| Location: | $49510^{\text {th }}$ Street (APN: $002-0047-003-00$ ) (See map on reverse) |
| :---: | :---: |
| Proposal: | Installation of an unmanned telecommunications facility on the rooftop of the "The Washington Inn". The proposed facility consists of nine antennas within area three of the rooftop. All other accessory rooftop equipment will not visible and the remaining equipment will be in the basement of the building. |
| Applicant: | J5 Infrastructure Partners / Derek Turner |
| Owner: | Keshava LLC, Pareshkumar (PK) Patel |
| Planning Permits Required: | Regular Design Review for the installation of a rooftop macro telecommunications facility. Minor Conditional Use Permit to allow the installation of macro telecommunications facility. Minor Variance to allow to the rooftop facility to not meet the required minimum 1:1 setback to height above roof ratio. |
| General Plan: | Central Business District |
| Zoning: | CBD-P Central Business District Pedestrian Retail Commercial Zone / S-7 Preservation Combining Zone |
| Environmental Determination: | Pending |
| Historic Status: | Area of Primary Importance (API): Old Oakland. Local Register OCHS Rating: $\mathrm{C} 1+$ |
| City Council District: | 3 |
|  | Review development proposal and provide comments to staff for |
| Action to be Taken: | Zoning Manager decision. |
| For Further Information: | Contact case planner Jose M. Herrera-Preza at 510-238-3808 or jherrera@oaklandnet.com |

## SUMMARY

The purpose of this report is to seek input and recommendations from the Landmarks Preservation Advisory Board (LPAB) regarding a proposed unmanned telecommunications facility on the rooftop of "The Washington Inn", which is a Local Register Designated Historic Property (DHP). The subject property rated "C: by the Office of Cultural Heritage Survey (OCHS) and contributes to the Old Oakland Area of Primary Importance (API).

## LANDMARKS PRESERVATION ADVISORY BOARD



Case File: PLN20065
Applicant: J5IP for AT\&T Mobility
Address: 495 IOth Street
Zone: CBD-P/S-7

## PROJECT SITE AND SURROUNDING AREA

The project involves the "The Washington Inn", a four-story hotel that is a contributor the Old Oakland Historic District. The Old Oakland Historic District represents the most cohesive surviving section of Oakland's nineteenth century business district. It is significant for finely detailed commercial late nineteenth century structures that are representative of their period.

The project site is on the southeast corner of the intersection of $10^{\text {th }}$ and Washington Streets in the Downtown Core. The subject block is primarily two- to four-story commercial buildings of late 1800's and early 1900's period architecture. The nearby surrounding area contains larger scale downtown uses including office towers, and hotels as follows:

- A two-story commercial building Swan's Marketplace.
- A 20-story high-rise Hotel "Oakland Marriott at 1001 Broadway" to the to the northeast.
- A 5 -story commercial/hotel building "Courtyard at 988 Broadway" is to the east.
- A 7-story commercial/office building "Trans-Pacific Center at 1000 Broadway" is located oneblock to the east.
As a contributor to the district, the building is a Local Register and received an Oakland Cultural Heritage Survey Rating (OCHS) of C1+. According to the City's district survey form, Old Oakland has been determined to be eligible for the National Register of Historic Places as one of the most cohesive surviving section of Oakland's nineteenth century business district. The site is at a very prominent intersection within the API.

The nearby Chinatown Commercial District is just across Broadway and consists of medium-to-high density residential buildings, neighborhood-serving commercial buildings, and culturally significant civic structures.

## PROJECT DESCRIPTION

The applicant has proposed to install an unmanned telecommunications facility consisting of nine antennas within three sectors of The Washington Inn rooftop. Each rooftop sector represents the orientation of where the antennas will provide service and will house three antennas each. The most prominent facility as seen from the street would be twelve feet above the roofline and six feet above a rooftop stairwell at the southern edge of the building. The design of this facility is further discussed in the "Key Issues and Impacts" section of this report. Project plans are shown in Attachment A.

The existing roofline parapet will partially screen all the facilities and an additional radio frequency (RF) screen will surround the portion of the antennas that project above the parapet.

## GENERAL PLAN ANALYSIS

The property is in the Central Business District area under the General Plan. The intent of the area is: "to create, maintain, and enhance areas of the Central Business District appropriate for residential development with small-scaled compatible ground-level commercial uses." Desired character and uses is: "Encourage, support, and enhance the Central Business District as a high density, mixed use urban center of regional importance and a primary hub for business, communications, office, government, urban residential activities, technology, retail, entertainment, and transportation." The proposed installation of a macro telecommunications facility is, therefore, consistent with the intent and desired character and uses of the General Plan as well as the following General Plan Policies:

Civic and Institutional Uses
Objective N2: Encourage adequate civic, institutional, and educational facilities located within Oakland, appropriately designed and sited to serve the community.

Infrastructure
Objective N12: Provide adequate infrastructure to meet the needs of Oakland's growing community.

## ZONING ANALYSIS

## Zoning Designation and Intent

The subject property is located within the CBD-P Zone, which is intended to create, maintain, and enhance areas of the Central Business District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities.

## Height Area

The site is located within a CBD Height Area 1, which allows for a maximum height of 55 feet. However, the property is located within the Old Oakland API, and it was determined that the height context of the area is 30 feet to the top of wall and 45 feet to the top of a roof pitch.

## Required Permits

The proposed project is subject to Regular Design Review pursuant to Planning Code Section 17.136.050 (B) , 17.84.040, a Conditional Use Permit pursuant to 17.134.050, and a Variance pursuant to 17.148.050. The Variance is required because the proposal is closer to the edge of the building than the minimum one foot for every foot the facility is above the roofline. The proposal is at the edge of the building and 12 feet above the roofline. This issue is further discussed in the "Key Issues and Impacts" section of this report.

The proposal will be decided administratively but is required to appear before the Landmarks Preservation Advisory Board for a recommendation prior to a decision.

## Required Findings

The proposed project would be subject to the following design review criteria, conditional use permit and variance findings. Each specific criterion that is not applicable to the project is shown in strikethrough:

### 17.136.050(B) - Regular Design Review Criteria for Non-Residential Facilities

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.

### 17.84.040 Design review criteria for construction or alteration. In the S-7 Zone.

1. That 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, color, materials, texture, lighting, detailing and ornamentation, 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.
2. That the proposed development will not substantially impair the visual, architectural, or historic value of the total setting or character of the surrounding area or of neighboring facilities. Consideration shall be given to integration with, and subordination to, the desired overall character of any such area or grouping of facilities. All design elements or effects specified in Subsection A. of this Section shall be so considered.
3. That the proposal conforms with the Design Guidelines for Landmarks and Preservation Districts as adopted by the City Planning Commission and, as applicable for certain federally-related projects, with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

## Section 17.136.055(B)(2) - Historic Properties in the D-LM and CBD Zones

1. 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;
2. 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;
3. 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;
4. 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.
5. 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; and
6. 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.

### 17.128.070(B) - Design Review Criteria for Macro Telecommunications Facilities

1. Antennas should be painted and/or textured to match the existing structure.
2. Antennas mounted on architecturally significant structures or significant architectural detail of the building should be covered by appropriate casings which are manufactured to match existing architectural features found on the building.
3. Where feasible, antennas can be placed directly above, below or incorporated with vertical design elements of a building to help in camouflaging.
4. Equipment shelters or cabinets shall be screened from the public view by using landscaping, or materials and colors consistent with surrounding backdrop or placed underground or inside existing facilities or behind screening fences.
5. Equipment shelters or cabinets shall be consistent with the general character of the area.
6. For antennas attached to the roof, maintain a 1:1 ratio (example: ten (10) feet high antenna requires ten (10) feet setback from facade) for equipment setback; screen the antennas to match existing air conditioning units, stairs, or elevator towers; avoid placing roof mounted antennas in direct line with significant view corridors.
7. That all reasonable means of reducing public access to the antennas and equipment has been made, including, but not limited to, placement in or on buildings or structures, fencing, anti-climbing measures and anti-tampering devices.

### 17.128.070(C) Conditional Use Permit Criteria for Macro Telecommunications Facilities.

1. The project must meet the special design review criteria listed in Subsection B. of this Section.
2. The proposed project must not disrupt the overall community character.

### 17.134.050 General Use Permit Criteria.

A. That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development;
B. That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant;
C. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region;
D. That the proposal conforms to all applicable regular design review criteria set forth in the regular design review procedure at Section 17.136.050
E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.

### 17.148.050 Variance Findings

1. That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning regulations, due to unique physical or topographic circumstances or conditions of design; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution improving livability, operational efficiency, or appearance
2. That strict compliance with the regulations would deprive the applicant of privileges enjoyed by owners of similarly zoned property; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution fulfilling the basic intent of the applicable regulation.
3. That variance, if granted, will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy.
4. That the variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purposes of the zoning regulations.
5. That the elements of the proposal requiring the variance (e.g., elements such as buildings, walls, fences, driveways, garages and carports, etc.) conform with the regular design review criteria set forth in the design review procedure at Section 17.136.050
6. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan, or development control map which have been adopted by the Planning Commission or City Council.

## ENVIRONMENTAL DETERMINATION

The project is currently under review and no environmental determination has been made.

## KEY ISSUES AND IMPACTS

The most visible antennas will be at a prominent façade facing a primary intersection of the historic district. Sector "C" is atop an existing rooftop stairwell, which is located along the southern building wall (adjacent to the Washington Street driveway) at the property line and projects six feet above the parapet line. The addition of the antennas at sector "C" would add an additional six feet in height above the stairwell and result in a monolithic appearance above the parapet line. The applicant responded to staff input regarding
design with the three screening alternatives listed below, which are provided in renderings in Attachments $\mathrm{B}, \mathrm{C}$ and D , respectively.

1. Antennas screen by a brick textured enclosure.
2. Antennas screened by individual roof vents.
3. Antennas unscreened but painted to match the surrounding skyline.

Staff requests that the Landmarks Board comment on their preferred screening method or suggest other preferred screenings methods.

Staff further requests that the Landmarks Board provide input as to whether the preferred screening method will be sufficient for the project to meet the required findings and criteria described in the Zoning Analysis section of this report or whether further design modifications are required. Some additional design modifications may include:

- Setting back the antennas from all the exterior building walls.
- Relocate the sector C to another area of the roof where the visual impacts may be reduced.
- Establish the telecommunications facility on a taller building commercial not in the historic district.


## RECOMMENDATIONS:

1. Receive any testimony from the applicant and/or interested parties.
2. Provide direction to staff for how to design the project to be consistent with the findings and criteria required for approval.

Prepared by:


Jose M. Herrera-Preza
Planner III
Reviewed by:


Robert Merkamp
Zoning Manager

Attachments
a. Plans and Photo-Simulations



Title Report
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Legal Description



Assessor＇s Parcel No．


Easements


Geographic Coordinates at Proposed Sectors





Basis of Bearings

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## CCLOO186

495 10TH STREET， ALAMEDA COUNTY

TOPOGRAPHIC SURVEY

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## at\&t

## Proposed



## at\&t

CCL00186 The Washington Inn
495 10th Street, Oakland, CA 94607


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Photo simulation as seen looking east along 10th Street



## at\&t

## Proposed





## at\&t

## Proposed





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