

### Category III

## FINDINGS REQUIRED FOR THE DEMOLITION OF HISTORIC PROPERTIES

This handout contains the findings required to be met to approve a Regular Design Review application to demolish a historic structure in the City of Oakland. These findings are required by Section 17.136.075 of the Planning Code. All other regulations, including analysis required under the California Environmental Quality Act, apply.

The handout also describes the items required to be submitted with the design review application. The goal of the required submittals is to assist staff in evaluating whether a project meets the findings required to demolish a building. The submittals may consist of economic and financial analyses, informational reports, and/or “discussion points” required to be addressed within a design or historic analysis of a project. The submittals are not criteria for whether a demolition can or cannot occur; they are only the information required by the City to make a determination as to whether an application meets the required findings for demolition. Further, the required submittals are not meant to discourage either contemporary or historicist architecture in new construction. The Planning Director can, from time to time, make modifications to the required submittals if they are consistent with the intent of the proposed requirements.

All reports required for the demolition findings must be prepared by independent third party consultants or be peer reviewed. Reports will be paid for by the applicant and consultant shall be approved by, and report to, the City. All applicable discussion points shall be taken into account when making a finding. If a point is not applicable, the analysis shall state why. Any submittal may also include attributes that support the demolition proposal and/or the replacement project.

A complete application for demolition of historic property includes following:

- A completed application for Regular Design Review.
- A description of how a project meets the findings described in this form.
- The required submittals described in this form.
- A complete application for the replacement project, including plans designed by a licensed architect.

Different findings are required for the demolition of three categories of historic structures::

- **Category I** includes any Landmark; Heritage Property; property rated “A” or “B” by the Oakland Cultural Heritage Survey; or Preservation Study List Property. This category excludes any property that falls into Category II.
- **Category II** includes properties in an S-7 or S-20 zone or an Area of Primary Importance. Any building, including those that do not contribute to the historic quality of the district, fall into this category.
- **Category III** includes properties rated “C” by the Oakland Cultural Heritage Survey or contributors to an Area of Secondary Importance. This category excludes any property that falls into Category II.

Please call the Oakland Cultural Heritage Survey at (510)238-6879 to determine if a property falls into any of the three categories described above.



# CITY OF OAKLAND

## DEMOLITION FINDINGS FOR

### CATEGORY III HISTORIC PROPERTIES

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The following findings are required to be met to demolish a Category III Historic Structure. This category includes properties rated “C” or that are contributors to an Area of Secondary Importance as defined by the Oakland Cultural Heritage Survey. This category excludes any properties contained in Category II, such as buildings that contribute to an Area of Primary Importance, S-7 zone, or S-20 zone.

A proposal to demolish a Category III historic resource must meet one of the three of the findings described below. Please indicate how the proposed demolition meets the required finding(s) and include all the applicable corresponding submittal materials.

The submittals and discussion points for Category III are for guidance to the applicant and staff. These submittal requirements may be modified on a case-by-case basis by the Planning Director depending on the content of a particular proposal.

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**Finding 1:** The design quality of the proposed replacement project is at least equal to that of the original structure and the proposed replacement project is compatible with the character of the neighborhood.

**Finding 1 submittal requirements:**

Analysis of 'equal quality' and compatibility prepared by historic architect, or professional with equivalent experience. This analysis should include:

1. A discussion of design quality in terms of: visual or design value; quality of surface materials; quality of detailing; composition; construction detail; and architectural integrity.
  2. For proposals in an ASI, the analysis should compare the integrity of the ASI with the proposal to the integrity of the ASI with the structure proposed for demolition. This analysis should include a discussion of consistency with street frontage patterns, fenestration patterns, contribution to the visual quality of the district, and cohesiveness of the district.
  3. A discussion of the historic significance of structure proposed for demolition.
  4. A discussion of whether incorporation of the historic structure into the proposal will result in a project that has a design quality that is least equal or better than the original structure.
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**Finding 2:** The public benefits of the proposed replacement project outweigh the benefit of retaining the original structure.

**Finding 2 submittal requirements:**

The analysis should include a discussion of the benefits of the replacement structure and the existing historic structure, prepared by appropriate qualified consultants such an economist, realtor with experience in evaluating both new and historic structures. The analysis should include a discussion of the following topics, as applicable:

1. Civic, community, and neighborhood identity;

2. The economy, including the City's tourism industry and the local commercial district. This includes the number of post construction jobs provided.
  3. The services provided to the community, including social services;
  4. Fulfilling the intent of (1) the Land Use and Transportation Element of the General Plan for the area and (2) other General Plan policies, as applicable.
  5. Housing opportunities;
  6. Cultural heritage and the image of the City and local neighborhood; and
  7. Educational opportunities and cultural resources regarding architectural and local history.
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**Finding 3: The existing design is undistinguished and does not warrant retention and the proposed design is compatible with the character of the neighborhood.**

**Finding 3 submittal requirements:**

1. The submittal shall include an analysis, to be reviewed by the Oakland Cultural Heritage Survey, to determine if the building is "of no particular interest" as defined by the Historic Preservation Element survey evaluation methods and criteria. If the applicant submits a claim that the structure proposed for demolition is of "no particular interest", then the applicant may provide material such as photos, written analysis or expert opinion that provides evidence that the building should be so rated.
2. Analysis of 'compatibility with the neighborhood' prepared by historic architect (see discussion point 2. for Finding 1, above).