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## Alameda supervisors clear way for superstores

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OAKLAND Alameda County opened the door Tuesday to **superstores** in unincorporated areas, creating a permit process that takes into account a retail giant's overall economic impact on local communities. The new ordinance, which must be reaffirmed with a second vote April 6, applies to businesses of 100,000 square feet or more with at least 10 percent of floor space devoted to nontaxable items, such as groceries.

The vote by county supervisors drew cheers from labor and community activists and the hint of a lawsuit by a Wal-Mart attorney.

In December 2003, supervisors approved a big-box ban in unincorporated areas, but repealed their decision three months later after Wal-Mart challenged the law in court. Wal-Mart later dropped the suit.

Wal-Mart already has stores in San Leandro, Union City and Oakland.

Supervisors govern noncities such as Ashland, Castro Valley, Cherryland, Fairview and San Lorenzo.

For years, community leaders from these areas have asked supervisors to help attract businesses that will bring in tax dollars and also give residents places to work and shop.

The economic studies called for in the supervisors' vote will identify potential issues, such as low employee pay and benefits, unfair competition with local merchants and effects on traffic, public costs and revenue.

Supervisor Alice Lai-Bitker said this "prudent approach" will enable the county to have a clear understanding of pros and cons "before we allow **superstores** to do business."

Megastores such as Wal-Mart do not have employee unions. That is why it's important, said Sharon Cornu, executive secretary of the Central Labor Council of Alameda County, "to shine a light" on its operations.

The labor groups brought in an East Oakland resident and University of California, Berkeley economist to bolster their concerns about wages, benefits and neighborhood issues.

Wal-Mart attorney Art Friedman said linking economic issues to what essentially is a land-use permit review is inappropriate. Trying to assess how much of an area's retail sales will be captured by a **superstore** is not a legitimate part of land-use or zoning studies, he added.

Friedman cited ongoing court reviews of other cities in California which imposed restrictions on major retailers. Alameda County patterned its new permit conditions on laws enacted in Sacramento, Inglewood and Los Angeles.

A potentially negative economic report wouldn't necessarily kill a **superstore** project. It would be among the documentation reviewed by the county Planning Commission and supervisors as part of the decision-making process.

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