

ATTACHMENT "C"**COMMUNITY AND ECONOMIC DEVELOPMENT AGENCY
PLANNING AND ZONING DIVISION****DESIGN REVIEW & CEQA FINDINGS****KAISER PERMANENTE PHASE 1 MEDICAL OFFICE BUILDING AND PARKING
GARAGE**

This proposal meets the required findings under Oakland Planning Code 17.136.070 (Design Review Criteria), the required findings under Oakland Planning Code 17.XX.060 for the Kaiser (KX) Zoning criteria and the required findings under Oakland Planning Code 17.158.200 (CEQA Guidelines 15075), as set forth below. Required findings are shown in bold type; explanations as to why these findings can be made are in normal type. The project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in the staff report, the Kaiser OMC Master Plan Project EIR and elsewhere in the record.

Section 17.136.070 (Design Review Criteria):

- 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.**

The proposed project includes a 5-story medical office building and a 3-story parking garage with rooftop parking allowed. These buildings are part of a logically and cohesively planned new Oakland Medical Center Master Plan for the surrounding area, and are consistent with the scale, bulk and height requirements anticipated under that Master Plan. These buildings will also complement the surrounding Broadway commercial corridor in terms of setting, scale, bulk, height, materials and textures.

- 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.**

The proposed building design is consistent with the design requirements defined in the Oakland Medical Center Master Plan. That Master Plan has been found to facilitate neighborhood revitalization and to improve the neighborhood aesthetics in the area of the Medical Center through the creation of a contemporary, architecturally integrated new Medical Center.

- 3. The proposed design will be sensitive to the topography and landscape of the area.**

The project will not affect the topography or landscape of the area. The site is a flat, previously urbanized site. Street trees and other landscaping are proposed along the street frontages and interior courtyards. The previously approved *Glen Echo Creek Restoration, Revegetation, and*

Planting Plan provides for the eastern banks of Glen Echo Creek to be re-contoured and designed to provide greater erosion control and slope stability than the current condition.

4. **That any proposed retaining wall is consistent with the overall building and site design and respects the natural landscape and topography of the site and surrounding areas, and that the retaining wall is responsive to human scale, avoiding large, blank, uninterrupted or un-designed vertical surfaces.**

The proposed project will be located on a flat urbanized site and no retaining walls or large, blank, uninterrupted or un-designed vertical surfaces are proposed as part of the project.

5. **That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable district plan or development control map which has been adopted by the City Council.**

The proposed project is consistent with the General Plan land use designations for the site. The project is consistent with the goals and policies of the Institutional land use designation of the City of Oakland General Plan by helping to create, maintain and enhance an area that is appropriate for health services and medical uses.

The project is consistent with the design requirements of the Kaiser Permanente (KX) Zoning District and the Kaiser Permanente OMC Master Plan, as more fully discussed below.

Section 17.XX.060 (KX Design Review Criteria)

According to the Kaiser Permanente (KX) Zoning Code, Design Review approval may be granted only if the proposal conforms to all of the above criteria, and is also in substantial conformance to the *Kaiser Permanente Oakland Medical Center Master Plan* including without limitation its goals, objectives, principles and guidelines. The *Master Plan* principles and guidelines that are relevant to the Phase 1 Design are listed below.

Kaiser Permanente OMC Master Plan, Principles and Guidelines:

Principle 1.1: Create an architecturally integrated campus.

The architecture and design elements of Phase 1 set the tone for the rest of Oakland Medical Center as it relates to building design, materials, landscaping, lighting and signage. This first phase design establishes a base to which subsequent phases of OMC development will relate to in scale. This Phase 1 building establishes a coherent street edge along Broadway and MacArthur Boulevard to be integrated with as part of subsequent Phase 2 and 3 developments. The Phase 1 buildings will enhance the area, serving as the beginnings of a new attractive campus appropriate to a respected institution in the City.

Principle 1.2: *Buildings should be attractive and well designed and their form, massing, and height should respect the adjoining neighborhoods in terms of size and scale while some flexibility should generally be employed to accommodate necessary medical functions.*

The Phase 1 design is consistent with the overall campus massing concept of locating the most intense activities and concentrated building massing (the 5-story MOB) in the center of the campus at the intersection of Broadway and MacArthur. The mass of the building transitions down to the shorter (3-story) parking garage and to a private open space area. The MOB design employs architectural design elements such as articulation, alternating color schemes and varying materials in order to help break down its scale.

Principle 1.3: *Some flexibility in the future building massing may be required given evolving and varied healthcare demands, while balancing good urban design principles and seeking to minimize impacts on the adjacent neighborhoods.*

The Phase 1 building designs are in accordance with Kaiser Permanente's integrated model of health care delivery. This new building will allow Kaiser to provide uninterrupted operation of service, minimize departmental moves and maintain the continuity of care at the Medical Center during construction.

Principle 2.1: *Create street fronts that promote pedestrian activity.*

The Phase 1 building design does have a main entrance that faces onto Broadway. The glazing façade along Broadway and the street front retail within the parking garage reflect the commercial character of Broadway. The Phase 1 building utilizes setbacks to promote the streetscape activities and provide public open space along MacArthur Boulevard. Along Broadway, the non-mirror reflective glazing maximizes the transparency of the building along this major street. Ground floor active uses such as retail, pharmacy and open corridors are visible from the public street.

Principle 2.2: *Create a walkable environment.*

Open space and sidewalks around the Phase 1 MOB provide for safe pedestrian environments. Street furniture, pedestrian improvements, and other site amenities are accommodated along both Broadway and MacArthur. Curb cuts are minimized to the one garage entrance on Broadway, the loading ramp on MacArthur and one parking garage entrance on 38th Street.

Principle 3.1: *The pedestrian and vehicular circulation plan should address the Oakland Medical Center as a single unit.*

As a Condition of Approval for the Phase 1 Design Review, Kaiser is required to submit a clear and comprehensive campus sign and way-finding Master Plan. This Master Sign Plan is required prior to building permit.

Principle 3.2: *Minimize vehicular conflicts with pedestrians.*

The Phase 1 parking garage provides well defined vehicular entrances for the public and staff on Broadway and 38th Street. The proposed streetscape plan creates a walkable and safe pedestrian

environment along the building and campus edges. Enhanced crosswalks (special paving or striping) are indicated at major intersections for pedestrian safety.

Principle 3.3: When permitted, provide pedestrian bridges that support Kaiser's integrated model of care by linking buildings where medical care is delivered.

No overhead pedestrian bridges are permitted at the Phase 1 site, nor are they proposed to be constructed at the Phase 1 MOB or parking garage.

Principle 4.1: Improve Glen Echo Creek by smoothing the slope and planting native vegetation.

Kaiser's *Creek Restoration, Revegetation, and Planting Plan* was approved by the Planning Commission on 9/06/06, and will restore the daylighted portion of Glen Echo Creek in a more natural state, consistent with the long term Oakland efforts to restore an attractive network of creeks throughout the City.

Principle 4.2: Create inviting outdoor spaces.

The Phase 1 design provides public gathering and seating spaces adjacent to public streets, where they are provided with natural light. Outdoor spaces are included in the Phase 1 design with the Serenity Garden and the streetscape seating areas. New landscape plantings on Broadway and MacArthur will improve the streetscape environment on City streets within the OMC campus. The proposed new street trees would be consistent with, or compatible with the existing trees within the neighborhood.

Principle 5.1: Adequate, appropriately located and signed parking, loading and service areas should be provided.

The amount of parking provided in the Phase 1 parking garage is generally driven by the massing and height of the parking garage. With 2 decks of parking below ground, two stories of parking above the ground floor retail, roof top parking and some parking behind the ground floor retail, the design provides for a total of approximately 520 parking spaces, or about 580 spaces with valet parking. This amount of parking is greater than the projected MOB parking demand of 438 spaces, and provides for making-up of a portion of the parking shortfall that is anticipated when the M/B Center parking is removed.

Subsequent improvement and building permit plans shall demonstrate where the Phase 1 parking garage accommodates designated parking for car pools, staff and visitors.

Vehicular drop off zones, service parking and trucks are separated from pedestrian activity. The proposed drop-off and pick-up area within the garage is designed to be close to the new MOB but outside of the main parking garage circulation path to minimize traffic conflicts. Direct light from cars and interior lighting fixtures is shielded by a solid wall along the rear (Manila side) of the structure. The loading docks and service area is located to the rear of the building and accessed from MacArthur Boulevard.

Principle 5.2: *Parking garages should respect the adjoining neighborhoods in terms of size and scale, while some flexibility should generally be acknowledged in order to accommodate necessary parking demands.*

The height of the proposed Phase 1 parking garage is consistent with the approved Master Plan and zoning requirements. The parking garage does have architecturally interesting elements such as modulated horizontal and vertical openings along Broadway, and landscape areas and vine screens to help breakdown its scale and buffer the adjacent residences. Retail uses are included at the street level of the new parking garage.

Principle 6.1: *Sustainable design elements and features should be incorporated.*

The previously approved *Creek Restoration, Revegetation, and Planting Plan* will restore to a more natural condition the daylighted portion of Glen Echo Creek that is located within the Oakland Medical Center. Native plants will be used for landscaping within the Creek area and the proposed grass-covered mounds within the MacArthur landscaping plan would use the topography to disperse storm water through these biological filters for filtration and irrigation. This area provides a permeable site surfaces to also reduce surface runoff.

Guideline 7.1.1: *The KX-1 District should be anchored by a medical office building located at the corner of Broadway and MacArthur, with associated parking.*

The proposed medical office building is located at the corner of Broadway and MacArthur and does have an associated parking garage.

Guideline 7.1.2: *Ground floor retail uses shall be included in any new building or parking structure.*

Approximately 7,700 square feet of new, ground floor retail use is included in the design of the Phase 1 parking garage, fronting along Broadway from the 38th Street corner to the parking garage entrance.

Guideline 7.1.3: *The eastern bank of Echo Creek should be re-contoured for greater slope stability.*

Detailed design plans for Glen Echo Creek as included in the approved *Creek Restoration, Revegetation, and Planting Plan* indicate that the eastern banks of Glen Echo Creek will be re-contoured and designed to provide greater erosion control and slope stability than the current condition.

Guideline 7.1.4: *The daylighted portion of Glen Echo Creek should be restored with native vegetation.*

Kaiser's *Creek Restoration, Revegetation, and Planting Plan* includes a landscaping plan which shows the landscape pallet to be all of native vegetation species.

Guideline 7.2.1: *At a minimum, any parking facility shall be capable of meeting the parking needs associated with the programmed use of the 165,000*

square foot West Broadway Medical Office Building (estimated at approximately 438 spaces).

The proposed parking garage has been designed to accommodate a total of 583 parking spaces with valet parking (520 spaces without valet). This includes the following:

- 298 staff parking
- 176 patient parking
- 46 handicapped parking (including 10 van spaces)
- 63 valet parking spaces on the at-grade and below-grade levels, valet to be used at least through to construction of the Phase 2 garage

583 Total Spaces

Guideline 7.2.2: Consideration shall be given to combining the design of the medical office building and the parking garage into one integrated building. Whether an integrated building or freestanding parking garage, street-level retail use shall be included along as much of the Broadway frontage as possible. The street level retail use shall be included in the design and construction of Phase 1 and the space shall be actively marketed by Kaiser.

Consideration has been given to the design of an integrated building. As part of their July 5th presentation to the Design Review Committee, Kaiser provided a detailed analysis that considered the benefits of a medical office building with an associated, free-standing parking garage as compared to the design of a more integrated building. Kaiser's conclusion was that the benefits of an integrated design did not outweigh the operational and functional advantages of the non-integrated design, and therefore an integrated design was not feasible. The function of the building as a medical office space associated with a hospital is paramount over integrated building concepts, if such concepts are not feasible.

Street level retail use is integrated into the design of the parking structure.

Guideline 7.2.3: If a free-standing parking garage is determined acceptable during Design Review, the parking structure should be designed to incorporate the following:

- a. The parking structure shall be set back from the face of the Medical Office Building by at least 3 feet.***
- b. There may be 2 stories of parking above the retail ground floor (3 decks of parking above retail with rooftop parking).***
- c. Rooftop parking shall include a wall or solid barricade of 4 feet in height (or no higher than the headlights of a Sports Utility Vehicle)***

There are three separate planes, or surfaces along the face of the MOB; the recessed glass primary façade, the projecting glass corner (approximately 2-feet out from the primary façade) and the solid staircase face (approximately 5-feet out from the primary façade). The parking garage is set back by at least three feet from the nearest outer edge of the MOB, which is the solid staircase facade. The parking garage is also separated from the MOB through the use of substantially different colors and patterns, as well as a vine screen covering over a connecting stairway.

The design provides for 2 stories of parking above the retail ground floor with parking on the rooftop. The rooftop parking has a solid stucco and/or concrete wall that rises approximately 4 feet in height from the rooftop parking deck.

Guideline 7.2.4: *The design of any parking facility at this location should seek to maximize underground parking, providing no less than 2 decks below ground.*

The parking garage is designed to provide for 2 levels of underground parking.

Guideline 7.2.5: *The design for the parking facility associated with the new Broadway medical office building shall provide for safe and efficient vehicular and pedestrian movements at the Broadway entrance. Design options may include:*

- a. The driveway onto Broadway could be un-signalized and left-turns out of the driveway would then be prohibited, or*
- b. The driveway on Broadway could be signalized so all vehicle movements would be allowed at the intersection, or*
- c. Broadway could have a continuous median adjacent to the West Broadway Garage, so that vehicle movement at the driveway would be limited to right-in/right-out only.*

As a Condition of Approval for this Phase 1 building and parking garage the final design plan for the parking garage entrance shall be determined. The City shall require that the final design be resolved prior to approval of final Public Improvement Plans (P-Job) for the site. The design as currently shown would enable either Option A (a signalized intersection accommodating all turning movements) or Option B (an unsignalized left turn into the garage but left turns out prohibited). Option C could also be accommodated with construction of a full median across the intersection prohibiting all left turns.

The Kaiser Permanente OMC Master Plan Project EIR evaluated each of these three intersection design alternatives and concluded that:

- Option A would more easily accommodate traffic on the side streets and driveway approach, and would provide the best pedestrian access and safety. However, it would increase the number of signals along Broadway with potentially not adequate spacing between signals at MacArthur and 38th Street.
- Option B would improve travel times on Broadway without the stop signal. However, it would result in an unprotected left turn across Broadway into the parking garage, would provide poorer pedestrian access and could result in diversion of outbound traffic into adjacent neighborhoods (traffic seeking to travel northbound on Broadway).
- Option C would provide the most improved vehicular travel along Broadway with no conflicting left turns allowed. However, it would not provide for any authorized pedestrian access and could result in greater diversion of traffic into adjacent neighborhoods as they seek alternative (non-left turn) routes into the garage.

Section 17.158.200 (California Environmental Quality Act Guidelines 15075)

The Oakland City Planning Commission, acting as Lead Agency under CEQA, certified the EIR for the Kaiser Permanente OMC Master Plan Project on June 7th.

- On June 27th the Oakland City Council and Oakland Redevelopment Agency adopted the Planning Commission's CEQA findings and approved a General Plan amendment and a Redevelopment Plan amendment. A Notice of Determination was filed for these actions on June 30, 2006.
- On July 18th the Oakland City Council and Oakland Redevelopment Agency reviewed, considered and relied upon the previously certified EIR to approve the rezoning and adopt the Kaiser OMC Master Plan. A Notice of Determination was filed for these actions on July 19, 2006.

In taking action on the Design Review application the Planning Commission has reviewed, considered and relied upon the previously certified EIR; and hereby finds that this Design Review application is within the scope of the previously approved EIR for the project, that the previous EIR adequately describes the currently sought approvals for purposes of CEQA, and that no change has occurred that requires preparation of a subsequent or supplemental EIR pursuant to CEQA Guidelines Section 15162 et.seq.