

**LANDMARKS PRESERVATION  
ADVISORY BOARD MEMBERS:**

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

**LANDMARKS PRESERVATION  
ADVISORY BOARD MINUTES\*:**

**April 4, 2022**  
**Special Meeting: 5 PM**  
**Via: Tele-Conference**

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

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

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

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

**By Phone:** To comment by phone, please call on one of the listed phone numbers. You will be prompted to “Raise Your Hand” by pressing “\*9\*” to request to speak when Public Comment is being taken on an eligible agenda Item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone. If you have any questions, please email Deb French at: [DFrench@oaklandca.gov](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 – Chair Komorous –** at our last meeting, Naomi Schiff of Oakland Heritage Alliance (OHA) had a suggestion on how the LPAB could help in the preservation of City owned Landmarks. We

*\* These minutes represent a shorthand account of the meeting; for a verbatim record please see the video recording in the LPAB meeting archives.*

also have a sub-committee for that with BM Johnson. I volunteered to speak with Ms. Schiff about her suggestion. I thank Public Works, for diligently working with OHA. In the past, we have asked Public Works to report on the conditions of City owned historic landmarks. OHA suggested condition reports on Dunsmuir House, Moss House, de Fremery House, and Camron-Stanford House with regard to security, ongoing maintenance and planning, and funding for these structures. OHA also requested that the LPAB formally request inclusion of the Moss House on the Capital Improvement list in Public Works. OHA is trying to set up a walk-through, with Nicholas Williams, Director of Parks & Rec, and, Harold Duffey, Director of Public Works, on a couple of these historic properties. She asked Secretary August how the Board could get Public Works to report on the conditions and, request the inclusion of the Moss House on the Capital Improvement list. Can we take a vote on this at the next meeting?

**Secretary August** – The most efficient way would be that the interested Board member could make the request and email it to me. I will act as the liaison with staff and reach out to the division or department and see what can be done. **BM Johnson** – We should also include the Montclair Fire House on this list. I was troubled to learn that there was no schedule or maintenance for this site or inside since the RFP was issued over 2 years ago. **Secretary August** – asked the Board, to please email about each individual property separately - not a list. For BM Johnson, regarding the Montclair Fire House, email the context and concerns in the request and I can convey that to the appropriate department.

### **Subcommittee Reports – No**

**Secretary Reports – Secretary August** – made a friendly reminder of the 2022 LPAB calendar that was shared earlier this year. We will have two meetings in May, May 2<sup>nd</sup> and May 23<sup>rd</sup>. Historically, we have met on the second Monday of each month. However, the timing to renew the Resolution to be able to continue to meet remotely needs to be done every 30 days. **Chair Komorous** –will these both be full meetings with agenda items or is one of them more of a formality to meet the requirements where we just vote to consent? **Secretary August** – we’ll have to see what the outcome is. When it was initially conceived, the idea would be that one of the meetings would be a supplement and a bit shorter maybe, having an extended sub-committee report. However, it does appear that LPAB and our feedback on interventions to historic resources is in high demand this year. That is a very positive thing for the City and more commitment of time for us.

### **OPEN FORUM**

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

**Naomi Schiff, Oakland Heritage Alliance (OHA)** – thanked the Board for including the discussion about Landmarks that are within parks. It is important that we close the loop with Public Works and the Parks Dept. The Montclair Fire House is not directly in a park but very close to a park. The other buildings mentioned, are all in parks and that is important because of a strange quirk of organization, in which Parks and Public Works are related but not entirely overlapping. We are expecting a tour from the Parks Director and the Public Works Director this month (no date yet) of the Moss House, where we had a big clean-up in the Winter. There will be another chance to see it on Saturday, May 23<sup>rd</sup>, Earth Day, @ 10:30am (Earth Day is on Friday, May 22<sup>nd</sup>, but it’s being celebrated on Saturday, May 23<sup>rd</sup>).

The house will be open and we plan to do a little more clean-up and you will be able to see the interior since a lot of the trash has been removed. Invited the Board to come to either event, or both, and will inform everyone when she has the dates of the walk-through. OHA is eager to demonstrate to Public

Works and the Parks Dept. that OHA is grateful for their help and to the Park Supervisor, Terri Westbrook, for a lot of the coordinating. We’re looking forward to finding a way to finance rehabilitation of that house and, to support other historic houses in our parks.

**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. Members of the Board may request that any item on the Consent Calendar be singled out for separate discussion and vote.

**Chair Komorous** - the Consent Calendar is regarding, the renewal of the Adoption for the LPAB to continue to meet via, Teleconferencing.

<b># 1</b>	<b>Location:</b>	<b>Citywide</b>
	<b>Accessor’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>

**PUBLIC COMMENTS/QUESTIONS** – **Naomi Schiff, OHA** – Zoom might be OK but, the extreme limitations on attendees at Landmarks and Planning meetings, of not being allowed to show visual information, is an unfairness and a disability. Any developer can show 15 or 20 minutes worth of slides and we are not allowed to show you any image, plan or diagram. In our view, that is unfair under the

Sunshine Ordinance and the Brown Act. I urge you to raise your voices and say, “Ok, if we’re going to keep doing Zoom, we have to make it “more fair””.

**BOARD COMMENTS – Chair Komorous** – just a reminder, you can share images via Email. She asked the Board for a vote on the motion (“renew the adoption of a Resolution ... to allow continuation of Landmarks Preservation Advisory Board meetings” by teleconference).

**PSR French, did a verbal vote – 6 ayes, 0 nays, 1 absentee. Secretary August – motion passes**

**INFORMATIONAL PRESENTATIONS**

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

<b>Finality of Decision</b>	N/A
<b>For Further Information:</b>	Contact Project Manager <b>Lakshmi Rajagopalan</b> at <b>510-238-6751</b> or <a href="mailto:lrajagopalan@oaklandca.gov">lrajagopalan@oaklandca.gov</a> Project Email Address: <a href="mailto:generalplan@oaklandca.gov">generalplan@oaklandca.gov</a> Project Website: <a href="https://www.oaklandca.gov/topics/general-plan-update">https://www.oaklandca.gov/topics/general-plan-update</a>

**Chair Komorous** – this item is a continuation by the Board’s request. The City of Oakland is updating the Housing Element (HE), as part of a comprehensive General Plan update process. We saw the presentation at last month’s LPAB meeting, (03/07/22). At this meeting, the Board has an opportunity to present our comments and ideas. Two questions were kindly forwarded by our Board Secretary. We do not need to vote on these or make a motion. **Secretary August** –this is an informational item and motions are not required. Board comments as requested by the staff member and in the staff report, are what is sought.

**Lakshmi Rajagopalan, project manager** – summarized what was heard at the last LPAB meeting. At the last meeting, we presented information about the sites inventory and sought your feedback on policies and programs. The key feedback that we heard at the last meeting, is that there needs to be some assistance for small property owners. The City needs to promote what’s known as, “missing middle” housing beyond Accessory Dwelling Units (ADU) and there need to be policies that create adaptive re-use for buildings and, preservation of Single Room Occupancy (SRO) units. We are looking for additional feedback on the housing sites, policies and programs and what you would like for the City to further as part of this Housing Element update and comprehensive General Plan update.

**PUBLIC COMMENTS/QUESTIONS** – **Naomi Schiff, OHA** – asked if the Board had received the letter sent by OHA that listed what they think are the priorities. OHA believes City staff knows the most about potential sites for building housing. The zoning update from 2009 did address opportunities for a greater density along transit corridors in Oakland and there was quite a lot of discussion in the zoning change. We aren’t recommending any particular sites, we are focused on policy.

We suggest the City proactively apply the California Historical Building Code (CHBC) to all Potential Designated Historical Properties (PDHP) because it can reduce project cost and promote affordable housing. The shortage in Oakland is affordable housing not market rate housing. We have over-produced market rate housing, as Lakshmi’s report showed by 200%, and under-delivered lower-cost housing. Therefore, a great deal of our lower-cost housing is in existing privately-owned buildings and that is where the CHBC might be very helpful.

We recommend that you avoid up-zoning in Areas of Primary and Secondary Importance because it could be an incentive to demolish historic buildings. Instead, focus on increasing residential densities on under-utilized and vacant parcels and within the existing building envelope. We can do more to promote relocation of existing buildings that are proposed for demolition: it isn’t now a very strong program. OHA also noted HE policies that should be retained and even be strengthened; Policy 1.6, Adaptive re-use, Policy 4.3, Housing Preservation and Rehabilitation, and Policy 5.4, Preservation of Single Room Occupancy/Hotel. The details are in the letter OHA provided. We’re very eager to work with you to find creative and good ways to both preserve the existing urban fabric in Oakland and provide housing for people that need it.

**BOARD COMMENTS/QUESTIONS** – **Chair Komorous** – thanked Naomi and OHA for the letter and for all their work in putting this so concisely. She asked the Board for any comments on the points OHA had made.

**BM Andrews** – wanted to reinforce some of the points. It seems obvious that we should be applying the CHBC but right now you must have a property that's already designated as historic. I think that needs to be expanded to properties that are potentially historic properties and properties within historic districts that have not yet been designated. The CHBC clears the decks for having to upgrade parts of buildings that don't present an immediate danger to life safety. It's not that we're not trying to stop upgrades per se but if the condition does not perceive an immediate danger to safety, the CHBC says that we can maintain non-conformant conditions and that's a really super important thing. OHA also pointed out increased density, which is happening throughout California and we need to look at the ADU's and other things in light of historic buildings or potential historic buildings.

If there is some way to allow up-zoning without demolishing historic resources, that up-zoning should be still considered but it must be with that caveat. Sometimes up-zoning might make sense and provide incentives for preservation. Even though I love the idea of moving old buildings around, I believe we must provide better incentives - otherwise, it's just too expensive and complicated. Even when we give the buildings away, people don't seem to do it.

On the middle-housing issue, we need smaller scale developers. Big developers generally want projects that 'pencil-out' very easily but sometimes smaller developers who are willing to develop a few units, are willing to take a risk because they are residents of these properties and they want to stay residents. They may be only doing one development in their lifetime and manage it themselves. We need to work with those folks and have ways of expediting the process for them. Site identification is also super important. I'm hoping the City is continuing to identify potential sites including historic properties that qualify in terms of preserving and maintaining them and possibly up-zoning if that's part of the package of preservation and maintenance.

**Chair Komorous** – up-zoning is a complicated issue. If we up-zone, people will be able to build more stories and housing. But often the reality becomes something else, it creates problems and pressure to develop. If you're a small building owner and you find out that someone can build a giant building, that can lead to demolition. What happens to so many historic properties is demolition by neglect. The LPAB has seen this many times, more with commercial properties. We've seen it when a high rise is coming and the owners of the small buildings on the site come to us to demolish the building because it's completely falling apart, and that's because they haven't maintained it.

So up-zoning must be done carefully. One way is to implement a TDR program (Transfer of Development Rights). It's been on the books, it's been proposed but it is not formalized. The Housing Element could include TDR for historic properties and a way to promote restoration and rehabilitation. If you own a small building, you can sell the extra height and use those funds to maintain and restore your building. San Francisco has a very 'robust' TDR program that works.

**BM Rice** –TDRs need a limit on how far that can be transferred. I worked in one jurisdiction where there was abuse of that. For non-historic properties, the limit was transfer to an adjacent property, for historic properties, it was limitless. On SRO's, I support finding ways to make that work as a strategy. I haven't worked on an SRO in Oakland yet but one of the challenges has been to meet the minimum space limits of housing units. Not sure how that can be worked into this update but that would make it easier for developers to have an acceptance of these sub-standard sizes and to meet the building code.

**Chair Komorous** – I've been learning from being on the LPAB and dealing with the wonderful Mills Act program and how that promoted preservation of historic homes in Oakland. I'm also working on the Façade program, as an architect for over 15 years now, and those two programs are wonderful. But the Mills Act only helps new home owners because of the tax formula and the Façade program is only

commercial. So, most people's homes are excluded. A Historic Preservation fund could help historically underserved communities in Oakland especially, for long-term home owners who do not benefit from tax cuts. This could be a grants program like the Cannabis Equity program, which is very successful. Ideas from that program could be utilized for this Historic Preservation fund.

The fund would be for long term home owners, to help them with maintenance and improvements to historic homes in Oakland. Such a fund could also help home owners that are facing gentrification and help Oakland neighborhoods. Both BM Johnson and myself have heard sad stories of neighbors losing their homes because they have no funds to improve them. The day to day administration of the fund, could be through the EWD (Economic and Workforce Development Dept.), that can deal with the financial issues, transfer funds, etc. My recommendation would be (and I would like for this recommendation to go in to the Housing Element, please), that the overall oversight for the historic properties would have a Historic Preservation Planner involved, like the way Betty Marvin runs the Mills Act program.

**BM Andrews** – questioned Lakshmi about site identification and if there's been any coordination with planners who are dealing with historic resources in terms of potential sites. We've been identifying opportunity sites as sites with no buildings on them as potential sites for housing. The Trader Joe's site on College Avenue was mentioned, which was a great site for housing, but the neighbors disagreed, and Safeway decided it was too complicated. Are there any efforts to look at historic properties that are potentially development sites that would also allow for preservation and adaptive re-use?

**Lakshmi** – the HE looks at vacant sites and parking lots that are considered as non-vacant sites. As part of the HE, we can include preserving the existing historic buildings as part of the programs, policies and the adaptive re-use program. But we cannot include existing historic properties towards meeting our site inventory numbers. **Laura Kaminski, Strategic Planner Mgr.** –we've been looking at large sites that might have a historic building but also a parking lot that could be developed, or any other potential infill sites. We would have to look at Landmarks or other types of designations, if you were to develop on the vacant part of the lot and whether it would impact the siting of the historic building.

**BM Andrews** – if we can cite examples of adaptive re-use and incorporation of historic resources into housing projects, that would help developers use their imagination on other sites, where they can incorporate preservation and adaptive re-use. **Kaminski** – some of our Home Key sites, like re-use of some hotels as well as a dormitory, involve historic buildings being turned into housing. The State allows us to count those as new housing units because, essentially, they don't count a dormitory or hotel as permanent housing. We can look at adaptive re-use of existing buildings that are a commercial type of use, that can then be turned into a more permanent residential use.

**Chair Komorous** – asked Lakshmi, if she had any questions or comments on the 'pitch' for a Historic Preservation fund, to support historically disadvantaged home owners and counter gentrification. **Lakshmi** – thanked Chair Komorous for her feedback. **Kaminski** – there are some programs that the City has been looking at that are similar, by using the money we get through the Affordable Housing funds, that look at helping people with maintenance of their homes.

**Chair Komorous** – Oakland is such a wonderful city with so many beautiful historic homes. My recommendation would be specifically for a Historic Preservation fund to help people maintain historic homes. I think the Board would agree, that this is an important aspect to livability in Oakland and why people want to stay in Oakland. **BM Andrews** – thanked Chair Komorous for the 'pitch' for why we love historic buildings. They are an attraction in this city, as they are everywhere, and they generate economic activity. We don't do this because we're nostalgic about historic building, we recognize them as a resource and we want to maintain that.

**PUBLIC HEARINGS / APPLICATIONS – None**

**ANNOUNCEMENTS - None**

**UPCOMING – None**

**APPROVAL OF MINUTES** – for February 7, 2022. **BM Andrews** - made a motion to approve. **BM Rice, seconded. PSR French**, did a verbal vote – **4 ayes, 0 nays, 2 abstain, 1 absentee**  
**Secretary August** – minutes approved, motion passes

**ADJOURNMENT – 6pm**

**NEXT REGULAR MEETING: May 2, 2022**

Minutes prepared by: **LaTisha Russell**