

Broadway-West Grand
Planning Commission, August 28, 2013
Attachment D: 6/26/13 DRC Staff
Report (with attachments)

Location:	Portion of site (Parcel B) bounded by Broadway, 23rd Street, Valley Street, and 24th Street (Parcel A is complete and occupied).
Proposal:	Amendment #3 to PUD03552 and PUDF03553 to redesign building located on Valley Street, including new site planning, decreased building height and design changes, as well as demolition of historic façade. Decreased residential density, increased commercial intensity.
Applicant:	Signature Development Group: Jamie Choy, (510)251-9270
Owner:	Signature Development Group
Planning Permits Required:	Revision to PUD, Design Review, Minor CUP for Fast Food and Auto Fee Parking, minor variance for unenclosed facility for auto-fee parking; compliance with CEQA.
General Plan:	Community Commercial
Zoning:	Community Commercial-2 Community Commercial Zone; D-BR Broadway Retail Frontage District Interim Combining Zone
Environmental Determination:	Final EIR certified on December 1, 2004 and addended in 2006 and 2008; An addendum is currently being prepared.
Historic Status:	Site includes five buildings considered historic resources under CEQA, all of which were previously approved for demolition; Current proposal is for demolition of one historic building (440-48 23 rd Street--Cb+2+), rehabilitation of one building (2366-98 Valley Street --C3), and rehabilitation of and second-story addition to three buildings: 2335-37 Broadway (Eb+3); 2343 Broadway (Ec3); and 2345 Broadway (Eb-3).
Service Delivery District:	II – North Oakland/North Hills
City Council District:	3 – Gibson McElhaney
Action to be Taken:	Conduct design review
Finality of Decision:	NA
For further information:	Contact case planner Catherine Payne at 510-238-6168 or by e-mail at cpayne@oaklandnet.com

SUMMARY

The purpose of this report is to provide design review analysis of a proposed amendment to the Planned Unit Development (PUD) Final Development Permit (FDP) for the Broadway-West Grand project (PUDF03553). In summary, the applicant proposes reducing the number of residential units (from 351 to a maximum of 105 units) from the approved PUD and increasing the commercial uses (from 27,700 to 104,063 square feet), as well as changing the site planning, phasing and related project features for the entire Parcel B site. Additionally, the applicant proposes adding a second story above three historic buildings on Broadway. Consistent with previous approvals, the proposed amendment would continue to allow demolition of a historic façade as was previously approved for demolition in 2008. The first phase of this project (Parcel A), which includes high-density residential uses with ground-floor commercial uses is completed and occupied.

CITY OF OAKLAND PLANNING COMMISSION



0 125 250 500 750 1,000 Feet



Case File: ER030022
Applicant: Signature Development Group
Address: Portion of site (Parcel B) bounded by Broadway,
23rd Street, Valley Street and 24th Street
Zone: CC-2/D-BR

PROJECT SITE AND SURROUNDING AREA

The approximately 4.3-acre site is Parcel B of the approved "Broadway-West Grand" project, and is located on the block bounded by 23rd Street, Valley Street, 24th Street, and Broadway. The project site is comprised of the Negherbon Auto Center, surface vehicle lots, and a few older warehouse buildings. The site is located at the southern end of Broadway Auto Row and is surrounded by a mix of commercial and residential uses.

PROJECT DESCRIPTION

Signature Development Group is proposing changes to the previously approved and amended PUD and FDP for Parcel B of the Broadway-West Grand project (the block bounded by West Grand Avenue, Valley Street, 24th Street, and Broadway). Development of Parcel A is completed and occupied. At this time, proposed changes include new site planning and architectural design and massing, as well as changes to the density/intensity of development on Parcel B. The evolution of land use entitlements for the project can be summarized as follows:

- *Original PUD and FDP (2004):* The previously approved FDP (approved in 2004) for Parcel B included 289 residential units, 8,500 square feet of ground-floor commercial space, and 474 parking spaces (409 residential spaces, 65 commercial spaces); The maximum building height was 84 feet (seven stories). Many ground-floor units had entrances from the street. Vehicle access and loading berths were provided on 23rd and 24th Streets. The 2004 FDP included demolition of all five historic buildings on-site, with retention of two historic facades (the Julia Morgan façade at 2337 Broadway and the brick façade at 440-448 23rd Street). The certified EIR analyzed a Parcel B project including up to 343 residential units, 18,700 square feet of commercial space, and 475 parking spaces. Both the 2004 EIR and the Planning Commission determined that the demolition of the five historic structures and the effective loss of 2337 Broadway and 440-448 23rd Street would constitute a significant unavoidable impact and the Planning Commission adopted a Statement of Overriding Considerations.
- *Approved First Amendment to FDP (2006):* The first approved amendment to the Parcel B project allowed development of 367 residential units (including replacement of 16 existing apartments currently located on the site), 27,700 square feet of commercial space (including replacement of 9,000 square feet of existing commercial space currently located on the site), and 489 parking spaces. The maximum building height was 193 feet (16 stories), although the majority of the site would be occupied by four- to seven-story buildings. No changes were proposed related to historic resources. An addendum to the EIR was filed and approved by the Planning Commission that addressed the substantive changes to the project.

- *Approved Second Amendment to FDP:* The second approved amendment to the Parcel B FDP included redesign of the originally approved Phases One and Two. This amendment did not affect the two parcels located on Broadway. The redesign of Phases I and II included a redesign of the building(s), as well as demolition of the historic façade at 440-448 23rd Street due to the poor condition of the brick and financial infeasibility of maintaining the façade due to the planned wood construction type at the site (See Engineering Report Attachment E). It should be noted that the LPAB is currently being asked to reconfirm the demolition findings made in 2008 for the same action. The building redesign generally maintained the site planning, massing, land use density and intensity, and style of the approved project. However, the proposed building type and layout were entirely different from the originally approved plan. The amendment included demolition of the historic brick façade located at 440-448 23rd Street.
- *Current (Third) Proposed Amendment to PUD and FDP:* The current (third) proposed amendment to the PUD and FDP includes a redesign of the PUD for Parcel B. Features of the current proposal are described below:
 - *Site Planning:* The current proposal creates a neighborhood block integrated with the surrounding neighborhood, maintaining and preserving most buildings on the site (including preservation of four of the five existing historic resources) and providing an internal gathering space to support the neighborhood and proposed PUD uses. To achieve this, the current proposal includes preserving the buildings along Broadway and locating new buildings along the block perimeters, and locating parking and outdoor flex space within the interior of the block. The current proposal retains seven building on-site (six buildings facing Broadway, and one at the corner of Valley and 24th Streets), while providing two new wood-frame buildings along 23rd, Valley and 24th Streets. Buildings facing Broadway would be commercial while buildings facing 23rd, Valley and 24th Streets would be residential (the proposed mid-block building would be a commercial building). The project includes a reduction in residential units from 351 to 105 units and an increase in commercial intensity from 27,700 to 104,063 square feet. Commercial uses are concentrated in the eastern portion of the site (near Broadway) and residential uses face 23rd, Valley and 24th Streets. Residential units face street frontages and parking is located behind the residential uses.
 - *Building Type:* The three new buildings are all three-story wood construction. Residential building lobby entries are from the street (although unit entrances are from double-loaded internal hallways). Ground-floor units are located at the front property line and have patios along the front property lines. The project includes maintaining seven existing buildings on-site, including renovation and rehabilitation of seven buildings (six located on Broadway and one on the corner of Valley and 24th Streets). The project would demolish two existing buildings on-site, including 440-448 23rd Street, a historic resource, which was previously approved for demolition in 2008.
 - *Building Layout:* New residential buildings are located along the front property lines on Valley and 24th Streets. New residential buildings include ground-floor units and lobby entrances from the street sides. A new commercial building is

located in the interior of the block, providing a buffer between commercial and residential uses located along 24th Street. Commercial parking is located interior to the site and residential parking is located at grade within the residential buildings.

- *Massing*: All proposed new street-facing buildings are three stories, with vertical and horizontal projections and recesses breaking down the horizontal bulkiness. Façade materials are also used to reduce massing and provide visual interest. The building located at the interior of the site is two stories tall.
- *Building Height*: The proposed buildings have a maximum height of 38 feet (three stories).
- *Facades*: The proposed façades for the new buildings are contemporary in style. Finishes include stucco, thin brick veneer, painted cement plaster board, lap siding, anodized aluminum windows, and anodized sun shades. The applicant proposes removing false facades along Broadway to reveal (and, if feasible, repair and rehabilitate) historic facades.
- *Points of Entry (access and egress)*: The proposed project includes a cross-block vehicular access “alley” from 23rd to 24th Street with a dead-end parking area located between the “alley” and Broadway. Buildings on Broadway would have ground-floor commercial uses accessible to the public from Broadway. Residential buildings would have lobby entrances from street frontages.
- *Existing Structures*: The original project approvals allowed demolition of all nine buildings on the site. At this time, the applicant proposes the following:
 - 2301, 2315 and 2323 Broadway: The proposal includes keeping the three attached buildings on Broadway and rehabilitating the facades.
 - 2335-37, 2343 and 2345 Broadway: The proposal includes keeping the three historic, attached buildings on Broadway, rehabilitating the historic facades, and adding a single second story over the three buildings. The proposed second story is set back eight feet from the front of the existing one-story buildings, is simple and subtle in design, and includes window design that harmonizes with the rhythm and pattern of the historic facades below.
 - 2366-98 Valley Street: The proposal includes rehabilitating the historic building on the corner of Valley and 24th Streets.
 - 421-24th Street: As approved under the FDP, the applicant proposes demolition of this structure.
 - 440-48 23rd Street: As approved under the second amendment to the FDP, and now again at this time, the applicant proposes demolition of this structure. 440-448 23rd Street is a historic resource with a local rating of Cb+2+ and was approved for demolition in the 2008 amendment to the Final Development Permit. Demolition of this building was considered a significant and unavoidable impact at the time of EIR certification in December 2004. A previous addendum found no additional or increased environmental impact related to demolition of the subject façade.

GENERAL PLAN ANALYSIS

The project site is located within the Community Commercial land use classification of the General Plan. This designation is intended to “identify, create, maintain, and enhance areas suitable for a wide variety of commercial and institutional operations along the City’s major corridors and in shopping districts or centers” (LUTE, p. 150). The Community Commercial land use classification allows a maximum floor area ratio (FAR) of 5.0, and a maximum residential density of 166.67 units per net acre. The proposed residential density is 33 units per acre, well within the allowable General Plan residential density. The proposed non-residential FAR is 1.8, well within the allowable General Plan intensity for non-residential development.

ZONING ANALYSIS

The proposed project is a revision to an approved PUD. Proposed revisions shall be evaluated against the approved PUD and the existing zoning districts: Community Commercial-2 (CC-2) and the Broadway Retail Frontage District Interim Combining Zone (D-BR) regulations. The CC-2 zone is intended to create, maintain, and enhance areas with a wide range of commercial businesses with direct frontage and access along the City’s corridors and commercial areas. The D-BR zone is intended to create, preserve, and enhance ground level retail opportunities with the Broadway/Valdez Retail District area north of the Central Business District (located southeast of the site). The project shall be analyzed for PUD and zoning compliance as part of consideration of the merits of the project and consideration of entitlements.

Table 1: Preliminary Zoning Analysis

Criteria	Req'd Adopted PUD	Req'd CC-2	Req'd D-BR	Proposed	Analysis
Allowable uses					
• Permanent Residential	P (ground floor and above)	P/C (on ground floor)	C	Proposed on ground-floor and above (but not on Broadway)	Complies: within adopted PUD allowance
• Full Service Restaurant	P	P	P		Complies
• General Food Sales	P	P	P		Complies
• Limited Service Restaurant	P	P	P		Complies
• Fast Food Restaurant	—	C	C	Proposed mobile food vending at a fixed site on Broadway	CUP required
• General Retail Sales	P	P	P		Complies

• Consultative and Financial Service	P	P	P		Complies
• Consumer Service	P	P	P		Complies
• Group Assembly	P	C	C		Complies: within adopted PUD allowance
• Personal Instruction	P	P	P/C (on ground floor facing Broadway)		Complies: within adopted PUD allowance
• Alcoholic Beverage Sales (c)		C	C	Not currently proposed	Requires CUP
• Administrative	P	P	P (L3)		Complies: within adopted PUD allowance
• Auto Fee Parking		C	C In pkg. structure (below grade or in >3-story building)	Proposed in addition to required commercial parking	Minor CUP for use and minor variance for open facility type required
Facilities					
• Residential multi-family		P			
• Enclosed non-res		P			
• Open nonres		P			
• Sidewalk cafe		P			
Yard – Front min/max	None required	0'/10'		0'	Meets reg's.
Yard – Interior Lot Line Setback for Residential Facilities	None required	0'		0' (and not opposite required living room windows)	Meets reg's.
Yard – rear res	None required	10'/15'			Complies; PUD allows relaxation
Yard – rear nonres	None required	0'/10'/15'			Complies: PUD allows relaxation
Ground floor nonres façade transparency		55%		Existing	NA
Ground floor nonres floor-to-ceiling ht		12'		Existing	NA
Ground floor active space		Yes 30' feet from front			Complies

Parking location		Off main street			Vehicular access from Broadway requires variance
Height	193'	120' & 11 stories on Broadway/4 5' and 4 stories on Valley		38' max for new construction	Meets reg's.
Usable Open Space	75 sf. private/unit; 150 sf. group/unit	30 sf/ private/unit; 150 sf. group/unit		65 sf/unit (private and group)	Complies with current underlying zoning
Parking	Commercial	1 space per 400 sf./over 3k sf.: 60 spaces; 1 loading per PUD	New: • Restaurant = 1/200 sf above 3k sf) • Retail = 1/1k sf above 3k sf) • 2 loading (25-49.9k sf)	110 spaces (1 space/1k sf); 1 loading	Meets pkg. reg's. (approx. 56 required, 110 provided)
	Res.	1 space / unit 1 loading per PUD	1 space/unit & 1 loading 50-149k sf	98 spaces 1 loading	Meets pkg. reg's.
Residential Density	1 unit / 415 sq. ft (367 units)	1 unit/450 sf (45' ht. area)	--	1 unit / 1,555 sf (98 units)	Complies
Nonresidential FAR	1.8	5.0 (120' ht. area)	--	1.8 FAR (104,063 sf)	Complies

The Planning Commission will be asked to find that the proposed project complies with the following design review findings included in the Planning Code:

17.136.050 - Regular design review criteria.

Regular design review approval may be granted only if the proposal conforms to all of the following general design review 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;

5. That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable design review guidelines or criteria, district plan, or development control map which have been adopted by the Planning Commission or 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 17.136.060
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 General Plan and with any applicable design review guidelines or criteria, district plan, or development control map which have been adopted by the Planning Commission or City Council.

C does not apply.

D. For Potential Designated Historic Properties that are not Local Register Properties: That for additions or alterations,

1. The design matches or is compatible with, but not necessarily identical to, the property's existing or historical design; or
2. The proposed design comprehensively modifies and is at least equal in quality to the existing design and is compatible with the character of the neighborhood; or
3. The existing design is undistinguished and does not warrant retention and the proposed design is compatible with the character of the neighborhood.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Planning Commission certified an EIR for the existing PUD on December 1, 2004. The EIR considered an envelope of development that included up to 343 residential units, 18,700 square feet of commercial space, and 475 parking spaces.

In 2006, the first approved amendment to the FDP included a net increase of eight (8) residential units and 14 parking spaces over the development envelope considered in the EIR.

In 2008, the second approved amendment to the FDP involved demolition of the façade of a historic building for which demolition of the building had already been approved (while maintaining the existing façade as part of the approved project). The previously certified EIR considered the complete demolition of the historic resource, including the façade, and found it to be a significant unavoidable impact. Preservation of the façade was not mandated under the EIR. Removal of the façade would not increase the severity of the already identified significant unavoidable impact.

As stated previously, in 2004, an EIR for the project was certified. The environmental analysis was updated in 2006 and again in 2008 using an Addendum. An Addendum is appropriate,

indeed required, when none of the circumstances that require a supplemental or subsequent EIR pursuant to CEQA Guidelines Section 15162 have occurred, specifically:

- There are no substantial changes proposed in the project which would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- There are no substantial changes with respect to project circumstances which would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- There is no new information of substantial importance which would result in new significant environmental effects, a substantial increase in the severity of previously identified significant effects, previously infeasible mitigation measures or alternatives now found to be feasible, or new mitigation measures or alternatives which are considerably different from previous ones that would substantially reduce environmental effects.

Here, based upon preliminary information, the City believes that none of the circumstances described above have occurred since 2004. Hence, the City is precluded from preparing a supplemental or subsequent EIR. The appropriate CEQA documentation would be an Addendum. Under CEQA, rehabilitation of and addition to the four buildings previously approved for demolition and demolition of buildings previously approved for demolition would not result in a new significant impact or a substantially more severe significant impact than that of the demolition that was analyzed in the certified EIR and previous addenda.

DESIGN AND RELATED ISSUES

Design

The design of Parcel B successfully breaks up the site by maintaining and preserving many existing buildings while siting distinctly separate new buildings on vacant portions of the site to create an organic neighborhood that is sensitive to the historic and land use context of the surrounding area. Specific design issues include the following:

- Site Planning:
 - Broadway dead-end: The dead-end parking alley running perpendicular to Broadway is an existing driveway. The driveway is a vestige of the auto-sales use that was previously located at the site. The current zoning regulations discourage vehicular access from major arterial streets like Broadway. Because there is access proposed from 23rd and 24th Streets, staff believes that there should be no driveway access from Broadway. Therefore, this parking area (which may also accommodate Group Assembly Commercial uses) would only be accessible to vehicles from within the site, although the area would be accessible to pedestrians

(and visually accessible) from Broadway. The existing driveway would be maintained for Emergency Vehicle Access, as well.

- Group Assembly Commercial events: Group Assembly Commercial land uses are permitted in PUDs in Oakland. The applicant proposes to share use of the parking area with community assembly commercial uses such as entertainment (flex space). The project is designed to protect the residential uses from possible noise and light effects by providing office and parking uses as a buffer between the entertainment and residential uses. Staff supports this aspect of the project site planning.
 - Office building: The proposed project includes an office building located adjacent to and behind the proposed residential building on 24th Street and the remaining commercial buildings facing Broadway. The office building would provide a buffer between the group assembly commercial uses discussed above, and the residential uses facing 24th Street. Staff supports this layout.
- Specific Land Uses:
 - Fast Food Restaurant: The applicant currently proposes that 2337 Broadway and the immediately adjacent parking lot area be used as a Fast Food Restaurant. The specific proposal is to have an indoor physical space that would operate as a food court (providing seating, restrooms, a cashier station) with rotating mobile food vendors located immediately adjacent to the space (and on private property in fixed parking spaces) providing food service for a unique dining experience. Staff supports the unique and desirable dining use at this location and would condition the project to ensure the proposed use and design is not substituted by a chain Fast Food Restaurant at any time in the future.
 - Auto-Fee Parking: In addition to the required commercial parking to be provided at-grade, the applicant proposes additional parking spaces to be available to the public through open, at-grade auto-fee parking. Auto-fee parking requires a conditional use permit, and a variance is required for not providing the auto-fee parking in a multi-story or below-grade enclosed structure. It should be noted that the auto-fee parking would also be used as group assembly space during low-demand times (see discussions above and below). Staff supports the provision of additional parking (beyond what is required in a destination commercial area) and the flex use of the parking for events that tie into the Art Murmur and other activities in the surrounding area.
 - Residential on Ground Floor: The applicant proposes residential uses on the ground floor facing 23rd, Valley and 24th Streets. Although not in compliance with the D-BR zoning regulations, ground-floor residential uses are consistent with the approved project and with the context. Staff supports the residential uses on the ground floor, as proposed.
 - Group Assembly: The applicant proposed using the auto-fee parking area as a flex space to be used alternatively for group assembly uses such as entertainment during Art Murmur events and other cultural festivals. The use would be located in an open facility interior to the block and buffered by non-residential uses. This

is a desirable and complementary use to the Art Murmur Arts District and supports the use.

- Building Design:

- 23rd/Valley Streets corner: The corner of the building located at 23rd and Valley Streets does not include many openings and does not provide ample transparency at this corner location. Although the design of the corner has improved since the original submittal, it could be improved to be more of a beacon of the project and to provide increased interface with the public realm. Examples include vertical projections such as towers, bays and other projecting features, and extensive glazing. In addition, staff proposes incorporating references to the historic auto-repair use at that location (without mimicry). References could be in the form of artifacts or art incorporated into the project at this location that provide whimsy and enlightenment for passers-by.
- 23rd Street façade: The 23rd Street façade, which fronts residential and parking uses, is mostly blank at the ground floor. The ground-floor frontage should provide more transparency and be softened to provide an appealing experience from the adjacent sidewalk.
- Rehabilitation of historic facades: Staff supports the proposed renovation and rehabilitation of three historic facades along Broadway and one building on the corner of 24th and Valley Streets, consistent with the historic plans (see Attachment B).
- Ground-floor patios on Valley Street: The building located on Valley Street has ground-floor units located at the front property line, contributing to “eyes on the street”. However, the at-grade patios are fenced. Staff would support designing the fencing to continue to provide a private-public barrier while also providing the appearance of openness between the public and private realms. Examples of this would include lowering the height of the fencing or raising the height of the ground-floor to three feet above grade. In addition, the horizontal fencing on the ground floor, while attractive, may be problematic from a crime deterrent standpoint (i.e., footholds for climbing).

The proposed architectural styles include a combination of traditional and modern design elements, which is compatible with the mix of styles in the surrounding area. The proposed exterior building materials include stucco, brick veneer, balconies and shading devices, and a variety of window types. Proposed colors include a range of earth tones as well as muted red, orange, and yellow tones.

Staff generally believes that the proposed design is relatively attractive, well-modulated, and compatible with the surrounding area. In addition, staff believes that the adopted conditions of approval adequately address outstanding design issues such as refinement of exterior colors and materials, design of usable open space, window selection and details, and ground floor design and details.

Historic Façade

The existing façade located at 440-448 23rd Street is a feature of a historic building. It was previously approved for demolition by the Planning Commission in 2008. It is proposed for demolition for similar reasons as it was proposed for demolition in 2008: financial infeasibility of repairing and maintaining the façade given the condition of the brick and the limitations of the wood construction type of the proposed building at that location (see Attachment B to this report for 2008 engineering report). The EIR identified the demolition of the building, even whilst retaining the façade, as a significant impact that could not be mitigated to a less-than-significant level; however, the approved project included retention of the facade. The 2008 and current proposal to remove the façade, when considered under CEQA, would not result in any more severe impact than that previously analyzed. Therefore, this change to the project would not result in any need for supplemental environmental review under CEQA. Although studied and approved in 2008, staff believes it is appropriate to evaluate the current proposal for the demolition of this façade in the context of the current proposed PUD revisions and design. Staff believes that, should this change be approved, conditions of approval should be applied to the amendment requiring compensation for the irrevocable loss of the historic façade, similar to the conditions adopted for the same action in 2008:

- *Condition x:* Prior to issuance of demolition permit for the historic façade located at 440-448 23rd Street, the applicant shall provide a financial contribution of \$68,750 [or an amount to be determined by the Planning Commission and agreed upon by the applicant] to the Façade Improvement Program.¹
- *Condition y:* A demolition permit for the historic façade located at 440-448 23rd Street shall not be issued until issuance of a building permit for the core and shell of the approved project.

Rehabilitation of Four Historic Buildings

The proposed plans show rehabilitation of four historic buildings on site. To ensure rehabilitation of the buildings to Secretary of the Interior Standards, to the extent feasible, the following conditions of approval are recommended:

- *Condition a:* Prior to developing a specific proposal for rehabilitation of the historic facades, the applicant shall conduct investigative demolition of the currently covered facades. The investigative demolition shall be reviewed by the staff planner and historic preservation staff prior to the development of the final plans for the proposed rehabilitation. The investigative demolition shall be photographed for the record.
- *Condition b:* To the extent feasible, the rehabilitation of the historic facades shall comply with the Secretary of the Interior's Standards. Historic preservation staff shall review the proposed rehabilitations to evaluate compliance with the Secretary of Interior's Standards and a determination of compliance shall be made by the Zoning Manager (in consult with Historic Preservation staff). If non-compliance with some or all of the rehabilitation standards is evident in the plans, the project sponsor shall submit a report demonstrating

¹ In 2008, the City arrived at \$68,750 by multiplying the entire linear footage of the project at the time, 772 linear feet, by \$280/foot, \$280 per linear foot was the standard used by the City of Oakland Façade Grant at that time.

that compliance with said standard(s) is infeasible and the reasons why for review and approval by the Zoning Manager.

- Condition c: All proposed materials for rehabilitation of the historic resources, including tile, marble, brick, cornice materials, obscure glass, signage etc. shall be reviewed by the staff planner and historic preservation staff, with final determination to be made by the Zoning Manager, prior to building permit sign-off.

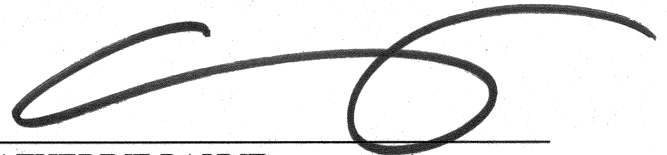
Addition to Three Historic Buildings Facing Broadway

The proposed plans include a second story addition to the three historic buildings facing Broadway. The design of the proposed second story is appropriately subtle and muted yet compatible with the historic rhythm and pattern of the historic facades. The second story is set back eight (8) feet from the front of the existing buildings.

CONCLUSION

Staff requests the DRC to conduct design review of the proposal.

Prepared by:



CATHERINE PAYNE
Planner III

Approved for forwarding to the
Design Review Committee:

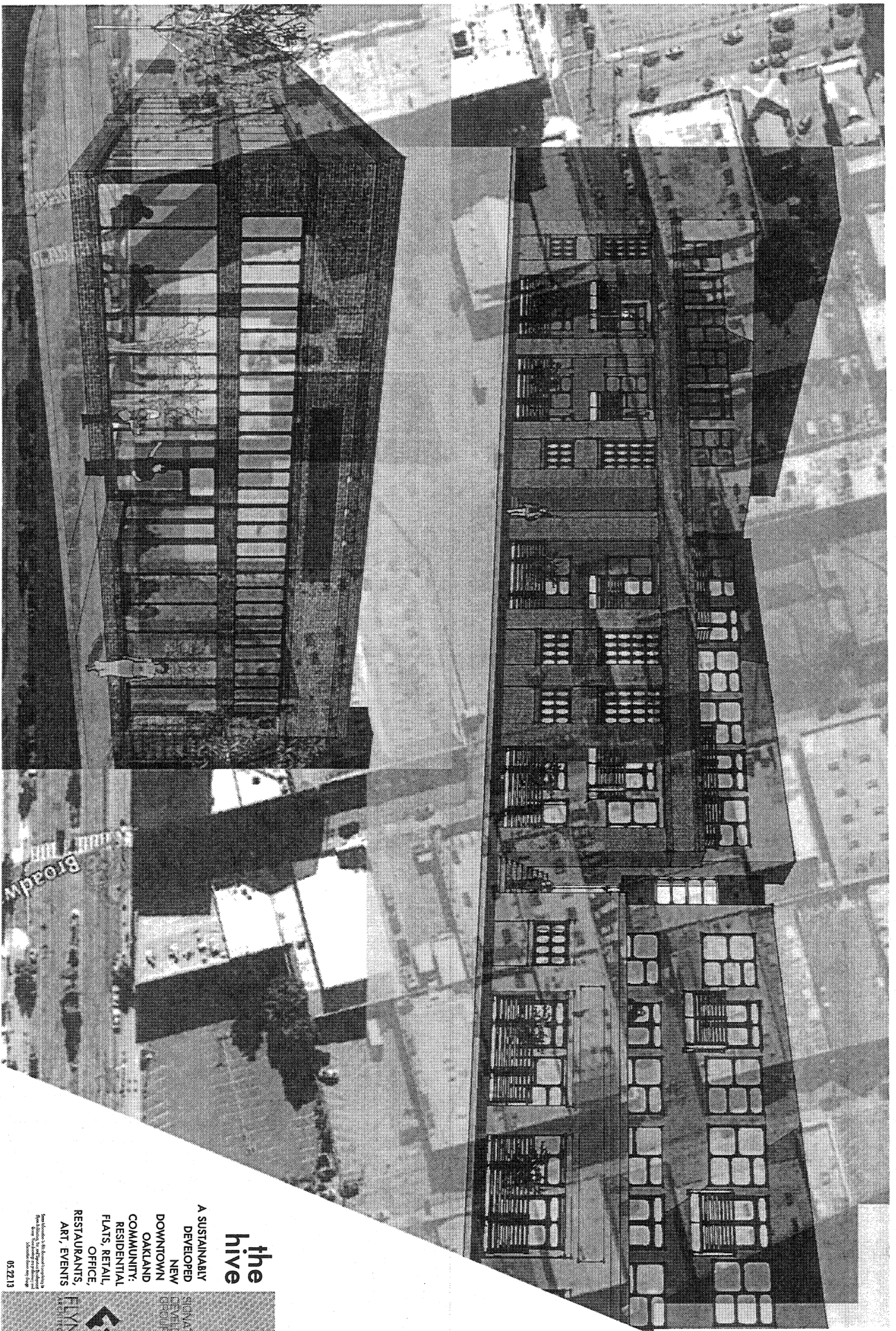


SCOTT MILLER
Zoning Manager

Attachments:

- A. Project Plans
- B. Engineering Report (2008)

ATTACHMENT A



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A SUSTAINABLY
DEVELOPED
NEW
DOWNTOWN
OAKLAND
COMMUNITY:
RESIDENTIAL
FLATS, RETAIL
OFFICE,
RESTAURANTS,
ART, EVENTS



SIGNATURE
DEVELOPMENT
GROUP

FLYNN
ARCHITECTS

05.22.13

PROJECT DESCRIPTION:

THIS APPLICATION IS TO AMEND THE APPROVED PUD F03553 FOR THE BLOCK BOUNDED BY BROADWAY, 23RD, VALLEY, AND 24TH STREETS. THE EXISTING PUD APPROVED COMPLETE DEMOLITION OF ALL STRUCTURES ON THE BLOCK (ASIDE FROM TWO OUTPARCELS AND THE RETENTION OF ONE FACADE), AND THE CONSTRUCTION OF 367 NEW RESIDENTIAL UNITS AND 27,700 SQ. FT. OF NEW COMMERCIAL SPACE IN BUILDINGS UP TO 195' IN HEIGHT.

UNDER THE EXISTING PUD, THE EXISTING BUILDINGS AT 2301 BROADWAY AND 2315 BROADWAY ARE CURRENTLY BEING REHABILITATED FOR COMMERCIAL USE. THIS AMENDMENT TO THE PUD PROPOSES TO SAVE AND REHAB THE REMAINING THREE VACANT RETAIL / OFFICE BUILDINGS FACING BROADWAY FOR NEW RETAIL/RESTAURANT USES AND ADD A FULL SECOND STORY ABOVE THE EXISTING BUILDINGS OF NEW OFFICE SPACE. STREET FACADES OF THE EXISTING BUILDINGS WILL BE REMODELED IN KEEPING WITH TYPICAL 1920'S ERA COMMERCIAL BUILDINGS; BUILDING WALLS FACING THE ALLEY WILL BE LEFT IN THEIR EXISTING RUSTIC CONDITION.

A WAREHOUSE BUILDING AT THE CORNER OF 24TH AND VALLEY WILL BE CONVERTED TO 8 RENTAL LOFTS. 97 APARTMENTS IN TWO NEW THREE-STORY BUILDINGS AND A NEW 10,000 S.F. RETAIL / OFFICE BUILDING ARE PROPOSED. ALSO PROPOSED IS AN INTERNALLY ACTIVATED ALLEY WHICH WILL FLEXIBLY PROVIDE PARKING, OUTDOOR DINING FOR ADJACENT RESTAURANTS AND OUTDOOR EVENT SPACE.

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COMMERCIAL BUILDINGS - REHAB

ADDRESS	SQ. FT.
2301 BROADWAY	26,339 sq ft
2315/2323 BROADWAY	23,916 sq ft
2337 BROADWAY	10,604 sq ft
2343 BROADWAY	5,616 sq ft
2345 BROADWAY	5,500 sq ft
NEW BROADWAY 2ND FLOOR	7,738 sq ft
NEW 2-STORY COMM. BUILDING	14,350 sq ft
TOTALS	104,063 sq ft
EXISTING SQ. FT.	64,786 sq ft
NEW SQ. FT.	39,277 sq ft

TOTAL REQ. COMM. PARKING (1 STALL/1000 SF.)	39
TOTAL PARKING PROVIDED FOR COMMERCIAL	111

VALLEY STREET FLATS - 64 UNITS

UNIT TYPE	NUMBER UNITS	UNIT SQ. FT.	TOTAL UNIT TYPE SF	PATIO/DECK/UNIT	TOTAL OPEN SPACE	REQ. STALLS/UNIT	TOT REQ. PARKING
A STUDIO	6	482 sq ft	2892 sq ft	95 sq ft	570 sq ft	1.00	6 STALLS
B 1 BED/WORK/1 BATH	4	915 sq ft	3660 sq ft	85 sq ft	340 sq ft	1.00	4 STALLS
C 1 BED/1BATH (JR. 1-BEDROOM)	4	772 sq ft	3088 sq ft	77 sq ft	308 sq ft	1.00	4 STALLS
D 1 BED/1BATH (JR. 1-BEDROOM)	2	765 sq ft	1530 sq ft	75 sq ft	150 sq ft	1.00	2 STALLS
E 1 BED/1BATH (JR. 1-BEDROOM)	2	675 sq ft	1350 sq ft	90 sq ft	180 sq ft	1.00	2 STALLS
F 1 BED/1BATH	2	815 sq ft	1630 sq ft	100 sq ft	200 sq ft	1.00	2 STALLS
G 1 BED/WORK/1 BATH	16	821 sq ft	13136 sq ft	62 sq ft	992 sq ft	1.00	16 STALLS
H 1 BED/WORK/2 BATH	18	1168 sq ft	21024 sq ft	110 sq ft	1980 sq ft	1.00	18 STALLS
I 2 BED/2 BATH	6	1053 sq ft	6318 sq ft	55 sq ft	330 sq ft	1.00	6 STALLS
J 2 BED/WORK/2 BATH	4	1308 sq ft	5232 sq ft	110 sq ft	440 sq ft	1.00	4 STALLS
TOTALS	64		119720 sq ft	1718 sq ft	10980 sq ft		64 STALLS
AVERAGE UNIT SIZE		1870.625 sq ft		171.562 sq ft			

BUILDING CONST. AREA	SQ. FT.	COVERED PARKING:	TOT. PARKING PROVIDED:	TOT. PRIVATE OPEN SPACE	TOT. PRIVATE OPEN SPACE
FIRST FLOOR	28840 sq ft	61 STALLS	64 STALLS	4272 sq ft	66.75 sq ft
SECOND FLOOR	27600 sq ft				
THIRD FLOOR	27600 sq ft				
PRIVATE DECKS 2ND/3RD FLOOR	4272 sq ft				
TOTAL BUILDING AREA	84040 sq ft				

24TH STREET FLATS - 33 UNITS

UNIT TYPE	NUMBER UNITS	UNIT SQ. FT.	TOTAL UNIT TYPE SF	PATIO/DECK/UNIT	TOTAL OPEN SPACE	REQ. STALLS/UNIT	TOT REQ. PARKING
A STUDIO	3	482 sq ft	1446 sq ft	95 sq ft	285 sq ft	1.00	3 STALLS
B 1 BED/WORK/1 BATH	2	915 sq ft	1830 sq ft	85 sq ft	170 sq ft	1.00	2 STALLS
C 1 BED/1BATH (JR. 1-BEDROOM)	2	772 sq ft	1544 sq ft	77 sq ft	154 sq ft	1.00	2 STALLS
D 1 BED/1BATH (JR. 1-BEDROOM)	2	765 sq ft	1530 sq ft	75 sq ft	150 sq ft	1.00	2 STALLS
E 1 BED/1BATH (JR. 1-BEDROOM)	2	675 sq ft	1350 sq ft	90 sq ft	180 sq ft	1.00	2 STALLS
F 1 BED/1BATH	2	815 sq ft	1630 sq ft	100 sq ft	200 sq ft	1.00	2 STALLS
G 1 BED/WORK/1 BATH	8	821 sq ft	6568 sq ft	62 sq ft	496 sq ft	1.00	8 STALLS
H 1 BED/WORK/2 BATH	10	1168 sq ft	11680 sq ft	84 sq ft	840 sq ft	1.00	10 STALLS
I 2 BED/2 BATH	2	1086 sq ft	2172 sq ft	110 sq ft	168 sq ft	1.00	2 STALLS
J 2 BED/WORK/2 BATH	0	1308 sq ft	0 sq ft	110 sq ft	0 sq ft	1.00	0 STALLS
TOTALS	33		59500 sq ft	1724 sq ft	5286 sq ft		33 STALLS
AVERAGE UNIT SIZE		1803.03 sq ft		160.182 sq ft			

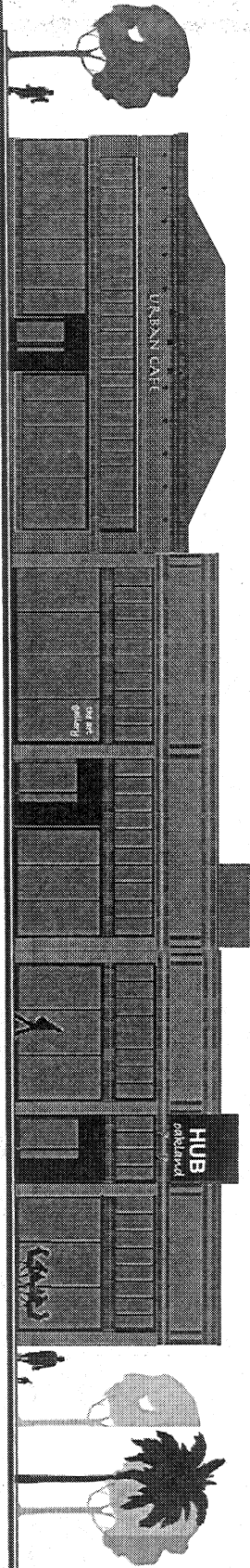
BUILDING CONSTRUCTION AREA	SQ. FT.	COVERED PARKING:	TOT. PARKING PROVIDED:	TOT. PRIVATE OPEN SPACE	TOT. PRIVATE OPEN SPACE
FIRST FLOOR	14420 sq ft	30 STALLS	33 STALLS	2034 sq ft	61.636 sq ft
SECOND FLOOR	13800 sq ft				
THIRD FLOOR	13800 sq ft				
PRIVATE DECKS 2ND/3RD FLOOR	2034 sq ft				
TOTAL BUILDING AREA	42020 sq ft				

VALLEY LOFTS (LIVE/WORK)

UNIT TYPE	NUMBER UNITS	UNIT SQ. FT.	TOTAL UNIT TYPE SF	PATIO/DECK/UNIT	TOTAL OPEN SPACE	REQ. STALLS/UNIT	TOT REQ. PARKING
L1 LOFT	4	767 sq ft	3068 sq ft	0 sq ft	0 sq ft	1.00	4 STALLS
L2 1 BED/1BATH (JR. 1-BEDROOM)	2	668 sq ft	1336 sq ft	0 sq ft	0 sq ft	1.00	2 STALLS
L3 STUDIO	2	423 sq ft	846 sq ft	0 sq ft	0 sq ft	1.00	2 STALLS
TOTALS	8	3716 sq ft	10500 sq ft	0 sq ft	0 sq ft		8 STALLS

UNCOVERED PARKING:

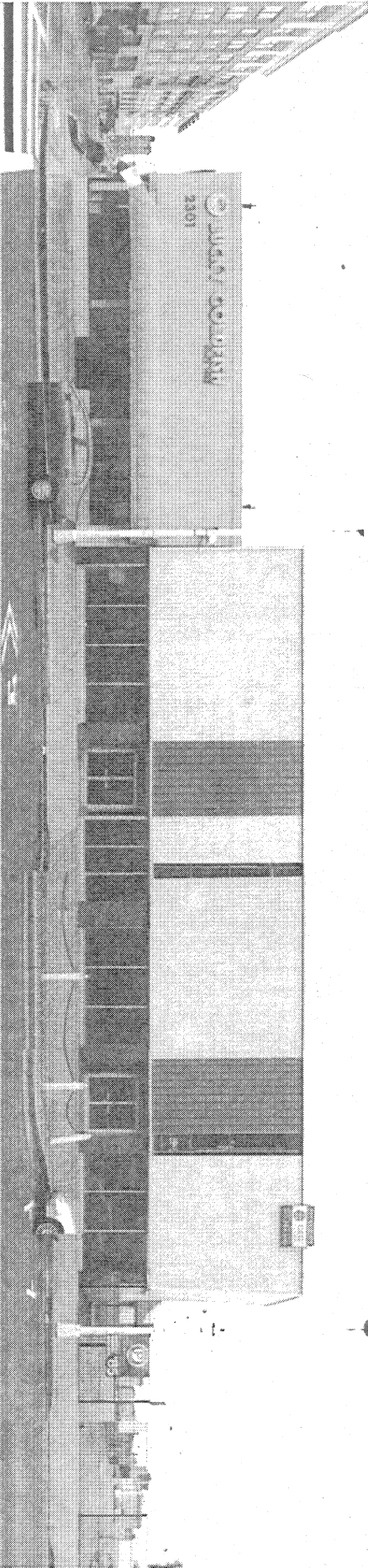
8 STALLS

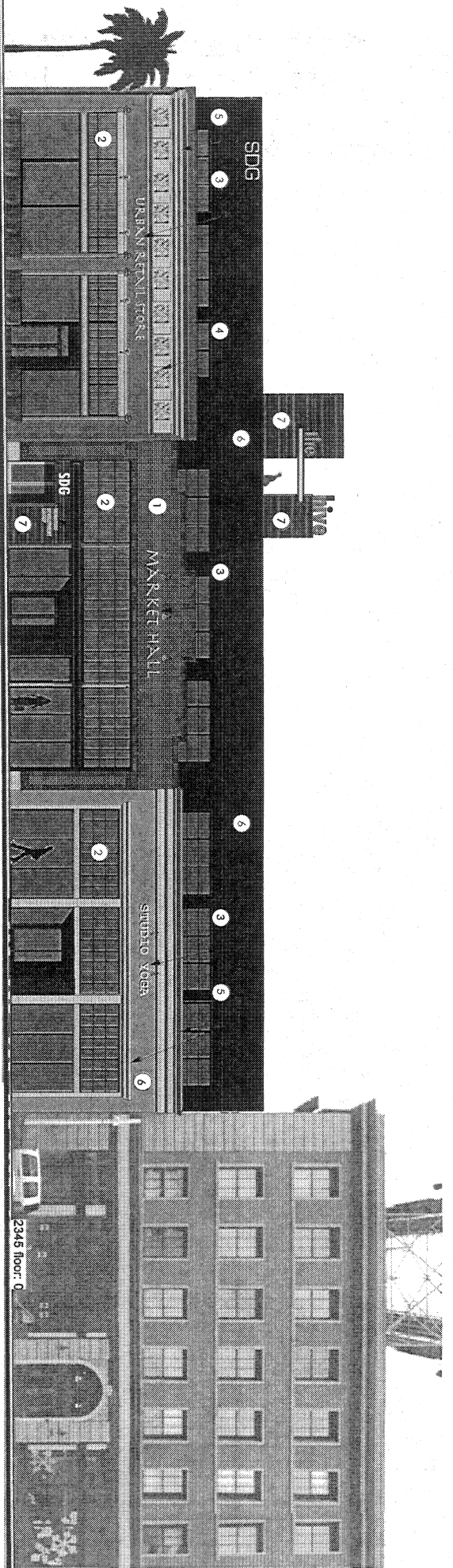


2301 BROADWAY
(currently under construction)

2315-2323 BROADWAY
(currently under construction)

2A





2337 BROADWAY
(designed by Julia Morgan)

2343 BROADWAY

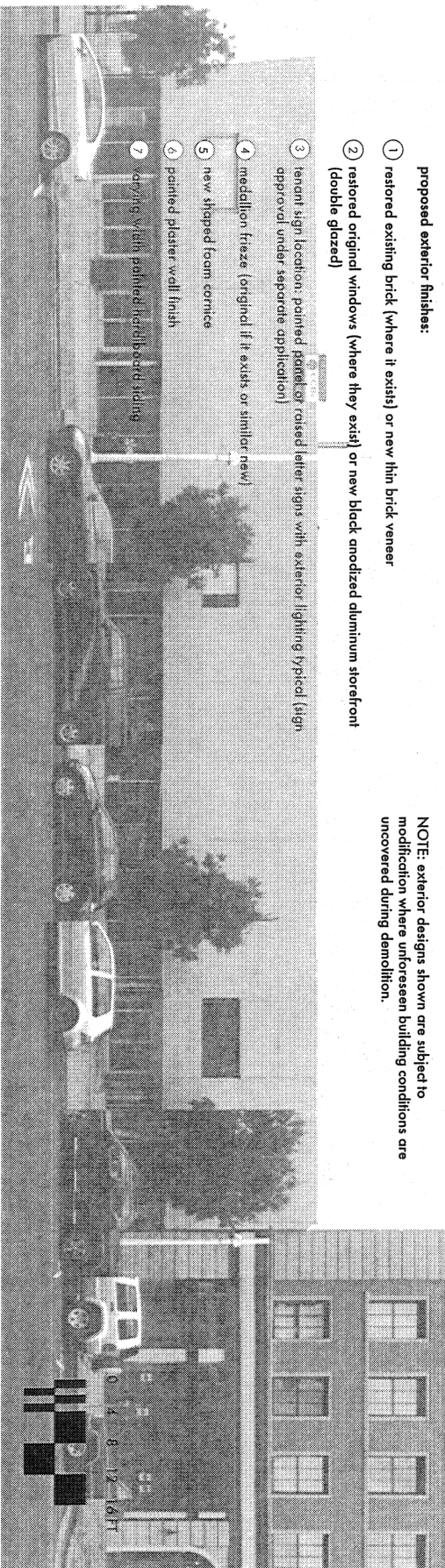
2345 BROADWAY

THE PACKARD LOFTS

proposed exterior finishes:

- ① restored existing brick (where it exists) or new thin brick veneer
- ② restored original windows (where they exist) or new black anodized aluminum storefront (double glazed)
- ③ tenant sign location, painted panel, or raised letter signs with exterior lighting typical (sign approval under separate application)
- ④ medallion frieze (original if it exists or similar new)
- ⑤ new shaped foam cornice
- ⑥ painted plaster wall finish
- ⑦ varying width painted hardboard siding

NOTE: exterior designs shown are subject to modification where unforeseen building conditions are uncovered during demolition.



street
elevations:
BROADWAY

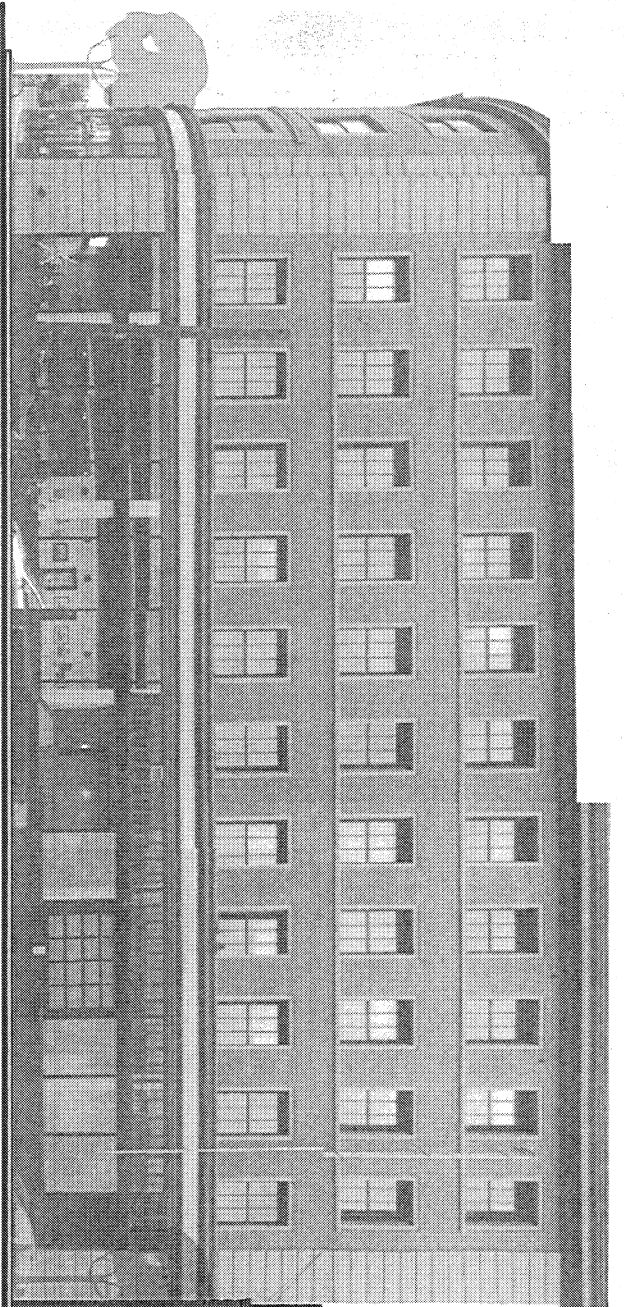
the
hive

A SUSTAINABLE
DEVELOPED
NEW
DOWNTOWN
OAKLAND
COMMUNITY:
RESIDENTIAL
FLATS, RETAIL,
OFFICE,
RESTAURANTS,
ART, EVENTS

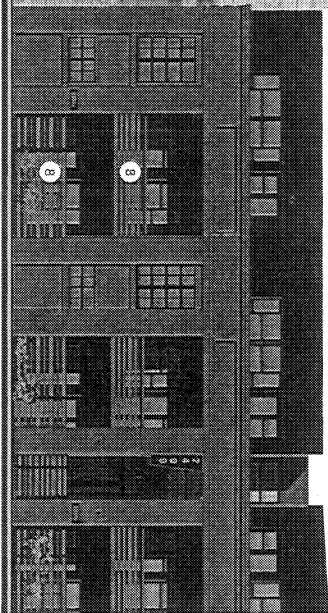
2B

0 4 8 12 16 ft

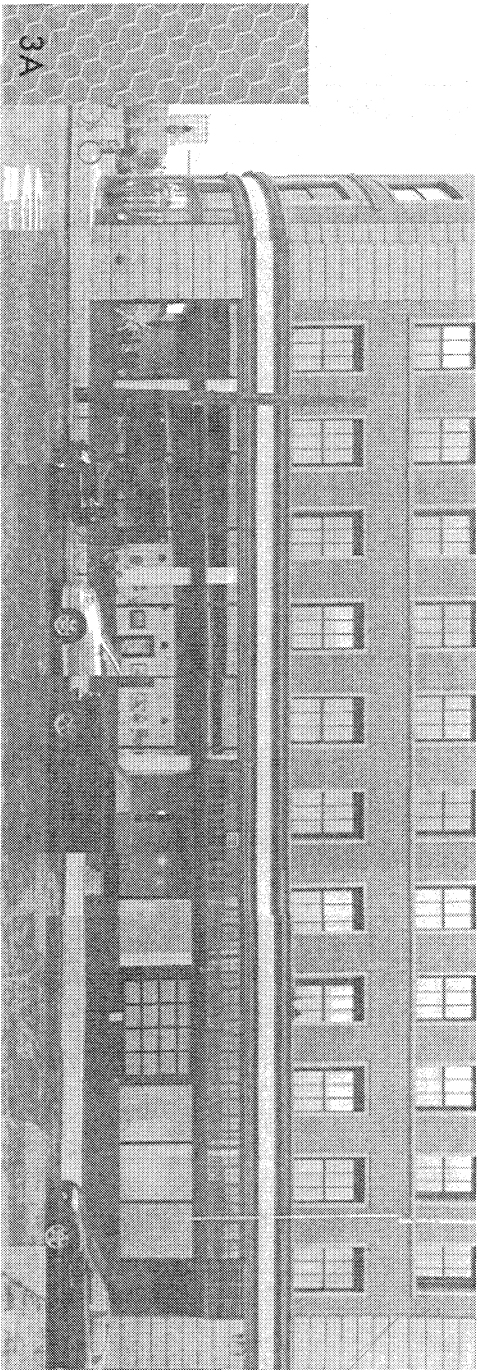
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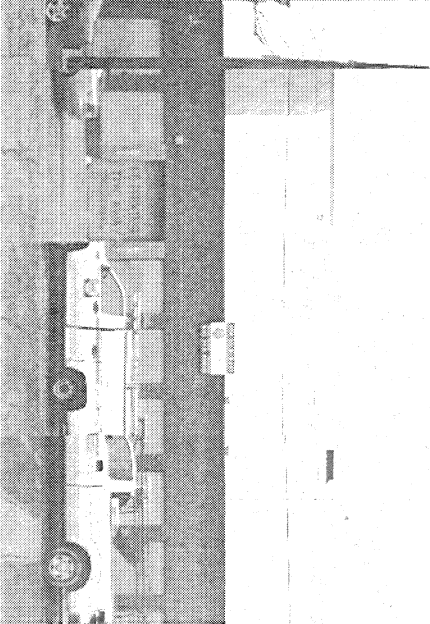
THE PACKARD LOFTS - not a part of project

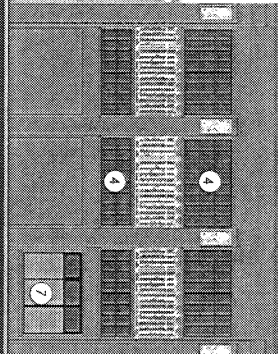
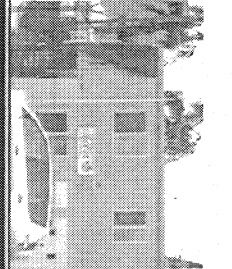
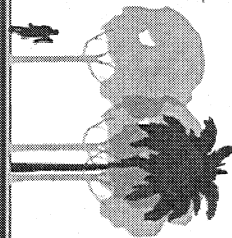
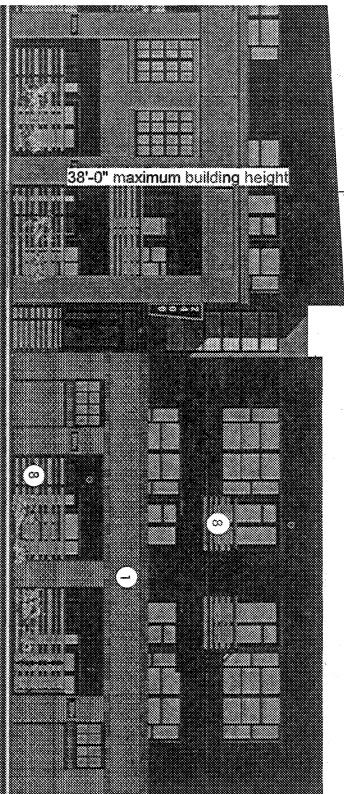


24TH STREET FLATS - 33 UNITS



3A





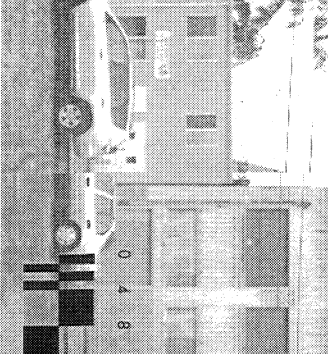
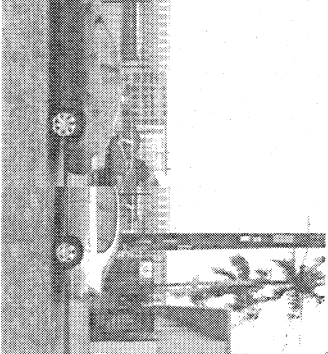
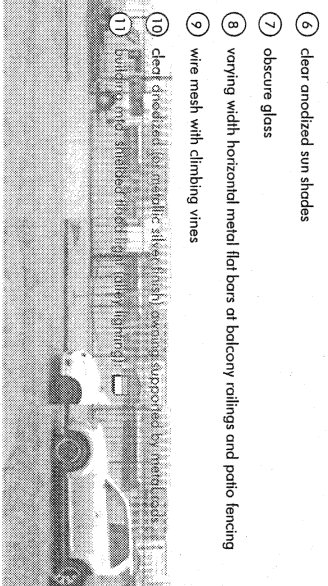
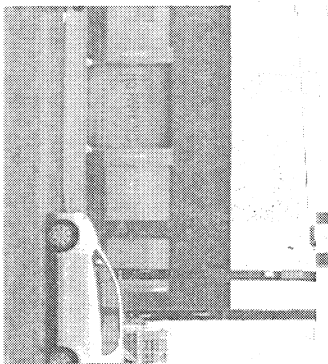
PROPOSED EXTERIOR FINISHES:

- ① thin brick veneer
- ② painted cement plaster wall finish, typical unless otherwise noted
- ③ 12", 8.25", 5.25" Hardboard lap siding widths; 2 colors
- ④ black anodized aluminum windows (double glazed) typical of new residential buildings
- ⑤ clear anodized aluminum windows (double glazed) typical of new retail/office building
- ⑥ clear anodized sun shades
- ⑦ obscure glass
- ⑧ varying width horizontal metal flat bars at balcony railings and patio fencing
- ⑨ wire mesh with climbing vines
- ⑩ clad (anodized for metallic silver finish) around supported by metal rods
- ⑪ building entry shielded (black light (ultraviolet light))

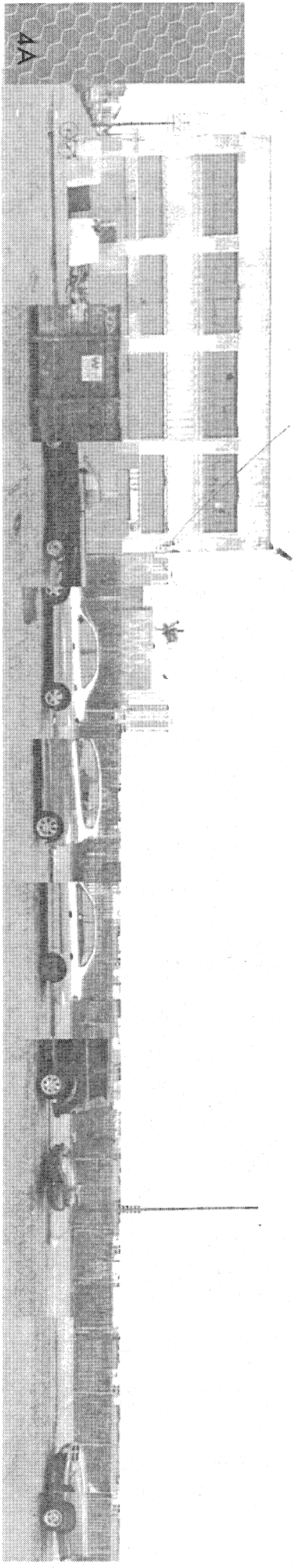
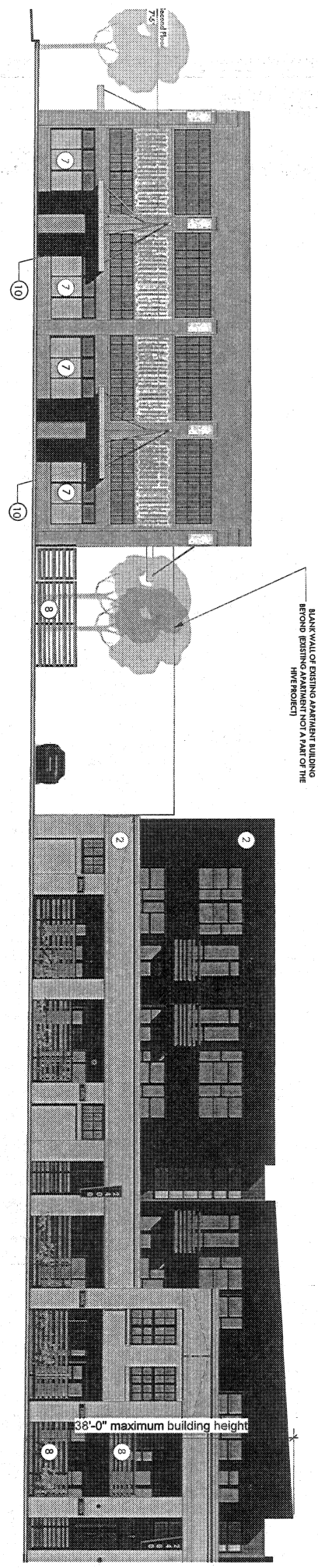
EXISTING APARTMENT
not a part of project

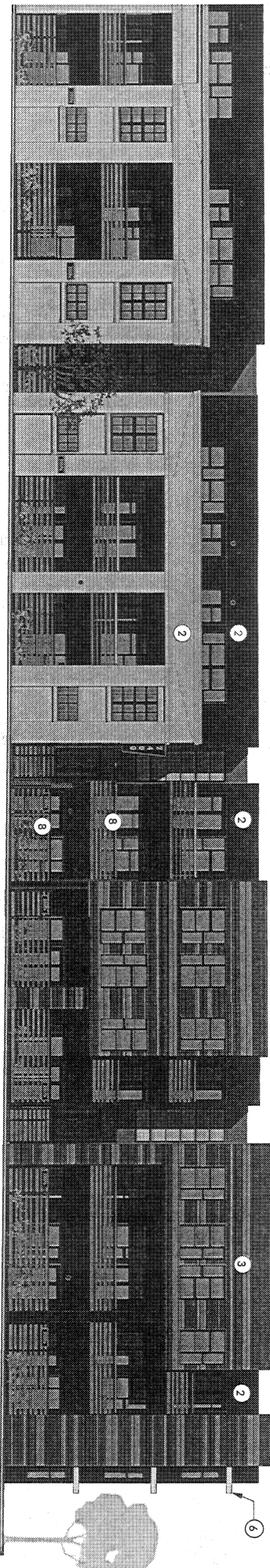
VALLEY STREET LOFTS

street
elevations:
24TH
STREET




VALLEY STREET LOFTS - 8 UNITS

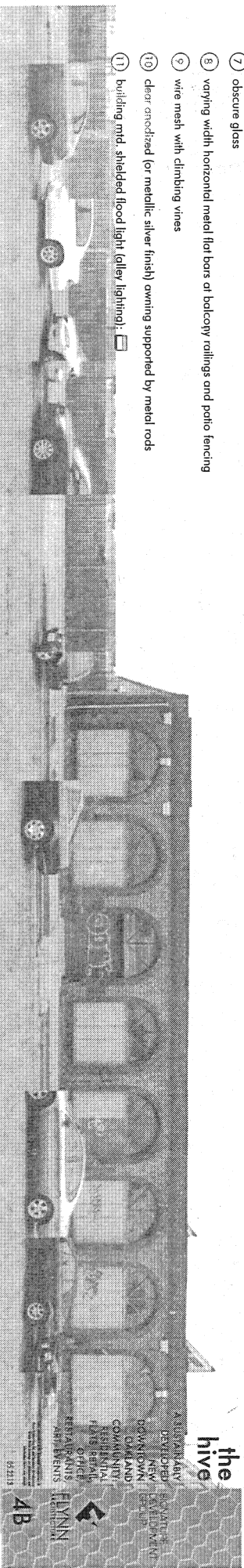




VALLEY STREET FLATS - 64 UNITS

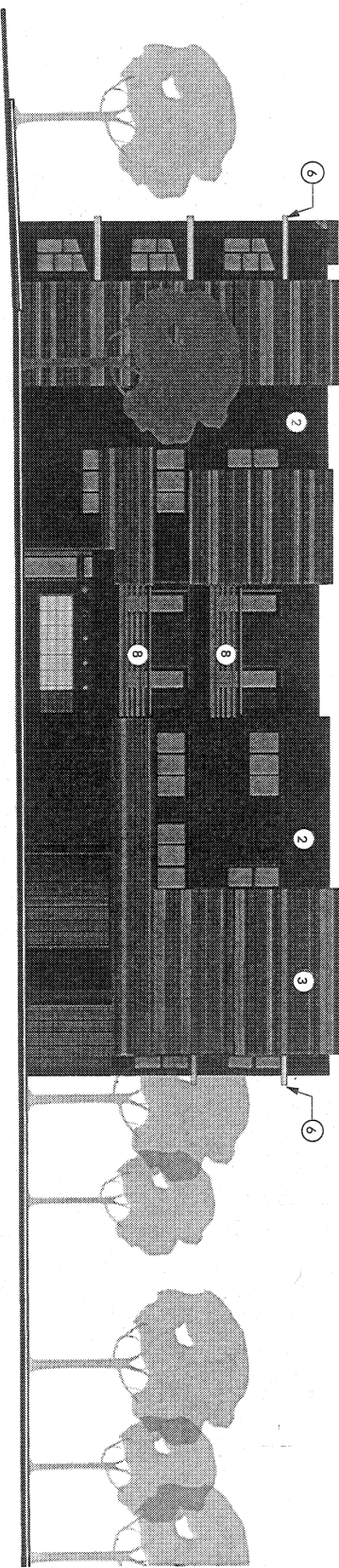
PROPOSED EXTERIOR FINISHES:

- ① thin brick veneer
- ② painted cement plaster wall finish, typical unless otherwise noted
- ③ 12", 8.25", 5.25" Hardboard lap siding widths; 2 colors
- ④ black anodized aluminum windows (double glazed) typical of new residential buildings
- ⑤ clear anodized aluminum windows (double glazed) typical of new retail/office building
- ⑥ clear anodized sun shades
- ⑦ obscure glass
- ⑧ varying width horizontal metal flat bars or balcony railings and patio fencing
- ⑨ wire mesh with climbing vines
- ⑩ clear anodized (or metallic silver finish) awning supported by metal rods
- ⑪ building mid-shielded flood light (alley lighting): 

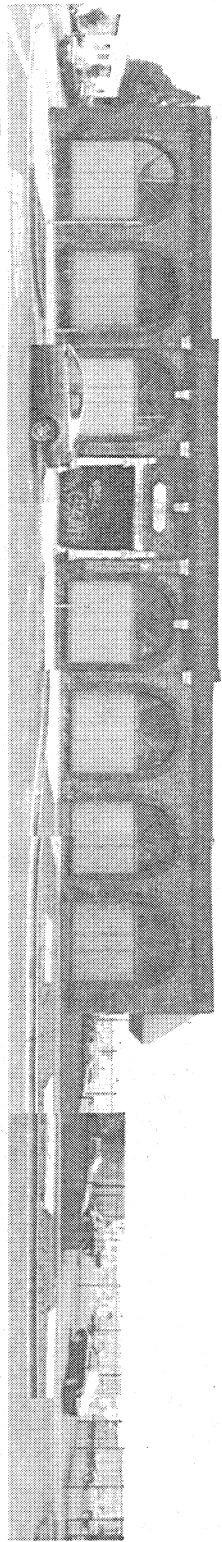


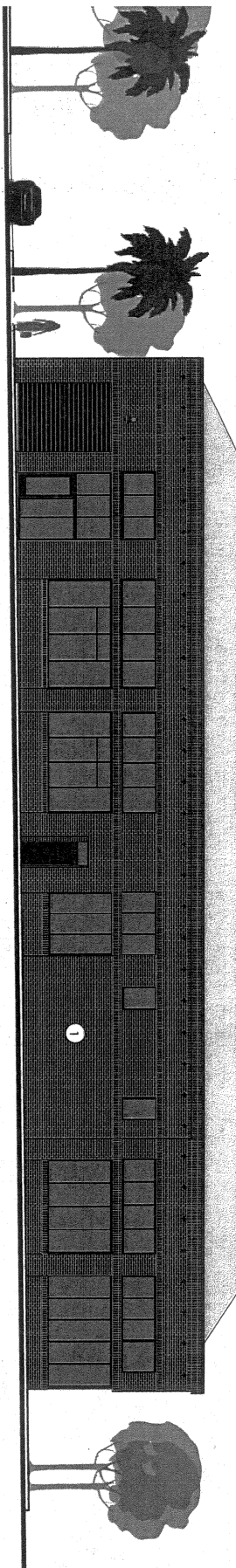
street
elevations:
VALLEY
STREET

the
hive
ALTERNATIVE
DEVELOPED
NEW
BOVINTOWN
GAILAND
COMMUNITY
RESIDENTIAL
PLANS BEAR
RESIDENTIAL
AND OFFICE
AND OFFICE
AND OFFICE
4B



VALLEY STREET FLATS - 64 UNITS

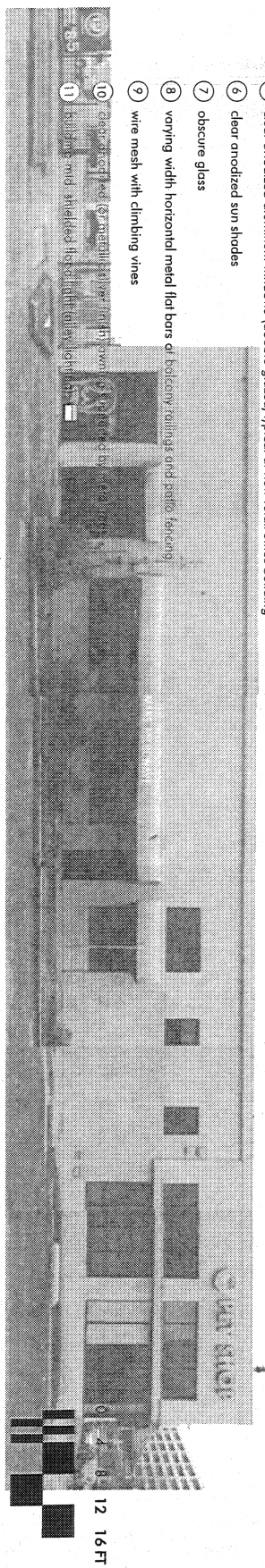




PROPOSED EXTERIOR FINISHES:

- ① thin brick veneer
- ② painted cement plaster wall finish, typical unless otherwise noted
- ③ 12", 8.25", 5.25" Hardboard lap siding widths; 2 colors
- ④ black anodized aluminum windows (double glazed) typical of new residential buildings
- ⑤ clear anodized aluminum windows (double glazed) typical of new retail/office building
- ⑥ clear anodized sun shades
- ⑦ obscure glass
- ⑧ varying width horizontal metal flat bars of balcony railings and patio fencing
- ⑨ wire mesh with climbing vines
- ⑩ clear anodized aluminum flat bars of balcony railings and patio fencing
- ⑪ building and shielded flat roof (flat roof)

2301 BROADWAY
(under construction)

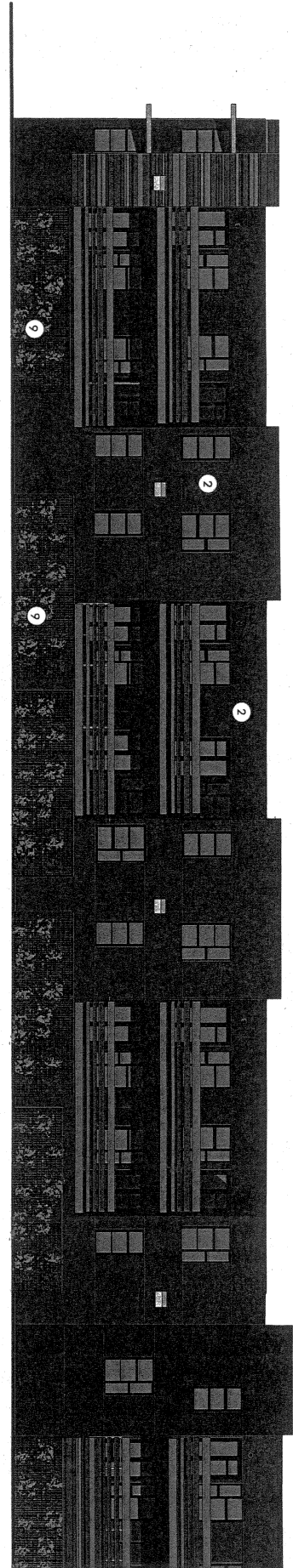


street
elevations:
23RD
STREET

the
hive

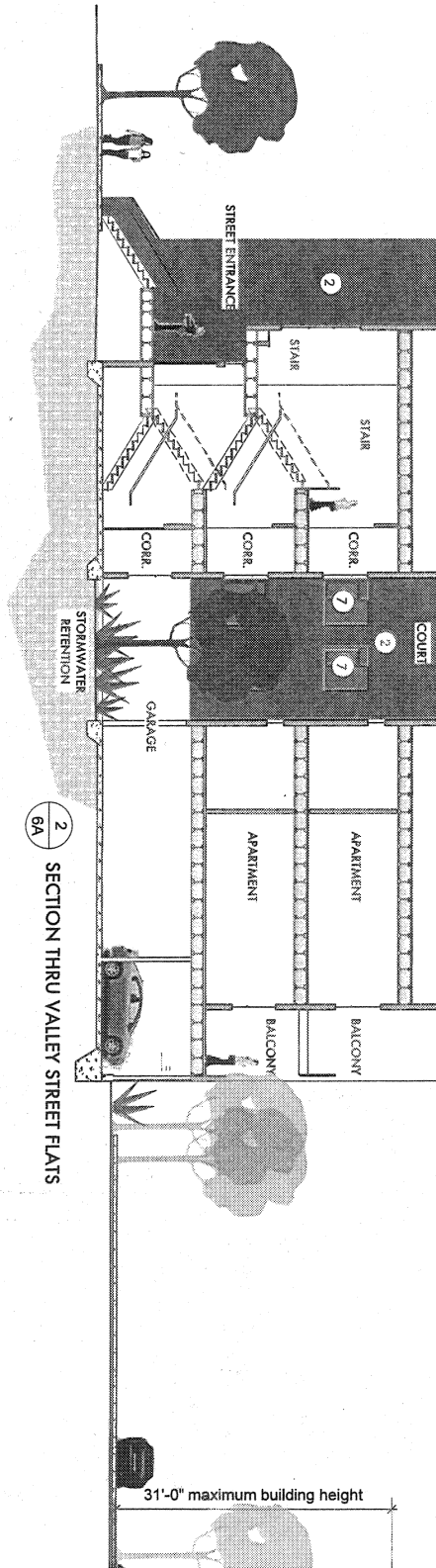
A SUSTAINABLY
DEVELOPED
NEW
DOWNTOWN
KANSAS
COMMUNITY
WITH:
RESIDENTIAL
FLATS, RETAIL
OFFICE
RESTAURANTS
ART EVENTS

5B



1
6A

VALLEY STREET FLATS - ALLEY VIEW

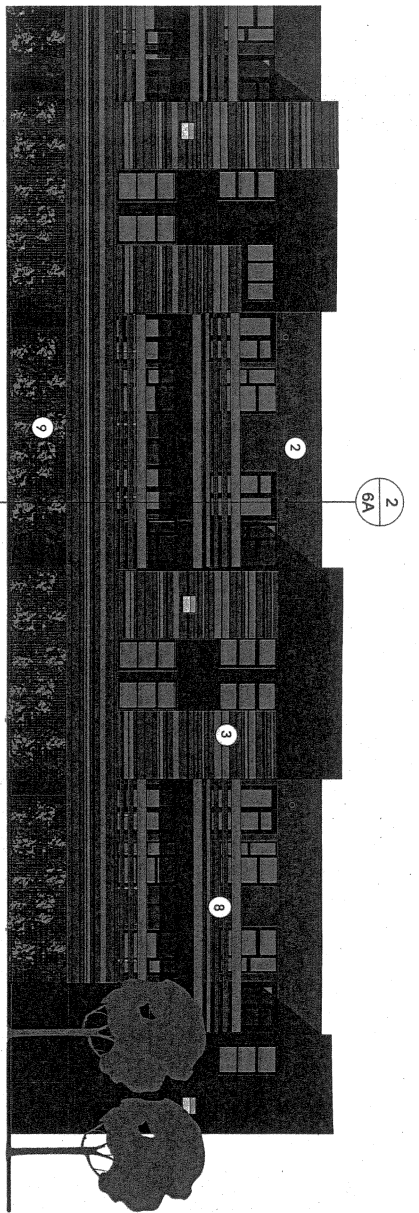


2
6A

SECTION THRU VALLEY STREET FLATS

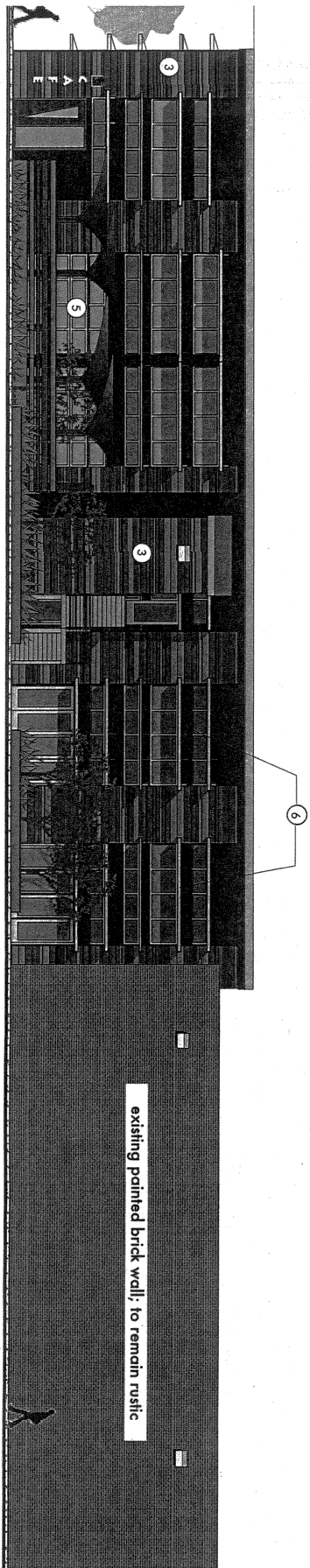
31'-0" maximum building height

6A



1 VALLEY STREET FLATS - ALLEY VIEW

- PROPOSED EXTERIOR FINISHES:
- 1 thin brick veneer
 - 2 pointed cement plaster wall finish, typical unless otherwise noted
 - 3 12", 8.25", 5.25" Hardboard lap siding widths; 2 colors
 - 4 black anodized aluminum windows (double glazed) typical of new residential buildings
 - 5 clear anodized aluminum windows (double glazed) typical of new retail/office building
 - 6 clear anodized sun shades
 - 7 obscure glass
 - 8 varying width horizontal metal flat bars of balcony railings and patio fencing
 - 9 wire mesh with climbing vines
 - 10 clear anodized (or metallic silver finish) awning supported by metal rods
 - 11 building mid. shielded flood light (alley lighting):



2 NEW PASSIVE SOLAR COMMERCIAL BUILDING

existing painted brick wall, to remain rustic

2337 BROADWAY

0 4 8 12 16 FT

2337 BROADWAY
(designed by Julia Morgan)

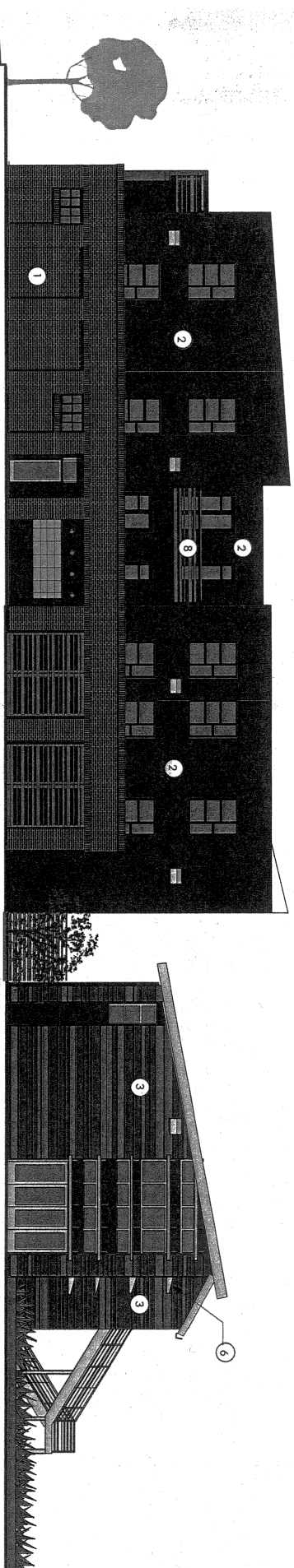
alley
elevations:

the
hive

A SUSTAINABLY
DEVELOPED
DOWNTOWN
NEW
OAKLAND
COMMUNITY
RESIDENTIAL
FLATS, RETAIL
OFFICE
RESTAURANTS,
ART, EVENTS

FLYNN
6B

06.2113




1
7A

24TH STREET FLATS - ALLEY VIEW

NEW PASSIVE SOLAR COMMERCIAL BUILDING

PROPOSED EXTERIOR FINISHES:

- ① thin brick veneer
- ② painted cement plaster wall finish, typical unless otherwise noted
- ③ 12", 8.25", 5.25" Hardboard lap siding widths; 2 colors
- ④ black anodized aluminum windows (double glazed) typical at new residential buildings
- ⑤ clear anodized aluminum windows (double glazed) typical at new retail/office building
- ⑥ clear anodized sun shades
- ⑦ obscure glass
- ⑧ varying width horizontal metal flat bars at balcony railings and patio fencing
- ⑨ wire mesh with climbing vines
- ⑩ clear anodized (or metallic silver finish) awning supported by metal rods
- ⑪ building mid. shielded flood light (alley lighting): 

alley
elevations:

**the
hive**

A SUSTAINABLY
DEVELOPED
NEW
DOWNTOWN
OAKLAND
COMMUNITY:
RESIDENTIAL
FLATS, RETAIL,
OFFICE
RESTAURANTS
ART, EVENTS

EVANAT SE
DESIGN GROUP

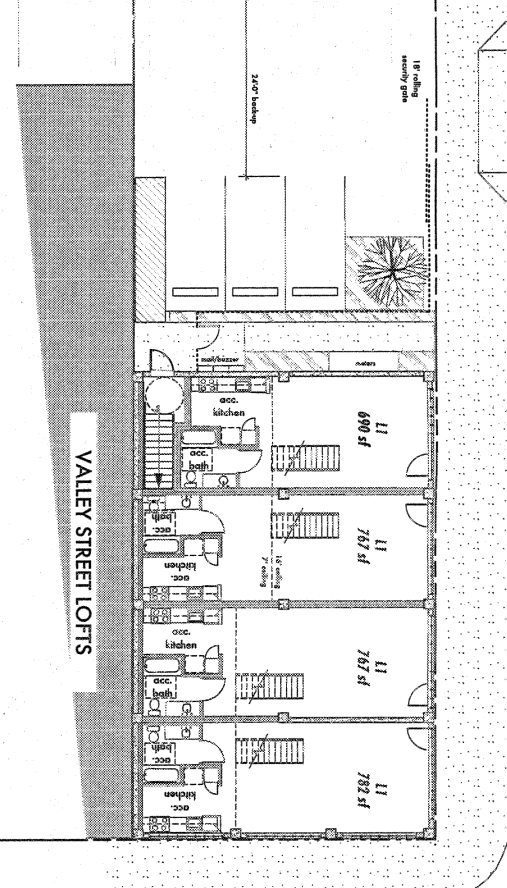
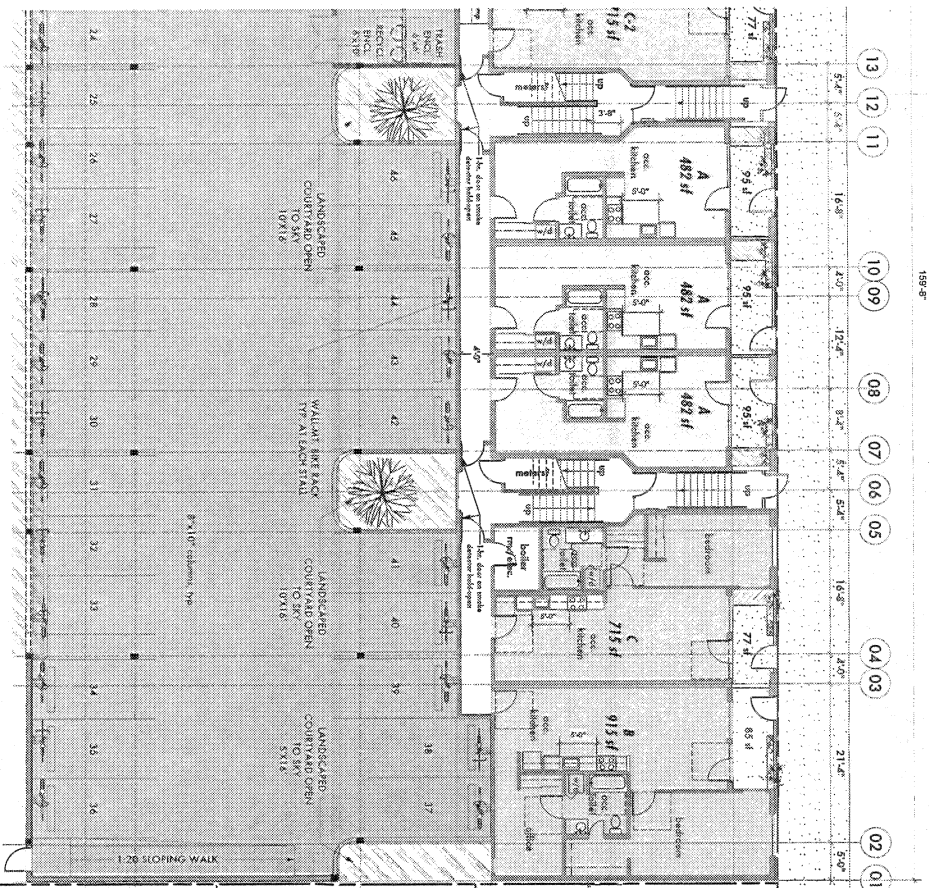
**FLYNN
LONDON**

ZB

Architectural and Interior Design
1000 Broadway, Suite 1000
San Francisco, CA 94107
Tel: 415.774.1111
www.flynnlondon.com

06.19.13





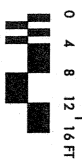
VALLEY STREET LOFTS

24TH STREET

1st fl. plans: VALLEY STREET FLATS & VALLEY STREET LOFTS

the
hive

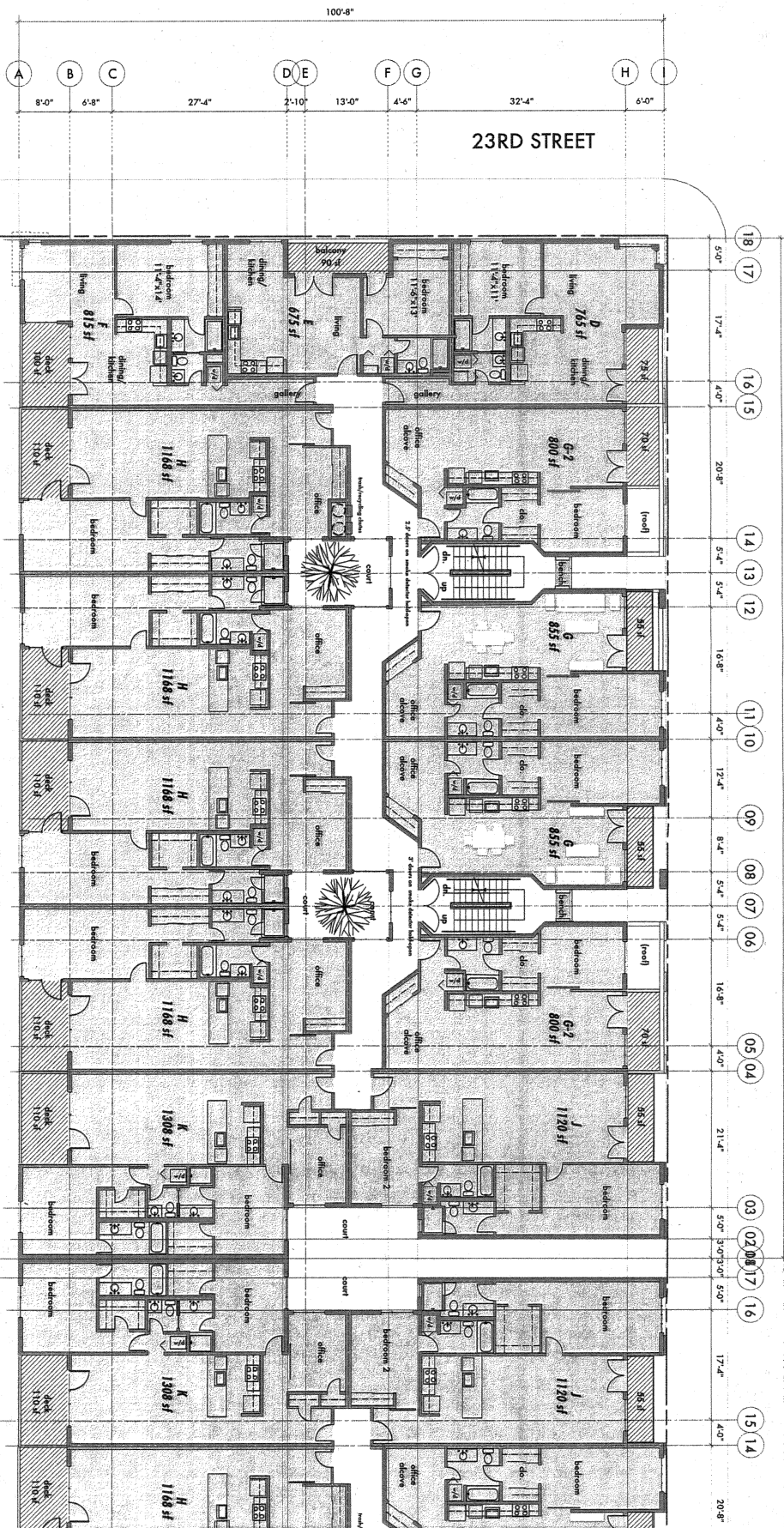
A SUSTAINABLY
DEVELOPED
NEW
COMMUNITY
OAKLAND
COMMUNITY:
RESIDENTIAL
FLATS, RETAIL,
RESTAURANT,
ART, EVENTS



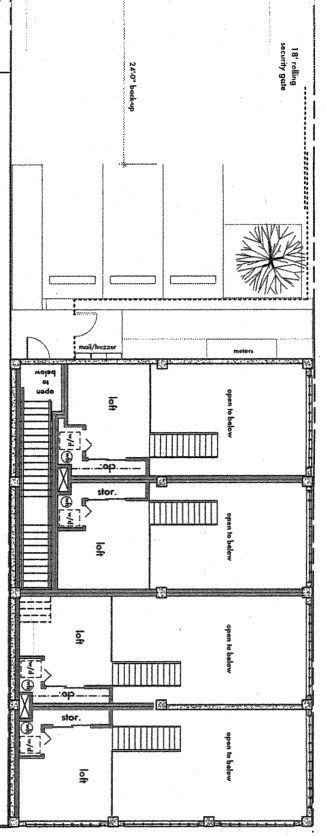
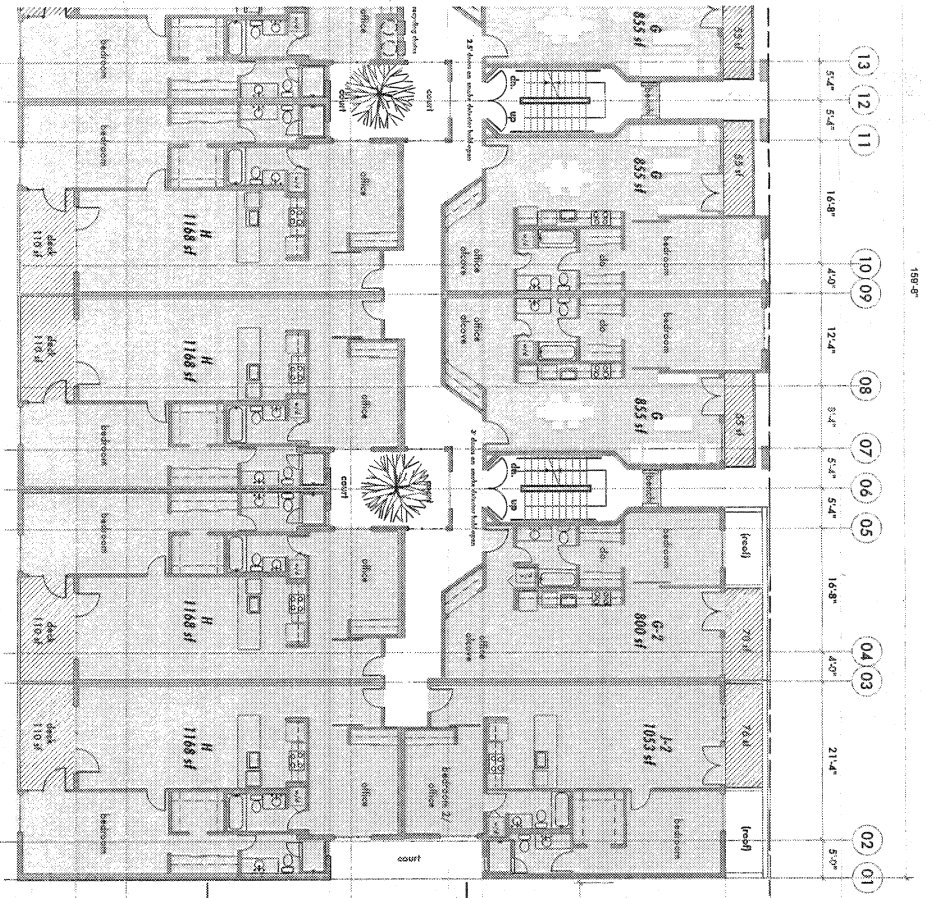
06.27.13

8B

FLYNN



VALLEY STREET



VALLEY STREET LOFTS

24TH STREET

2nd fl. plans:
VALLEY STREET FLATS &
VALLEY STREET LOFTS



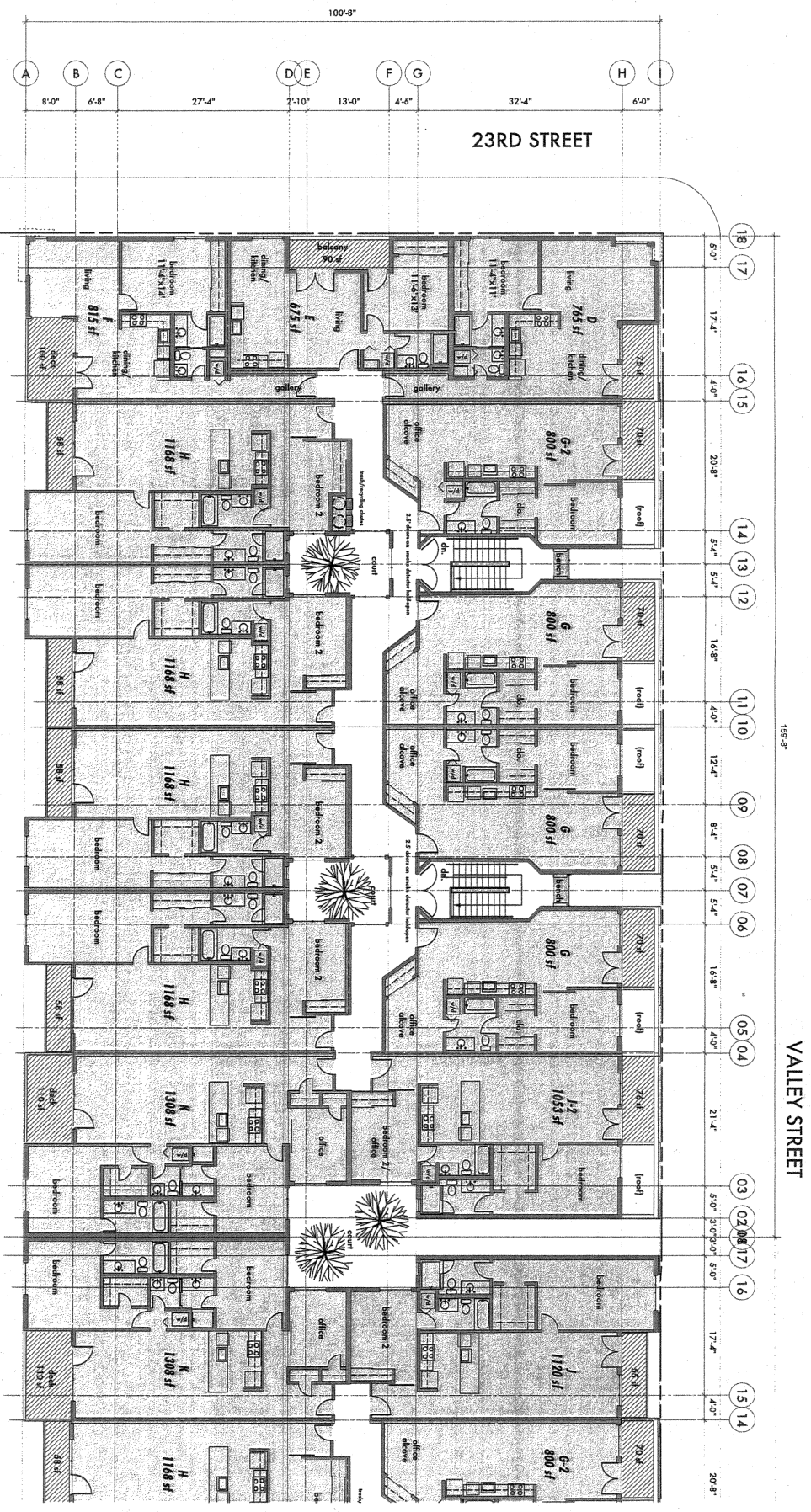
the
hive

A SUSTAINABLY
DEVELOPED
NEW
DOWNTOWN
OAKLAND
COMMUNITY:
RESIDENTIAL
FLATS, RETAIL
OFFICE,
RESTAURANTS,
ART, EVENTS

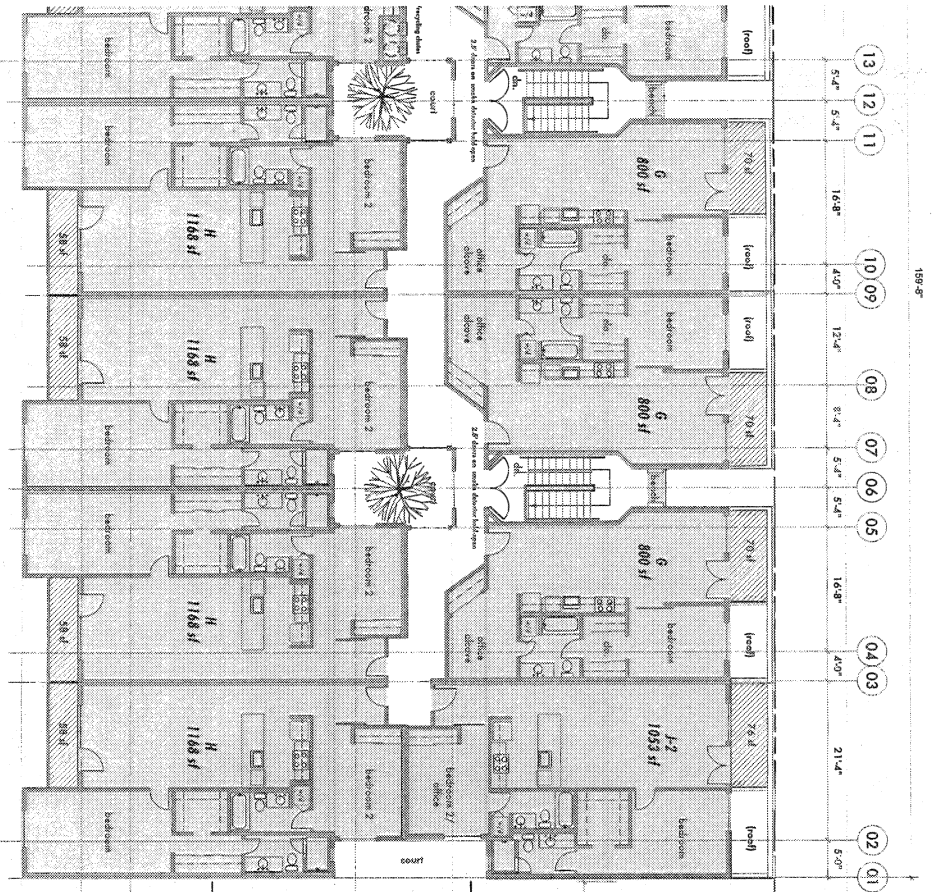
FLYNN
ARCHITECTS

9B

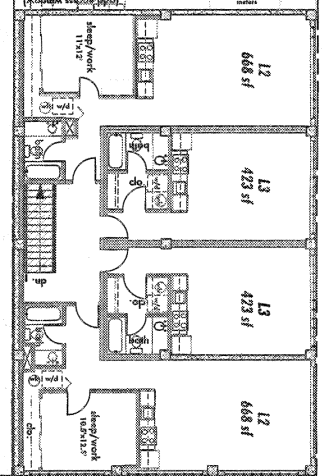
05.22.15



159'-5"



VALLEY STREET LOFTS



24TH STREET

3rd fl. plans:
VALLEY STREET FLATS &
VALLEY STREET LOFTS



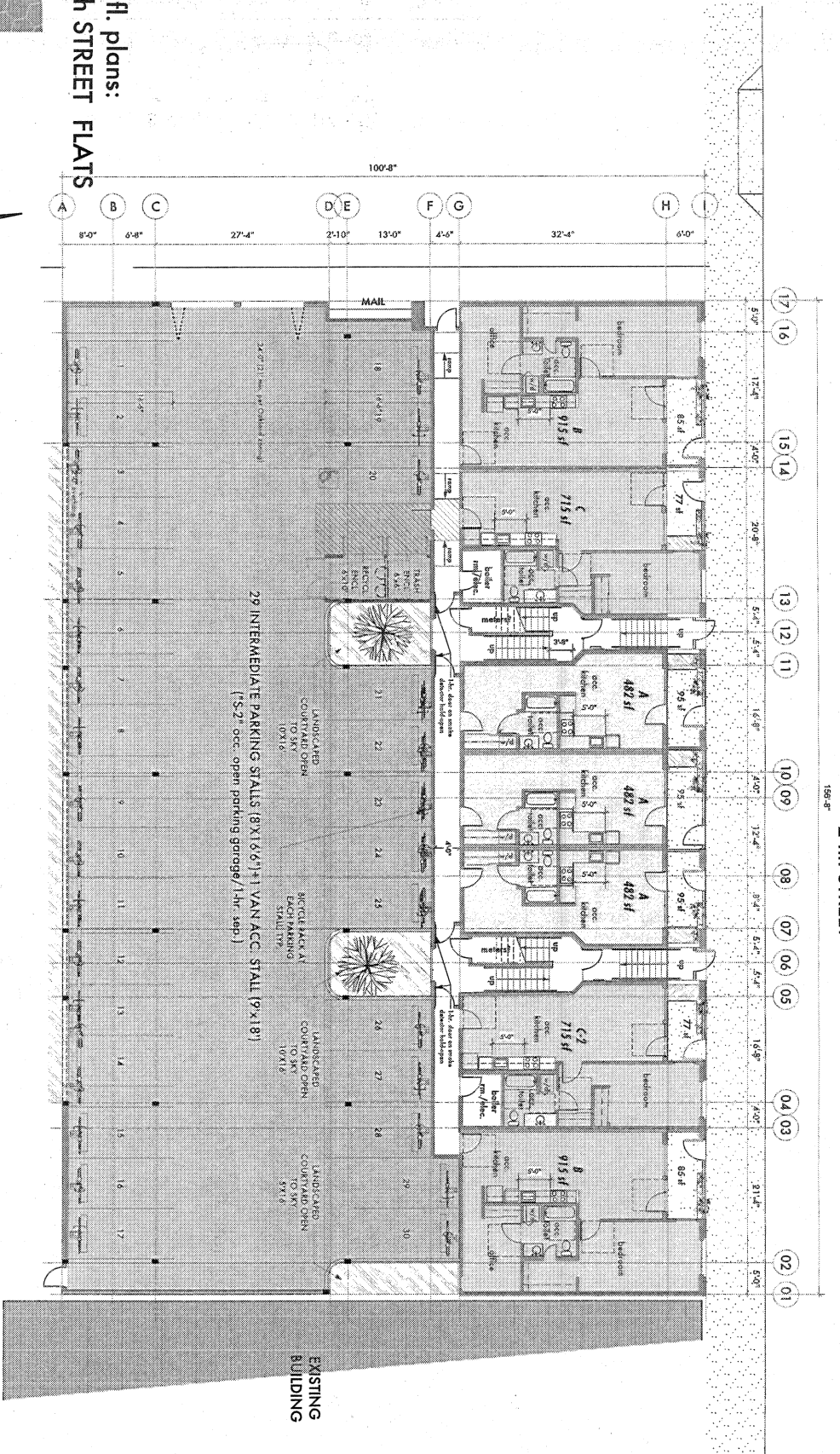
the hive

A SUSTAINABLY DEVELOPED NEW DOWNTOWN OAKLAND COMMUNITY: RESIDENTIAL, PLATS, RETAIL, RESTAURANTS, ART, EVENTS

EDWIN

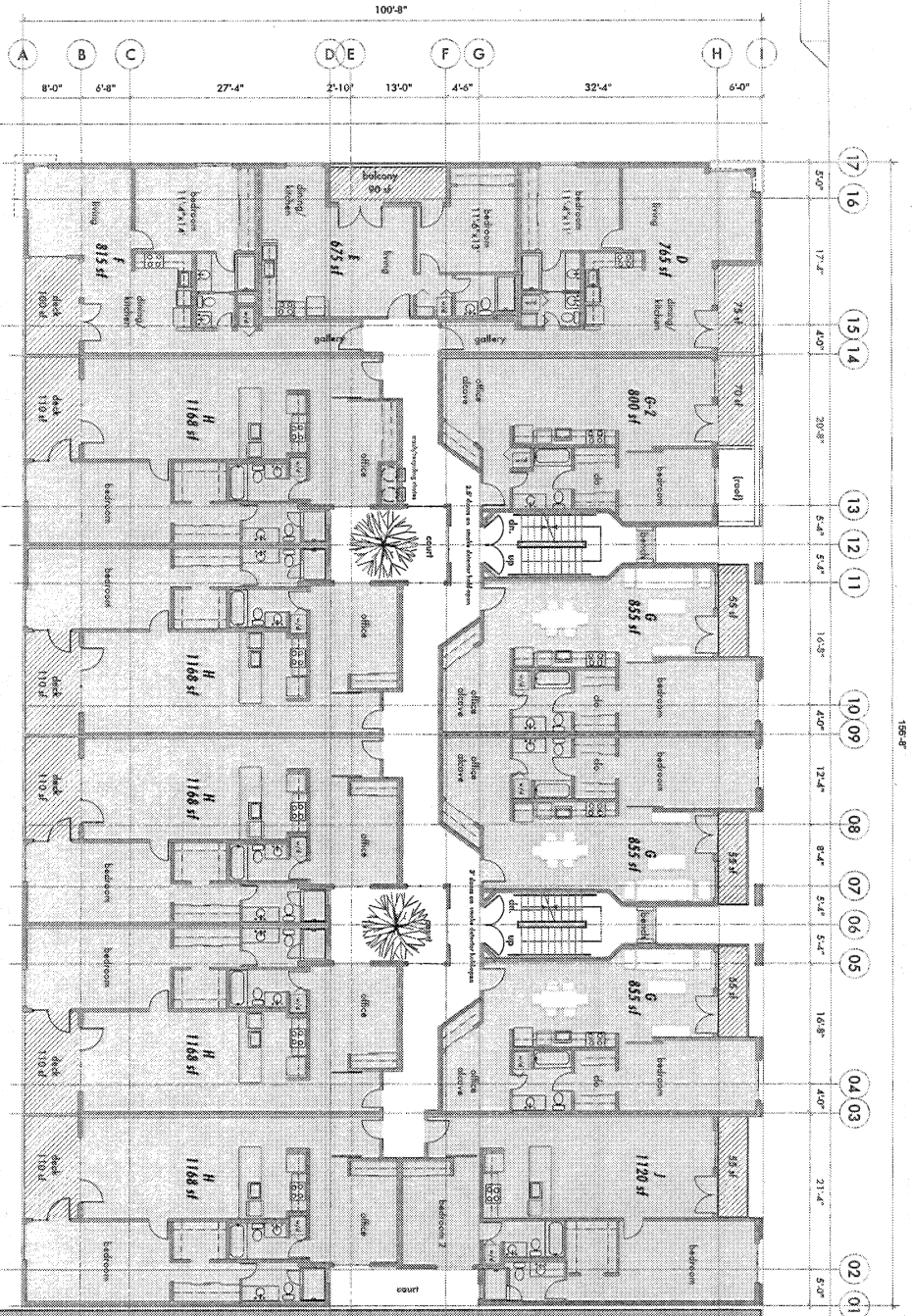
10B

06/22/13



1st fl. plans:
24th STREET FLATS

24th STREET



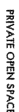
2nd fl. plans: 24th STREET FLATS

A SUSTAINABLY
DEVELOPED
NEW
DOWNTOWN
OAKLAND
COMMUNITY:
RESIDENTIAL
FLATS, RETAIL,
OFFICE,
RESTAURANTS,
ART, EVENTS

0 4 8 12 16 FT

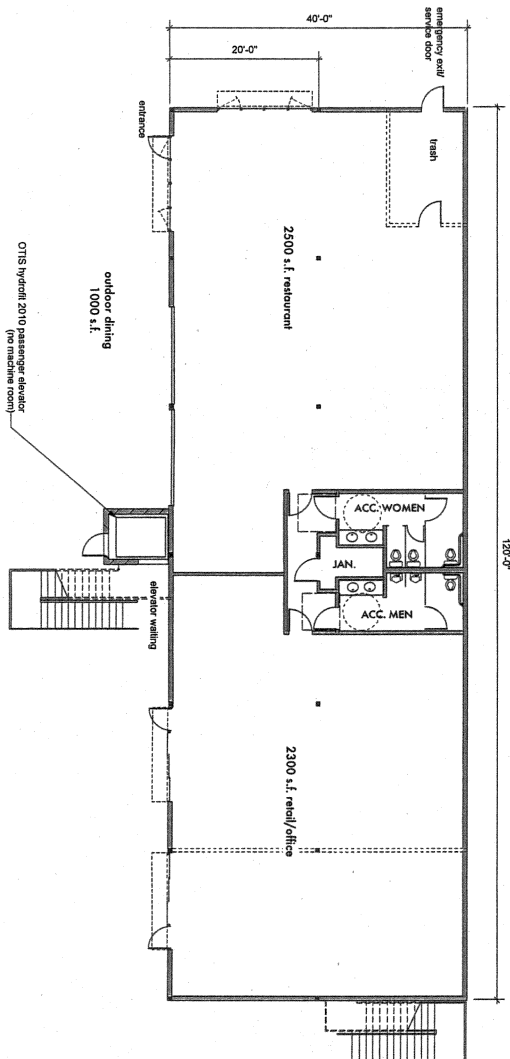
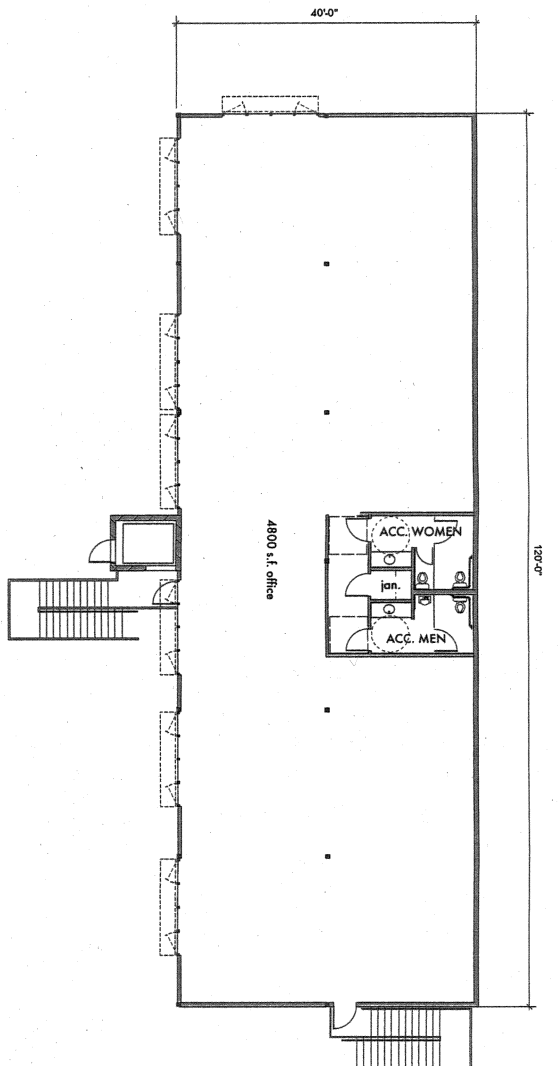
FLYNN
ARCHITECTS

11B



12A





floor plans: NEW PASSIVE SOLAR COMMERCIAL BUILDING



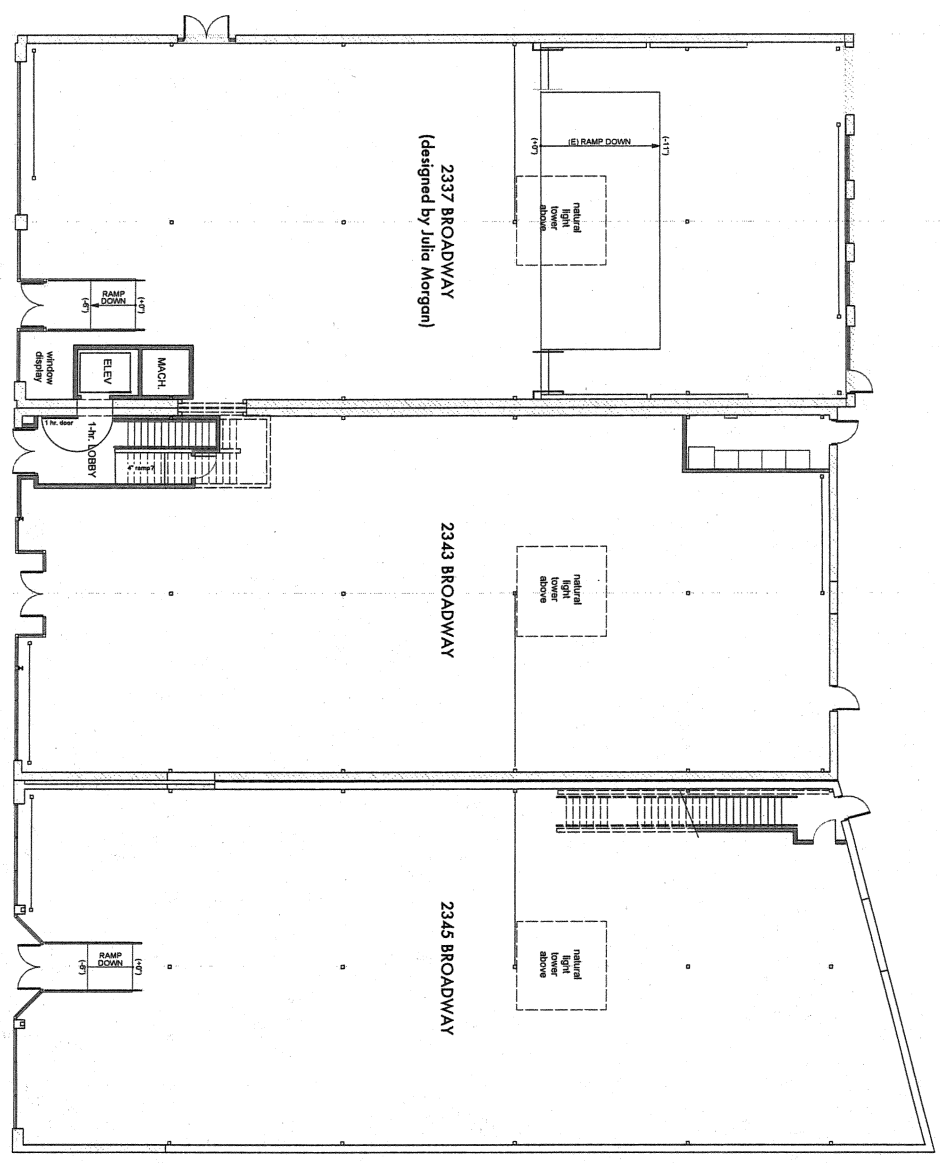
the
hive

A SUSTAINABLY
DEVELOPED
NEW
DOWNTOWN
OAKLAND
COMMUNITY:
RESIDENTIAL
FLATS, RETAIL,
OFFICE,
RESTAURANTS,
ART, EVENTS

DESIGNED BY
EYNN
ARCHITECTS
12B

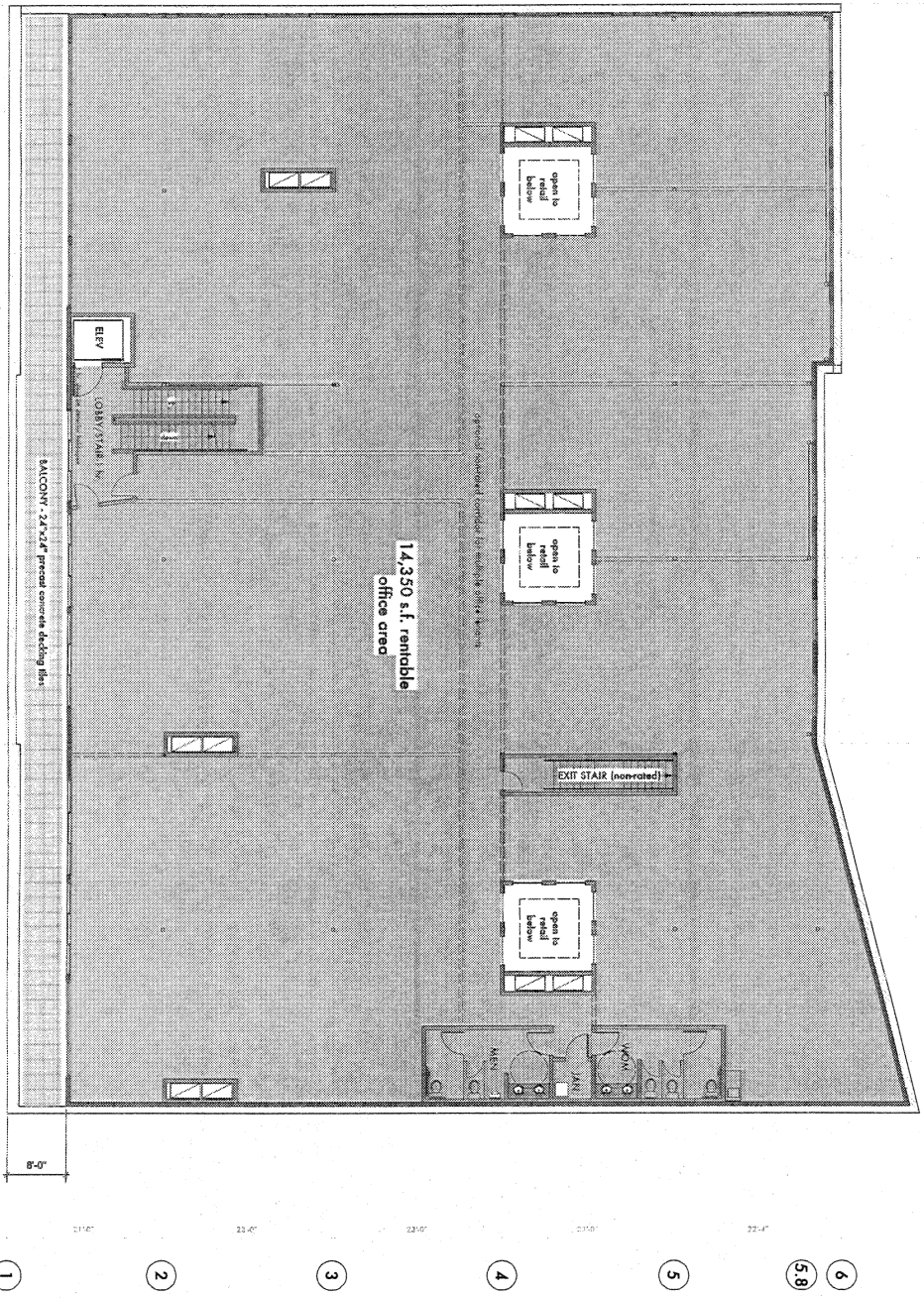
06/27/18

A B B.5 C C.5 D



1st fl. plan:
2337-2343-2345
Broadway

13A



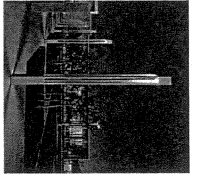
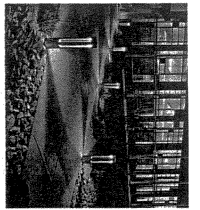
new 2nd fl. plan:
2337-2343-2345
Broadway

the
hive

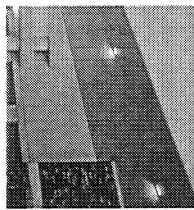
A SUSTAINABLY
DEVELOPED
NEW
DOWNTOWN
OAKLAND
COMMUNITY:
RESIDENTIAL
FLATS, RETAIL,
OFFICE,
RESTAURANTS,
ART, EVENTS

EVYNN
13B

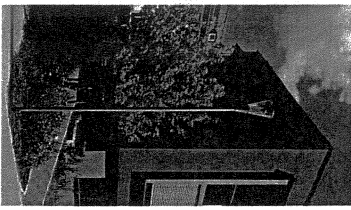
06/21/13



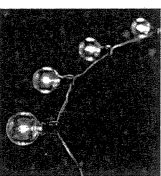
Entry Accent Lighting



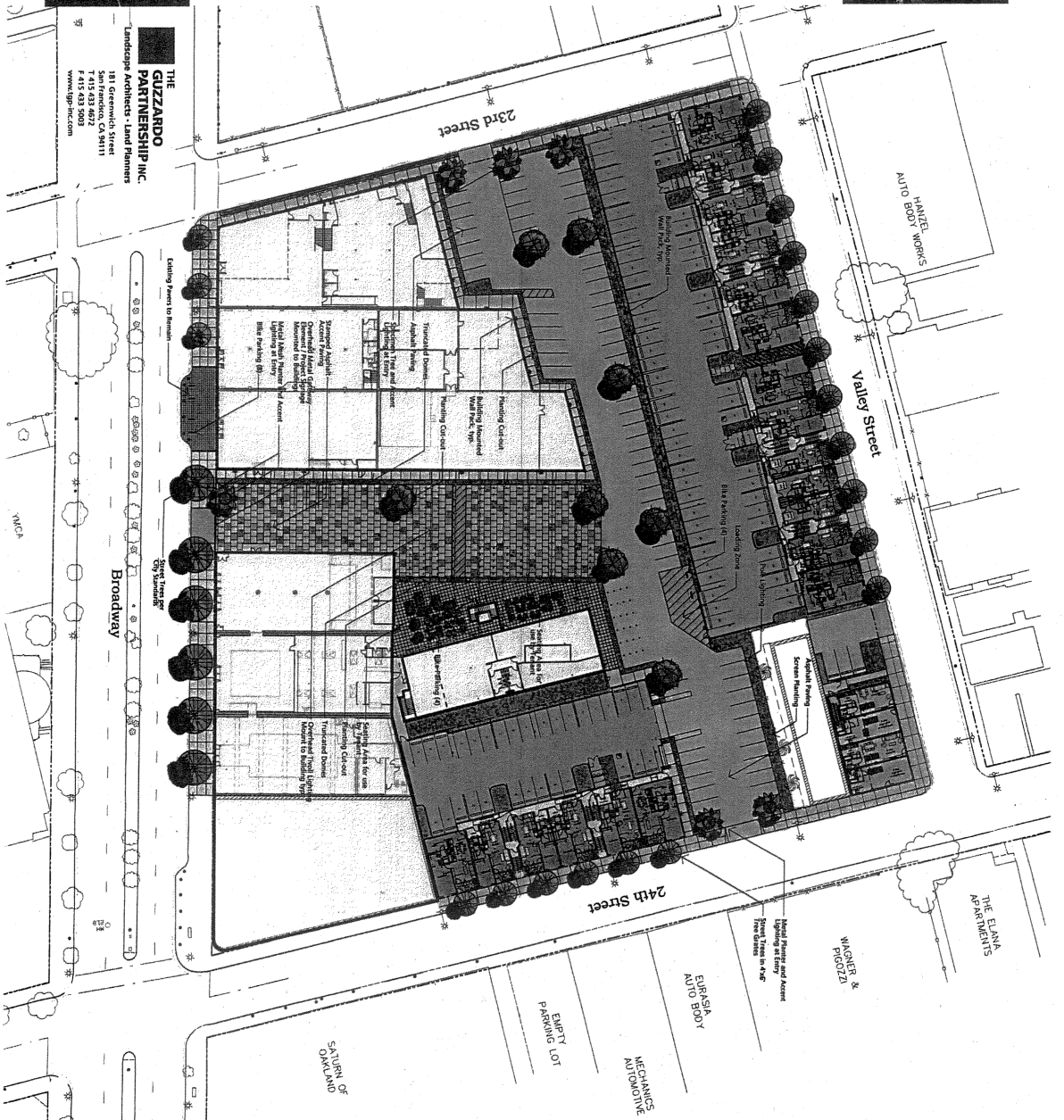
Building Mounted Lighting



Pole Lighting



String Lighting



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**RENTAL
UNIT
CELL
CLIP**



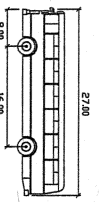
03.05.2013

STREET PARKING SUMMARY

BROADWAY - NO CHANGE
 23RD - 2 STALLS AT END TO BE RECONFIGURED WITH STREET IMPROVEMENTS (NO CHANGE IN COUNT)
 VALLEY - LOSE 1 STALL
 *24TH - GAIN 3 STALLS
 NET GAIN OF 2 UNMETERED STALLS

ON-SITE PARKING SUMMARY

5 ACCESSIBLE STALLS (9' X 18')
 23RD - 2 STALLS AT END TO BE RECONFIGURED WITH STREET IMPROVEMENTS (NO CHANGE IN COUNT)
 19 COMPACT STALLS (7.5' X 15' MINIMUM)
 25 REGULAR STALLS (9.5' X 18' MINIMUM)
 67 INTERMEDIATE STALLS (9.5' X 16.5' MINIMUM)
 111 STALLS TOTAL

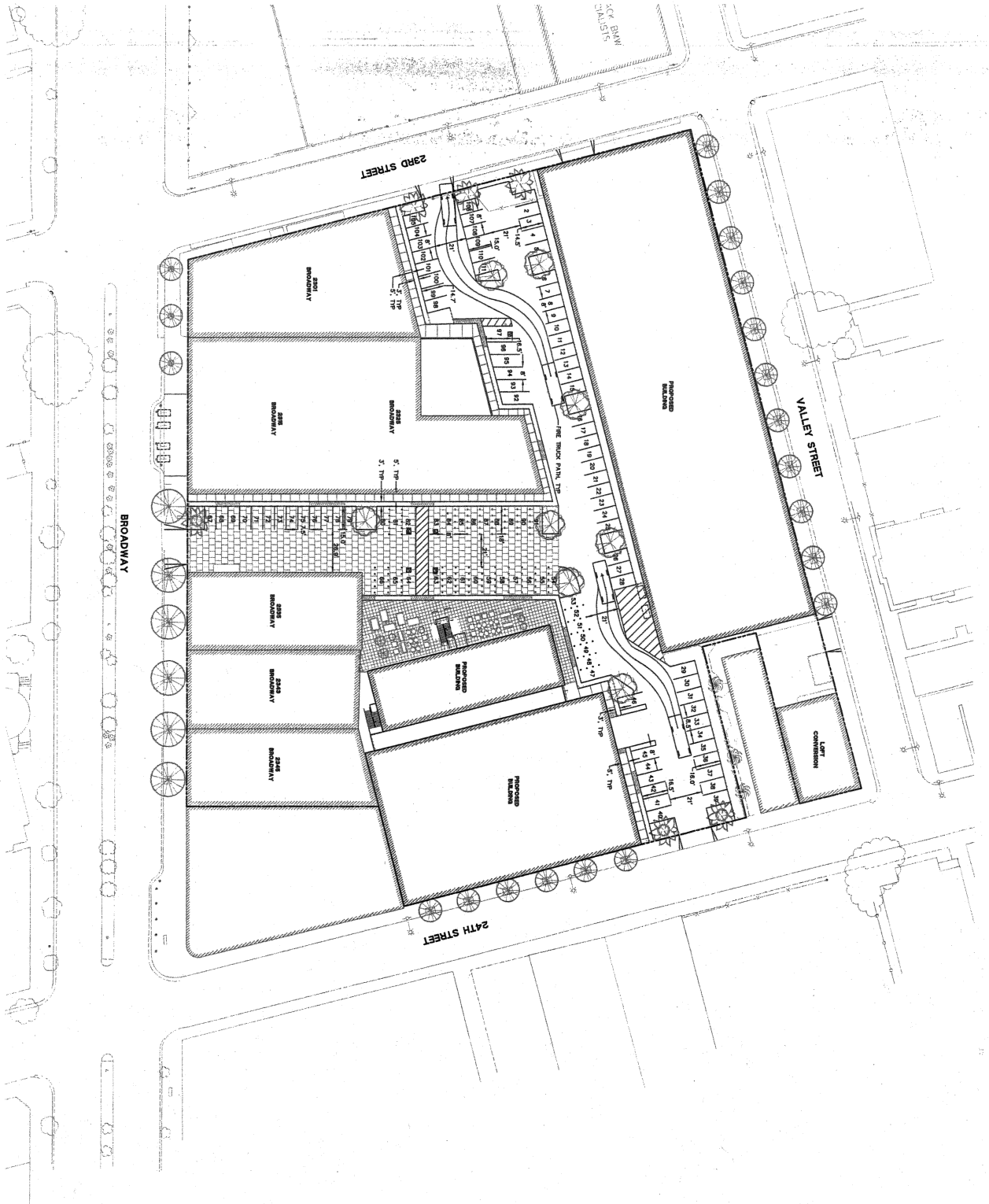
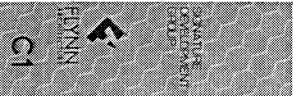


Dokaand Fire Truck
 Length 27'0"
 Width 8'0"
 Height 16'0"
 Lock to Lock 16'0"
 Steering Angle 122°
 Notes: Outside Turning Radius
 Corner Tire Track is 48'3"

PARKING AND DIMENSIONS

the
hive

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 DEVELOPED
 NEW
 DOWNTOWN
 OAKLAND
 COMMUNITY:
 RESIDENTIAL
 FLATS, RETAIL,
 OFFICE,
 RESTAURANTS,
 ART, EVENTS



ATTACHMENT B



December 14, 2007

Via E-mail

Ms. Catherine Payne
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

**Re: *Construction Constraint Memorandum
Broadway-Grand (Parcel B) Mixed-Used Project
Downtown Oakland, California***

Ms. Payne,

In November 2006, the Oakland Planning Commission approved the design of the buildings for Broadway-West Grand (Parcel B) Mixed Use project (PUD# 03552 & PUDF#03553). As you know, the approved design included retention of the red-brick facades on the building located at 440-48 23rd Street, whereby the new residential structure would be built approximately 5 feet behind these facades. The existing building is a one-story masonry structure and is currently used as an auto repair facility.

Signature Properties (Signature) intended to build the approved residential project as a 4-story wood framed structure over a partially submerged podium garage structure. Signature's intent was to deliver affordable market-rate condominiums, which in turn requires that the structure be cost-effective, efficient, and low maintenance. Since the approval date, Signature has conducted constructability and field investigations to test the feasibility of the approved design, especially in regards to the two facades. Unfortunately, these studies have led us to conclude that we would face significant challenges and prevent us from commencing construction on this building. Our conclusions are based upon discussions with our structural engineer, project architect and contractors who would design and build the new project.

Retaining the facades poses a number of difficult challenges. The most significant one is that it will require a change from construction Type V (wood-frame) to construction Type I (concrete); this change would increase the costs by at least \$5,000,000 for this four story building and lengthen the time to construct by at least 4 months. Other challenges created by this design include (a) temporary construction issues; (b) significant efforts to seismically retrofit the deteriorating brick and mortar; and finally (c) burdensome long-term maintenance requirements passed onto future homeowners. Each of these items is discussed below. In the end, the cumulative impacts of these substantial challenges results in our inability to construct a building which is efficient and cost-effective, and hinders our ability to deliver affordable market-rate condominiums within downtown Oakland.

ANALYSIS

As described above, there are four significant challenges posed by incorporating the existing facades into the new building:

1. ***Change in Construction Type:*** The inclusion of the masonry walls on two sides of the new structure will require changing the 4-story wood-frame (Type V) structure into a 4-story cast in place concrete (Type I). This is necessary from a structural standpoint in order to support the seismic loads imposed on the new building by the existing two facades. The attached memorandum from our structural engineer describes the infeasibility of using wood frames and the requirement for a concrete structural system.

The cost implications of changing from Type V to Type I structure are significant and increase costs by at least \$5,000,000. The increase in hard costs are due to differences in areas such as (a) wood framing vs. concrete slabs and steel studs; (b) window types and installation costs; (c) systems for exterior skins; and (d) base of subcontractors in areas such as mechanical, electrical and plumbing. The Type I structure would also lengthen the construction schedule by at least 4 months as it takes longer to pour the concrete levels and frame with steel studs, as opposed to wood framing the entire building.

Alternatively, the building could be built with 3 levels of concrete (i.e. garage, 1st and 2nd residential floors) and then wood framing for the remaining levels. However, this would create other inefficiencies and additional costs because it would require additional type of trades, coordination between different trades, design conflicts, stacking issues and other complexities. In the end, it would be more efficient and cost effective to build the entire structure as concrete.

2. ***Temporary Construction Impacts:*** The inclusion of these two facades would create substantial impacts during the construction of the building in regards to cost and time, beyond those imposed by the new construction type. Signature would be required to hire specialist consultants to thoroughly survey, investigate and analyze the structural integrity of the existing foundation and brick and mortar. At the start of construction, there would be careful, difficult and time-consuming selective demolition of the roof and north and east walls. During construction, there would have to be either (a) temporary stabilization bracing onto the sidewalks for two years; or (b) complete removal and then replacement of the facades after two years. For the foundations, Signature would also be required to incur the risks of underpinning the existing walls with drilled piers or a similar system to allow for the new basement excavation. This required sequence caused by efforts to save the facades will extend the site preparation time and increase costs.
3. ***Rehabilitation of Existing Façade and Foundation:*** For long-term use, the existing walls and foundation would require extensive repair to bring it to a minimum level of structural integrity. The foundation would require investigation prior to construction in order to design the proper system with respect to the new subterranean garage just behind the facades. For the walls, rehabilitation would require scraping and testing the mortar and bricks, replacing them in necessary spots and then finally strengthening the walls with an 8-inch thick reinforced concrete layer on the inside of the wall. Once this is complete, the facades can then be tied into the new concrete structure (at the first and second levels) which can support the seismic loads. The walls will also require a sealer or waterproof coating to provide adequate weather protection. The most durable selection would be a plaster coating which would cover the bricks and mortar altogether. Alternatively, a clear coating system can be applied, however, these types of coatings have a limited period of effectiveness. All of these efforts are expensive. When combined with the

other cost and time burdens imposed by the retention of the facades, these costs are unreasonable for this structure.

4. **Long Term Maintenance:** A Homeowners Association (HOA) will ultimately be responsible for the long-term maintenance and liability associated with the rehabilitated facades. The unusual maintenance requirements for future homeowners include maintaining additional exterior surfaces (4,000 SF), frequent tuck pointing of the mortar joints, and the need to hire specialized crews. The HOA would also pay higher insurance premiums and have greater reserve requirements, given the additional risks of a masonry structure as part of the project. The facades would be rehabilitated to provide for a "Life Safety" level of performance, however, it is likely that a major earthquake in Oakland would cause significant and possibly irreparable damage to the facades. Together, the maintenance, liability, and reserve requirements would drive up homeowner dues and directly undermine Signature's goal of providing affordable market-rate condominiums.

CONCLUSION

The structure at 440-48 23rd Street is a one-story masonry building. By demolishing the majority of the building (roof, foundation and walls), the remaining two walls proposed for retention would be seismically inadequate. Incorporating the existing two facades into the approved project would require Signature to build the new residential structure as a Type I concrete structure in order to provide adequate structural support and seismic performance. The change to Type I would cost significantly more and take longer to build. There are other challenges as well imposed by façade retention, including temporary construction impacts, the effort and expense of rehabilitating of the deteriorating structure, and the burdens imposed on future homeowners for long-term maintenance.

Given these substantial increased construction costs, the lengthened time of construction, the increased construction risks, the impact on the building, the long-term consequences for the future homeowners, and the increased unit sales price, Signature believes that the benefit of keeping the facades would not outweigh these significant burdens. We note that the facade does not qualify as a historical resource. Instead, it is a remnant of a resource that has been approved for demolition. Based on these facts, we respectfully request approval of the alternative design that we have proposed for the Broadway-West Grand (Parcel B) Mixed-Use Project.

Please call me at (925) 463-1122 if you have any questions.

Sincerely,



Doug Park
Project Manager

enclosures

December 10, 2007

Mr. Doug Park
SIGNATURE PROPERTIES
4670 Willow Road
Pleasanton, CA 94588

Re: Building Façade
440-48 23rd Street (at Valley)
Oakland, CA
Structural Review and Construction Review
NM Job No. 7198.01

Dear Doug:

It is our understanding that Signature Properties plans to build a new multi-family residential project within the city-block bounded by Valley Street, 23rd Street, 24th Street and Broadway in downtown Oakland. Within the site, there is an existing one-story un-reinforced masonry structure at 440-48 23rd Street and the approved design considers incorporation of two of these facades (west and south walls).

Signature has requested Nishkian Menninger to prepare this memorandum to assess the impacts of retaining these facades into the new building which involves (a) assessing the existing physical features of the building and its structural integrity; and (b) describing the construction types and related structural issues. Our professional opinion is based upon our review of the approved plans for the new residential building as well as a visual walk through of the subject property on October 17, 2007.

PROJECT DESCRIPTION

The proposed new structure at this location will be a residential project consisting of four levels of living units over one level of a partially below-grade garage. The construction type for this project will be Type V wood frame for the four levels of residential above a Type I concrete structure for the parking garage. The proposed new building will be approximately 45 feet in height. The exterior wall system will be wood studs with plywood sheathing and a light-weight finish system of cement plaster, cementitious wall-board or similar system.

Mr. Doug Park
Re: 440-48 23rd Street (at Valley), Oakland
December 10, 2007
Page 2

The existing building at 440-48 23rd Street is a one-story structure with no basement. The plan is in the shape of rectangle with the north and south walls approximately 105 feet long and the east and west walls approximately 115 feet long. The walls are approximately 20 feet in height. The roof structure consists of sheathing over wood joists spanning to built-up wood trusses. The building appears to have been marginally maintained. Much of the exterior brick has severely deteriorated mortar joints and will require tuck pointing (see attached photos). The owner apparently has done some minimal seismic retrofit work consisting of anchors from the roof framing and parapet bracing of the exterior un-reinforced masonry walls.

STRUCTURAL REVIEW

The proposed new building will be a load-bearing, wood-frame wall structure utilizing structural wood panels (plywood) for shear walls to form the lateral load resisting system. This is the most cost effective, efficient and best performing structural system for this type of residential building.

It is our understanding that there is consideration to include the two existing un-reinforced masonry wall façades along Valley Street and 23rd Street into the subject structure. The existing wall is approximately 17 inches thick and is considered a load bearing structural wall. It is currently not permitted to construct a new structure with un-reinforced masonry walls. It is also currently not permitted to have the lateral loads from a masonry or concrete wall resisted by wood shear panels in a four-story structure. The vertical elements of the lateral load resisting system required to support this masonry wall must either be reinforced concrete, reinforced masonry or structural steel. Therefore the proposed new structure for this site would need to be revised to a cast-in-place reinforced concrete or structural steel structure at least up to the 2nd residential level. This change in the type of structure will significantly increase the cost of the project as well as impact the design of the floor plans for the residential units on these levels.

CONCLUSIONS

Retention of the URM facades into the new residential structure will create (a) a significant impact/change to the construction type (from Type V to I), structural system and design; and (b) substantially increase time and costs for the proposed new residential structure. The existing structure has been identified as an un-reinforced

Mr. Doug Park
Re: 440-48 23rd Street (at Valley), Oakland
December 10, 2007
Page 3

masonry building, which has been designated by the State of California and the City of Oakland as a hazardous building type. The inherent poor performance of the UMB wall will require additional strengthening for a building that will not provide a level of seismic performance equivalent to new construction.

Please contact our office at your earliest convenience with any comments or questions.

Very truly yours,

NISHKIAN MENNINGER



Kevin L. Menninger, S.E.
Vice President

KLM:cp

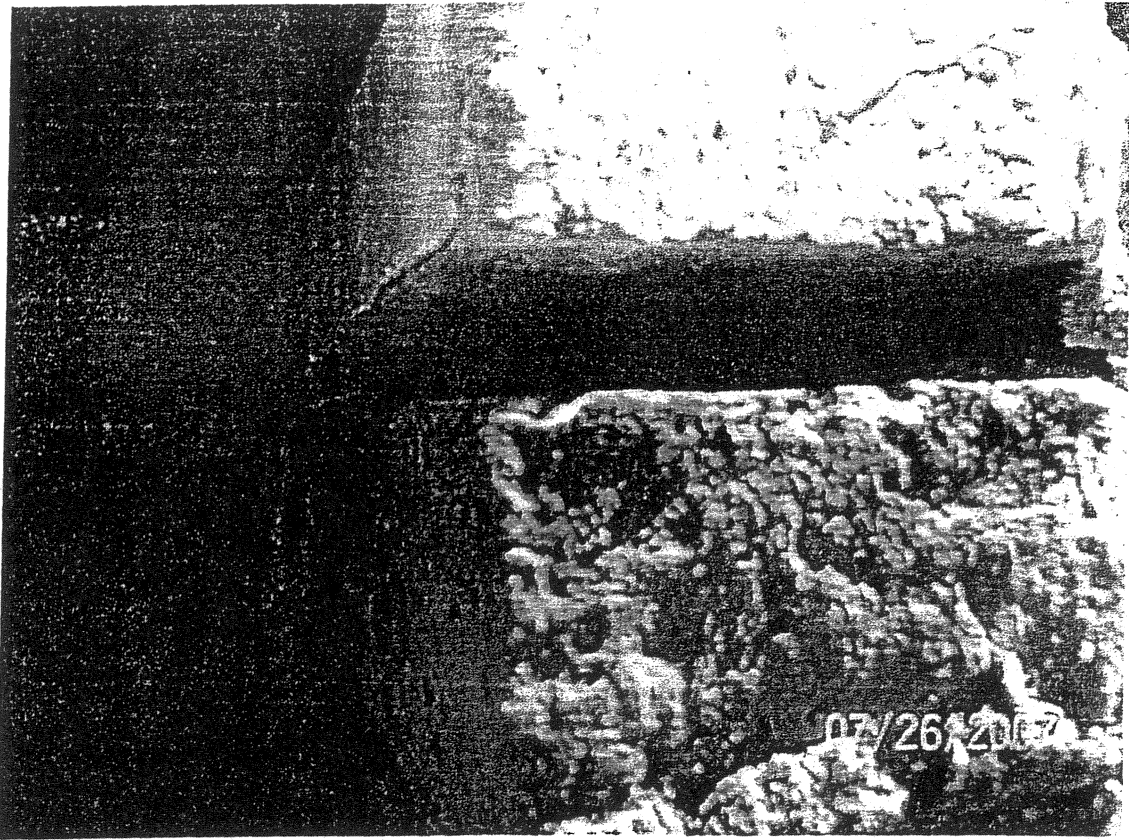
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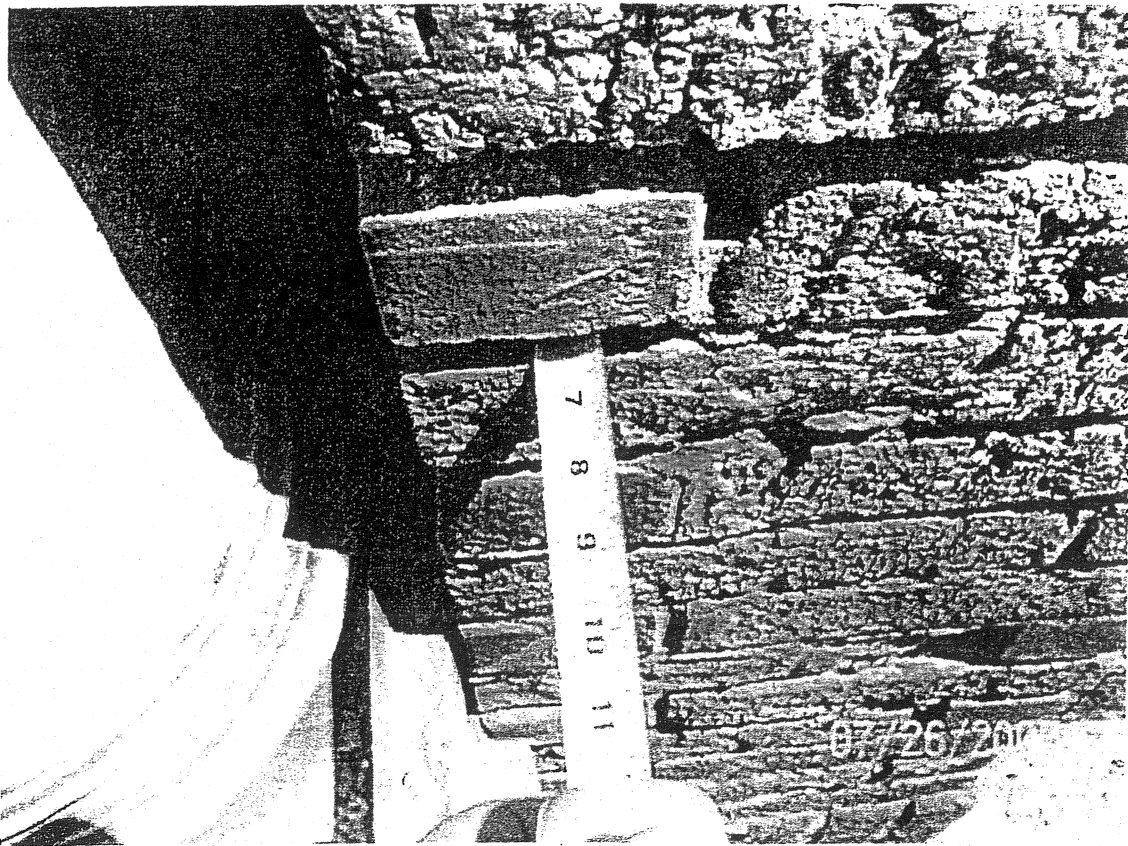
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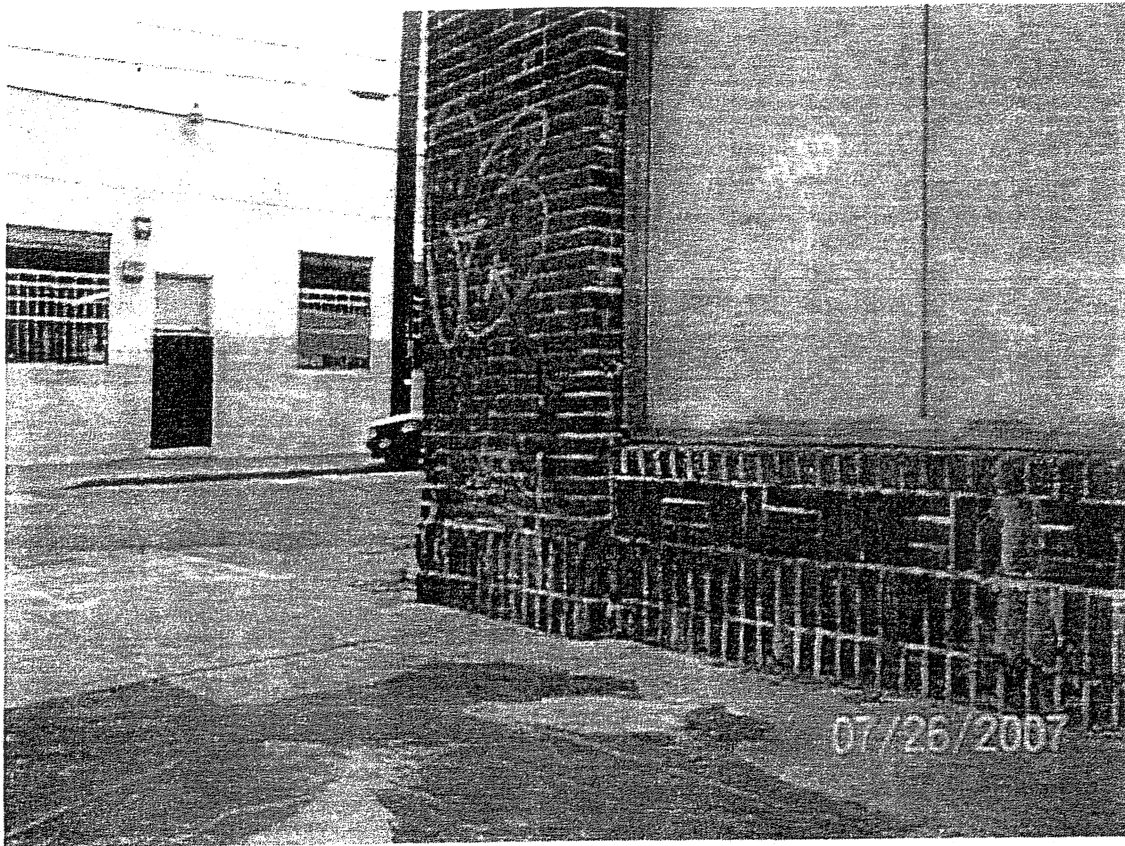
EXISTING WEST WALL



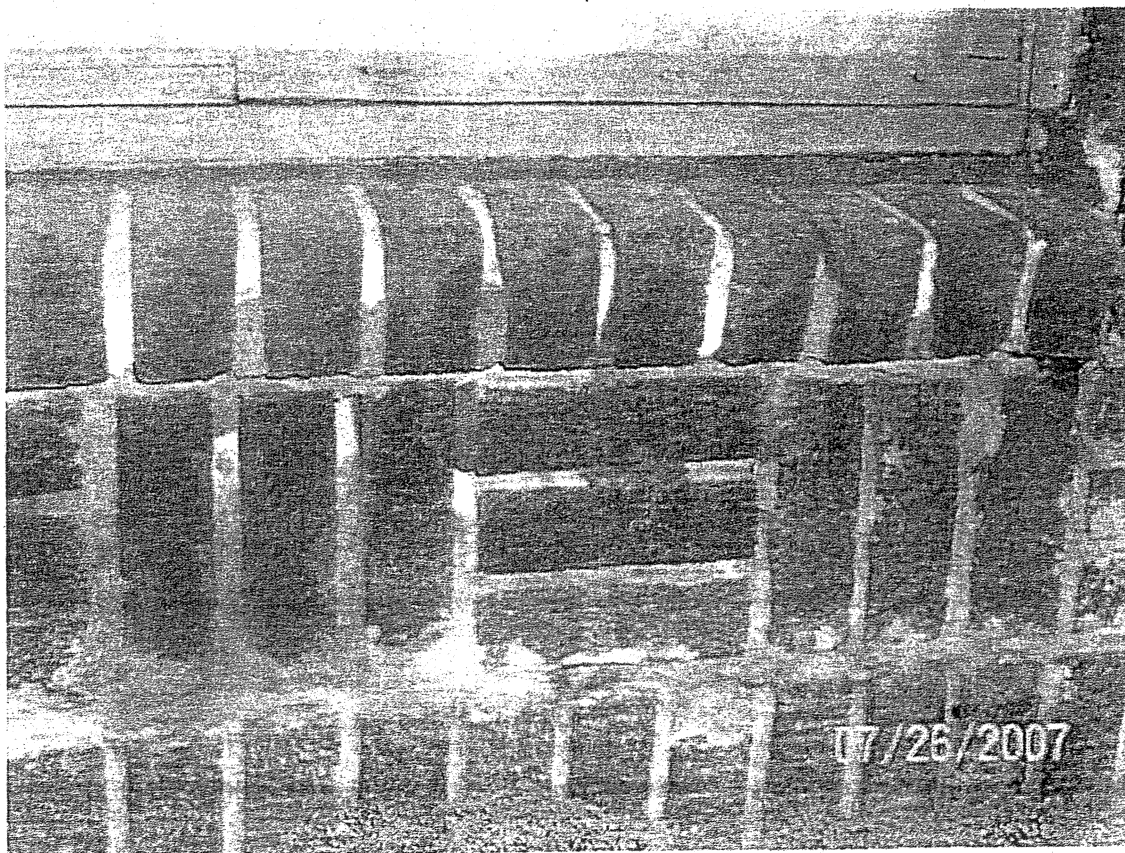
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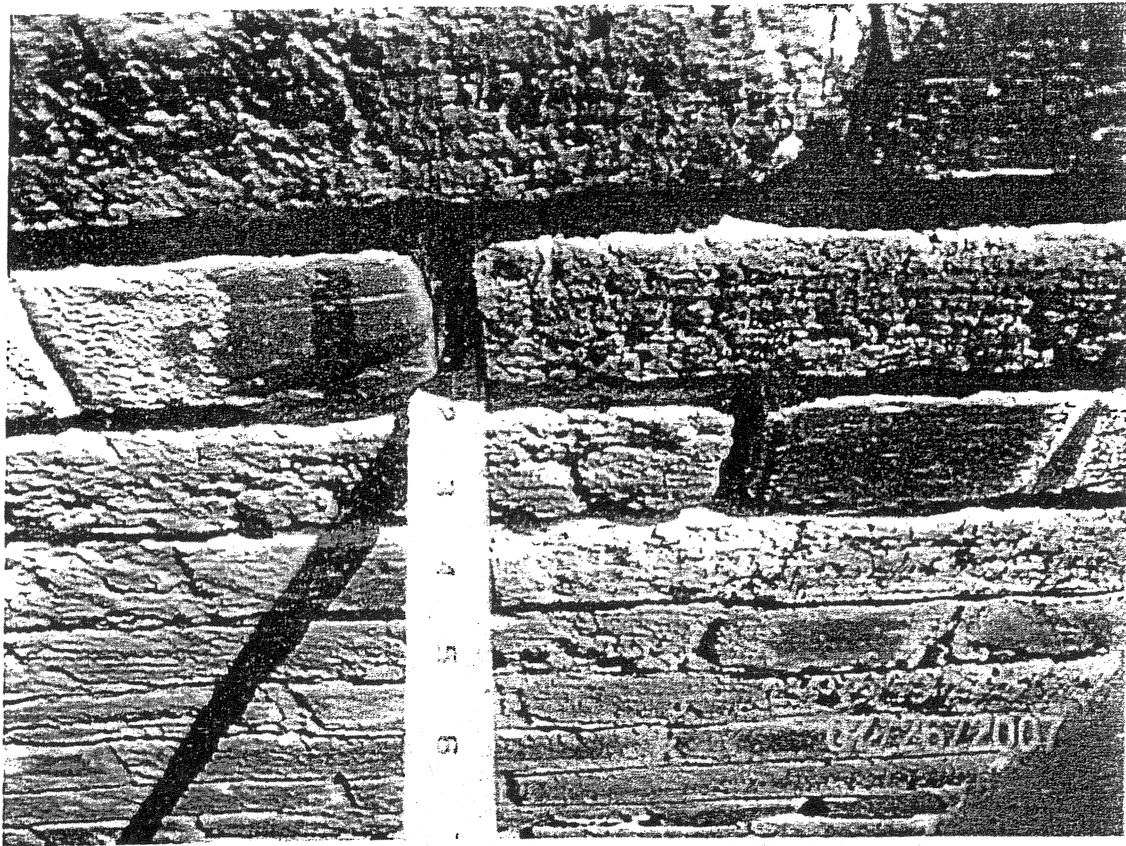
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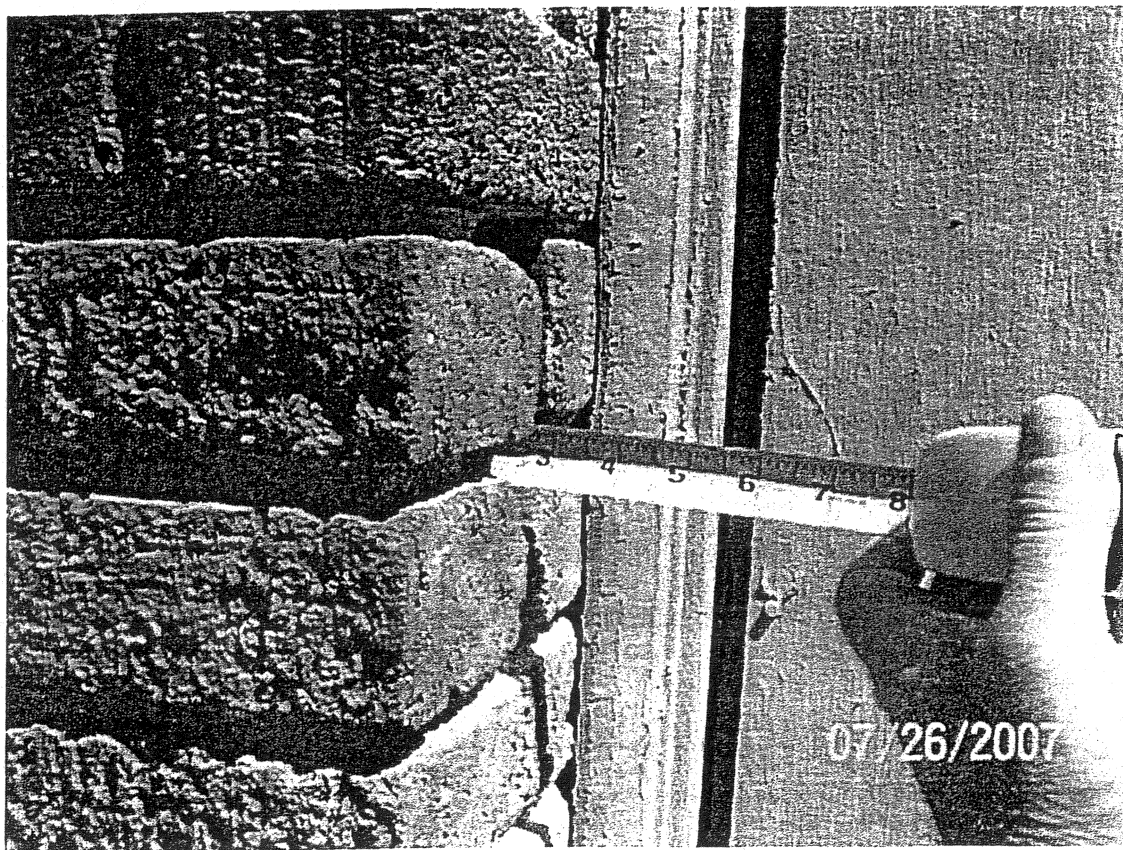
DETAIL - EXISTING DAMAGE



DETAIL - POOR QUALITY MOTAR JOINTS



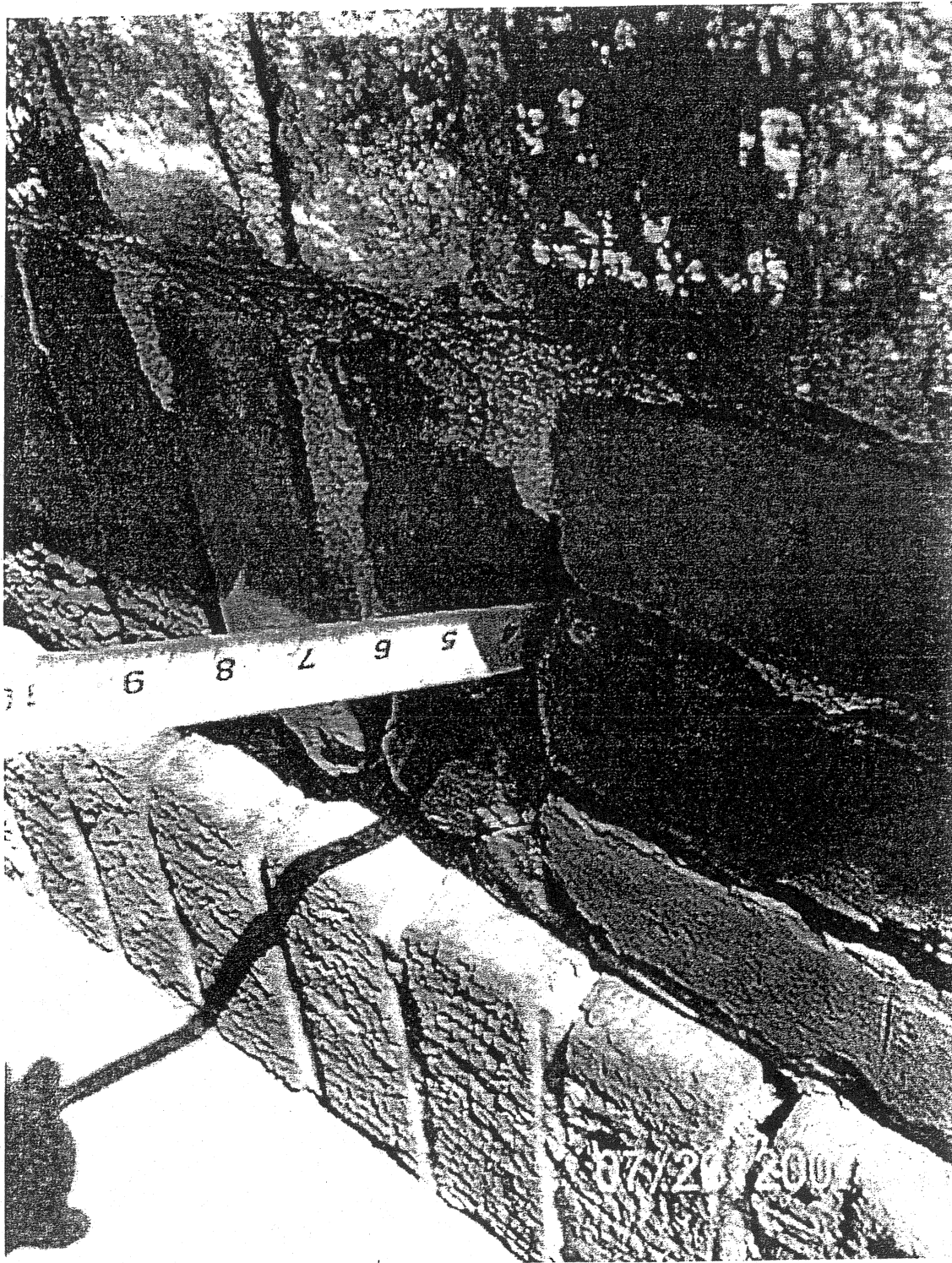
DETAIL - POOR QUALITY MORTAR JOINTS



DETAIL - POOR QUALITY MORTAR JOINTS



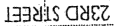
DETAIL - POOR QUALITY MORTAR JOINTS



DETAIL - EXISTING DAMAGE

BROADWAY & WEST GRAND

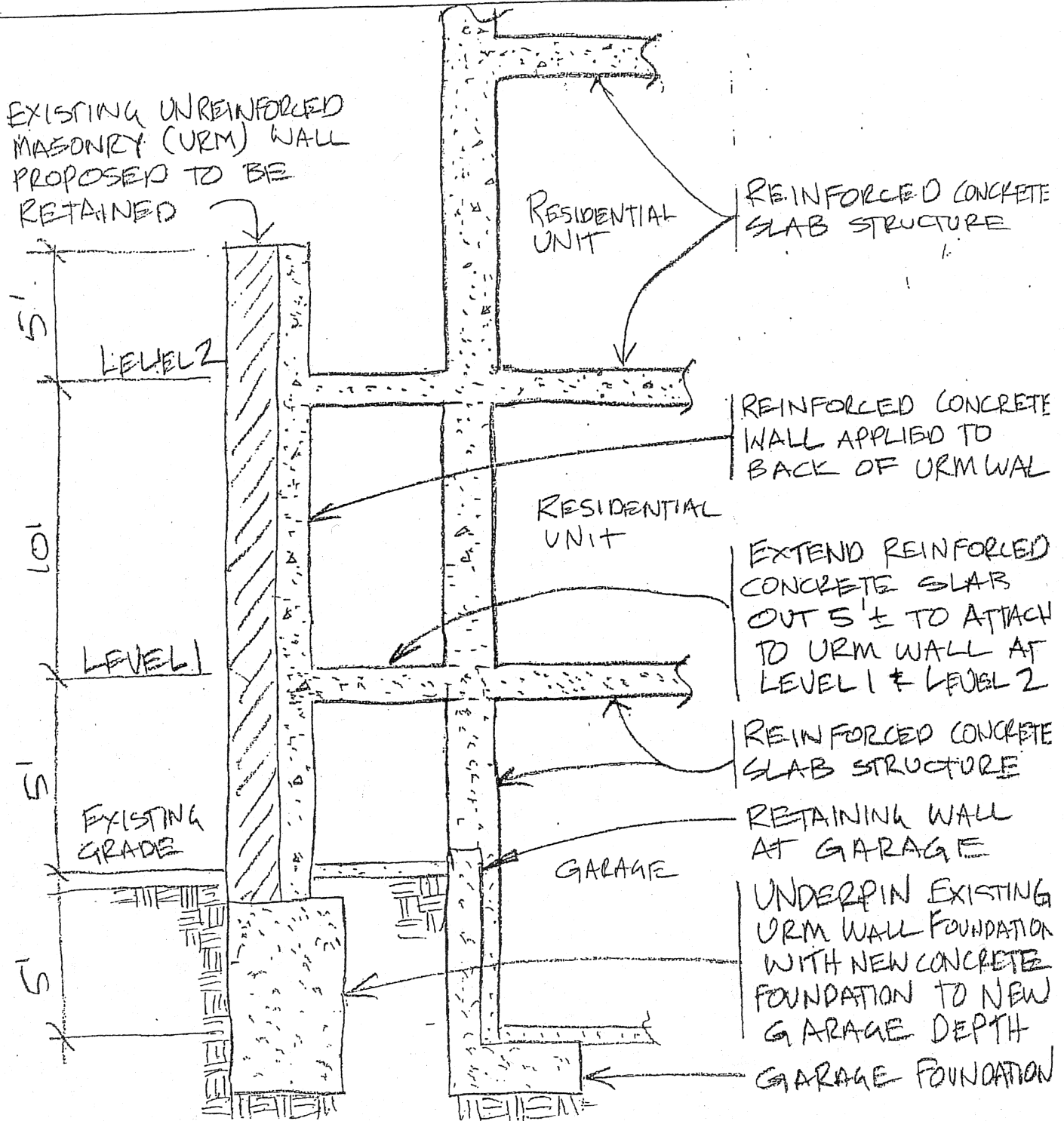
DATE: 8-1-87
LEVEL 1
STREET LEVEL SITE PLAN



NISHKIAN MENNINGER
CONSULTING AND STRUCTURAL ENGINEERS

1200 Folsom Street, San Francisco, CA 94103
Tel: (415) 541-9477 Fax: (415) 543-5071

JOB: BROADWAY @ WEST GRAND 2 NO. _____
SHEET NO. _____ OF _____
CALCULATED BY: KA DATE: 12/07
CHECKED BY: _____ DATE: _____
SCALE: _____



SECTION AT URM WALL



PROJECT TEAM

LEVON H. NISHKIAN - PRINCIPAL-IN-CHARGE

Levon Nishkian is a principle with over 30 years of experience in structural engineering. He holds professional licenses throughout the West and belongs to several professional engineering organizations throughout the state. Some of his recent seismic rehabilitation projects include:

EDUCATION

University of Arizona
1974, Bachelor of Science

ENGINEERING LICENSES

California
Idaho
Montana
Oregon
Colorado
Louisiana
New York
Wyoming

PROFESSIONAL ORGANIZATIONS

International Association for
Bridge and Structural Engineering

Structural Engineers Association
of Northern California

American Concrete Institute

Society of American
Military Engineers

American Society of
Civil Engineers

CONCORDIA/ARGONAUT CLUB, SAN FRANCISCO, CA

Seismic upgrade of existing 4-story, with basement, unreinforced masonry structure, which included gymnasium, natatorium and racquetball courts. Lateral load-resisting system included strengthening of existing walls with shotcrete and installation of steel braced frames.

MASONIC HALL, SAN FRANCISCO, CA

This project consisted of a seismic upgrade of an existing 4-story, with basement, unreinforced masonry structure, which included two large meeting halls above existing retail space. Lateral load-resisting system included strengthening of existing walls with shotcrete and installation of steel braced frames.

OLYMPIC CLUB, SAN FRANCISCO, CA

This was a complete renovation and restoration of the Natatorium Building. Extensive remodeling necessitated the re-framing of the majority of the floor system. In addition to this most recent project, we have worked on the facility at both the Downtown and Lakeside locations for over ten years.

IRWIN MEMORIAL BLOOD BANK, SAN FRANCISCO, CA

Seismic rehabilitation of a two-story, reinforced concrete structure, built in two phases during the 1950's and 1960's. In addition to installing new concrete shear walls, additional second floor space was created over part of the project and the Auditorium was converted into two floors of laboratory space. Total area: 45,000 square feet.

500 HOWARD STREET, SAN FRANCISCO, CA

Seismic upgrade of existing 5-story, with basement, 85,000 square foot concrete frame building. New lateral system included reinforcing existing concrete walls and installation of concrete braced frames.

661 HOWARD STREET, SAN FRANCISCO, CA

Seismic upgrade of existing 2-story, with basement, 18,000 square foot unreinforced masonry wood frame structure.

HILTON HOTEL, SAN FRANCISCO, CA

This project in its entirety encompasses a city block. There are four distinct buildings ranging in height from 42 stories to six stories. Our most recent task was to design a new 22-story guest room tower and a new 30,000 sq. ft. ballroom. This required clear spans in excess of 120 feet. The ballroom spanned two separate structures, which demanded a complete rehabilitation of an existing structure to support loads in excess of 350 pounds per sq. ft. The cost of the project exceeded 230 million dollars and is the largest hotel in California.

FONTANA EAST CORPORATION, SAN FRANCISCO, CA

This project was a detailed seismic analysis for upgrade of 18-story reinforced concrete building.

1020 UNION STREET, SAN FRANCISCO, CA

Seismic upgrade; installed footings and posts, post anchors, holddown bolts, plywood shear walls; patched cracked stucco and concrete slabs.

GOLDEN GATE PRODUCE TERMINAL, SOUTH SAN FRANCISCO, CA

Repair of structure following October 17, 1989 earthquake; installed ties, beams to concrete walls; installed new wood posts to supplement cracked concrete pilasters.



KEVIN MENNINGER - CHIEF ENGINEER

Kevin Menninger has over 20 years of experience in structural engineering. He holds professional licenses throughout the West and belongs to several professional engineering organizations throughout the state. Some of his recent seismic rehabilitation projects include:

EDUCATION

California Polytechnic University,
1981

Bachelor of Science,
Architectural Engineering

ENGINEERING LICENSES

California
Arizona
Hawaii
Illinois
Montana
Nevada
Washington

PROFESSIONAL ORGANIZATIONS

Structural Engineers Association
of Northern California

California Engineering
Council

532 SUTTER STREET, SAN FRANCISCO, CA

Complete renovation of two existing stories (with basement) of an un-reinforced masonry and wood frame building. The renovation will include new lateral load-resisting elements, removal of portions of the existing second floor and roof and new mezzanine areas above the ground floor and second floor. The total square footage of the completed project was an increase to 15,240 square feet from the existing 5,400.

101 Harrison Street, San Francisco, CA

Complete renovation and seismic upgrade of existing three-story, 66,000 square foot un-reinforced masonry structure, including addition of 10,000 square foot of new steel frame construction to create an integral structure.

OLYMPIC CLUB, LAKESIDE, SAN FRANCISCO, CA

Complete renovation and seismic upgrade of existing four-story, wood frame over cast-in-place concrete structure. Project included removal of existing columns and installation of new lateral load-resisting elements, as well as strengthening of existing structure.

ON LOK/LARKIN HOUSE, SAN FRANCISCO, CA

Seismic rehabilitation and renovation of four-story, 67,000 square foot, concrete and steel-frame structure. Added area totaled 6000 square feet. Installed new concrete shear walls for lateral load-resisting system, as well as rehabilitating existing terra cotta veneer system.

753-777 DAVIS STREET, SAN FRANCISCO, CA

Complete seismic rehabilitation of existing two-story, un-reinforced masonry building, utilizing scheme that allowed tenants to remain in building.

546 HOWARD STREET, SAN FRANCISCO, CA

Seismic upgrade of existing one-story, with basement, 7,000 square foot un-reinforced masonry structure.

BECTON-DICKINSON, SAN JOSE, CA

Renovation and addition to a facility for new laboratory manufacturing and office use. Addition totaled 60,000 square feet, including new mezzanine, in seismically upgraded warehouse space for laboratory use. Steel frame structure with concrete fill over metal deck at the elevated floor level.

IRWIN MEMORIAL BLOOD BANK, SAN FRANCISCO, CA

Seismic rehabilitation of a two-story reinforced structure built in the 1950's and 1960's in two phases; additional second floor and conversion of auditorium into two levels of laboratory space.

345 FOURTH STREET, SAN FRANCISCO, CA

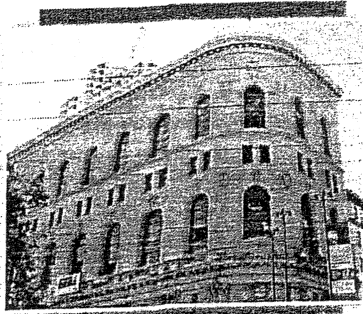
Seismic upgrade, un-reinforced masonry building, installed steel braced frames.

HOTEL CAMELOT, SAN FRANCISCO, CA

Seismic rehabilitation of six-story un-reinforced masonry building; installed new lateral system using steel braced frames.

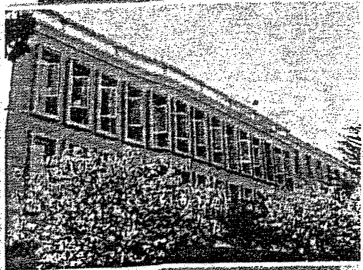


SEISMIC REHABILITATION



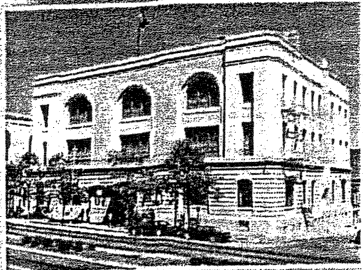
ONE POWELL STREET San Francisco, Ca

Project Scope: A historical renovation and seismic upgrade of an existing seven-story structure. Horizontal and vertical additions were made to the structure, as well as the expansion of the existing mezzanine, new escalators and stairs and major modifications at the basement level.



COWELL HALL University of San Francisco, Ca

Project Scope: The addition to and renovation of this existing four-story academic building includes enclosing approximately 5000 square feet of an existing fourth level terrace and renovation of various components.



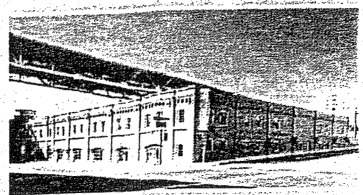
CONCORDIA/ARGONAUT CLUB San Francisco, Ca

Project Scope: Seismic upgrade of existing 4-story, with basement, unreinforced masonry structure, which included gymnasium, natatorium, and racquetball courts. Lateral load-resisting system included strengthening of existing walls with shotcrete and installation of steel braced frames.



753 - 777 DAVIS STREET San Francisco, Ca

Project Scope: Complete seismic rehabilitation of an existing two-story, un-reinforced masonry building, utilizing scheme, which allowed tenants to remain in the building. Area: 27,000 S.F.

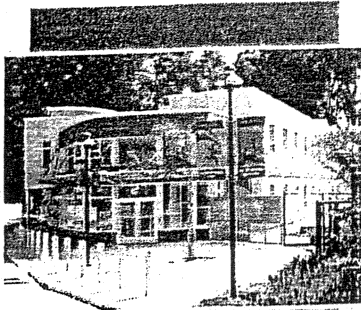


101 HARRISON STREET San Francisco, CA

Complete renovation and seismic upgrade of existing three-story, 66,000 square foot, un-reinforced masonry structure, including addition of 10,000 square foot of new steel frame construction to create an integral structure.

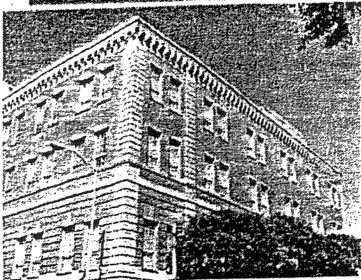


SEISMIC REHABILITATION



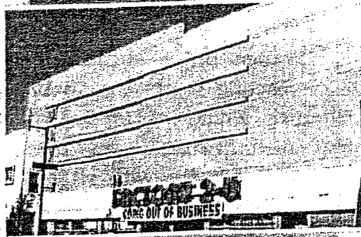
BRANDEIS HILLEL DAY SCHOOL San Francisco, CA

This phased project consists of a new two-story Library Wing, Arcade reconstruction, retaining walls, ramps and stairs, as well as changes in the existing classroom building.



ON LOK / LARKIN HOUSE San Francisco, Ca

Seismic rehabilitation and renovation of a four-story, 67,000 square foot, concrete and steel-frame structure. Added area totaled 6,000 square feet. Installed new concrete shear walls for lateral load-resisting system, as well as rehabilitating existing terra cotta veneer system. Total area: 67,000 square feet.



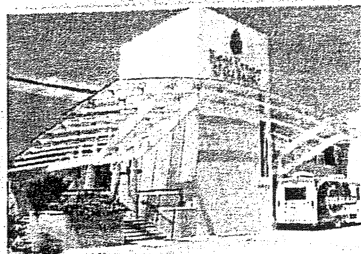
MASONIC HALL San Francisco, Ca

Seismic upgrade of existing four-story, with basement, un-reinforced masonry structure, which included two large meeting halls above existing retail space. Lateral load-resisting system included strengthening of existing walls with shotcrete and installation of steel braced frames.



532 SUTTER STREET San Francisco, Ca

Complete renovation of two existing stories (with basement) of an un-reinforced masonry and wood frame building. The renovation included new lateral load-resisting elements, removal of portions of the existing second floor and roof and new mezzanine areas above the ground floor and second floor. The total square footage of the completed project will be an increase of 15,240 square feet from the existing 5,400.



IRWIN MEMORIAL BLOOD BANK San Francisco, Ca

Seismic rehabilitation of a two-story, reinforced concrete structure, built in two places during the 1950's and 1960's. In addition to installing new concrete shear walls, additional second floor space was created over part of the project and the auditorium was converted into two floors of laboratory space. Total area: 45,000 square feet.



SEISMIC REHABILITATION



1020 UNION STREET San Francisco, Ca

Seismic upgrade; installed footings and posts, post anchors, hold-down bolts, plywood shear walls; patched cracked stucco and concrete slabs. Area: 36,000 S.F.



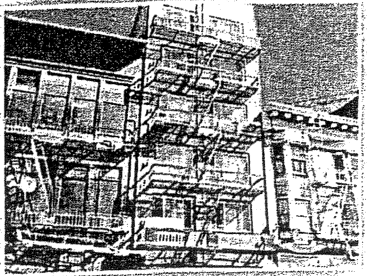
661 HOWARD STREET San Francisco, Ca

Seismic upgrade of existing 2-story, with basement, 18,000 square foot unreinforced masonry wood frame structure.



FONTANA EAST CORPORATION San Francisco, Ca

This project was detailed seismic analysis for upgrade of 18-story reinforced concrete building



HOTEL CAMELOT San Francisco, Ca

Seismic rehabilitation of six-story un-reinforced building; installed new lateral system using steel braced frames.

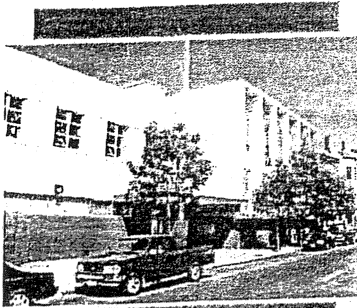


PACIFIC UNION CLUB San Francisco, CA

This private men's club is one of the oldest in San Francisco. Work done has included landscaping and various interior alterations and upgrading.



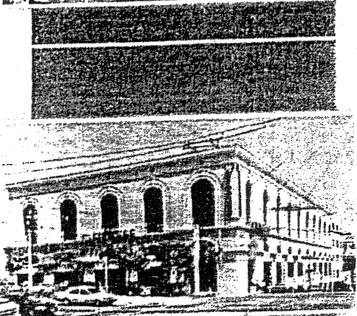
SEISMIC REHABILITATION



COLUMBIA PARK BOYS & GIRLS CLUB, CLUB ONE FITNESS CLUBS, CITICORP CENTER, EMBARCADERO CENTER

San Francisco, CA

These projects included remodel and renovation of existing facilities for new fitness clubs, including aerobics areas, exercise equipment and full service locker rooms.



24-HOUR NAUTILUS San Francisco, CA

This project consisted of seismic upgrade of existing structure; removal and installation of a new automobile ramp to the roof; revision of Lobby, modification to retaining walls and additional new floor space - complete interior redesign for spa and other Nautilus equipment. Total space is 40,000 square feet.



ORINDA COUNTRY CLUB Orinda, CA

This project was a complete renovation of the existing 27,000 square foot Club House, including new roof structures, decks and basement areas, new elevators, new stairs and a seismic upgrade of the entire building.
