

**MINUTES**

**LANDMARKS PRESERVATION  
ADVISORY BOARD  
OAKLAND, CA 94612**

**LANDMARKS PRESERVATION  
ADVISORY BOARD MEMBERS:**

**Christopher Andrews, Chair  
Peter Birkholz, Vice-Chair  
Stafford Buckley  
Eleanor Casson  
Frank Flores  
Nenna Joiner**

**February 22, 2016  
  
Special Meeting 6 PM  
City Hall, Sgt. Mark Dunakin  
Hearing Room 1  
1 Frank H. Ogawa Plaza  
Oakland, California 94612**

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**A. ROLL CALL**

**Board Members present: Andrews, Birkholz, Casson, Flores, Joiner  
Staff Absent: Buckley (excused absence)  
Staff present: Betty Marvin, La Tisha Russell**

Newly appointed **Board member Nenna Joiner** was introduced. She has considerable knowledge of Oakland and its social history. She worked with Betty on a West Oakland tour in 2013. As the owner of Feelmore at 1703 Telegraph, she became interested in Oakland’s historic red light district. She was previously on the Measure Y Board and says she’s glad to be on the LPAB and looking forward to learning more about Oakland’s history.

**B. OPEN FORUM – Amelia S. Marshall, Oakland Heritage Alliance (OHA), Laurel resident for 25 years** – has concerns on behalf of herself, fellow OHA board members, local historians and Laurel district neighbors regarding premature approval of plans to demolish the historic Laurel Theater at 3814 MacArthur Blvd. The developers were told to post notice that the building is available for moving but nobody is going to move a two story movie theater. The council member did meet with some of the local business people but the preservation community did not get any notice until the plan had been green lighted. LPAB should use their influence to provide a public forum to receive accurate information about what it would take or how much would it cost to preserve preserving this building which has historic value.

**Annalee Allen, Oakland Urban Paths and Oakland Tours** – announced two walking tours sponsored by Oakland Urban Paths. Saturday, February 27 @ 10am will be the New Era, New Politics tour for Black History Month. The group will meet in front of the African American Museum & Library at 659-14th Street. The tour will last 90 minutes. On Saturday, March 19 @ 10am will be the Women’s History Tour co-led by Ms. Allen and Gene Anderson of Urban Paths. The group will meet at the Camron- Stanford House at the edge of Lake Merritt and after the tour there will be a reception at the Joyce Gordon Gallery at 416 14th Street. The group will have an opportunity to see the quilts on display by the African American Quilters Guild of Oakland. Some of the quilts are on display outside the Council Chambers in City Hall until the end of February and will move to the Joyce Gordon Gallery in March.

Ms. Allen will return to LPAB in March or April to discuss and get support for the re-dedication of the Jack London Oak Tree in front of City Hall, planted in 1917, to commemorate London's death 100 years ago. Says she's working with the Jack London State Park in Glen Ellen and the Alameda County Historical Society. The California Writers Club is having a series of lectures, programs and walking tours, and numerous other organizations are taking part in the memorial.

**Naomi Schiff, Oakland Heritage Alliance (OHA)** – said she wanted to make a pitch for the mid-century, the 1950s and 60s, regarding neon signs that are being taken down. Oakland has a lot of remnant retail structures including the much discussed Biff's, and we're losing them. The Kwik Way sign was taken down and replaced by Merritt Bakery. The sign is being taken care of by Neon Works, so it's recoverable; it would be nice to keep that 50s theme along Lake Park. LPAB should request information from that property owner about what is going on. Who on staff approved this? This is a very well known neon feature. Could this Board instruct staff to secure the sign, make sure it survives since it is old enough now to be considered historic?

### **BOARD COMMENTS/QUESTIONS**

**Chair Andrews** – was concerned about the demolition of the Laurel Theater and how the LPAB was not notified of the demolition findings. Also asked about the signage issue, what is the process for historic signage and is it part of the LPAB review.

**Vice-chair Birkholz** – wanted to know what types of projects do come to the LPAB. He noticed on upper Broadway where the old Firestone building became CVS Pharmacy. That was a project that should have come to us (LPAB) and it didn't.

**Board member Flores** – has noticed signs around town that are even older than the mid-century ones that should come our way. The Kwik Way sign was right on the verge of that age and should have come to the LPAB so we could have weighed in or at least talked to the new owners to see if the sign could be incorporated into the new project.

**Board member Joiner** – this would be an opportunity to add this on to the Planning process. On the application for a new sign, this question could be added, "what is the age of the existing sign" which then could come to the Board for discussion.

**Marvin** – if something comes in to the counter with a PDHP rating or looks interesting, I usually get a phone call. Survey ratings are complex. Every rating consists of 3 or 4 parts: existing rating, contingency rating, and district status. For example, the Laurel Theater had been stripped of signs and details and changed use when it was seen by the field survey and rated "Db" – something of "major importance" (B) but extensively altered. The first letter of a rating is not the whole story. But things with contingency ratings tend to fall through the cracks.

As to the neon sign, it was not separately rated, and had in fact been re-lettered at least three times. The Small Project Design Review guidelines set out a hierarchy of construction materials and workmanship, and I had conversations with the applicant early on about somehow adding "Merritt Bakery" to the existing neon. *[PS: They reused the somewhat Googie Merritt Bakery sign from East 18th Street.]*

Given the number of applications that come in all day and the frequency with which this Board meets, the feasibility of bringing everything affecting PDHPs and old signs here is a little doubtful. The Laurel Theater can be placed on the next LPAB agenda for discussion.

**Ms. Marshall** – asked to make a clarification on the Laurel Theater item. Council member Anne Campbell-Washington and her staff met with the Davita Dialysis developer and they wanted to put up their standard one-story shopping mall box which in no way is superior to what they want to demolish. A two-story compromise was crafted with retail units on the ground floor. However, the owner of the adjoining building was not notified and everything has been pushed through.

C. **APPROVAL OF MINUTES** of February 22, 2016 – moved by Flores, seconded by Casson, approved unanimously (Andrews, Joiner abstained)

D. **LANDMARK OF THE MONTH** or other features of interest

1. **Landmark of the Month** – none
2. **Study of Preservation Element** (adopted goal for 2015): postponed

E. **NEW BUSINESS**

1. **Henry J. Kaiser Convention Center and Calvin Simmons Theater (Oakland Municipal Auditorium, 1913-15, City Landmark LM79-40)**. Informational presentation, Kelley Kahn, project manager: Recap of building tour with Orton Development, the firm selected by the City Council to enter into negotiations with the City for rehabilitation and adaptive reuse of the Henry J. Kaiser Convention Center (HJK).

**Kelley Kahn, Economic and Workforce Development, Project Manager** – gave a PowerPoint presentation on the project and a report on the tour that was offered at HJK for the LPAB members and the public. She gave a brief overview of what was seen on the tour and where the project stands and introduced the development partners, Orton Development, and their architect, Heller Manus. This item was presented to the LPAB last year when the Request for Proposals was first released to find a development partner for the building. Now that the City has a signed negotiating agreement with the developers, she felt it was time to come back and re-introduce the building and the team. All of this is in anticipation of the entitlement process, starting in the Summer/Fall of 2016, at which time the LPAB will be included in all the design review meetings.

A little history was given on the Auditorium. The building was completed in 1914 and was renamed for Henry J. Kaiser in the 1980s following partial seismic improvements. The building itself is a City of Oakland Landmark and has a Survey rating of A1+, the highest possible. It's surrounded by a host of distinguished buildings and scenery in the area: the Oakland Museum of California, Laney College, the Oakland Unified School District Administration building, beautiful Lake Merritt, and is two blocks from Lake Merritt BART. The building is 215,000 square feet, four floors and full basement, classic simple massing, and Beaux-Arts ornamental detail. It closed in 2005 and was red-tagged by the City's Fire Marshal. It costs the City approx. \$15,000 monthly for security costs due to continuing break-ins.

Some of the spaces seen on the tour were the Calvin Simmons Theater, named after the first Afro-American conductor of the Oakland Symphony, the Arena, which had a wide range of uses, and three ballrooms including the Olympic and the Gold Room. Some spaces were not accessible due to no electricity and safety reasons.

The Request for Proposals' (RFP's) key goals were to find an operator who could restore, rehabilitate and operate the entire building on a lease with the City, create a financially feasible project, return the Calvin Simmons to a performing arts venue, ensure the building and grounds are publicly accessible,

and knit together surrounding uses in the district. The Exclusive Negotiating Agreement (ENA) was authorized by the City Council. The team has 12-18 months to draft a project and at the end of the ENA term, to move forward with a lease or not. The developer would be tenants of the City and able to lease to other tenants, the City *is not* selling the building.

In the exclusive negotiating period, Orton's obligations include: conduct due diligence and feasibility studies, undertake community outreach, update the City Council, begin entitlement and CEQA process, initiate discussions with SHPO and NPS, and negotiate terms regarding rent, community benefits, City participation, and uses. The anticipated schedule for this phase is April through December 2016.

**Carol Bradley, Project Manager, Orton Development** – described their many community outreach events, from individual meetings to small groups. Their team has spoken to over 100 people at these meetings, which Ms. Bradley says helps to drive their design. They have upcoming meetings in March, inviting the LPAB to attend, and will continue to refine their design as they speak to the community.

**Clark Manus, Heller Manus Architects** – 30 year home owner in the Lake Shore district, finds the project incredibly exciting in terms of what it can offer the City. Described the remarkable work Orton Development has done on both the Ford Building and Pier 70, and the work of his firm, Heller Manus, on San Francisco City Hall, saying they have a feel for creating a landmark character that has long term vibrancy. He spoke about the importance of external relationships with the surrounding buildings, such as coordinating with Walter Hood's work at the Oakland Museum. He also wants to make the Lake Merritt Amphitheater that sits directly across from HJK more pedestrian accessible and friendly.

He presented images of HJK, both internal and external, and the work that needs to be. The team wants to create a pedestrian zone on the right side of arena, vehicular access in the front and left side of the theater, a park-let directly in front of the building with a view of Lake Merritt, restore the theater, add some sculptural art, put in vertical circulation, and include commercial and retail usage, perhaps in the arena. The team will also comply fully the Americans with Disabilities Act (ADA), Code Compliance regulations, and other life safety provisions, so the building will be structurally safe.

### **BOARD COMMENTS/QUESTIONS**

**Flores** – asked if the basement will be used for parking and is the team exploring the 20% tax credit.

**Applicant** – basement too expensive for parking, looking for other uses and yes to the tax credit.

**Birkholz** – is there a requirement for parking or is it just something that makes the project feasible? My concern is that you're showing the pedestrian plaza next to the Calder niches, in the shade - if you could pull the plaza farther north into the parking area, it would be nicer. Also asked about the boundary between the stage and the arena, there was an issue with the backstage not being deep enough.

**Applicant** – parking lot stays as is and will be made more pedestrian friendly. Because of a concrete shear wall inserted in the 1980s, the theater and arena became "two faulty venues" - the front part of the theater is fine but the backstage part of it is useless.

**Flores** asked about the proposal to add windows along 10th Street in relation to the historic tax credits.

**Applicants** replied that the alteration could be made reversible project meets the criteria of "transparency, purpose and reversibility."

**Andrews** asked about funding during the Exclusive Negotiating period; **Kahn** said there was Redevelopment money left for the Calvin Simmons, and other costs would be borne by the applicant.

2.	<b>Location:</b>	<b>4th &amp; Madison Streets</b> <b>(APN: 001-0161-001-00; -002-00; &amp; -007-07)</b>
	<b>Proposal:</b>	Demolish the existing building and surface parking lot and construct approximately 330 dwelling units and approximately 5,000 square feet of ground floor commercial in two buildings on two sites across the street from one another. The site includes the entire block between Jackson, Madison, 4th and 5th Streets, and half of the block to the south bounded by 3rd, 4th, Jackson and Madison Streets.
	<b>Applicant:</b>	Carmel Partners
	<b>Contact Person/Phone Number:</b>	Greg Pasquali - (415)231-0221
	<b>Owner:</b>	Square 1 LLC
	<b>Case File Number:</b>	<b>ER15-005 &amp; PLN15-172</b>
	<b>Planning Permits Required:</b>	Regular Design Review for New Construction, Major Conditional Use permit to allow parking within 75 feet of the project street frontage, and Tentative Parcel Map for new condominiums.
	<b>General Plan:</b>	Estuary Policy Plan – Mixed Use District
	<b>Zoning:</b>	C-45, Community Shopping Commercial Zone
	<b>Environmental Determination:</b>	Draft Environmental Impact Report was published for a 45-day review period from August 11, 2015 to September 25, 2015. The Final Environmental Impact Report was published Feb. 11, 2016.
	<b>Historic Status:</b>	Contributor to Waterfront Warehouse National Register district; OCHS: Dc3
	<b>Service Delivery District:</b>	Metro
	<b>City Council District:</b>	3
	<b>Action to be Taken:</b>	Receive public comments and Landmarks Preservation Advisory Board recommendation to the Planning Commission on the cultural resource-related design and environmental review issues associated with the Project
	<b>For Further Information:</b>	Contact case planner <b>Peterson Z. Vollmann</b> at <b>(510) 238-6167</b> or by email: <a href="mailto:pvollmann@oaklandnet.com">pvollmann@oaklandnet.com</a> .

**Pete Vollmann, Case Planner** – gave an update on the project at 4th and Madison and summarized the staff report. The applicant, Carmel Partners, has applied to construct two buildings on two sites, across the street from each other, totaling 330 units and approximately 5,000sf of ground floor commercial. The proposal would include the demolition of the existing Cost Plus building which is a contributor to the Waterfront Warehouse National Register district.

A LPAB subcommittee had met and worked on the design of the new project with the architect and developer. The Board’s task at this meeting was to review the demolition findings and the revised historic mitigation measures for demolition of the building which will result in a “significant and unavoidable” impact on the environment. Based on Landmarks and Planning Commission comments, the mitigation modifications were as follows: payment to the Jack London Improvement District (JLID) increased to \$25,000 due to the current state of the historic markers program, to provide more assistance in restoring them; \$318,000 to the Façade Improvement program, initially giving priority to work within the district, which might include salvage and re-use of the vertical pilasters from the existing building.

**Greg Pasquali, Carmel Partners** – said the work with subcommittee members Birkholz and Flores had made the design “more deferential to the historic district.” They went on a walking tour of the district to identify character defining elements and make a comparison chart for their proposed building. As a result they reduced the balconies to make the building “more monolithic,” eliminated the “Hardie-panel super bays” on 5th Street, changed the cornice, and focused the “interventions of modernism” at the corner of 4th and Madison facing out of the district.

**PUBLIC COMMENTS**

**Naomi Schiff, Oakland Heritage Alliance** – questioned the use of Category 3 demolition findings, noted that mitigation formulas need to be adjusted for inflation, and called the new design “fad-like.”

**BOARD DISCUSSION**

**Birkholz** wondered if removing such a large site could get the district de-listed, as had happened in Santa Cruz after the 1989 earthquake. The district is being nibbled away. **Michael Hibma, LSA Associates**, historic consultant for the EIR, said the effect would be hard to quantify; the district would decrease from 23 contributors to 22, but this site was located at the edge of the district and the existing building was “not strong in expressing the district’s character-defining features.” **Birkholz** concurred with Schiff’s comments about the stronger Category 2 demolition findings and addressing inflation by tying mitigations to the Consumer Price Index or project cost. Facade Improvement money might help the low-rise 4th-Alice-Harrison block avoid demolition. (Owners have to apply for facade grants.)

**Casson** moved that the Board request that the Planning Commission direct staff to explore updating the formula for monetary mitigations to account for inflation. **Flores** seconded, carried unanimously.

**Birkholz** moved to ask the Planning Commission to request Category 2 instead of Category 3 demolition findings, since the building is a National Register contributor. **Vollmann** said the findings reference Survey status, and the building was not in the Survey’s “Area of Primary Importance.” **Birkholz** revised the motion to request revision of the definition in the demolition findings to include National Register – seconded by **Flores**, carried unanimously.

**Birkholz, Flores, and Andrews** commented that the new design had improved, though there were still reservations about “boxes stuck on” and painted metal vs. weathered steel. **Joiner** asked what defines a good new design in view of the Board’s charge, i.e. preservation, and what can we do if “all these buildings start to look alike”? **Flores** agreed that “Emeryville is replicating itself building by building”; this project was a good “new warehouse building” in its use of lots of hard industrial materials.

F. **OLD BUSINESS** - None

G. **BOARD REPORTS** – Board members returned to discussion of historic signs and Kwik Way, and requested investigation of adding a question about existing signs to the Zoning application form.

H. **SUB-COMMITTEE REPORTS** - None

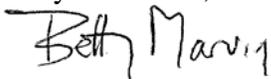
I. **ANNOUNCEMENTS** - None

J. **SECRETARY REPORTS** - Marvin repeated the request for information on 2014-15 training for the Certified Local Government report, announced upcoming training opportunities, and reminded Board members about April 1 deadline for submitting FPPC Form 700.

K. **UPCOMING** – Downtown Plan, March

L. **ADJOURNMENT** – 8:19 pm.

Minutes prepared by La Tisha Russell and Betty Marvin  
Respectfully submitted,



Betty Marvin, Historic Preservation Planner