

**Oakland City Planning Commission**

**Design Review Committee**

**STAFF REPORT**

**Case File Number: PUD06058-R01 (and related)**

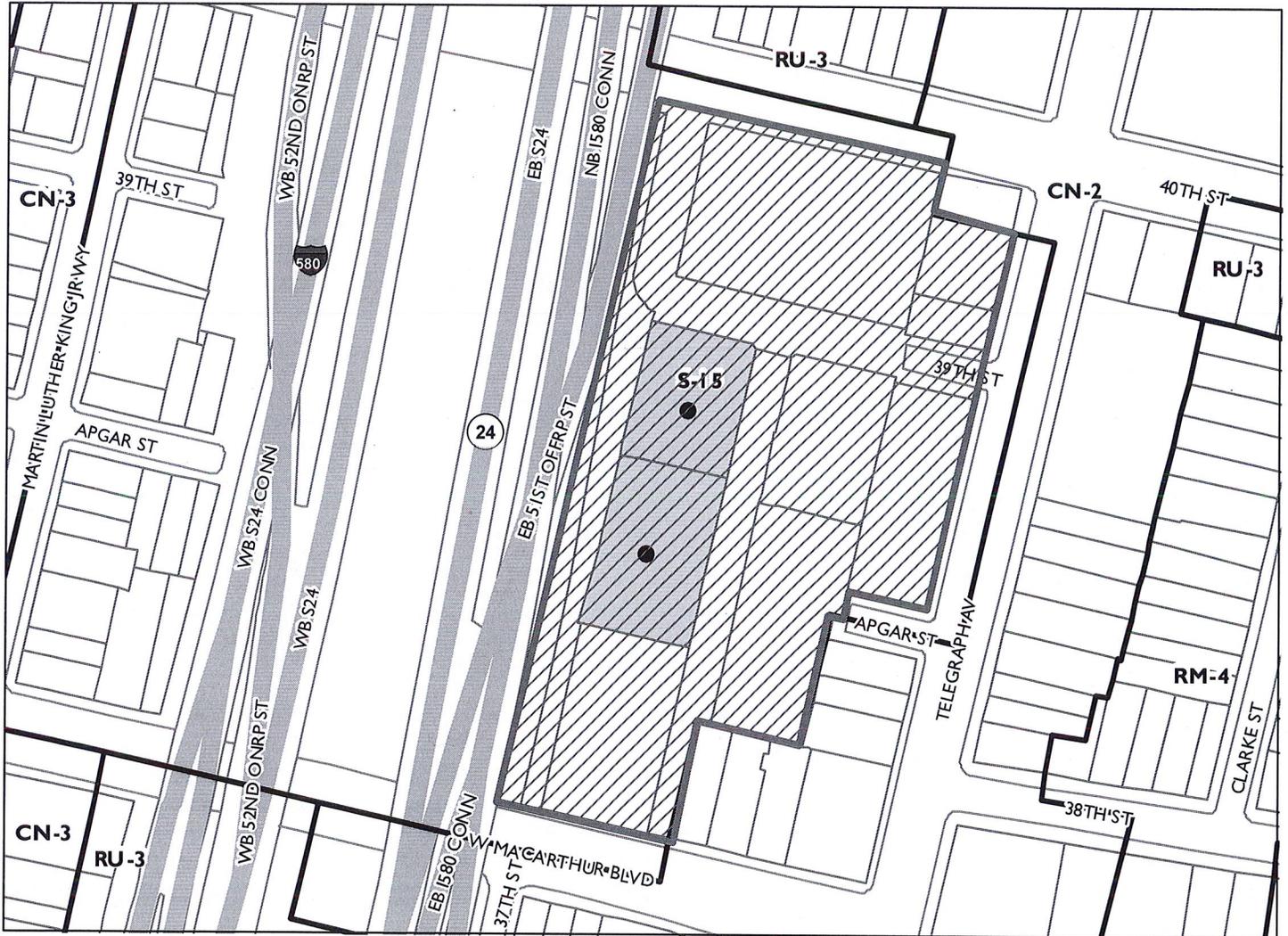
**October 19, 2016**

<b>Location:</b>	MacArthur Transit Village Parcel B (APNs 012 102501100 and 012 102501200) (see map)
<b>Assessors Parcel Numbers:</b>	012 102501100 and 012 102501200)
<b>Proposal:</b>	Construct final stage (Phase V) of the MacArthur Station Project which includes: development of Parcel B with a 25-story tower (260 feet tall) with up to 402 residential units, 10,000 square feet of ground-floor commercial space, and up to 260 parking spaces.
<b>Applicant:</b>	Boston Properties
<b>Contact Person:</b>	Aaron Fenton (415) 772-0714
<b>Owner:</b>	BART, MacArthur Transit Community Partners, LLC
<b>Case File Number:</b>	PUD06058-R01, PUD06058-R01-ER01, PUD06058-R01-PUDF01, T1600091
<b>Planning Permits Required:</b>	Revision to PUD, Final Development Plan for Parcel B of the MacArthur Station Project, TPM, Minor Variance for loading, Tree Permit.
<b>General Plan:</b>	Neighborhood Center Mixed Use
<b>Zoning:</b>	S-15 Transit-Oriented Development Zone
<b>Environmental Determination:</b>	An Environmental Impact Report (EIR) was certified in June 2008 and further CEQA review is currently in process.
<b>Historic Status:</b>	There are no Potential Designated Historic Properties located on the project site.
<b>Service Delivery District:</b>	Service District 2
<b>City Council District:</b>	1
<b>Date Filed:</b>	June 30, 2016
<b>Status:</b>	Second Design Review meeting; the project will be considered by the full Planning Commission and City Council at future public hearings.
<b>Action to be Taken:</b>	No formal action; public hearing concerning the design of the proposal.
<b>Staff Recommendation:</b>	Take public testimony concerning the design of the proposal and provide direction to staff and the applicant.
<b>Finality of Decision:</b>	No decision will be made on the project at this time.
<b>For Further Information:</b>	Contact the case planner Catherine Payne at (510) 238-6168 or <a href="mailto:cpayne@oaklandnet.com">cpayne@oaklandnet.com</a>

**SUMMARY**

The purpose of this item is to present changes to the previously reviewed design of Parcel B of the MacArthur Station Project (formerly known as the MacArthur Transit Village) Planned Unit Development (PUD). The proposal is for a revision to the PUD and Final Development Permit

# CITY OF OAKLAND PLANNING COMMISSION



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Case File: PUD06058-R01, PUD06058-R01-ER01,  
PUD06058-R01-PUDF01, T1600091  
(Parcel B MacArthur Transit Village)

Applicant: Boston Properties

Address: 532 Turquoise St

Zone: S15

(and related permits) for a 25-story tower with up to 402 dwelling units, 10,000 square feet of ground-floor commercial uses and up to 260 parking spaces. The Design Review Committee (DRC) previously reviewed this project at their regularly scheduled meeting on August 10, 2016. At that time, the DRC took public testimony, provided comments on the proposed project, and requested to review the project again prior to any consideration by the Planning Commission or City Council. The revisions since August 2016 include changes to the project massing and arrangement of land uses in order to respond to staff, community and DRC concerns.

No action will be taken at today's hearing. Any recommendation to the City Council on project entitlements will occur at a future hearing of the full Planning Commission. Staff requests that the Design Review Committee review and comment on the proposed design of Parcel B.

## **PROJECT SITE AND SURROUNDING AREA**

The MacArthur Station project site encompasses 8.2 acres and is located in North Oakland, within the area bounded by 40th Street, Telegraph Avenue, West MacArthur Boulevard, and State Route 24. The 1.15-acre Parcel B site is bounded by Frontage Road to the west, Village Drive to the north, Turquoise Street to the east, and the Parcel E BART parking garage to the south (see map on page 2). There are a variety of land uses surrounding the site including residential, civic, and commercial uses, as well as State Route 24, and the BART tracks to the west.

The Parcel B site is located within the larger MacArthur Station project site. The closest privately owned parcel (with the exception of parcels located within the MacArthur Station project itself) is a minimum of 250 feet from the proposed project site (approximately the width of a standard city block).

## **BACKGROUND**

### *Design Review Committee*

The DRC previously reviewed the proposed project at their meeting on August 10, 2016. At that time, the DRC took public testimony on the merits of the project, provided comments to the applicant and directed staff to bring the project before the DRC again before seeking a Planning Commission recommendation to the City Council. Comments at the previous DRC hearing are summarized as follows:

- Supporting Project:
  - Project labor agreement in place.
  - Creates jobs for Oakland residents.
  - Model for future transit-oriented development.
  - More housing provides more opportunities in Oakland for newcomers.
  - Need denser residential development in Oakland and around transit nodes.

- Like tower; set back from existing neighborhood so won't have much effect on neighbors.
  - Tower would be gateway to Temescal neighborhood.
  - Appropriate and desirable to build towers and high-density development near BART.
  - Project would provide inviting ground-floor retail.
  - Increased multi-family development would support and complement existing residential network.
  - Welcome new ideas and people to neighborhood.
  - Increase in residential units results in more affordability by providing more supply.
  - Bay Area population will increase over next 25 years; do we want to accommodate that increase where public infrastructure exists or experience more sprawl?
  - Fruitvale Village isn't commercially successful because there is not enough residential development to support it; this proposal provides residential density to support existing and increasing commercial uses.
  - MacArthur BART station is very busy because of its convenient location (and not many passengers drive to/from the station). The proposal takes advantage of this condition.
  - Developer can benefit while providing benefits to the community: reduced reliance on cars; and injection of much-needed housing.
  - Need this project in order to facilitate financing and delivery of other Type 1 development in Oakland (which currently faces financing difficulties here).
  - Next to freeway; won't impact neighbors.
  - Placing density at BART stations reduces traffic congestion and improves air quality
  - Bike-friendly development.
  - Context for the proposed project is the freeway, and the project itself; there is no historic context to respect.
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- Opposing Project:
    - Should have greater than 20% affordable housing.
    - Too dense.
    - Would overburden BART.
    - Concerns about poor construction and future building failure.
    - Too tall.
    - Not enough parking.
    - Doesn't create long-term jobs.
    - Development seems like an enclave.

- Will aggravate pollution.
  - Will result in traffic congestion.
  - Will decrease affordability of Oakland.
  - Will only be luxury units.
  - Will affect diversity of neighborhood.
  - Units won't be offered to neighbors.
  - This proposal is contrary to 2008 approvals (seems like bait and switch); doesn't respect project history.
  - Mural Apartments will face garage.
  - Proposal should have a higher number of multi-bedroom units.
  - This will encourage Parcels A and C to propose increasing density/height at those two locations, as well.
  - Community benefits are already included in approved project, and current proposal is not offering any new community benefits beyond what was previously approved.
  - Western side of tower needs visual relief.
  - Doesn't fit East Bay aesthetic or culture.
  - Mosswood neighborhood would be overshadowed by tall buildings.
  - Could encourage inappropriate high-density, tall buildings in the Mosswood neighborhood.
  - Want an entirely affordable project.
  - Don't like design.
  - Proposal would become a gated neighborhood through its verticality.
  - Height would be oppressive.
  - Premature to reduce parking requirements.
  - Design is not well-integrated into neighborhood.
  - Developer is greedy.
  - Sets a precedent for dramatic change to an existing low- to moderate-density neighborhood.
  - A shorter tower might be acceptable and not provide such a stark contrast to the surrounding neighborhood.
  - Public areas (sidewalks) in the vicinity will be shady and dark.
  - Should do development infill that is consistent with the surrounding neighborhood.
- Other Public Comments:
    - Need Specific Plan for Temescal.
    - Western side of building should have public art piece at grade to animate and enliven Walter Miles Way.

- DRC members:
  - Manus:
    - Would like to see various massing models that were considered before arriving at this specific proposal.
    - TOD projects are an opportunity to develop density.
    - Project looks commercial, not residential.
    - Large building should have lighter colors.
    - Parking levels break connection between retail and residential levels.
    - Western side of building reads as a back alley; even this façade should be fantastic.
    - Mass is large; need greater break-down of the massing.
    - Precedent for Type 1 building in Oakland, so make it fantastic.
    - Glass should be light-colored and transparent.
  - Myres:
    - Would like to see massing options.
    - Need more residential quality.
    - Need to better understand parking screen detailing.
    - Facades are busy: make massing work and then reduce color palette to reveal elegant massing.
    - Likes affordability.
    - Likes labor agreement.

*Current Proposal (Stage 5 –Parcel B Project)*

At this time, the applicant has submitted revised plans for consideration by the public and the DRC. Previously, the DRC reviewed schematic design of the proposed project, including building massing and uses, as well as articulation and exterior treatments. At this time, the applicant has revised the project massing and arrangement of land uses. The applicant seeks input regarding the conceptual project design (massing, height, intensity, arrangement of uses) prior to resolving the building articulation and exterior treatments through schematic design. Revisions specifically include the following:

- Site Planning:
  - Addition of a public-use sidewalk on Walter Miles Way; and
  - Increased plaza area at corner of 39<sup>th</sup> Street and Walter Miles Way.
- Massing:
  - Decrease length of tower by approximately 40 feet;
  - Increase height of base along Turquoise Street; and
  - Bring tower down to ground at corner of 39<sup>th</sup> Street and Walter Miles Way.
- Land Use Arrangement:
  - Increased retail presence on the corner of Walter Miles Way and 39<sup>th</sup> Street;

- Reduce parking on Turquoise and 39<sup>th</sup> Street side of project in order to maximize active uses vertically as well as on the ground plane along the most active project frontages.

## PROJECT DESCRIPTION

The proposed Parcel B FDP has not changed in that it continues to entail the construction of a 260-foot tall (25-story) tower with up to 402 dwelling units, 10,000 square feet of ground-floor commercial uses and up to 260 parking spaces. The proposal includes 45 affordable units (which complies with the Owner Participation Agreement (OPA), overseen by the City of Oakland Economic and Workforce Development Department) requirement of 20 affordable housing units for every 100 market-rate residential units throughout the overall PUD).

The ground floor includes a large publicly-accessible plaza facing 39<sup>th</sup> Street and 10,000 square feet of publicly accessible retail and commercial space. The building design includes two lobbies (both located along Turquoise Street), and vehicular access (and loading) from the setback area between the BART Garage and the proposed building. Major features of the design include the following:

- Size: The proposed building is 460,100 square feet and includes a 260-foot tower. The project includes 10,000 square feet of ground-floor commercial uses and 402 residential units.
- Ground-Floor Uses: The proposed ground floor design includes 10,000 square feet of street-facing commercial uses and a complementary large public plaza facing the length of the 39<sup>th</sup> Street frontage, two residential lobbies facing Turquoise Street, and parking access and loading on a 30-foot building setback at the property line with the BART garage. Proposed ground floor height in the commercial spaces along 39<sup>th</sup> and Turquoise Streets is at least 15 feet (floor to ceiling). Ground floor treatment includes extensive public-private interface, including storefront glazing and doors and lobby entrances along Turquoise and 39<sup>th</sup> Streets, vehicular access along the southern side of the building, and landscaped treatment along the Walter Miles Way side of the building.
- Residential Uses: The proposed project includes 402 residential units, 45 of which would be affordable.
- Usable Open Space: The project would provide over 80 square feet of usable open space per unit, mostly as group usable open space in rooftop gardens. The ground floor plaza includes tree planters and cast-in-place concrete seating areas.
- Parking and Loading: The project includes up to 260 parking spaces and three on-site loading spaces. Parking and loading are accessed from the setback located on the south side of the project adjacent to the BART garage.
- Appearance (including massing and exterior treatments and finishes): At this time, the applicant is revisiting the project massing and land use arrangement; no finish information, such as articulation or exterior treatments, is provided at this time. As noted above, the applicant is responding to comments previously received regarding the massing. The applicant, and staff, seek to resolve massing issues before reviewing finish treatments.

## GENERAL PLAN ANALYSIS

See Attachment A: DRC Report dated August 10, 2016 for complete analysis.

## ZONING ANALYSIS

See Attachment A: DRC Report dated August 10, 2016 for complete analysis.

## KEY DESIGN ISSUES

Staff has reviewed the proposed MacArthur Transit Village Parcel B plans and has the following design comments for DRC consideration:

### *Building Massing, Height and Appearance*

- **Previously Identified Concern:** Staff is concerned about the tower element of the proposed project. A tall building would set a precedent for neighborhoods outside of downtown. While the proposed project is located at a major transit node where the City seeks increased density and development, it would be significantly taller than what is allowed in the underlying zoning district and the existing low-rise character of the surrounding neighborhood. There is growing interest in urbanizing and intensifying development around transit nodes like the MacArthur BART station, and the proposed tower could present an opportunity to move in this direction; however, the project would still set a precedent and should reflect the design quality desired of a very visible precedent-setting landmark.

Staff finds the overall building massing to be acceptable, particularly with regards to the lower masses near the property lines. However, the tower mass, itself, has a busy, heavy and stocky appearance. If the tower is to be a visual landmark and architectural precedent for the Temescal neighborhood (and the city), it should have a slender and more elegant appearance. The complicated grid pattern of the exterior treatments is busy and contributes to the stocky quality of the tower. In addition, the top of the building is a large dark, solid component that appears heavy and stocky. Staff recommends that the tower facades be redesigned to further break down the mass, emphasize verticality and lightness, and provide a signature and light top to the building that relates to the overall building massing and design approach.

- **Current Plans:** The current plans indicate that the overall height of the tower remains unchanged at 260 feet; however changes to the massing, including reducing the tower mass and increasing and simplifying the base mass, result in overall refinement of the massing and bulk of the project. It should be noted that the currently proposed changes to the building massing are achieved, in part, by reducing the square footage of units.

- Tower Massing: The current plans indicate a reduction in the length of the tower from 192 feet parallel to the Caltrans ROW and Telegraph Avenue to 152 feet (a reduction of 40 feet in tower width). This more slender tower would have a more refined and elegant appearance on the skyline than the previous proposal.
- Building Base: In order to achieve a reduction in tower massing, the project design has been further revised to increase the massing of the base of the building. The design retains the same overall massing components with increased bulk and height of the components along 39<sup>th</sup> Street and Turquoise Way. Although bulk is increased at the base of the building, the massing components have been simplified so that the entire building has a more unified and calmer appearance. The increased bulk of the building base continues to be articulated in a manner that avoids a monolithic wall on Turquoise Way.

### *Ground-floor Plaza*

- Previously Identified Concern: The proposed project includes a generous ground-floor public plaza along 39<sup>th</sup> Street. Staff believes that the plaza has the potential to be a very important gathering space for the neighborhood. However, the applicant has not yet submitted enough information to determine how functional the ground-floor plaza will be.
  - Current Plans: The applicant has not yet submitted schematic design plans for the groundplane and landscape treatments of the plaza or interface with the building. Staff anticipates they will do so. However, the revised plans indicate conceptual groundplane changes that would enhance the experience, and success, of the plaza and adjacent public ROW.
    - Larger Plaza: The current plans indicate that the building footprint has been set back further from 39<sup>th</sup> Street than in previous plans. The resulting larger plaza area would feel more open than under the previous plan. The larger plaza would also create a better connection to the BART plaza across Walter Miles Way, emphasizing land use and transportation connectivity and synergies. Schematic design review would confirm that the design of the plaza in fact supports that connectivity.
    - Improved Retail Frontage: The current plans include increased retail space at the corner of 39<sup>th</sup> Street and Walter Miles Way. This is the corner of the project closest to the BART station entrance. Providing retail uses as close to the BART station entrance maximizes use and convenience, and provides a more active area around the station.
    - Sidewalk on Walter Miles Way: The current plans include a sidewalk along Walter Miles Way on the subject property. The building has been pulled back from the property line to allow for a six-foot wide continuous sidewalk the length of the property. This would result in a more active project frontage along Walter Miles Way, and support the increased retail frontage near the corner with 39<sup>th</sup> Street.

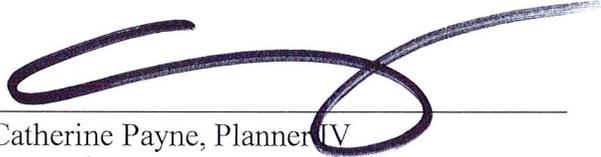
*Corner of 39<sup>th</sup> and Turquoise Streets:*

- Previously Identified Concern: The corner of 39<sup>th</sup> and Turquoise Streets is the corner of the project that will be most prominent for visitors to the MacArthur Transit Village site. Staff believes that, at street level and up to the residential building floors the building should appear open and transparent to the public right-of-way. Currently, the parking screen wraps the corner and does not distinguish this prominent part of the building as a connector between the private residential uses and the public right-of-way.
  - Current Plans: The current plans remove parking along the Turquoise Way and 39<sup>th</sup> Street frontages of the project. This means that residential uses are located facing both streets immediately above the retail space. This would result in a more active, more appealing street frontage in terms of public use.

**CONCLUSION**

Staff recommends that the Design Review Committee take public comment on the changes to the massing and land use configuration of the proposed MacArthur Transit Village Parcel B project and provide direction to staff and the applicant regarding the design issues identified above and through the public review process.

Prepared by:

  
Catherine Payne, Planner IV

Approved by:

  
ROBERT D. MERKAMP  
Development Manager

**ATTACHMENTS:**

- A. Project Plans, dated September 28, 2016
- B. DRC report, dated August 10, 2016
- C. Public Comments in Writing Received between September 29 and October 12, 2016