

**LANDMARKS PRESERVATION
ADVISORY BOARD MEMBERS:**

**Vince Sugrue, Chair
Klara Komorous, Vice-Chair
Chris Andrews
Ben Fu
Marcus Johnson
Nenna Joiner
Tim Mollette-Parks**

**LANDMARKS PRESERVATION
ADVISORY BOARD MINUTES:**

**April 12, 2021
Special Meeting 5 PM
Via: Tele-Conference**

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MEETING CALLED TO ORDER: Chair Sugrue @ 5:00pm

ROLL CALL: Board Secretary: Pete Vollmann

**Board Members present: Fu, Johnson, Joiner, Komorous,
Mollette-Parks, Sugrue
Board Members absent: Andrews
Staff present: Pete Vollmann, Betty Marvin, Deb French, Karen August**

WELCOME BY CHAIR - Board Chair Vince Sugrue, welcomed everyone to the meeting and asked Board Secretary Pete Vollmann 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: he 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 – Vollmann – gave an update on the LPAB Agenda; the March 22, 2021 minutes, will be presented at the next LPAB Meeting in May, 2021.

1. Board Matters – Vollmann – thanked **Board Member Nenna Joiner**, for her outstanding service on the Board and, also in 'hold-over' status recently. (A new appointment was made to the LPAB, Alison Lenci, who will join the Board in May). This will be Nenna's last Meeting as a Board Member. We usually have a Certificate of Appreciation with all the Board Member's signatures, then hand it out at the

Meeting, but given we're in a 'virtual' world right now, we have a 'virtual' Certificate for you. Vollmann offered to print out and hand deliver the Certificate in-person to Ms. Joiner and asked, if any of the Board Members would like to say something on behalf of Ms. Joiner.

Ms. Joiner – was very pleased and said she had a 'great time'. It was a privilege and an opportunity to sit in the seat, to learn and contribute, as well. I know that these seats are temporary for everybody that's in there. The ownership of the seat belongs to the City of Oakland and we're here to do 'good work' for the City of Oakland. And, we also need to encourage others to be a part of that 'good work'. Ms. Joiner thanked all the Members who have served during her time and this current time; Ms. Betty Marvin, who's been my **impetus** for getting me on the Board; Jonathan Arnold, a great person; Pete Vollmann and especially, Chair Sugrue, thanks to everyone.

Betty Marvin - gave a huge 'thank you' to Nenna and stated they go back to the early 2010's when Nenna started coming to Betty's office to do historical research, related to the sex industry, which of course is the topic of her Uptown Business, Feelmore, Adult Gallery on 17th & Telegraph. Nenna went on to be co-leader of the Oakland Heritage Alliance (OHA) Walking Tours on 7th Street and Prescott where only scraps remain in the Business District, that once rivaled Downtown. West 7th Street had a distinctive character, pulsing with entertainment, commerce and vice. Nenna had done a lot of research on this and was able to give us a lot of background, then one thing led to another and she applied for a seat on the LPAB. And now, here she is, having gloriously served two terms and a bit more. We hope to see her again on another Board or Commission, representing her various constituencies of the Central District business people, people's history and much, much more. Betty thanked Nenna again and stated, it's been a pleasure and a privilege.

Johnson – wanted Nenna to know that he really appreciated her. He stated that when he first came to the Board, she approached me to help me, as a new Board member. And, what I've noticed is that Nenna has done that with a number of new Board members and it was greatly appreciated by me and, wanted to wish her well.

Sugrue – says that he 'loved' Nennas' energy on this Board, thank you so much, it's been great getting to know you and I'm looking forward to knowing you for years to come.

2. Vollmann – announced, that beginning in May and into June 2021, Karen August (who was recently promoted to Historic Planner III), will be taking on the duties of the Landmarks Board Secretary, in which Vollmann, has been pinch-hitting in the role for the past three years, will come to an end. He will be returning to his regular duties as a Planner IV and will be transitioning Karen in over the next couple of months. **Sugrue** – thanked Vollmann for the 'awesome' job he's done on the Board.

Sub-committee Reports - None

Secretary Reports – None

OPEN FORUM – No Public speakers

INFORMATIONAL PRESENTATIONS – None

APPLICATIONS –

1. Location:	419 4th Street (APN: 001 -0139-015-00)
Proposal:	Partial Demolition of an existing one-story warehouse building “Noodle Factory” to construct a seven-story 69-unit mixed-use building.
Applicant:	Mark Donahue, Lowney Architecture
Phone Number:	510-836-5400
Owner:	Dodwell Company, LLC
Case File Number:	PLN20137
Planning Permits Required:	Regular Design Review for partial demolition of an existing one-story warehouse (front façade to remain) and construct a seven story 69-unit mixed use building
General Plan:	EPP – Retail Dining Entertainment - 2
Zoning:	C-45 Community Shopping Commercial Zone / S-4 Design Review Combing Zone
Environmental Determination:	Determination Pending, Environmental analysis to be conducted prior to any discretionary action.
Historic Status:	Potentially Designated Historic Property (PDHP). Area of Primary Importance (API): Produce District. OCHS Rating Dc1+ “Noodle Factory”
City Council District	3
Status:	Under review
Action to be Taken:	Receive public and Landmarks Preservation Advisory Board comments on the design
For further information:	Contact Case Planner: Jose M. Herrera-Preza @ 510-238-3808 or jherrera@oaklandca.gov

Jose Herrera, case planner – staff seeks to get input and design recommendations regarding the development proposal at 419 4th Street. The site is occupied by an 11, 527sq ft., one-story commercial warehouse building, most recently occupied by a noodle processing facility. The subject site is in the Jack London Warehouse District, (at-large) but, the subject is a 13,986sq ft. parcel in between Broadway and Franklin Streets, within the Produce Market Area of Primary Importance (API). While the property is not within the original 27 buildings that make up the core of the Produce Market District, the building is identified as a contributor of the district at-large. The existing building was constructed in 1922 as a garage, but over time transitioned into the Produce District through being occupied by various food related activities. The project before you, proposes to remove the roof, the rear and side walls but will preserve the reinforced concrete and stucco façade which faces 4th Street. Part of the project will restore the façade with a period appropriate design and integrate that façade as part of the new construction. The construction includes 7 stories that will be behind and above the façade within 2 volumes separated by what the applicant describes as an ‘air canyon’. The project will have a ground floor garage, a 1422 sq. ft. commercial space and residential amenities. Floors 2 thru 7 consists of 69 residential dwelling units. Staff requests input on the following from the LPAB: 1) what would be the appropriate step back of floors 2 thru 7, to differentiate the existing façade, which staff constitutes as the primary historic significance of the building, from the new construction 2) the overall height of the building; whether the design proposed sufficiently reduces the perceived height of the building, beingso close to the Warehouse District.and; 3) regarding the materiality of the building, is the use of smooth plaster, contrasted with

horizontal siding, appropriate in the Warehouse District, and; 4) For the windows; is the use of standard sized windows appropriate or should the windows reflect more of the Warehouse District. As procedure, this item requires LPAB Design Review, for new construction in an API.

Mark Donahue, applicant, Lowney Architecture – gave a PowerPoint presentation on the site at 419 4th St. The proposal is to preserve the main façade and, all the perimeter existing walls including, the back and sides. Just the roof will be removed and the interior slab, to the degree that's necessary, to construct the new building. The project is located within the Produce Market Historic District, close to Broadway. It sits within the area of: the S&A Produce Warehouse on 4th & Franklin, an existing 16-story high-rise to the south and two County properties, across the street to the north. An RFP (Request for Proposals) has gone out for this high-density residential project which, under the new Downtown Area Specific Plan, these two sites are in a high-density area. On the immediate west side on 4th, is 322 Broadway. Our client, Chris Porto, is also the owner of that property and we've enjoyed working with Chris, he has a very strong sensibility in preserving historic fabric and bringing it back to life, in the context of modern day needs for the neighborhood.

The existing building is one-story, with reinforced concrete and stucco, that was originally built as a garage. Overtime, it has transformed into part of the Produce District, because of its use. Many of the features that you see now, are the results of its original function, characterized as an early Twentieth Century utilitarian. The façade as it exists today, has three entry bays plus some pedestrian scale elements on the right and in the center. Where the façade meets the new design of the building, we've pulled the upper level back five feet, and in the upper left corner there is a darker element that frames and surrounds the panel in front and serves to segregate it from the historic building below.

In the new building, the ground floor will be primarily parking and a small retail venue to activate the street and respond to what is becoming increasingly a residential neighborhood. The balance of the ground floor is taken up with functions we need to run the building, also a bike room on the perimeter and an entrance to the parking garage. The second floor is comprised of efficiency units, a shared amenity space such as office, conference rooms and possibly a gym. The primary programmatic driver here is, a building that has multiple uses and can appeal to multiple users. The third level is characterized as a 'slot canyon', that provides a way for the bedrooms to have access to light and air. Along both the interior perimeter walls, we have bedrooms with windows facing on to the open space, the planters are placed to give the windows a buffer. The upper-level floors on the south side, are a series of four bedroom suites, with bedrooms facing in both directions, the main living space in between, and two bathrooms. On the north side are a series of smaller units, ranging from studios to three bedrooms. Also included is a roof deck, on the south side, that addresses 4th Street, with a mezzanine and a private terrace.

BOARD QUESTIONS – **Komorou** – directed this comment to staff; says she went over the key issues that the Board is being asked to comment on, but the one thing I don't see and would like to understand why, is that the applicant is asking for exceptions and the Board is asked to weigh in on that. The Maximum Residential Density is double of what is allowed (on pg.8 in the Staff Report), which reads; one unit per 300sq ft. of lot is the density that is required but, the proposed is 150sq ft. That appears to be an exception and asked if that could be addressed. **Donahue** – the 150sq ft, is a typo in the set. The calculation is that, for studio apartments, it's 200sq ft per unit lot and the standard sized units is 300sq ft of lot per unit. However, the code in the C-45 District also allows 50% increase to the number of units under the Conditional Use Permit (CUP) application, which we are applying for. As it turns out, there are a number of different mechanisms to achieve that higher density but, the 69 units total is actually not twice the allowed amount, I believe 47, and it is somewhat 1½ times that. **Herrera** – that was a point of clarification that staff had commented to the applicant. To clarify for the Board, the density is not

outright permitted but it does require a CUP to exceed the permitted density. So, it's not necessarily an exception but for the purposes of this meeting, they are requesting a CUP for density. **Komorous** – from my understanding, if it is part of an exception, even through the Conditional Use, that still sets a higher bar for us to weigh in. **Vollmann** – I believe this case is going to be an administrative case, and a decision will be made by the Director, and not the Planning Commission. Ultimately, that decision on those findings will be made by the Zoning Manager through the Director. The main focus of what they're looking for Board input on is with regard to the Design Review findings, as it pertains to the Historic District and the building's compatibility with the district. Obviously, this is not decided yet, this is an ongoing process. Certainly, if you think the increased density would lead to the height or conditions of the building being inappropriate, all those would be understood as comments in the context of the Design Review findings. The point of this hearing and what the staff is looking for, is feedback as it pertains to the design itself. **Neil Gray, Planner IV, City of Oakland** – we're looking for input on the design so that CEQA impacts or environmental impacts if any, can be studied. Once we have a design that we've somewhat settled on, that design is going to be studied by a consultant to determine whether there's an impact to the district or not, or at least to analyze that issue. Then we would bring it back to the LPAB to look at the report and provide further recommendations. **Sugrue** – looking at the blank face with no windows on the Broadway side, is there any consideration for Public Art on those spaces. **Donahue** – yes there is, that is part of the Arts Program.

PUBLIC COMMENTS/QUESTIONS – There were no Public Speakers for this item.

BOARD COMMENTS – **Komorous** – starting with the step back (pg. 9 of the staff report), ideally the step back should be larger, and from what we have seen, other projects were able to achieve a larger step back than the 5 ft. I appreciate the differentiation with the colors and everything but, at the same time, actual physical distance, makes the greatest impact. The applicant said it correctly but there's inaccuracy in the text, it says the step back is 5'8" but it isn't, the step back is 5ft. I believe that the tower element on the right side projects into that 5' step back, from reading the floor plan that was provided. Ideally as a comment, the step back should be enlarged and projecting the tower is not acceptable, from a historic point of view, from what this is trying to accomplish. Projecting the tower further forward, detracts from the point of the step backs.

Regarding the scale; I'm looking forward to hearing what my fellow LPAB members have to say, but just within that API, it's just too tall. If any part of it could be lowered, even the tower element, could go a long way. I understand the need for housing is absolutely critical but at the same time, this is part of an API. And by far, this is the tallest building in this API and should be lower. As to the windows, the staff report suggested that incorporation of floor to ceiling windows, symmetry in window size, deep window recess and greater proportion of window area, would be more reflective of the warehouse district. From a historical point of view, I couldn't agree more and think it's a terrific idea by staff. It's something that will greatly impact the design; the design claims to be reflective of the district but I don't see that it is. Along with the materials and design, a thick metal cornice on top of the building would provide a clear terminus and would work well. And a connection to the district's rhythm and form would more reflect the warehouse district and would be helpful.

Fu – says he enjoys following Vice-chair Komorous, she's organized, sustained and eloquent in her language and easier for me to comment. He agrees with Komorous and supports the staff's recommendations as well. On the step back, it's a little arbitrary if we were to say, 5ft, 10ft, 20ft is appropriate; we could have used a comparison study. As proposed right now, it's not large enough. Partially because of its scale and the materials, it makes the overall building look larger, more massive and more solid than it needs to be. Increasing the glazing proportion, as proposed by staff, would help

and lighten the façade a little more, then we could see that step back. Having a terminus to the structure would help as well, but we have to be cautious of what that means and avoid false historicism.

Mollette-Parks – it would be good to understand further what the trade-offs might be between the scale of the volumes and the potential density, as well as the step back and a further design study.

Chris Porto, applicant– says, it’s an honor to be back before the LPAB since presenting 322 Broadway during the Mills Act process in 2020. As Mark (Donahue) had mentioned, we’ve taken great strides to try and preserve the façade and,, working with Betty Marvin from the beginning of the process. The project was approved with the third story addition set back 5ft and that’s one of the points we’ve been working with and using that as a reference for historic façade preservations with upper story additions. The 5ft has made it feel accommodating to the space above but at the same time, from the perspective below as you’re walking along the street, you cannot see the upper story at all. The setback going any further, ends up eliminating the ability to do the ‘air canyon’ and bring the light and air into the center of the building. There are certain building code requirements in maintaining that distance between the two portions. We did push back the façade in this one and we were able to achieve more differentiation, as we were requested. It’s quite implicating trying to go further back primarily because, it has been designed with two separate pieces. **Donahue** – though the tower element that it is projecting, the tower element is projecting vertically not horizontally. What’s deceptive about the plans, is that the surface of the windows is set back from the face of the tower. The 5ft setback is the grayish wall face and the 5’8” is the dark surface you see and the windows.

Komorous – understood what Mark is trying to do with the tower. The glass is pushed further back but when you have a tower element and when you have something that defines the base of the tower, that is that vertical element. You projected it forward and it does create a tower because the left and right hand sides come forward and define it. At the top, it projects as well. The effect is that it projects forward and, if that’s something you’re not interested in then that would be an easy fix. Make the whole tower loom a lot less if the top of the tower could be lowered and, with that 5ft set back, the perspective helps you and it does look like it’s set back. But at the same time, because it is so tall, a greater set back would be better.

Fu – in terms of the façade, the height and the pedestrian experience comes not directly at the structure but across the street and the near vicinity. I can’t say this building is too tall but the way it’s designed now, it does appear too solid and massive and therefore, too tall. But on how much setback the building should have, I would like to look at a comparative study as to what it would look like, whether pedestrian level or not. The design itself (if not in this district) is quite nice, in terms of a modern design.

Sugrue – stated that he appreciated all the comments that were presented tonight by his fellow Board members. He commented that the design provides for additional lighting in the slot ‘canyon’ and especially with the climate crisis we’re in, natural lighting is a ‘great thing’ for the future and the opportunity to use less electricity. In addition, he’d like to commend the architect for encapsulating the utilitarian spirit of this building,: after reading its history, he found it fascinating in terms of its different uses. It’s a well-designed building, the enhanced glazing would make it even better and he was curious about the potential material differentiation. Sugrue asked staff if the LPAB will see a final design of this project and if any Board member wanted to make a motion.

Komorous – made a motion that, this project come before the LPAB again, for review. **Fu** – seconded **Vollmann** - did a verbal roll call vote; **6 ayes, motion passes**

Vollmann – wanted to clarify that, besides the design considerations there is also an additional question whether or not it constitutes demolition, triggering the demolition findings. The staff report had the zoning code bulletin attached to it that explains that buildings that keep a certain percentage are not deemed demolition. However, for buildings that take out character defining elements, we can still consider that demolition, for demolition findings purposes. Per staff, with the retention of the façade and the restoration being proposed, the demolition findings would not apply. He asked for a Board motion to concur. In addition, the Board had discussed specific directions given to the applicant on design modifications, a request for studies and the initiation of an environmental review process, to analyze if there are any impacts (or not) upon the district. Also, what type of CEQA review, would be necessary for the project. Focusing on the design components, he asked the Board if they would like to have a sub-committee to discuss the project.

Sugrue – asked the Board if they would like to make a motion on the two items of discussion:

1. The demolition findings and if we concur (or not) with staff.
2. Forming a sub-committee to discuss the project further.

Fu – made a motion to support staff's findings and that the project should not be deemed demolition and;

a sub-committee is not necessary for this particular project.

Vollmann – did a verbal vote; **6 ayes, motion passes**

ANNOUNCEMENTS - None

UPCOMING – No

APPROVAL OF MINUTES – for March 22, 2021, will be read at the next LPAB meeting

ADJOURNMENT – 6:08pm

NEXT REGULAR MEETING: May 10, 2021

Minutes prepared by: LaTisha Russell