

CITY OF OAKLAND PUBLIC LANDS POLICY

A CALL TO CREATE COMPLETE COMMUNITIES

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Professional Report Submitted in partial satisfaction of the requirements for the degree of Master of City Planning in the Department of City and Regional Planning at the University of California, Berkeley

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I. Executive Summary

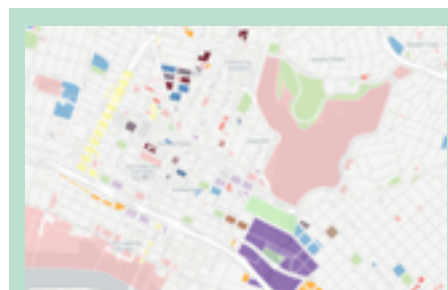
While many cities nationwide are sluggishly recovering from the Great Recession and trying to stabilize their housing markets, rents and home prices are at their highest in many Bay Area cities, creating an affordable housing crisis. Oakland is experiencing a surge of investment that is certain to catalyze changes in its physical and economic character. With new transit investment raising property values in the surrounding area and new services attracted by the rising neighborhood incomes, we are seeing the loss of cultural institutions, affordable housing and neighborhood-serving businesses in the City of Oakland. Without adequate public sector protections and regulations, longtime residents are often displaced or excluded from the benefits of new development.

Despite this challenge, one opportunity for the City of Oakland is its 2,400 publicly owned parcels totaling over 10,000 acres of land. Public land included in this inventory belongs to public agencies spanning multiple administrative levels, from municipal to federal. These parcels provide an opportunity to address concerns about affordable housing and/or displacement, since the city or public agencies could target those lands for development to create “complete communities” and to meet current residents’ needs. This report asks, **how can the city develop an effective public lands policy to create complete communities?**

This report is calling for the City to pursue an inclusive public lands policy that serves a variety of public needs: affordable housing, open space, urban agriculture, and local economic development. Political support and action is crucial—the public sector must play a major role in intervening against displacement and ensuring equitable development in *all* neighborhoods.

To inform the development of an effective public lands policy that promotes equitable development of complete communities, this professional report will (1) discuss Oakland’s changing demographics and housing crisis, which has jeopardized neighborhood stability, (2) summarize practices governing publicly owned land, (3) map all publicly owned lands, and (4) make recommendations gathered from interviews with community-based organizations and model policies from municipalities nationally.

The goals of this report are two-fold: to make important connections between land-holding public agencies, and support advocacy efforts in promoting equitable development in the City of Oakland.



How to use the Maps:

1. Go to cdb.io/1NWVTLb
2. Click on a parcel or icon to find out more information (address, zoning, size)
3. Layers can be turned on and off
4. Zoom is available

2. A Changing Oakland

While many cities nationwide are sluggishly recovering from the Great Recession and trying to stabilize their housing markets, rents and home prices are at its highest in many Bay Area cities, creating an affordable housing crisis. Oakland is experiencing a surge of investment that is certain to catalyze changes in its physical and economic character. Coming in second in the nation only to Denver, rents in Oakland have soared 12.1 percent over the last year, even beating San Francisco's price hikes.¹

With new transit investment raising property values in the surrounding area and new services attracted by the rising neighborhood incomes, we are seeing the loss of cultural institutions, affordable housing and neighborhood-serving businesses in the City of Oakland. Without adequate public sector protections and regulations, longtime residents are often displaced or excluded from the benefits of new development. This has created a precarious environment in which Oakland teachers, nurses, firefighters, transit operators, social workers, and government workers struggle to find affordable housing and sustain a reasonable cost of living. In San Francisco, some community-based nonprofit organizations are being displaced from the communities they serve and some locally owned businesses can't survive as commercial rents soar.² With the scarcity of available large office spaces in San Francisco and the Peninsula, technology tenants are looking for leasing opportunities in Oakland. The trend of tenants moving to the East Bay started with non-profits and grew to professional services like law and engineering firms. Industry experts are anticipating tech is next.³

Despite this challenge, one opportunity for the City of Oakland is its 2,400 publicly owned parcels totaling over 10,000 acres of land. Public land included in this inventory belongs to public agencies spanning multiple administrative levels, from municipal to federal. These parcels provide an opportunity to address concerns about affordable housing and/or displacement, since the city or public agencies could target those lands for development to create “complete communities” and to meet current residents’ needs. Creating complete communities and stabilizing neighborhoods call for a comprehensive vision of both economic growth and economic inclusion; sustainable and equitable economic development means striving to leverage economies that offer opportunity to all.⁴ This report asks, [how can the city develop an effective public lands policy to create complete communities?](#)

Political support and action is crucial—the public sector must play a major role in intervening against displacement and ensuring equitable development in *all* neighborhoods. This report is calling for the City to pursue an inclusive public lands policy that serves a variety of

¹ Van Romburgh, Marlice. “Oakland rents are second fastest-rising in the U.S.” *San Francisco Business Times*. 11 Feb. 2015.

² Smooke, Joseph and Dyan Ruiz, Dyan. “Five Reasons Why San Francisco Must Not Give Up Public Land for Market-Rate Development.” *Truthout*, 3 Apr. 2015.

³ Torres, Blanca. “Oakland looking more and more like the new SoMa for tech leasing.” *San Francisco Business Times*. 5 Aug. 2014.

⁴ Chapple, Karen. (2015). *Planning sustainable cities and regions: towards more equitable development*.

public needs: affordable housing, open space, urban agriculture, and local economic development. Since some of these uses are amenities that have the potential to increase displacement (e.g. open space, grocery stores), the city will need to enact complementary policies, such as affordable housing preservation and rent stabilization policies, while engaging in a public lands disposition process.

The goals of this report are two-fold: to make important connections between land-holding public agencies, and support advocacy efforts in promoting equitable development in the City of Oakland.

GENTRIFICATION AND DISPLACEMENT

Causa Justa, a grassroots advocacy organization based in Oakland, defines gentrification as a “profit-driven racial and class reconfiguration of urban, working-class and communities of color that have suffered from a history of disinvestment and abandonment.”⁵ The process is characterized by declines in the number of low-income, people of color in neighborhoods that begin to cater to higher-income workers willing to pay higher rents.⁶ Gentrification is driven not just by new households that are affluent relative to the existing residents, but by private developers, landlords, businesses, and corporations, and supported by the government through policies that facilitate the process of displacement, often in the form of public subsidies.

As discussed in Causa Justa’s *Development Without Displacement* report, gentrification and displacement present a host of individual, family, and community-level health challenges for longtime residents in gentrifying neighborhoods and displaced residents including the following:

- Relocation to neighborhoods with fewer health-promoting resources, public transportation access, jobs, healthy food, and amenities. Outlying parts of the region may be strained as they face a sudden influx of residents needing services, infrastructure, and affordable housing.
- Impacts on existing residents include increased rents, fear of landowners evicting tenants out of their homes through intimidation, buy-out offers, and eviction notices.
- As housing prices increase and the cultural fabric of neighborhoods change, gentrification can result in the closure of needed services and institutions that are vital for existing residents’ wellbeing.
- For children, displacement is destabilizing to their social networks and routines, and can result in declining school performance.
- At the community level, displacement can result in severe social, economic, and political fragmentation. Residents who are dispersed from other members of their

⁵ Causa Justa, (2014). *Development Without Displacement: Resisting Gentrification in the Bay Area*.

⁶ Chapple, Karen. (2009). *Mapping Susceptibility to Gentrification: The Early Warning Toolkit*. Center for Community Innovation at UC Berkeley.

community may have less political power as voting blocs are diluted and communities become less organized, inhibiting their ability to advocate for needed changes to ensure long-term health and well-being.

Displacement can happen in a variety of ways and in both the public and private housing market, including residents being forcibly relocated in order to make way for renovation of their housing, landlords raising rents to unaffordable levels, and tenants being evicted so landlords can rent or sell their units for a higher price. While gentrification may bring much-needed investment to neighborhoods, including new stores and commercial services, as well as upgrades to infrastructure and amenities such as parks, displacement prevents these changes from benefitting those who need investment the most. Creating complete communities and stabilizing neighborhoods call for a comprehensive vision of both economic growth and economic inclusion; sustainable and equitable economic development means striving to leverage economies that offer opportunity to all.

Creating complete communities via public lands is not going to be enough without protections for existing residents. In a 2011 report written by a coalition of community-based nonprofit organizations entitled *A Bay Area Agenda for Investment Without Displacement*, planning in the Bay Area must strengthen and stabilize communities vulnerable to gentrification and displacement.⁷ The report promotes investments in community assets to meet low-income families' needs, such as development that "promotes cultural and community cohesion, recognizes and strengthens existing community assets, and privileges localized needs, community benefits, and priorities identified through inclusive neighborhood-based planning." It also recommends creating "complete communities in areas that currently lack access to essential resources (e.g. healthy food, banks, and pharmacies) and infrastructure (e.g. street lights, sidewalks, bus shelters, and playgrounds) through targeted economic and physical development strategies driven by a community-based identification of local needs, rather than top-down planning."

PUBLIC LANDS

The City of Oakland owns over 2,400 publicly owned parcels totaling over 10,000 acres of land. Public land included in this inventory belongs to public agencies spanning multiple administrative levels, from municipal to federal⁸. This accounts for more than a third of Oakland's total 56.1 square miles (35,904 acres) of land, as shown in Table 1⁹. Since publicly-owned land may be sold or transferred for any number of purposes, communities that wish to use publicly-owned land for affordable housing development, urban

⁷ Asian Pacific Environmental Network (APEN), Causa Justa::Just Cause, Council of Community Housing Organizations (CCHO), PolicyLink, Public Advocates, Urban Habitat. (2011). *A Bay Area Agenda for Investment Without Displacement*.

⁸ County of Alameda Assessor's Office, February 2014; ownership data of "tax-exempt public agencies" does not provide vacancy status.

⁹ 159 parcels included this inventory are less than 1,000 square feet. These parcels may not be developable (e.g alleys, utility easements).

agriculture, open space, or local economic development will need to clearly articulate that as a priority. Without a clear articulation of how lands get disposed and what constitutes as “surplus lands,” land-holding public agencies risk squandering its resources. Therefore, a contribution of this report is to provide an overview of the property disposition process of each land-holding public agency and to identify whether the agency considers land transfers for community and public objectives and offers a public bidding process. That way, the public can better monitor public lands, particularly those that become “surplus.”

Oakland is a city in crisis that needs to dispose of its resources strategically. Now more than ever, there is a real opportunity to shape how public lands get disposed in a socially, economically, and environmentally sustainable way. It is imperative that the city enacts inclusive policies to promote equitable development and stabilize neighborhoods vulnerable to gentrification and displacement.

To inform the development of an effective public lands policy that promotes equitable development of complete communities, this professional report will (1) discuss Oakland’s changing demographics and housing crisis, which has jeopardized neighborhood stability, (2) summarize practices governing publicly owned land, (3) map all publicly owned lands, and (4) make recommendations gathered from interviews with community-based organizations and model policies from municipalities nationally. Although this report focuses on city-level strategies and policymaking, many of these strategies will involve coordination and decision-making between public agencies and across cities.

Table 1. Publicly Owned Land by Ownership and Zoning

	Parcels	Residential Allowed	Commercial Allowed	Open Space	Industrial Allowed	Civic Center Zone	Total Acres
AC Transit	8	2	3	0	3	0	32.1
Alameda County Flood Control	3	3	3	0	0		0.4
Amtrak	8	1	2	0	6	0	19.1
BART	100	57	82	3	31	0	58
City of Oakland	1146	595	323	367	166	4	6649.3
City of Oakland Housing Authority	347	343	324	0	4	4	139.4
County of Alameda	32	22	26	0	5	0	153
East Bay Municipal Utility District	117	85	25	8	23	0	483.2
East Bay Regional Park District	108	16	0	80	8	2	841.2
Federal Land	14	2	12	0	12	0	13.3
Oakland Unified School District	177	165	108	4	2	6	505.5
Peralta Community College District	26	9	1	9	1	7	187.1
Redevelopment Successor Agency	88	76	82	1	24	0	65.1
State of California	269	176	158	4	81	0	251.1
UC Regents	19	19	3	0	0	0	748.6
Grand Total	2462	1571	1152	476	366	23	10146.4

3. Overview of Demographic, Economic, and Household Changes

The City of Oakland is undergoing dramatic demographic and economic shifts that are associated with gentrification, displacement, and the unprecedented foreclosure of homes. With the arrival of higher-income residents willing to pay a lot more for rent, many landlords are carrying out forcible evictions and new buyers are displacing former residents of low-income neighborhoods. The foreclosure crisis, which predominantly impacted neighborhoods of West and East Oakland, attracted investors to purchase thousands of homes, changing the character and tenancy of Oakland’s neighborhoods. Locals are losing the possibility for homeownership as well as asset accumulation in these formerly affordable neighborhoods. The loss of land (and land rent) for low-income and population of color necessitates a systematic public lands disposition process and complete communities strategy.

DEMOGRAPHICS

Census data from 2000 and 2013 shows Oakland’s population of color falling by almost 12 percent, with the African-American population decreasing over 28 percent. Families with children were forced out of the city during that time, and their number shrank by 14 percent. A significant indicator of gentrification-related demographic change is an increase in educational attainment, which shows a 25 percent growth in Oakland.

Table 2 provides citywide demographic data and the percentage change between 2000 and 2013.¹⁰

Table 2. City of Oakland’s Demographic Change 2000-2013

	2000	2013	% Change
Population of color	68.8%	60.7%	-11.8%
Black Population	35.4%	25.4%	-28.2%
Homeowner household	41.4%	40.2%	-2.9%
At least a bachelor's degree (age 25+)	30.9%	38.5%	24.6%
Median household income (in 2013 \$)	\$55,998	\$54,394	-2.9%
Households with one or more people under 18	33.5%	28.9%	-13.7%

¹⁰ 2000 U.S. Census & 2013 1-Year American Community Survey.

HOUSING COST BURDEN

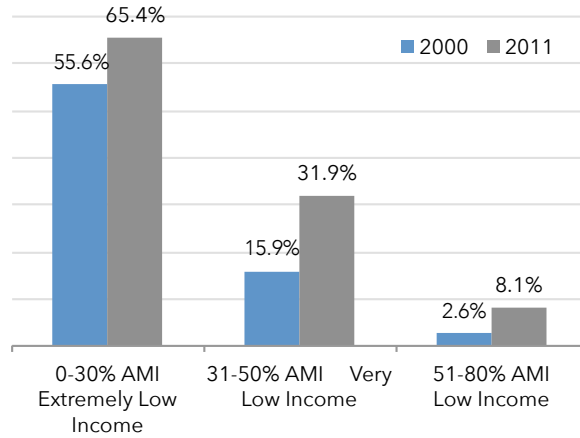
Skyrocketing rent and home prices across the Bay Area are causing an affordability crisis in Oakland. Also, declining incomes as a result of the recession created further housing cost burden. The percentage of low-income households that are severely rent burdened—spending 50 percent or more of their income on housing—increased dramatically since the year 2000. Extremely low income (ELI) and very low income (VLI) households are considered to be “worst case needs,” who are at risk of becoming homeless. ELI household who pay half or more their incomes for housing are at greatest risk of becoming homeless because of their precarious financial circumstances.¹¹ Not surprisingly, cost burdens are most pronounced for those with the lowest incomes.

¹¹ City of Oakland Housing Element 2016-2023.

Renters

The percentage of severely rent-burdened ELI households rose from 56 percent to 65 percent. The change was even more dramatic for VLI households, who jumped from 16 percent severely rent burdened to 32 percent. Figure 1 illustrates the increase in rent burden across all household levels since 2000.¹²

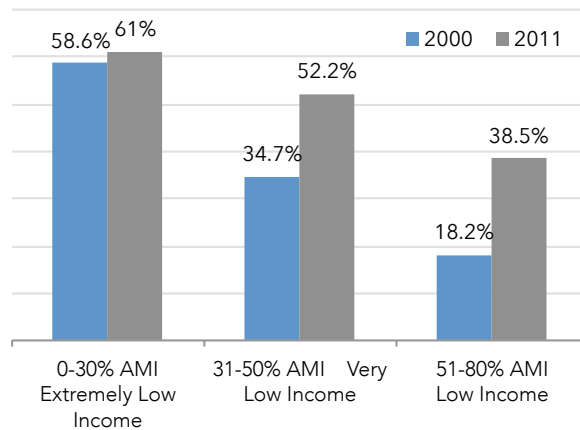
Figure 1. % of Oakland Renters by Income Paying 50% or More of Income on Rent



Homeowners

Severely cost-burdened households are more pronounced among homeowners than among renters in the VLI and low income household levels. The percentage of severely rent-burdened ELI households rose from 58 percent to 61 percent. The change was more dramatic for VLI and low income households, who jumped from 35 percent to 52 and 18 percent to 39 percent severely rent burdened, respectively. Figure 2 illustrates the increase in cost burden among homeowner households across all household levels since 2000.¹³

Figure 2. % of Oakland Homeowners by Income Paying 50% or More of Income on Housing



¹² 2000 & 2007-11 CHAS data; rent includes contract rent and utility expenses.

¹³ 2000 & 2007-11 CHAS data; housing costs include mortgage payment, taxes, insurance, and utilities.

Residential Sales and Rental Prices

According to Zillow research, the median home value in Oakland is \$518,900 compared to the statewide median of \$457,000. Over the past year, Oakland overall home values saw an increase of 15.7 percent, compared to countywide increases of 12.7 percent.¹⁴ Between 2011 and 2015, Oakland’s rental price per square foot has experienced a 34 percent growth, as shown in Figure 3.¹⁵ Figure 4 illustrates a gradual progression of residential sales price per square foot from 1996 to 2006, a sharp decrease between 2007 and 2013, and a sudden uptick beginning in year 2013.¹⁶

Figure 3. Rental Price Per Square Foot (2011-2015)

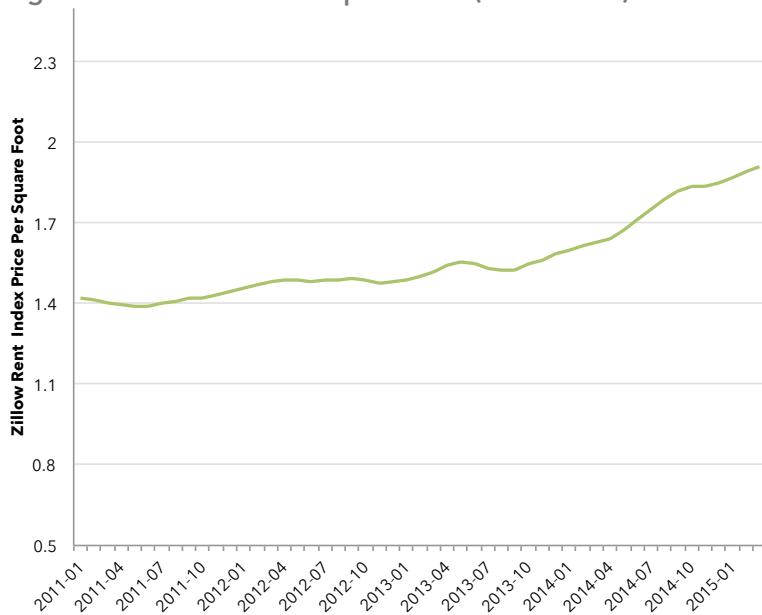
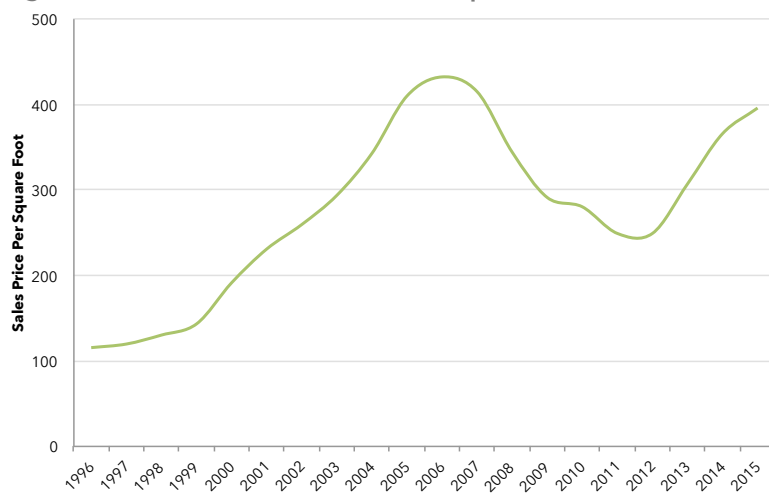


Figure 4. Residential Sales Price Per Square Foot (1996-2015)



¹⁴ Zillow. (2015). Oakland, CA Profile.

¹⁵ Zillow Rent Index PSF for City of Oakland.

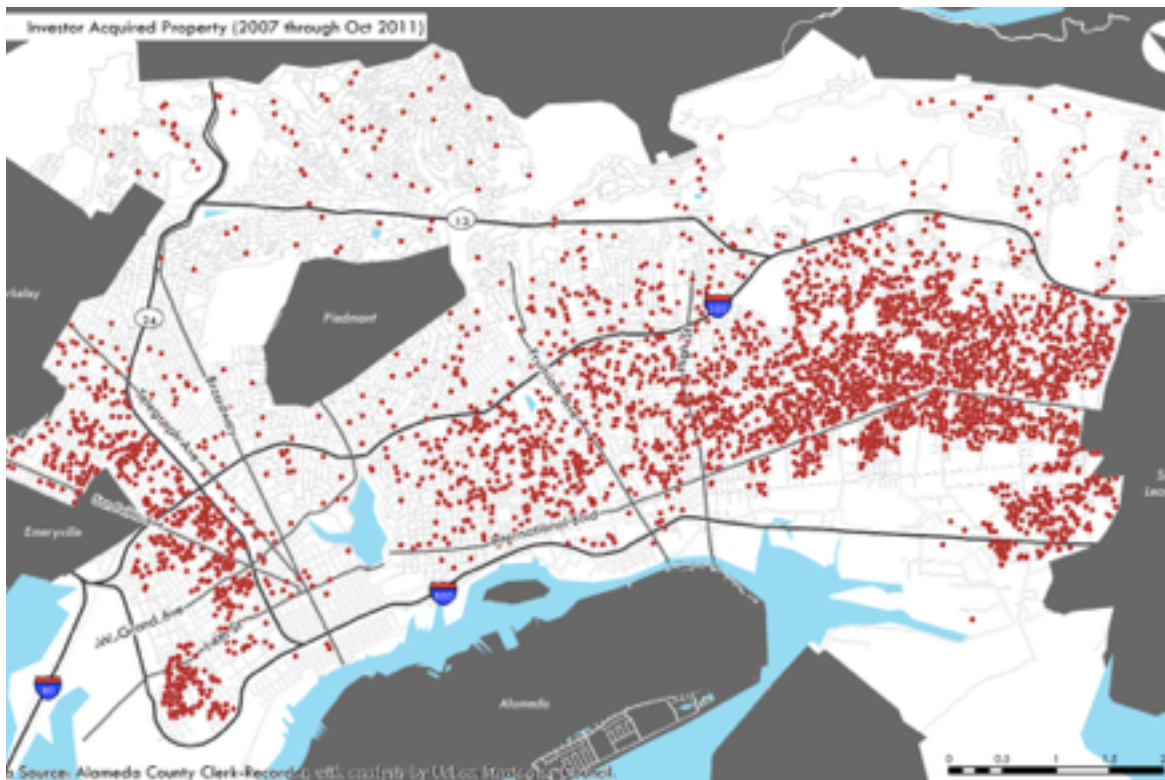
¹⁶ Zillow Real Estate Research, Zillow Home Value Index for City of Oakland.

FORECLOSURES IN OAKLAND

Since 2007, there have been over 10,500 completed foreclosures in the City of Oakland. An analysis conducted by the Urban Strategies Council, a nonprofit organization based in Oakland, found that 62 percent (6,523) of the 10,508 completed foreclosures were either still owned by a financial institution or had been acquired by an investor. As of October 2011, investors had acquired 42 percent of all properties that went through foreclosure in Oakland. Of these properties acquired by investors, 93 percent were located in the low-income flatland neighborhoods of the city, as shown in figure 5. Further, only ten out of the top 30 most active investors are located in Oakland, creating an extremely speculative real estate investment pipeline in the city and ultimately draining local wealth and impeding efforts towards neighborhood stabilization post-recession.¹⁷

The report contends that the spike in non-local ownership and non-owner occupied housing presents concerns related to the extraction of wealth from low-income and people of color, in addition to ongoing property maintenance and management issues. "Given the nearly exclusive focus of investor activity in West and East Oakland, a range of apprehensions emerge regarding shifting tenure, neighborhood succession, and the displacement of residents. Embedded in all of these issues is the underlying question about the strategies and intentions of both banks and investors in Oakland," the report states.

Figure 5. Investor Acquired Property (2007-October 2011)



¹⁷ King, Steve, Urban Strategies Council. (2012). *Who Owns Your Neighborhood? The Role of Investors in Post-Foreclosure Oakland*.

FORMATION OF A PUBLIC LANDS POLICY

There are thousands of parcels in the city owned by public agencies spanning multiple administrative levels, from municipal to federal. These parcels provide an opportunity to address concerns about affordable housing and/or displacement, since the city or public agencies could target those lands for development to create “complete communities” and to meet current residents’ needs. According to the U.S. General Services Administration, “landholding agencies must survey the real property under their custody or control to identify property that is not utilized, underutilized, or not being put to optimum use. Disposal agencies must have adequate procedures in place to promote the effective utilization and disposal of such real property.”¹⁸ Yet many agencies do not have a clear articulation of how lands get disposed and what constitutes “surplus lands.” At all levels, institutional criteria and a more transparent public process are needed to evaluate what sites are held for government use, future development, and surplus uses.

Another theme incessantly reiterated by many stakeholders who provided input for this report was the conviction that public lands be retained to advance public good and purpose *in perpetuity*. A land trust model could serve this purpose; however, one of the key barriers to the expansion of CLTs in the Bay Area is the high cost of land. This is where responsible stewardship of public lands can make a significant impact on combating displacement and creating complete communities to meet community needs.

The next section will provide an overview of current property disposition policies and laws governing publicly owned land.

¹⁸ U.S. General Services Administration, Subchapter C—Real Property.

4. Overview of practices governing publicly owned land

The section will summarize the land disposition practices and laws governing land from the following public agencies: City of Oakland, Oakland's Redevelopment Successor Agency (now branded as the Project Implementation Division), BART, Oakland Unified School District, AC Transit, East Bay Municipal Utilities District, East Bay Regional Parks District, Peralta Community College District, and Caltrans.¹⁹ The purpose of this section is to understand the property disposition process by each land-holding public agency. Table 4 summarizes each agency's consideration to transfer land for community and public objectives and whether it offers a public bidding process. That way, the public can better monitor public lands, particularly those that become "surplus."

CITY OF OAKLAND (1146 PARCELS)

The current rules governing the acquisition and disposition of real property by the City are scattered in a series of about a dozen stand-alone ordinances and resolutions adopted over the past 40 years. These ordinances and resolutions are not codified in the Municipal Code nor are they otherwise easily available to the public.

In January 2015, the City Council adopted recommendations from the City's Attorney Office to reconcile the city's property laws and to merge their ordinances and resolutions governing the purchase, sale and lease of real property into a single ordinance that would be codified in the Oakland Municipal Code. The ordinance also updated and revised the city's real property acquisition and disposition laws.²⁰ A comprehensive list of changes is provided in Appendix A.

Currently, the City owns more than a thousand properties. These properties fall into a wide variety of categories, including:

- Land that has been deliberately acquired for a specific facility or purpose (e.g., site for a fire station, park, corporation yard, etc.);
- Properties acquired for future development;
- "Remnant" parcels, which are irregular parcels left over from road construction or other capital projects;
- Bequests and donations of property;
- Property that was previously developed for a city facility;
- Parcels that are jointly administered with other government agencies.

¹⁹ Although this research has identified 15 land-owning public agencies in the City of Oakland, not all public agencies answered requests for interviews or have land disposition processes.

²⁰ Oakland Municipal Code 2.42.

The vast majority of the City's properties are dedicated for a civic purpose, which means only a small fraction of these properties will be eligible for sale or lease.

Process for disposition of property for development

As defined in the City's disposition for development policy:

“The City Administrator markets the real property by issuing a public and competitive NODO to potential developers and other interested parties. The NODO requests potential developers and other interested parties to submit written purchase or leasing and development proposals for the property.

The City Administrator may elect to waive the competitive NODO process and negotiate a disposition transaction with a selected developer, if the City Administrator determines that (1) disposition through a competitive *NODO process is impractical*, or (2) disposition through a process other than a competitive NODO process is otherwise in the best interests of the City. The City Administrator must explain the basis for any such waiver when he or she presents the proposed disposition to the City Council, and the City Council *shall make findings in support of any waiver of the NODO process* as a condition to approving any transaction (emphasis added)

In evaluating development proposals for real property under this article, the City Administrator may consider, without limitation, in addition to price, any of the following factors:

- The value of the proposed use of the real property to the community and the City as a whole
- The compatibility of the proposed development and use with current zoning and community plans applicable to the real property
- The compatibility of the proposed development and use with the character of the surrounding neighborhood
- The experience, capacity and financial resources of the proposed developer
- The quality of project design
- The environmental sustainability of the proposed development
- Community and public objectives achieved by the proposed development, such as creating jobs, expanding the tax base, providing other fiscal benefits, providing needed commercial or social services, providing or improving needed infrastructure, increasing, improving or preserving the stock of housing affordable to low and moderate income households, eliminating physical or economic blight, and contributing to the economic vitality of the neighborhood.
- Other factors, as the City Administrator may deem applicable.”²¹

²¹ Oakland Municipal Code Chapter 2.41.

The ordinance gives broad authority to the City Administrator to sell or lease city-owned property for development based on a variety of factors. To encourage faster development, the City Administrator also has the authority to waive a competitive NODO/RFP process and negotiate a disposition transaction with a developer. Many community advocates are standing against the practice of selling public sites to market-rate developers and entering into exclusive negotiating agreements without a competitive NODO process. As a recent example, the sale of a city-owned parcel just east of Lake Merritt has generated a tremendous amount of pushback from housing advocates and neighbors because “the city did not extract affordable housing out of the project and gave no consideration to affordable housing nonprofit developers,” said East Bay Housing Organization (EBHO) Policy Director, Jeff Levin.²²

The sale of a city-owned parcel just east of Lake Merritt has generated a tremendous amount of pushback from housing advocates and neighbors because “the city did not extract affordable housing out of the project and gave no consideration to affordable housing nonprofit developers.”

– EBHO Policy Director,
Jeffrey Levin

CITY OF OAKLAND’S REDEVELOPMENT SUCCESSOR AGENCY (88 PARCELS)

The City of Oakland’s Redevelopment Agency was dissolved as of February 1, 2012 and the Redevelopment Successor Agency has been created to carry out the activities of the former redevelopment agency, which is now housed within the Project Implementation Division. The Project Implementation Division are the City staff implementing the Long Range Property Management Plan (LRPMP) and issuing RFPs for lands the City wants developed.²³

The Oakland Redevelopment Successor Agency (ORSA) has prepared a long-range property management plan (LRPMP) for 88 parcels, which are comprised of 36 properties (table 3). The LRPMP divides the properties into four categories: 1) properties retained for governmental use; 2) properties retained to fulfill an enforceable obligation; 3) properties retained for future development; and 4) properties to be sold by ORSA. The majority fall under the category of “property held in retention for future development.

²² Interview with EBHO’s Policy Director Jeffrey Levin.

²³ From City of Oakland Website, Project Implementation Division.

Table 3. Long Range Property Management Plan Sites

Use of Property	Number of Properties	Examples
Governmental Use	4	Sunshine Court, 13 th Street BART Entry, Amtrak Station, Leona Creek Right of Way
Property Held to fulfill an Enforceable Obligation	2	Fox Theater, Sears Parcels
Property held in Retention for Future Development	25	1800 San Pablo Avenue, 23rd & Valdez, Uptown Parcel 4, Telegraph Plaza Garage, Foothill & Seminary, Fruitvale Transit Village Phase II, Coliseum City sites
Held for Sale	5	Oak Center Remainder Parcels, 1606 & 1608 Chestnut Street, 822 Washington, Franklin 88 Parking Garage, 8th & Filbert

See appendix B for complete list of Long Range Property Management Plan Sites.

Property disposition process

The property disposition process for former redevelopment property follows the same parameters as city-owned parcels, as outlined in the previous section. The City’s intended schedule going forward for disposing of land owned by the Oakland Redevelopment Successor Agency (ORSA) is every three months.²⁴ Currently, there are four parcels that are currently out for a RFP or in exclusive negotiation with a private developer, including 1911 Telegraph located in Downtown.²⁵

1911 Telegraph is the first of the properties on the LRPMP up for sale. Next to the Fox Theater, 1911 Telegraph Avenue will certainly anchor the Uptown neighborhood and attract an iconic project. There is also no height limit on the 1-acre site, according to Kelley Kahn, Oakland’s special projects director. The RFP hinted at the preference towards hotel development to meet the short supply of hotels in the area. Plus, it would provide the city with transient occupancy tax revenue (TOT). At the closing of the application in December 2014, three out of eight of the developers proposed hotels. Bridge Housing, a nonprofit housing developer, is teaming up with a private developer to build the hotel component of its mixed-used plan to also construct affordable housing on the site.

RFP Selection Criteria for sale of 1911 Telegraph Avenue

- 30 points - Experience of Developer Team, including Architect and Key Individuals
- 10 points - Financial Capacity
- 30 points - Project Design
- 15 points - Project financial feasibility
- 15 points - Community and Public Objectives
- 100 points total



²⁴ E-mail communication with City of Oakland’s Project Implementation Division.

²⁵ City of Oakland RFP Application for 1911 Telegraph Avenue. Application closed December 2015.

CITY OF OAKLAND SURPLUS PROPERTIES

“After a property has served its purpose and becomes surplus to core city business activities—and is deemed not suitable for the City lease portfolio—the Surplus Property Disposal Program prepares it for marketing and administers the sale. This is generally accomplished through a competitive bidding process, generating revenue for city operations or other beneficial uses,” the City website states.²⁶

In early 2014, the California State Assembly passed AB 2135 (California Surplus Lands Act), a legislation that gives affordable housing development projects the right of first refusal to obtain surplus land held by local governments. It also gives project developers more time to negotiate the purchase of these surplus lands, stipulates that the land can be sold for less than fair market value, requires that housing projects that are 100 percent affordable are given first priority, and codifies that if there are no affordable housing bids and the surplus property is transferred to residential development then 25 percent of the units must be affordable.²⁷

At the time of this writing, the City of Oakland has 4 surplus properties—all of which are zoned single-family residences in the East Oakland Hills. However, the City has indicated it will release a list of potential surplus sites later this year.

There are 4 city-owned parcels currently out for a RFP or in exclusive negotiation with a private developer, all of which are not considered “surplus lands” and therefore not subject to the State’s Surplus Lands Act, a requirement of first consideration for affordable housing. Without a local inclusionary housing ordinance, it is difficult to push for affordable housing on those sites.

Appendix C will provide details about the City’s surplus properties process.

BART (99 PARCELS)

BART currently does not have a master plan to guide the development of its properties and no policy to dispose of land. However, BART “generally favors long-term ground leases, rather than the sale of property, as the standard disposition strategy for joint development projects, except in cases where alternative approaches are required to achieve specific development objectives or where other strategies would generate greater financial returns to the District.”²⁸ On July 14, 2005, the BART Board adopted a Transit-Oriented Development (TOD) Policy. The BART Strategic Plan identifies three Station Area planning objectives:

1. Promoting Transit-Oriented Development on BART property
2. Encouraging Transit-Oriented Development within walking distance of each BART station

²⁶ City of Oakland. Surplus Property Disposal Program.

²⁷ AB 2135 www.leginfo.ca.gov.

²⁸ BART. (2005). Transit-Oriented Development Policy.

3. Advocating for Smart Growth and Transit-Oriented Development throughout the Bay Area and beyond

In Oakland, BART has a strong objective to support Oakland's specific plans and is a member of stakeholder and technical advisory groups. Staff is working with city and private partners on land use plans near several stations including West Oakland, Lake Merritt, 19th Street Oakland, Coliseum/Oakland Airport. Developers are in construction on the affordable housing phase of development on BART property at MacArthur. BART is developing short- and long-term strategies for all of its real estate holdings based on information gleaned from a portfolio analysis,²⁹ although it is unclear whether this will be an internal or public document.

Property disposition process

BART does not tend to sell real property. Under a ground lease option, BART (1) issues a Request for Qualifications (RFQ) to identify developers, (2) negotiates the detailed terms with the developer(s), and (3) enters into a development agreement.³⁰

OAKLAND UNIFIED SCHOOL DISTRICT (177 PARCELS)

The OUSD Board of Education approved an asset management policy that stated that the district would develop a plan to manage its assets at the system-level and that school buildings should first and foremost be used to educate children in Oakland. Property disposition is a low-priority option.

Properties that are not being used to educate students, provide core administrative services, or leased by community-based partner organizations, shall be leased to other entities unless the Board of Education declares the property surplus and approves the sale of any such property.³¹

In April 2014, The Board of Education established the 7- 11 Committee to guide the reuse, repurposing and disposition of school buildings and vacant sites not needed for school purposes.³²

Property Disposition Process

Property disposition is rare; however, OUSD currently retains 5 vacant properties (four former school sites and one former administrative building).

OUSD's top priority for these sites is to find a use for the former school sites for charter schools, or to use them in other ways to educate Oakland students.

²⁹ BART FY 2015 Budget Pamphlet.

³⁰ Interview with BART Planning and Development staff.

³¹ OUSD Board Policy 7350, adopted August 2013.

³² OUSD Board Resolution No. 1314-1108.

In the event that OUSD wants to do something other than use a facility to educate children, they would:

- Assess potential buyers/lessees/partners for the facility
- Determine the value of the property
- Determine the type of facility use agreement (long-term lease, short-term lease, joint use agreement, sale, etc.)
- Deputy chief of facilities presents information to OUSD's 7-11 Surplus Property Advisory Committee
- 7-11 committee makes a recommendation of disposition to the Superintendent and Board of Education
- Board education votes on disposition

It is unclear whether the transfer of OUSD school sites give priority to community or public objectives.

AC TRANSIT (8 PARCELS)

AC Transit does not own many real properties and thus its disposition process primarily applies to tangible personal equipment.³³ AC Transit likely currently occupies the 8 parcels for administrative use and for its parking fleet.

EAST BAY MUNICIPAL UTILITY DISTRICT (117 PARCELS)

According to the Land Use FAQ on the EBMUD website, "occasionally EBMUD sells surplus property. Under California law, it must first be offered to other public agencies and then to the general public."³⁴ It is unclear whether the disposition process considers a public or community objective.

Property Disposition Process

EBMUD's "practice is to sell surplus real estate in the manner which brings the most revenue to the agency. Usually the process involves competitive bidding. When parcels are sold by competitive bid, the sale is advertised in local newspapers and by mailers to interested parties."

EAST BAY REGIONAL PARKS DISTRICT (108 PARCELS)

³³ AC Transit, Board Policy 356, "Disposition Of Surplus Equipment, Supplies, And Other Tangible Personal Property Of The District."

³⁴ East Bay Municipal Utility District. Land Use FAQ.

The East Bay Regional Parks District does not have a policy to dispose of any lands and is more likely to acquire lands or joint-develop public lands for open space, resource conservation, trails access, and recreation.³⁵

As stated in the EBRPD Master Plan,

“The District seeks to acquire parklands and trails over the years based on the features they contribute and work together for optimum public use, which may include natural resources, historic or cultural resources, interpretive and educational opportunities, scenic value, access and transportation, or, in the case of trails, a needed link in the regional parks system.” The District Board, with the participation of the citizen-based Park Advisory Committee (PAC), annually reviews undedicated land holdings to determine which may be suitable for parkland dedication in perpetuity.³⁶

PERALTA COMMUNITY COLLEGE DISTRICT (26 PARCELS)

Under Board Policy 6550 Disposal of Property, “the Chancellor is delegated authority by the Board of Trustees to declare as surplus such personal property of the District as is no longer useful for District purposes... All sales of surplus personal property shall be reported to the Board on a periodic basis.”³⁷

The Administrative Procedure states,

“The District can sell or lease real property belonging to the community college district if both of the following conditions are met:

1. The property is sold or leased to another local governmental agency, or to a nonprofit corporation that is organized for the purpose of assisting one or more local governmental agencies in obtaining financing for a qualified community college facility; and
2. The financial proceeds are expended solely for capital outlay purposes relating to a qualified community college facility.”

Property Disposition Process

The Administrative Procedure states,

“The District can also exchange for value, sell for cash, or donate any personal property belonging to the District without complying with the preceding procedures if all of the following criteria are met:

³⁵ Interview with EBRPD Land Acquisition staff.

³⁶ East Bay Regional Parks District 2013 Master Plan.

³⁷ Peralta Community College District. Board Policy 6550 “Disposal of Property.”

1. The District determines that the property is not required for District purposes, that it should be disposed of for the purpose of replacement, or that it is unsatisfactory or not suitable for school use.
2. The property is exchanged with, or sold or donated to, a school district, community college district, or other public entity that has had an opportunity to examine the property proposed to be exchanged, sold, or donated.
3. The receipt of the property by a school district or community college district will not be inconsistent with any applicable district wide or school site technology plan of the recipient district.”

STATE OF CALIFORNIA (269 PARCELS)

Lands owned by the State of California serve a variety of purposes, from environmental protection (e.g. Department of Fish and Wildlife), schools (e.g. California State Universities), to transportation (e.g. Department of Motor Vehicles, Caltrans, California Highway Patrol).

Ownership data from the County of Alameda’s Assessor Data does not indicate a separate field for responsible departments (e.g. Caltrans). The State has different policies governing state-owned lands, depending on the departments within the State for their business and operational needs. Since most of the state’s lands in Oakland are in the transportation right-of-way as viewed on the map, this section will only look at Caltran’s excess land policy.

Property Disposition Process

As stated in Caltrans' Excess Lands FAQ,

“Excess land is property that Caltrans originally acquired for a transportation project or other operational need such as a maintenance station. The property becomes excess when the Department determines that it will no longer be necessary for a transportation project or other operational need.

Excess land is sold at auction, either by an oral public auction or a sealed bid auction. Under certain circumstances, excess property may be offered for sale directly to adjoining property owners. It may also be offered for direct sale to public agencies if the property is to be used for a public purpose. There is a minimum bid, though sometimes it may be unannounced.

Proceeds from the sale of excess land are deposited in to the State Highway Account and used for future transportation projects.”³⁸

OTHER AGENCIES

³⁸ CA Department of Transportation. Excess Lands “Frequently Asked Questions.”

Property disposition processes and surplus lands policies were not found for Alameda County, Alameda County Flood Control District, UC Regents, the State of California, and federal lands. Agency representatives did not respond to any requests for information at the time of this writing.

Based on this report's research of property disposition policies, many public agencies are doing a unsatisfactory job making this information publicly accessible. Transparent and publicly-accessible procedures should be put in place to promote the effective utilization and disposal of real property.

Table 4 provides a summary of property disposition policies.

Table 4. Summary of Agency Property Disposition Policies


Public Agencies	Property Disposition Process Considers Community and Public Objectives	Offers Public Bidding Process
AC Transit	Unclear	Information cannot be found
Alameda County Flood Control	Information cannot be found	Information cannot be found
Amtrak	Information cannot be found	Information cannot be found
BART	Yes	Yes (applicable for ground leases)
Caltrans	Yes	Sometimes
City of Oakland	Yes	City Administrator's discretion
City of Oakland Housing Authority	Yes	Information cannot be found
County of Alameda	Yes	Unclear
East Bay Municipal Utility District	Unclear	Yes
East Bay Regional Park District	Yes	Not applicable
Federal Land	Unclear	Information cannot be found
Oakland Unified School District	Unclear	Unclear
Peralta Community College District	Yes	Yes
Redevelopment Successor Agency	Yes	City Administrator's discretion
UC Regents	Unclear	Information cannot be found

5. Maps

The goals of the maps are to show the distribution of publicly owned land within the City of Oakland and to strengthen advocacy efforts related to public land capture. It is recommended that users go to this link for map interaction³⁹: <http://cdb.io/1NWVTLb>

Map layers shown:

- Community assets
- Major Development Projects in the pipeline as of December 2014
- Long Range Property Management Plan Sites
- Public opportunity sites for residential development identified in the Housing Element (2015-2023)
- Publicly Owned Land by Ownership



How to use the maps:

1. Go to cdb.io/1NWVTLb
2. Click on a parcel or icon to find out more information (address, zoning, size)
3. Layers can be turned on and off
4. Zoom is available

COMMUNITY ASSETS

Community assets in this inventory include BART stations, parks, hospitals and clinics, schools, libraries, and recreation centers.

2014 MAJOR DEVELOPMENT PROJECTS

A growing economy has brought a surge of development in Oakland. Based on the inventory analyzed in this research, nearly 10,000 residential units will be constructed. However, with no inclusionary housing ordinance in place, the City of Oakland cannot extract affordable units from these projects. The pipeline of nearly 50 major development projects predominantly located in Oakland’s waterfront, Downtown, Uptown, West Oakland, and near BART stations represent an opportunity to plan for the disposition of publicly owned land dedicated to affordable housing and amenities that serve a public purpose and to promote equitable development.

Major developments on former publicly-owned sites include^{40 41}:

1. **Brooklyn Basin (formerly known as Oak to Ninth Ave)**
Public Agency: Port of Oakland (City of Oakland)

³⁹ Maps created using CartoDB, a shareable web mapping platform.

⁴⁰ Retrieved from City of Oakland “Active Major Development Projects-November 2014”

⁴¹ Ellson, Michele. “The Development Report: Meanwhile, in Oakland.” The Alamedian, 21 January 2014.

Size: 65 acres

Developers: Signature Properties, Zarsion Holdings Group of Beijing and Reynolds and Brown

What's being built: 3,100 new homes; 200,000 square feet of commercial space; and 30 acres of public open space

Affordable housing component: 15% (465 affordable units)

Expected Completion: 2021

2. **Oakland Army Base**

Public Agency: Port of Oakland (City of Oakland)

Size: 160 acres

Developers: CCIG Prologis; City of Oakland

What's being built: 1.5 million square feet of industrial space

Expected Completion: 2019

3. **MacArthur BART Transit Village**

Public Agency: BART

Size: 7 acres

Developers: Bridge Housing

What's being built: 624 residential units; 42,500 square feet of commercial space

Affordable housing component: 14%

Expected Completion: 2021

4. **Clay & 12th Street**

Public Agency: City of Oakland

Developer: Strada

What's being built: 250 residential units

Affordable housing component: none

Status: In negotiation

5. **Valdez & 23rd Street**

Public Agency: City of Oakland

Developer: Thompson-Dorfman

What's being built: 281 residential units; 12,000 square feet of commercial space

Affordable housing component: none

Status: In negotiation

6. **Lake Merritt Boulevard Apartments**

Public Agency: City of Oakland

Developer: UrbanCore

What's being built: 298 residential units

Affordable housing component: none

Status: Approved

See Appendix D for all major development projects that were approved or under construction in 2014.

Certainly, the City's approved specific plans have stimulated development interest: Broadway Valdez District Specific Plan, Lake Merritt Station Area Plan, West Oakland Specific Plan, Harrison Street/Oakland Avenue, Central Estuary, and International Boulevard and Transit-Oriented Development Plan. Planning is underway for Coliseum City (East Oakland), which have spurred significant real estate interest and speculation. Figure 6 shows publicly owned lands near the Coliseum area.

Figure 6. Publicly owned lands near the Coliseum area.



Coliseum City

There are about a dozen LRPMP sites (former redevelopment properties) slated for future development in Coliseum City, an area stretching from the Coliseum to the airport planned for sports facilities, hotels, retail, and a technology business center. Community residents and organizations have advocated for increasing the amount of affordable housing called for in the Coliseum City Specific Area Plan. Since much of the land near the Coliseum is publicly owned, it can lower the cost of affordable housing development. It is imperative that the city enacts anti-displacement strategies to ensure existing residents can stay in their communities and that public investment and new amenities benefit low-income and communities of color.



Source: JRDV

OPPORTUNITY SITES – HOUSING ELEMENT 2015-2023

There are 221 opportunity sites (344 individual parcels) identified for residential development in the City’s Housing Element 2015-2023. Of the total 221 sites, 49 are publicly owned and scattered throughout Downtown, Lake Merritt, Fruitvale, Coliseum area, and Eastmont. These parcels are vacant, highly underutilized, or surface parking lots. Figures 7 and 8 show publicly owned opportunity sites by ownership and current use, respectively.

See Appendix E for complete list of publicly owned opportunity sites.

Figure 7. Ownership of Publicly Owned Opportunity Sites Identified for Residential Development

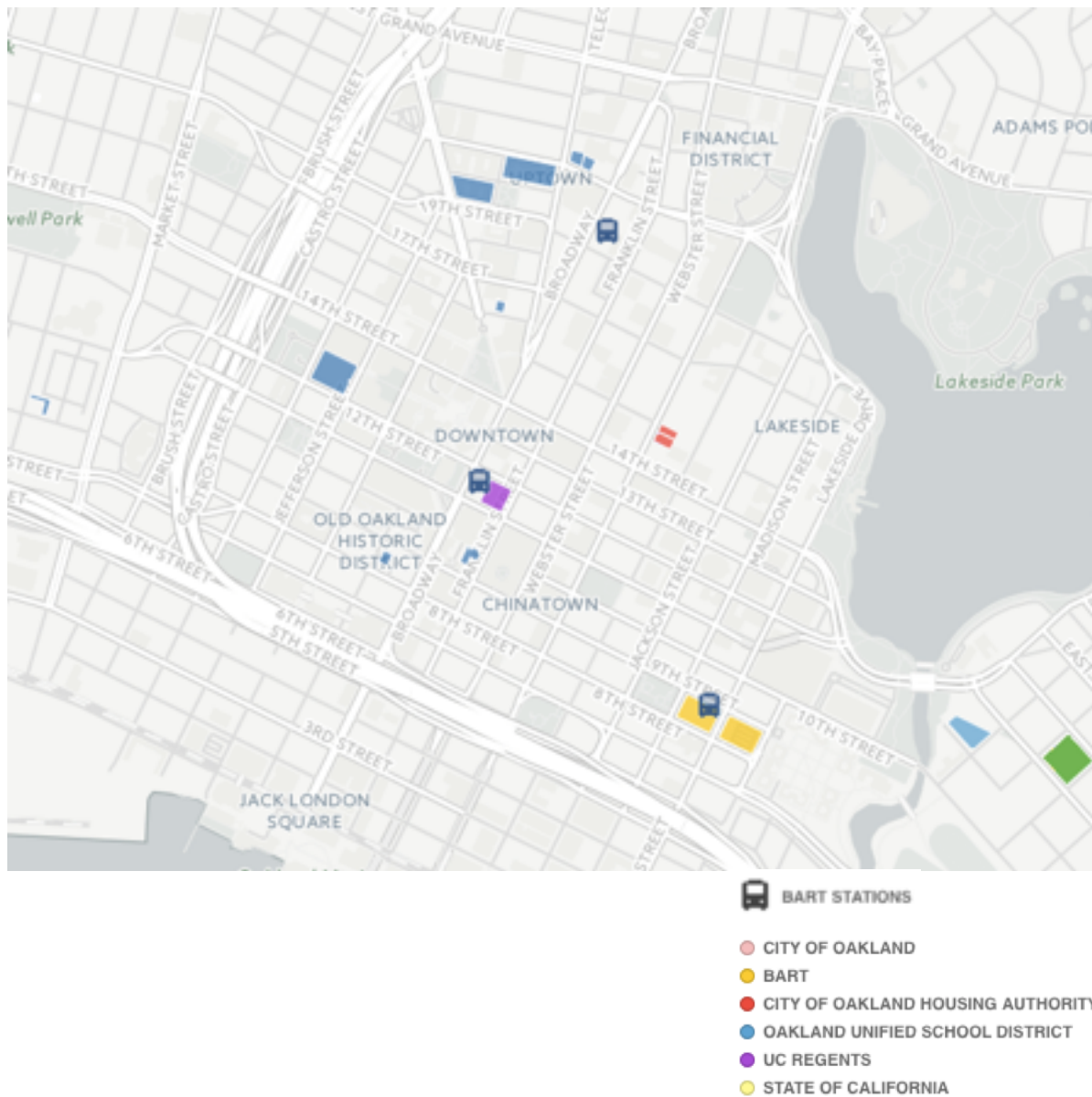
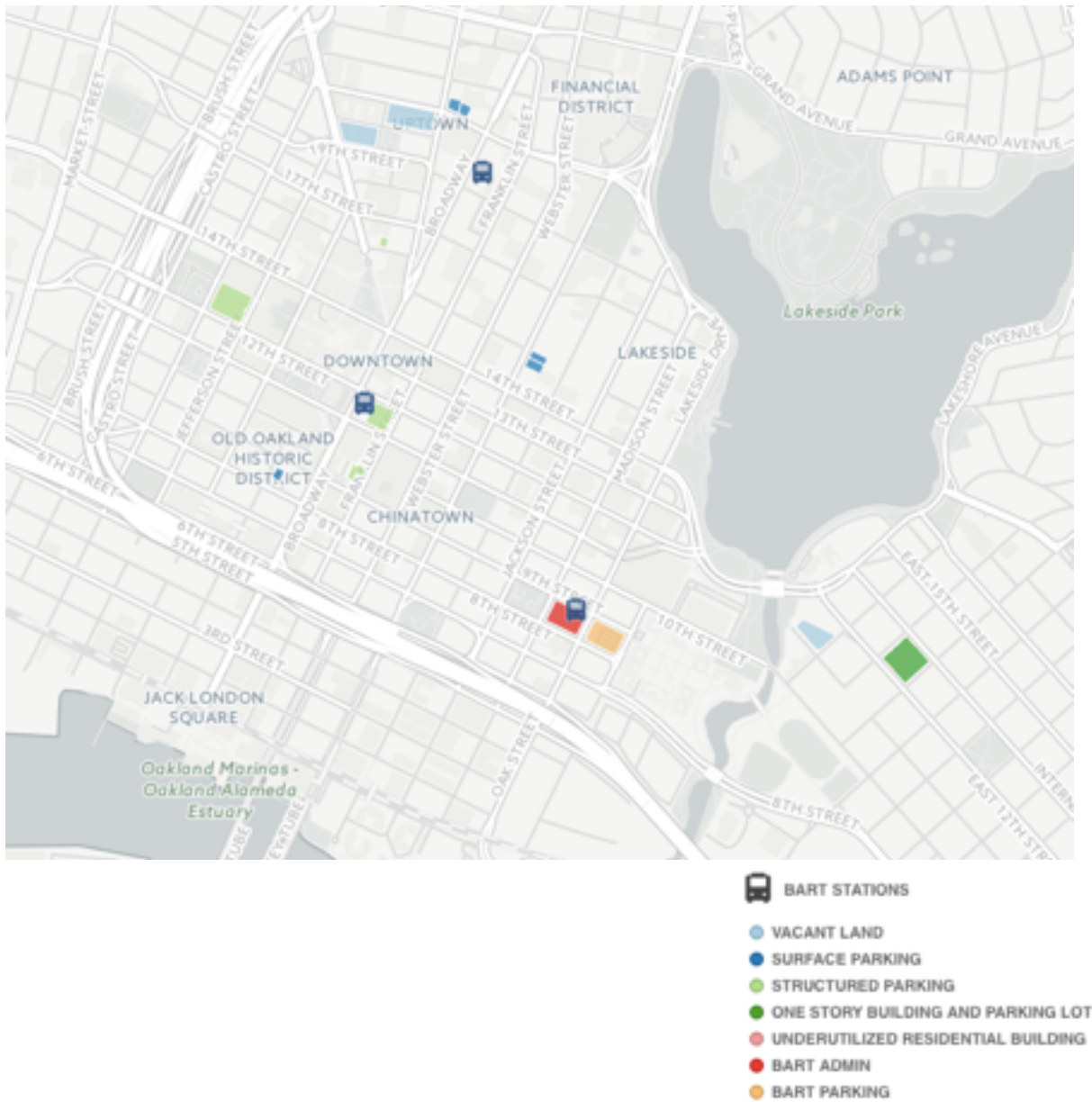


Figure 8. Current Use of Publicly Owned Opportunity Sites Identified for Residential Development



6. Recommendations

The following recommendations are gathered through interviews with local community-based organizations and model policies from municipalities around the United States. This report is calling for the City to pursue an inclusive public lands policy that serves a variety of public needs to create complete communities: affordable housing, open space, urban agriculture, and economic development. Political support and action is crucial—the public sector must play a major role in intervening against displacement and ensuring equitable development in *all* neighborhoods. Long-term and strategic stewardship of public lands should be expanded to the county-level in order to coordinate policies and funding among public agencies. The following looks at each public need in turn.

AFFORDABLE HOUSING PRODUCTION

With the loss of redevelopment and the exhaustion of past state affordable housing bond funds, California has virtually no resources to construct affordable housing. Fast-rising rents and a shortage of affordable housing in the Oakland could be addressed through a public lands policy. There are over 1500 publicly owned parcels that permit residential uses in the city, which could be used to help achieve its affordable housing goals.⁴²

1. Offer public lands for constructing affordable housing as a city priority.

Case Studies: Arlington County (Va.), Montgomery County (Md.) and the City of Alexandria (Va.), Washington, DC.

These cities are seeking to incorporate affordable homes on more types of public properties – from surplus property sites to the grounds of new fire stations, libraries and community centers. Offering land in these contexts at a discount to developers that agree to include a significant share of affordable homes helps make new affordable homes more financially feasible. Washington DC’s Disposition of District Land for Affordable Housing Act of 2013 requires that all new multifamily residential developments on city-owned land include at least 20-30% affordable housing.⁴³

Key criteria for choosing suitable sites⁴⁴:

- Clear of legal encumbrances (such as environmental or historic preservation restrictions)
- Clean (free of environmental contamination)

⁴² Based on City of Oakland’s zoning that permits residential uses (RM, RD, RH, CBD, CN, CC).

⁴³ Disposition of District Land for Affordable Housing Act of 2013. Enacted by the Washington DC Council.

⁴⁴ Robert Hickey and Lisa Sturtevant. (2015). *Public Land and Affordable Housing in the Washington DC Region: Best Practices and Recommendations*. Center for Housing Policy and the National Housing Conference.

- Adequately sized and shaped so that multifamily housing can support a sufficient number of housing units to be managed and operated efficiently
- Located in an accessible location near frequent transit, daily necessities, and economic and educational opportunities.

2. *Make clear the methodology and timeline of surplus lands disposal.*

So far, there has been no suitable land for sizable residential development deemed “surplus” in the City of Oakland. The Surplus Lands Act is a new legislation that gives affordable housing development projects the right of first refusal to obtain surplus land held by local governments. Additionally, it is unclear what distinguishes the city’s ability to enter into exclusive negotiation agreements versus a public notice of development opportunity (NODO) for the sale of city-owned properties—surplus or not. The lack of public competitive bidding and transparency in the disposition process may prompt legal challenges.

3. *Preserve sites near transit for affordable housing development.*

This means aligning with existing funding programs tied to sustainable transportation and infill development, such as the Bay Area Transit Oriented Affordable Housing Fund (TOAH) and the Affordable Housing and Sustainable Communities Program (AHSC). TOAH invests in projects located in Priority Development Areas, which calls for higher density infill development near transit. The TOAH fund has allowed developers to access capital to purchase available property near transit lines for housing construction. In an effort to carry out the state’s greenhouse gas reduction goals (SB 375), AHSC funds transit oriented development projects, including affordable housing at or near transit stations.

4. *Take advantage of joint development opportunities with transit agencies.*

There are several dozen publicly owned sites, several of which are BART-owned, within a half-mile radius of BART stations. These range from half an acre to a couple acres, which present great opportunities for urban infill. Transit operators are in a particularly advantageous position to benefit from TOD: by converting underutilized land near stations for affordable housing, they can boost ridership and improve financial viability and service for all users, especially low-income residents who use transit at higher rates than high-income residents.⁴⁵

Case Study: LA Metro

In March 2015, the Los Angeles Metropolitan Transportation Agency's governing board passed a policy to set aside 35 percent of its own land for affordable housing. Metro will sell the land at below market rates to entice developers to build apartments near transit hubs for low-income residents.⁴⁶

⁴⁵ Alex Hallowell, Great Communities Collaborative. (2015). Making the Case: Transit Agencies and Affordable TODs.

⁴⁶ Los Angeles Metro. March 26, 2015 Board of Directors Meeting. Item 51.

5. *Partner with the Oakland Community Land Trust.*

Partnering with a community land trust is another strategy to steward public lands, preserve affordable housing, and prevent hostile foreclosures⁴⁷. The mission of community land trusts is to provide homeownership opportunities to low- and moderate-income families while ensuring permanent housing affordability through the use of a land trust model. The Land Trust owns the land and does not pass that cost to the homeowner. Taking the price of the land out of the equation makes the home more affordable. In return, the home is sold to the next family at a price they too can afford. The model is widely used around the country and the world, including some UC schools. The universities employ the model to recruit and retain faculty and staff who would otherwise be priced out of the housing market and not stay to work in the University area. In Sonoma County, this “recruitment and retention” concept is being extended to public safety workers, teachers, and other service providers. One of the key barriers to the expansion of CLTs in the Bay Area is the high cost of land.

6. *Reform the RFP Process.*

For nonprofit housing developers, gathering a team and finding design consultants can be a difficult and expensive process. Therefore, steps should be taken to (1) increase the 30-day application window, (2) providing a stipend to nonprofit housing developers, which can encourage more applicants and level the playing field against traditional real estate developers, and (3) articulately clearly the public benefit goals for the reuse of city-owned parcels to make the evaluation process more transparent.⁴⁸

There are numerous proposals to bolster affordable housing in California:

AB 35: Increase to \$370 million annually the state’s Low Income Housing Tax Credit, used by developers to fund affordable projects, up from its current statutory level of \$70 million.

AB 90: Dictate how California would distribute federal dollars expected to flow out of the National Housing Trust Fund in coming years.

AB 1056: Fund housing for formerly incarcerated people, using savings California is expected to see from Proposition 47 decreasing the number of inmates the state locks up.

AB 1335 (Building Homes and Jobs Act): Create a dedicated affordable housing fund by placing a fee, currently proposed to be \$75, on real estate transaction documents. Home sales would be excluded.

⁴⁷ From interviews with the Oakland Community Land Trust, Housing Trust of Sonoma County, Northern California Land Trust.

⁴⁸ From interviews with nonprofit affordable housing developers.

URBAN AGRICULTURE

There is a dearth of grocery stores in Oakland's flatlands neighborhoods, with food available only at liquor and corner stores, few of which sell fresh produce.⁴⁹ Food justice organizations are increasingly committed to expanding local, sustainable food production, both in order to reduce the urban "ecological footprint" and to create new linkages between local farmers and urban consumers.⁵⁰

Urban agriculture can contribute to local food access and nutrition, improve safety, build community, and empower participants in shaping the future of the community. The transformation of derelict land into small garden plots often serves as process of community development.

1. *Preserve smaller neighborhood sites for urban agriculture.*

Capture the enthusiasm and organizational capacity of residential associations, schools, churches, and local nonprofits to grow food and build community. There are many small and irregular-sized parcels scattered across Oakland that can provide local food access, education, and community building.

2. *Adopt an Edible Parks Program by allowing parks and other public spaces to be used for food sharing.*

As a public space, parks hold great opportunity to expand upon their role in providing both physical and mental health into food security, nutrition education and community stewardship. Many communities in Oakland do not have access to healthy food and others are not fully utilizing city parks for a variety of reasons. Some parks in Oakland are already growing fruit trees, but this should be promoted at the city level.⁵¹

Case Study: Beacon Food Forest in Seattle

Beacon Food Forest, located next to a large recreational park, has turned a 7-acre public site into an edible forest garden (figure 9). The permaculture project combines aspects of native habitat rehabilitation with edible forest gardening. The Beacon Food Forest is designed to improve local food security, provide educational opportunities, and rehabilitate Seattle's local ecosystem. According to Beacon Food Forest organizers, "finding allies is essential to creating a large scale urban agriculture project. We started by partnering with other food ecology advocates... Outreach to local high schools, elementary schools, church groups, hospitals, Rotary Clubs etc. has proven successful in gathering leverage support, grant funding and general involvement."

⁴⁹ HOPE Collaborative (2009) "A Place with No Sidewalks" for preliminary findings on food access in six flatlands neighborhoods, as well as Alameda County Public Health (2008) "Life and Death from Unnatural Causes".

⁵⁰ McClintock, Nathan and Cooper, Jenny (2009). *Cultivating the Commons: An assessment of the potential for urban agriculture in Oakland's public lands*. UC Berkeley Department of Geography.

⁵¹ Interview with Phat Beets Produce and Oakland Food Policy Council staff; Edible Parks Oakland.

Figure 9. Beacon Food Forest in Seattle



“Finding allies is essential to creating a large scale urban agriculture project. We started by partnering with other food ecology advocates...Outreach to local high schools, elementary schools, church groups, hospitals, Rotary Clubs etc has proven successful in gathering leverage support, grant funding and general involvement.”

-Beacon Food Forest organizers

3. *Transform roofs, balconies and paved areas in publicly owned buildings or underutilized lands into gardens.*

Case Study: Salt Lake Valley Health Department Building

The Salt Lake County’s Urban Farming Program encourages the reuse of publicly owned lands that are being underutilized and convert them into productive gardens and farms for commercial and community use⁵². The program has also collaborated with other county agencies to initiate and support refugee gardens, jail horticulture, and the Environmental Health Sustainability garden. In an effort to reduce utility usage in the Salt Lake Valley Health Department building, the Environmental Health Sustainability Garden is helping educate the public in sustainable practices. Local schools have adopted the garden as part of their science curriculum and assist in planting and harvesting the produce.

4. *Create an Urban Agriculture Coordinator position within the City of Oakland.*

In addition to building relationships with community residents and organizations, A UA Coordinator could help to streamline the acquisition process by creating templates for a Memorandum of Understanding, Land Management Plans, lease agreements, and liability.⁵³

⁵² Salt Lake County (2013). *Urban Farming Program Implementation Handbook*.

⁵³ McClintock, Nathan and Cooper, Jenny (footnote 48).

OPEN SPACE & ENVIRONMENTAL STEWARDSHIP

Many studies have documented environmental injustice in the distribution of urban green space which shows that racial/ethnic minorities and low-income people have less access to green space, parks, or recreational programs than those who are White or more affluent⁵⁴. In a study predicting susceptibility to gentrification in the Bay Area, the availability of amenities topped the list of factors that lay behind gentrification. Most amenities, from small parks to public space to youth facilities, seem to be strongly associated with gentrification—the paradoxical effect known as “environmental gentrification”⁵⁵. Some urban planners and ecologists have put forward the “just green enough” model, which calls for smaller-scale transformation of remnant urban land rather than grand projects that tend to attract real estate speculation⁵⁶. The model advances a “careful balancing act” of improving environmental resources while forestalling environmental gentrification:

- "Planners must be willing to design projects determined by specific community needs and preferences."
- "...prioritize small and scattered parks and community gardens, which can distribute access throughout a neighborhood, rather than flashy, large-scale projects of the type that tend to attract attention and real estate speculation."⁵⁷

This is a call to link planning for open space to various processes for planning, building affordable housing, and implementing rent stabilization measures.

1. *Adopt a land acquisition policy that prioritizes open space development and funding for acquiring new open space and watersheds within high need areas.*

Case Study: San Francisco Land Acquisition Policy

In San Francisco, land acquisition for open space development is prioritized in “high need areas,” which are defined as areas with the highest densities, highest concentrations of children, youth and seniors, and households with the lowest incomes tended not to be well-served by the City’s parks, open space, and natural areas, both in terms of walking distance and in terms of the range of open space activities available. Sufficient open space is commonly considered to be within the walking distance required to access both active and passive recreation. For adults that distance is one half mile (roughly a 10 minute walk). For activities involving playgrounds or small children, this distance is reduced to 1/4 mile (roughly a five minute walk).⁵⁸

⁵⁴ Dooling, S. (2009). “Ecological gentrification: A research agenda exploring justice in the city.” *International Journal of Urban and Regional Research*, 33, 621–639.

⁵⁵ Chapple, Karen. (2009). (footnote 5).

⁵⁶ Curran, W. and Hamilton, Trina. (2012). “Just green enough: contesting environmental gentrification in Greenpoint, Brooklyn.” *Local Environment*, 17, 1027-1042.

⁵⁷ Wolch, Jennifer R, Jason Byrne and Joshua P. Newell. (2014) “Urban green space, public health and environmental justice: The challenge of making cities ‘just green enough.’” *Landscape and Urban Planning*. 125: 234-244.

⁵⁸ Acquisition Policy (2011). City of San Francisco Department of Parks and Recreation.

2. *Transform roofs, balconies and paved areas in publicly owned buildings to improve storm water system, air quality, and urban heat island effect*

Case Study: Chicago City Hall Green Roof

The City of Chicago became interested in green roofs as a way to reduce the city's urban heat island effect. As part of the City's Urban Heat Island Initiative, the City Hall rooftop was conceived as a demonstration project to test the benefits of green roofs and how they affect temperature and air quality. Today, the rooftop garden sits atop an 11-story building and consists of 20,000 plants of more than 150 species native to the Chicago region, including shrubs, vines and two trees.⁵⁹

3. *Adopt a pocket parks program, which can help remove blight, reduce stormwater runoff, and connect larger parks and create a linkage of green space.*

Smaller "pocket parks" should be prioritized for neighborhoods that have little or no access to parks. Remnant parcels or spaces under BART tracks can be transformed into "linear parks" that can provide recreational green space. Walking to parks should be encouraged and activated with pedestrian-oriented street frontage, seating and landscaping.

Case Study: Philadelphia Green2015 Plan

By distributing pocket parks around the city, Green2015 could help Philadelphia provide more play space in underserved neighborhoods, combat childhood obesity by creating exercise space, reduce polluting water runoff reaching the city's rivers, raise property values, and attract new development. The plan also calls for the city to step up efforts to train volunteers to handle maintenance and tree-planting at the new mini-parks. The plan also targets other areas ripe for greening, such as vacant lots, abandoned railroad rights-of-way, waste ground below elevated highways, and the banks of neglected streams.⁶⁰

Case Study: San Francisco Pavement to Parks

Pavement to Parks is a collaborative effort between the San Francisco Planning Department, the Department of Public Works, and the Municipal Transportation Agency. San Francisco's streets and public rights-of-way make up 25 percent of the city's land area; more space than all the public parks combined. Many of its streets are excessively wide and contain large underutilized areas, especially at intersections. Each Pavement to Parks project is intended to be a public laboratory for the City to work with local communities to temporarily test new ideas in the public realm. Materials and design interventions are meant to be temporary and easily reversible, should the trial run demonstrate the need for design changes. After testing their performance, some spaces are reclaimed permanently as public open spaces. Seating, landscaping, and paving treatments are common features of all projects.⁶¹

⁵⁹ City of Chicago. "City Hall's Rooftop Garden."

⁶⁰ Philly.com. "City Plans Proliferation of Small Parks."

⁶¹ City of San Francisco Planning Department. San Francisco Pavement to Parks Program.

Case Study: Albany Ohlone Greenway

Albany's Ohlone Greenway is a linear park that runs parallel underneath the BART tracks. The Ohlone Greenway is the first idea to be implemented as part of a larger vision known as the East Bay Greenway, which will be a landscaped pedestrian and bicycle path connecting five BART stations.⁶² For most of its length, the Ohlone Greenway runs along what was formerly a railroad right of way of the Santa Fe Railroad, and alongside the elevated tracks of the BART Richmond line. Much of the land was owned by the city and BART with various features (e.g. native vegetation, furniture, rain garden, signage) funded by a variety of sources, including the federal Highway Safety Improvement Program (HSIP), state water bonds, MTC's OneBayArea grant, County of Alameda Measure B Sales Tax, Congestion Mitigation and Air Quality Improvement Program (CMAQ), and grants from environmental nonprofit agencies and private donors.

Figure 9. Albany Ohlone Greenway



⁶² Urban Ecology. (2008). *East Bay Greenway Executive Summary*.

4. *Adopt POPOS (privately owned public spaces) in new development in commercial business districts as a condition for approval.*

Providing publicly accessible open spaces such as plazas, landscaping, public art, and seating are especially important in downtown for public use and enjoyment.

Case Study: In San Francisco’s 1985 Downtown Plan

San Francisco requires developers to provide publicly accessible open space (POPOS) as a part of projects in C-3 Districts. The goal was to “provide in the downtown quality open space in sufficient quantity and variety to meet the needs of downtown workers, residents and visitors.” Today, there are 68 POPOS scattered throughout downtown.⁶³

Characteristics that best qualified sites for “mini” or neighborhood parks:

- Site is smaller than 1 acre
- All or most of the site is street right-of-way
- Site is oddly shaped with one or more dimensions that are too narrow to accommodate housing development
- Buildable portion of site is too small or oddly shaped after accounting for environmental features, such as streams and resource protection areas, where development potential is limited

California Enhanced Infrastructure Financing District Law (SB 628)

Make use of California’s new Enhanced Infrastructure Financing District law, which would allow city officials to divert incremental property tax growth to finance a broad range of local infrastructure, environmental and other revitalization efforts.

⁶³ City of San Francisco. 1985 Downtown Plan.

LOCAL ECONOMIC DEVELOPMENT

Creating complete communities call for a comprehensive vision of both economic growth and economic inclusion; sustainable and equitable economic development means striving to leverage economies that offer opportunity to all. By supporting productive firms that are most likely to provide low and middle-skill jobs, local economic programs will create more sustainable economic development, especially to mitigate Oakland’s rapidly growing income inequality.⁶⁴ Public sector investments into economic development plans should take highly into account the opportunities to support “social seams,” or grocery stores, parks, schools, religious institutions, and commercial strips. Social seams help craft porous boundaries, to facilitate interaction between groups, and to maintain the stability of mixed-race or mixed-ethnic communities.⁶⁵

1. *Protect the remaining industrial lands in Oakland, recognizing that industrial land is a scarce resource and that preservation of industrial land is vital to creating jobs, expanding its industrial economy, and maintaining a jobs/housing balance.*

This means preserving larger sites for manufacturing, production, distribution and repair, research and development, and goods movement but with clear criteria for site planning and development standards to buffer industrial land uses from residential land uses. Preserving a reserve of industrial-zoned land, particularly near existing infrastructure, trading ports and transportation networks, helps ensure the efficient movement of goods and reduction of vehicle miles traveled—important implications for smart growth and regional sustainability.⁶⁶

2. *Support the development of grocery stores, community centers, health care, and family serving retail in East Oakland and West Oakland, where there is high demand for basic needs.*

Make healthy food available in all neighborhoods. For instance, tailor grocery store attraction and corner-store conversion initiatives at the neighborhood level on publicly owned sites. For example, the city can offer below market lease of the space, negotiate with state regulatory agencies to pay for environmental cleanup, waiving development fees, and offer design concessions.

Case Study: San Jose “Good. To Go” Initiative

Many San Jose neighborhoods rely on local corner stores and mini marts for their food purchases – businesses where snack foods and sugary beverages are plentiful while fresh fruits and vegetables are scarce. “Good. To Go.” is a community-based campaign aimed at increasing San Jose residents’ purchase of produce and quality foods⁶⁷. Store owners receive equipment, upgrades, training, marketing materials, monetary incentives, and business development assistance in exchange for offering and highlighting produce and healthier snack options. Although these corner stores may not be located on publicly owned land,

⁶⁴ SPUR. (2014). *Economic Prosperity Strategy*.

⁶⁵ Chapple, Karen. (2015). (footnote 6).

⁶⁶ Ibid.

⁶⁷ From SPUR. (2015). “Healthy Food Within Reach.”

funding from USDA, Google, Packard Foundation, and the City of San Jose are improving healthy food access by making healthy foods widely available in many neighborhoods.⁶⁸

3. *Offering land to worker cooperatives and community enterprises that focus on employee ownership, create meaningful economic opportunity, and ensure that profits recirculate locally.*

Case Study: City of Cleveland

The City of Cleveland played a major role in providing and securing land that became the Green City Growers, a 3.25 acre hydroponic greenhouse and worker cooperative that is part of the Evergreen Cooperatives network.⁶⁹ Being referred to nationally as “the Cleveland Model,” this innovative approach to economic development, green job creation, and neighborhood stabilization is using land banking and the conversion of publicly owned land as strategies to build community wealth. “This scenario creates a unique opportunity for Cleveland to re-imagine itself; to build a vibrant, more healthful and more prosperous community that provides a better quality of life for its residents and encourages new residents to call Cleveland home,” the City of Cleveland Planning Commission states.⁷⁰

4. *Make public sites available to community-based nonprofit organizations.*

Unlike renters, merchants or users of a commercial space do not have protections like “rent control.” As community-based nonprofit organizations struggle to keep up with rent increases and moves as a result of evictions, this threaten the public benefit of these investments. This also threatens to destabilize neighborhoods and vulnerable populations, and it diminishes opportunities for the residents who rely on these services.⁷¹

BROADER EFFORTS

The goal of retaining and stewarding publicly owned land is to benefit the broadest part of every community—not just responding to development trends and pressure. A public lands policy can also serve as a strategy to mitigate displacement impacts and stabilize neighborhoods most impacted by new financial investment in Oakland properties and the inflow of higher-wage residents. However, a public lands policy, by itself, cannot reverse unjust community economic development and widespread public disinvestment in historically marginalized neighborhoods. Stewarding public lands for creating complete communities will involve inter-city coordination and collective decision-making between public agencies and community organizations with focused attention to areas where major development is occurring and neighborhoods most vulnerable to gentrification and displacement. Conversion of these public lands should advance neighborhood

⁶⁸ Health Trust.

⁶⁹ From Shareable and SELC (2013). *Policies for Shareable Cities: A policy primer for urban leaders.*

⁷⁰ City of Cleveland Planning Commission. *8 Ideas for Vacant Land Reuse.*

⁷¹ Adapted from Joseph Smooke and Dyan Ruiz. (footnote 2).

stabilization and displacement prevention through targeted economic and physical development strategies driven by a community-based identification of local needs.

1. *Use a mutual gains approach to manage the conversion of publicly owned lands and to effectively evaluate what the community use would be.*

The mutual gains approach is based on all stakeholder interests as well as the necessary technical information; involves stakeholders along with appointed and elected decision makers; generates information relevant and salient to stakeholders such as abutters, community leaders, and others; requires strong community and public engagement skills along with strong technical planning skills; and engages the public above and beyond sharing information and views. The mutual gains approach to preventing and resolving land use disputes is not a single process or technique. It draws from the fields of negotiation, consensus building, collaborative problem solving, alternative dispute resolution, public participation, and public administration. For example, build it into the RFP to have consultants or developers work with community-based organizations, cultural institutions, and local residents. This extra layer of public review provides meaningful engagement and trust, which should be upheld at all stages of planning and development.

2. *Make connections between multiple planning efforts by leveraging existing plans and funding.*

Stewarding public lands for creating complete communities will involve inter-city coordination and collective decision-making between public agencies and community organizations. It is essential for public agencies to articulate strategies that explicitly advance environmental, economic, and social justice in all of Oakland's communities to stabilize communities vulnerable to gentrification and displacement. Since some of the proposed uses in this report are amenities that have the potential to increase displacement (i.e. "environmental gentrification"), the city will need to enact complementary policies, such as affordable housing preservation and rent stabilization policies, while engaging in a public lands disposition process.

For example, there are many opportunities for inter-policy coordination to link the public lands policy to other policies and programs, via the:

- City of Oakland General Plan and Specific Plans
- Oakland Housing Equity Roadmap
- Oakland Opportunity Sites Program
- Neighborhood Stabilization Program Grant Funding
- City of Oakland Sustainable Community Development Initiative
- Oakland Food Policy Resolution
- Public Trust Lands
- BART Transit Oriented Development Policy
- East Bay Regional Parks Master Plan

3. *Making data up to date, reliable, and user-friendly.*

Completing this analysis was particularly difficult due to the disjointed nature of the various data sets needed to effectively track ownership data, current uses, and developable land. Current uses and vacancy status (i.e. whether the parcel has a structure on it) are attributes the County assessor data fails to capture for tax-exempt public agencies. A more transparent and usable public data system could give the public a new oversight capability to better monitor public lands, particularly those that become “surplus.”

7. Appendix

APPENDIX A. ORDINANCE UPDATING AND REVISING THE CITY'S REAL PROPERTY ACQUISITION AND DISPOSITION LAWS (OAKLAND MUNICIPAL CODE 2.41-2.43)

Surplus vs. nonsurplus. This Ordinance merges the rules for the sale of "surplus property" and "nonsurplus property," now governed by separate ordinances, into one set of rules. There is no basis for distinguishing between "surplus" and "nonsurplus" property transactions.

Definitions. This Ordinance adds definitions of basic terms like "real property," "acquisition," "lease," "fair market value," etc., not currently defined in any of the existing laws. For example, "NODO" means a Notice of Development Opportunity, which also includes a Request for Proposals (RFP), Request for Qualifications (RFQ), or any other public solicitation of proposals, bids, offers, or statements of interest for acquiring and developing real property.

Administrative authority for purchases and lease-ins. Currently, all purchases or leases by the City over the \$5,000 threshold set by the Charter require Council approval by ordinance. This Ordinance would raise the minimum threshold for City Council approval of purchases and leases to \$100,000. With this change, staff would be authorized to acquire or lease-in real property if the purchase price or lease payments (over the entire term of the lease) are \$100,000 or less, without Council approval.

Waiver of competitive bidding. Currently, the requirement to sell property through a competitive bidding process may be waived only if Council makes a finding that bidding is impractical, unavailing or impossible, or that sale without bidding is in the best interests of the City. This Ordinance would also provide for waiver of competitive bidding if (1) the property is undeveloped and less than 5,000 square feet, or (2) the appraised fair market value of the property is \$100,000 or less.

Notice of competitive bidding. Currently, the competitive bidding process requires posting of notice through newspaper publication. This Ordinance would allow posting notice on the City's website as an alternative to newspaper publication.

Administrative authority for sales and lease-outs. Currently, all sales of City property or leases of City property for terms longer than one year require Council approval by ordinance. This Ordinance would delegate administrative authority to staff to sell or lease City property if (1) the sale or lease is required by the state or federal government, (2) the property is undeveloped and less than 5,000 square feet, (3) for leases of improved space, the leasable space is less than 2,000 square feet, (4) for sales, the appraised fair market value of the property is \$100,000 or less, or (5) the property was formerly owned by the Redevelopment Agency or the Oakland Redevelopment Successor Agency, and staff was previously delegated the authority to sell or lease the property by Council sitting as the Agency or ORSA board. Under

this Ordinance, staff would be authorized to sell or lease-out (City as landlord) real property in any of the above circumstances without Council approval.

Competitive bidding of leases. This Ordinance removes the requirement to competitively bid leases of City space. This is in line with the current practice of negotiating leases on a case-by-case basis. Notice of potential leasing opportunities would have to be posted on the City's website, however.

Fair market. Current laws do not clearly require that property be sold or leased by the City for its fair market value. This Ordinance would require that property be sold for its appraised fair market value, or leased for its fair market rental value, unless state or federal laws do not allow for a fair market transaction, or unless Council has made a finding that the below-market sale or lease is in the best interests of the City (for instance, the property is being leased for in-kind services or public benefits that justify below- market rent).

Zoning review. This Ordinance removes the requirement for Planning Commission review of zoning before property may be sold. Zoning review should be governed by the Planning Code, not by the City's real estate laws.

Easements. Current laws do not specifically address the purchase or sale of easement interests, i.e., the right to use property for a particular use, by the City. This Ordinance would add provisions governing the grant or acquisition of easement interests by the City. These provisions generally parallel the provisions for disposing of or acquiring ownership interests — e.g., delegate authority to acquire easements for \$100,000 or less, or grant easements if the easement area is less than 5,000 square feet or has a market value of \$100,000 or less. In addition, the Ordinance delegates to staff the authority to grant temporary easements of one year or less.

City Administration building leases. This Ordinance expands the delegation of authority to enter into leases of retail space at the City Administration Building Complex within specific parameters, to include retail space in City Center Garage West.

Disposition of city property for development purposes. This Ordinance does not modify any substantive provisions of the recently-adopted ordinance governing disposition for development purposes, other than adding provisions requiring compliance with recently- adopted state statutes governing economic development sales.

APPENDIX B. LONG RANGE PROPERTY MANAGEMENT PLAN SITES

	Property	Address	Former Project Area	APN
1	Sunshine Court	SUNSHINE COURT	Central City East	040-3319-025
2	Amtrak Station	73RD AVE	Coliseum	041-3901-007-03
3	Amtrak Station	73RD AVE	Coliseum	041-3901-007-05
4	13th Street BART Entry	1327 BROADWAY	Central District	002-0097-045
5	13th Street BART Entry	12TH ST	Central District	002-0099-004
6	Leona Creek Right-of-Way	Leona Creek Dr	Coliseum	041-4212-001
7	Sears parcel	490 TOMAS L BERKELEY WAY	Central District	008-0649-009
8	Sears parcel	2016 TELEGRAPH	Central District	008-0649-010
9	Fox Theater	521 19TH STREET	Central District	008-0642-016
10	1800 San Pablo Avenue	521 19TH STREET (1800 San Pablo)	Central District	008-0642-018
11	23rd & Valdez	2315 VALDEZ STREET	Central District	008-0668-004
12	23rd & Valdez	2330 WEBSTER STREET	Central District	008-0668-009-07
13	City Center Parcel T-5/6	11TH ST	Central District	002-0097-038
14	City Center Parcel T-5/6	11TH ST	Central District	002-0097-039
15	City Center Parcel T-5/6	11TH ST	Central District	002-0097-040
16	Uptown Parcel 4	1911 TELEGRAPH AVENUE	Central District	008-0716-058
17	Telegraph Plaza Garage	2100 TELEGRAPH AVENUE	Central District	008-0648-016-03
18	Foothill & Seminary	5859 FOOTHILL BLVD	Central City East	038-3182-001
19	Foothill & Seminary	2521 SEMINARY AVENUE	Central City East	038-3182-002
20	Foothill & Seminary	2529 SEMINARY AVENUE	Central City East	038-3182-003
21	Foothill & Seminary	5844 BANCROFT	Central City East	038-3182-005
22	Foothill & Seminary	5803 FOOTHILL BLVD	Central City East	038-3182-020
23	Foothill & Seminary	5805 FOOTHILL BLVD	Central City East	038-3182-021
24	Foothill & Seminary	FOOTHILL BLVD	Central City East	038-3182-022
25	Foothill & Seminary	5833 FOOTHILL BLVD	Central City East	038-3182-023
26	Foothill & Seminary	5835 FOOTHILL BLVD	Central City East	038-3182-024
27	Foothill & Seminary	5847 FOOTHILL BLVD	Central City East	038-3182-025
28	Foothill & Seminary	5851 FOOTHILL BLVD	Central City East	038-3182-026
29	73rd & Foothill	73rd AVE & FOOTHILL BLVD	Central City East	039-3291-020

30	36th & Foothill	3614 FOOTHILL BLVD	Central City East	032-2084-050
31	36th & Foothill	3600 FOOTHILL BLVD	Central City East	032-2084-051
32	36th & Foothill	3566 FOOTHILL BLVD	Central City East	032-2115-037-01
33	36th & Foothill	3550 FOOTHILL BLVD	Central City East	032-2115-038-01
34	10451 MacArthur	10451 MACARTHUR BLVD	Central City East	047-5576-007-3
35	27th & Foothill	2777 FOOTHILL BLVD	Central City East	025-0733-008-02
36	27th & Foothill	2759 FOOTHILL BLVD	Central City East	025-0733-008-03
37	Former Melrose Ford site	3050 INTERNATIONAL BLVD	Coliseum & Central City East	025-0719-007-01
38	Former Melrose Ford site	DERBY STREET	Coliseum & Central City East	025-0720-002-01
39	66th & San Leandro	905 66TH AVE	Coliseum	041-4056-004-04
40	Clara & Edes	9418 EDES AVE	Coliseum	044-5014-005
41	Clara & Edes	606 CLARA ST	Coliseum	044-5014-006-03
42	Hill Elmhurst	9409 International Blvd	Coliseum	044-4967-002
43	Hill Elmhurst	9415 International Blvd	Coliseum	044-4967-003
44	Hill Elmhurst	1361 95th Avenue	Coliseum	044-4967-004-02
45	Hill Elmhurst	9423 International Blvd	Coliseum	044-4967-004-03
46	Hill Elmhurst	9431 International Blvd	Coliseum	044-4967-005
47	Hill Elmhurst	9437 International Blvd	Coliseum	044-4967-007-01
48	Hill Elmhurst	95th Avenue	Coliseum	044-4967-009
49	Fruitvale Transit Village Phase II	E. 12TH STREET	Coliseum	033-2177-021
50	Fruitvale Transit Village Phase II	E. 12TH STREET	Coliseum	033-2197-019
51	Fruitvale Transit Village Phase II	3229 SAN LEANDRO STREET	Coliseum	033-2186-003-01
52	Fruitvale Transit Village Phase II	3301 SAN LEANDRO STREET	Coliseum	033-2187-003-01
53	Coliseum City	796 66TH AVE	Coliseum	041-3901-004
54	Coliseum City	6775 (7001) Oakport Street	Coliseum	041-3902-021
55	Coliseum City	711 71st Avenue	Coliseum	041-4170-001-02
56	Coliseum City	7001 Snell Street	Coliseum	041-4170-005-04
57	Coliseum City	73RD AVENUE	Coliseum	041-4173-001-03
58	Coliseum City	728 73RD AVENUE	Coliseum	041-4173-002-02
59	Coliseum City	710 73RD AVENUE	Coliseum	041-4173-003-06
60	Coliseum City	633 HEGENBERGER RD	Coliseum	042-4328-001-16

61	Coliseum City	8000 SOUTH COLISEUM WAY	Coliseum	042-4328-001-24
62	Coliseum City	66TH AVE	Coliseum	041-3901-010
63	Coliseum City	EDGEWATER DR	Coliseum	041-3902-013-05
64	Coliseum City	EDGEWATER DR	Coliseum	041-3902-013-06
65	Oak Knoll	BARCELONA STREET	Oak Knoll	048-6870-002
66	Oakland Ice Center	540 17TH STREET	Central District	008-0641-008-05
67	City Center West Public Garage	1260 M L KING JR WAY	Central District	002-0027-006-03
68	City Center West Public Garage	M L KING JR WAY	Central District	002-0027-006-05
69	Forest City-Uptown Residential	1911 TELEGRAPH AVENUE	Central District	008-0716-052
70	Forest City-Uptown Residential	1911 TELEGRAPH AVENUE	Central District	008-0716-054
71	Forest City-Uptown Residential	1911 TELEGRAPH AVENUE	Central District	008-0716-056
72	Rotunda Garage remainder	524 16TH STREET	Central District	008-0620-009-03
73	UCOP Garage	1111 FRANKLIN	Central District	002-0051-013-01
74	8280 MacArthur	8280 MacArthur Blvd.	Central City East	043A-4644-026
75	8296 MacArthur	8296 MACARTHUR BLVD	Central City East	043A-4644-028
76	73rd & International	7318 INTERNATIONAL BLVD	Coliseum	040-3317-032
77	73rd & International	7318 INTERNATIONAL BLVD	Coliseum	040-3317-048-13
78	Franklin 88 Parking Garage	9TH ST	Central District	002-0101-001
79	822 Washington	822 WASHINGTON STREET	Central District	001-0201-010
80	8th & Filbert	8TH STREET	West Oakland	004-0007-001-01
81	1606 & 1608 Chestnut Street	1606 CHESTNUT STREET 1608 CHESTNUT STREET	Oak Center	005-0387-014 005-0387-015
82	Oak Center Remainder Parcels	1333 ADELIN STREET	Oak Center	004-0035-003-02
83	Oak Center Remainder Parcels	14TH STREET	Oak Center	004-0035-002-07
84	Oak Center Remainder Parcels	MAGNOLIA STREET	Oak Center	004-0035-001-02
85	Oak Center Remainder Parcels	UNION STREET	Oak Center	004-0037-031-02
86	Oak Center Remainder Parcels	MARKET ST	Oak Center	003-0049-001-12

87	Oak Center Remainder Parcels	MYRTLE STREET	Oak Center	005-0383-002-02
88	Oak Center Remainder Parcels	14TH STREET	Oak Center	005-0383-014-03

APPENDIX C. CITY OF OAKLAND’S SURPLUS PROPERTIES PROCESS

Before any City-owned real property is sold, the City department who has jurisdiction and control over the property must determine that it is no longer required for their use and must declare the property excess. Any real property, vacant or improved, shall not be sold without the approval of the board or officer having the management of the department.

For example, a vacated old branch library must first be declared no longer needed for operations by the City before the old branch library can be offered for sale at public auction.

In order to determine public agency interest in the acquisition of City-owned surplus property, a solicitation of interest shall be sent to public agencies within Alameda County. Said agencies shall be allowed sixty (60) days to express interest in the purchase of said surplus property.

Once the City has determined a parcel is surplus, a description of the Proposed Surplus Property (Assessor’s Block and Parcel Number) must be sent, together with a request, to the Planning Commission to determine its appropriate zoning classification. Planning Commission zoning review classification shall be limited to surplus real property equal to or larger than 2,500 square feet in area. If the surplus property is equal to or larger than 2,500 square feet in area, the Planning Commission will review the proposed surplus property to determine if some special circumstance exists where it would be in the best interest of the City to sell by negotiated transaction to the adjoining or abutting owner. If no such special circumstance exists then the surplus property shall be sold in accordance with Ordinance No. 11602 C.M.S. by open competitive bidding, after proper advertisement, to the highest bidder.

If the Planning Commission determines the surplus property should be sold by negotiated transaction, all contiguous owners shall be contacted and given an opportunity to express their interest in obtaining the surplus property. If more than one contiguous owner expresses an interest in buying the surplus property, consideration will first be given to splitting the surplus property to allow each owner to buy that portion contiguous to his/her property. If this is not feasible, contiguous owners will be allowed to enter competitive bidding process, limited to the

contiguous owners, for the surplus property with that owner who offers the highest bid being given preference to purchase the surplus property.

The minimum price for the surplus property shall be determined and a Resolution prepared for the City Council authorizing the calling for competitive bids for sale of the surplus property by bids which meet or exceed the minimum price. The Resolution authorizing the surplus property sale shall provide:

1. The time and place bids are to be received;
2. The minimum bid on each parcel included in the surplus property;
3. The statement regarding zoning and the zoning classification determination;
4. A description of the surplus property;
5. The amount and type of deposit required of the successful bidder;
6. Whether bids are to be oral or seal bids;
7. The minimum amount of increase of each bid if oral bids are to be received;
8. When the balance of the bid price must be paid;
9. Information regarding the surplus property bid process advertisement to be placed in the official newspaper(s) of the City of Oakland.

Appendix D. Major Development Projects

	Name	Developer	Address	Type	Housing	Commercial
1	2868 Hannah St	Madison Park Financial	2868 Hannah St	Residential or Mixed Use	36	NA
2	3884 Martin Luther King Jr Way	TBD	3884 Martin Luther King Jr Way	Commercial	40	NA
3	4801 Shattuck Ave	Nautilus Group	4801 Shattuck Ave	Residential or Mixed Use	44	NA
4	1417-1431 Jefferson St	Menlo Capital Group LLC	1417-1431 Jefferson St	Residential or Mixed Use	54	Yes
5	9400 International Blvd	Acts Community Development Corp	9400 International Boulevard	Residential or Mixed Use	59	Yes
6	2985 Ford St	Madison Park Financial	2985 Ford St	Residential or Mixed Use	63	NA
7	Emerald Parc	Tom Dolan	2400 Filbert St	Residential or Mixed Use	66	NA
8	460 Grand Ave	Bridge Housing	460 Grand Ave	Residential or Mixed Use	68	Yes
9	2435 Valdez St	Jose Coelho	2425 Valdez St	Residential or Mixed Use	70	NA
10	1110 Jackson St	EBALDC	1110 Jackson St	Residential or Mixed Use	71	Yes
11	Wattling Street	Oak Partners LLC	3920 Wattling St	Residential or Mixed Use	79	NA
12	Peralta Commons	Emerald Fund	2850 Hannah St	Residential or Mixed Use	90	Yes
13	Lakeside Senior Affordable Apartments	Satellite Affordable Housing Associates	116 E 15th St	Residential or Mixed Use	92	NA
14	377 2nd St	Vanguard Properties	377 2nd St	Residential or Mixed Use	96	NA
15	2538 Telegraph	2538 Telegraph	2538 Telegraph	Residential or Mixed Use	97	Yes
16	Harrison Towers	Kansai Development	1331 Harrison St	Residential or Mixed Use	98	Yes
17	188 11th St	EBALDC	188 11th St	Residential or Mixed Use	99	Yes
18	Cathedral Gardens	EAH Housing	2126 Martin Luther King Jr Way	Residential or Mixed Use	100	NA
19	The Hive	Signature Development	2345 Broadway	Residential or Mixed Use	105	NA
20	Red Star	National Affordable Communities	1396 5th St	Residential or Mixed Use	119	Yes
21	3250 Hollis St	Madison Park Financial	3250 Hollis St	Residential or Mixed Use	120	NA

22	Mandela Transit Village	Capital Stone Group	1357 5th St	Residential or Mixed Use	120	Yes
23	Monte Vista Villas	Discovery Builders	7100 Mountain Boulevard	Residential or Mixed Use	123	NA
24	Hollis 34	Dogtown Development	3421 Hollis St	Residential or Mixed Use	124	NA
25	Merrill Gardens at Rockridge	SRM Development	5175 Broadway	Residential or Mixed Use	127	Yes
26	Lion Creek Crossings	EBALDC	6700 Lion Way	Residential or Mixed Use	128	NA
27	2116 Brush St	EBALDC	2116 Brush St	Residential or Mixed Use	150	Yes
28	1640 Broadway	1640 Broadway Associates	1640 Broadway	Residential or Mixed Use	254	NA
29	Fruitvale Village Phase II	Unity Council	Block bounded by 35th and 37th Avenues, East 12th Street and BART tracks	Residential or Mixed Use	275	Yes
30	Emerald Views	Dave O'Keeffe	222 19th St	Residential or Mixed Use	370	Yes
31	325 7th St	Balco Properties	325 7th St	Residential or Mixed Use	382	Yes
32	MacArthur BART Transit Village Stage 1	MacArthur Transit Community Partners LLC	Telegraph, 40th, and MacArthur and Highway 24	Residential or Mixed Use	624	Yes
33	Jack London Square Redevelopment	Jack London Square Partner	Eight Development areas within Jack London Square bounded by Alice, 2nd, Harrison, and Embarcadero.	Residential or Mixed Use	665	Yes
34	Wood Street project	City Ventures	Block bounded by Wood Street; 14 St., 16th St. and Frontage Road.	Residential or Mixed Use	1570	Yes
35	Brooklyn Basin	Signature Development	waterfront site bounded by Fallon Street, Embarcadero Road, 10th Ave, and the Oakland Estuary	Residential or Mixed Use	3100	Yes
36	1032 39th St	Madison Park Financial	1032 39th St	Residential or Mixed Use	100 (25 in Oakland, 75 in Emeryville)	NA
37	BART Oakland Airport Connector	BART	1100 Airport Dr	Commercial	NA	NA

38	Oakland Army Base Phase 1	CCIG Prologis, City of Oakland, Port of Oakland	Maritime Street and Grand Avenue	Commercial	NA	Yes
39	Alameda County Medical Center/ Highland Hospital	Alameda County General Services Agency	1411 E 31st St	Medical	NA	Yes
40	Safeway on College	Safeway	6310 College Ave	Commercial	NA	Yes
41	Kapor Center	Kapor Center for Social Impact	2134-2148 Broadway	Commercial	NA	Yes
42	Shops at Broadway	Portfolio Development Partners LLC	3001-3039 Broadway	Commercial	NA	Yes
43	1100 Broadway	SKS Investments	1100 Broadway	Commercial	NA	Yes
44	Kaiser Center	Swig Co	300 Lakeside Dr	Medical	NA	Yes
45	Safeway on Broadway Shopping Center	Safeway	5050-5100 Broadway	Commercial	NA	Yes

APPENDIX E. PUBLICLY OWNED OPPORTUNITY SITES

	APN	Address	Owner	Zone	Land Use	Square Footage	Current Use
1	8-649-9	490 20TH ST	CITY OF OAKLAND REDEVELOPMENT AGENCY	CBD-P	CENTRAL BUSINESS DISTRICT PEDESTRIAN RETAIL COMMERCIAL	9372.40	Surface Parking
2	8-649-10	2016 TELEGRAPH AVE	CITY OF OAKLAND REDEVELOPMENT AGENCY	CBD-P	CENTRAL BUSINESS DISTRICT PEDESTRIAN RETAIL COMMERCIAL	10736.37	Surface Parking
3	5-387-15	1608 CHESTNUT ST	CITY OF OAKLAND REDEVELOPMENT AGENCY	RM-2/ S-20	MIXED HOUSING TYPE RESIDENTIAL	1509.85	Vacant Land
4	38-3182-1	5859 FOOTHILL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	CN-3	NEIGHBORHOOD COMMERCIAL	2643.69	Vacant Land
5	38-3182-23	5833 FOOTHILL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	CN-3	NEIGHBORHOOD COMMERCIAL	16510.03	Vacant Land
6	38-3182-25	5847 FOOTHILL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	CN-3	NEIGHBORHOOD COMMERCIAL	3781.11	Vacant Land
7	12-969-29	3924 M L KING JR WAY	SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	S-15	TRANSIT ORIENTED DEVELOPMENT	5499.96	Vacant Land
8	38-3182-21	5805 FOOTHILL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	CN-3	NEIGHBORHOOD COMMERCIAL	2303.13	Vacant Land
9	40A-3409-1-13	7526 MACARTHUR BLVD	CITY OF OAKLAND HOUSING AUTHORITY	RM-3	MIXED HOUSING TYPE RESIDENTIAL	46945.26	Vacant Land
10	38-3182-26	5851 FOOTHILL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	CN-3	NEIGHBORHOOD COMMERCIAL	2247.06	Vacant Land
11	47-5576-7-3	10451 MACARTHUR BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	CN-3	NEIGHBORHOOD COMMERCIAL	22508.21	Vacant Land
12	2-101-1	9TH ST	CITY OF OAKLAND REDEVELOPMENT AGENCY	CBD-P/ CH	CENTRAL BUSINESS DISTRICT PEDESTRIAN RETAIL COMMERCIAL	13406.45	Structured Parking
13	32-2115-37-1	3566 FOOTHILL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	RU-5	URBAN RESIDENTIAL ZONE	6473.53	Vacant Land

14	38-3182-24	5835 FOOTHILL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	CN-3	NEIGHBORHOOD COMMERCIAL	2542.82	Vacant Land
15	41-4164-24-3	71ST AV	SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	S-15	TRANSIT ORIENTED DEVELOPMENT	117587.16	Surface Parking
16	4-7-1-1	8TH ST	CITY OF OAKLAND REDEVELOPMENT AGENCY	RM-1	MIXED HOUSING TYPE RESIDENTIAL	9385.68	One Story Building and Parking Lot
17	25-733-8-3	2759 FOOTHILL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	RU-5	URBAN RESIDENTIAL ZONE	2092.66	Vacant Land
18	33-2186-3-1	3229 SAN LEANDRO ST	CITY OF OAKLAND REDEVELOPMENT AGENCY	HBX-1	LIVE/WORK	9138.01	Vacant Land
19	2-27-6-5	M L KING JR WAY	CITY OF OAKLAND REDEVELOPMENT AGENCY	CBD-C	CENTRAL BUSINESS DISTRICT GENERAL COMMERCIAL	78206.72	Structured Parking
20	33-2187-3-1	3301 SAN LEANDRO ST	CITY OF OAKLAND REDEVELOPMENT AGENCY	HBX-1	LIVE/WORK	14546.06	Vacant Land
21	1-171-1	800 MADISON ST	SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	CBD-X	CENTRAL BUSINESS DISTRICT MIXED COMMERCIAL	59991.69	BART Admin
22	40-3317-32	7318 INTERNATION AL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	CC-2	COMMUNITY COMMERCIAL	3688.74	Vacant Land
23	38-3182-22	FOOTHILL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	CN-3	NEIGHBORHOOD COMMERCIAL	6546.83	Vacant Land
24	32-2084-51	3600 FOOTHILL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	RU-5	URBAN RESIDENTIAL ZONE	10658.96	Vacant Land
25	41-4164-31-2	73RD AV	SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	S-15	TRANSIT ORIENTED DEVELOPMENT	114395.61	Surface Parking
26	25-733-8-2	2777 FOOTHILL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	RU-5	URBAN RESIDENTIAL ZONE	20634.75	Vacant Land
27	43A-4644-28	8296 MACARTHUR BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	RU-4	URBAN RESIDENTIAL ZONE	6367.78	Underutilize d Residential Building
28	1-169-1	51 9TH ST	SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	CBD-X	CENTRAL BUSINESS DISTRICT MIXED COMMERCIAL	60260.27	BART Parking

29	35-2401-1-1	4529 FOOTHILL BLVD	OAKLAND UNIFIED SCHOOL DISTRICT	RU-5	URBAN RESIDENTIAL ZONE	19633.82	Vacant Land
30	41-4162-1-5	73RD AV	SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	S-15	TRANSIT ORIENTED DEVELOPMENT	78033.43	Surface Parking
31	2-51-13-1	1111 FRANKLIN ST	REGENTS OF THE UNIVERSITY OF CALIFORNIA	CBD-C	CENTRAL BUSINESS DISTRICT GENERAL COMMERCIAL	37920.33	Structured Parking
32	25-719-7-1	3050 INTERNATION AL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	CC-2	COMMUNITY COMMERCIAL	32483.93	Vacant Land
33	5-387-14	1606 CHESTNUT ST	CITY OF OAKLAND REDEVELOPMENT AGENCY	RM-2/ S-20	MIXED HOUSING TYPE RESIDENTIAL	1510.01	Vacant Land
34	1-201-10	822 WASHINGTON ST	CITY OF OAKLAND REDEVELOPMENT AGENCY	CBD-P/ S-7	CENTRAL BUSINESS DISTRICT PEDESTRIAN RETAIL COMMERCIAL	7580.88	Surface Parking
35	19-27-13-3	1105 2ND AVE	OAKLAND UNIFIED SCHOOL DISTRICT	S-2	CIVIC CENTER	45813.27	Vacant Land
36	8-620-9-3	524 16TH ST	CITY OF OAKLAND REDEVELOPMENT AGENCY	CBD-C	CENTRAL BUSINESS DISTRICT GENERAL COMMERCIAL	6438.63	Structured Parking
37	39-3291-20	FOOTHILL BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	CC-1	COMMUNITY COMMERCIAL	53155.19	Vacant Land
38	41-4166-31- 2	71ST AV	SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	S-15	TRANSIT ORIENTED DEVELOPMENT	59317.62	Surface Parking
39	25-720-2-1	DERBY AVE	CITY OF OAKLAND REDEVELOPMENT AGENCY	RM-4	MIXED HOUSING TYPE RESIDENTIAL	9034.08	Surface Parking
40	8-626-25	1450 HARRISON ST	CITY OF OAKLAND HOUSING AUTHORITY	CBD-C	CENTRAL BUSINESS DISTRICT GENERAL COMMERCIAL	10358.14	Surface Parking
41	12-969-30	645 40TH ST	SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	S-15	TRANSIT ORIENTED DEVELOPMENT	2500.07	Vacant Land
42	8-716-54	1911 TELEGRAPH AVE	CITY OF OAKLAND REDEVELOPMENT AGENCY	CBD-R	CENTRAL BUSINESS DISTRICT RESIDENTIAL	54867.73	Vacant Land

43	8-716-56	1911 TELEGRAPH AVE	CITY OF OAKLAND REDEVELOPMENT AGENCY	CBD-R	CENTRAL BUSINESS DISTRICT RESIDENTIAL	73877.84	Vacant Land
44	44-5014-6-3	606 CLARA ST	CITY OF OAKLAND REDEVELOPMENT AGENCY	RM-4	MIXED HOUSING TYPE RESIDENTIAL	9119.47	Vacant Land
45	44-5014-5	9418 EDES AVE	CITY OF OAKLAND REDEVELOPMENT AGENCY	RM-4	MIXED HOUSING TYPE RESIDENTIAL	17414.99	Vacant Land
46	20-126-14-1	1225 4TH AVE	STATE OF CALIFORNIA	RU-5	URBAN RESIDENTIAL ZONE	86321.95	One Story Building and Parking Lot
47	8-626-24	1440 HARRISON ST	CITY OF OAKLAND HOUSING AUTHORITY	CBD-C	CENTRAL BUSINESS DISTRICT GENERAL COMMERCIAL	12797.47	Surface Parking
48	43A-4644-26	8280 MACARTHUR BLVD	CITY OF OAKLAND REDEVELOPMENT AGENCY	RU-4	URBAN RESIDENTIAL ZONE	6721.59	Underutilized Residential Building
49	12-969-41-2	40TH ST	SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	S-15	TRANSIT ORIENTED DEVELOPMENT	2310.49	Vacant Land