

## J. AESTHETIC RESOURCES

This section evaluates the effects of the Uptown Mixed Use Project on visual and aesthetic resources in the vicinity of the Project site. This analysis also considers the proposed Project's consistency with applicable visual resource-related policies.

This section is based on: 1) field surveys of the Project site that were conducted in May and June 2003; 2) a review of data provided by the City and Project applicant, including aerial photographs, site plans, and planning documents related to Downtown Oakland; and 3) visual simulations that show "before" and "after" representations of the proposed Project.<sup>1</sup> Visual simulations, which are based on schematic drawings of the proposed Project, were prepared for six representative public vantage points in the vicinity of the Project site. The visual simulations are intended to convey a realistic impression of the Project in terms of proposed building location, scale and massing. However, because the architectural details of the proposed structures have not been finalized, the simulations do not portray the actual architectural design of the proposed Project.

### 1. Setting

The following section includes a description of the visual quality of the Project site and its surroundings, and views in the vicinity of the site.

**a. Local Context.** Physical development in the Uptown District is characterized by low- to medium-rise attached buildings with little or no setback from the street. Building heights generally range from one story to 11 stories. At its peak in the 1920s and 1930s, the Uptown District was a thriving commercial neighborhood with a concentration of luxury shopping and entertainment uses. The visual remnants of this era include the Fox and the Paramount Theaters, two landmark 1920s-era movie palaces, and the Capwells (now Sears) and I. Magnin's department stores. During the years after World War II, the Uptown District, along with other portions of Downtown Oakland, experienced a period of disinvestment whose manifestations included a decline in population and commercial revenue. Existing land uses within the Project site include a predominance of parking lots and vacant buildings that do not foster an active urban pedestrian environment. The existing development pattern in the District, which is less dense and contains a higher percentage of underutilized properties than surrounding neighborhoods, also contributes to a sense of discontinuity between the site and surrounding areas.

**b. Visual Character of the Site.** Please refer to Section IV.A, Land Use, for a description of the physical characteristics of the blocks within the Project site and Section IV.I, Historic Architectural, Archaeological and Paleontological Resources, for a description of the historic buildings within the Project site. The Project site comprises large amounts of surface parking as well as a mixture of commercial buildings that range in height from one to four stories. The relatively flat urbanized site includes little vegetation with the exception of trees located along several streets, and landscape improvements within the San Pablo Avenue median.

Figures IV.J-1a through IV.J-1f illustrate the visual character of the Project site. Because much of the Project site is dominated by surface parking and vacant lots, the visual character of the site is defined in large part by the buildings around it. High-visibility buildings that frame the Project site include

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<sup>1</sup> Environmental Vision, 2003. *Conceptual Visual Simulations*. July 21.

the Paramount Theater and Sears Department Store to the east (see Figure IV.J-1a), the Fox Oakland Theater immediately to the east of Block 6 (see Figure IV.J-1b), Downtown skyscrapers to the south (see Figure IV.J-1f), the senior residential complex to the west of Block 1, and the multi-story YMCA and apartment complex on the north side of 21<sup>st</sup> Street.

The Great Western Power Plant (formerly Navlet's Florist and Nursery), with its associated smoke-stack, is a major landmark within the Project site, and dominates views of the northern portion of the Project site (see Figure IV.J-1b). Views along Thomas L. Berkley Way (20<sup>th</sup> Street) and San Pablo Avenue are typified by one and four-story street-front mixed use buildings that generally appear to be smaller in scale than surrounding buildings (see Figure IV.J-1b). The western and northern portions of the Project site have a decidedly more commercial visual character than the south and east portions of the site, on which parking uses predominate.

**c. Views From the Vicinity of the Project Site.** The Project site is visible from a number of public view corridors and vantage points in Downtown Oakland. The site is not visible in its entirety from a single, ground level vantage point because of its large size (approximately 15 acres), flat topography, and surrounding high-rise buildings. Telegraph Avenue and San Pablo Avenue, two major urban thoroughfares, afford close and medium-range views of portions of the site. The following discussion provides a brief description of public corridors with views of the Project site. None of the public streets in the near vicinity of the Project site have been designated as State or local scenic routes. Figures IV.J-1a through IV.J-1f present photographs of the Project site taken from representative public vantage points. Figure IV.J-2 shows the location of each viewpoint.

**(1) Views From the East.** Telegraph Avenue, a major north-south arterial, borders the Project site on the east. Figures IV.J-1a and IV.J-1b show views of the Project site from Telegraph Avenue. As depicted in these photos, the existing structures located along Telegraph Avenue reflect a range of building scales and architectural character. Southwest views from Telegraph Avenue near Grand Avenue include a tall three-story stone church built in the early 1900s and the seven-story brick YMCA building located at the corner of 22<sup>nd</sup> Street (see Figure IV.J-1b). These views also encompass the one-story buildings and surface parking located on the Project site, as well as the historic art deco-style Fox Theater; modern high-rise buildings are visible in the background. Views along Broadway include a variety of older and modern buildings ranging from tall single story to high-rise; vintage light fixtures and deciduous canopy trees that line the street (see Figure IV.J-1c) also define visual character east of the Project site.

**(2) Views From the North.** A mixture of building types and land uses, including a variety of residences, are located to the north of the Project site. Views to the northwest and east from 21<sup>st</sup> Street near Telegraph Avenue include small scale, Victorian-era residences in addition to the high-rise YMCA and an apartment building to the west. Views into the Project site from the north are dominated by the Pacific Gas and Electric Substation (see Figure IV.J-1d) and the commercial uses along the north side of Thomas L. Berkley Way (20<sup>th</sup> Street).

**(3) Views From the West.** San Pablo Avenue is a major north-south thoroughfare bordering a portion of the Project site on the west. Views along the San Pablo Avenue corridor include low to moderate-rise mixed use buildings in the vicinity of the Project site and taller commercial buildings and parking garages in the vicinity of the Civic Center (see Figure IV.J-1d).

Figure IV.J-1a: Visual Character Photographs

8x11 B&W

Figure IV.J-1b: Visual Character Photographs

8x11 B&W

Figure IV.J-1c: Visual Character Photographs

8x11 B&W

Figure IV.J-1d: Visual Character Photographs

8x11 B&W

Figure IV.J-1e: Visual Character Photographs

8x11 B&W

Figure IV.J-1f: Visual Character Photographs

8x11 B&W

Figure IV.J-2: Photo Viewpoint Locations

8x11 B&W

**(4) Views From the South.** The Civic Center district, centered around the historic City Hall building located on Frank Ogawa Plaza, is located south of the Project site. This district is characterized by a range of building heights and mix of modern and older architectural styles (see Figure IV.J-1f). The area surrounding Frank Ogawa Plaza displays a coherent architectural character and strong pedestrian scale (see Figure IV.J-1f).

## 2. Applicable Policies

The main documents that are applicable to aesthetics and visual quality within and around the Project site are the Land Use and Transportation Element and the Open Space, Conservation, and Recreation Element of the City of Oakland General Plan, and the Oakland Planning Code. Applicable visual resources policies are listed below.

**a. Land Use and Transportation Element.** The Land Use and Transportation Element (LUTE) is intended to guide the development of “clean and attractive neighborhoods rich in character and diversity, each with its own distinctive identity, yet well-integrated into a cohesive urban fabric.”

Objective D2. Enhance the visual quality of downtown by preserving and improving existing housing stock and encouraging new high quality development.

Policy D2.1. Downtown development should be visually interesting, harmonize with its surroundings, respect and enhance important views in and out of the downtown, and contribute to an attractive skyline.

Objective D3. Create a pedestrian-friendly downtown.

Policy D3.1. Pedestrian-friendly commercial areas should be promoted.

Policy D3.2. New parking facilities for cars and bicycles should be incorporated into the design of any project in a manner that encourages and promotes safe pedestrian activity.

Objective D5. Enhance the safety and perception of safety downtown at all hours.

**b. Open Space, Conservation, and Recreation Element.** One of the major components of the Open Space, Conservation, and Recreation Element (OSCAR) is the protection of visual and open space resources in Oakland.

Policy OS-10.1. View Protection. Protect the character of existing scenic views in Oakland, paying particular attention to a) views of the Oakland Hills from the flatlands; b) views of downtown and lake Merritt; c) views of the shoreline; and d) panoramic views from hillside locations.

Policy OS-10.3. Underutilized Visual Resources. Enhance Oakland’s underutilized visual resources including the waterfront, creeks, San Leandro Bay, architecturally significant buildings or landmarks, and major thoroughfares.

Policy OS-11.1. Access to Downtown Open Space. Provide better access to attractive, sunlit open spaces for persons working or living in downtown Oakland. The development of rooftop gardens is encouraged, especially on parking garages.

Policy OS-11.2. New Civic Open Space. Create new civic open spaces at BART Stations, in neighborhood commercial areas, on parking garages, and in other areas where high-intensity redevelopment is proposed.

Policy OS-11.3. Public Art Requirements. Continue to require public art as part of new buildings or facilities. Consider expanding the requirement.

c. **Oakland Planning Code.** The design of new projects in Oakland is subject to the following performance criteria that are utilized as part of the City's design review process.

Section 17.136.070. Design Review Criteria. Except as different criteria are prescribed elsewhere in the zoning regulations, design review approval may be granted only if the proposal conforms to all of the following criteria, as well as to any and all other applicable design review criteria:

A. For Residential Facilities

1. That the proposed design will create a building or set of buildings that are well related to the surrounding area in their setting, scale, bulk, height, materials, and textures;
2. That the proposed design will protect, preserve, or enhance desirable neighborhood characteristics;
3. That the proposed design will be sensitive to the topography and landscape;
4. That, if situated on a hill, the design and massing of the proposed building relates to the grade of the hill; and
5. That the proposed design conforms in all significant respects with the Oakland Comprehensive Plan and with any applicable district plan or development control map which has been adopted by the City Council.

B. For Nonresidential Facilities and Signs

1. That the proposal will help achieve or maintain a group of facilities which are well related to one another and which, when taken together, will result in a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area. Only elements of design which have some significant relationship to outside appearance shall be considered, except as otherwise provided in Section 17.102.030;

2. That the proposed design will be of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area;
3. That the proposed design conforms in all significant respects with the Oakland Comprehensive Plan and with any applicable district plan or development control map which has been adopted by the City Council.

## 2. Impacts and Mitigation Measures

This section analyzes impacts related to aesthetic resources that could result from implementation of the proposed Project. The subsection begins with the criteria of significance, which establish the thresholds for determining whether an impact is significant. The latter part of this section presents the impacts associated with the proposed Project. Mitigation measures are recommended, as appropriate. Shadow and shade-related impacts are discussed in Section IV.L., Shade and Shadow.

**a. Criteria of Significance.** Implementation of the proposed Project would have a significant effect on aesthetic resources if it would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings;
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area; or
- Require an exception (variance) to the policies and regulations in the General Plan, Planning Code, or Uniform Building Code, and the exception causes a fundamental conflict with policies and regulations in the General Plan, Planning Code, and Uniform Building Code addressing the provision of adequate light related to appropriate uses.

**b. Less-than-Significant Aesthetic Resources Impacts.** The following discussion describes the less-than-significant impacts to aesthetic resources that would result from implementation of the proposed Project.

**(1) Scenic Vistas.** The Project site is generally flat and contains views of Downtown Oakland and surrounding high-rise buildings. Views to the East Bay Hills from the Project site and surrounding public viewpoints are limited by high-rise buildings east and north of the Project site. No views of San Francisco Bay are available from the Project site. Although views from the site extend to Downtown Oakland and surrounding urban development, these views are not identified as vistas or resources in the General Plan, or by regulatory agencies with jurisdiction over the Project site

**(2) Visual Character.** Because of the predominance of surface and vacant lots within the Project site, the site has an empty visual character that contrasts with the more active commercial districts to the east of the Project site along Telegraph Avenue and Broadway. The perception that the site is largely vacant, coupled with the perception that the Uptown District is unsafe, have

combined to result in a lack of pedestrian activity, especially after daytime working hours. The lack of pedestrian activity has adversely impacted the aesthetic character of the Project site.

Implementation of the proposed Project would result in the development of mixed uses within the Project site. Proposed buildings are of a scale and form that are similar to buildings in more vibrant urban neighborhoods adjacent to the Uptown District. The proposed Project would develop parcels within the Project site that are currently vacant or occupied by surface parking and would introduce a permanent residential population. This resident and employee population would increase activity within and around the Project site, and would increase the visual appeal of this portion of the Uptown District. In addition, proposed streetscape improvements, and development of the 25,000 square foot park would enhance visual quality within the Project site, which contains few “soft” landscape elements.

**(3) Aesthetic Resources Policies.** The proposed Project is generally consistent with applicable visual resources policies in the General Plan. The proposed Project would result in the development of a mixed use Project on an infill site that is currently characterized by surface parking and vacant lots, and underutilized buildings. By creating a more unified streetscape, without gaps created by parking lots between buildings, the proposed Project would result in a more visually comfortable pedestrian environment than currently exists within the Project site.

The proposed buildings, which would range from four to 19 stories, would be similar in height to other buildings in Downtown Oakland south of the Project site. The consistency of the proposed Project with policies protecting historic architectural resources is discussed in Section IV.I, Historic Architectural, Archaeological and Paleontological Resources.

The proposed Project would undergo design review prior to final Project approval; during this time, the Project design could be subject to refinement to ensure compatibility with the Design Review Criteria listed earlier in this section. Based on preliminary plans, it is anticipated that there would be no major conflicts between the proposed design of the Project and the Design Review Criteria. Design of the proposed Project is further addressed in Impact AES-1, below. In addition, it is anticipated that adequate lighting would be developed within the Project site. Refer to Impact AES-2, below, for a discussion of adverse Project-related impacts related to lighting.

**c. Significant Aesthetic Resources Impacts.** The following discussion describes significant impacts to aesthetic resources that would result from implementation of the proposed Project.

**Impact AES-1: The proposed Project would alter the intrinsic architectural character of the Project site and its surroundings. (S)**

The changes in visual character of the site as seen from six key public viewpoints are shown in Figures IV.J-3 through IV.J-8. As shown in these simulations, the Project would represent a substantial increase in the amount of visible building mass and street frontage seen on the site. The approximate amount of proposed building street frontage is summarized in Table IV.J-1.

The proposed Project would be highly visible from some locations along public streets and view corridors within the downtown. Visual simulations showing the proposed Project’s scale, massing and

conceptual appearance as seen from six representative public viewing locations are presented as Figures IV.J-3 through IV.J-8.

Figures IV.J-3 and IV.J-4 present “before” and “after” views of the Project site from locations along Telegraph Avenue. As shown in the Figure IV.J-3 simulation, when looking

southeast from Telegraph Avenue near 22<sup>nd</sup> Street, the proposed 19-story building located on Block 7 would appear prominently in the foreground. In relationship to the nearby seven-story brick YMCA and three-story stone church buildings, the height of the new tower could appear somewhat incongruous or overbearing. Beyond this new highrise, the proposed 12-story building located on Block 3, and the five-story building on Block 4 would appear to step down toward the Fox Theater, demarcated by the red vertical marquis sign, seen in the distance. As seen from this Telegraph Avenue vantage point, the proposed Project would not substantially block views of the Fox Theater.

As seen from Telegraph Avenue near 17<sup>th</sup> Street, the five-story building on Block 4 would be seen beyond the Fox Theater which appears prominently in the foreground. New development on Blocks 3 and 7 would step up to the north, away from Fox Theater. The proposed buildings on Blocks 3, 4, and 7 would contribute to a more continuous streetwall along the west side of Telegraph Avenue. In this respect, the proposed Project would strengthen urban streetscape character and the pedestrian environment along Telegraph Avenue in the Project vicinity. The height of the Block 7 proposed tower would be noticeably taller than surrounding buildings and could appear somewhat out of scale in relationship to the heights of nearby existing and proposed buildings.

Figure IV.J-5 presents a “before” and “after” view of the Project site as seen from Thomas L. Berkley Way (20<sup>th</sup> Street) near Franklin Street. The simulation also shows the Thomas L. Berkley Square Mixed Use Project, which would be seen in the distance, immediately to the right of the Sears building. From here, the proposed Project would introduce a new prominent highrise building to the west of Broadway, on Block 7. As shown in the simulation, the new building would appear as a backdrop to the historic, art deco-era Magnin’s building. The new tower would obstruct the view of the Great Western Power Plant smokestack which is currently available from this location.

Figures IV.J-6 and IV.J-7 present “before” and “after” views of the proposed Project site from locations along San Pablo Avenue. Both simulations illustrate the appearance of the proposed Project on Blocks 1, 2, and 5. The Figure IV.J-7 simulation, a view looking east from San Pablo Avenue at Castro Street, shows the Thomas L. Berkley Square Mixed Use Project in the foreground on the left side of the image. As shown in the simulations, the proposed buildings on Blocks 1, 2 and 5 would create a more continuous streetwall along the east side of San Pablo Avenue. In this respect the Project would strengthen urban streetscape character and the pedestrian environment within the

**Table IV.J-1: Proposed Building Street Frontage (Approximate)<sup>a</sup>**

	Block 1 (Feet)	Block 2 (Feet)	Block 3 (Feet)	Block 4 (Feet)	Block 5 (Feet)	Block 6 (Feet)	Block 7 (Feet)
Telegraph Avenue			145	170			195
San Pablo Avenue	120	150			225		
21 <sup>st</sup> Street							400
TLB Way (20 <sup>th</sup> Street) <sup>b</sup>	330		250				240
William Street	330	265	250	400			
19 <sup>th</sup> Street		220		400	200	90	
18 <sup>th</sup> Street					200	90	
<b>Total Frontage</b>	<b>780</b>	<b>635</b>	<b>645</b>	<b>970</b>	<b>625</b>	<b>180</b>	<b>835</b>

<sup>a</sup> Does not include the Sears Automotive Center replacement to be located on Block 8 or Block 9.

<sup>b</sup> TLB Way = Thomas L. Berkley Way.

Source: Environmental Vision, 2003.

Figure IV.J-3: Conceptual Visual Simulations

COLOR

back of Figure IV.J-3

Figure IV.J-4: Conceptual Visual Simulations

COLOR

back of Figure IV.J-4

Figure IV.J-5: Conceptual Visual Simulations

COLOR

back of Figure IV.J-5

Figure IV.J-6: Conceptual Visual Simulations

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Figure IV.J-7: Conceptual Visual Simulations

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Figure IV.J-8: Conceptual Visual Simulations

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Project vicinity. The height of the proposed Block 5 tower would be noticeably taller than surrounding buildings and could appear somewhat out of scale in relationship to the heights of nearby existing and proposed buildings.

Figure IV.J-8, a) "before" and "after" view of the Project site from Frank Ogawa Plaza, shows the proposed residential tower on Block 5. As seen from this location, the Block 5 structure would partially enclose views to the north seen from Frank Ogawa Plaza. Views toward the new building would encompass the open plaza area and would be framed by existing buildings that adjoin the plaza. The Project design was still in the development stages at the time this analysis was completed; as a result, details of the building's articulation were not available. However, in order to ensure the final design does not result in significant visual impacts, the five-part mitigation measure set forth below shall be implemented.

**Mitigation Measure AES-1:** The following measures shall be incorporated into the final Project design:

- Create streetscape vitality and enhance the pedestrian experience through detailed treatment of building facades, including entryways, fenestration, and signage, and through the use of carefully chosen building materials, texture, and color.
- Design of building facades shall include sufficient articulation and detail to avoid the appearance of blank walls or box-like forms.
- Exterior materials utilized in construction of new buildings, as well as site and landscape improvements, shall be high quality and shall be selected for both their enduring aesthetic quality and for their long term durability.
- Ensure that the architectural and landscape treatment of the proposed parking structure promotes human scale and pedestrian activity.
- Detailed designs for the public park shall be developed. The design shall emphasize the public nature of the space and pedestrian comfort. The plaza design shall consider sun/shade patterns during mid-day hours throughout the year. The plaza design shall be sensitively integrated with the streetscape. (LTS)

**Impact AES-2: The proposed development would provide additional sources of nighttime lighting in the downtown. (S)**

The proposed Project would include new sources of light in Downtown Oakland. In addition, during daylight hours pedestrians and motorists could experience some degree of glare due to light reflecting off the new building facades.

Exterior lighting would be provided at entrances for each of the proposed new buildings. Lighting would also be installed within the public park area. In addition, the Project would introduce nighttime lighting associated with approximately 2,000 new residences. Because the Project includes uses which are similar to those currently found in Downtown, it is anticipated that the lighting proposed as part of the Project would generally be compatible with lighting currently located in the vicinity of the Project site. It is also anticipated that Project-related lighting would not substantially adversely alter the nighttime visual character of the downtown.

The specific layout of the proposed exterior lighting design for the development including fixture types would be subject to the City's design review process. In order to reduce potential light and glare-related impacts to a less-than-significant level, the following two-part mitigation measure shall be incorporated during final Project design.

Mitigation Measure AES-2a: The specific reflective properties of Project building materials shall be assessed by the City during Design Review as part of the Project's Development Standards, Procedures and Guidelines. Design review shall ensure that the use of reflective exterior materials is minimized and that proposed reflective material would not create additional daytime or nighttime glare.

Mitigation Measure AES-2b: Specific lighting proposals shall be reviewed and approved by the City prior to installation. This review shall ensure that any outdoor night lighting for the Project is down shielded and would not create additional nighttime glare. (LTS)