

**LANDMARKS PRESERVATION
ADVISORY BOARD MEMBERS:**

**Klara Komorous, Chair
Ben Fu, Vice-Chair
Chris Andrews
Marcus Johnson
Alison Lenci
Tim Mollette-Parks
Craig Rice**

**LANDMARKS PRESERVATION
ADVISORY BOARD MINUTES:**

**March 7, 2022

Special Meeting: 5 PM

Via: Tele-Conference**

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MEETING CALLED TO ORDER BY: Chair Komorous @ 5pm

ROLL CALL: PSR, Deb French

**Board Members present: Komorous, Andrews, Johnson,
Lenci, Mollette- Parks, Rice**

Board Members absent: Fu

Staff present: Karen August, Deb French, Betty Marvin

WELCOME BY CHAIR - Chair Komorous, welcomed everyone to the meeting and asked Board Secretary August, to give a helpful explanation on the meeting and some pointers on how this works for everyone in attendance either by Zoom or by phone.

By Zoom: To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” is available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Raise-Hand-In-Webinar.

By Phone: To comment by phone, please call on one of the listed phone numbers. You will be prompted to “Raise Your Hand” by pressing “*9*” to request to speak when Public Comment is being taken on an eligible agenda Item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone. If you have any questions, please email Deb French at: DFrench@oaklandca.gov. You can also view the hearing on KTOP Live on television as well, instead of this platform if you so choose.

BOARD BUSINESS

Agenda Discussion - None

Board Matters – None

Subcommittee -

Introductory Info Report on Subcommittees – BM Johnson – the conversation about safeguarding City-owned Landmarks started 12/04/21 at a LPAB special meeting after Oakland Heritage

Alliance (OHA) spoke about the fire at Cryer's Boat Works and historic buildings at risk. This conversation continued under 'Board Matters' during the 01/11/21 LPAB meeting. A sub-committee was formalized by the LPAB, during the 09/13/21 meeting by a vote of 6-0. At the January meeting I reported that I had conducted several site visits, including the Montclair Fire House @ 6226 Moraga Ave. in the Montclair Park area. It was at risk from under and overgrowth. I reviewed the City of Oakland's, Oak 311 data and, Code Enforcement Complaints for the 300ft area surrounding the Fire House, to evaluate any contributing risks. I reached out to the City of Oakland's Real Estate Asset Management Division (REAMD) and their Wildfire District for site information and to express my concerns. The Fire House is in the Oakland Wildfire District and CAL has it designated in an area that's a 'very high fire hazard severity zone'. I discussed with REAMD to strategize what the next steps should be. I reported issues to Oak 311, I contacted the Wild Fire District Inspection Dept. and within a short time, an inspection and a clean-up was performed by City departments. It happened so quickly, it threw me off, I was expecting some hard work, putting in some hours to get people motivated but I was totally inspired by it.

Regarding the follow-up steps, we can ask the REAMD for a presentation that will include any ongoing preservation activity or future plans for the Montclair Fire House including a possible second notice for a development opportunity. They issued one in March of 2018 but it didn't pan out, and no one had been at the site since the open house in response to that development opportunity. It validated to me, that we need to focus on the preservation of our City-owned Landmarks. As we proceed, I plan on presenting on each one of the sites that we visit, what we found, what the outcomes are and, the next steps. I also have a written document I can share with the Board (to be included with the minutes of this meeting), that has everything I stated, as well as the resources and references that I've found very helpful.

Chair Komorous – I think it would be useful to have the written information because there was a lot of detail with our meeting minutes. I visited the 16th Street Train Station on a site visit with the owner, Secretary August, and Betty Marvin, that BM Johnson had kindly set up. I gave a presentation to the LPAB but no follow-up. It's not City-owned property but it is of great concern. The emphasis should be, as BM Johnson said, on the City owned Landmarks and then, the Board can make a difference. **BM Johnson** – I did a follow-up on the 16th Street Train Station because I saw that the site as being at risk because of the homeless encampment. There were fires occurring routinely and, fortunately they were external and minimized. They also abated the weeds and debris around the property that could also contribute to the fires. I've also visited Landmark houses and folks are taking care of their houses seriously with nice colors and highlights. This sub-committee started with City-owned Landmarks but we may want to start branching out, especially to properties that fall under the Mills Act and have come to us wanting some assistance or tax breaks, and follow up to see if they need support or encouragement to stay on track. I enjoyed this exercise and learning so much about the different properties.

Chair Komorous – on behalf of the Board, thank you so much for your hard work taking this on. It's time consuming and takes perseverance and work and, we appreciate your effort.

BM Andrews – I want to move, that we do try and get a presentation from the REAMD. A presentation from them several years ago was super helpful. I also visited the Fire House in 2017-18 and, I remember the development RFP that went out. I went by the Fire House about 6 months ago and saw nothing has happened there. I do think the property could profit with some development there.

Chair Komorous – asked Secretary August, what can the Board do to get a presentation from the REAMD. **Secretary August** – will confirm the protocol, and report back.

Reports - None

Secretary Reports – None

OPEN FORUM

At this time, members of the public may speak on any item of interest within the Board's jurisdiction. At the discretion of the Chair, speakers are generally limited to three minutes or less.

Naomi Schiff, Oakland Heritage Alliance (OHA) – on behalf of OHA, thank you for following up on these investigations of City-owned historic buildings. As you know, we've been involved with Moss House and they are planning another clean-up on April 23 in association with Earth Day. We are trying to find out and work with Public Works, to put in either a replacement or temporary door. The front door of Moss House was attacked by a man with a saw and large chunks of the original door (virgin wood) were removed. It's not just Landmark buildings, the Junior Center for Arts and Science (on Lake Merritt) burnt for the third time about a week ago and, two rounds of windows at Camron-Stanford House were smashed, replaced and broken again. All of this adds up to a generic problem with City-owned historic properties. It might be helpful to have you and other City-wide focused bodies, talk to the City about this. There is a commonality here in which City assets are disappearing. Maybe put together an effort with the Parks and Recreation Youth Development Advisory Board because, many of these buildings are within a park and you can link this issue across the City. It's a security and deferred maintenance issue. These are very valuable properties that we shouldn't allow to just fall down.

Chair Komorous – suggested that this item come back before the Board for further discussion.

BM Andrews – not only should we ask the City's Real Estate Dept. to make a presentation to us but, given that many of these properties are within parks, we also need to hear from someone in Parks & Rec about these buildings. It would be helpful if both departments could speak to us at the same meeting. They might find an overlap in which they can work with each other and, we can be part of that dialogue.

CONSENT CALENDAR

The Board will take a single roll call vote on the item listed below in this section. The vote will be on approval of the staff report and recommendation in each case. Members of the Board may request that any item on the Consent Calendar be singled out for separate discussion and vote.

Chair Komorous – we need to vote to approve Item #1, where the Board continues to conduct our Board meetings on-line rather than in person.

Deputy City Attorney Michael Branson – it would be good practice to provide an opportunity for the public to comment on a Consent Calendar item as well and then close the item.

Public Comments – French – no public comments

Board Comments – BM Rice – what is the outlook, are we prohibited from meeting in person, is there a timeline set? **Secretary August** – there is no update, we're still following the State and City administrative orders for this protocol. As soon as there is an update, the Board will be notified.

Chair Komorous – can we have a motion to approve the Consent Calendar Item #1.

BM Andrews – moved approval. **BM Rice** – seconded.

PSR French - did a verbal vote – 6 ayes, 1 absentee. **Secretary August** – motion passes.

# 1	Location:	Citywide
	Accessor’s Parcel Number:	N/A
	Proposal:	Renew The Adoption of a Resolution Determining that Conducting In-Person Meetings of the Landmarks Preservation Advisory Board And Its Committees Would Present Imminent Risks to Attendees’ Health, And Electing to Continue Conducting Meetings Using Teleconferencing In Accordance With Landmarks Preservation Advisory Board Resolution, dated October 11, 2021, and renewed at every Landmarks Preservation Advisory Board meeting thereafter, to Allow Continuation of Landmarks Preservation Advisory Board Meetings.
	Applicant:	Karen August, Secretary to the Landmarks Preservation Advisory Board
	Phone Number:	510-238-6935
	Owner:	NA
	Case File Number:	NA
	Planning Permits Required:	Renew the adoption of Resolution Pursuant to AB-361
	General Plan:	NA
	Zoning:	NA
	Environmental Determination:	Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (Common Sense Exemption).
	Historic Status:	NA
	City Council District:	NA
	Status:	NA
	Staff Recommendation:	Consider renewing the adoption of Resolution, most recently renewed at the February 7, 2022 Landmark Board meeting.
	Finality of Decision:	Decision Final.
	For further information:	Contact case planner Karen August at 510-238-6935 or by e-mail at kaugust@oaklandca.gov

INFORMATIONAL PRESENTATIONS

Location:	Citywide
Proposal:	The City of Oakland is updating the Housing Element as part of a comprehensive General Plan Update process in two phases.

	<p>Phase I includes the update of the Housing and Safety Elements of the General Plan; creation of the City’s first Environmental Justice Element; associated amendments to other Elements of the General Plan, along with Zoning Code and map updates; Racial Equity Impact Analysis, California Environmental Quality Act (CEQA) review; and an Industrial Land Use Study. Phase I is anticipated to be completed by early 2023.</p> <p>Phase II includes the update of the Land Use and Transportation Element (LUTE); Open Space, Conservation, and Recreation Element (OSCAR); Noise Element; and the development of a new Infrastructure and Facilities Element. Phase II work also includes zoning updates and CEQA review. The Phase I process will help inform the components of Phase II. Phase II is anticipated to be completed by mid-2025.</p> <p>Both phases will include a comprehensive, equity-driven public engagement process in collaboration with community-based groups and outreach organizations.</p> <p>Staff and the consultant team will provide an overview of the City’s overall General Plan update. In addition, because the 2023-2031 Housing Element has early State deadlines associated with it, the Consultant will present the progress and accomplishments made by the City to implement policies adopted in the City’s 2015-2023 Housing Element, housing needs, assessment of fair housing, and a preliminary proposal of housing sites for the 2023-2031 Housing Element for feedback.</p>
Applicant:	City of Oakland
Case File Numbers:	GP21002; GP21002-ER01
General Plan:	Citywide
Zoning:	Citywide
Environmental Determination:	An Environmental Impact Report will be prepared as part of the General Plan Update.
City Council District:	All districts
Status:	Ongoing
Staff Recommendation:	Receive public comments, discuss, and provide feedback to staff on: 1) additional housing site locations and 2) policies and programs to explore based on initial background information.
Finality of Decision	N/A
For Further Information:	Contact Project Manager Lakshmi Rajagopalan at 510-238-6751 or lrajagopalan@oaklandca.gov Project Email Address: generalplan@oaklandca.gov Project Website: https://www.oaklandca.gov/topics/general-plan-update

Lakshmi Rajagopalan, Strategic Planning, General Plan Update Project Manager – gave a PowerPoint presentation with charts, maps and graphics on Oakland’s General Plan and Housing Element update. The goal for this presentation, is to provide an overview of the project timeline and phases, the community engagement approach and the efforts so far. We will also provide an overview of the housing element requirements, our initial findings and where we are in the sites inventory process. We will open it up for discussion, after the presentation, and we want your feedback on the policies, programs and housing sites for the 2023-31 Housing Element update. Many of the elements in the current General Plan were last updated in

the 90's. The General Plan is the guiding document for the City, it provides a consistent direction for future development and, is an opportunity to engage our community in the planning and decision making process. Most of the elements that were developed in the 90's, did not recognize or address Oakland's history of inequality, structural racism and, discriminatory practices. With this update, the City will have the opportunity to advance its commitment to create a 'fair and just' City and undo past harms and inequity through more robust and equitable goals, policies and implementation measures.

The General Plan update is occurring in two phases. The first phase will update the housing and safety element, create the City's first-ever Environmental Justice (EJ) element and adopt an Industrial Lands Policy. The draft, public review and adoption of the EJ, Housing and Safety elements will take place Fall 2022 through Winter 2023. The second phase will update the Land Use and Transportation Element (LUTE), the Open Space Conservation and Recreation (OSCAR), Noise, and a new Infrastructure and Facilities Element. We will adopt the second phase elements in Winter 2025. The Housing Element update schedule is structured around State mandates for when the elements need to be adopted, review for the public, and for the State itself to review the draft. A draft of the Element will be available for public comment the first week of May 2022. There will be several types of community engagements throughout the year including, town hall meetings, neighborhood workshops and an online survey to be released in the spring, in which the Housing Element will be available again for public review in October 2022.

Audrey Lieberworth, planner – continued the presentation with an overview of the Housing Element, a blueprint to meet the housing needs of all Oaklanders, and discussed some initial findings. The HE must be adopted on a State mandated schedule by Jan. 2023. The updated HE, which covers the next eight-year period, from 2023 to 2031. The total number of units the City must plan for is called, the Regional Housing Needs Allocation (RHNA). The RHNA determines the total number of new units Oakland needs to build, to meet the housing needs of all people at all income levels. There are three major parts to a housing element; background analysis (making sure all Oaklanders have fair housing choices), sites inventory (identifying location sites) and the action plan which outlines the goals, programs and actions the City commits to pursuing community housing needs. As with the General Plan process, the Housing Element will have a period of focused engagement including housing activities, workshops and other input opportunities on sites.

The evaluation of the current HE helps inform which goals, policies and actions have furthered the City's goals to address housing needs. Some goals and policies require revision/fine tuning and some are not working. To complete this evaluation, the City assesses the appropriateness, the effectiveness, and the progress of each action. The State also requires an assessment of the cumulative impact of the HE on special needs groups including homelessness, low-income households, disabilities and the elderly. So far, the City has been effective in implementing special needs, fair housing and affordable housing development actions. There is also a need to consolidate the existing 131 actions and a need for new or revised programs related to housing needs and constraints.

Lakshmi Rajagopalan – continued with one of the major new components in the HE, the mandate to Affirmatively Further Fair Housing (AFFH), which means: "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity". To meet this mandate, the HE must provide an assessment of fair housing that informs site selection and housing policy. The AFFH analysis must cover the following; fair housing enforcement and capacity; segregation and integration, racially and ethnically concentrated areas of poverty and affluence; disparities in access to opportunity; and disproportionate housing needs and displacement risk. In closing, Lakshmi asked the Board for their input on the following components in the HE: the policies, programs and housing sites. Please note: you can see the full presentation on our website @: www.oaklandca.gov/topics/general-plan-update.

BOARD COMMENTS/QUESTIONS – **Chair Komorous** – I was not aware of this list of questions for the Board, they were not on the Agenda. My understanding was, you were requesting input and there was no action item on the Agenda. For us to digest this information that you've given us, I suggest we come back and have this as an Agenda item on another meeting, to allow the Board to have meaningful input on your questions. **Lakshmi** – the staff report was submitted with this packet, that identified some questions for the sites and policies and, what kind should be considered. There will be no action taken, just your feedback so we can get your input and have that information as we process developing the draft HE.

BM Andrews – we are the LPAB and mostly concerned with historic buildings and neighborhoods in Oakland. What would be helpful to us, is some indication from City staff of ways that the LPAB might be able to interact with this enormous and on-going issue with housing. How can we as the LPAB make substantive constructive comments about the HE as it relates to preservation of landmark and historic properties in neighborhoods, and is the City working with property owners, not just developers, who want to develop their properties and facilitating that. Also, what about us being characterized as actually standing in the way of affordable housing because we insist on the Preservation Element which is an important part of the City's charter.

Laura Kaminski, Strategic Planning Mgr. – not only are we looking at big opportunity sites but also “missing middle” housing. By potentially allowing for duplexes, triplexes or quadplexes in neighborhoods that might have historic buildings and historic districts, in what way can we do that and what kind of relations can we have, that can help maintain the historic buildings but also allow for more density on those sites? Whether that's building within the existing building itself, allowing more than one unit or adding another building in the back but still preserving the building in the front and maintaining the historic character of the neighborhood. Those types of input would be helpful. Regarding what the City can do to help, there are some programs that can help with getting people loans for rehab on their existing housing, but the City has limited resources. When we're talking about asking for types of policies that the City could be looking at to help, this is an example, a policy that might help people who might not normally have resources. There is also assistance from the City in return for some of the units being designated as affordable. **BM Andrews** – often the time frame to get permits and City approvals works against affordable housing and we're often, as a Board, accused of contributing to that by asking people to pay attention to the preservation element. I want something in the report that balances that part of our charter, to address the Preservation Element but address how it often seems to work against the developer getting permits in a timely way.

Kaminski – Something else the City is working on that could be put into policy as part of the HE, is creating an objective design standard. We're in the process and have a Request for Proposals to hire a consultant to work on the objective design standard that could be used for areas that have historic buildings and a historic context, by streamlining a way to approvals and still making sure the design of the new building fit into the historic context of the area.

PUBLIC COMMENTS/QUESTIONS – **Naomi Schiff, OHA** – we are primarily concerned with historic areas and neighborhoods and there are some things in the existing HE that could be retained or strengthened, particularly Policy 1.6, adaptive reuse and live/work conversions, and Policy 4.3, housing preservation and rehabilitation. It would be great to strengthen these items and the actions that come after them. Policy 5.4, preservation of single room occupancy (SRO) hotels, I don't know how many of them are left that are at risk, but it is critical - for example, the Lake Merritt Lodge (previously the Blue Triangle Club) should be used permanently as affordable housing.

We would like to suggest to include the following strategies in the new HE: pro-actively apply the California Historical Building Code as appropriate to conversion projects; avoid up-zoning, particularly height limit increases in API and ASI areas; implement the attached Historic Preservation Element (HPE) actions which are from the old HPE, which is not being updated but also has not been fully implemented. It would be great to implement these actions, 3.7.1 thru 3.7.4, which encourage moving buildings, which can

be on the same lot to facilitate putting additional structures behind them or to other lots that are less good for assembly of large properties, for example.

I will also share an interesting article about the relationship of historic preservation to a development. A great deal of our rental housing is in older structures and, in Oakland, historic preservation is a way to preserve affordable housing owned by private owners. Supporting those owners in keeping those buildings up and making it possible for them to make a profit is critical in moving forward with this HE, because we are not going to be able to house everyone in brand new buildings.

Daniel Levy, OHA – supports Ms. Schiff’s comments for OHA. Supporting existing owners of historic structures is a very important part of this element. I’ve lived in the Eastlake area and I’ve seen structures falling apart, one at E. 19th St. and 11th Ave., an old 1880’s building that could have been used for housing and now is an empty lot. If the City could support owners of historic structures, to keep their buildings in use, expand them in sensitive ways and house more people, that would be great. Also, there has been a lot of destruction of historic neighborhoods by road widening in Oakland over the past several years, (W. Grand Ave., 980 Freeway, etc.). I wonder if we can prioritize some of those areas to provide new housing, heal some of our neighborhoods and respect them in their historic way.

BOARD COMMENTS/QUESTIONS – Chair Komorous – asked again, if the Board can continue this item, there’s a lot here and we need more time with this. **BM Johnson** – supports Chair Komorous in asking to bring this item back. This is an enormous amount of information given to us. We should have the opportunity to read, digest and make some sensible recommendations. One thing that didn’t stand out, was the API and ASI districts, that is important to us.

Chair Komorous – asked Secretary August, if this would be the right time to go over the issue of continuing, or should we have more Board comments. I think it will affect us now if we try to cram in everything we’re thinking. **BM Andrews** – can we hear the comments in general and then someone can make a motion to continue. **Secretary August** – there are deadlines for the general plan update. I agree with BM Andrews, that it would be helpful to hear the comments from the Board and then discuss the best way forward, for the Board’s insight, advise and questions to be heard and incorporated as early as possible, based on what staff noted about the firm deadlines.

Chair Komorous – I’m not saying we will not have comments today. The reason I’m bringing up the continuance is because, I think that knowing that we have another opportunity to speak to this, would change what we tried to say today. We will have Board comments but I would like a commitment to the return of this subject. **Secretary August** – can we hear the firm deadlines from staff so we have that as context? **Lakshmi** – the HE must be submitted to the State for review by June 2022 which means, it must be available for public review by May. That is why we came early for this process to get your timely feedback. There are a couple of ways we can go about that; we can take your initial comments and then once the public draft of the HE is out, we can come back again, maybe in April, to seek your feedback as well.

Deputy City Attorney Michael Branson – The general plan is going to be iterative, it’s going to be going on over a multi-year process but the State has very specific deadlines for different regions of the State for submitting a HE. For the Bay Area, 1/30/23 is the deadline for having a HE submitted to the State so that’s the deadline that Planning is working around. It’s a very tough, tight deadline but the idea is, that there will be a HE that’s available publicly well before that, we can get public comment on that then, we can get comments from the State and a subsequent draft can be provided. There’s multiple opportunities, but in terms of getting comments from this Board in that very first draft, this is an important opportunity.

BM Andrews – I do agree and support a motion, that we need to continue this item. I appreciate Ms. Schiff’s input on how we can look at preservation interacting with the HE. That’s helpful to us because

traditionally these elements have not been linked. It's important for us to be able to reflect and look at the material and think about how Oakland can best do that. **Chair Komorous** – from my understanding, the map of opportunity sites that was presented as part of the general plan earlier, was not thoroughly overlaid with the API's and the ASI's. There were some sites presented as areas of opportunities that were historical sites and there was no consideration made for that. That is something I would like to discuss, either now or when it's continued. **Lakshmi** – the initial map that was shared as part of the staff report included all the opportunity sites that were identified as part of the specific plans, the vacant properties, residential/non-residential and historic sites as well. The initial map we submitted (we haven't done the analysis yet), is an updated version that actual removes all those historic sites. This map is continually being refined. Next week when we finally have the amended draft, the housing site report will look totally different because it will take into account the realistic capacity calculations, what can be allowed as part of the site and what are some of the constraints that we need to look at.

Chair Komorous – asked the Board to make a motion for a continuance of this item.

BM Johnson – made a motion, that this item is continued at a date to be determined.

BM Andrews – seconded the motion. **PSR French** – did a verbal vote. **6 ayes, 1 absentee.**

Secretary August – motion passes

PUBLIC HEARINGS / APPLICATIONS - No Public Hearings/Applications Presentations

ANNOUNCEMENTS - None

UPCOMING – No

APPROVAL OF MINUTES – January 10, 2022 – BM Andrews – made a motion to approve the minutes.

BM Johnson – seconded. **PSR French** – did a verbal vote – **4 ayes, 2 abstain, 1 absentee.**

Secretary August – motion passes.

ADJOURNMENT – 6:45p

NEXT REGULAR MEETING: April 4, 2022

Minutes prepared by: **LaTisha Russell**