

**LANDMARKS PRESERVATION  
ADVISORY BOARD MEMBERS:**

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

**LANDMARKS PRESERVATION  
ADVISORY BOARD MINUTES:**

**September 12, 2022  
  
Special Meeting: 5 PM  
  
Via: Tele-Conference**

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**MEETING CALLED TO ORDER BY: Chair Fu @ 5pm**

**ROLL CALL: PSR, Deb French**

**Board Members present: Fu, Andrews, Johnson, Lenci, Rice  
Board Members absent: Mollette-Parks  
Staff present: Karen August, Deb French, Betty Marvin**

**WELCOME BY CHAIR - Chair Fu - 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](mailto: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 - No**

**Board Matters – No**

**Subcommittee Reports – BM Johnson –** stated, he’s trying to arrange a meeting with Parks & Rec and Public Works regarding the Moss House in Mosswood Park. Once he gets the dates, he’ll reach out to the Board members, to see if anyone wants to participate in an on-site committee meeting to walk around the site and see what the issues/concerns are and, see what solutions we can come up with. On a

good note, the 16th St. Train Station has a call for offers for the property. Hopefully we'll get someone who's interested in buying the site. I will keep the Board informed of any new owners and their plans.

### Secretary Reports – No

**OPEN FORUM - Naomi Schiff, Oakland Heritage Alliance, (OHA)** – asked the Board to allow three minutes per speaker on Item #5, the College of Arts, due to it being a very large and complex project. **Myrna Walton** – seconded the request made by Ms. Schiff.

**CONSENT CALENDAR** - The Board will take a single roll call vote on the items listed below in this section. The vote will be on approval of the staff report and recommendation in each case.

<b># 1</b>	<b>Location:</b>	<b>Citywide</b>
	<b>Assessor's Parcel Number:</b>	N/A
	<b>Proposal:</b>	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.
	<b>Applicant:</b>	Karen August, Secretary to the Landmarks Preservation Advisory Board
	<b>Phone Number:</b>	510-238-6935
	<b>Owner:</b>	NA
	<b>Case File Number:</b>	NA
	<b>Planning Permits Required:</b>	Renew the adoption of Resolution Pursuant to AB-361
	<b>General Plan:</b>	NA
	<b>Zoning:</b>	NA
	<b>Environmental Determination:</b>	Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (Common Sense Exemption).
	<b>Historic Status:</b>	NA
	<b>City Council District:</b>	NA
	<b>Status:</b>	NA
	<b>Staff Recommendation:</b>	Receive public testimony and consider renewing the adoption of the Resolution
	<b>Finality of Decision:</b>	Decision Final.
	<b>For further information:</b>	Contact case planner <b>Karen August</b> at 510-238-6935 or by e-mail at <a href="mailto:kaugust@oaklandca.gov">kaugust@oaklandca.gov</a>

**Secretary August** – on the renewal of the resolution; to continue conducting the LPAB meetings via Teleconferencing. **PSR French** – did a verbal vote – **5 ayes, 0 nays, 1 absentee**. **Secretary August** – **motion passes**.

**INFORMATIONAL PRESENTATIONS** – no informational presentations

**PUBLIC HEARINGS / APPLICATIONS – Chair Fu** – public speakers/comments are allowed up to three minutes to speak per each item on the agenda, for tonight only.

<b>#2</b>	<b>Location:</b>	<b>1431 Franklin Street</b>
	<b>Assessor's Parcel Number:</b>	008 062100807
	<b>Proposal:</b>	Major Conditional Use Permit and Regular Design Review to construct a 27-story (410-foot tall) 419,480 square feet office tower with a parking garage above grade.
	<b>Applicant:</b>	TC II 1431 Franklin, LLC
	<b>Phone Number:</b>	Kyle Winkler, Tidewater Capital, (510) 290-9901
	<b>Owner:</b>	TC II 1431 Franklin, LLC
	<b>Case File Number:</b>	<b>PLN20124</b>
	<b>Planning Permits Required:</b>	Major Conditional Use Permit for large scale development; Regular Design Review
	<b>General Plan:</b>	Central Business District
	<b>Zoning:</b>	CBD-P Central Business District Pedestrian Retail Commercial Zone Height Area 7, no limit
	<b>Environmental Determination:</b>	Determination Pending, Environmental analysis to be conducted prior to any discretionary action.
	<b>Historic Status:</b>	Project site is located within an existing listed National Register historic resource, the Downtown Historic District Area of Primary Importance (API).
	<b>City Council district</b>	3
	<b>Status:</b>	In review
	<b>Action to be Taken:</b>	Receive public and Landmarks Preservation Advisory Board comments on the design.
	<b>For further information:</b>	Contact case planner, <b>Michele T. Morris</b> at <b>510-238-2235</b> or <a href="mailto:mmorris2@oaklandca.gov">mmorris2@oaklandca.gov</a>

**Michele Morris, project planner** – this project previously came before the LPAB this year on January 10 & May 2. Currently the applicant is proposing to construct a new 27-story office tower with three floors of above ground parking at 1431 Franklin St. The property is in the Central Business District, Pedestrian Retail Commercial Zone and is currently a surface parking lot, located in the center of the block. This is a 20,974 square-foot site in the heart of the Downtown Oakland Historic District, an Area of Primary Importance (API) to the City of Oakland and listed on the National Register. Staff and the sub-committee of the LPAB have worked with the applicant to refine the proposed design of the office tower. The applicant team has worked to improve the design of the tower in terms of fenestration pattern, type and architectural style.

Staff would like the Board to provide direction and recommendations regarding the design of the proposed building, with specific regard to five questions: \*has the applicant provided adequately detailed information on the design; is the proposed design compatible with the existing API; does the street-facing frontage reflect the existing facades; would the proposal result in a building with exterior visual quality at least equal to the contributing API; and does the proposed parking garage have a negative visual impact on the street frontage. \*(the complete recommendations, 2a thru 2e, are in the Staff Report on page 9).

**Kyle Winkler, construction mgr., Tidewater Capital** – presented the revised office and residential designs of the proposed project at 1431 Franklin St. The following remarks will be speaking to both

Agenda items, #2 and #3. In our Landmarks Preservation Advisory Board (LPAB) hearing for the office option, we were directed to participate in a LPAB design sub-committee that was formed during our hearing. We promptly began meeting with the design sub-committee in May with members of OHA to re-design the office to bring back to an LPAB hearing. We then began re-designing our residential project with a focus on design elements and details from the revised office design that were applicable to a residential building. We also presented and received feedback individually, from various LPAB members as well as OHA, before finalizing our revised residential design. It has enhanced our designs dramatically and we are excited to discuss them with you today.

First, we feel we have provided adequate details in our applications including major dimensions, material examples, window details and other information typical of a project at this stage. Second, as noted in prior hearings, we feel our design solution parking structure setback on floors 2 & 3 is respectful of the commercial corridor's urban form and responsive to the community feedback to include parking in the project. Lastly, our residential design exceeds the required open space when substituting the allowable conversion of 2 square feet for every 1 square foot of compliant private open space. We've made significant modifications to the project based on our best efforts to interpret the comments to date and are excited to advance both projects in the next stages of the design review following today's hearing.

**Allen Grant, architect, Large Architecture** – did a PowerPoint presentation. The office tower program consists of 21 floors of office space, three levels of parking at the base of the building, mechanical at the top, an office lobby and indoor and outdoor amenities at mid tower and on the roof. On the previous design, several comments were made, that the building did not fit within the environment, a little too heavy, awkward, and unbalanced. The base of the building and the podium were not particularly articulated. We decided to go back to the basics and looked at it as a classical building and took some cues from the Cathedral Building at 1615 Broadway. We changed the exterior with more brick, kept the lines through and across the building and maintained the larger glass feel of a typical office building. We used the coloring of brick from an adjacent building and metal infills that transition from day to night. We also pulled back the parking so that at the lower level you don't see the parking from the street. We increased the height of the lobby, with a proper canopy, and introduced windows to give it more life, particularly at night. Street renderings showed how it fits into the context of Downtown Oakland.

**PUBLIC COMMENTS/QUESTIONS – Naomi Schiff, OHA** – we appreciate the sub-committee's work and the modifications that Tidewater has made. The revised design is much improved. The south facing wall is more sensitive to the adjoining historic building, Geoffrey's Lounge, on 14th St. We also support the staff design comments and, we encourage the developer to continue working with the Black Arts Movement & Business District (BAMBD) and the neighbors, to address functional approaches that will help support the businesses on 14th St. We will be sending additional minor comments to staff and Tidewater recommending that the brick work won't be interrupted by joints: the warm, earth tone colors will be used; and the notched amenity space is integrated as much as possible with the overall design. In general, we are very pleased with the direction this is taking.

**Geoffrey Pete, business owner, Geoffrey's Lounge** – one thing that is noticeable in the City of Oakland is the rampant gentrification that has designed us out of this community regarding architecture and street parking. The Waterfront Loft area in Jack London Square has no parking meters but in Downtown Oakland where there are Black owned businesses, you must feed the meters every 30 minutes. Tidewater is suggesting that they would allot \$5000 for our consultant fees so we can get some clarity and direction on this proposed project. We've had many instances with construction insurance becoming required, when embarking on a task such as a high-rise building. The Millennium Tower in San Francisco is one of the most currently infamous instances. 410 14th, is an un-reinforced building and the huge potential for disaster during and post construction, is concerning. After facing the grueling development by Atlas

Development, robbing us of parking, we have already lost options for our patrons, and this is affecting business growth in the District. The building will interrupt the brick masonry style of my building and the other surrounding buildings. The historical buildings and small businesses in Oakland should not suffer at the expense of large new development proposals.

**Tina Muriel, Oakland business owner** – this building is literally in the center of the Downtown Historic District. 410 14th St., is a historic landmark and the former Athenian-Nile Club, built in 1903. This is a Black-owned building that houses many Black-owned business storefronts. We've suffered so much with the Atlas across the street and to do this twice in a five-year period is rude, wrong and an unsurmountable task for us to take on as business owners. Matching the 'color of the brick' is not how you preserve the neighborhood, the way you do that is, not build the building in the middle of a historic district. The Atlas took away our largest parking structure in the district, the bike lanes that are being proposed will take away street parking, and now the parking lot at Tidewater, when does it end. I don't see this happening in other neighboring districts. Also, the egress in the back of our building will be removed. In case of an emergency or fire, we'd have to exit through their building and that seems very unfair and uncaring to the people that have been here.

**Nico Nagel, Housing Action Coalition** – supports the project, the development has made many changes to make sure the building fits in the neighborhood and create an opportunity for new housing.

**BOARD COMMENTS/QUESTIONS – BM Andrews** – the architects and developers worked with our sub-committee to bring the design more into compliance with the requirements of the historic district, while keeping the integrity of a more modern design. The public comments are very legitimate and of serious concerns but not under the purview of the LPAB and should be brought before the Planning Commission. **BM Rice** – supports the project, it has come a long way from the earlier design. The contemporary detailing distinguishes it as a contemporary building but still fits within the historical context, in terms of scale, colors and the materials. It is consistent with the work we did in the sub-committee. [The sub-committee consisted of; **BM Rice, BM Andrews and Chair Fu**].

**BM Johnson** – I had an opportunity to meet with Tidewater after the sub-committee met, to hear their comments. They showed me what they incorporated from the Board, the sub-committee and OHA in their design. I was very pleased and appreciate them coming back and making the effort. I also appreciate the sub-committee for working with Tidewater and making the incorporation happen. My comments are based on the scope of the LPAB, not the Planning Commission. **BM Lenci** – I also met with Tidewater and appreciate the opportunity to review the iteration that came from the sub-committee's efforts, I appreciate everyone's time on this project. I echo BM Rice's comments, the balance between compatibility and differentiation is successful in this iteration. Thank you all for the work on this.

**Chair Fu** – I had the opportunity to witness the transformation of the project from when the Board first reviewed it. There were visible improvements, consistent to the Board's comments, reflected in the revised design. I'm in support of the project.

**Chair Fu** - asked the Board, if they'd like to make a motion on the five recommendations (2a thru 2e) in the Staff Report on pg. 9. **BM Rice** – made the motion: we advise staff, that it's the opinion of this Board that the current proposal for the office building at 1431 Franklin St. meets those five points that were requested for this Board to provide an opinion on. We support this project moving forward to the next step in the development approval process. **BM Lenci** – seconded the motion with a friendly amendment that the proposed parking garage does not have a negative visual impact.

**PSR French** – did a verbal vote – 5 ayes, 0 nays, 1 absentee. **Secretary August** – motion passes.

<b>#3</b>	<b>Location:</b>	<b>1431 Franklin Street</b>
	<b>Assessor's Parcel Number:</b>	008 062100807
	<b>Proposal:</b>	Major Conditional Use Permit and Regular Design Review to construct a 40-story (413-foot tall), 421,056 square foot residential tower with a parking garage above grade.
	<b>Applicant:</b>	TC II 1431 Franklin, LLC
	<b>Phone Number:</b>	Kyle Winkler, Tidewater Capital, (510) 290-9901
	<b>Owner:</b>	TC II 1431 Franklin, LLC
	<b>Case File Number:</b>	<b>PLN20125</b>
	<b>Planning Permits Required:</b>	Major Conditional Use Permit for large scale development; Regular Design Review
	<b>General Plan:</b>	Central Business District
	<b>Zoning:</b>	CBD-P Central Business District Pedestrian Retail Commercial Zone Height Area 7, no limit
	<b>Environmental Determination:</b>	Determination Pending, Environmental analysis to be conducted prior to any discretionary action.
	<b>Historic Status:</b>	Project site is located within an existing listed National Register historic resource, the Downtown Historic District Area of Primary Importance (API).
	<b>City Council district</b>	3
	<b>Status:</b>	In review
	<b>Action to be Taken:</b>	Receive public and Landmarks Preservation Advisory Board comments on the design.
	<b>For further information:</b>	Contact case planner, <b>Michele T. Morris</b> at <b>510-238-2235</b> or <a href="mailto:mmorris2@oaklandca.gov">mmorris2@oaklandca.gov</a>

**Michele Morris, project planner** – this project is the 40-story residential tower version, with above ground parking, at the same location, 1431 Franklin St. The applicant team has worked to improve the design of the tower in terms of; fenestration pattern, type and architectural style. The project was first considered by the Design Review Committee (DRC) at their meeting on 12/08/21. The DRC instructed the applicant to use the feedback from their upcoming LPAB meeting on the office design, to make the revisions to the residential design before bringing the revised residential proposal back to the DRC for future consideration and comments. The applicant has made the revisions to the residential design and now seeks input from the LPAB before they go back to the DRC. In the staff report, I've paraphrased questions and comments by the DRC on that previous design. Some of the key comments were; the expression of the building design does not relate to the context of the buildings in the vicinity, there are no breaks in the façade or plane of the building. Commissioners suggested a different materiality or base and the building's massing at the ground is imposing. Since then, they have revised the residential design. The proposal exceeds the usable open space requirements, for a residential project in the CBD zones.

The staff would like the Board to provide direction and recommendations \*(2a thru 2d), regarding the design on the proposed building which include: has the applicant provided adequately detailed information on the design; is the proposed design compatible with the existing API; does the street-facing frontage reflect the existing facades; and would the proposal result in a building with exterior visual quality.

\*(the complete recommendations are on page 8 in the staff report).

**Allen Grant, architect, Large Architecture** – continued the PowerPoint presentation on the revised proposal, a new 40-story residential tower at 1431 Franklin St. The renderings are very similar and we felt the feedback that we received from the different groups of people, were applicable to both schemes. Because it's residential, we were a little more flexible in what we could do. We tried to achieve a step quality to it, that feels more like a tower. The base of the building is very similar. We made it a little lighter and followed the cues we learned from the office tower. We squeezed down the window size with a horizontal sash type look. It steps upward on the skyline, interrupted by some terraces and balconies which gives the building a better rhythm. The cross lines from the adjacent buildings have been brought through, and once above the podium, it steps back then continues up. We set the parking back so you can't see it and increased the height of the lobby to allow for a much grander look but also to give lighting at the base, particularly at night. The entry is also similar with a canopy above. Grant showed renderings of how the building fits into the site, the elevations and the floor plans.

**BOARD COMMENTS/QUESTIONS** – **Chair Fu** – reported that he accepted an invitation from the applicant to preview this project as it was currently revised but offered no commitments **BM Rice** – also accepted an invitation to meet with the design team. He asked the applicant, regarding the north and south elevations, were you able to maintain the glazing on the units on both fronts? **Grant** – yes. **BM Johnson** – I also reviewed the documentation as a preview, after the sub-committee meeting. I suggested what I think has been incorporated about the podium, as you see the previous and current design, side-by-side. They did a great job incorporating all the comments. **Chair Fu** – asked staff or the applicant, has this design been reviewed by the DRC? **Grant** – no, we haven't gone to the DRC yet, for the current design. I appreciate that there has been a lot of input from the different groups, it has been very helpful. **BM Lenci** – I agree, it's great to have the visual comparison with what we saw previously. Moving forward, I would appreciate a quick summary of what has happened to date in the next staff report, and what to expect so we can understand where we are in the process.

**PUBLIC COMMENTS/QUESTIONS** - **Nico Nagel, Housing Action Coalition** – Clarified his previous comment on the office tower. We support the residential design project because we are a housing advocacy organization. The project team has done a significant amount of work to make sure the building is respectful of the community's desires and balances that required need for new homes. **Naomi Schiff, OHA** – from the visuals the developer has shown, in addition to being a housing advocate, the residential design is more successful and less damaging to the City skyline. On behalf of OHA, we recommend the warm earth tones and encourage the developers to work with the neighbors and BAMBD, to address what the impact of this project would be, especially the challenge of exiting the buildings. There needs to be more dialogue. We'd like to see how the fins are working and the brick panels, so everything is caulked and in matching colors so it looks integrated and clean. Also, the first-floor transom and how it works with the columns because the presence of a transom is key to the historic buildings in the area.

**BOARD COMMENTS/QUESTIONS** – **BM Rice** – expressed support for this proposal and any motion to move it along. **Chair Fu** – supports BM Rice's comments as well. I'm impressed that the applicant team could take from the previous review version and apply what the Board had requested, with the other building type here as well. Changes were done quite successfully and consistent with our comments, whether the office project or the residence project. He asked the Board if anyone would like to make a motion on the four recommendations (2a thru 2d) in the staff report.

**BM Rice** – made a motion: this Board supports the current application, addressing and meeting the request from staff to review points 2a thru 2d. This proposal is successful in meeting the requirements and this Board supports recommending the proposal as presented tonight to the Planning Commission.

**BM Johnson** – seconded. **PSR French** – did a verbal vote – **5 ayes, 0 nays, 1 absentee.**

**Secretary August** – motion passes.

<b>#4</b>	<b>Location:</b>	419 4 <sup>th</sup> Street (APN: 001 013901500)
	<b>Proposal:</b>	Upper story addition to an existing one-story warehouse building to create an eight-story, 101-unit mixed-use building.
	<b>Applicant:</b>	Mark Donahue, Lowney Associates
	<b>Phone Number:</b>	510-269-1123
	<b>Owner:</b>	Dodwell Company, Inc.
	<b>Case File Number:</b>	PLN20137
	<b>Planning Permits Required:</b>	Regular Design Review for construction of new dwelling units and an over 100 percent addition to a structure and Minor Conditional Use Permits for density and to allow parking areas within 75 feet of the front property line.
	<b>General Plan:</b>	EPP – Retail Dining Entertainment - 2
	<b>Zoning:</b>	C-45 Community Shopping Commercial Zone / S-4 Design Review Combining Zone
	<b>Environmental Determination:</b>	Determination Pending, Environmental analysis to be conducted prior to any discretionary action.
	<b>Historic Status:</b>	Potentially Designated Historic Property (PDHP). Area of Primary Importance (API): Produce District. OCHS Rating Dc1+ “Noodle Factory”
	<b>City Council district</b>	3
	<b>Status:</b>	Under Review
	<b>Staff Recommendation</b>	Receive public and Landmarks Preservation Advisory Board comments on the design.
	<b>Action to be Taken:</b>	Recommendation to staff.
	<b>For further information:</b>	Neil Gray, Planner IV, Phone: (510) 238-3878; Email: ngray@oaklandca.gov.

**Neil Gray, project planner** – this item is a revision to a multi-story addition above a one-story building, the Noodle Factory, in the Produce Market API in Jack London Square. This item was previously presented to the LPAB last November, but we wanted to bring it back because we felt the revisions were significant enough that it required another viewing by the LPAB. The revision would add an eighth story to the building and revise the upper-story façade with a 3x6 grid pattern which eliminated the prominent base, middle and top design presented to the LPAB and its sub-committee previously. At staff’s request, the applicant revised the plans of the base, middle and top design but stated they preferred the repeating grid pattern, because in their opinion it more reflected the warehouse designs of the district. Staff requests that the LPAB review and comment on the added height and provide input on the two options for the treatment of the front façade.

**Mark Donahue, architect, Lowney Architecture** – did a PowerPoint presentation on the proposed project at 419 4th St. He wanted to talk about changing the program partially due to changes in the housing market. Our client is changing from 69 units to 101 units. We went back to the drawing board, filled out half of the eighth floor which had previously been an open space on the roof, and incorporated some comments that were made during the last LPAB meeting. Another thing that was mentioned, was the precedent of the neighborhood. He showed previous and current designs and what changed, including the “tray” at the front of the building, which was pushed back to match the upper façade to create a continuous surface, which gives the one-story historic building more precedence; the grid, which was a two over three grid with one level underneath, is now three equal two part grids in both directions; on the side of the building, we still have the opportunity for some artwork but, we propose dividing the side into three smaller panels that reduce bulk on that side. Per a comment by OHA, we replaced bay windows on



the south elevation with a matching grid façade. Renderings showed elevations, columns, sides and back views. Other aspects of the design remain the same, utilizing colors from the 1920's for the front façade and standard materiality for the building.

**BOARD COMMENTS/QUESTIONS** – **BM Rice** – asked the applicant, what the base, frame, infill and window materials are. **Donahue** – the basic frame and side panel materials are stucco, fine sand finish; in limited areas, we have cement board; the infill panels, also cement board, the window frames are anodized aluminum with an operable awning and lower sash.

**PUBLIC COMMENTS/QUESTIONS** – **Daniel Levy, OHA** – we appreciated meeting with Mark Donahue and the project team and we are happy with the improvements to this project. We feel that the massing and the general design fit in well with the Produce Market API.

**BOARD COMMENTS/QUESTIONS** – **BM Rice** – has concerns with the material palette. Matching the materials would make a stronger project. **Chair Fu** – the last time around, the discussion was on the rear façade and compatibility of the wrap-around of the design and the bay window element. I'm pleased to see that has been modified. A more consistent dual façade on both sides is an improvement. Agrees with BM Rice regarding the materials. Asked if any Board member would like to make a motion. **BM Andrews** – I prefer the previous design but I will support whatever the Board goes with. The difference between the two is relatively subtle, I could live with either.

**BM Rice** – made the motion; that the Board supports the design proposal G2.1 and supports the addition of the additional level. **BM Johnson** – seconded. **PSR French** – did a verbal vote – **5 ayes, 0 nays, 1 absentee.** **Secretary August** – motion passes.

**Chair Fu - called for 5-minute recess before the next item (at 6:45 pm).**

**BM Lenci – recused herself from this item (5212 Broadway).**

<b>#5</b>	<b>Location:</b>	<b>5212 Broadway California College of Arts</b>
<b>Assessor's Parcel Number(s):</b>	014-124-300-101	
<b>Proposal:</b>	<p>Redevelopment of the site as a 510 unit Planned Unit Development (PUD) project.</p> <ol style="list-style-type: none"> <li>1. <u>Development</u> of two buildings ranging in height from 45 feet to 90 feet. Building 1: Mixed use, 248 residential units and 6,982 Square Feet (SF) of commercial space, 233 parking spaces, 248 bicycle spaces, Building 2: Residential, 262 units, 35 parking spaces, 262 bicycle spaces,</li> <li>2. <u>Preservation and renovation</u> of Carriage House (2,612 SF), Macky Hall (7,700 SF), Macky lawn (10,718 SF), the entry staircase, gate, Broadway wall, view corridor and art icons within the Treadwell Estate Landmark Designation.</li> <li>3. <u>Demolition</u> of 10 buildings and the California College of the Arts Campus Historic District:</li> <li>4. <u>Private Open Space</u> with Public Access (29,310 SF) and Public Event Space within the open space (14,263 SF) and on the first floor of Carriage House (1,487 SF).</li> <li>5. <u>General Plan Amendment</u>: Change from Institution Land Use to Community Commercial Land Use.</li> <li>6. <u>Rezoning</u>: Change from Mixed Use Residential (RM-3) and Neighborhood Center Commercial (CN-1) to Community Commercial (CC-2). Height change from 35 feet to 90 feet.</li> <li>7. <u>Design Guidelines</u> for demolition and redevelopment of the campus.</li> </ol>	
<b>Applicant:</b>	Arts Campus LLC	
<b>Phone Number:</b>	415-489-1313	
<b>Owner:</b>	California College of the Arts	
<b>Case File Number:</b>	<b>PLN 20141, ER19003</b>	
<b>Planning Permits Required:</b>	Planned Unit Development, Design Review, Rezone, General Plan Amendment, Variance, Conditional Use Permit	
<b>General Plan:</b>	Institutional, Urban Residential	
<b>Zoning:</b>	CN-1, RM-3	
<b>Environmental Determination:</b>	Environmental Impact Report (EIR) is required.	
<b>Historic Status:</b>	Landmark, API, Campus District including 12 buildings: 4 A1+.4 B1+, and 4 C1+.	
<b>City Council district</b>	1	
<b>Status:</b>	Under Review	
<b>Staff Recommendation</b>	Review and comment on Draft Design Guidelines	
<b>Action to be Taken:</b>	Recommendations to staff	
<b>For further information:</b>	Contact Case Planner <b>Rebecca Lind</b> at (510) 238-3472 or by email at <a href="mailto:rlind@oaklandca.gov">rlind@oaklandca.gov</a> .	

**Rebecca Lind, project planner** – the issue before the LPAB is a preliminary review of the site-specific guidelines for the re-development project at 5212 Broadway. The site guidelines would be adopted as part of the Planned Unit Development (PUD) for the project and would provide alternative standards and criteria for demolition and replacement of projects within an API. The replacement project is for 510

units in two new residential buildings with parking and a small amount of commercial use on Broadway. This project would require demolition of 10 of the 12 buildings on the campus and contributing landscape.

The concept includes retaining the Landmark Treadwell Estate (Macky Hall, Carriage House, the Broadway wall steps, the view corridor and, some additional landscape features). The project also involves demolition of multiple layers of historic resources that make up a campus API, including four buildings that are individually eligible for listing on the California Register and numerous contributing buildings and landscape features. Tonight, we are not reviewing the plan for the project, instead looking at proposed design guidelines that would guide the development of the project. Staff is requesting that the Board consider whether the draft design guidelines sufficiently address the conceptual context of the neighborhood, the elements of the existing campus, and the design quality of the replacement project, sufficiently to make the mandatory findings. The mandatory findings state that the design quality of the replacement project needs to be equal or superior to that of the existing, compatible with the character of the district with no erosion of the design quality of the replacement site or the surrounding areas.

The staff report presents analysis of two sections of the proposed guidelines that we're reviewing tonight. These are important building blocks for the entire document. What we're asking to consider, is whether the proposed approach would provide sufficient direction for this proposal. The first section is the summary of design response to historical and contextual elements, that identifies the features of the existing campus, Treadwell Estate and the Broadway/Rockridge neighborhood corridor. The second section, the building design guidelines, identifies the preservation of Landmark properties and preservation priorities for other buildings on the CCA site with historic resources ratings when or if preservation is proposed. The staff report outlines and comments on recommendations to provide additional information: does the list adequately identify the features of the existing campus; does the LPAB agree with staff comments requesting clarification about site features and the neighborhood; address emergency access and pedestrian corridor, scale and massing, intensity of detailing, and does the LPAB agree with staff comments to provide a set of general guidelines that apply to all historic resources on the site.

**Marc Babsin, president, Emerald Fund** –PowerPoint presentation: we've been on this project since 2017. We've had dozens of stakeholder meetings over the years and this is our third LPAB meeting. The biggest update is that CCA has left the site and relocated to San Francisco. The Planning Department requested in 2020 that we study how to save 10 of the existing buildings, do an analysis and, create plans and specifications for each individual building on how to convert them. Two different construction firms presented very detailed pricing and office brokers advised regarding the rent. We took all those numbers and put into our financial feasibility report and the difference in cost from 2 years ago to today is quite a big difference.

**Woody Hansen, Sr. associate, SITElab Urban Studio** – Hansen continued the PowerPoint presentation on the design guidelines. He stated, Marc asked us to join the team about a year and a half ago, to address how to carry forward the unique legacy of the CCA Rockridge campus. The project sits at the pivot point between Broadway and College Ave., the commercial corridor and the Rockridge neighborhood. There are a lot of complexities here and layers we need to try and balance. The design guidelines included in the staff report, are the mechanisms to ensure the context of Rockridge and the commercial corridors are carried forward, as well as, the historic significance of the sites. The layered history is respected, while creating a path for the new housing and open space. The guidelines are divided into 4 chapters; the first is vision, which provides background, followed by two chapters of guidelines for buildings and open space, and the fourth component, to help staff review, the implementation check list that organizes the guidelines by the Design Review findings. Of specific importance are the rehabilitation of two Landmark buildings, Macky Hall and Carriage House, both built in 1880s and maintaining important roles throughout the CCA

period. Both buildings are maintained and rehabilitated to the Secretary of Interior Standards. The Carriage House maybe relocated on the site from its current location and the guidance for where and how that may occur is included in the guidelines. New buildings must respond to the Landmark buildings through designated setback zones and a reduced height zone where they can be no taller than the Landmark. The guidelines also include adjacencies and responses; connecting pedestrian experiences; intensity of detailing; landscape elements responding to site history; contributing landscape features; and additional memorialization of the arts culture with the creation of new integrated art pieces in the building.

**Sade Borghei, principal architect, Mithun** – continued the PowerPoint presentation on the proposed building design concept, based on the guidelines. The new development maintains Macky Lawn and the associated Landmark view corridor as the centerpiece of the site. It is now open to the public as a neighborhood amenity and we relocate the Carriage House adjacent to the lawn for use as an amenity space. Macky Lawn will be a public event space with a nature playground close to Broadway for families with children. We'll retain a third of the existing trees and all trees removed will be replaced with appropriate native species. The design concept also included the neighborhood context and Craftsman influences; sketch renderings of the proposed project, with detailing and expression to structures; reuse of existing materials and building elements; and will maintain and display the history of CCA.

**PUBLIC COMMENTS/QUESTIONS** – **David Mekel, Director of Campus Planning, CCA** – on behalf of the college, I want to thank you for receiving public comment about the re-development of the property and the team's efforts to balance the preservation of the critical historic elements while creating much needed housing in Oakland.

**Myrna Walton, Upper Broadway Advocates (UBA)** – Oakland needs more housing, but not more luxury housing and this is most certainly luxurious. Rockridge doesn't need it either and it's diminishing historic buildings.

**Annemarie Haar, Assoc. VP of Instructional Services, CCA, and co-chair of the Oakland Campus Legacy Committee** – through these roles, I've been involved with researching, documenting and honoring the legacy of the campus for 12 years. Our archives are sizable, 600 linear feet of documents, photographs, oral history, campus and building plans that have provided a wealth of content. We've been very committed to this work and have started conversations with EBC and Emerald Fund on ways to feature these materials on display.

**Nicole Lazaro, co-founder, Upper Broadway Advocates (UBA)** –the size and bulk is continuing to increase, is damaging the neighborhood, and with more people we need more open space. The proposed guidelines are too vaguely worded, and too open for interpretation to matter at all. We suggest replacing words like "encourage" with language that's specific, measurable and enforceable.

**Danya Winterman, Rockridge resident** – one thing that's been very clear from the community since this project has been talked about for years, is the importance for us residents, to retain the historic structures. And now that it's less feasible, the developers are going to throw it out the window. It's not the right time for this development and it doesn't fit in the neighborhood.

**Ivar Deal, Rockridge resident** – has concerns with the managing of construction and the effect it will have on nearby residents, families and seniors, and those who have health problems. No construction that will cause us to call the police, with the noise and hours of construction.

**KC Farmer, chair, Rockridge Community Planning Council (RCPC)** – RCPC is an elected body formally representing 5,800 households in the Rockridge neighborhood. RCPC submitted a letter with comments, to the project sponsor on 8/25/22, (cc'd Ms. Lind), and we are generally very supportive of efforts to develop a substantial amount of housing at this site. We haven't taken an overall position in support or opposition to the project. We are appreciative of the design which proposes to adaptively reuse Macky Hall and the Carriage House, as well as to preserve the historic wall, the gate and staircase along Broadway. We want to keep working with the City and the developer to look for ways to increase affordability levels while keeping it economically feasible to build.

**Sarah Larsen, Oakland resident** – expressed support for the latest proposal to redevelop the CCA campus. I've listened to both the project team and the community and I feel it does balance historical preservation with the need for public space and much needed new housing for Oakland.

**Stephen Coles, Rockridge resident** – I've been following this project for many years. I support the project and I'm impressed with the adjustments that have been made to the plan. I care deeply about the historic and aesthetic value of this neighborhood. I recognize that there's a balance that needs to be made in preserving that value and creating new housing and open space.

**Chris Porto, owner, Smart Growth** –expressed a lot of support for this project. The density here is appropriate and the height of the proposed buildings is exactly what needs to go on this site to support that density. The fact that developer can provide such a large amount of open space in a neighborhood that's lacking any open space for children and families is also exactly what's needed.

**Amelia Marshall, OHA** – this project does not satisfy the design guidelines. We sincerely hope the LPAB will help put the brakes on this project. If it goes forward, it will be bad for Oakland. If the developer is allowed to destroy an entire API for constructing luxury condos, no historic building in Oakland will be safe.

**Janis C. Brewer, president, RCPC** – demolishing a standing API is very serious. We're calling upon this Board to preserve more of the API. The community has used this open space for a park for the last 100 years. A first step would be to withdraw the recently added amenity building, as it reduces the amount of available open space to the community. The private amenity building, including a viewing terrace and luxury gym, is an insult to the Rockridge community.

**Mary Harper, OHA** –thanked everyone who put so much time and effort into this very important project. She has concerns about the possible loss of an API designation for this area. The API is composed of 12 buildings, 10 of which are campus era and could be demolished and the two remaining buildings, Treadwell Mansion and the Carriage House. The destruction of an API is very rare.

**Naomi Schiff, OHA** – we are in deep concern about the loss of this API, particularly about the very weak language about preserving the historic aspects of the campus. So many of the provisions in the proposed design guidelines are “encourage.” It doesn't say who is encouraging, but things are being encouraged. I think things need to be required, paid for, figure out who's paying, and memorialized in a way that they are enforceable.

**Daniel Levy, OHA** – while the buildings of early significance, Macky Hall and the Carriage House, are proposed for attention, all the other buildings from the campus period are to be eliminated. I find it ironic that we're discussing a document that aims to celebrate the campus, while at the same time proposing to demolish every single other building that the campus has built. Cannot a single structure from the CCA era be saved as a part of the design guidelines?

**Yuseff Nouri, civil engineer, EBMUD** –how many parking spots do you have allocated for the commercial proposal, and why do you have to crowd the corner at Broadway and College with the tallest building you have? Maybe put it against the big empty lot on the hillside, where you can excavate as much as you want and have nice views?

**Julie Von Bergen, Rockridge resident** – I'm very frustrated that Emerald Builders have reneged on their previous promise to preserve the API buildings. It's frustrating to see emphasis on the Victorian era buildings but ignoring the importance of the college era buildings. We'll lose quite a bit of Oakland history.

**Ann Winterman, Rockridge resident** – I work for FEMA and we do a lot of rebuilding, but I'm struck here by what we may lose. I'm astounded that you would even think that the use you're proposing to replace these buildings with, would meet that test we heard in the beginning of this discussion. We are talking about built environment that's over a 100-years old and, a natural environment that was also tribal, and the way it affects the fabric of the community. This is an Oakland treasure; this is what makes this community what it is and has been.

**Veorica Farikash, Rockridge resident** – I didn't hear anybody talk about the huge number of residents that are going to affect the community. There isn't much parking provided already in an area that is

difficult to find parking. I agree with all the previous speakers who are saying what's the rush, let's get this right first. If it doesn't make sense for the developers, let's get some non-profits involved. The area should be done thoughtfully, with regard to everybody. If it's affordable housing that is the main consideration, it's obviously not being addressed.

**Jennifer McElrath, Rockridge resident, member of UBA** – I agree that the latest designs are much improved. The design guidelines are incredibly weak and they're not specific. In the few cases where they are specific, some of the metrics seem inferior to zoning guidelines, or even more unfavorable than what the plans that were submitted.

**Greg Pasqualie, Rockridge resident** – what I like about what the developer has proposed, is creating an open space for the neighborhood, a place where I can take my kids. I appreciate the developer focusing on prioritizing subsidized affordable housing and public open space and creating more housing for every income level.

**BOARD COMMENTS/QUESTIONS** – **BM Rice** – asked staff, after reviewing a portion of the guidelines, what are the next steps and will this be last opportunity for Landmarks to review this?

**Lind** – I've been working closely with the applicant team to get everything revised and move this forward. What we're looking for tonight is some discussion and indication, on whether there's enough detail and features on the list of guidelines. It is our intent to bring the completed design guidelines back to you. You will also be having a CEQA hearing on the finished CEQA analysis, and then the merits of the project. There are multiple hearings to go before the LPAB. The immediate question is, do you want to give us direction or make comments about any additional details to be addressed in the guidelines and then returned to you again in the short term? **BM Rice** – thank you, that was helpful.

**BM Andrews** – thanked everyone who participated in this item. I must be honest and it's heartbreaking for me to say. I do want development in Oakland but, I cannot support this project as it presently configured. In terms of my responsibility as a member of this Board, destroying an API is not in our charter, and this effectively would do that. If the developer had come back and said, 'we're going to keep 6 out of these 10 buildings', it would be a different story. But there's no illusion about it, they are tearing down all the historic buildings and the renderings they are presenting are just standard developer buildings we see all over the country now. It's not preserving the quality or enhancing the quality of that API, we can't endorse this. **BM Rice** – I generally agree, we have this API that we're here to review, to protect and find the best uses for it. If it looked like this was feasible in the past potentially, it will be feasible sometime in the future. This is a CCA campus project and we're not keeping any of the CCA buildings from that era. Fundamentally, I must agree, that's what we're here for, to protect these buildings.

**Chair Fu** – I would have to agree with the Board members that have spoken tonight. I understand, there's a huge crunch and need for housing statewide, as we're faced with unsurmountable RHNA numbers for every city and the demand for affordable housing. But our charter here in this group, is preservation and finding ways to balance that need to protect our history and our charter. The removal of an API, is challenging to me, I haven't seen enough evidence from the documentation that's been submitted. The staff did an excellent job going through the documents, pulling out and breaking down different sections to provide that analysis and breaking it down enough to provide some beneficial responses and comments that the guidelines did not do on its own. To follow up on BM Rice's comments, how to move forward with the guidelines, we can look at the staff's comments, they are very detailed and offer good solutions. A better variation of height and massing should be considered. Additional articulation for facades is significant and the guidelines should address that, at that level. I don't quite see it there yet for what's being proposed. For us to make a reasonable recommendation on the guidelines themselves, there's more work to be done. Again, looking at the staff's evaluation should be a good starting point to beef up these guidelines and bring it back to us for another look.

**BM Johnson** – the preservation of the API is too compelling here. I stand with the rest of the Board members on their comments and statements. I don't think it's ready yet and I'd like to see more effort in the preservation of the historic buildings. **Chair Fu** – we have some options; we can consider a motion to provide more direction for staff and the applicant to continue to move forward with their timeline and bring the project back; we can look at having a sub-committee to participate in this exercise; or we can postpone it until there's more movement on the design guidelines, based on the staff's analysis.

**BM Rice** – made a motion, that this Board forms a sub-committee to study the proposed guidelines for the CCA campus renovation. **BM Andrews** – **seconded**.

**PSR French** – did a verbal vote: **4 ayes, 1 abstain, 1 absentee**. **Secretary August** – **motion passes**. **Chair Fu, BM Rice and BM Johnson volunteered to sit on the sub-committee for this project**.

**ANNOUNCEMENTS** – **Secretary August** – there is an opportunity in the LPAB for a new member to fill the vacancy. Please go to <https://www.oaklandca.gov/services/apply-to-boards-and-commissions> to apply.

**UPCOMING** – None

**APPROVAL OF MINUTES** – for: **July 11, 2022 and August 1, 2022**.)

**BM Andrews**, moved to approve minutes of July 11, and August 1, 2022. **BM Johnson** – **seconded**.

**PSR French** – did a verbal vote: **4 ayes, 1 abstain, 1 absentee**. **Secretary August** – **motion passes**.

**ADJOURNMENT** – **8:55pm**

**NEXT REGULAR MEETING: October 10, 2022**

Minutes prepared by: **LaTisha Russell**