

Case File Number: CMV03-188

May 28, 2003

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| Location: | 121-129 2nd Street; (APN 001-0165-015-00) |
| Proposal: | Demolition of existing warehouse and parking lot and the construction of 100 condominium residential dwellings, a structured parking garage and 6,044 S.F. of retail/office space on the ground level. |
| Owners: | Belle Shore, LLC and Urban Land Investors, LLC c/o Urban Developments |
| Applicant: | Belle Shore, LLC and Urban Land Investors, LLC c/o Urban Developments |
| Planning Permits Required: | Major Conditional Use Permit for residential dwellings in the M-20 zoning and for driveways within 75 feet of the front property line; and a TPM for Condominium subdivision. |
| General Plan: | Mixed Use District |
| Zoning: | M-20 Light Industrial / S-4 Overlay |
| Environmental Determination: | Infill Exemption; CEQA Guidelines 15332 |
| Historic Status: | Not a PDHP |
| Service Delivery District: | Downtown Metro |
| City Council District: | 3 |
| For further information: | Contact case planner Heather Klein at 510 238-3659 or by e-mail at hklein@oaklandnet.com |

SUMMARY

The purpose of this report is to provide preliminary design review comments for a project proposing the construction of 100 residential condominium units between 121-129 2nd Street, between Madison Street and Oak Street. The proposed 8 story building (including ground level retail/office space and 2 levels of parking) is industrial in character, consistent with the predominant architectural character in this mixed-use neighborhood. The project proposes 1 vehicular access point on Madison Street, and 1 main pedestrian entrance/exit to the residential units on 2nd Street. There are also 5 proposed entrance/exits off the public sidewalk to the retail/office space on 2nd Street and 1 off of Oak Street.

The project includes the demolition of an existing parking lot and a 1-story warehouse building, containing commercial and 4 residential units. All of the buildings are non-historic properties.

SITE MAP HERE

The design of the project has changed over the past few months in an effort to address concerns of staff regarding setbacks and building stepbacks, proportions of windows and of solid mass and voids, as well as balcony, roofline and parapet details. While the basic mass and character of the building have generally been resolved to staff's satisfaction, there remain a few design details that are worthy of additional work and discussion with the Design Review Committee. These are outlined in the DESIGN ISSUES section later in this report.

The surrounding area supports an eclectic mix of building styles and uses, but it is predominantly industrial in form, massing, and architectural character. Adjacent to this site, at 400-450 Derby Avenue, construction work is underway on a 35 unit Live/Work project, and several hundred feet to the west, along the Estuary, are a recently approved 100 unit residential project (also by Signature Properties) and an anticipated approval of the relocated University of California Crew facility. Significant interest in other residential and Live/Work facilities has been evident throughout this neighborhood. For CEQA purposes, staff will be processing an infill exemption for this project.

Staff is interested in comments from the Design Review Committee and the public regarding the design of the proposed project that may provide direction to the applicant and staff in processing the Conditional Use Permits and Minor Variance application for the project, prior to the project coming to the full Commission, anticipated for June 18th.

The project requires an Major Conditional Use Permit for residential units in the M-20 zone, a Variance to allow driveways within 75 feet of the front property line and a Tentative Parcel Map for condominium subdivision.

PROJECT SITE

The .74 acre site is bounded by 2nd, Madison, and Oak Streets. Existing uses of the project site include commercial, residential, and a parking lot. Adjacent to the west is the Monohan Paper Co., and to the northwest is the Allegro residential project. To the north are two warehouse buildings, one owned by Peerless Coffee. Adjacent to the east is a 1 story commercial building. The Union Pacific Railroad tracks and platform is immediately adjacent to the south. The area is Mixed-Use District, according to the Estuary Plan (as described in more detail below), which anticipates transition to more residential uses that can co-exist with light industrial and business uses.

GENERAL PLAN ANALYSIS

The General Plan designation of the project site is Mixed Used District, pursuant to the Estuary Policy Plan (EPP). The maximum residential density provided in the MUD category is 125 dwelling units per gross acre, which equates to 166.67 dwelling units per net acre. The .74 acre residential site could support a maximum of 123 units. The 100 unit project on the site is 3 units under the allowable density, The MUD designation is predominantly occupied by a mix of residential, warehousing and service-oriented uses. Several of the formerly industrial buildings have been converted to live/work facilities. The intent of MUD pursuant to the EPP is to “Encourage the development of non-traditional higher density housing (work/live, lofts, artist studios) within the context of commercial and light industrial/manufacturing uses.” The EPP states that the future development in the area should be, light industrial, warehousing, residential, live/work, neighborhood-serving retail, offices, public parks, and open spaces. A significant amount of interest in residential development continues in the area.

The current M-20 zoning potentially conflicts with the EPP land use designation in that the M-20 zone does not permit residential uses. In these situations, pursuant to the *Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations* (as amended Dec. 2001), the General Plan governs, and residential development is permitted with an Interim Conditional Use Permit.

The Guidelines for General Plan Conformity also specifies a number of Best Fit Zones that may be applied in MUD-Mixed Use District areas. For the MUD category, the C-45, M-10, and S-13 districts are identified as potential best fit zones. In the case of the subject site, staff has determined that the C-45 zoning is the most appropriate best fit zone for the area, given that the M-10 zone does not allow residential and S-13 is an overlay zone. These standards are outlined, along with the existing zoning and best fit zone standards, in the ZONING COMPLIANCE section of this report, below.

ZONING COMPLIANCE

The zoning of the site is M-20 Light Industrial. In zoning districts that do not allow residential uses (such as M-20), a Conditional Use Permit is required to establish a residential development.

The criteria for review and approval of this facility at this location includes the following: The general use permit criteria in Section 17.134.050 and the design review criteria in Section 17.136.070, and the special use permit criteria in Section 17.01.100.B. In addition, the criteria for Variances in Section 17.148.050 apply. All applicable criteria will be analyzed and appropriate findings will be made in conjunction with review by the full Planning Commission.

As explained above in the GENERAL PLAN ANALYSIS section, the Best Fit zone is C-45, The following table depicts the project's comparison between M-20 and the C-45 standards.

| Criteria | Requirement | | | Proposed | Comment |
|--------------|----------------------------|-------------------|------------------|-----------------------------------|--|
| | R-50 | M-40 | BHX | | |
| Yard – Front | 15' | 0* | 10' | 10', except for allowed stairs | Satisfies M-40 and proposed BHX-3 |
| Yard – Side | 4' | 0* | 4' | 5' | Exceeds requirements |
| Yard – Rear | 15' | 0* | 0-10'*** | 5' | CUP findings to support 5' |
| Height | 30' | N/A | 40' up to 50'*** | 50' to roofridge | Satisfies proposed BHX-3 requirement**** |
| Open Space | 200sf/unt =16,200 sf | 150sf/unt =12,150 | | 14,600+ sf | Exceeds requirements |
| Parking | 1 space per unit=81 spaces | | | 118 garage spaces (1.45 per unit) | Exceeds requirements |

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|---------|--------------------------------------|------------------------------------|----------|--|
| Density | 1 unit/ 1,500 sf=33 (R- 50) | 1unit/ 817 sf =61 (BHX-3) | 81 units | Density Transfer Requested for 20 Units |
|---------|--------------------------------------|------------------------------------|----------|--|

Table Notes:

*Except when adjacent to a Residential Zoning District, which is not the case for the subject site.

***The proposed building does not comply with the R-50 zone 30' limitation but does comply with the proposed BHX-3 zone 40' limitation at the setback line and the maximum 50' height limit of the proposed BHX-3.

As shown in the above table, the project generally does not comply with M-20 development standards, but does comply with the proposed C-45 regulations, including the 40' height limitation at the setback line along the street. The maximum height of the building is 50 feet, which complies with the proposed BHX-3 height limitation. The current M-40 zoning district does not have a maximum height limit.

A Conditional Use Permit is required to allow the rear yard (west perimeter) to be reduced from 10 feet (as per proposed BHX-3 best fit zone) to 5 feet. In this case, the immediately abutting use will be a surface parking lot (with a width of 42 feet) for the Live/Work facility under construction.

The project is satisfying the parking requirements of one (1) space for each unit, providing 118 spaces within the parking garage (1.45/unit). 13 of the spaces are compact, with the remainder being standard sized spaces.

A variance is proposed for the required dimensions of courtyards, pursuant to 17.108.120.A. A courtyard with a minimum 40 foot width is required, and a 35 foot wide courtyard is proposed. This issue is discussed further in the DESIGN ISSUES Section, below.

A variance is also proposed in conjunction with the density transfer provision, because the donor site for the transfer is required to be abutting, pursuant to Section 17.106.050. In this case, the donor lot is not directly abutting, but very close by (approximately 400 feet to the west).

DESIGN ISSUES

The project is a medium-high density residential project that is striving to create an urban-scaled, residential project in a predominantly industrial neighborhood with residential uses interspersed. This is the first truly urban-scaled new residential project in the Kennedy Tract neighborhood. The neighborhood contains many relatively urban-scaled warehouses and live/work conversions, many of which are 30 and 40 feet or more in height, as well as many smaller-scaled buildings of 1 and 2 stories, including a few Victorian homes and bungalows. Along Glascock Street and Lancaster Street near the site, the larger-scaled buildings are predominant. Along Ford Street, a mix of larger- and smaller-scaled buildings is evident. The proposed project is in scale with the

larger buildings of the neighborhood, including those to the immediate east and south, across Lancaster and Glascock Streets. Although the area will undoubtedly continue to transition into a more residential and mixed-use neighborhood (as supported by the General Plan), it is staff's opinion that the character of future development should maintain a significant industrial quality with regard to overall building form and design character. In the case of the recently approved 100-unit Glascock Street residential project on the Iconco/Cal Crew site (now known as "The Estuary"), the building character includes many elements inspired by the industrial elements of the neighborhood, including larger proportioned windows with thick framing and separations, materials such as galvanized metal and standing seam metal, and relatively large, simple building masses.

The subject proposal has been revised through the informal pre-application process to address building design and massing issues. While maintaining relatively large-scaled proportions and simple massing, there is a good modulation of units so that overall building walls are interesting and not flat. There is good use of a variety of materials including stucco, corrugated metal, metal roofing, metal railings, and concrete. The layout provides a good relationship to the streets, with entry stairways and open patios for the lower level units. This fact has been an essential element of the project for staff, in the effort to create an interesting and relatively interactive streetscape. These doors facing the streets should be accessible to visitors coming off the sidewalk, and design details should ensure this will be encouraged, such as door bells. The interior courtyard is a nice feature as is the main pedestrian access into the building lobby along Glascock Street.

From an architectural standpoint and with respect to a code provision, staff has identified a few issues warranting DRC input and potential revision, including the dimension and design of those balconies facing Ford and Glascock Streets, the roofline and parapet edge treatment, the width of the central courtyard with respect to minimum width pursuant to Section 17.108.120. These are listed in the following section. Staff is also interested in any other input from the DRC with respect to building form and massing, materials, setbacks, or any other layout or design elements.

Outstanding Design Issues

- Balcony Overhangs – Those balconies facing Ford and Glascock Streets (and not on the corner) protrude 5 feet from the exterior building wall to which they are attached, and 3.5 feet from the adjacent building walls on the 2nd and 3rd levels. While these balconies as designed provide some articulation to the façade, they appear somewhat "stuck on" without strong connectivity to the building wall. Staff has considered that these balconies should either be revised to be at least partially inset into the building wall, or otherwise reduced in depth to no more than 18 inches, so that they are flush with the adjacent building walls. The latter scenario obviously will affect the use of the balconies (essentially making them "Juliette" style), and will reduce the private open space provided. Preliminary open space calculations show that the minimum open space requirement would still be met.

- Courtyard Dimension – Section 17.108.120.A requires a courtyard between required living room windows to be as wide as the courtyard walls are deep. In this case, a 40 feet width is required, since the 4-levels of units are 40 feet tall from the courtyard floor. The proposed courtyard is 35 feet in width. Currently a variance is being proposed, but staff is not convinced that all the findings for the variance criteria can be made. Design alternatives to satisfy the requirement include 1) reducing the depth of the units and increasing the courtyard width by 5 feet, 2) reducing the front setbacks along Ford and Glascock Streets to widen the courtyard by 5 feet, while maintaining the current unit floor plan configuration, or 3) reducing the depth of the 4th floor units only, thereby increasing the width at the upper level “courtyard airspace” by 5 feet, generally meeting the spirit and intent of the courtyard requirement. At this point, staff believes the required courtyard width is important to maintain, and is interested in input from the DRC on this issue.
- Roof forms – The proposed roofline and massing proposes a combination of parapets and sloped roof forms. While staff is generally satisfied with the basic form, input from the DRC is welcomed regarding this combination of roof forms. Staff does believe that a stronger, more defined edge treatment for both the edge of the eave and the top of the parapet are needed.
- Fenestration, window design and window quality needs to be more specifically identified. Details must be provided. The window design is critical to the overall success of the design and the desire to maintain a certain industrial aesthetic.

CONCLUSION

Staff recommends the Design Review Committee review and comment on the site layout and building design of the proposed project, with emphasis on the issues discussed above.

Respectfully submitted:

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Prepared by:

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Planner IV

Attachments: A. Project Plans