

Case File Number: CMDV03-230

June 25, 2003

Location:	160 14th St. (APN 008-0628-005-01)
Proposal:	To construct an eight story building to contain ground floor commercial space, a “service enriched” housing facility, and 76 affordable housing units.
Owner/Applicant:	Affordable Housing Associates
Planning Permits Required:	Major Conditional Use Permit for a service enriched housing facility; Minor Conditional Use Permit for reduction of loading berth dimension (45’-0” long; 20’-0” long proposed); Minor Variance for number of parking spaces (79 required; 51 proposed); Minor Variance for front setback (5’-0” required; 0’-0” proposed); Minor Variance for rear setback (15’-0” required; 0’-0” proposed); Minor Variance for parking dimension (8’-6” width required; 8’-4” proposed) and Design Review for the construction of more than three units on a lot in the C-51 Zone and a new structure in the S-4 Zone.
General Plan:	Central Business District
Zoning:	C-51, Central Business District Zone; S-4, Design Review Combining Zone; and S-17, Downtown Residential Open Space Combining Zone.
Environmental Determination:	Environmental Determination to be decided; environmental review is underway.
Historic Status:	Not a Potentially Designated Historic Property (PDHP); survey rating: NA. Adjacent to a Designated Historic Property (the site of the Islamic Cultural Center).
Service Delivery District:	I – Central District
City Council District:	2
For further information:	Contact case planner Neil Gray at (510) 238-3878.

The proposed mixed use project consists of an eight story building with 76 affordable housing units, 2,666 square feet of ground floor retail space, and 53 ground level parking spaces. 19 of the residential units would be reserved for special needs persons with mental, physical, and/or developmental disabilities that are at-risk of homelessness.

Staff has identified the following issues for consideration of the Planning Commission.

- The proposed size of the units;
- The proposed number and arrangement of off-street parking spaces;
- Whether the building would have sufficient visual interest at its highly visible site;
- Potential impacts on the neighboring Madison Street Temple, a Designated Historic Property; and
- The proposed coverage of the lot.

PROJECT DESCRIPTION

The proposed 96'-0" tall, eight story building would consist of 2,666 square feet of ground floor retail space, 76 residential units, and 53 ground level parking spaces. The residential units would be available for households earning up to 60 percent of the County's median income and be designed for working artists and people with home businesses; 19 of the units would be reserved for special needs persons with mental, physical, and/or developmental disabilities that are at-risk of homelessness.

The second floor of the facility contains four residential units, six for rent artist spaces, an office space for a full time social service coordinator for the special needs residents, and a 940 square foot multi-purpose room. This floor would also be used to provide job training, personal skills training, ESL classes, GED classes, counseling, and physical therapy services to the special needs residents. The second story steps back from the first story approximately 25'-7" on the northern, 6'-0" on the southern, and 6'-0" on the eastern and western sides of the building. This step back creates a group terrace area on the northern side and private open spaces on the other sides of the second floor.

Floors three through seven each contain 12 residential units; the top floor contains 12 units and 278 square feet of group open space. The units range in size from 344 to 1,097 square feet, with a median and average size of only 550 and 599 square feet, respectively. Thirty four of the units are considered "efficiency units" by the Zoning Ordinance because they have an area of less than 500 square feet.

A structured parking area would be located behind the retail space on the ground floor and utilize a lift system for stacking three levels of cars. A curbside City Car Share service parking space is proposed to be located on the curb outside the building.

The building's rectangular shape, flat surfaces, consistent floor plates, and functional design give the building a modern style. The building would have aluminum and glass windows that would reach from the ceiling to the floor of each story. Alternating window locations on each floor are proposed to bring visual interest and variety to the façade. The surface of the building between the windows would either be colored cement board panels with exposed fasteners or cement plaster. Exposed concrete structural components would criss-cross the building. The ground floor storefront would have a tile base and 10'-0" tall aluminum and glass windows under an aluminum canopy.

NEIGHBORHOOD AND PROPERTY DESCRIPTION

The 14,250 square foot site, currently a parking lot, is located at the northeastern corner of 14th and Madison Streets, a heavily trafficked downtown intersection approximately six blocks east of City Hall. The site to the north is considered a designated historic property (DHP) with a survey rating of "A" from the City's Cultural Heritage Survey office ("A" ratings are the survey's highest rating and given to "properties of exceptional historical or architectural value which are clearly eligible individually for the National Register of Historic Places"). This neighboring site has historic significance because it contains the Madison Street Temple, a building constructed in 1909 that is considered an excellent example of Mission Revival architecture. Also, the building is the original headquarters of Oakland's Scottish Rite, one of the City's leading fraternal organizations. An approximately 18 foot wide parking lot separates the subject property from the Temple building; stained glass windows face the parking lot and the subject site. The headquarters of the Islamic Cultural Center of Northern California is currently located in the building.

The City's main library, another historically designated property, is located across the intersection from the site. A one story stucco building containing a dry cleaning service is located to the west of the site. A day care center is located across 14th Street and a two story, mixed use building is located across Madison Street. The site is within the Mayor's 10K project area.

COMMUNITY INVOLVEMENT AND INPUT

An open house was held by the applicant on May 10, 2003 and the applicant attended a meeting held at the Islamic Cultural Center on March 8, 2003. At these meetings concerns were raised regarding the proposed number of parking impact on the neighborhood, the affect the proposal may have on the Madison Temple's historic setting, and other issues.

GENERAL PLAN ANALYSIS

The project is within the Central Business District General Plan classification, a designation "intended to encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, and transportation in Northern California".

The project would be consistent with several General Plan Policies regarding Downtown development, including:

Policy D3.1 Promoting Pedestrians. Pedestrian Friendly commercial areas should be promoted.

Policy D6.1, Developing Vacant Lots. Construction on vacant land or to replace surface parking lots should be encouraged throughout downtown, wherever possible.

Policy D9.1, Concentrating Commercial Development. Concentrate region-serving or destination commercial development in the corridor around Broadway between 12th and 21st Streets, in Chinatown, and along the Jack London Waterfront. Ground floor locations for commercial uses that encourage a pedestrian-friendly environment should be encouraged throughout the downtown.

Policy D10.1, Encouraging Housing. Housing in the downtown should be encouraged as a vital component of a 24-hour community presence.

Policy D10.2, Locating Housing. Housing in the downtown should be encouraged in indefinable districts, within walking distance of the 12th Street, 19th Street, City Center, and Lake Merritt BART stations to encourage transit use, and in other locations where compatible with surrounding uses.

Policy D10.4 Providing Housing for a Range of Needs. Housing in the downtown should not be geared toward any one housing market, but rather should be promoted for a range of incomes, ownership options, household types, household sizes, and needs.

Policy D11.1 Promoting Mixed-Use Development. Mixed use developments should be encouraged in the downtown for such purposes as to promote its diverse character, provide for needed goods and services, support local art and culture, and give incentive to reuse existing vacant or underutilized structures.

Policy D11.2 Locating Mixed Use Development. Mixed use development should be allowed in commercial areas, where the residential component is compatible with the desired commercial function of the area.

Further, the project fulfills the “transit oriented development” objectives of the General Plan by providing a mixed use, dense proposal within six blocks of the Lake Merritt and Downtown City Center BART stations.

The General Plan Land Use designation allows a floor area ratio (FAR) of 20 for the subject site (FAR is defined as the ratio of building square footage to lot square footage) At 5.24, the proposal falls well within this maximum General Plan FAR. The General Plan permits a maximum of 161 units on the subject site; at 76, the project falls well within this requirement.

ZONING ANALYSIS

The project is within the C-51, Central Business District Zone; S-4, Design Review Combining Zone; and S-17, Downtown Residential Open Space Combining Zone. The following section analyzes the project in terms of these zoning designations.

Design Review

The project requires Design Review approval because it is located in the S-4 Design Review Zone. Section 17.58.020 also requires Design Review approval for any residential project with more than two units on a lot in the C-51 Zone.

Major Conditional Use Permit

The services provided to the special needs population requires a conditional use permit because it falls into the “Service Enriched Housing” classification, a classification conditionally permitted in the C-51 Zone. Section 17.134.020 states that a Conditional Use Permit involving Service Enriched Housing is considered Major and requires a hearing in front of the Planning Commission.

Density

The C-51 allows one regular dwelling unit per 150 square feet of lot area and one “efficiency unit” per 100 square feet of lot area (an efficiency unit is defined as a dwelling unit containing only a single habitable room other than a kitchen, or containing a total of less than 500 square feet of floor area). Given the proposed commercial square footage, 91 regular dwelling units are allowed on the lot. At 46 dwelling units and 30 efficiency units, the proposal falls within this requirement.

Floor Area Ratio

The Zoning Ordinance allows a (FAR) of 7.7 for the subject site (FAR is defined as the ratio of building square footage to lot square footage) At 5.24, the proposal falls well within this maximum FAR.

Height

The Zoning Ordinance contains no restrictions for height at the subject site.

Minimum Yards and Courts

The following table lists the setback requirements for the site and the project’s proposed setbacks:

Setback	Required	Proposed	Conforms?
Front (along Madison Street)	5'-0"	0'-0"	No
Right (14 th Street) side	0'-0"	3'-0"	Yes
Left (north) side	0'-0"	0'-0"	Yes
Rear (west)	15'-0"	0'-0"	No

Note that the project is not in conformance with the Zoning Ordinance in terms of rear and front yard setbacks. This issue is discussed in the Key Issues and Impacts Section of this report.

Minimum Usable Open Space

The S-17, Downtown Residential Open Space Combining Zone requires 75 square feet of usable open space per regular unit and 50 square feet per efficiency unit. This requirement can be fulfilled using any combination of private, group, ground floor plaza, sidewalk, rooftop, or courtyard open space. According to this schedule, the project requires 4,850 square feet of open space. The following table shows that the project meets this requirement with 5,388 square feet of open space:

Location	Type of Open Space	Square feet
Second floor terrace	Courtyard	2,940
Private terrace on southern, eastern, and western Side of second floor	Private Usable	2,170
8 th Floor on southern side of building	Courtyard	278
Total		5,388

Parking and Loading

Section 17.116.060 of the Zoning Ordinance requires one parking space per residential unit; one space for each 900 square feet of floor area of retail activities; and no parking spaces for custom manufacturing activities (the second story artist space) that use less than 10,000 square feet of floor area. The Service Enriched Housing activity requires one parking space for three full time employees. Given these standards, the project requires 79 parking spaces. At 51 spaces, the project falls short of this standard by 28 spaces. This issue is discussed in the "Key Issues and Impacts" section of this report. The proposal also requests a variance for parking dimension because the Zoning Ordinance requires that standard parking spaces be 8'-6" wide and the proposed spaces in the parking lift are only 8'-4" wide.

The Zoning Ordinance does not require loading berths for the commercial and the custom manufacturing activities at the size of the units that is proposed. The project does require one loading berth for the residential activities because the project occupies 64,867 square feet of gross residential floor area and the Zoning Ordinance requires one loading berth for residential activities that occupy between 50,000 and 100,000 square feet of floor area. The applicant proposes one loading berth within the ground floor parking area that has a length of 20'-0" and a width of 16'-6". However, Section 17.116.220 of the Zoning Ordinance states that required loading berths must be 45 feet long, have a twelve foot width, and have a fourteen foot clearance. The applicant has applied to waive these dimensional requirements through a provision of that same section that states that the minimum height or length of a required berth may be reduced upon the granting of a conditional use permit.

KEY ISSUES AND IMPACTS

Staff would like input regarding the following issues from the Design Review Committee:

Size of Units

As mentioned, many of the units are small, with the majority of the units less than 550 square feet; 34 of the units would be less than 500 square feet and that more than two-thirds of the units would be less than 600 square feet.

Type of Unit	Size of Units (sf)	Number of Units
Studio	344 – 450	23
One Bedroom	483 – 594	29
Two Bedroom	738 – 753	18
Three Bedroom	1,000 – 1,096	6
Total		76

Staff is concerned that the size of the units is not consistent with the applicants' vision to provide affordable apartments to artists and people with home offices. These residents generally require more space for materials and work area. Staff is further concerned that the project's smaller units would have limited functionality even for residents who are not artists or have a home office.

Staff requests input regarding whether the Commission would like to place a minimum size on the units in the building. If so, staff requests input regarding what that minimum size should be.

Parking

Staff requests preliminary input from the Design Review Committee regarding the proposed parking provision. The applicant proposes 51 parking spaces and a curbside space devoted to the City Car Share service. The applicant will provide information about similar housing projects in Oakland to analyze whether the proposed parking scheme will meet demand. Staff will not have recommendations regarding the parking until that study is completed. A reduced parking requirement may be appropriate for the site given the proximity of two BART Stations and the provision of the City Car Share service.

Visual Interest

Like many modern style buildings, the proposal has a box shape on top of a ground floor pedestal. Due to this basic shape, it is critical that the details of the building create visual interest. The applicant proposes to generate visual interest through the use of contrasting patterns of windows, colors, materials, and window recesses. Staff requests input from the Design Review Committee regarding whether these proposed elements provide the building with sufficient architectural interest. Staff further requests input on whether the building's appearance would benefit from more windows, particularly on the western elevation.

Also, the plans show an option of either colored cement board panels with exposed fasteners or cement plaster; staff recommends the use of the panels because they would provide more visual interest to the façade. Staff requests input from the Design Review Committee regarding this recommendation.

Madison Street Temple

As mentioned, the project neighbors the Madison Street Temple, a designated historic property with a survey rating of "A". The applicant has argued that the 25'-7" second story setback on the northern side of the building, landscaping and artwork on the northern elevation, and the 18 foot parking lot between the subject property and the Temple would provide adequate separation and a buffer between the project and the historical setting of the Temple. A cultural resources consultant is reviewing the project in relation to the Temple to confirm that the new building will not impair or materially alter this designated historic resource.

Setbacks

As mentioned, neither the front nor the rear setbacks conform to the requirements of the Zoning Ordinance. The ground floor level covers nearly the entire lot because this is the space required to contain both parking and commercial space. Staff believes that the proposed setback is appropriate for the following reasons:

- The commercial retail space should not be reduced because it is an important policy of the General Plan to place retail activities on the ground floor of buildings in Downtown;
- The impact on the neighborhood of reducing parking would outweigh the benefit of increased setbacks;
- Full lot coverage is consistent with Downtown's historic development pattern and the General Plan policies to activate the street; and
- The second story of the project sets back 6'-0" from the Madison Street property line, providing an adequate buffer for the Madison Street Temple.

Staff requests input from the Design Review Committee regarding staff's recommendation on the proposed setbacks.

Conclusion

Staff believes that the proposed project is consistent with the policies of the General Plan regarding Downtown development and the Mayor's policy of providing high density housing in the Downtown. However, staff requests that the Design Review Committee provide direction on the proposed size of the units; the proposed number and arrangement of off-street parking spaces; whether the building would have sufficient visual interest at its highly visible site; potential impacts on the neighboring Madison Street Temple, a Designated Historic Property; the proposed coverage of the lot; and any other issue the Design Review Committee may have.

Respectfully submitted:

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Attachments: A. Project plans