Apr 30, 2014, at 9:48 PM, Joanna Adler < joannaadler@yahoo.com > wrote:

Fyi, I have never received any notice of the meeting you mentioned coming up next week.

Joanna

Sent from Yahoo Mail on Android

From: Payne, Catherine < CPayne@oaklandnet.com>;

To: Joanna Adler < joannaadler@yahoo.com >;

Subject: RE: Minimum project for JLS Sent: Tue, Apr 1, 2014 4:04:56 PM

The item is now scheduled for the May 7 Planning Commission agenda. I will not schedule the item for City Council until after the Planning Commission hearing. I just double-checked and you are on the USPS mailing list for this project so you SHOULD receive the agenda for this item. Please let me know if you have any questions. Thank you, Catherine

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Monday, March 31, 2014 11:16 PM

To: Payne, Catherine

Subject: Re: Minimum project for JLS

Catherine,

I've been preoccupied... has anything happened? I haven't seen any notices in my stack of my mail and my neighbors haven't said anything about meetings in March or anything coming up. Have I missed something?

Thanks, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler <<u>joannaadler@yahoo.com</u>>
Sent: Friday, January 31, 2014 8:12 AM
Subject: RE: Minimum project for JLS

Joanna: I will submit your comments to the record and they will be included in the Planning Commission staff report. The next hearing is the tentatively scheduled Planning Commission meeting on April 2. I suspect the item will be pushed out further into April or May, but I have reserved a spot on that agenda. You ARE on the mailing list (I have confirmed that), so you SHOULD receive a notice of that meeting. We do not need to meet unless you want to. Please let me know if you have additional thoughts or questions. Thanks,

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Thursday, January 30, 2014 6:10 PM

To: Payne, Catherine

Cc: Miller, Scott

Subject: Re: Minimum project for JLS

Catherine,

Thanks -- I now understand the residential designations a little more clearly. I think it would have benefited the Developer to perhaps explain that a bit more clearly.

At this point there are several aspects of the JLS development that I am uncomfortable with:

- 1. The minimum plan somehow changed between the talks and the DA. From what I've heard, this is not an uncommon practice with Council, and I will bring it up during an open forum session at some point.
- 2. The pedestrian bridge between Site G and F1 is missing the outside access on the F1 side. This should be rectified immediately. The developer supposedly says it was not required, but I believe this should be part of any negotiation if they want something.
- 3. I am really uncomfortable with a complete waiver of office space, but perhaps a compromise can be reached. For example -- if you build x square feet of residential space, then you can release x square feet of office space. That becomes hard to police though. I'm just not open to a complete waiver because then we'll see these two buildings turn into full office buildings and the hopes of 24/7 activation will be even less. I'd really like to see some residential units there.
- 4. I know that things take time, but they've had their time and they squandered it. I also understand that the economy during some of their time was not in their favor. However, other developers have managed during this trying time and managed to make the most of it. I think the City was very generous in the deal they agreed to in the first place.

I had major surgery back in December, so I'm just starting to get back my energy. I'm happy to meet if you feel it would be helpful. Perhaps we can talk about ideas for compromise. I'm fine with residential, but I'm not sure that more residential with ground floor retail (especially done wrong) is the answer. But I'm also pretty clear that I want to stick with the same footprint and height limits for those sites that were agreed upon back with the original DA.

So when's the next public meeting?

Cheers, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler < joannaadler@yahoo.com>
Cc: "Miller, Scott" < SMiller@oaklandnet.com>
Sent: Thursday, January 30, 2014 9:23 AM
Subject: RE: Minimum project for JLS

Hi, Joanna. I think your understanding of the DA is correct—there is a minimum square footage that must be constructed and it must be contained at one or more of a selection of sites. Regarding the

residential proposal: 1) the proposal for residential development is a change to the approved project (residential was not approved in 2004 although the use was analyzed in the EIR); 2) currently, the only site on which residential use is permitted is Site G (based on the underlying zoning and General Plan designation); 3) A GPA would allow residential on both sites D and F2, as well; 4) the PUD regulations allow permitted uses and densities to be located anywhere within a PUD, meaning a developer could concentrate the permitted residential density from 3 parcels within their PUD onto one parcel even if it exceeds the permitted density/land use for that specific parcel. The applicant is requesting consideration of a GPA and of a revision to the PUD to accommodate the proposed residential uses and densities.

Joanna, please feel free to contact me or request a meeting to discuss your concerns. Also, please know that the DA and all approvals are available through the City Clerk or through me. You need only make the request and we will make the entire administrative record available to you. Please let me know if you have additional questions or require further clarification. Thank you.

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Tuesday, January 28, 2014 10:58 PM

To: Payne, Catherine

Subject: Re: Minimum project for JLS

Hi -- I just wanted to check in and see if you'd had a chance to find any answers. I'm also wondering what the next meeting dates will be.

Thanks, Joanna

From: "Payne, Catherine" < <u>CPayne@oaklandnet.com</u>>

To: joannaadler@yahoo.com

Sent: Friday, January 17, 2014 1:18 PM Subject: RE: Minimum project for JLS

Hi, Joanna. I am doing some research before I respond to your questions

below. Thank you for your patience.

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

----Original Message----

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Wednesday, January 15, 2014 11:41 PM

To: Payne, Catherine

Subject: Minimum project for JLS

Catherine -

I have a question about the question of "minimum project." After the meeting, Mr. Rubensten (sp?) from JLSP came up to me and said that I was

wrong about Site D being part of the minimum project. He said that it was Site D *OR* one of the F buildings. So I went to the Development Agreement, which I found is indeed now online (thank you), and here is what is says on page 115 (Exhibit E: Minimum Project) of the pdf:

"1. Development of improvements on Development Parcel Site D and and Development Parcel Site F-1, as shown on the Site Plan, containing a minimum of 145,000 square feet of space in the aggregate for any of the uses permitted for such Development Parcels pursuant to the Project Approvals, and in accordance with all terms and conditions of the Project Approvals."

I'm not a lawyer, so I don't really understand this. The spirit of the agreement that was discussed leading up to this agreement was quite clearly to say that the developer needed to build at least these two buildings, but what I understand in reading this is that they only have to build 145K square feet within one or both of these buildings (not F2/F3) -- is that correct? If so, this is the kind of frustration we face as citizens who do not get to see the DA, no matter how many times we ask for it...

Also, one of the Commissioners mentioned not understanding the JLS project's 24/7 aspect, and you might want to explain that they had original marketed the project as having a world class cooking school, an art house movie theater, and offering more retail similar to the SF Ferry Building --- things that were supposed to give the area more appeal on evenings and weekends. They also have California Canoe and Kayak, which is a major source of cohesion holding the waterfront and retail together. Anytime you can see the waterfront in action - kayaks, ferries, ships, etc - it's great to have a reminder of the commerce, sport, and wildlife the water provides.

In regards to the Site G dwelling units that I asked you about - you said that it is in the DA, but I can't find it. Can you point me in the right direction? I can't find the footprint and height parameters either -- I know what was agreed to in the City Council meeting, but since things appeared to have changed behind closed doors and on paper, I'd love to have that pointed out to me. I'm trying to keep the sarcasm and bitterness out... and I'm trying to remind myself that I'm *FOR* residential being added to Jack London Square. I just want to see it be done in a way that makes sense. I can't appreciate their ways in trying to make it happen.

One last request -- can you make sure my name is added to the snail mail notices? I post them in our building for others to see. My address is:

Joanna Adler 255 3rd St., #305 Oakland, CA 94607

Thank you for your help.

Cheers, Joanna

From:

Gary Knecht <knechtgary@aol.com>

Sent:

Wednesday, April 30, 2014 10:23 PM

To:

Joanna Adler

Cc: Subject: Payne, Catherine

Re: Minimum project for JLS

Nor have I.

Gary Knecht The Egghouse 229 Harrison Street Oakland, CA 94607 Land: 510-893-9829 Cell: 510-502-9829

On Apr 30, 2014, at 9:48 PM, Joanna Adler < joannaadler@yahoo.com > wrote:

Fyi, I have never received any notice of the meeting you mentioned coming up next week.

Joanna -

Sent from Yahoo Mail on Android

From: Payne, Catherine < CPayne@oaklandnet.com>;

To: Joanna Adler < joannaadler@yahoo.com>;

Subject: RE: Minimum project for JLS

Sent: Tue, Apr 1, 2014 4:04:56 PM

The item is now scheduled for the May 7 Planning Commission agenda. I will not schedule the item for City Council until after the Planning Commission hearing. I just double-checked and you are on the USPS mailing list for this project so you SHOULD receive the agenda for this item. Please let me know if you have any questions. Thank you, Catherine

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Monday, March 31, 2014 11:16 PM

To: Payne, Catherine

Subject: Re: Minimum project for JLS

Catherine,

I've been preoccupied... has anything happened? I haven't seen any notices in my stack of my mail and my

neighbors haven't said anything about meetings	in March or anything coming up	p. Have I missed somethi
Thanks,		
Joanna	•	
From: "Payne, Catherine" < CPayne@oaklandnet.com>		
To: Joanna Adler < joannaadler@yahoo.com > Sent: Friday, January 31, 2014 8:12 AM Subject: RE: Minimum project for JLS		
Subject. 142. Minimum project for 025		·
Joanna: I will submit your comments to the record report. The next hearing is the tentatively schedule item will be pushed out further into April or May, mailing list (I have confirmed that), so you SHOU unless you want to. Please let me know if you have	ed Planning Commission meeting of but I have reserved a spot on that ag LD receive a notice of that meeting.	n April 2. I suspect the genda. You ARE on the . We do not need to meet
Catherine Payne		
From: Joanna Adler [mailto:joannaadler@yahoo.com] Sent: Thursday, January 30, 2014 6:10 PM To: Payne, Catherine		
Cc: Miller, Scott Subject: Re: Minimum project for JLS		
Subject. Re. Minimum project for 120		
	·	
Catherine,		
	·	· · · · · ·
Thanks I now understand the residential des benefited the Developer to perhaps explain the		think it would have
•		
At this point there are several aspects of the JI	LS development that I am uncom	fortable with:
} ————————————————————————————————————		
1. The minimum plan somehow changed bety	ween the talks and the DA. From	n what I've heard, this is
	2	

not an uncommon practice with Council, and I will bring it up during an open forum session at some point.

- 2. The pedestrian bridge between Site G and F1 is missing the outside access on the F1 side. This should be rectified immediately. The developer supposedly says it was not required, but I believe this should be part of any negotiation if they want something.
- 3. I am really uncomfortable with a complete waiver of office space, but perhaps a compromise can be reached. For example -- if you build x square feet of residential space, then you can release x square feet of office space. That becomes hard to police though. I'm just not open to a complete waiver because then we'll see these two buildings turn into full office buildings and the hopes of 24/7 activation will be even less. I'd really like to see some residential units there.
- 4. I know that things take time, but they've had their time and they squandered it. I also understand that the economy during some of their time was not in their favor. However, other developers have managed during this trying time and managed to make the most of it. I think the City was very generous in the deal they agreed to in the first place.

I had major surgery back in December, so I'm just starting to get back my energy. I'm happy to meet if you feel it would be helpful. Perhaps we can talk about ideas for compromise. I'm fine with residential, but I'm not sure that more residential with ground floor retail (especially done wrong) is the answer. But I'm also pretty clear that I want to stick with the same footprint and height limits for those sites that were agreed upon back with the original DA.

So when's the next public meeting?

Cheers,

Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler < joannaadler@yahoo.com > Cc: "Miller, Scott" < SMiller@oaklandnet.com >

Sent: Thursday, January 30, 2014 9:23 AM Subject: RE: Minimum project for JLS

Hi, Joanna. I think your understanding of the DA is correct—there is a minimum square footage that must be constructed and it must be contained at one or more of a selection of sites. Regarding the residential proposal: 1) the proposal for residential development is a change to the approved project (residential was not approved in 2004 although the use was analyzed in the EIR); 2) currently, the only site on which residential use is permitted is Site G (based on the underlying zoning and General Plan designation); 3) A GPA would allow residential on both sites D and F2, as well; 4) the PUD regulations allow permitted uses and densities to be located anywhere within a PUD, meaning a developer could concentrate the permitted residential density from 3 parcels within their PUD onto one parcel even if it exceeds the permitted density/land use for that specific parcel. The applicant is requesting consideration of a GPA and of a revision to the PUD to accommodate the proposed residential uses and densities.

Joanna, please feel free to contact me or request a meeting to discuss your concerns. Also, please know that the DA and all approvals are available through the City Clerk or through me. You need only make the request and we will make the entire administrative record available to you. Please let me know if you have additional questions or require further clarification. Thank you.

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Tuesday, January 28, 2014 10:58 PM

To: Payne, Catherine

Subject: Re: Minimum project for JLS

Hi -- I just wanted to check in and see if you'd had a chance to find any answers. I'm also wondering what the next meeting dates will be.

Thanks,

Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: joannaadler@yahoo.com

Sent: Friday, January 17, 2014 1:18 PM Subject: RE: Minimum project for JLS

Hi, Joanna. I am doing some research before I respond to your questions below. Thank you for your patience.

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

----Original Message----

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Wednesday, January 15, 2014 11:41 PM

To: Payne, Catherine

Subject: Minimum project for JLS

Catherine -

I have a question about the question of "minimum project." After the meeting, Mr. Rubensten (sp?) from JLSP came up to me and said that I was wrong about Site D being part of the minimum project. He said that it was Site D *OR* one of the F buildings. So I went to the Development Agreement, which I found is indeed now online (thank you), and here is what is says on page 115 (Exhibit E: Minimum Project) of the pdf:

"1. Development of improvements on Development Parcel Site D and and Development Parcel Site F-1, as shown on the Site Plan, containing a minimum of 145,000 square feet of space in the aggregate for any of the uses permitted for such Development Parcels pursuant to the Project Approvals, and in accordance with all terms and conditions of the Project Approvals."

I'm not a lawyer, so I don't really understand this. The spirit of the agreement that was discussed leading up to this agreement was quite clearly to say that the developer needed to build at least these two buildings, but what I understand in reading this is that they only have to build 145K square feet within one or both of these buildings (not F2/F3) -- is that correct? If so, this is the kind of frustration we face as citizens who do not get to see the DA, no matter how many times we ask for it...

Also, one of the Commissioners mentioned not understanding the JLS project's 24/7 aspect, and you might want to explain that they had original marketed the project as having a world class cooking school, an art house movie theater, and offering more retail similar to the SF Ferry Building --- things that were supposed to give the area more appeal on evenings and weekends. They also have California Canoe and Kayak, which is a major source of cohesion holding the waterfront and retail together. Anytime you can see the waterfront in action - kayaks, ferries, ships, etc - it's great to have a reminder of the commerce, sport, and wildlife the water provides.

In regards to the Site G dwelling units that I asked you about - you said that it is in the DA, but I can't find it. Can you point me in the right direction? I can't find the footprint and height parameters either -- I know what was agreed to in the City Council meeting, but since things appeared to have changed behind closed doors and on paper, I'd love to have that pointed out to me. I'm trying to keep the sarcasm and bitterness out... and I'm trying to remind myself that I'm *FOR* residential being added to Jack London Square. I just want to see it be done in a way that makes sense. I can't appreciate their ways in trying to make it happen.

One last request -- can you make sure my name is added to the snail mail notices? I post them in our building for others to see. My address is:

Joanna Adler 255 3rd St., #305 Oakland, CA 94607

Thank you for your help.

Cheers, Joanna

From:

Gary Knecht <knechtgary@aol.com>

Sent:

Wednesday, May 07, 2014 2:03 PM

To: Cc: Payne, Catherine Joanna Adler

Subject:

Re: Minimum project for JLS

Thanks--In today's mail I received TWO agendas, one with a label and one that was typed. When will the staff report be available?—Gary

Gary Knecht The Egghouse 229 Harrison Street Oakland, CA 94607

Land: 510-893-9829 Cell: 510-502-9829

On May 1, 2014, at 10:58 AM, Payne, Catherine < CPayne@oaklandnet.com > wrote:

Yes, I just checked with our administrative staff (and made them show me the address labels), so we will all hope for the best in terms of mailing.

From: Gary Knecht [mailto:knechtgary@aol.com]

Sent: Thursday, May 01, 2014 10:50 AM

To: Payne, Catherine **Cc:** Joanna Adler

Subject: Re: Minimum project for JLS

And, of course, I will be out of town on the 21st.:-)

But I'd like to be notified and see the staff report.

Gary Knecht The Egghouse 229 Harrison Street Oakland, CA 94607

Land: 510-893-9829 Cell: 510-502-9829

On May 1, 2014, at 9:23 AM, Payne, Catherine < CPayne@oaklandnet.com > wrote:

I am furrowing my brow because I specifically provided a mailing list with both of your addresses (as well as others) to the administrative staff with instructions to provide you with the May 7 agenda. Please note that the item was removed from the May 7 agenda and will now be on the May 21 agenda. I will AGAIN direct administrative staff to include you in the mailing for that agenda. I apologize for this.

Catherine Payne City of Oakland Bureau of Planning 250 Frank Ogawa Plaza, Suite 2114

Oakland, CA 94612

Email: cpayne@oaklandnet.com

Phone: 510.238.6168

Hours, M, T, Th, F, 9 a.m. - 2 p.m.

From: Gary Knecht [mailto:knechtgary@aol.com]
Sent: Wednesday, April 30, 2014 10:23 PM

To: Joanna Adler **Cc:** Payne, Catherine

Subject: Re: Minimum project for JLS

Nor have I.

Gary Knecht The Egghouse 229 Harrison Street Oakland, CA 94607 Land: 510-893-9829 Cell: 510-502-9829

On Apr 30, 2014, at 9:48 PM, Joanna Adler < joannaadler@yahoo.com > wrote:

Fvi. I have never received any notice of the meeting you mentioned coming up next week.

Joanna

Sent from Yahoo Mail on Android

From: Payne, Catherine < CPayne@oaklandnet.com>;

To: Joanna Adler < joannaadler@yahoo.com>;

Subject: RE: Minimum project for JLS Sent: Tue, Apr 1, 2014 4:04:56 PM

The item is now scheduled for the May 7 Planning Commission agenda. I will not schedule the item for City Council until after the Planning Commission hearing. I just double-checked and you are on the USPS mailing list for this project so you SHOULD receive the agenda for this item. Please let me know if you have any questions. Thank you, Catherine

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Monday, March 31, 2014 11:16 PM

To: Payne, Catherine

Subject: Re: Minimum project for JLS

Catherine,

I've been preoccupied... has anything happened? I haven't seen any notices in my stack of my mail and my neighbors haven't said anything about meetings in March or anything coming up. Have I missed something?

Thanks, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler <<u>joannaadler@yahoo.com</u>>
Sent: Friday, January 31, 2014 8:12 AM
Subject: RE: Minimum project for JLS

Joanna: I will submit your comments to the record and they will be included in the Planning Commission staff report. The next hearing is the tentatively scheduled Planning Commission meeting on April 2. I suspect the item will be pushed out further into April or May, but I have reserved a spot on that agenda. You ARE on the mailing list (I have confirmed that), so you SHOULD receive a notice of that meeting. We do not need to meet unless you want to. Please let me know if you have additional thoughts or questions. Thanks,

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Thursday, January 30, 2014 6:10 PM

To: Payne, Catherine Cc: Miller, Scott

Subject: Re: Minimum project for JLS

Catherine,

Thanks -- I now understand the residential designations a little more clearly. I think it would have benefited the Developer to perhaps explain that a bit more clearly.

At this point there are several aspects of the JLS development that I am uncomfortable with:

- 1. The minimum plan somehow changed between the talks and the DA. From what I've heard, this is not an uncommon practice with Council, and I will bring it up during an open forum session at some point.
- 2. The pedestrian bridge between Site G and F1 is missing the outside access on the F1 side. This should be rectified immediately. The developer supposedly says it was not required, but I believe this should be part of any negotiation if they want something.
- 3. I am really uncomfortable with a complete waiver of office space, but perhaps a compromise can be reached. For example -- if you build x square feet of residential space, then you can release x square feet of office space. That becomes hard to police though. I'm just not open to a complete waiver because then we'll see these two buildings turn into full office buildings and the hopes of 24/7 activation will be even less. I'd really like to see some residential units there.
- 4. I know that things take time, but they've had their time and they squandered it. I also understand that the economy during some of their time was not in their favor. However, other developers have managed during this trying time and managed to make the most of it. I think the City was very generous in the deal they agreed to in the first place.

I had major surgery back in December, so I'm just starting to get back my energy. I'm happy to meet if you feel it would be helpful. Perhaps we can talk about ideas for compromise. I'm fine with residential, but I'm not sure that more residential with ground floor retail (especially done wrong) is the answer. But I'm also pretty clear that I want to stick with the same footprint and height limits for those sites that were agreed upon back with the original DA.

So when's the next public meeting?

Cheers, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler <joannaadler@yahoo.com>
Cc: "Miller, Scott" <<u>SMiller@oaklandnet.com</u>>
Sent: Thursday, January 30, 2014 9:23 AM
Subject: RE: Minimum project for JLS

Hi, Joanna. I think your understanding of the DA is correct—there is a minimum square footage that must be constructed and it must be contained at one or more of a selection of sites. Regarding the residential proposal: 1) the proposal for residential development is a change to the approved project (residential was not approved in 2004 although the use was analyzed in the EIR); 2) currently, the only site on which residential use is permitted is Site G (based on the underlying zoning and General Plan designation); 3) A GPA would allow residential on both sites D and F2, as well; 4) the PUD regulations allow permitted uses and densities to be located anywhere within a PUD, meaning a developer could concentrate the permitted residential density from 3 parcels within their PUD onto one parcel even if it exceeds the permitted density/land use for that specific parcel. The applicant is requesting consideration of a GPA and of a revision to the PUD to accommodate the proposed residential uses and densities.

Joanna, please feel free to contact me or request a meeting to discuss your concerns. Also, please know that the DA and all approvals are available through the City Clerk or through me. You need only make the request and we will make the entire administrative record available to you. Please let me know if you have additional questions or require further clarification. Thank you.

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Tuesday, January 28, 2014 10:58 PM

To: Payne, Catherine

Subject: Re: Minimum project for JLS

Hi -- I just wanted to check in and see if you'd had a chance to find any answers. I'm also wondering what the next meeting dates will be.

Thanks, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: joannaadler@yahoo.com

Sent: Friday, January 17, 2014 1:18 PM Subject: RE: Minimum project for JLS

Hi, Joanna. I am doing some research before I respond to your questions below. Thank you for your patience.

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

----Original Message----

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Wednesday, January 15, 2014 11:41 PM

To: Payne, Catherine

Subject: Minimum project for JLS

Catherine -

I have a question about the question of "minimum project." After the meeting, Mr. Rubensten (sp?) from JLSP came up to me and said that I was wrong about Site D being part of the minimum project. He said that it was Site D *OR* one of the F buildings. So I went to the Development Agreement, which I found is indeed now online (thank you), and here is what is says on page 115 (Exhibit E: Minimum Project) of the pdf:

"1. Development of improvements on Development Parcel Site D and and Development Parcel Site F-1, as shown on the Site Plan, containing a minimum of 145,000 square feet of space in the aggregate for any of the uses permitted for such Development Parcels pursuant to the Project Approvals, and in accordance with all terms and conditions of the Project Approvals."

I'm not a lawyer, so I don't really understand this. The spirit of the agreement that was discussed leading up to this agreement was quite clearly to say that the developer needed to build at least these two buildings, but what I understand in reading this is that they only have to build 145K square feet within one or both of these buildings (not F2/F3) -- is that correct? If so, this is the kind of frustration we face as citizens who do not get to see the DA, no matter how many times we ask for it...

Also, one of the Commissioners mentioned not understanding the JLS project's 24/7 aspect, and you might want to explain that they had original marketed the project as having a world class cooking school, an art house movie theater, and offering more retail similar to the SF Ferry Building --- things that were supposed to give the area more appeal on evenings and weekends. They also have California Canoe and Kayak, which is a major source of cohesion holding the waterfront and

retail together. Anytime you can see the waterfront in action - kayaks, ferries, ships, etc - it's great to have a reminder of the commerce, sport, and wildlife the water provides.

In regards to the Site G dwelling units that I asked you about - you said that it is in the DA, but I can't find it. Can you point me in the right direction? I can't find the footprint and height parameters either -- I know what was agreed to in the City Council meeting, but since things appeared to have changed behind closed doors and on paper, I'd love to have that pointed out to me. I'm trying to keep the sarcasm and bitterness out... and I'm trying to remind myself that I'm *FOR* residential being added to Jack London Square. I just want to see it be done in a way that makes sense. I can't appreciate their ways in trying to make it happen.

One last request -- can you make sure my name is added to the snail mail notices? I post them in our building for others to see. My address is:

Joanna Adler 255 3rd St., #305 Oakland, CA 94607

Thank you for your help.

Cheers, Joanna

From:

Gary Knecht <knechtgary@aol.com>

Sent:

Tuesday, May 13, 2014 8:48 AM

To: Cc: Joanna Adler Payne, Catherine

Cc: Subject:

Re: Minimum project for JLS

I thought the staff report wasn't available until Friday May 16. What is the "addendum" that runs 355 pages?

Gary Knecht The Egghouse 229 Harrison Street Oakland, CA 94607 Land: 510-893-9829 Cell: 510-502-9829

On May 12, 2014, at 9:44 PM, Joanna Adler < joannaadler@yahoo.com > wrote:

Catherine,

I got two notices again today (I must be on the list twice now after not getting any notices before)... but hey, I'm happy to get noticed!

I was wondering if I could get a paper copy of the addendum by tomorrow afternoon? I am going out of town on Wednesday and want to read the addendum on the plane. I tried to download it tonight, but it's 355 pages! Having a paper copy would be helpful.

It is a tad frustrating that this was moved to 5/21. I get back that morning from Toronto. With so many people out of town, it would be nice to have it moved to the next meeting. It's frustrating to get this 355 page document now -- it's like a dry novel that I need to read over my family visit. Ugh. But I guess I'll do what I have to do... but a hard copy would be helpful.

I'll make my way downtown if you can make it happen.

Thanks, Joanna (510) 435-0771

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Gary Knecht < knechtgary@aol.com >; Joanna Adler < joannaadler@yahoo.com >

Sent: Thursday, May 1, 2014 9:23 AM Subject: RE: Minimum project for JLS

I am furrowing my brow because I specifically provided a mailing list with both of your addresses (as well as others) to the administrative staff with instructions to provide you with the May 7 agenda. Please note that the item was removed from the May 7 agenda and will now be on the May 21 agenda. I will AGAIN direct administrative staff to include you in the mailing for that agenda. I apologize for this.

Catherine Payne City of Oakland Bureau of Planning 250 Frank Ogawa Plaza, Suite 2114

Oakland, CA 94612

Email: cpayne@oaklandnet.com

Phone: 510.238.6168

Hours, M, T, Th, F, 9 a.m. -2 p.m.

From: Gary Knecht [mailto:knechtgary@aol.com]
Sent: Wednesday, April 30, 2014 10:23 PM

To: Joanna Adler
Cc: Payne, Catherine

Subject: Re: Minimum project for JLS

Nor have I.

Gary Knecht The Egghouse 229 Harrison Street Oakland, CA 94607

Land: 510-893-9829 Cell: 510-502-9829

On Apr 30, 2014, at 9:48 PM, Joanna Adler < joannaadler@yahoo.com > wrote:

Fyi, I have never received any notice of the meeting you mentioned coming up next week. Joanna

Sent from Yahoo Mail on Android

From: Payne, Catherine < CPayne@oaklandnet.com>;

To: Joanna Adler < joannaadler@yahoo.com>;

Subject: RE: Minimum project for JLS Sent: Tue, Apr 1, 2014 4:04:56 PM

The item is now scheduled for the May 7 Planning Commission agenda. I will not schedule the item for City Council until after the Planning Commission hearing. I just double-checked and you are on the USPS mailing list for this project so you SHOULD receive the agenda for this item. Please let me know if you have any questions. Thank you, Catherine

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Monday, March 31, 2014 11:16 PM

To: Payne, Catherine

Subject: Re: Minimum project for JLS

Catherine,

I've been preoccupied... has anything happened? I haven't seen any notices in my stack of my mail and my neighbors haven't said anything about meetings in March or anything coming up. Have I missed something?

Thanks, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler < joannaadler@yahoo.com > Sent: Friday, January 31, 2014 8:12 AM Subject: RE: Minimum project for JLS

Joanna: I will submit your comments to the record and they will be included in the Planning Commission staff report. The next hearing is the tentatively scheduled Planning Commission meeting on April 2. I suspect the item will be pushed out further into April or May, but I have reserved a spot on that agenda. You ARE on the mailing list (I have confirmed that), so you SHOULD receive a notice of that meeting. We do not need to meet unless you want to. Please let me know if you have additional thoughts or questions. Thanks,

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Thursday, January 30, 2014 6:10 PM

To: Payne, Catherine Cc: Miller, Scott

Subject: Re: Minimum project for JLS

Catherine,

Thanks -- I now understand the residential designations a little more clearly. I think it would have benefited the Developer to perhaps explain that a bit more clearly.

At this point there are several aspects of the JLS development that I am uncomfortable with:

- 1. The minimum plan somehow changed between the talks and the DA. From what I've heard, this is not an uncommon practice with Council, and I will bring it up during an open forum session at some point.
- 2. The pedestrian bridge between Site G and F1 is missing the outside access on the F1 side. This should be rectified immediately. The developer supposedly says it was not required, but I believe this should be part of any negotiation if they want something.
- 3. I am really uncomfortable with a complete waiver of office space, but perhaps a compromise can be reached. For example -- if you build x square feet of residential space, then you can release x square feet of office space. That becomes hard to police though. I'm just not open to a complete waiver because then we'll see these two buildings turn into full office buildings and the hopes of 24/7 activation will be even less. I'd really like to see some residential units there.
- 4. I know that things take time, but they've had their time and they squandered it. I also understand that the economy during some of their time was not in their favor. However, other developers have managed during this trying time and managed to make the most of it. I think the City was very generous in the deal they agreed to in the first place.

I had major surgery back in December, so I'm just starting to get back my energy. I'm happy to meet if you feel it would be helpful. Perhaps we can talk about ideas for compromise. I'm fine with residential, but I'm not sure that more residential with ground floor retail (especially done wrong) is the

answer. But I'm also pretty clear that I want to stick with the same footprint and height limits for those sites that were agreed upon back with the original DA.

So when's the next public meeting?

Cheers, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: Joanna Adler <<u>joannaadler@yahoo.com</u>>
Cc: "Miller, Scott" <<u>SMiller@oaklandnet.com</u>>
Sent: Thursday, January 30, 2014 9:23 AM
Subject: RE: Minimum project for JLS

Hi, Joanna. I think your understanding of the DA is correct—there is a minimum square footage that must be constructed and it must be contained at one or more of a selection of sites. Regarding the residential proposal: 1) the proposal for residential development is a change to the approved project (residential was not approved in 2004 although the use was analyzed in the EIR); 2) currently, the only site on which residential use is permitted is Site G (based on the underlying zoning and General Plan designation); 3) A GPA would allow residential on both sites D and F2, as well; 4) the PUD regulations allow permitted uses and densities to be located anywhere within a PUD, meaning a developer could concentrate the permitted residential density from 3 parcels within their PUD onto one parcel even if it exceeds the permitted density/land use for that specific parcel. The applicant is requesting consideration of a GPA and of a revision to the PUD to accommodate the proposed residential uses and densities.

Joanna, please feel free to contact me or request a meeting to discuss your concerns. Also, please know that the DA and all approvals are available through the City Clerk or through me. You need only make the request and we will make the entire administrative record available to you. Please let me know if you have additional questions or require further clarification. Thank you.

Catherine Payne

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Tuesday, January 28, 2014 10:58 PM

To: Payne, Catherine

Subject: Re: Minimum project for JLS

Hi -- I just wanted to check in and see if you'd had a chance to find any answers. I'm also wondering what the next meeting dates will be.

Thanks, Joanna

From: "Payne, Catherine" < CPayne@oaklandnet.com>

To: joannaadler@yahoo.com

Sent: Friday, January 17, 2014 1:18 PM Subject: RE: Minimum project for JLS

Hi, Joanna. I am doing some research before I respond to your questions below. Thank you for your patience.

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

----Original Message----

From: Joanna Adler [mailto:joannaadler@yahoo.com]

Sent: Wednesday, January 15, 2014 11:41 PM

To: Payne, Catherine

Subject: Minimum project for JLS

Catherine -

I have a question about the question of "minimum project." After the meeting, Mr. Rubensten (sp?) from JLSP came up to me and said that I was wrong about Site D being part of the minimum project. He said that it was Site D *OR* one of the F buildings. So I went to the Development Agreement, which I found is indeed now online (thank you), and here is what is says on page 115 (Exhibit E: Minimum Project) of the pdf:

"1. Development of improvements on Development Parcel Site D and and Development Parcel Site F-1, as shown on the Site Plan, containing a minimum of 145,000 square feet of space in the aggregate for any of the uses permitted for such Development Parcels pursuant to the Project Approvals, and in accordance with all terms and conditions of the Project Approvals."

I'm not a lawyer, so I don't really understand this. The spirit of the agreement that was discussed leading up to this agreement was quite clearly to say that the developer needed to build at least these two buildings, but what I understand in reading this is that they only have to build 145K square feet within one or both of these buildings (not F2/F3) -- is that correct? If so, this is the kind of frustration we face as citizens who do not get to see the DA, no matter how many times we ask for it...

Also, one of the Commissioners mentioned not understanding the JLS project's 24/7 aspect, and you might want to explain that they had original marketed the project as having a world class cooking school, an art house movie theater, and offering more retail similar to the SF Ferry Building --- things that were supposed to give the area more appeal on evenings and weekends. They also have California Canoe and Kayak, which is a major source of cohesion holding the waterfront and retail together. Anytime you can see the waterfront in action - kayaks, ferries, ships, etc - it's great to have a reminder of the commerce, sport, and wildlife the water provides.

In regards to the Site G dwelling units that I asked you about - you said that it is in the DA, but I can't find it. Can you point me in the right direction? I can't find the footprint and height parameters either -- I know what was agreed to in the City Council meeting, but since things appeared to have changed behind closed doors and on paper, I'd love to have that pointed out to me. I'm trying to keep the sarcasm and bitterness out... and I'm trying to remind myself that I'm *FOR* residential being added to Jack London Square. I just want to see it be done in a way that makes sense. I can't appreciate their ways in trying to make it happen.

One last request -- can you make sure my name is added to the snail mail notices? I post them in our building for others to see. My address is:

Joanna Adler 255 3rd St., #305 Oakland, CA 94607

Thank you for your help.

Cheers, Joanna

From:

Chuck Flacks <chuck.flacks@gmail.com> Thursday, December 12, 2013 12:44 PM

Sent: To:

Payne, Catherine

Subject:

Jack London Developments

Hello,

I attended the presentation last night at the Waterfront Hotel and was, frankly, shocked at people's NIMBY-like reactions. I wanted to add my list to the strong supporters who feel that Jack London Square must have a critical mass of residents to fuel economic growth.

As a resident of the Allegro complex, I'm in love with the gritty, warehouse district with its vibrant mix of old industry and new, artisnal coffees, bagels, beer, wine and the ever-present sounds of the trains rolling through. The neighborhood lacks grocery stores, drug stores, and other conveniences that a truly well-rounded community requires. Such new business cannot flourish without the right density of residents.

Jack London Square is a partially-realized dream. While new housing is growing, storefronts and offices sit empty. While some restaurants are succeeding, there is a shortage of more family-friendly dining and faster food options. I welcome the influx of hundreds (maybe thousands) of new units that will pump up the energy and vibrancy of this potential community.

I would support any of the three options that the developers propose that maximize housing. Desirable housing in Oakland is often expensive and more units will help to control some of these rising costs. I also hope that there will be a healthy mix of rental and ownership options to accommodate a mix of incomes in our community.

I would be very interested in testifying in support of this project when the time comes. Please keep me posted on the approval hearings and how I can be supportive.

Sincerely,

Chuck Flacks

Cell: 858-229-9197

From:

Flynn, Rachel

Sent:

Sunday, May 04, 2014 3:38 PM

To:

Payne, Catherine

Subject:

Save Oakland waterfront from condo development

Catherine - FYI. I forwarded this to Jim Falaschi, as well. Rachel

On Sat, May 3, 2014 at 8:56 AM, Change.org < mail@change.org > wrote:



Rachel - There's a new petition taking off on Change.org, and we think you might be interested in signing it:



Oakland City Planning Commision: Save Jack London Square Waterfront

By Save JackLondonSquare Oakland, California



- Raising waterfront building heights to 26 stories
- Eliminating retail from agreed development plan
- Privatizing waterfront access
- Closing off our landmark Jack London Square Gate with faceless garage walls

We Demand

Reasonable time to consider any proposed changes

Full architectural plans for review - no blank checks

We Support

New residential construction at appropriate heights and sites

WE OPPOSE:

WE OPPOSE increasing building height **up to 26 stories on Embarcadero**. This would allow a wall-like barrier between our city and its waterfront, blocking views and sunlight, and destroying the carefully-planned, approachable scale of the existing Development Agreement.

WE OPPOSE 100% private, 100% condo projects at the water's edge. There is no need to change the existing Development Agreement, which guarantees balanced, mixed-use construction with storefronts and public engagement on critical streets and corners.

WE OPPOSE closing off our landmark Jack London Square Gate with faceless garage walls and apartment lobbies.

WE OPPOSE a **privatized waterfront**. The existing Development Agreement guarantees 33% to 50% retail-public access at these sites. The proposed changes allow **0% public access**.

WE OPPOSE creating the first precedent in Oakland for high-rise construction at the water's edge. Such a precedent creates a Trojan horse for other developers to bring a towering wall of condos – a lifeless, privatized Miami Beach complex – to our waterfront.

WE DEMAND:

WE DEMAND reasonable time to consider any proposed changes – weeks to review and comment, not days as currently scheduled.

WE DEMAND **full architectural plans** by which to judge the impact on our community, not non-binding renderings. These proposals give no guarantee of the final use or appearance of these massive structures. Other major developments, such as the Ellington Condominium, offered this courtesy to the community.

WE STRONGLY SUPPORT:

WE STRONGLY SUPPORT new residential construction, at appropriate

heights and sites. Other more appropriate JLS sites are available for high-rise and mid-rise residences, without walling-off a historic waterfront and privatizing a resource meant for the whole community.

Sign the Petition

The person (or organization) who started this petition is not affiliated with Change.org. Change.org did not create this petition and is not responsible for the petition content.

This email was sent by Change.org to <u>1rachel.flynn@gmail.com</u>. You can <u>edit your</u> <u>email preferences</u> or <u>unsubscribe</u> from Change.org emails.

Start a petition on Change.org

Mailing Address: 216 West 104th Street, Suite #130 · New York, NY 10025 · USA



From:

Ben Delaney <ben@cyberedge.com>

Sent:

Friday, May 09, 2014 4:09 PM

To:

EW.Oakland@gmail.com; jahazielbonillaoaklandpc@gmail.com; Pattillo, Chris; Moore,

Jim; Coleman, Michael; nagrajplanning@gmail.com; At Large;

lynettemcelhaney@gmail.com; 'Mayor Jean Quan'; Gallo, Noel; Lautze, Steve; Prado

(Lederer), Margot: Rose, Aubrey: Valeska, David: Payne, Catherine

Cc:

'bill stotler'; 'Sandra Threlfall'; 'Vivian Kahn'; 'Joel Pool'; 'michael'; 'Gary Knecht'; 'Joe

Tuman'; 'Alex Miller-Cole'

Subject:

Changes to Jack London Sqwuare PUD agreement. Case #EDR030004, PUD13170,

DA13171

Attachments:

Planning Comm Ltr-JLS development (14May09).pdf

Good day,

Attached please find a letter stating the views of the Jack London District Association (JLDA) and the residents and businesses in the Jack London District, many of whom will be directly affected by the Planning Commission decision regarding the above note matters, particularly that requested changes to the existing PUD for Jack London Square, to the benefit of Ellis Partners, Jack London Square, and other participants in the development agreement.

This letter is the result of an Town Hall meeting sponsored by the JLDA in January at which the Developers presented their plans and the community, represented by about 75 individuals, discussed those plans.

The consensus of that meeting is:

- More residential units in the Jack London District are desirable.
- Changing the developers' mandate to allow residential in place of office development is acceptable.
- The high-rise options at sites D and F2 are NOT acceptable to a large majority of those in attendance.
- The low-or mid-rise options will be acceptable.
- Ground-floor retail space along the Embarcadero at site D is essential.

The letter attached provides more details.

We look forward to this letter being part of the public commentary on this project. We will be attending the May 21 meeitng, at which time we will be providing additional comments.

Thank you for your diligence in this matter.

Ben Delaney, President

Jack London District Association

655 3rd Street, Box 21, Oakland, CA 94607, 510 473-JLDA Direct: 510 419-0800, president@JLDA.org, www.JLDA.org

From:

jenny.ferrando@gmail.com on behalf of Jenny Ferrando <jenny@portworkspaces.com>

Sent:

Tuesday, January 14, 2014 2:59 PM

To:

Payne, Catherine

Subject:

Re: Jack London Square Development

Yes, Thank you.

On Tue, Jan 14, 2014 at 12:22 PM, Payne, Catherine < CPayne@oaklandnet.com > wrote:

Thank you. Would you like me to include the petition as a comment to submit to the ZUC on Wednesday?

Catherine Payne

Planning and Zoning Department, City of Oakland

Phone: (510) 238-6168

Email: cpayne@oaklandnet.com

Hours: M, T, Th, F: 9:00 a.m. - 1:45 p.m.

From: jenny.ferrando@gmail.com [mailto:jenny.ferrando@gmail.com] On Behalf Of Jenny Ferrando

Sent: Tuesday, January 14, 2014 11:28 AM

To: Payne, Catherine

Subject: Jack London Square Development

Hello Catherine,

Per your discussion with Michael Carilli, I am sending you the link to the Save Jack London website. Is all the Estuary, Land Trust Act and other information correct and up to date?

Additionally, I am including the Change.Org link which shows the voices of over 100 local residence who are in opposition of the proposed changes.

http://savejacklondon.org/

http://www.change.org/petitions/oakland-city-planning-commision-save-jack-london-square-waterfront

Jenny Ferrando

The Port Workspaces

(510) 444-0770

Jenny Ferrando The Port Workspaces (510) 444-0770

From:

Sandra Threlfall <info@waterfrontaction.org>

Sent:

Wednesday, April 23, 2014 12:44 PM

To:

Payne, Catherine

Subject:

Jack London Square Towers

Attachments:

JLS Stipulated Judgement 5-6.pdf; JLS Stipulated Judgement 18-25.pdf; JLS Dec.2013

letter.pdf; JLS Public Trust issues.pdf

Catherine,

I am sending these documents to enhance your understanding of Public Trust requirements, based on our conversation at the Aquatic Center a few weeks ago. Waterfront Action opposes any changes to the original development agreement, both the amendment and the extension.

I have included the December letter and two attachments related to the "Stipulated Agreement of 2005."

Thank you,

Sandra Threlfall
Executive Director