

**Case File Number: PUDF06-046. Related Case Files: ER 03-0023, GP 04-545, RZ 04-544, CDET 04-032, VTPM 8551 – 8555, PUD 05-014**

**February 15, 2006**

<b>2.</b>	<b>Location:</b>	<b>14 Street Apartments at Central Station, West Oakland</b> Portions of APN# 0006-0029-001 and 0000-0315-006.
	<b>Proposal:</b>	<b>Public Hearing</b> on the Final PDP/FDP approval for 99 units of affordable housing within the Wood Street Zoning District (Parcel 3, Development Area 3); and construction of a 109 enclosed parking spaces in an at-grade parking garage.
	<b>Applicant:</b>	BRIDGE Housing Corporation
	<b>Contact Person/Phone Number:</b>	Ben Metcalf (415) 989-1111 on behalf of Bridge Housing
	<b>Owner:</b>	Build West Oakland, LLC
	<b>Case File Number:</b>	<b>PUDF06-046</b> <b>Related Case Files: ER 03-0023, GP 04-545, RZ 04-544, CDET 04-032, VTPM 8551 – 8555, PUD 05-014</b>
	<b>Planning Permits Required:</b>	(1) Preliminary Development Plan; (2) Final Development Plan; (3) Vesting Tentative Tract Map; (4) Design Review; and (5) CUP - affordable housing density increase.
	<b>General Plan:</b>	Urban Residential.
	<b>Zoning:</b>	Wood Street Zoning Planned Development District.
	<b>Environmental Determination:</b>	Previously adopted Wood Street Project Environmental Impact Report.
	<b>Historic Status:</b>	N/A
	<b>Service Delivery District:</b>	West Oakland 1
	<b>City Council District:</b>	3, Nancy Nadel
	<b>For Further Information:</b>	Contact: <b>Gary Patton</b> , Deputy Director of Planning and Zoning <b>(510) 238-6281</b> <a href="mailto:gpatton@oaklandnet.com">gpatton@oaklandnet.com</a>

**SUMMARY**

In June 2005, the City Council approved development of the 29-acre Wood Street Development Project (formerly known as the “Central Station Project”) and associated Zoning District and Guidelines. The **14<sup>th</sup> Street Apartments project** is the second project to be implemented in the Wood Street Development Project Area and under the Wood Street Zoning District regulations. BRIDGE Housing Corporation is proposing to develop 99 units of affordable housing on a site identified as Parcel 3 of Development Area 3 in the Wood Street Zoning District.

The 1.59 acre site for the **14<sup>th</sup> Street Apartments project** is adjacent to 14<sup>th</sup> Street to the north and future residential development to east, south, and west. The proposed project would include three floors of one, two, and three bedroom apartment units surrounding a central landscaped courtyard with a street-level lobby area, office/classroom spaces and an at-grade parking garage with 109 enclosed parking spaces in a podium arrangement. Residential units reach the ground level on two sides of the proposed development.

## **BACKGROUND**

On June, 2005 the Wood Street Development Project was approved by the City Council. The City Council, among other approvals, adopted the Wood Street Zoning District and the necessary General Plan Amendment to the land use map, and also approved five vesting tentative parcel maps. The Project allowed for as many as 1,500 new units, commercial space, the rehabilitation and reuse certain existing industrial buildings, the reuse of the historic 16th Street Train Station, as well as the creation of a major public plaza and the provision of a number of pocket parks and landscaped areas.

A key consideration of City Council's action was to ensure an mix of housing types affordable to a range of income levels within the Wood Street Development Project, while satisfying affordable housing obligations imposed by State redevelopment law. As a result, the City identified a 1.59 acre site (Parcel 3 Development Area 3) as a suitable location for very-low income affordable rental housing and the provision of a minimum of 94 affordable housing units at this site was incorporated into the Wood Street Zoning District (Condition of Approval (COA) #100 -attached). By this condition, the Project required the property owner of Development Area 3, BUILD West Oakland, LLC, ("BUILD") was required to identify a nonprofit organization to serve as developer for the affordable housing site. BUILD selected the BRIDGE Housing Corporation ("BRIDGE") to develop plans and construct a minimum of 94 units of affordable family rental housing on the site. BRIDGE was then obligated to apply for funding to support affordable housing at this site through the City's 2005 Notice of Funding Availability (NOFA) funding process. In addition, the Oakland Redevelopment Agency would participate in negotiations with BRIDGE in order to pay for property acquisition costs for Parcel 3.

In its application to the City in November 2005, BRIDGE proposed developing 99 affordable rental units on the site. Of these units, 30% would be reserved for extremely-low income families, with the remainder reserved for very-low income families. In addition, BRIDGE proposed developing more than 30% of all units with three-bedrooms for large-families. Altogether, BRIDGE expects the development to serve approximately 250 residents. The proposed development will include classroom space for a proposed after school program and space for a technology training program. The project will include a resident manager of the property.

## **PROJECT SITE AND SURROUNDING AREA**

The Wood Street Development Project is located in West Oakland on approximately 29.2 acres of largely underdeveloped land between 10th Street to the south, West Grand Avenue to the north, Wood Street to the east, and the I-880 frontage road to the west; the elevated portion of Grand Avenue to the north; a mixture of single family homes, warehouses, and Raimondi Park across Wood Street to the east; and the California Waste Solutions directly to the south. The existing neighborhood between the project site and downtown Oakland can be described as a mixture of historic Victorian homes, small cottages, multifamily housing, warehouses, heavy industrial/commercial uses, light industry, parks, schools, religious facilities, community centers, and the West Oakland BART Station.

The Wood Street Development Project area also contains significant historic structures that include the 16th Street Station and associated elevated tracks and platform, and the 16th Street Signal Tower. There are also two historical districts within the Wood Street Development Project area. The 14 Street Apartments, located within Development Area 3 of the proposed Wood Street Zoning District, is situated towards the southern end of the Wood Street Development area. The Pacific Cannery Lofts project is under construction on a site to the south and the proposed Zephyr Gate Project is proposed for a site to the east of the project site. This project is presently under planning review.

## **PROJECT DESCRIPTION**

The project site is currently vacant and unimproved land. The site is bounded by 14th Street to the north, vacant land to the east and west, and a warehouse building to the south. The site is essentially flat with no existing vegetation, creeks, or structures. It has traditionally been used for truck-parking and storage associated with the Port of Oakland. The 14th Street Apartments project is adjacent to two new market-rate developments expected to begin construction in 2006, including Holliday Development's work/live loft project ("Pacific Cannery Lofts"), a Pulte Homes townhome community ("Zephyr Gate"). A proposal to develop up to 450 rental apartment units on Development Area 4 (HFH Central Station Village, LLC) is expected to be submitted to the City later in 2006.

The proposed 14th Street Apartments project fronts a privately-owned segment of 14th Street that is to be built-out as part of the Wood Street Development Project approvals. Pulte Homes, the developer of Parcel 4 in Development Area 3 is then identified lead entity for the 14th Street improvements, which are to be dedicated to the City as a public right-of-way. The 14th Street improvements would include a new publicly-accessible "pocket park" located within the 14th Street right-of-way. These street and park improvements, along with all other public improvements are being implemented through the Vesting Final Map process and secured by a Subdivision Improvement Agreement.

### *Site Access*

Pedestrian access to the building would be via Wood Street, 14<sup>th</sup> Street and several pedestrian pathways surrounding the site. Sidewalks would be provided along 14<sup>th</sup> Street and two private driveways. The one on the east would provide shared access to the proposed Pulte Homes Zephyr Gate development and the private driveway on the west (on a parcel also owned by BUILD) would provide access to the parking garage. The main entrance to the building would be along 14<sup>th</sup> Street via a double height lobby and stair. The entrance also includes a ramp for handicapped access.

### *Building Form*

The 14th Street Apartments project will consist of three floors of wood frame construction over an at-grade parking garage 109 enclosed parking spaces. The building will have a flat roof with indentations in the elevations and space for an elevator shaft extending above the parapet level. Residential units with entrance stoops will be located on two sides of the project, facing the neighboring Pulte Homes community to the west and facing and the 14th Street right of way to the north. A lobby area and building entry leading to residential units and office and classroom

space will also face on to 14th Street. Residential units would sit on the garage podium facing the internal access road on the west side of the property and the Pacific Cannery Lofts project on the south side. The entrance and exit to the enclosed garage will be from the west side internal access road. The maximum height of the parapet roof of the building would be 44 feet (the height of the elevator shaft will be 54 feet). The Maximum height for buildings on Parcel 3, Development Area 3 is 65 feet per Figure 5.23-1 Height Zones Wood Street Zoning District Development Standards.

*Residential Units*

Residential units will be a mix of one, two, and three bedrooms. Each floor level of the building would contain a mix of unit types. Unit size will range from 640 square feet (one bedroom, one bath) to 1,074 square feet (three bedrooms, two baths). Nine units on the north and east side of the project will have an at-grade entry stoop that will allow residents access from the sidewalk as well as from interior corridors. All units (except those that face towards Interstate 880) will have private outdoor decks, with at-grade units with stoops that access directly onto the street to allow a more active street edge. Units on the south, east and north elevations would have access to a small balcony space shielded by translucent panels.

The west elevation, which faces onto a private driveway and onto the Frontage Road beyond, would contain only one set of balconies associated with proposed three bedroom units at this location. The external face of units along the west facing side of the building would be set at an angle to the line of the garage wall below, creating a sharp distinction between both elements of the building and in this way defining the residential area and the service area of the structure. Residential units facing the interior courtyard would also have private balconies as distinct from the open group space provided at the center of the project. Units facing the podium will be protected by plant screenings placed in front of unit openings.

*Courtyard Space*

The project contains a large courtyard area set on a podium above the garage space. The courtyard space would be accessible to only residents of the project. The space would be composed of a number of elements including a seating area with tables and benches, a small bosque of trees, decorative paving with direct access to the proposed large community room and raised planters at the perimeter. The courtyard area would also contain a small play area for children. The major feature of the space would be a raised lawn area with a mounded section flanked by two trees. A wide grass ramp would link the lawn area to the paved pedestrian areas within the courtyard. As currently designed the courtyard space would have a generous stairway leading from the interior of the project to publicly accessible pedestrian pathways to the south of the project. This stairway would be gated and locked at all times. The only other access to the interior courtyard space would be via a controlled lobby area on the north face of the building.

*Common Areas and Service Rooms*

The proposed building would contain a number of common areas and service rooms for building residents as noted below:

- Level 1: Service area, maintenance shop, program area and lobby space.
- Level 2: Laundry space, a 15 foot high Common Room and an office area.
- Level 3: Lounge space
- Level 2: Laundry space

All floors would have access to trash and janitor space, stairways and elevators, and set aside seating areas.

*Residential Garage*

The garage will provide 109 off-site parking spaces (a 1:1.1 ratio) of which nine (9) would be tandem parking spaces. Additional visitor parking would be available on 14th Street (which will also provide a drop-off area in front of the main entrance. The garage will have a gated entry and exit and will be mechanically ventilated. Metal grillwork and plantings would be added to provide building articulation on the east and south elevations which are not occupied by residential or building management space.

Recycling space and garbage collection areas would be allocated in the garage using trash chutes from residential unit floors. Collected garbage would be taken to the street, for pick-up by a sanitation company, by means of a “Big Joe” Lift Truck. The garage level would include bike room, two handicap parking spaces, a program room and a maintenance room.

*Building Elevations*

Building materials would generally consist of a mix of stucco and hardi-plank wrapping residential units above concrete podium garage. The exterior of the podium garage would be expressed on the south and west facing elevation. The west elevation would also contain two entrance and exit garage openings from the adjacent driveway. The exterior walls of the garage would consist of textured concrete and contain a series of openings with metal grills to provide ventilation to the garage area.

The major architectural feature of the structure consists of the entrance lobby, stairway and elevator shaft and corner public service area facing onto 14<sup>th</sup> Street. The architectural composition of this area and exterior materials are used to distinguish this portion of the structure from the major residential character of the building. The area will have a metal clad double height lobby and “grand” stair wall with horizontal “slit” windows. The adjoining elevator and staircase assembly will have a full height metal clad elevator shaft with glass walls on either side. The proportions of the corner building element will be larger than the adjacent residential units with floor to ceiling glass doors to the program room beyond.

Each elevation of the building will be enlivened by vertical elements and bays consisting of either a stucco or hardi-plank finish or, conversely, a glass window wall. The elevations will also contain aluminum windows and translucent panels at each balcony. The project will also contain a large section of glass-enclosed space surrounding the interior corridors that link different parts of the building together. The distinguishing feature of the north and east elevations would be the presence of ground floor stoops set against plantings to provide a privacy buffer.

*Landscape and Site Layout*

The proposed development would support and supplement the landscape scheme of the two neighboring developments, Pacific Cannery Lofts and Zephyr Gate, by sustaining a visual connection along both an east-west and north-south axes. On the south elevation of the building, BRIDGE proposes to continue the Zephyr Gate pedestrian *paseo* (landscaped courtyard mews) that would begin in the Pulte Homes development at Wood Street and continue through to the

private drive to be constructed west of the BRIDGE site, running parallel to the face of the building. As the *paseo* traverses the BRIDGE site, it would be approximately 40 feet in width with a meandering path, incorporate planting areas for area residents to grow herbs and vegetables, and a central gathering place.

Along the north-south axis, the project would help sustain the pedestrian views that run through Pacific Cannery Lofts northward from 11th Street by means of a visual break in the 14th St. Apartments building mass. A “cut” on the south of the building, where the three floors of stacked apartments open to reveal the landscaped podium, along with a transparent glassed-in three-story connector corridor at the 14<sup>th</sup> Street side of the site, will allow views into and out of 14th Street Apartments from the south and north. At the intersection of these two axes, at the foot of a large staircase leading to and from the podium level, BRIDGE proposes to develop a shared node open to all area residents for communal activities, events, and celebrations. Landscaped open space would also be provided along the north, east, and west edges of the development, as well on the podium courtyard, consisting of street trees and accent plantings.

#### *14<sup>th</sup> Street Redesign*

A major element in the landscape treatment for the area would be the redesign of existing 14<sup>th</sup> Street and the installation of a “pocket park”, as proposed in the Wood Street Zoning District approval documents. The 14th Street redesign and “pocket park” would be developed as a neighborhood facility that will also permit access through the area for emergency vehicles. Through traffic would not be allowed. Emergency vehicle access through the “pocket park” area would be provided and break-away bollards will be installed at both ends to insure that the area is free of automobiles. The current design contains approximately 100 foot of roadway and sidewalk along 14<sup>th</sup> Street from Wood Street to allow access to the proposed Zephyr Gate project and the future HFH LLC project before the park begins. The new sidewalk would have a “bulb out” at the Wood Street intersection and at the Frontage Road and would have curb cut built in to provide for driveway ramps to project locations to the north and south.

#### *14<sup>th</sup> Street Pocket Park*

The “pocket park” would be approximately 105 feet long within the 80 foot right-of-way of 14<sup>th</sup> Street. Design features in the park include a mix of hardscape and softscape elements. These include flowering trees, grasses and groundcover, raised concrete colored planters with flowering shrubs, and Palm trees and perennials. In addition there would be colored concrete pavers and sidewalks, game tables under the trees with fixed benches and chairs, crash bollards and asphalt paving (14<sup>th</sup> Street), and 18 foot street light fixtures. The sidewalks and “bulb out” areas on both sides of 14<sup>th</sup> Street would also contain landscape elements and 12'-0" wide concrete sidewalk with 12'-0" wide cross walks. The parking area on 14<sup>th</sup> Street would contain space for 20 cars and a truck loading area.

A major design feature of the park is the reuse of four canopy structures recycled from the upper platform of the historic 16<sup>th</sup> Street Train Station site. The structures will be centrally located in the “pocket park” within a new setting of trees, groundcovers, paving, and furnishings envisioned for a shared community space. The retrieved metal structures will provide shelter and a focal point to acknowledge the former train station use of the general area. The existing concrete roof infill panels would be replaced with colored polycarbonate panels and all metal work will be cleaned and refinished in a careful restoration process. Colored light from the

structures would infuse the area below, which would be outfitted with tables, benches and outdoor furniture. The design of the pocket park is particularly important since it would set the standard for design quality and expectations for other areas of the Wood Street Development District. In setting a high design standard Staff believes that the proposed “pocket park” for 14<sup>th</sup> Street achieves the goals and design intent envisaged by the City for this area.

*Density Increase*

Development Area 3 of the Wood Street Development Project consists of two parcels; Parcel 3 (BRIDGE Housing 14<sup>th</sup> Street Apartments project) and Parcel 4 (Pulte Homes Zephyr Gate project). The total number of allowable units within Development Area 3 is 200. On December 14, 2005 Pulte Homes presented a proposal to the Design Review Committee of the Planning Commission to construct 130 residential units on Parcel 4 (Zephyr Gate residential project). As a result, Parcel 3 would have an allowable net build-out of 70 units. However, the affordable housing component proposed by BRIDGE for Parcel 3 would contain 99 units. The project would, therefore, require a 42% density bonus under the City’s Density Increase Ordinance (OMC Chapter 17.107) for the development of 29 additional housing units. The proposal to increase density meets the City’s requirements for affordability levels, as contained in the findings section of this staff report.

To further confirm that this density increase is appropriate for the site, staff applied the proposal to a larger area of the Wood Street Zoning District. Currently, projects proposed in the Wood Street Zoning District would take place in either Development Area 2 or Development Area 3. Development Area 2 is allocated to have 189 units and Development Area 3 is allocated 200 units for a total of 389 units, distributed as follows:

*Development Area 2*

Pacific Cannery Lofts Project (approved) 163 units

*Development Area 3*

Pulte Homes Zephyr Gate Project (DRC review) 130 units

BRIDGE 14<sup>th</sup> Street Apartments (currently proposed) 99 units

Subtotal: **392 units**

Thus, there would be a difference of only three (3) units between total units allocated and total units proposed for Development Area 2 and Development Area 3 combined.

**ENVIRONMENTAL REVIEW**

Environmental issues associated with the development on Parcel 3, Development Area 3 (proposed 14<sup>th</sup> Street Apartments project) were addressed in the Environmental Impact Report (EIR) prepared for the Wood Street Zoning District (ER 03-0023). No conditions are present which would warrant further environmental review. There are no new significant circumstances, no change in a potential impact, no new impact and all required mitigation measures remain feasible. Therefore, the certified EIR will be applied to this project, along with the required mitigation measures set forth in the approved Mitigation Monitoring and Reporting Program (MMRP).

**GENERAL PLAN ANALYSIS**

The Wood Street Development Project is within the “Urban Residential” General Plan designation. The underlying residential densities and Floor Area Ratio (FAR) allowed for the District and proposed for Development Area 3 are consistent with this designation.

**ZONING ANALYSIS**

As previously described, the Wood Street Zoning District was adopted for this 29 acre site and represents a unique set of development standards and requirements for this area. The next section of this report evaluates these zoning standards to the project and confirms that the project is consistent with them.

**Development Standards**

Development standards are specified for each Development Area as specified in Table 5-10.1 in the proposed Wood Street Zoning District. These development standards will be followed to ensure an overall framework for the entire 29.2 acres. Conditions of Approval noted on the vesting tentative parcel maps are included as development standards in the Wood Street Zoning District. This means that compliance with these conditions is part of the zoning regulations similar to the standards regulating maximum height, setback, or densities. These standards are further enhanced with adopted design guidelines that are also applied to any development throughout the project area, as set forth in the Zoning District.

While no specific architectural style is recommended, the guidelines contain expectations for certain architectural features. One example is that parking structures are screened, or tucked behind buildings, to encourage pedestrian activities along the street frontages. The guidelines emphasize physical design features that promote interaction with the surrounding neighborhoods by addressing building massing and articulation, street front openings and entries, building frontages, setback and height requirements. The design features promote high design quality and a lively pedestrian street environment.

**PDP/FDP Requirements**

Development applications for proposals within the Wood Street Zoning District are processed similarly to the City’s Planned Unit Development permit requirements using the Wood Street Zoning District as the underlying zone. Preliminary Development Plans (PDP) and Final Development Plans (FDP) must be submitted for each development proposal and processed according to the requirements of the Wood Street Zoning District (see Attachment B). The Zoning District procedures also include the ability to combine the PDP and FDP into a unified process at the applicant’s discretion.

*Preliminary Development Plan*

The Preliminary Development Plan submittal requirements include information on streets, driveways, sidewalks, pedestrian and bike-ways, off-street parking provision and loading areas. In addition, the regulations note that plans specify the location and dimension of structures, the utilization of residential and non-residential property and major landscaping features. Information presented to the City for the project also includes a tabulation of land use, a preliminary phasing plan, infrastructure plan and public facilities financing plan.

*Final Development Plan*

The Final Development Plan (FDP) includes all of the information contained in the Preliminary Development Plan plus additional detailed information related to public and private infrastructure, building plans and materials, landscape plans and signage, grading or earth-moving plans, and a public facilities financing plan modified as necessary to reflect updated conditions.

The PDP/FDP application submitted for the proposed project satisfies these requirements.

**Design Review Requirements**

The Wood Street Zoning District contains design review requirements related to Preliminary Development Plans and Final Development Plans submitted for each development. The procedure for design review follows the schedule outlined in Section 17.136.060 of the Zoning Code. Staff has determined that the information submitted with this application satisfies the design review requirements of the Wood Street Zoning District.

**KEY ISSUES**

Generally, staff believes that the site plan, design, layout, height and materials and colors of the 14 Street Apartments project are appropriate to the area and are in substantial conformance with the requirements of the Wood Street Zoning District. The proposed project is generally consistent in terms of building bulk, massing, and design with other proposed buildings in the immediate neighborhood, including the approved Pacific Cannery Lofts project to the south (approved June 2005) and the proposed Zephyr Gate residential project to the east (DRC review December 2005). After review of the project plans prepared by the project sponsor, dated January 12, 2006,

However, staff has identified three issues for the Planning Commission to review as part of the consideration of this project:

1. *Locked and Gated Stairway.* As proposed, the stairway to the interior courtyard space will be gated and locked at all times for security purposes. While staff understands the need for controlling access to this space during certain periods of the day, the notion of a “secured facility” is not in keeping with the intention of a pedestrian friendly and integrated community as set forth in the Wood Street Zoning District. If the security of this space is deemed a more important issue than accessibility, staff suggests that the gates be designed (such as a significant recess) in such a way to at least provide visual transparency.
2. *Density Increase.* As set forth in the previous section of this staff report, the proposed density increase for this parcel is permitted with the approval of a conditional use permit and was expected given the City Council’s final review and requirement for at least 94 units of housing affordable to very low and low income households. The design of the project, particularly with regard to massing and height is well within the development parameters for the Wood Street Zoning District. Accordingly, staff has determined that the proposed developments for Development Area 3 proposed for Wood Street Development Project is in substantial

conformance with the Wood Street Zoning District density regulations. Further, the density increase permitted through the City's density increase procedure is appropriate within the context of the affordable housing requirements that were specifically established as part of the project for very low and low income households.

3. *Tandem Parking and Parking Management Plan.* The parking plan for the project calls for up to nine spaces in tandem. Rather than approving these 14 spaces in this configuration, staff suggests that a parking management plan be developed during the building permit stage to manage the parking in the most efficient way, based on final design development drawings, dimensions of aisles, mechanical equipment, trash enclosures, and actual demand. In addition, some tenants may not own cars, while others may need multiple spaces. Tandem spaces, as set forth in OMC 17.116.240 are generally reserved for the same unit, so that people sharing a household will be moving cars, not people living in different units.

4. *Design Review Process.* The Planning Commission often relies on the Design Review Committee to review and consider design issues prior to full Commission consideration. Due to funding deadlines that are important to meet in order to make the project financially feasible, this project is being presented only to the full Commission. The Wood Street Zoning District standards and guidelines have been met and the remaining issues appear generally minor and can be addressed through Conditions of Approval at the building permit stage.

#### **RECOMMENDED COMMISSION ACTIONS:**

Staff recommends that the Planning Commission:

1. Find that the Planning Commission has independently reviewed, analyzed, and considered the Wood Street Development Project EIR prior to acting on the approvals. Based upon such independent review, analysis, and consideration and exercising its independent judgment, the Planning Commission confirms that the **14 Street Apartments Project** is within the scope of the Wood Street Development Project EIR; and

2. Find and determine on the basis of substantial evidence in the record that none of the circumstances necessitating preparation of additional CEQA review as specified in CEQA and the CEQA Guidelines, including without limitation Public Resourced Code Section 21166 and CEQA Guidelines Section 15162, are present in that (1) there are no substantial changes proposed in the project or the circumstances under which the project is undertaken that would require major revisions of the EIR due to the involvement of new environmental effects or a substantial increase in the severity of previously identified significant effects; and (2) there is no "new information of substantial importance" as described in CEQA Guidelines Section 15162(a)(3); and

3. Adopt the attached Conditions of Approval for the proposed project including the Mitigation Monitoring and Reporting Program. The monitoring and reporting of CEQA mitigation measures in connection with the project will be conducted in accordance with the MMRP. Adoption of this program will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in Section 21081.6 of CEQA. All proposed mitigation measures

are capable of being fully implemented by the efforts of the City of Oakland or other identified public agencies of responsibility as set forth in the conditions of approval and the MMRP; and

4. Approve the Preliminary Development Plan, Final Development Plan, and Design Review for the **14 Street Apartments Project** and the plans dated January 12, 2006, subject to the attached findings and conditions.

Prepared by:

Gary Patton,  
Deputy Director of Planning and Zoning

Approved for forwarding to the  
City Planning Commission:

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CLAUDIA CAPPIO  
Director of Development

**ATTACHMENTS**

- A. Wood Street Zoning District Development Standards Summary  
Table 5.10-1
- B. Wood Street Zoning District PDP/FDP Requirements
- C. Project Plans, Sections, Elevations dated January 12, 2006

## **FINDINGS FOR APPROVAL**

This proposal meets the required findings as set forth below. The project's conformance with the following findings is not limited to the discussion below, but is also included in all discussion in this report, the Wood Street Development Project EIR and elsewhere in the record.

### **California Environmental Quality Act (CEQA) Findings**

The CEQA Findings for the Wood Street Zoning District (which includes the 14<sup>th</sup> Street Apartments project site) were certified by the Planning Commission on March 16, 2005 and affirmed by the City Council on May 17, 2005.

The Planning Commission finds and determines, on the basis of substantial evidence in the record, that the EIR fully analyzes the potential environmental effects of the project and incorporates mitigation measures to substantially lessen or avoid any potentially significant impacts in accordance with CEQA. None of the circumstances necessitating preparation of additional CEQA review as specified in CEQA and the CEQA Guidelines, including without limitation Public Resourced Code Section 21166 and CEQA Guidelines Section 15162, are present in that (1) there are no substantial changes proposed in the project or the circumstances under which the project is undertaken that would require major revisions of the EIR due to the involvement of new environmental effects or a substantial increase in the severity of previously identified significant effects; and (2) there is no "new information of substantial importance" as described in CEQA Guidelines Section 15162(a)(3).

### **Findings for Approval of the Preliminary Development Plan (Section 3.20) and the Final Development Plan (Section 3.40) of the Wood Street Zoning District**

The Planning Commission finds that the Preliminary Development Plan and the Final Development Plan is in substantial conformance with the Wood Street Zoning Regulations.

- A. The conversion of an underutilized site to affordable residential units and the construction of a parking garage are consistent with the "Urban Residential" General Plan land use designation and the Wood Street Zoning District.
- B. The design and size of the project are appropriate for the location and compatible with the surrounding area, which includes a variety of land uses, building heights, and building types.
- C. The proposed project is consistent with the Wood Street Zoning District development standards relating to density, height, building frontage, projections over the street line, usable open space for residential uses, minimum separation between opposite walls on the same lot, required off-street parking, street improvements, location and screening of parking garages. A separate density increase has been approved in order to increase the density on Parcel 3, as set forth in this staff report.

D. The proposed project is consistent with the City’s Historic Preservation Element Policy 3.8.1 regarding historic preservation impacts for historic properties. The site is not designated a potentially designated historic property (PDHP).

E. The utility and infrastructure plans, and the public facilities financing plan, meet the requirements of the Wood Street Zoning District.

**Findings for Final Design Review – Sections 3.50 and 6.00 of the Wood Street Zoning District**

The Planning Commission finds that the proposed project is substantially in compliance with Section 6.00, Design Guidelines, of the Wood Street Zoning District.

A. The Planning Commission finds that the design satisfies the design intent set forth in the Wood Street Zoning District Design Guidelines. The conversion of an underutilized site to affordable residential units and the construction of a parking garage are consistent with the setting, scale, bulk, or height of the Zoning District standards and guidelines.

B. The proposed materials and textures will enhance both the residential development in the existing neighborhood and maintain the industrial nature of some of the other buildings in the area. This combination of building materials and textures will protect, preserve, and enhance desirable neighborhood characteristics in this transitioning area.

C. The architectural character, pedestrian connections, building massing, building articulation, parking garage facades (including the construction of residential units), windows, garage entrances, ground floor spaces, service access areas, underground utility connections, equipment screening, mechanical penetrations, building facades and roofs, waste handling areas, exterior materials, exterior colors, exterior lighting, signage and graphics, and planting areas of the 14<sup>th</sup> Street Apartments project are consistent with the Design Guidelines of the Wood Street Zoning District.

**Findings for Density Incentive – Section 17.107.040 of the Zoning Code**

The Planning Commission finds that the proposed project is substantially in compliance with Section 17.107.040. 3(B) of the Zoning Code where the request is for a density bonus of greater than twenty-five (25) percent, but not more than one hundred (100) percent, the reviewing body shall find that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and that the proposal provides additional housing units that are affordable to very low income, low income or moderate income households, beyond the minimum requirements described above, proportional to the additional density bonus.

A. The Planning Commission finds that the proposed project satisfies the intent set forth in the requirements of Section 17.107.040 A(1)(a)(b) in that 30% these units would be reserved for extremely-low income families, with the remainder reserved for very-low income families. In addition, BRIDGE proposes developing more than 30% of all units with three-bedrooms for large-families. The proposed development will include classroom space for a proposed after

school program and space for a technology training program. The project will include a resident manager of the property.

**Findings for a Conditional Use Permit – Section 17.134.050 of the Zoning Code**

The Planning Commission finds that the proposed project is substantially in compliance with Section 17.134.050 of the Zoning Code where a conditional use permit for the density increase shall be granted only if the proposal conforms to all of the following general use permit criteria, as well as to any and all other applicable use permit criteria:

A. That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development. Specifically, the design, massing and architectural form of the project is well within the zoning standards and guidelines as set forth in the Wood Street Zoning District. This Zoning District established consistent design standards and other major features in order to develop an orderly and well integrated planned community, thereby assuring livability and compatibility with surrounding properties.

B. That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant. As previously noted, the key design standards and features (height, bulk, exterior materials, setbacks, etc.) have been previously established by the Wood Street Zoning District and are applied to this area and the entire Wood Street Project site. The Wood Street Zoning District connects the various development sites with pedestrian connections, and incorporates a main plaza and pocket parks, thereby enhancing the pedestrian and residential environment.

C. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region. The Wood Street Zoning District established standards and requirements concerning the provision of public services and other features to meet the needs of its residents and provided community space including the restoration and preservation of the 16<sup>th</sup> Street Train Station.

D. That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.136.070. The Wood Street Zoning District contains separate design criteria and performance standards as part of the zoning district.

E. For proposals involving a One or Two Family Residential Facility: If the conditional use permit concerns a regulation governing maximum height, minimum yards, or maximum lot coverage or building length along side lot lines, the proposal also conforms with at least one of the following criteria:

1. The proposal when viewed in its entirety will not adversely impact abutting residences to the

side, rear, or directly across the street with respect to solar access, view blockage and privacy to a degree greater than that which would be possible if the residence were built according to the applicable regulation, and, for conditional use permits that allow height increases, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height; or

2. At least sixty (60) percent of the lots in the immediate context are already developed and the proposal would not exceed the corresponding as-built condition on these lots, and, for conditional use permits that allow height increases, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height. The immediate context shall consist of the five closest lots on each side of the project site plus the ten closest lots on the opposite side of the street (see illustration I-4b); however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any decision on any conditional use permit.

This conditional use permit application pertains to a proposed density increase in order to accommodate very low and low income families on a development parcel within a planned residential and mixed use community. The development standards are governed by the Wood Street Zoning District, so no finding under this subsection is required.

F. That the proposal conforms in all significant respects with the Oakland Comprehensive Plan and with any other applicable plan or development control map which has been adopted by the City Council. (Ord.12376 § 3 (part), 2001: prior planning code § 9204). The Wood Street Zoning District is consistent with the underlying General Plan land use designation of Urban Residential. It is also consistent with many other applicable policies including the provision of housing to a broad range of families, increasing the supply of affordable housing, and redeveloping an underused, vacant area of land.

**Conditions of Approval for the Preliminary Development Plan, Final Development Plan, and Vesting Tentative Parcel Map 8552, Parcel 2 - Section 1.30 Wood Street Zoning District**

1. Each of the Conditions of Approval (Exhibit C to VTPM Resolution No. 79249) and each of the mitigation measures referenced in the Mitigation Monitoring Reporting Program (Exhibit B to VTPM Resolution No. 79249) relating to Vesting Tentative Parcel Map 8551, Parcel 3 shall apply to the 14<sup>th</sup> Street Apartments project (VTPM 8551, Parcel 3), as approved by the City Council on May 17, 2005.

2. Prior to the issuance of an occupancy permit for the 14<sup>th</sup> Street Apartment Project, the Project Sponsor shall submit a parking management plan for the on-site project, including the management of all spaces and how they will be assigned, the identification of tandem spaces on a per unit basis, the demand for short term spaces, etc.

