



Partnerships, Enhancements, and Public Involvement



Fruitvale Transit Village Project

THE UNITY COUNCIL, BAY AREA RAPID TRANSIT DISTRICT, CITY OF OAKLAND

Introduction

The Fruitvale Transit Village project is the result of a broad-based partnership among public, private, and nonprofit organizations working together to revitalize a community using transit-oriented development. Transit-oriented development is a planning concept that seeks to use mass transit stations as building blocks for economic revitalization and environmental improvement. In September 1999, groundbreaking took place on a \$100 million mixed-use development adjacent to the Fruitvale Bay Area Rapid Transit District (BART) station in Oakland, California. Fruitvale, one of Oakland's seven community districts, is a low-income, predominantly minority community experiencing economic stress. This case study focuses on the incorporation of environmental justice principles into the planning and design of the Fruitvale Transit Village.

The Fruitvale Transit Village is the brainchild of the Unity Council, a community development corporation formed in 1964 by activists who wanted to create a forum for working on issues important to Fruitvale's Latino community. The origins of the project date back to 1991, when BART announced plans to construct a multi-layered parking facility next to the Fruitvale station. Although the community agreed that new

parking was necessary, the design and location of the facility did not sit well with Fruitvale residents and business owners. Members of the community were concerned that the proposed structure would increase traffic and pollution and further separate the Fruitvale neighborhood from the BART station. The Unity Council galvanized neighborhood opposition to the parking structure design and location, arguing that any development around the BART station should be guided by a broad-based community planning process.

Faced with this strong community opposition, BART withdrew its proposal and agreed to work with the Unity Council on a plan for the area. During the next several years, the Unity Council engaged local stakeholders in a comprehensive visioning and planning process that laid out the parameters of the Fruitvale Transit Village. Plans for the Transit Village include a mixture of housing, shops, offices, a library, a child care facility, a pedestrian plaza, and other community services all surrounding the BART station. The project is expected to reduce traffic and pollution in and around Fruitvale because community residents will have access to a range of goods and services within easy walking distance of the transit station.

The Fruitvale Transit Village project illustrates a number of key themes and effective practices that are central to incorporating the principles of environmental justice into transportation planning and design. First, it demonstrates an effective use of partnerships to generate funding and other resources necessary to plan and implement a costly and complex project. The Unity

Council's success in building relationships with a wide range of key players helped overcome the formidable legal, regulatory, and financial hurdles the project initially faced.

In addition, the project illustrates a strong commitment to public involvement by the lead agencies involved. Typically, either city officials or private developers represent the driving force behind large-scale development projects such as this. Under the best of circumstances, community residents are usually in the position of responding to plans that are initiated by others. In this case, however, the Unity Council's leadership role in the project helped ensure that the

What is Transit-Oriented Development?

Transit-Oriented Development (TOD) is a simple concept: moderate and high density housing, along with complementing public uses, jobs, retail and services, are concentrated in mixed-use developments located at strategic points along the regional transit system. Each TOD has a centrally located transit stop and core commercial area; accompanying residential and/or employment uses are within an average 2,000 feet walking distance. The location, design, configuration, and mix of uses in a TOD provides an alternative to current suburban development trends by emphasizing a pedestrian-oriented environment and reinforcing the use of public transportation.

This linkage between land use and transit is designed to result in an efficient pattern of development that supports the transit system and makes significant progress in reducing sprawl, traffic congestion, and air pollution. The TOD's mixed-use clustering of land uses within a pedestrian-friendly area connected to transit provides for growth with a minimum of environmental and social costs.

Source: Excerpts from 1000 Friends of Oregon, *The LUTRAQ Alternative: Volume 3* (1992), p. 8.

"Transportation planning should be about more than concrete and steel. It should be about building communities and we are all looking to Fruitvale as an example of how that can happen."

— Rodney Slater
U.S. Secretary of Transportation, Fruitvale BART Station,
Formal Launch of the Fruitvale Transit Village, July 9, 1999

community's own vision for the transit station and its surrounding area served as guiding principles for the planning and design process.

Finally, the planning effort behind the Fruitvale Transit Village represents an innovative strategy for using mass transit as a lever for revitalizing an urban community. While transit-oriented development has been successful in a growing number of affluent suburban locations, the Fruitvale Transit Village sets a precedent for such projects in lower-income, inner-city communities.

The Region and the Community

Oakland is situated on the eastern shore of the San Francisco Bay. With a population of 395,000, Oakland is California's sixth largest city. A thriving port, an international airport, and major transit facilities have made Oakland the major hub for commerce, transportation, and international trade in the Bay Area.

Oakland is a diverse community. African Americans and whites are the largest racial/ethnic groups, with 43 percent and 28 percent of the city's population, respectively. The other major groups are Asian Americans and Hispanics. Seventy-two percent of Oakland's population consists of minorities. Oakland's Fruitvale neighborhood, by contrast, is over 90 percent minority, with Hispanics, Asians, and African Americans representing the neighborhood's largest population groups.

Fruitvale earned its name in the 1800s when German settlers immigrated to the area to plant fruit orchards.

The community developed a significant manufacturing base anchored by canneries that served local orchards. Fruitvale became a prosperous neighborhood, its vibrant business activity earning it a reputation as Oakland's "second downtown." This boom continued through World War II, when the area experienced an influx of war industry workers, bringing the first significant numbers of African-American and Hispanic residents to the community.

Fruitvale's troubles began during the 1950s, when the construction of new freeways created opportunities for manufacturers to take advantage of cheap land and labor in suburban areas. Canneries and factories located in Fruitvale began leaving the area, accompanied by many of the community's white, middle-class residents. With the erosion of its customer base, the Fruitvale business district went into decline. By the 1960s, Fruitvale had become a distressed neighborhood, plagued by joblessness, inadequate housing, and other problems characteristic of low-income, inner-city communities.

In spite of all this, Fruitvale retained a number of significant assets that represent potential building blocks for community revitalization. One such asset was the neighborhood's strong network of community-based organizations, including the Unity Council. Founded in 1964 by Arabella Martinez, Assistant Secretary of the U.S. Department of Health,

Education and Welfare under the Jimmy Carter administration, the Unity Council developed a solid record of success in bringing together residents, community-based organizations, and businesses to deliver important community projects. The Unity Council's programs include the development and management of affordable housing, business assistance, historic preservation, facade improvements, community festivals, home ownership assistance, job readiness and employment services, Head Start and Early Head Start child development programs, the Fruitvale Senior Center, open space development, and environmental programs.

The Fruitvale BART Transit Village is the outgrowth of a growing interest on the part of the Unity Council in developing a project that would have a large impact on the community of Fruitvale. According to Arabella Martinez, "We felt we needed a project of scale, that a single housing project wasn't going to change the neighborhood." The Fruitvale Transit Village presented such an opportunity.

What Happened

When BART announced plans in June 1991 to construct a multi-level parking facility adjacent to the Fruitvale BART station, the community's response was less than enthusiastic. As it was, the area around the station was increasingly distressed. The station's crime rate was the second highest in the entire BART system. At a public meeting organized by BART to present its proposal, community residents and business owners complained that the proposed new facility would worsen crime and blight, exacerbate existing air quality and traffic problems, and cut off pedestrian access from the station to the downtown business district.

The Unity Council led the opposition to BART's plans. When it became obvious that the project did not have the support of the Fruitvale community, BART withdrew its proposal and agreed to work with community leaders on an alternative plan for the area.

Snapshot of the Fruitvale Community

Location: Southeast of downtown Oakland

Population: 53,000

Racial and ethnic composition:

- Latino – 52 percent
- Asian/Pacific Islanders – 23 percent
- African American – 16 percent
- White – 7 percent
- Native American – 2 percent
- Other – 1 percent

Average Household Income: \$36,266

Source: 1990 U.S. Census.

The Participants

- The Unity Council
- National Transit Access Center, University of California at Berkeley
- Bay Area Rapid Transit District (BART)
- City of Oakland
- Metropolitan Transportation Commission (MPO for Bay Area)
- Federal Transit Administration
- U.S. Department of Housing & Urban Development
- U.S. Environmental Protection Agency

The vocal and sometimes contentious meetings between BART and community representatives that followed helped give birth to the idea for the Fruitvale Transit Village.

Identifying Community Preferences. In February 1992, the City of Oakland awarded the Unity Council \$185,000 in Community Development Block Grant (CDBG) funds to initiate a community planning process for revitalizing the area around the Fruitvale BART station. That year, the Unity Council held a series of workshops bringing together different stakeholder groups from around the community.

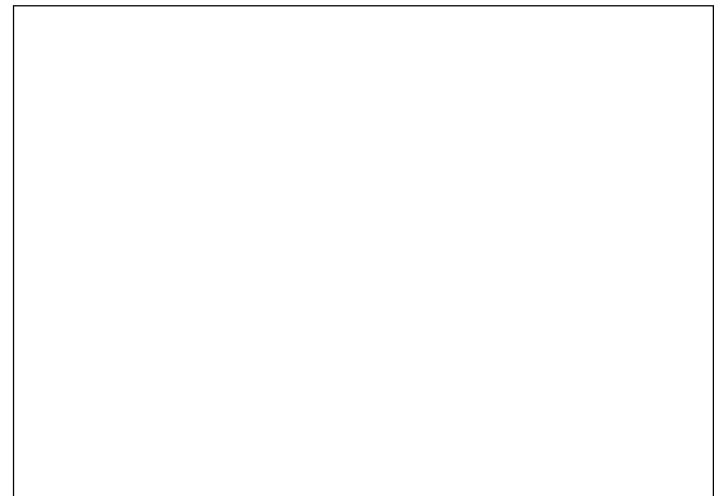
Impressed with the Unity Council's community involvement strategy and ongoing progress, the U.S. DOT awarded the agency a \$470,000 FTA planning grant for the Fruitvale Transit Village in April 1993. The Unity Council used the money to conduct a series of community workshops and carry out economic, traffic, and engineering studies about the immediate station area.

In May 1993, the Unity Council partnered with the University of California at Berkeley's National Transit Access Center (UC NTRAC) to sponsor a community design symposium at which architects translated ideas of participants into a plan for the station area. One of the main themes articulated by participants was the

need for revitalization of existing neighborhood businesses and a plan to better integrate businesses into transit station development. Some 60 people, including Oakland Mayor Elihu Harris and Oakland BART Director Margaret Pryor, attended the event. This was followed by a series of community planning meetings to further develop the plan.

As the scale of the Transit Village project continued to grow by leaps and bounds, the project's three central players decided to formalize their relationship. In 1994, the Unity Council, BART, and the City of Oakland signed a Memorandum of Understanding establishing the Fruitvale Policy Committee to guide further planning and development activities at the station. The Policy Committee was a very different approach to project development for BART and one of several ways that BART exhibited flexibility and innovation during the planning and design phase of the project. The Policy Committee members included two representatives from the Unity Council, one representative from BART, the Mayor of Oakland, and the city council member representing the Fruitvale district.

Meanwhile, the Unity Council continued to engage in intensive community planning efforts for the



The 9-acre BART parking lot will become the site of the Fruitvale Transit Village.

Project Chronology

1991

BART announces plans to build a multi-level parking facility at the Fruitvale rapid transit station. The Fruitvale community opposes the project.

February 1992

The Unity Council receives \$185,000 in Community Development Block Grant funds to develop an alternative plan for the station.

April 1993

The Unity Council is awarded a \$470,000 Federal Transit Administration (FTA) planning grant.

May 1993

The National Transit Access Center at UC Berkeley and the Unity Council hold a community design symposium.

July 1994

The Unity Council, BART, and City of Oakland sign a Memorandum of Understanding to form the Fruitvale Policy Committee.

Spring/Summer 1995

The Unity Council holds a series of community site planning meetings.

1996

The City of Oakland passes a zoning ordinance capping parking space construction in the Transit Village area.

1997

The Unity Council creates the Fruitvale Development Corporation (FDC).

1998

The Unity Council gains control of the Village site through a land swap with BART.

September 1999

BART receives \$7.3 million from the FTA to build replacement parking near the Fruitvale station.

September 1999

Groundbreaking for construction of the Fruitvale Transit Village project takes place.

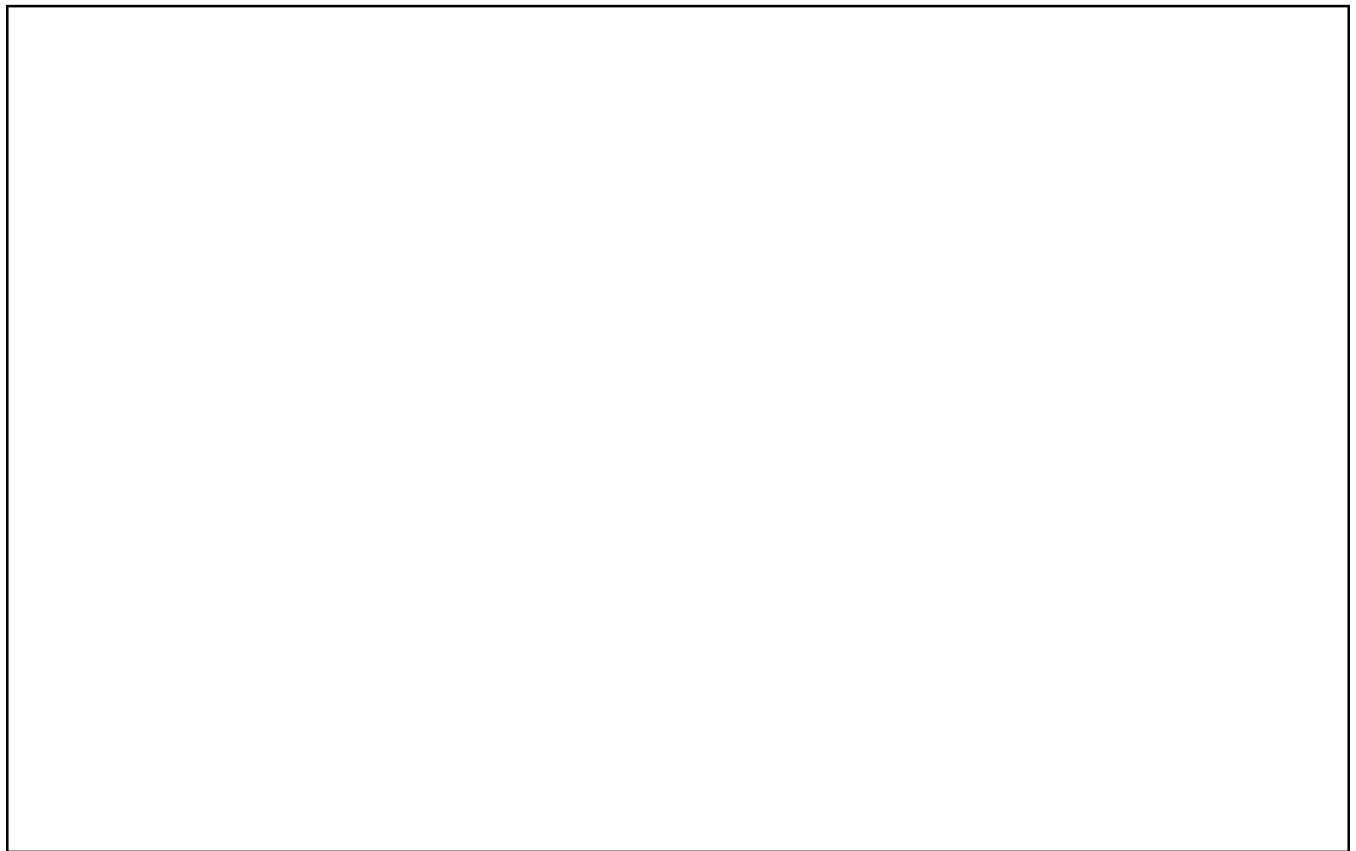
Fruitvale BART station area. In the spring and summer of 1995, the Council organized a series of community site planning workshops to help stakeholders reach a consensus on a conceptual site plan. At the first workshop, participants were asked to identify both positive and negative qualities of the Fruitvale community and to indicate their development preferences for the Transit Village. Participants identified crime, lack of retail businesses and community services, the area's negative image, and the lack of connection between the BART station and the community as issues of concern. Positive qualities cited included the area's diversity and strong tradition of community involvement. This workshop attracted about 30 people.

Participants at the second workshop were asked to develop more specific goals for the Transit Village.

Some of the goals identified included job creation, improved public safety near the BART station, increased availability of retail goods and services in the community, provision of high-quality affordable housing, and better local air quality. This workshop, attended by nearly 50 individuals, also featured a walking tour of the site.

At the third and final workshop, participants were asked to provide feedback on two alternative land-use plans prepared by the project design team. Once consensus had been reached on a site plan, the Unity Council initiated the technical phase of the project, conducting a final traffic study and financial feasibility studies.

By this time, the project components of the Fruitvale Transit Village were more or less settled. The Village would be located on the existing BART parking lot, a nine-acre site adjacent to the station. The centerpiece



Architects translated the ideas from community workshops into a plan for the station area.

of the project would be an elegant, tree-lined pedestrian plaza connecting the BART station entrance with the 12th Street business district one block away. The plaza would be lined with restaurants and shops and serve as a venue for neighborhood festivals and concerts. The surrounding area would include a mixture of retail development, housing, and social service agencies, all easily accessible by foot from the BART station.

Overcoming Barriers. In 1996, the Unity Council established a nonprofit subsidiary corporation called the Fruitvale Development Corporation (FDC) to serve as the developer for the Transit Village and manage contracts. Normally, BART uses a competitive bidding process to identify developers for projects on BART properties. However, BART policy allows the agency to

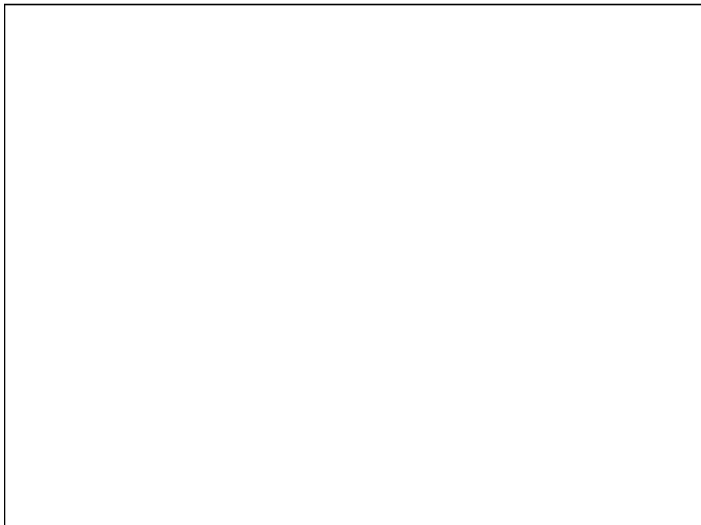
award sole-source development rights if such an arrangement is deemed to be in the best interests of the District. Given the Unity Council's stature in the Fruitvale community, its success in raising funds for the project, and BART's participation in the Fruitvale Policy Committee, the BART Board of Directors acted positively on a staff recommendation to award the Unity Council an exclusive negotiating agreement for the project.

By the mid-1990s, considerable progress had been made on the planning and design of the Transit Village, yet the project still faced a number of significant hurdles. Chief among these was the issue of "land assembly," that is, the need to assemble all parcels of land within the development site under single ownership. BART still owned much of the development



Transit Village streetscapes are designed to maximize pedestrian comfort, safety, and access to local businesses.

site and, due to a long-standing policy requiring the agency to retain ownership of land around transit stations for effective long-term planning, it could not easily part with the property. The challenge for the Unity Council was to persuade BART to make an exception to this policy and accept a fair market price for the property.



The Transit Village plaza will serve as a venue for neighborhood festivals and concerts.

Here once again, BART exhibited considerable flexibility. The land assembly problem was addressed in 1998 through a complicated “land swap” orchestrated by the Fruitvale Policy Committee, which awarded the FDC a 96-year lease on the property. In return, BART received a parcel behind the transit station owned by the Unity Council and several nearby vacant parcels owned by the City of Oakland, enabling BART to maintain the existing value of its land holdings in the area. The land swap gave the FDC and the Unity Council proprietary rights to the entire development site without reducing the value of BART’s land assets near the transit station.

A second hurdle was posed by the issue of BART parking capacity at the station. BART policy required that every parking spot removed for a project be replaced elsewhere. According to Unity Council Chief Executive Officer Arabella Martinez, “the parking was a critical issue.” Ultimately, the Unity Council helped negotiate an agreement allowing BART to construct a parking garage on property owned by Union Pacific Railroad west of the station, replacing about 500 lost spaces. In addition, the Unity Council helped BART secure a \$7.3 million grant from the FTA to construct the new facility.

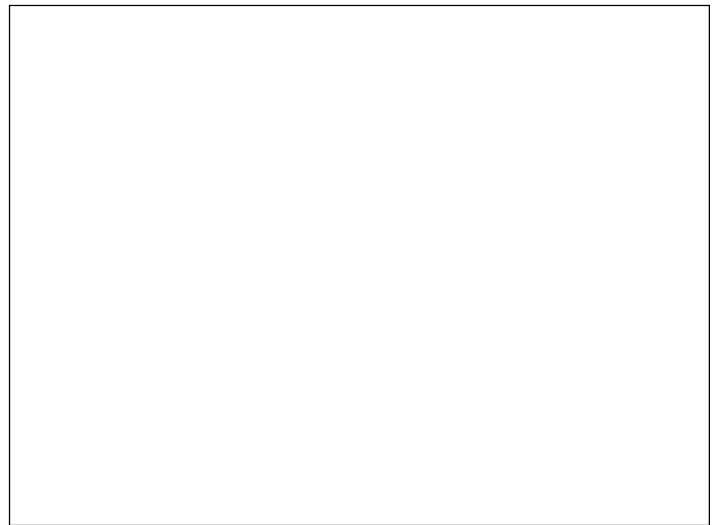
Finally, in order to maintain the pedestrian-oriented character of the Transit Village site and to support community preferences for less traffic congestion and better air quality, the Unity Council petitioned the City of Oakland for a zoning ordinance that would ban construction of any additional parking spaces within the area around the Transit Village. The City passed the ordinance in 1996. In addition, the City agreed to abandon half of the East 12th Street right-of-way along the southwest border of the Transit Village and narrow the street to one lane.

During the next several years, the Unity Council and its partners were able to secure two more significant federal grants to financially anchor the project. In 1999, BART received \$780,000 from the FTA in flexible funds transferred from the FHWA to construct the pedestrian plaza portion of the Transit Village. BART was also awarded a \$2.3 million grant through the FTA's *Livable Communities Initiative*, which uses sustainable design concepts such as transit-oriented development to strengthen linkages between transportation services and communities. This grant provided funding for construction of the project's child care center, which will be developed by the Unity Council.

FDC architects finished the comprehensive plan for the Fruitvale Transit Village in 1999, and groundbreaking for the project took place later that year. To date, FDC has secured over \$82 million of

Components of the Fruitvale Transit Village

- 45,000 ft² Retail/Restaurant Use
- 54,000 ft² Nonprofit Health-Care Clinic
- 55,000 ft² Child Care Facility
- 15,000 ft² Library
- 45,000 ft² Executive Offices
- 68 Units of HUD Housing
- 220 Units of Mixed-Income Housing
- 2 Parking Garages for 1,500 Cars



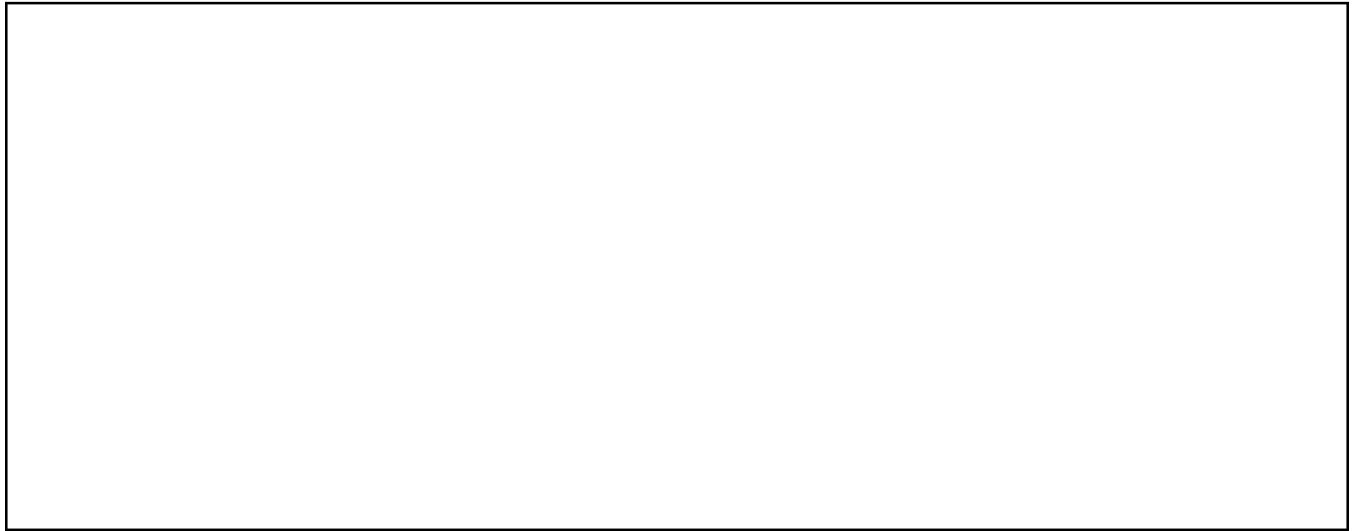
The plan for the station area incorporates the community's desire for a better connection between the community and the transit station.

public and private financing for the \$100 million venture.

Effective Environmental Justice Practices

The Fruitvale Transit Village represents an innovative strategy for using public transit to stimulate community development and achieve environmental improvements in a low-income, minority neighborhood. The project illustrates a number of effective practices for incorporating environmental justice principles into project planning and design:

Effective Partnerships. All major development projects face certain legal, regulatory, and financial hurdles. However, such obstacles tend to be more pronounced in built up urban areas, particularly in less prosperous inner-city neighborhoods. Difficulties with land assembly, potential for environmental contamination, and negative perceptions of such areas on the part of private investors are just some of the obstacles that development projects in lower-income central city neighborhoods may face. The Unity Council's success in negotiating the Fruitvale Transit



The Transit Village will feature a mix of uses – including child care and other community services, retail, and housing – within easy walking distance of the BART station.

Village through a formidable series of hurdles is due, in large part, to the effective partnership that it entered into with BART and the City of Oakland, institutionalized with the establishment of the Fruitvale Policy Committee in 1994. Importantly, both BART and the City of Oakland stood to gain from their participation in the project. The City of Oakland anticipated rising property tax revenues and other benefits associated with new investment activity in a formerly distressed area, such as job creation and reduction of crime. BART expected the new development would add from 300 to 600 new daily riders at its Fruitvale station.

Flexibility and Innovation by Project Partners.

Project partners acted in creative and sometimes unorthodox ways to overcome key barriers. BART entered into an exclusive negotiating agreement with the Unity Council, agreed to a land swap and relocation of its parking facilities at the Fruitvale station, and worked collaboratively *with* a community on a project initiated *by* the community. The City of Oakland capped parking in the Transit Village and relinquished a portion of its right-of-way on East 12th Street. The Unity Council provided the vision for the project, demonstrated effective leadership, and helped to orchestrate the necessary public support.

Use of Creative Financing. The Unity Council and its partners tapped diverse sources of public and private funds. For example, a housing complex for seniors is being funded through a combination of grants, loans, and land and equity capital from seven different entities, including private banks, the City of Oakland, a federal housing program, and the Unity Council. Project partners worked effectively to overcome constraints on the use of certain funds. For instance, since the Unity Council was not an eligible recipient of FTA grant funds for construction of the project's child care center, BART agreed to accept the funds and allocate them to the Unity Council.

Effective Public Involvement. It is noteworthy that the Fruitvale Transit Village began as a proposal for nothing more than a simple parking facility, an idea opposed by the community. Without the strong and sustained public involvement effort that followed BART's proposal, that would have been the end of the story. The Fruitvale Transit Village is an unusual development project in the sense that a community-based organization – the Unity Council – eventually served as the lead agency and developer for the project. The planning process led by the Unity

Council featured creative public involvement strategies such as community site planning meetings, workshops, and a community design symposium. This process helped to articulate a broad set of concerns focused around traffic congestion, air pollution, and the need for neighborhood revitalization. Once such concerns were effectively incorporated into the planning process, the project moved forward with enthusiastic community support.

Use of Transportation Assets as a Community Building Tool. The Fruitvale Transit Village is based on the proposition that public transit facilities can be used to stimulate economic development and promote environmental improvement in a low-income, urban community. Transit-oriented development, a planning concept that has been used successfully in various suburban locations, is largely untested in the inner city. Since central city neighborhoods are often better served by mass transit than suburban areas, the Fruitvale Transit Village may hold valuable lessons about the potential for using mass transit as a tool for the revitalization of low- and moderate-income inner-city communities.

Challenges Ahead

The planning and design phase of the Fruitvale Transit Village featured strong community participation, effective leadership by the Unity Council, and a willingness on the part of BART authorities to participate in a community-based planning process. As the project moves into the construction phase and beyond, a number of key challenges lie ahead:

- The concept of the “transit village” should serve as a guiding principle for future planning and development within the project area. The investment of substantial amounts of public and private funds in the immediate vicinity of the Fruitvale BART station will no doubt spark interest in the area on the part of private developers, many of whom will have no

particular interest in or commitment to environmental justice, transit-oriented development, or other project goals. Unless the City of Oakland continues to work closely with BART and Fruitvale community leaders to manage future development in the area in accordance with the transit village concept and the community plan for the area, the original focus of the project may be lost.

- The Fruitvale Transit Village could become the victim of its own success if redevelopment activity drives up property values and property taxes in the surrounding area to the point that existing residents and businesses are forced out of the community. City officials and community leaders should be on the lookout for signs of gentrification and be prepared to work together on a plan to minimize displacement in the event such steps become necessary. Possible actions include the capping of property tax increases for long-term residents and businesses in the area.
- The Fruitvale Transit Village could become a model for additional transit-oriented development projects serving low-income, minority communities located along the BART system. Whether or not this occurs depends to a large



The planning process for the Fruitvale Transit Village included creative public involvement strategies such as community site planning meetings, workshops, and a design symposium.

extent on the commitment of BART and Bay Area city officials to pursue such opportunities and the presence of committed and effective community-based organizations like the Unity Council in neighborhoods where such projects are viable and appropriate.

“The collaboration between the Unity Council, BART, and the City of Oakland was the key to the success of this project.”

— Patricia Hirota Cohen
Senior Real Estate Officer, BART

Lessons Learned

- Community-based organizations are typically well positioned to identify community preferences, needs, and concerns. They are often better equipped than government agencies to determine whether or not a project is appropriate for a given community and how well it is likely to be received. The idea for the Fruitvale Transit Village originated within the Fruitvale community, following a proposal by BART to construct a parking garage at the Fruitvale BART station. This proposal generated little community support. To BART’s credit, it changed course quickly once it recognized the community’s desire for a different type of project developed through a more inclusive planning process.
- Partnerships can be an effective tool for overcoming barriers posed by the expense and complexity of certain projects. The Fruitvale Transit Village survived various legal, financial, and regulatory challenges in large part because of the leadership of the Unity Council and the willingness of key players like BART and the City of Oakland to actively participate in the project.
- Public transit facilities are valuable assets for certain low-income, minority communities in urban locations. Such facilities already play an important role in providing inner-city residents with access to jobs, shopping, and other key destinations. To the extent that projects like the Fruitvale Transit Village prove successful, transit facilities may also be used increasingly as anchors for neighborhood revitalization.

Benefits from Environmental Justice in Decision Making

For the Neighborhood:

- Neighborhood businesses will benefit from improved pedestrian access between the BART station and the East 12th Street business district, encouraging more pedestrian traffic.
- Neighborhood residents and businesses will experience less traffic and better air quality as a result of planning efforts emphasizing alternatives to automobile use.
- New investment activity around the transit station will provide jobs, increase property values, improve the appearance of the area, and, ideally, transform the commercial core of Fruitvale into a convenient and healthy place in which to live, work, and shop.

For the Agencies:

- With a strategy in place to revitalize an area of the city experiencing economic hardship, the City of Oakland is likely to benefit from new investment activity, job growth, rising property values, and increased property tax revenues.
- New development around the Fruitvale BART station will lead to an increase in the number of transit users passing through the station each day, boosting BART’s ridership.
- Both BART and the City of Oakland have learned valuable lessons about the planning and design of transit-oriented development projects, knowledge that can potentially be applied at other transit stations, both in Oakland and throughout the BART system.

*“Community input equals community support.
Without community support we don’t
have a project.”*

— Gary Penman
Project Architect, Fruitvale Transit Village

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