



Memorandum

To: Members of the Planning Commission Design Review Committee (DRC) and Landmarks Preservation Advisory Board (LPAB) Subcommittee

From: Matthew Weintraub, Planner III – Historic Preservation/LPAB Secretary

Date: July 28, 2017

Re: **July 31, 2017 DRC/LPAB Subcommittee Meeting – 1100 Broadway (Case File No. CMD07390-R01)**

Executive Summary

Staff recommends that the currently proposed project design for 1100 Broadway, as shown in the revised project materials (see attached) submitted for review at the July 31, 2017 DRC/LPAB subcommittee meeting, meets the criteria for Regular Design Review approval in the Planning Code, having addressed the comments and incorporated the recommendations previously provided at public hearings, as explained further below. The July 31 DRC/LPAB subcommittee meeting materials are accessible online via the City's Commission and Boards webpage at:

<http://www2.oaklandnet.com/government/o/PBN/OurOrganization/PlanningZoning/o/Commissions/index.htm>.

Project Background

The above-referenced development proposal at 1100 Broadway was previously reviewed in public hearings by: the DRC on May 24; the LPAB on June 12; and a DRC/LPAB subcommittee on June 29, 2017. At the previous public hearings, DRC members and LPAB members generally indicated support for new development on the site, as well as commented that the final design should be contextual, compatible with its surroundings, and accepted by all segments of the community. Based on their reviews of the previously submitted project designs, DRC members and LPAB members requested revisions and made recommendations, including: emphasizing verticality over horizontality; reducing façade complexity; and greater integration of the cantilever volume with the historic building. Meeting materials including

previously submitted project plans, staff reports and memorandums are accessible online via the City's Commission and Boards webpage at:

<http://www2.oaklandnet.com/government/o/PBN/OurOrganization/PlanningZoning/o/Commissions/index.htm>.

Summary of Revised Project Design

On July 27, 2017, the applicant submitted revised project materials (see attached) for design review at the July 31 DRC/LPAB subcommittee meeting. The resubmittal includes exterior architectural renderings and elevations, which partially update and supersede the previously submitted project materials. The resubmittal incorporates revisions that are intended to address areas of concern previously identified at DRC and LPAB public hearings. These revisions included: omitting the mid-tower horizontal detail for greater vertical emphasis; eschewing vertically offset façade volumes and “checkerboard” composition in favor of continuous vertical volumes and bays; reducing the complexity of façade volumes and features for a “calming” effect; and filling in the void below the cantilever section, on top of the historic Key System Building, to eliminate the sense of “overhang” and to more fully integrate the new development with the historic building.

Staff has analyzed the currently proposed design for consistency with the Regular Design Review criteria in the Planning Code and the Secretary of the Interior's Standards for Rehabilitation, as explained further below.

Design Review Analysis

The following proposed design review analysis by City staff is provided to the DRC/LPAB subcommittee for informational purposes. Pending comments received at the July 31 DRC/LPAB subcommittee meeting, staff may provide an updated and/or modified analysis to the Planning Commission for consideration at a future public hearing. The Planning Commission will be asked to approve the final analysis, which may be updated and/or modified, as part of the Commission's decision on the development application.

Per Planning Code Section 17.136.050 (B), regular design review approval for nonresidential facilities and signs may be granted only if the proposal conforms to all the following general design review criteria

- *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.

Response: The proposed project would achieve a group of facilities, including a rehabilitated historic building and a new commercial office tower, with continuous, active ground floor storefront street-walls, which are characteristic of the surrounding downtown neighborhood. The proposed new tower would be compatible in height and overall massing to existing development in the area, and its curtain-wall construction would continue an existing development pattern. The proposed vertical wall fins have a quality, attractive appearance, as well as functional value for energy efficiency.

- *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.*

Response: The proposed new tower would utilize building materials, techniques, and forms that are compatible in quality and appearance to existing commercial office tower developments in the area. The proposed new development on the long-vacant site and the proposed rehabilitation of the existing historic building would represent significant investments and would add value to the downtown area.

- *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.*

Response: The proposed new commercial office tower building is compatible with the underlying General Plan land use designation of Central Business District. The project design is consistent with the Secretary of the Interior's Standards, as described below, and as recommended by the General Plan Historic Preservation Element.

Per Planning Code Section 17.136.050 (C), for Local Register Properties that are not Landmarks or located in the S-7 or S-20 Zone, regular design review approval may be granted only if the proposal conforms to the following criterion:

- *That for additions or alterations, the proposal will not substantially impair the visual, architectural, or historic value of the affected site or facility. Consideration shall be given to design, form, scale, materials, texture, lighting, landscaping, Signs, and any other relevant design element or effect, and, where applicable, the relation of the above to the original design of the affected facility.*

Response: The proposed project would rehabilitate the existing historic Key System Building. It would retain and preserve the existing significant character defining features of the historic building, including the tripartite vertical organization, architectural façades, brick cladding, metal cornice, terra cotta ornamentation, parapet and wood-sash windows. The proposed new construction would materially affect only existing non-significant, non-characteristic building

features, including the roof and the north wall, which are not architectural features. The proposed new design expresses a two-part vertical tower composition, including a low broad base that is a continuation of the historic building datum, and a continuous vertical shaft, as well as a cantilever design that visually treats the historic building as a base for the slenderer vertical element, which will accentuate the existing classical tower composition and create new compatible relationships between old and new.

Per Planning Code Section 17.136.055 (B) (2), approval of applications for projects in an API that require Regular Design Review approval may be granted only upon determination that the proposal conforms to any applicable criteria in Chapter 17.136 and to the following additional criteria:

- *Any proposed new construction is compatible with the existing API in terms of massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing.*

Response: The proposed new building footprint, 18-story height, two-part tower composition, base design with pedestrian orientation, and vertical shaft design are compatible with existing historic and modern commercial office buildings in the area, which generally express classical tower compositions. The siting of the slenderer, glazed cantilever volume over the existing masonry-clad historic building allows for a similar base-shaft relationship that accentuates the historic pattern in the API.

- *New street frontage has forms that reflect the widths and rhythm of the facades on the street, and entrances that reflect the patterns on the street.*

Response: The proposed project would reactivate an existing historic storefront, as well as construct new storefronts that will create a continuous commercial street-wall without setbacks along Broadway and 12th Street, which is characteristic of ground story development in the API. The scale and rhythm of unbroken storefronts and building entrances would be pedestrian-oriented and consistent with historic and existing development patterns.

- *The proposal provides high visual interest that either reflects the level and quality of visual interest of the API contributors or otherwise enhances the visual interest of the API.*

Response: With its detailed ground floor base, glass curtain-wall façades, vertical wall fins, and articulated vertical massing, the proposed new construction would reflect both the quality of the existing visual interest of the API and its contributors, as well as generate new visual interest within the API.

- *The proposal is consistent with the visual cohesiveness of the API. For the purpose of this finding, visual cohesiveness is the architectural character, the sum of all visual aspects, features, and materials that defines the API. A new structure contributes to the visual cohesiveness of a district if it relates to the design characteristics of a historic district while also conveying its own time. New construction may do so by drawing upon some basic building features, such as the way in which a building is located on its site, the manner in which it relates to the street, its basic mass,*

form, direction or orientation (horizontal vs. vertical), recesses and projections, quality of materials, patterns of openings and level of detailing. When some combination of these design variables are arranged in a new building to relate to those seen traditionally in the area, but integral to the design and character of the proposed new construction, visual cohesiveness results.

Response: The proposed new development is consistent with several fundamental characteristics of the API, including siting and building footprint, overall height and massing, unbroken street-walls with no setbacks at the ground floor, rectangular forms, skeletal articulation, and clean termination. Also, it relates to a key, basic building feature of the API, which is the unified vertical direction and orientation of existing historic and newer buildings within and around the API. The new development would express a classical two-part vertical tower composition with a broad base and a tall, continuous shaft, which would be consistent with the visual cohesiveness of the API. The new development would be differentiated from API contributors by its use of modern building materials, primarily glass and metal, and modern building features, such as vertical fins, of a quality that would complement the API.

- *Where height is a character-defining element of the API there are height transitions to any neighboring contributing historic buildings. "Character-defining elements" are those features of design, materials, workmanship, setting, location, and association that identify a property as representative of its period and contribute to its visual distinction or historical significance. APIs with a character-defining height and their character-defining height level are designated on the zoning maps.*

Response: Height is not a character-defining element of the Downtown District API, pursuant to the April 16, 2010 Zoning Code Bulletin regarding Character-Defining Height Levels for Select APIs.

- *For additions, the proposal meets either: 1) Secretary of Interior's standards for the treatment of historic resources; 2) the proposal will not adversely affect the character of the property or API; or, 3) upon the granting of a conditional use permit, (see Chapter 17.134 for the CUP procedure) and a hearing in front of the Landmarks Preservation Advisory Board for its recommendations, a project meets the additional findings in Subsection g., below.*

Response: The proposed project is consistent with the Secretary of the Interior's Standards for Rehabilitation as described below. It would complement the character of the Key System Building and the API.

- *For construction of new principal buildings:*
 - *The project will not cause the API to lose its status as an API;*

Response: By complementing the API character and not adversely affecting it, the proposed new construction would not cause the API to lose its historic district status. The new

development would expand and augment an existing characteristic of the API, continuous street-walls and storefronts, and it would fill a void in the existing development pattern, which would bolster the API's cohesiveness.

- *The proposal will result in a building or addition with exterior visual quality, craftsmanship, detailing, and high quality and durable materials that is at least equal to that of the API contributors; and*

Response: With its detailed ground floor base that is a continuation of the historic building datum, glass curtain-wall façades, vertical wall fins, and articulated vertical massing, the proposed new construction would at least equal the exterior visual quality of the existing API and its contributors.

- *The proposal contains elements that relate to the character-defining height of the API, if any, through the use of a combination of upper story setbacks, window patterns, change of materials, prominent cornice lines, or other techniques. APIs with a character-defining height and their character-defining height level are designated on the zoning maps.*

Response: Height is not a character-defining element of the Downtown District API, pursuant to the April 16, 2010 Zoning Code Bulletin regarding Character-Defining Height Levels for Select APIs.

In summary, staff finds that the currently proposed design is consistent with the criteria for Regular Design Review approval. Staff's analysis is preliminary pending comments from the public, DRC, and LPAB.

Secretary of the Interior's Standards for Rehabilitation

The following proposed analysis for consistency with the Secretary of the Interior's Standards for Rehabilitation by City staff is provided to the DRC/LPAB subcommittee for informational purposes. Pending comments received at the July 31 DRC/LPAB subcommittee meeting, staff may provide an updated and/or modified analysis to the Planning Commission for consideration at a future public hearing. The Planning Commission will be asked to approve the final analysis, which may be updated and/or modified, as part of the Commission's decision on the development application.

The project involves a historical resource as defined by the California Environmental Quality Act (CEQA). The CEQA Guidelines categorically exempt projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer, which are inclusive of the Secretary of the Interior's Standards for Rehabilitation.

Also, per Policy 2.4 (b) of the Historic Preservation Element of the General Plan: “Alterations or New Construction involving Landmarks or Preservation Districts will normally be approved if they are found to meet the Secretary of the Interior’s Standards for the Treatment of Historic Properties or if certain other findings are made [that the project will not adversely affect the Landmark or Preservation District].” Although the subject project does not involve a designated Landmark or Preservation (S-7) District, it does involve an OCHS-rated property of the “Highest Importance”, and which is a contributing property to an API, and which is also listed to the National Register of Historic Places individually and as a district contributor.

Previously, staff’s environmental consultant analyzed the compatibility of the original project design per the Secretary of the Interior’s Standards for Rehabilitation (see Attachment B to the June 12, 2017 LPAB staff report). The consultant’s analysis found that the original project design was consistent with Rehabilitation Standards 1-8 and 10, but it was not entirely consistent with Rehabilitation Standard 9, due to a lack of verticality and classical proportions to the tower arrangement, and due to the appearance of the cantilever volume as “a massive projection of the primary building volume, rather than as an appurtenant volume to the main body of the vertical tower”. The consultant recommended that: “Design alternatives that accentuate vertical compositions and that minimize the visual effect of the cantilever are recommended, and these should be considered in order to bring the project into fuller consistency with Standard 9.”

Staff finds that the currently proposed design succeeds in implementing the consultant’s recommendations to achieve consistency with Standard 9. Specifically, the currently proposed design eliminates the previously proposed mid-tower horizontal divisions and offsets, and aligns the volumes and bays into continuous vertical elements, which allows the proposed new building to read as a classical tower composition with a low base and tall shaft. The currently proposed design also removes the overhanging “projection” appearance of the cantilever by filling in the void below, which allows the new volume to appear supported by and integrated with the historic Key System Building, which visually acts as a base.

The currently proposed design, including a lowered cantilever volume that is architecturally integrated with the historic building (no visual overhang), would result in physical effects on the historic Key System Building which were not previously anticipated in the original design. Specifically, the lowered rooftop-level cantilever would require alterations to the existing roof to accommodate a new floor, which may include resurfacing, building up, and/or removal and replacement of the existing roof or portions thereof. The existing roof, which is non-visible behind an existing raised parapet with architectural cornice, is a non-distinctive, non-significant feature, which alteration would not affect the character of the building.

Also, the currently proposed design would result in minor alterations to the existing parapet and cornice in areas that have limited visibility and importance. Specifically, at the interior-facing, non-architectural east façade, which faces an existing private commercial development, the lowering of the cantilever to the rooftop would require the removal of an approximately 25-foot section of the existing parapet near the back of the historic building. This minor alteration would retain intact the east façade’s existing

parapet and cornice located within approximately 30 feet of the front of the building, as well as the existing parapet and cornice on the 11th Street façade, which are more visible and which are primarily responsible for providing historic character. Similarly, the currently proposed design would bring forward the new building's west wall along Broadway where it meets the historic building, to reduce the recess and minimize upper volume overhangs; this would require shortening the existing cornice return feature on the north wall where it meets the new construction. This minor change would reduce but not eliminate the cornice return, and it would retain and preserve the existing front-facing cornice that runs the length of the architectural façade on Broadway, which is more visible and which is primarily responsible for providing historic character.

Therefore, staff believes that the currently proposed design is consistent with Standard 2, because it would not remove distinctive materials or alter features, spaces, or spatial relationships that characterize the existing property, while allowing for changes that ultimately support the rehabilitation of the historic building and the architecturally compatible new development.

In summary, staff finds that the currently proposed design is consistent with the Secretary of the Interior's Standards for Rehabilitation. Staff's analysis is preliminary pending comments from the public, DRC, and LPAB.

Next Steps

As requested in the May 24 DRC staff report and the June 12 LPAB report, staff requests that the DRC and LPAB make a recommendation to the Planning Commission on the Regular Design Review based on the findings included in the reports, and as updated by the findings in this memorandum, and subject to the Standard Conditions of Approval, and subject to any additional project-specific conditions which may be recommended by the DRC and/or LPAB.

If you have any questions, please contact me at (510) 238-6983 or mweintraub@oaklandnet.com.

Attachments: Project Plans titled "1100 Broadway // DRC + Landmarks Subcommittee Mtg. II Preview // 07.27.2017"