ZP 180116

5212 Broadway

California College of the Arts Redevelopment

Preapplication Analysis, March 2019

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| **Location:** | **5212 Broadway APNs Parcel A 0014-1243-1-1 CCA Primary campus); Parcel B 0014-1246-2 Clifton House existing student housing)** |
| **Proposal:** | Convert existing campus and off site dormitory into 589 residential units, 24,000 sf of art related amenity space,, 6,000 sf of office space, 442 parking spaces |
| **Applicant:** | Marc Babsin, Emerald Fund |
| **Owner:** | California College of the Arts |
| **Planning Permits Required:** | General Plan Amendment, Rezone, Design Review, CUP for size, compliance with CEQA. |
| **General Plan:** | Institutional |
| **Zoning:** | CN-1, RM-3 |
| **Environmental Determination:** | EIR requested |
| **Historic Status:** | California College of Arts and Crafts API Two Landmarked buildings rated B1+ OCHS built in the 1880s. |
| **Service Delivery District:** | Metro |
| **City Council District:** | 1 – Kalb |
| **Action to be Taken:** | City Council for Legislative Issues ( General Plan, Re-zone) Planning Commission for other Planning Entitlements |
| **Finality of Decision:** | City Council |
| **For further information:** | Contact case planner **Rebecca Lind** at **510-238-3472** or by e-mail at **rlind@oaklandnet.com** |

1. Zoning/Land Use Planning Comments:

**Zoning Analysis Table (includes only applicable regulations):**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Development Standard** | **Applicable Regulations** | | | **Compliance Analysis** |
| **Existing CN-1/RM-3** | | **Proposed Project**  **CC-2 zone request** |
| Land Use Activities | 1.Permanent Residential allowed in both zones but limited to activity which supports the Institutional Land Use  2 Commercial allowed in both zones but limited to an activity which supports the Institutional Land Use  a. Studio space for creating art classified as custom manufacturing requiring a CUP in the CN-1 Zone; not permitted in the RM zone  b. Art gallery classified as retail CUP required if the activity is greater than 5,000 sf on the ground floor in RM; permitted in CN-1  c.. Art Education Classified as personal service CUP in RM zones; CUP on the ground floor , permitted otherwise in CN-1  .d. Event space for Art CUP for group assembly CN-1 not allowed RM  e. Live/Work for art allowed as conversion of existing non-residential space with a CUP in all zones  f. Café: CUP in CN-1 and RM-1 | | 1, Permanent Residential 589 units. CUP required on the first floor for residential activity if the building is located within 20 feet of the street.  2) Commercial Activity Proposed in CC-2 zone  a. Studio space for creating art classified as custom manufacturing requiring a CUP in the CC-2 Zone;  b. Art gallery classified as retail; permitted in CC-2  c. Art Education Classified as personal service Permitted in CC-2  d Event space for Art: CUP for group assembly in CC-2  e. Regulations in CC-2 are the same  f. Café permitted in CC-2 | General Plan Amendment required to utilize the underlying zoning or any proposed rezoning for permanent residential and for commercial CUP required under the requested CC-2 for:  a.. Custom manufacturing for art production  b. Event space/group assembly  c. Residential in an existing building on the ground floor w/in 20’ of the street  d. CUP or not allowed depending on zone and location  e.Not allowed for new construction |
| Facility | New Permanent Residential permitted RM  New Permanent Residential not permitted on the ground floor CN ( (No CUP available)  Enclosed Non-Residential permitted in RM and CN | | New Multifamily only allowed on the ground floor in CC-2 if the majority of the floor area is non residential  Enclosed Non Residential permitted | Proposed buildings A, B, C D and E would require non residential uses on the ground floor because they are new facilities.  Building F is an existing building and located 20’ back from the street so is exempt from this requirement |
| Non Residential FAR | n/a for RM 2.0 for CN-1 with 35’ height area | |  |  |
| Residential Density | Requires GPA to actualize   * Parcel A  CN-1: 550 sf/unit 1/3 of land area  **58,081 sf** 105 units max * RM-3: 1,500 sf /unit with CUP 2/3 of land area **116,159 sf** 77 units max * Parcel B **12,603 sf** * CN1 550 sf/unit * 31 units max | |  |  |
| Affordable Housing Impact Fee |  | | 35 Affordable units at Clifton House | Proposed units at Clifton House would qualify the project for exemption |
| Front Yard | See handout | |  | Subject to additional review after revisions to the site plan |
| Interior Side Yard | See handout | |  | Subject to additional review after revisions to the site plan |
| Rear Yard | See handout’ | | 0’ |  |
| Ground Floor Transparency | 55% | | Not clear in proposal |  |
| Minimum height of ground floor | 15’ ground floor commercial | |  | Subject to additional review after revisions to the site plan |
| Height | See supplemental comments | | | |
| Lot Coverage |  | |  | Subject to additional review after revisions to the site plan |
| Parking | Permanent Multifamily all RM, CN, CC zones 1space/unit.  Commercial parking  Café/retail 1/300 sf on th ground floor 1/500 sf upper floors  Group assembly Parking triggered at 10,000 sf  1/100 sf of assembly  Other commercial 1/60 sf ground floor 1/1000 sf upper stories. | | 442 spaces .75/unit | 1 space/unit required. A parking proposal needs to be submitted to justify the proposed parking reduction.  Reductions available: See Sec 17.116.110.  a. Affordable units .5/unit  b. Transportation Demand Management Plan (TDM)  c. Transit assessible  30%  D .Onsite car share 20%  e. Off site car share 10%  No additional parking required for use conversions of landmarked property. Existing parking is to be preserved. |
| Loading | * Residential * 1 for . 50,000 sf * Commercial < 25,000 0 * >25,000 to 1  Industrial > 25,000 1 | | Not proposed | Subject to additional review after revisions to the site plan |
| Bicycle Parking | Long Term  Residential 1 per 4 units  Retail 1/12,000 sf  Café Minimum 2  Custom Manufacturing 1/15000 sf | Short Term  Residential 1per 20 units  Retail 1/5000sf  Café Minimum 2  Custom Manufacturing 0 |  | Subject to additional review after revisions to the site plan |
| Recycling and Garbage | 2 cf/1 k sf commercial/civic  2cf/unit | | Not addressed |  |
| Group Open Space | RM-2 200 sf/unit  CN-1 35’ height zone 150 sf/unit | | Proposal is for 74,626 sf of landscape and hardscape area identified as “public open space”.  CC-2  100 sf/unit 35’ to 75’ height 150 sf/unit 90 to 160’ height | The concept of “public open space” is not part of zoning regulations.  Group open space is intended for use by the project residents and is not “public open space”  Open space to be identified as either group or private. Private may be substituted for group at a ratio of 2:1  Clarify to reflect proposed private open space defined in Section 17.126.020 and 17.126.040  Group open space defined in Sec. 17.126.030 |
| **Additional Regulations** | | | | |
| 17.106.030 | Land area used for residential density and FAR can not be double counted. Density/FAR studies do not yet account for this factor. | | | |
| 17.134.030 | Any CUP for activity will trigger a major CUP before the Planning Commission due to project size | | | |
| 17.136.120 | Design Review/CUP processed with PUD for major applications. Submit all applications and finding sheets for concurrent processing. Tentative Map application to be submitted for concurrent review subject to Subdivision findings. | | | |
| 17.124 | Landscape Standards | | | |
| 17.110 | Buffering Standards if final zone is a Residential Zone | | | |
| 17.138 | Qualifies for Development Agreement Consideration based on parcel size> 4 acres and proposed amount of development >500,000 sf | | | |
| 17.140 and 17.142 PUD | Qualifies for PUD process based on parcel size | | | |
| 17.102.190 | Joint Live/Work Facilities ( new code effective 3.7.2019) | | | |
| 17.136.075C | Demolition Findings for structures within a designated API. Analysis of this issue will be informed by HRE analysis performed as part of the CEQA analysis. | | | |

Preliminary Comments from Other City Departments

* Building:
  + All new and remodeled buildings will need to comply with current codes including historic code for the two Landmarked structures.
* Fire:
  + Emergency fire vehicle access of a minimum of 26 feet will be required for the entire site.
  + Buildings that are 77’ or greater from the point of Fire access to the height of the floor level will trigger high rise code standards.  The Building Bureau staff concur with this standard.
* Engineering/Public Works
  + Clifton Ave may need to be repaved.
  + The ADA ramp appears to be non-complying with current standards.
  + Sidewalk width on Broadway does not meet standards.
  + A Geotechnical report will be needed.
  + During construction staging,  a $37/day fee is charged for each parking space used for construction purposes in the  public right of way.
* Transportation:
  + How do you plan to meet TDM requirements?
  + Sidewalk width along Broadway will need to be widened substantially to meet DOT Design Guidelines
  + Public transit enhancements - what are they?
  + Public bike parking enhancements- what are they?
  + Drop off area is likely not going to be used and introduces more unnecessary driveways that appear to cut into sidewalk. Loading will likely take place on Broadway realistically, and design to address this would likely need protected bike lane with drop off and bus stop area
* Public Works Tree Division
  + An arborists report will be required as part of the CEQA review or in addition to CEQA  that addresses:
    - Type of Trees
    - Number
    - Size
    - Condition
    - Historic Value