

**MINUTES**

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

**LANDMARKS PRESERVATION  
ADVISORY BOARD MEMBERS:**

**Peter Birkholz, Chair  
Stafford Buckley, Vice-Chair  
Christopher Andrews  
Nenna Joiner  
Klara Komorus  
Vince Sugrue**

**2/5/2018  
  
Regular Meeting 6 PM  
City Hall, Council Chambers  
  
1 Frank H. Ogawa Plaza  
Oakland, California 94612**

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**A. ROLL CALL**

**Board Members present: Andrews, Birkholz, Buckley, Joiner, Komorous, Sugrue  
Staff present: Betty Marvin, Jonathan Arnold**

**B. OPEN FORUM– Naomi Schiff, Oakland Heritage Alliance (OHA) – reported on a site visit attended by herself, Betty Marvin, a historic architect, personnel from both Public Works and Parks & Recreation on the deteriorating conditions of the J. Mora Moss Cottage in Mosswood Park. The ‘Cottage’ is not occupied or used at this present time. Ms. Schiff requested that the LPAB put this issue on their agenda and report on the situation there and weigh in as the representative of the City, which is under its General Plan, to maintain its historical buildings. Ms. Schiff commented that this is an important and valuable piece of property that should be fixed and used in its current location, such as De Fremery House, an important focus in the middle of the heavily used De Fremery Park in West Oakland.**

**Daniel Levy – Oakland Heritage Alliance (OHA) – wanted to make sure the LPAB received a letter that was sent out earlier regarding the changes Cal Trans plans to make on the Posey Tube Access Project. Mr. Levy asked if the LPAB could have Cal Trans come in and make a presentation to the Board on what they’re planning to do; which is to make extensive changes to the Oakland side of the tube. Says it would be great if Cal Trans and the LPAB can talk, get more of the community involved and reach some alignment.**

**Marcus Johnson – Property Manager of the 16<sup>th</sup> Street Train Station - Mr. Johnson came to the meeting to say ‘hello’ to the Board and reiterate he hopes of becoming a Board member for the LPAB. Says he has worked in the Development Industry for 12 years, 10 of those years as the Property Manager for the ‘Station’ which is also an Historic Landmark.**

**Board member Birkholz - suggested that these items or any motions the Board may make, be done during New Business.**

**C. APPROVAL OF MINUTES – approval of minutes for August 14, 2017, moved by Board member Sugrue, seconded by Birkholz, motion passes, minutes approved with no comments.**

**D. WRITTEN CORRESPONDENCE** – letters about the Posey Tube Project was orally presented by Daniel Levy of the OHA; letters regarding the East Line Project were presented in the LPAB packet.

**E. INFORMATIONAL PRESENTATIONS – Henry J. Kaiser Civic Auditorium Project Updates, presented by Planner Catherine Payne with Orton Development Company and Project Sponsor: Jens Hillmer, Economic Development, City of Oakland.**

**Catherine Payne, Planner** – gave some background information about the Oakland Municipal Auditorium also known as the Henry J. Kaiser Convention Center. The site is a five acre parcel, located in a grouping of civic and historic facilities including the Oakland Museum, Laney College, the Alameda County Courthouse and the Fire Alarm Building. The Auditorium is owned by the City and is a City Landmark, Ord. 9746, 4/3/1979. The Auditorium, which has been closed since 2005, has approximately 215,000 sq. feet of floor area, a 6,000 seat Arena and the 1,900 seat Calvin Simmons Theater. It has banquet and ballrooms as well as basement, and office and restroom space throughout the building. The most notable Beaux-Arts features about the building are the seven arched niches facing Lake Merritt with sculptural relief by Alexander Stirling Calder.

The City and Orton Development are in an exclusive negotiating period for a long-term lease to preserve, re-activate and establish the building as a destination for entertainment, education, a cultural hub to the neighborhood and provide a welcoming presence. These goals for the project were expressed in the RFP (Request for Proposals), which in turn led to this final ENA (Exclusive Negotiating Agreement).

**Carol Bradley, Exterior Project Manager, Orton Development** – introduced the team from Orton; David Dial, Interior Project Manager; Walter Hood, Landscape Architect; Clark Manus, architect; Mark Colbert, Preservation Architect.

**Mark Hulbert, Preservation Architect, Orton Develop.** – gave a PowerPoint presentation on the significance of the interior and exterior historic fabric of the Auditorium. Orton is in its tax credit application process right now and has an obligation to put it on the National Register. They've been through Part One of the process which determines the property eligible for that status.

**David Dial, Interior Project Manager, Orton Develop.** –spoke about the proposed changes to the interior of the building starting with the Arena, which included removal of some upper seating to expand the second floor mezzanine and installation of a northern skylight. Changes to the theater would be to modify the orchestra pit with flexible seating and the addition of loge box seating. The Ballroom and the Gold Room would essentially remain the same.

**Carol Bradley** – the proposed changes to the exterior will be a new lakeside porch, symmetrically placed glass enclosures, changes to the ramps and stairs for ADA (Americans with Disabilities Act) accessibility and a re-addition of the 'Marquee' that was formerly on the building.

**Walter Hood, Landscape Architect, Orton Develop.** –spoke about plans to make the building more inviting to the public, tying both the front and back of the Arena together to make it equally accessible. They would like to make the parking lot into a plaza, creating more space for events, with an elevated porch on the north side with ramps on each corner for ADA accessibility, and remove the trees to make the niches more visible. On the 10th Street side, a new entry plaza with a window is proposed. Cars would have a controlled entry on the estuary side, a walkway connecting the Museum and the Arena would create a new promenade. Materials included glass railings with decorative detailing and banding for the diagonal parking. Along 10th Street, a very simple streetscape, a central entry way with ADA ramps and a

suggestion of growing vines on the back side, which Mr. Hood stated ‘are really great for historical buildings’.

**Carol Bradley** – talked about the next steps to the project; Orton has submitted Part 2 of the tax credit proposal, waiting for SHPO feedback, working on CEQA, waiting for City Council approval by June 2018 and will start construction by the end of summer. Construction should take about 18 months.

### **BOARD COMMENTS/QUESTIONS**

**Board member Joiner** – on the Tax Credit application and the building being recognized as National Register eligible, is this something Orton is doing on its own, or something we (LPAB) suggested? **Bradley** – to receive the Tax Credit, it must be listed. **Board member Sugrue** – concerned about the stairs element and is the new design going to reflect a classical look to the building? **Bradley** – the issue with the building is that it sinks. Each niche is a different height, so we’ve proposed this deck as a level public porch area. The porch would cover the stairs, the stairs would not be impacted. We would take care of the access through a main staircase across the front and then ADA accessible ramps on the east and west sides of the building. **Joiner** – is there going to be lighting in the parking area and the exterior structure? **Bradley** – we have a lighting designer but we haven’t gotten to that layer of detail yet. As the project moves forward, the lighting renderings will be included in the coming LPAB packets.

**Andrews** – said it would have been helpful to have a drawing to clarify the changes of the new proposal regarding not covering the elements of the building. **Birkholz** – asked that the period of significance and the marquee on top be clarified. **Bradley** – our period of significance is from 1913 thru 1915 which was when the building was originally constructed. The marquee that we’re proposing is not original but it has been on the building in the past. **Birkholz** – wanted clarification on whether the building or the site has sunk. **Bradley** – the building has sunk about 16 to 18 inches due to dirt that was brought in for a horse show in the 1920s. The dirt was then swept under ‘trap doors’ that caused friction on the piles and the building began to sink. The sinking is in the southeast corner of the building.

### **PUBLIC COMMENTS/QUESTIONS**

**Naomi Schiff, OHA** – said she saw the project a few weeks ago with Coalition of Advocates for Lake Merritt and it has changed since then. Didn’t see any entry stairs in the middle of that platform, no railings were mentioned and there are new glass enclosures proposed at the ends of this building for restaurant seating. She asked for more detail how the glass enclosures will look, are they reversible and how close do they come to the niches. It’s wonderful to have this project happen and reawaken the building but we’re missing a lot of detail and would appreciate having enlarged renderings of the project.

**Daniel Levy, OHA** – said this is a ‘pretty cool’ project and wanted to know about the seismic improvement, use of the parking lot, and how the glass enclosures will they impact the horizontality of the building and how clear will they be.

**BOARD DISCUSSION/COMMENTS** – the Board requested the following; copies of the Part 1, summary of the discussion with SHPO, larger and clearer images, more details on the glass enclosures, the overall landscape design including the wisteria, a summary of the seismic work and the effect it has on the structure, exterior lighting, the proposed guard rail system for the stairs, has the building completely settled, relation to sea level rise and climate change, more details and alternatives for the

pavilions. Birkholz recommended the project come back before the LPAB with this additional information before it's presented to Planning Commission. Motion was passed to have project come back before the Board with the additional detailed information by March 2018.

### **NEW BUSINESS - Action Items**

<b>6.1</b>	
<b>Location:</b> 2100 Telegraph Avenue	<b>Parcel Number(s):</b> 008-0648-001-00; -011-03; -016-03; -017-00; & -018-00
<b>General Plan:</b> Central Business District	<b>Zoning:</b> Central Business District Pedestrian Retail Commercial Zone (CBD-P)
<b>Case Number:</b> ER16-011	<b>Planning Permits Required:</b> Planned Unit Development (PUD)
<b>Applicant:</b> W/L Telegraph Holdings JV, LLC	
<b>Proposal:</b> Public Hearing to obtain comments on the Cultural Resources section of the Draft Environmental Impact Report (DEIR) for the proposed new "Eastline Project PUD" project, which would demolish all existing buildings on the project site including an existing building identified as a historical resource per the California Environmental Quality Act (CEQA). The DEIR studies the full potential range of development options under the submitted PUD that could include up to 2.8 million square feet of office or 1,556 residential dwelling units or a mix of the two.	
<b>Historic Property:</b> The existing building on the project site at 2150 Telegraph Avenue/495 22 <sup>nd</sup> Street is evaluated as eligible for listing to the California Register of Historical Resources and identified as a CEQA historical resource.	
<b>Historic District:</b> The project site is not located within an identified eligible historic district. The project site is located across 21 <sup>st</sup> Street from the Uptown Shopping/Entertainment District Area of Primary Importance (API), and across Telegraph Avenue from the Cathedral District API.	
<b>Environmental Determination:</b> The DEIR was published for a 45-day review period from December 22, 2017 to February 5, 2018. The DEIR finds that the project would result in a significant adverse change in the significance of a historical resource which cannot be mitigated to a less-than-significant level.	
<b>Action to be Taken:</b> Receive public and Board comments on the Cultural Resources Chapter of the DEIR.	
<b>For Further Information:</b> Contact case planner Peterson Z. Vollmann at (510) 238-6167 or by email: <a href="mailto:pvollmann@oaklandnet.com">pvollmann@oaklandnet.com</a> .	

Board member Komorous was recused from the project.

**Pete Vollmann, Planner** –The site encompasses an entire City block between Broadway, Telegraph, 21st and 22nd Streets. PUD for development would range from 2.8 million square feet of office space, for the full commercial range and 1,556 residential dwelling units with ground floor retail, community assembly space and some replacement parking to allow flexibility in development options that can respond to market conditions due to the difficulty of the site development above the BART tracks that run through the entire block. The DEIR was published on 12/22/2017 and the NOA period until 2/5/18.

The item is before the LPAB because the consultant's Historic Resource Evaluation identified one of the properties, Kwik Way Hamburgers, as a Historic Resource under CEQA that is eligible for the California Register. The project proposes demolition of all the buildings on the site making a significant and unavoidable impact under CEQA. Mitigations were identified to make less of an impact but none could give it less than significant.

Purpose of hearing is to receive comments on the adequacy of the DEIR. The project has gone before the Planning Commission (1/22/18) and two FDP's have been filed for review and have been before the DRC.

**BOARD COMMENTS/QUESTIONS** – **Birkholz** attended the PC meeting on 1/22 and asked were any comments given on the project. **Vollmann** – no official comments were made at the meeting.

### **PUBLIC COMMENTS/QUESTIONS**

**Naomi Schiff, OHA** – OHA has submitted letters to the Board regarding their concerns that the study of the impact on historic resources did not include the adjoining buildings particularly Breuner's, the Paramount, First Baptist Church and the Cathedral District. The massing of the project should respect these among the most valuable buildings in Oakland. She recommended studying an alternative that doesn't necessitate reducing the size of the building but looking at how the mass sits and how it can back away from its neighbors. To address shadow impacts on the plaza at Broadway and Franklin, additional public space that's equally pleasant and sunnier should be provided by the new project.

**Daniel Levy, OHA** – on the Historic Relocation Mitigation 1D, the language should be clarified regarding 'if relocation is not feasible'. Developer should be committed to relocating the structure.

**Riley Doty, OHA, Walking Tour Guide** - talked about the wonderful tile and terra cotta buildings on Broadway including I. Magnin, the Paramount, and Breuner's adjoining the project, as well as the Mary Bowles building and the Fox Theater. Oakland has an exceptional collection of colorful Moderne and Art Deco buildings and there's no other American city that offers a view of 3 terra cotta buildings as we see on 21st and Broadway. Each building has a strong presence and should be able to hold its own so long as the newcomer shows sensitivity. Discretion and creativity are needed to preserve the visual connection of the three buildings.

**BOARD DISCUSSION/COMMENTS** – **Birkholz** - asked about the Maximum Office Tower proposal, if it gets approved and the height limits were then restricted in the downtown area, could they sell TDR (Transfer of Development Rights) from a tower that's no longer needed in the future? **Vollmann** – TDR only applies to adjacent properties, so given that this block is landlocked by streets, it doesn't apply. The City is looking into expanding that TDR process. **Sugrue** – thanked OHA for submitting thorough comments and agreed about the buildings that were referenced, felt the DEIR was a bit deficient in terms of explanation and dismissive. Says the area seems to be changing monthly and doing more research would be valuable. **Andrews** - concurs with OHA in regards to the impact this building will have on the historic fabric, which is something special in Oakland. Says he's hoping we'll get another spectacular building.

**Joiner** – asked if the Kwik Way building could be moved and utilized in any other capacity.

**Vollmann** – the process is you offer it to make it available. Included in the mitigations are that the demolition cost could go toward relocation. **Birkholz** – does the Kwik Way need demolition findings? **Vollmann** – the way the demolition findings are written, it's tied to being within a district or having an

A or B rating which none of these properties have. **Birkholz** – recommended a glare study due to the huge tower that will be facing south. 2127 Broadway is a high quality, well designed building. Also wants something more concrete as to what makes relocation of the Kwik Way building feasible or not feasible.

**F. BOARD BUSINESS**

- **Application Referrals to the Board -**
- **Historic Preservation Education**

**G. SUB-COMMITTEE REPORTS –**

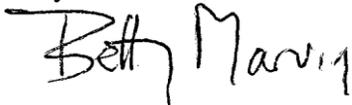
**H. SECRETARY REPORTS –**

**I. ANNOUNCEMENTS –**

**J. ADJOURNMENT -**

Minutes prepared by La Tisha Russell

Respectfully submitted,

A handwritten signature in black ink that reads "Betty Marvin". The signature is written in a cursive, flowing style.

Betty Marvin, Historic Preservation Planner