



# City of Oakland

Office of the City Clerk  
Oakland City Hall,  
1 Frank H. Ogawa Plaza,  
Room 201  
Oakland, California 94612

## Legislation Text

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**File #:** 003590, **Version:** 2

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**Subject:** 2818 Mandela Parkway-Live/Work Project  
**From:** Community and Economic Development Agency  
**Recommendation:** Conduct a Public Hearing and upon conclusion Approve for Final Passage (Second Reading) an Ordinance adjusting the Zoning District Boundary Line for the live/work project located at 2818 Mandela Parkway so that the S-16 Zone (Industrial-Residential Transition Zone) extends over the entire site, consistent with the approved live/work project (AP #007-0587-002-05)  
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AGENDA REPORT  
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**TO:** Office of the City Manager  
**ATTN:** Robert C. Bobb  
**FROM:** Community and Economic Development Agency  
**DATE:** June 10, 2003

**RE: AN ORDINANCE ADJUSTING THE S-16 ZONING DISTRICT BOUNDARY LINE AT 2818 MANDELA PARKWAY**

### SUMMARY

A zoning district boundary line adjustment is requested to extend the S-16 overlay zone to encompass the entirety of a 2.54 acre development site at 2818 Mandela Parkway. Currently, the S-16 zone extends across approximately two-thirds of the site. The Planning Commission has approved a 90 unit Live[Work] facility on this property (Case CMDV03-048). The Planning Commission approved a Conditional Use Permit, Design Review, and Variance on April 2, 2003 and recommended approval of the subject boundary line adjustment. The requested boundary line adjustment will provide the S-16 zoning district over the entire project.

### FISCAL IMPACTS

There are no costs to the City of Oakland associated with this request. Approval of an ordinance adjusting the S-16 zoning district boundary line will allow for the construction of a 90 unit Live[Work] facility on the site, which will provide for construction related employment, and additional real estate tax revenues and business tax revenues upon completion of the project.

### BACKGROUND

In February, the City received applications to develop a 90-unit Live/Work facility on a 2.54 acre site. All of the site has an M-30, General Industrial zoning designation and about two-thirds of the site includes an S-16 zoning district designation. The proposed boundary line adjustment would continue the S-16 designation over the entire site. The S-16 designation is the Industrial-Residential Transition Zone and provides the opportunity to develop new Live/Work facilities in appropriate transitional areas. Without the S-16 zoning designation over the entire site, the proposed project could not continue as planned. Most of the site also has an S-4 Design Review overlay designation.

The site is presently used for container storage and trucking purposes. It contains two structures, roughly 10,000 square feet in size; these buildings would be demolished. The approved site plan shows attached two and three story structures (from 3 to 9 units) in nine

linear clusters. with five drive/access ways between the clusters that would provide access to the garages and exterior parking spaces. One of these accessways would run

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to Ettie, and two would run from Street to Ettie and are proposed in a one way direction. The remaining two driveways are shorter in length and do not run through street to street. One is proposed from 28th Street and one is proposed from Ettie Street. A central walkway runs diagonally down the center of the site providing a landscaped area between clusters of units.

The site is an asymmetrical shape and surrounded on three sides by streets. To the north is an adjacent live/work complex, to the south is 2811 Street, to the east is Ettie Street and to the west is Mandela Parkway.

Surrounding uses include insurance offices and a printing press across Mandela, the Alta Wholesale Building Construction Materials business across Ettie Street and a retail/wholesale use across 28th Street.

The City has been working with Caltrans to finalize the street and median improvements on Mandela Parkway. Construction of these improvements is scheduled to begin this year. The frontage improvements for this segment of Mandela call for a ten foot sidewalk with an additional ten feet devoted to a landscaped strip and pockets for parallel parking. The project plans include the approved Mandela frontage improvements.

#### General Plan Analysis

The project site is designated within the Business Mix area in the General Plan Land Use Diagram. This designation is intended "to create, preserve and enhance areas of the City that are appropriate for a wide variety of businesses and related commercial and industrial establishments." The desired character and uses include a mix of businesses such as light industrial, bioscience, research and development, environmental technology and other uses of a similar business character. Live/work development is designated as a non-residential use so it can be compatible with the Business Mix designation. The General Plan does not specifically allow or disallow new live/work construction in the Business Mix areas; zoning regulations require a Conditional Use Permit to review the appropriateness of the use at a particular site. The proposed project is consistent with the following applicable General Plan objectives and policies:

\* Objective N5 Minimize conflicts between residential and non-residential activities while providing opportunities for residents to live and work at the same location. The proposed project will provide 90 live/work units that are appropriately designed for this transitional area. Specifically, living areas are buffered from the street and work areas are located on the ground floor with convenient access along interior accessways.

a Policy N5.3 Supporting Live/Work Development. The City should support and encourage residents desiring to live and work at the same location where neither the residential use nor the work occupation adversely affects nearby properties or the character of the surrounding area. This project will provide 90 new live/work units

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within an industrial district and as permitted by the S-16 Industrial-Residential Transition zone that covers most of the site.

Objective N9 Promote a strong sense of community within the City of Oakland, and support and enhance the district character of different areas within the city, while promoting linkages between them. The Mandela Parkway is a new arterial linking key areas of West Oakland, the downtown, and important transportation links (West Oakland BART and Interstate 880.) There are important new opportunities to place new development along this corridor, thereby increasing the sense of community and supporting revitalization efforts. Mixed use development, such as the proposed live/work project, is part of building a balanced community that fits within the transition areas between industrial and residential uses.

- Policy I/C1.4 Investing in Economically Distressed Areas of Oakland. Economic investment, consistent with the City's overall economic strategy, should be encouraged, and, where feasible, should promote viable investment in economically distressed areas of the City. This project is sponsored by a private developer who is making a substantial investment in an under-utilized site.

- Objective I/C2 Maximize the usefulness of existing abandoned or underutilized industrial buildings and land. This project will result in the redevelopment of an underutilized industrial site.

Objective I/C3.4 Strengthening Vitality. The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved. This live/work project will provide a good transition between the commercial/industrial uses along Mandela Parkway and the residential uses in the surrounding areas, thereby strengthening both areas.

#### Zoning Analysis

The 2.54 acre site is zoned M-30, General Industrial with two overlay zones: S-4 provides for design review and S-16 is an Industrial-Residential Transition Zone. As previously stated, the S-16 designation extends across about two-thirds of the site. The S-16 zone is intended to provide "a compatible transition between residential and industrial zones by limiting the impacts of new nonresidential development . . . . and provide opportunities for new joint living and working quarters."

The Planning Commission voted to recommend approval of the boundary line adjustment by a 6-0 vote, in order to allow the S- 16 zone to cover the entire site of the approved project.

#### KEY ISSUES AND IMPACTS

##### Positive Aspects of Project

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The project is located on Mandela Parkway, which will be improved by Caltrans beginning later this year. Roadway improvements include wide sidewalks, landscaping, and parallel parking. These improvements will further enhance the entire corridor and complement this type of project. The project presents an important opportunity to use an underutilized site in a transition area and redevelop it with a new live/work community in a scale that will create a positive impact for this portion of Mandela Parkway. The project provides a good transition between the light industrial and residential uses in the neighborhood. It will provide a significant contribution to an improved image and the revitalization along Mandela Parkway. Specifically, the project will provide needed housing in a live/work community whereby most residents do not need to commute to work. This type of community functions as a good small business incubator.

#### Community and Staff Concerns

Those issues that have been raised during the review of the project include the fact that live/work facilities increase the property values in business/light industrial areas; businesses cannot pay as much as live/work uses and business area land may get converted to more residential land use. In addition, in certain areas, large sites on major corridors should be protected and preserved for future retail and business development. Also, residents may complain about adjacent business activities, such as truck traffic or late night loading and unloading.

#### SUSTAINABILITY OPPORTUNITIES

**Economic:** The expanded S-16 zoning boundary will facilitate the development of a 90-unit Live/Work project, resulting in construction jobs, new housing and business stock, and an increased tax base for the City.

**Environment:** Through the City's sustainability programs, assistance and advice is provided to new projects to ensure waste reduction, energy efficiency, and resource conservation. In addition, several conditions of approval imposed by the Planning Commission on the project require specific measures to be satisfied. These include limitations on the amount of waste generated from the demolition of the existing buildings and new construction, a requirement for CarShare participation (minimum 2 vehicles), and measures to minimize construction period noise, air quality, and parking and traffic impacts.

**Social Equity:** Planning requirements, in general, provide opportunities for community input and thereby consider social equity as part of project review as land use regulations are applied city-wide. In the case of this project, a community meeting was held regarding the project on February 1-1, 2003. In addition, the April 2<sup>nd</sup> Planning Commission provided additional opportunity for public input into the project, including the zoning district boundary line adjustment.

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#### DISABILITY AND SENIOR CITIZEN ACCESS

The project will be required to meet applicable Federal and State requirements related to handicap accessibility.

RECOMNILENDATION

Staff concluded that development at this site would be a critical catalyst for revitalization. It is a site between a residential and industrial area; therefore it is a good transition use. Staff recommends that the City Council adopt the ordinance adjusting the boundary line of the S-16 zoning district.

RespectfWly submitted,

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ROBERT C. BOBB, City Manager for the Community  
and Economic Development Agency

APPROVED AND FORWARDED TO THE  
COMMUNITY & ECONOMIC DEVELOPMENT  
COMMITTEE

Prepared by:  
Claudia Cappio, Manager, Major Projects  
Community and Economic Development Agency

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ORDINANCE NO. C.M.SMIVY29 P,41:42

AN ORDINANCE OF THE CITY OF OAKLAND ADJUSTING THE ZONING  
DISTRICT BOUNDARY LINE FOR THE LfveIWORK PROJECT LOCATED AT 2818  
NIA.NDELA PARKWAY SO THAT THE S-16 ZONE (INDUSTRIAL - RESIDENTIAL  
TRANSITION ZONE) EXTENDS OVER THE ENTIRE SITE, CONSISTENT WITH  
THE APPROVED LIVEIWORK PROJECT (AP # 007-0587-002-05)

WHEREAS, on February 4, 2003, the City of Oakland received a series of applications

for a 90 unit live - work project located at 2818 Mandela Parkway, a 2.54 acre site;

WHEREAS, as part of the proposed redevelopment of this site from a trucking and container storage use to a live/work use, the project applicant requested a Zoning Boundary Adjustment (ZBA) that extends the S-16 Zone across the entire project site to allow a live/work project

WHEREAS, on April 2, 2003, the Planning Commission granted a Conditional Use Permit, Design Review and Variance for the live/work project, subject to the ZBA being approved by the City Council, and recommended to the City Council that the ZBA be approved; and

WHEREAS, the Planning Commission found that the rezoning will promote local and regional welfare by allowing a live/work project on this site, thereby contributing to the revitalization of the area and incorporating a development that is compatible with the Mandela Park-way improvements and the mixture of industrial and commercial uses surrounding the site; and

WHEREAS, the Planning Commission further found that this ZBA leaves an appropriate buffer between this site and the surrounding industrial and commercial area, thereby fulfilling the intent of the S- 16 zone to establish a transition area between industrial and residential areas; and

WHEREAS, the Planning Commission further found that the proposed live/work project, by its nature as a primarily commercial use with a secondary residential use is the ideal project within this transition area and that the design and features of this live/work project will provide an integrated development that is of the design quality to aid in revitalization efforts along the Mandela Parkway; and

WHEREAS, the City Council affirms and adopts the Planning Commission's findings and further finds, based in part on the project plans, staff reports and record for the project hereby incorporated by this reference, that the ZBA will promote local and regional welfare and enable the development of a comprehensive, integrated plan; and

WHEREAS, the notice required by section 17.144.OJO has been  
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THE CITY COUNCIL OF THE CITY OF OAKLAND ORDAINS AS FOLLOWS:

Section I City of Oakland's Zoning Map is hereby amended by re-zoning the land in the area shown on the map attached as Exhibit A and incorporated as follows:

FROM: Zone M-30/S-4 (General Industrial/Design Review)  
TO: Zone M-30/S-4/S- 1 6 (General Industrial/Design Review and Industrial - Residential Transition Zone);

The Planning Director shall change the Zoning Map accordingly pursuant to Chapter 17.144 of the Oakland Municipal Code.

Section II: This ordinance, including the re-zone described in Section I above, is based in part on the findings set forth above, the CEQK Findings pertaining to the Infill Exemption are incorporated by this reference.

Section III: Except as specifically set forth herein, this ordinance suspends and supercedes all conflicting resolutions, ordinances, plans, codes, law and regulations.

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Section TV: If any provisions of this ordinance or application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application of provisions to the other persons or circumstances shall not be affected thereby.

Section V: This ordinance shall become effective 30 days after passage and within 15 days of passage shall be published once with the names of the City Council Members voting for and against it in the Oakland Tribune, a newspaper which is published in this City and in Alameda County.

IN COUNCIL. OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES -

NOES -

ABSENT-

ABSTENTION -

ATTEST:

CEDA FLOYD

City Clerk and Clerk of the Council  
of the City of Oakland, California

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AN ORDINANCE OF THE CITY OF OAKLAND ADJUSTING THE ZONING DISTRICT BOUNDARY LINE FOR THE LIVE/WORK PROJECT LOCATED AT 2818 MANDELA PARKWAY SO THAT THE S-16 ZONE (INDUSTRIAL - RESIDENTIAL TRANSITION ZONE) EXTENDS OVER THE ENTIRE SITE, CONSISTENT WITH THE APPROVED LIVEfWOR-K PROJECT (AP # 007-0587-002-05)

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