

**LANDMARKS PRESERVATION
PRESERVATION ADVISORY BOARD MEMBERS:
MINUTES:**

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

**LANDMARKS
ADVISORY BOARD**

**November 8, 2021
Special Meeting: 5 PM
Via: Tele-Conference**

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MEETING CALLED TO ORDER BY: Chair Komorous @ 5pm

ROLL CALL: Board Secretary, Karen August

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

Staff present: Karen August, Deb French, Betty Marvin

WELCOME BY CHAIR - Chair Komorous, welcomed everyone to the meeting and asked Board Secretary Karen 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: she asked all attendees to lower any hands that are raised and only raise them if you're interested in speaking on an item when it's called. This will help us avoid confusion and calling speakers for the wrong item. The system will keep track of the order of hands that are raised and it's important that once you raise your hand, keep it raised, unless you change your mind about speaking on that item. Lowering and raising your hand will bump you to the end of the line. Each speaker will have a maximum of 3 minutes to speak and during this time, speakers cannot concede time. When it's your time to speak, the City will unmute you and then you will need to unmute yourself on your device to begin speaking.

By phone: you press *9 to engage the raise your hand feature. When it's your time to speak, the City will refer to you by the last four digits of your phone number and then press *6 to unmute yourself. If you do not wish to speak on any item, 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

Sub-committee Reports – Chair Komorous – gave a report on the status of the Moss House, which has been on the 'radar' of the LPAB for some time. She stated, they had a tour some months ago but, Oakland Heritage Alliance (OHA) had arranged a new tour on 10/13/21 and, documented the tour also with photos. OHA found more intrusions than there were at out last walk-thru, most notably, damage to

the original front door. The good news (quoted by OHA), despite big messes inside and signs of intrusion, the house is generally intact and needs a big clean-up. The situation there continues to deteriorate but it's certainly not in any kind of stage that's unrepairable. OHA is calling for a 'Moss House Clean-up Day', Saturday, December 11th, from 10am to 1pm. I think it would be good to give a presentation to the LPAB but our next meeting is December 13th, a couple days after this clean-up. IAt the January meeting we could report on the clean-up and if anything was found. I can give it, BM Johnson and I can do it together, or OHA could join us also. Whatever we do, we need to keep track and stay on top of this. **BM Johnson** –Also, at the next meeting, I will be able to provide an update on where we are, in looking at the state of our Landmarks overall. I'm hoping that will be part of the documentation package that will be provided to the Board Members.

Chair Komorous –asked Secretary August if this was agreeable to put it on the Agenda and be part of the sub-committee reports. **Secretary August** – yes, that would be a perfect example of a sub-committee.

Secretary Reports – **Secretary August** –the Office of the Mayor is pushing forward with filling our vacant seat and we should have a new devoted Member to the LPAB, with our next meeting.

OPEN FORUM – **Naomi Schiff, Oakland Heritage Alliance (OHA)** – **Ms. Schiff** stated, she will be forwarding out a flyer regarding the clean-up at Moss House, on 12/11/21. There will be a planning meeting for it on Wednesday, 11/10/21, and she encourages anyone to attend. It is important to remove flammable material stored in the house.

On Thursday, 11/18/21, OHA will be presenting 'Tales of the Grand Lake', hosted by Alan Michaann @ 7pm, on-line.

AGENDA ITEMS (CONSENT CALENDAR) – **Chair Komorous** – Today we have as the first agenda item. the Renewal of the Adoption of a Resolution determining that conducting In-Person meetings of the LPAB would present Imminent Risks to Attendees' Health. This item will move to the Consent Calendar in the future. Our esteemed Board Secretary will explain it to us.

Secretary August – after this meeting, this will move to the Consent Calendar. At that time, we will go over the details of the Consent Calendar, and it will be addressed during regular meetings. This is an Agenda item tonight, as was noted in the posted Agenda on the City's website. It is a request for monthly Renewal of the Adoption of the Resolution made at the LPAB meeting on 10/11/21. The purpose is to renew the determination that in-person meetings of the Board would present immediate risks to health and to reaffirm its election to continue conducting meetings using teleconferencing, in accordance with State Law AB361. We can go into details how this is actioned with the Consent Calendar. For the time being, the proposal is to renew that resolution, that we made last month.

Location:	Citywide
Accessor's Parcel Number:	N/A
Proposal:	Renew The Adoption of a Resolution Determining that Conducting In-Person Meetings of the Planning Commission And Its Committees Would Present Imminent Risks to Attendees' Health, And Electing to Continue Conducting Meetings Using Teleconferencing In Accordance With City Planning Commission Resolution, dated October 11, 2021, and renewed at every Planning Commission meeting thereafter, to Allow Continuation of Planning Commission 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 previous Planning Commission 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

PUBLIC COMMENTS/QUESTIONS – Naomi Schiff – Oakland Heritage Alliance (OHA) – had two items to speak about. 1. She stated she has no objection meeting by Zoom if we must, although meeting in person does have its virtues. I'm a little concerned about our inability to allow time ceding. It doesn't matter when projects are small but, when they are large, it makes it very difficult to have an organized presentation by anyone other than the developer. An imbalance can exist in which the project proponent can get up to half an hour and Public Speakers are limited to two minutes, maybe that can be compensated for, in some fashion. 2. A record of attendees would be a great thing and it would be good if we could understand who's speaking at these meetings. I identify myself and the organization I represent. Everybody should and that should become part of the record for the meeting.

John Klein, Oakland resident – there is still an issue with speakers not being able to cede time. This severely handicaps ability to provide rebuttal or in-depth information. Perhaps longer speaking times could be arranged by prior agreement. This would allow issue-aligned groups that could speak in consecutive order by their two-minute block by previous arrangement and they would also have the ability to share screen with other participants.

BOARD COMMENTS/QUESTIONS – Secretary August –our **PSR, Deb French**, does ask everybody prior to speaking, to identify themselves with their full name, as we have seen in this meeting. That information is entered in to the LPAB minutes, which are drafted, reviewed and published on the City’s website. **Chair Komorous** – the last 2 speakers both asked for a record of attendees and that the record exist as part of the Board meeting minutes that are available on the website, is that correct? **Secretary August** – when there are in-person meetings, when a person speaks in the public hearing section, they are asked to identify themselves by their full name. PSR French when un-muting a speaker, does ask them their full names. But we do not take the names of everybody that enters in to the meeting nor everybody that downloads and listens to the meeting via the website. **Chair Komorous** – would a Board member be willing to make a motion, maybe including the comments that we’ve received from Naomi Schiff (OHA), in asking that we continue to meet on Zoom but, also that we work more on the time ceding concerns, or we could simply pass it the way it is written.

BM Andrews – how did we arrive at this cessation of time ceding, is this something the Board decided? **Secretary August** – I will look into this matter, the history of it prior to me taking on the role of Board Secretary and the requirements that we currently have for online meetings. My understanding is that we are in alignment with the other meetings. I can circle back on the next Secretary Report. There is nothing to prevent a group of people attending the meeting and speaking consecutively, akin to how this would be done at in-person meetings.

BM Andrews –with certain types of meetings there might be an issue ceding time because a meeting becomes too long. But, Landmarks is not like City Council or Planning Commission meetings, we don’t have folks who are trying to filibuster a point. So, I do think we should consider a different ceding arrangement from the one that has been standardized for meetings.

Chair Komorous – asked if the Board would like to make a motion to approve the agenda item with the caveat that the time ceding is still to be determined and discussed at a future date. **BM Andrews** – moved that the Landmarks Board consider a different time ceding arrangement than the one that’s been established thru Zoom and we consider that in a future meeting. **Secretary August** – as the person bringing forward the Staff report on this resolution, the time ceding issue is not the matter at hand, we are currently speaking about the agenda item issue, on whether or not we would like to continue meeting as a Board. We are meeting as a Board remotely as determined by the State and the City Administrator for public health in general. For the time ceding issue that has been brought up, as noted before, I will circle back on this matter in a future Secretary Report. At this point, the agenda item is simply the renewal of the Resolution that we passed last month. **Chair Komorous** – we all agree with the time ceding is an issue and, that it is to be discussed at a future meeting. Secretary August will look into the item on the next report. Can we have a motion to approve the Citywide Resolution? **Vice Chair Fu** – moved to renew the adoption of the Resolution, as reviewed at the previous LPAB meeting.

BM Johnson – seconded. **Deb French** – did a verbal count; **6 ayes – 0 no’s, motion passes.**

Location:	419 4 th Street
Proposal:	The project consists of partial demolition of an existing one-story commercial warehouse in the Produce Market API, preserving the existing building façade on 4 th Street, and constructing six stories above the ground floor to create 69 residential units.
Applicant:	Mark Donahue, Lowney Architecture

Phone Number:	510-269-1123
Owner:	Dodwell Company, Inc.
Case File Number:	PLN20173
Planning Permits Required:	Regular Design Review for the construction of multi-family residential facility. (O.P.C. 17.136.050). Conditional Use Permit to allow parking facilities within 75' of a front property line. (O.P.C. 17.134.050.)
General Plan:	Estuary Policy Plan (EPP) Retail Dining Entertainment 2
Zoning:	C-45 Community Shopping Commercial Zone / S-4 Design Review Combining Zone
Environmental Determination:	CEQA resource, Local Register of Historical Resources. Determination Pending, Environmental analysis to be conducted prior to any discretionary action.
Historic Status:	Potential Designated Historic Property (PDHP) on the Oakland Local Register of Historical Resources; OCHS Rating of Dc1+, contributor to the "Produce Market District" an Area of Primary Importance (API).
City Council district	III
Status:	Pending
Action to be Taken:	Review development proposal and provide comments to staff
For further information:	Contact Case Planner Jose M. Herrera-Preza at 510-238-3808 or by e-mail jherrera@oaklandca.gov

Jose Herrera, case planner – staff seeks input and design recommendations regarding the applicant’s proposal to modify an existing, one story warehouse building on the Local Register of Historical Resources (Local Register), while preserving the original commercial façade and the three exterior walls. The addition would be above and behind the existing ground floor perimeter walls and result in a seven-story, 68-dwelling unit, 80-foot-tall mixed-use building. The project is within the Estuary Policy Plan (EPP), in the Jack London District. This subject building is on the edge of ,and a contributor to, the Produce Market District Area of Primary Importance (API), which is on the Local Register and recorded in the State Inventory and, as appearing eligible for the National Register of Historic Places. Its individual Oakland Cultural Heritage Survey (OCHS) rating is, Dc1+, reflecting moderate alterations and API contributor status. The project was previously presented to the LPAB on April 12, 2021, and the applicant and staff received the following direction:

1. Increase the proposed setback of the upper-story addition.
2. Increase the size of the windows on the front façade and include industrial-style window sashes.
3. Incorporate a thick metal cornice on top of the building.
4. Simplify the exterior materials.
5. Provide more elevations/renderings from across the street.

The LPAB requested the project return to the Board, once further revisions have been made.

In summary, the following proposal does reflect revisions that have been made, based on directions from the Board. The subject property is within the C45, Community Shopping Commercial Zone and S-4, Design Review Overlay Zone. The C45 Zone does not have a general height limit but does have a 7.0 floor area ratio (FAR). The S-4 Zone requires approval for any construction pursuant to the design review procedure in Chapter 17.136 of the Oakland Planning Code. As provided direction by the LPAB,

the proposed upper story addition does now have an increased setback. Floor 2 remains having a five-foot setback, but floors 3 thru 7 now incorporate an 18-foot setback from the façade of the existing warehouse building. In addition, the upper stories have been revised to have more industrial references to the existing and new buildings in the Jack London District area. This includes larger windows that reflect industrial style sashes. The Produce Market District mapped in the Estuary Policy Plan with a maximum floor ratio of 1.0 covers only the original Fruit and Produce Realty Company buildings at 3rd and Franklin. The current project site is not within that group, though it is within the larger Produce Market District API. In the C45 zone, there is no general height limit and the FAR is 7.

In conclusion; staff believes that the current version of the proposal is significantly more consistent with the API than the previous iteration, in terms of architectural context and scale. The design has incorporated elements found in the historic industrial buildings within the district and recently constructed buildings within the district. The proposal for new construction in an API is required to appear before the LPAB, for a recommendation prior to action upon the application involving the Local Register property that requires a Design Review approval. Further, historical analysis is needed to determine whether the project would have significant effect on either the existing buildings or the district. However, this analysis cannot begin until an agreed design is established. We hope to get comments from the Board on that.

Mark Donahue, architect, Lowney Architecture – gave a PowerPoint presentation of the proposal and said they are very excited about the significant changes, based on the Board's recommendations and the input from the community. He showed what was seen last time and the new solutions they've come up with. Previously the front façade of the upper stories was 5 ft behind the historic façade and an interior courtyard was featured in the mid-block area. Now the courtyard has been eliminated and the space has been returned to the street side so that the façade is now 18 ft from the property line. The new upper facade is a more strongly defined take on the typical industrial building grid. We are proposing to have an implied post and beam with infill panel boards and punched window expressions. The historic façade is more vibrant. The intention is to separate it from the background building and, also look back at some historical color precedents and incorporate them into the building. The second floor remains 5 ft behind the façade. Because we have a zero-lot line, we have large areas of unrelieved smooth wall on the sides. Our proposal is to provide that area for art, or add blind openings "to reduce planarity."

The rear façade hasn't changed, facing the middle of the block. In front we've enhanced the use of roll-up doors to open up the building. Other buildings nearby all feature these roll-up doors. On portions of the façade that have been altered in the past, we're proposing to increase the transparency. We want to have some interaction with the street and use the roll-up doors in several locations so you can have the building open to the street. The second floor has primarily remained the same. Part of the reason it's not visually apparent is because the parapet of the historic building is quite high, about 5 ft above the floor level. On the upper floors, the new floor plan is without the courtyard and is a standard, double loaded corridor, residential building. The roof still has the roof garden facing towards the freeway, which is a concern but we have some mitigation measures in mind. It will still be a comfortable place despite the ambient noise levels.

Donahue showed previous and revised versions of the façade. The rear elevation is essentially the same, featuring the bay windows and "warehouse type" projections at the roof level. We've cut down on the number and type of materials. The primary material will be stucco, the darker areas with the windows will have fiber cement panel, and the back will have metal perforated railings facing towards the water. The historic lower façade would include the storefront, the overhead doors and refurbished existing concrete material.

BOARD COMMENTS/QUESTIONS – **Vice Chair Fu** –did the sub-committee preview this version and have any communication with the architect? **Chair Komorous** – I don't think there was a sub-committee for this project but there is something that's missing from the previous LPAB comments. We had an issue with the scale of the building, which was addressed in the initial staff report and referred to the LPAB for input. The initial staff report said; "the building would be the tallest on the block by at least 5 stories. Staff request input regarding whether the proposed design sufficiently reduces the scale of the building, the setbacks, materials and treatments." This entire issue is missing from the new staff report.as something the Board should 'take into account' today. I thought that it was part of our motion but it was 100% part of our comments. **BM Andrews** –the north [front] façade treatment does seem to reflect some of the character of the existing building but it seems to be the only façade that does that. I'm curious why that rather sensitive and consistent design treatment wasn't applied to the other parts of the building.

Donahue – on the east and west facades, it was primarily a property line issue, openings on this façade would not be possible by building code. The framed expression would be possible, if that was desired. On the south facing [mid-block] property line, we're trying to shade the façade so that you have openings with views and not inviting a lot of solar intrusion. That was the reason for the use of the bay windows.

Chris Porto, project sponsor – regarding the massing, the comment we internalized was pushing the building back another 15 ft. That was the biggest effort that we've made, to reduce the scale of the building from the street as you're walking down the 4th St. sidewalk. Looking upward, the perspective would hardly reveal the building in its mass, on that side of the block. We received comments about this from Ed Manasse (Deputy Director, City Planning) as well. That was our biggest mitigation effort and a compromise with the second floor still being 5 ft back. It is reminiscent of the current condition of the sawtooth building form that's currently there.

PUBLIC COMMENTS/QUESTIONS – **Laurie Schalala, works** in a 4-story building down the block, which has a lot of 4-5 story buildings so this will not stand out as a 'sore thumb'. Also, wanted to thank the developer, we need it desperately in this little area. I think it looks amazing, I love everything about it and, the idea of having retail/restaurant space too. Every part of Jack London Square is being so beautifully developed and we're feeling like we're in the 'slums'. I can speak for a lot of the people in this section of the neighborhood also, our company and its employees, we're very excited and grateful.

Naomi Schiff, OHA – presented OHA concerns about the south, east and west elevations stating that there are great improvements in this design and the 4th Street [north] side is improved. Regarding the mural idea, love them but they should not distract from the API. She suggested using spandrel glass to continue the window pattern as it is on 4th Street, if you are not allowed to open windows. Maybe buy some rights from the adjoining properties and get permission to open real windows, since there are adjacent historic buildings. On the south side, the angled shed roofs are a very jarring element, the whole back doesn't seem to relate to the front of the building. The south façade is very visible and important ,and it should be as elegant as the north side. **Amelia Marshall, OHA** – this project deserves a high level of scrutiny because it is a massive building that is encroaching on the beloved Oakland Produce Market API. The monolithic elevations with no windows are very unfriendly looking, and it would be good to have some windows that open to the east. It looks appealing where the applicant has modified the 4th St. side but the other sides should also look nice and have some windows.

INFORMATIONAL PRESENTATIONS - None

ANNOUNCEMENTS - None

UPCOMING – None

APPROVAL OF MINUTES – None

ADJOURNMENT – 6:35 pm

NEXT REGULAR MEETING: December 13, 2021

Minutes prepared by: **LaTisha Russell**