

**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:**

January 10, 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: Secretary August 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 2 minutes to speak (please state your full name for the record), 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: 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 - No

Board Matters – Chair Komorous – continuing discussion of the LPAB meeting with cameras on, so, Board members can be seen with a placard background. Board decided to place this item added to next month's Agenda for a formal vote and to be ready to use the placard backgrounds, Secretary August confirmed she would provide directions on how to use the LPAB placard as a Zoom background.

Secretary August – it is a three step process. We already have the placards so no new materials will be needed. I will be sending out the information to the Board and will have this item added to February's

LPAB meeting agenda for a formal vote. **Chair Komorous** – thanked Secretary August and says she's looking forward to seeing each other and for the members of the public to see them, by a popular request.

Secretary Reports – August – the 2022 Meeting Calendar for Commissions, Boards and Committees is posted on the City's website www.oaklandca.gov.

Sub-committee Reports – BM Johnson – asked to be on next month's LPAB Agenda, to provide an informational report on the scope and what we're going to be looking for in conducting the sub-committee on wellbeing of Oakland's landmarks. **Secretary August** – will note in February's Agenda, that BM Johnson will be providing a sub-committee report.

OPEN FORUM – Naomi Schiff, Oakland Heritage Alliance (OHA) – made comments regarding the Final EIR for the Howard Terminal, that will be presented at the Planning Commission meeting on 01/19/2022. She read a portion of the Mitigation Measure CUL-7, commenting that in the event the developer decides to build a (very ill-advised variant) of hanging a gondola over our Old Oakland National Register District., the language which says *should* instead of *shall*, raises many caveats. The design of the Convention Center station *should not shall* minimize the horizontal and vertical extent of the new architectural structure to the greatest extent feasible within the final determined design constraints. It *should not shall* occupy the minimal footprint possible and locate that footprint outside of the Old Oakland API to the greatest extent possible. In addition, the design of the platform *should* follow the minimal dimension possible, to limit visual intrusion and obstruction with the Old Oakland API. This mitigation measure implies great aspirations and very little force. She requested that the measure be rephrased and brought before the LPAB for review before it is sent forth to the City Council.

Secretary August – if the applicant does elect to pursue either of the project variants in the future, the mitigation required will be returning to the LPAB as part of the consideration of those proposals prior to the consideration of the Planning Commission's recommendations to the City Council, on any project approvals.

Chair Komorous – thanked both Secretary August and Ms. Schiff for bringing this item up because we need to hear from people when things happen that do not appear before the LPAB.

Daniel Levy, OHA –if we're at the point or the last phase of the final environmental document, he wanted clarification to refine the specific language around the mitigation measures. If the EIR is adopted by City Council, who then would be operating off that language that we choose in the next month with regards to those variants?

Secretary August – the public is encouraged to comment, both verbally and written, on the wording of the EIR at the Planning Commission and the City Council meetings. The merits of the project will be discussed with the LPAB at a future date.

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

# 1	Location:	Citywide
	Accessor's Parcel Number:	N/A
	Proposal:	Renew The Adoption of a Resolution Determining that Conducting In-Person Meetings of the Landmarks Preservation Advisory Board And Its Committees Would Present Imminent Risks to Attendees' Health, And Electing to Continue Conducting Meetings Using Teleconferencing In Accordance With Landmarks Preservation Advisory Board Resolution, dated October 11, 2021, and renewed at every Landmarks Preservation Advisory Board meeting thereafter, to Allow Continuation of Landmarks Preservation Advisory Board Meetings.
	Applicant:	Karen August, Secretary to the Landmarks Preservation Advisory Board
	Phone Number:	510-238-6935
	Owner:	NA
	Case File Number:	NA
	Planning Permits Required:	Adopt Resolution
	General Plan:	NA
	Zoning:	NA
	Environmental Determination:	Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (Common Sense Exemption).
	Historic Status:	NA
	City Council District:	NA
	Status:	NA
	Staff Recommendation:	Consider renewing the adoption of Resolution, most recently renewed at the December 6, 2021 Landmark Board meeting.
	Finality of Decision:	Decision Final.
	For further information:	Contact case planner Karen August at 510-238-6935 or by e-mail at kaugust@oaklandca.gov

French did a verbal roll call vote – 6 ayes, 0 nays, 1 absentee, vote passes.

INFORMATIONAL PRESENTATIONS – No informational presentations

PUBLIC HEAEINGS / APPLICATIONS

Location:	1431 Franklin Street
Assessor's Parcel Number:	008 062100807
Proposal:	Major Conditional Use Permit and Regular Design Review to construct a 27-story (425-foot tall) 419,480 square feet office tower with a parking garage above grade.
Applicant:	TC II 1431 Franklin, LLC
Phone Number:	Kyle Winkler, Tidewater Capital, (510) 290-9901
Owner:	TC II 1431 Franklin, LLC
Case File Number:	PLN20124
Planning Permits Required:	Major Conditional Use Permit for large scale development; Regular Design Review
General Plan:	Central Business District
Zoning:	CBD-P Central Business District Pedestrian Retail Commercial Zone Height Area 7, no limit
Environmental Determination:	Determination Pending, Environmental analysis to be conducted prior to any discretionary action.
Historic Status:	Project site is located within an existing listed National Register historic resource, the Downtown Historic District Area of Primary Importance (API).
City Council district	3
Status:	In review
Action to be Taken:	Receive public and Landmarks Preservation Advisory Board comments on the design.
For further information:	Contact case planner, Michele T. Morris at 510-238-2235 or mmorris2@oaklandca.gov

Michele Morris, case planner – the proposed project requires a major conditional use permit and regular design review to construct a new, 27 story office tower with an above ground garage at 1431 Franklin St. The project site is currently a parking lot, located in the center of the block between 14th & 15th Streets and one block east of Broadway. This is a 20,974 square-foot lot in the heart of Downtown Oakland and within the Downtown Historic District, an Area of Primary Importance (API) to the City of Oakland and listed on the National Register. It is located in the CBD-P, Central Business District pedestrian retail commercial zone, height area 7, no limit. The applicant team has worked to improve the overall design of the building. Staff would like the Board to provide direction and recommendations on the design of the proposed building with respect to the following:

- 1.) Has the applicant provided adequately detailed information on the design to demonstrate a well-composed design with consideration to site, landscape, bulk, height, arrangement, textures, materials, colors and appurtenances? 2.) Is the proposed design compatible with the existing API in terms of massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing?
- 3.) Does the street-facing frontage include forms that reflect the widths and rhythm of the existing façades fronting Franklin Street? 4.) Would the proposal result in a building or addition with exterior visual quality, craftsmanship, detailing, and high quality and durable materials that is at least equal to that of the

API contributors? 5.) Should parking be located along the building frontage along Franklin in the base of the building?

Alan Grant, principal, Large Architecture – did a Power Point presentation on the logic of how they came about the design of the proposed project at 1431 Franklin St. The building is located right in the heart of the Downtown Historic District and is surrounded by a variety of different types of low and high rise buildings. Regarding the design, we had two options: design a building that mimics the adjacent historic buildings in a faux style or design a building that harmonized with the adjacent buildings but in a style that is modern, both vertically and horizontally. He went over some of the design aspects of the building: the façade, podium, the three-part composition of the tower, ground parking, setbacks, and the colors and materials proposed.

PUBLIC COMMENTS/QUESTIONS –

Christopher Buckley, OHA –all new buildings within an API or historic district should be visually subordinate and deferential to the district's contributing buildings. The proposed design is overly assertive, calls too much attention to itself, and would be an intrusive element within the historic downtown Oakland skyline and the immediate streetscape. The design should be toned down and incorporate more façade composition of the neighboring historic buildings.

Kayode Powell, Oakland resident, Local 713 - is in support of the project in regards to adding additional Union jobs for the citizens of Oakland.

Daniel Gregg, Carpentry field rep, Local 713 – also in support of the project, regarding Union jobs.

Naomi Schiff, OHA – we (OHA) appreciate the staff report and agree with its design comments, in general. In the Key Issues it states that staff believes that the proposed design should be revised to clearly relate to the API rhythm, ornamentation, projections, materials, and level of detailing. Also, the simulated views from 500ft. altitude are not pedestrian views and the proponents should show what this tall building would look like from street level. We are also concerned about the impact it will have on our Downtown Oakland National Register District.

Daniel Levy, OHA –echoed Chris and Naomi's comments, and thanked the project sponsor for meeting with OHA and hearing their comments.

Oscar Edwards, Complex Oakland, 420 14th St. – has concerns on how this project will impact the historic district and the neighboring businesses. Says he's had good conversations with Tidewater and wants to figure out a way we can all co-exist together, given the large scale of the project.

Tina Merrill, Oakland resident – has concerns about the preservation of the historical buildings in the 14th Street area. This building and the sheer scale of it will significantly compromise the historical feel and preservation we have here. It looks out of place.

BOARD COMMENTS/QUESTIONS –

BM Andrews – says, he's shocked at the design of this building and fails to see how the applicant has read Oakland's historic ordinance guidelines. This building is so far out, in terms of how it fits into the historical context. The architect and/or developer need to look closely at the ordinance and the buildings that have complied with the ordinance, about the compatibility with historic districts. This building has failed to do that on a very deep level, and it's hard to comment on the details of it. I don't see how this building would help preserve and maintain the feel of that area of Oakland. I'm hoping the architect can reconsider what they've done and come up with a better design.

BM Johnson – appreciates OHA's advice and comments, which should be strongly considered. With all due respect, this isn't about the unions, this is about the historic preservation of that area, and that should be our focus.

VC Fu – thanked the Public and the union for speaking but, wanted the public to understand that we are not making a decision on the project, just providing design comments for the developer. The design of the building on its own is quite well done. The thought of using adjacent buildings as guidelines for the separation of floor to ceiling heights for consistency of the building lines and materials is ‘architecture 101’ and rarely used but quite nice. However, the building does not fit in this environment or setting. This site deserves a different look, a deeper evaluation of our requirements. All the principles are there, just not achieved successfully for this location.

BM Lenci – likes the design, it’s well done, and appreciates the applicant’s efforts to differentiate the new building from the historic buildings in the district. I do agree overall, it doesn’t fit in the setting; however, with some further refinement, it could fit in. I would like to see more pedestrian views, having a hard time understanding the building from that perspective. Also wants to know more about how the glazing, colors and materials fit in to this context.

BM Rice – in favor of a distinct and different approach, the idea of this building is of its time and not overly matching, in terms of what’s there now. I’m mostly looking at the massing, the base (moved back a little further), the opacity (the glazing/concrete) and the height datum, as something important to pay attention to. The one detail I want to understand is the pleated concrete core (the spine) that travels the height of the building. It’s very expressive and stands out, as you approach the building from either east or west. Also has concerns with the parking, maybe studied a little further on the infrastructure.

Chair Komorous - the main issue here is your input (Board members) on this building, relative to being on the National Register of Historic Resource, in the Downtown Historic District, API. The question is: is this building following the guidelines of the Secretary of Interior Standards, and is it following the guidelines that the City of Oakland has asked for this neighborhood. This building, as it looks, could actually jeopardize the API, and I’m in total agreement with my fellow Board members, that this building is very alien, crude and primitive. It’s all about nuance and how well the building fits into this location and neighborhood. We should discuss specific comments and what the staff report asked us to respond to. The staff report and key issues are right on. She asked the Board to support staff in their quest to get the City of Oakland the best possible design and keep our Historic API’s. It’s not a problem with the height or scale, my issue is with the design and how contextual or non-contextual it is.

BM Andrews – supports the staff report, it was very well written and clear. The challenge for me is that overall, the design proposed shows a conceptual misunderstanding of what contextual means. We commented on some of the details, that the tri-part division and the regulated lines that come across the building, are not effective, the large pieces of glass would be OK if the columns were articulated, the enormous size/scale of the building demands to be more contextual. I feel the architect needs to re-think this from the ground up, the building fails in a holistic sense and is completely wrong for this context.

BM Johnson – appreciates all the comments made by the Board, particularly Chair Komorous. What it comes down to, is that more work is needed and, if that’s the direction the Board wants to go, I will support that in a motion.

BM Andrews – made two motions: **1st motion:** The LPAB will agree with the design review conformance, matrix and analysis by staff, that the building is not complying with significant aspects of the ordinance, as the design is proposed. Seconded by **VC Fu - French did a verbal roll call – 6 ayes, 0 nays and 1 absentee. Motion passes.**

Grant – appreciated the feedback and asked the Board if they could return with a better solution.

2nd motion: We accept the applicant’s offer to come back to the Board with a revised design. Seconded by **VC Fu - French did a verbal roll call – 6 ayes, 0 nays and 1 absentee. Motion passes.**

ANNOUNCEMENTS - No

UPCOMING – No

APPROVAL OF MINUTES – will be on the next meeting.

ADJOURNMENT – 6:54pm

NEXT LPAB MEETING: February 7, 2022

Minutes prepared by: **LaTisha Russell**