

**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:**

**March 22, 2021
Special Meeting 5 PM
Via: Tele-Conference**

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MEETING CALLED TO ORDER: Chair Sugrue @ 5:01p

ROLL CALL: Secretary Vollmann

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

Board Members absent:

Staff present: Pete Vollmann, Betty Marvin

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 2 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 - No

Board Matters – No

Sub-committee Reports - Vice-chair Komorous – stated that both she and Board Member Johnson attended a follow-up Zoom meeting with the applicant and staff re: 316–12th Street (this item was heard at LPAB, 1/11/21 meeting). The applicant came with a re-design that we responded to and it was a major improvement and consistent with the Board comments. They re-designed the addition, the end bay that's adjacent to the King Building stair. Now, it is pushed back and subordinate to the adjacent King Building and now it looks more like the rest of the addition, with the Chicago style windows. Also, they responded to the issue of glare and will conceal the lighting and they have added spandrel panels. They also re-designed the last bay of the existing building (even though they already had a permit). Now they are going to restore it so that the entire base of the existing Historic building will be consistent, which made us very happy.

Overall, we felt it was a great success and the applicant was really very good to work with. They heard the Board and set a good precedent for that area of Oakland with a contextual and architecturally sensitive design. Komorous also thanked the staff for all their help.

Secretary Reports - Betty Marvin, Historic Preservation – wanted to announce to all our loyal viewers that it's time to solicit applications for the '2021 Mills Act Contracts'. Due to the 'virtual' processing of the applications in 2020 it took a lot longer. I'm hoping to get these to Landmarks in June and have the due date for completed applications by May 1st. I have sent reminders to the people that had inquiries over the past year but if anyone is not familiar with the program it's a Potential Property Tax Reduction under the State of California's Mills Act, which is a law that passed in 1972. It allows for an alternate method of calculating property tax assessments that can result in a reduced property tax bill in exchange for a permanent contract to put the tax savings back into maintaining and restoring the historic character of the property. The property has to be a Designated Historic Property, which most Mills Act applicants have to apply for Heritage Property status concurrently because of the massive Real Estate inflation since the law was passed.

There's a Mills Act information packet that I would be glad to send out to anyone who needs it. Please email me at: Bmarvin@oaklandca.gov and I will send you the packet or if you feel you have a good prospect, we can certainly discuss it.

OPEN FORUM – **Daniel Levy, Oakland Heritage Alliance (OHA)** – wanted to thank Vice-Chair Komorous for the great summary of the sub-committee report on 316-12th St., and that it was good news to hear. He also announced an upcoming free Zoom lecture presented by OHA, and featuring the founder of Nzilani Glass Conservation, Ariana Makau, who will speak about the restoration she did at the Resurrection Church on 17th & Franklin St. in Oakland. The lecture will be held on Thursday, April 1st at 7pm and you can sign up on OHA's website at: oaklandheritage.org.

INFORMATIONAL PRESENTATIONS – No informational presentations were considered.

APPLICATIONS –

1.	Howard Terminal
Location:	1 Market Street (APN's: 018-0405-001-00; -002-00; & -004-00; -003-01; & -003-02 and 018-0410-001-04; -001-05; -003-00;-004-00; -005-00; -006-01; -006-02; -007-00 & -008-00)
Proposal:	<p>Public Hearing on the Draft Environmental Impact Report to obtain comments on the environmental analysis for The Oakland Waterfront Ballpark District Project, which would construct: a new open-air waterfront multi-purpose Major League Baseball (MLB) ballpark with a capacity of up to 35,000-persons; mixed use development including up to 3,000 residential units, up to 1.5 million square feet of office, and up to approximately 270,000 square feet of retail uses; an approximately 50,000 square-foot indoor performance center with capacity of up to 3,500 individuals; an approximately 280,000 square-foot, 400-room hotel; and a network of approximately 18.3 acres of privately-owned, publicly-accessible open spaces.</p> <p>The proposed Project may also include one or more variants, which include:</p> <ul style="list-style-type: none"> • Peaker Plant Variant: Implementation of the planned conversion of the existing Oakland Power Plant (referred to as the “Peaker Power Plant” in the Draft EIR) in the historic PG&E Station C facility from using jet fuel to battery storage, modifications to the wings of the building, and removal of the fuel tank and replacement with a new mixed-use building; • Aerial Gondola Variant: Construction of a new aerial gondola above and along Washington Street, extending from a station located at 10th and Washington Streets in downtown Oakland to a station located at Water and Washington Streets in Jack London Square.
Applicant:	Oakland Athletics Investment Group, LLC
Contact Person:	Noah Rosen – (510) 746-4406
Case File Number:	ER18016
General Plan:	General Industry EPP – Retail Dining & Entertainment - 1
Zoning:	IG M-40
Environmental Determination:	Draft Environmental Impact Report was published for a 45-day review period from February 26, 2021 to April 12, 2021.
Historic Status:	Designated Historic Property (DHP), survey rating A1+, PG&E Station C - Area of Primary Importance (API)
City Council district	3
Staff Recommendation:	Receive public and Landmarks Board comments on the Draft Environmental Impact Report
Action to be Taken:	No action to be taken by the Landmarks Board on the DEIR other than to provide comments. Staff requests the Landmarks Board consider making a recommendation on Crane X-422 at the site with regard to its status as a historic resource under CEQA.
For further information:	Contact case planner Peterson Vollmann at (510) 238-6167 or by e-mail at pvollmann@oaklandca.gov

Pete Vollmann, case planner – the item before you this evening is a discussion of the Waterfront Ballpark District Draft EIR (Environmental Impact Report). This is not a Public Hearing for a decision on the project, so it's not the time to discuss the merits of the project. The purpose of this meeting is to take comments on the Draft EIR with a focus on the Cultural Resources. You can still submit comments on the entirety of the Draft EIR document at the Planning Commission Meeting on April 21st. Initially, the Planning Commission hearing was scheduled for April 7th but we've extended the comment period, and under AB734 the Public Hearing must take place within the last 10 days of the comment period. In addition to that, anyone can access the Notice of Availability (NOA) document that is with *all* the Environmental documents on the City's Website and information is in there for people who would like to submit comments beyond any of these Public Hearings, up until the new deadline of April 27th.

Vollmann stated that, The Waterfront Ballpark District is focused around Howard Terminal and the Draft EIR covers a large-scale development project at the site including; a Major League Baseball ballpark, a mixed-use development, with housing, office and hotel uses. The Draft EIR did identify significant and unavoidable impacts with regards to the Cultural Resources, that focused in on the on-site as part of the project including one of the four cranes located on the site. The project proposes to keep those cranes on-site, however, the analysis was studied including the potential of removal of them since it may not be absolutely feasible to retain them in the future by the project sponsor. One of the cranes was identified as a potential Historical Resource under CEQA and considered a significant unavoidable impact.

Included with the staff report were two analyses we received, one from our consultant, Environmental Science Assocs., and a follow-up report prepared by a consultant from the Port of Oakland, that came to a different conclusion that it should not be considered as a Historical Resource. As part of the staff report we have requested that the LPAB make a motion to provide a recommendation to staff as to whether they believe the crane should be considered as a Historic Resource or not. In addition to the project site itself, there are also variants to the project and these are elements that may or may not go forward. One of which is the Peaker Power Plant variant located within in the historic PG&E Station C and, the Aerial Gondola variant, that will travel above and along 10th & Washington Street in Old Oakland to Water & Washington Streets in Jack London Square. The Draft EIR concluded that both variants would result in significant unavoidable impacts to Cultural Resources.

Noah Rosen/ Dave Kaval: Oakland Athletics Investment Group, LLC – thanked the Board and appreciated the time to go over their application to build a new privately financed Ballpark complex in Oakland. It's been very exciting to move forward with the Draft EIR and to present to the LPAB the project and also have an open conversation about some of the areas that were mentioned by Vollmann. The applicant gave a PowerPoint presentation on the 55-acre site plan with the Ballpark on the eastern side and the four cranes which they hope to retain along the Waterfront. The Ballpark will also feature a roof-top park that will be accessible every day of the year with incredible views of the Oakland Hills, the Skyline and the Waterfront. The Stadium itself will have 70% of the seats with a view out to the water. Beyond the Ballpark, is the mixed-use development which is a combination of commercial, residential, hotels and a tremendous amount of green space (18 acres) in the project.

Dave Kaval went over the two project variants that included; the Peaker Power Plant, which is adjacent to the Ballpark itself and the Aerial Gondola. Part of the proposal of the Plant will be to chop-off some of the building to accommodate the pedestrian flow working in/around or coming/going to the Ballpark area. The Gondola, which will start at the Marriott Convention Center on Washington Street in Old Oakland and will dip into the Jack London Square Station with a short walk (2/10 of a mile) to the Ballpark. This will re-establish a connection between Downtown and the Waterfront that was severed with the introduction of the 880 Freeway, and could provide a way for people to get to/from the Waterfront

District. The Gondola will be able to move 5,000 people every hour and would limit the number of vehicle trips to the site.

PUBLIC COMMENTS/QUESTIONS – the following Public Speakers provided comments on the DEIR: Melody Davis, West Oakland resident; Naomi Schiff, OHA; Adam Lamoreaux, commercial resident; Mike Jacobs, Pacific Merchant Shipping Assocs.; Daniel Levy, OHA; Rita Look, West Oakland resident; Mary Harper, OHA; Jackson Moore, property owner in Jack London Square; Ronald ‘Bro’ Muhammad, West Oakland resident, and Travis Tarr, Oakland resident.

BOARD COMMENTS/QUESTIONS – **Komorous** – stated, there is an alternative called the ‘Maritime Reservation Scenario’ (in the staff report pgs. 7-8) that says the entire site may get smaller because the Port of Oakland has left that option open for themselves and that space would be taken out of the park and open space, is that addressed in the DEIR? **Vollmann** – The Maritime Reservation Scenario is in the project description and is evaluated in every environmental topic in the DEIR. The Port has been studying and looking at the expansion of the turning basin (used to turn large vessels within the Oakland Harbor) that is adjacent to the site. They have a timeframe that they can take that land back to proceed with the turning basin expansion, but it’s not certain if they’ll proceed with that or not. There are various levels of amount of land that could be removed from the site plan with the Maritime Reservation Scenario, what is studied is the absolute maximum of the land that could be taken back to expand the turning basin. **Komorous** – asked the project applicant about the information we were given that did not include any details about the Peaker Plant and the cutting of a wing or part of a wing. Can you explain what will be demolished and what’s being kept. **Dave Kaval-** in terms of the Peaker Power Plant, the one wing, about 40% of the wing will be chopped. The remaining structure will be re-enforced and seismically stable so it can be used as an open area for people to see and access the building in a positive way. **Andrews** – commented that it’s great to see the potential of a Baseball Park in Downtown Oakland. Obviously, there’s a lot of challenges and issues brought on by the citizens of Oakland and OHA. Hopefully, with the help of the planners, the city of Oakland, the citizens and business people of Oakland, can engage in working towards a solution for everyone. Not too happy about the Gondola, but hoping there is a way to get people to walk down Broadway and revitalize that area.

Sugrue – stated, in addition to what’s been addressed tonight, we do want to thank OHA for submitting their letter and (with the addition to their comments) I want to point out the vibration analysis for Historical structures. I believe that it’s being studied in DEIR and analyzed at 150ft. Looking at this project and understanding the mass of construction that’s being done in Downtown area, was wondering could that be pushed to potentially 300ft or would that encapsulate Jack London? I envision this as an active construction site right next to an area where we have a lot of Historic buildings in Jack London and with a lot of folks Downtown, that either live here or are visiting from out-of-town. **Fu** – appreciates the Oakland A’s Organization for all their efforts and hearing comments from both sides. It’s a big project and you are working with a City with lots of history. The Gondola does trouble me a little bit, I’m not convinced, with its impact on the API. He also agrees with Andrews on some other kind of pedestrian connection to experience and see Oakland, that would have been much better. **Komorous** – has no objection to the plan and thinks it’s wonderful. Regarding the Peaker Plant, the DEIR is not complete. The Mitigation Measure is non-existent, and it provides no alternatives to tearing down 40% of that wing. The DEIR should address it and explain why it’s not possible or they should provide an alternative where that wing is kept in its entirety. This is a few feet of wall that does not fit on a 55-acre site and an alternative should be included. Also, (per Ms. Schiff) giving funds to the Façade Improvement Fund, would be great as part of the Mitigation Measure. Related to the Gondola, I have no comment on either yes or no, but relative to the DEIR, it doesn’t address any alternatives or mitigations and is not adequate. That part of it should be studied and should have more information before it’s complete. **Andrews** – all the cranes we can preserve would be better and to me they are all Historic Resources and essential to our

image of Oakland. **Sugrue** – asked the Board if they feel the information they were given regarding the Peaker Plant was adequate. **Komorous** – wanted to reiterate that the mitigation part of the Draft EIR states no alternatives and the mitigation isn't really addressed, so no, it's not complete.

Sugrue – closed that portion of the DEIR comments but stated, we do have a potential decision regarding the crane.

Vollmann – one of the cranes, crane X422, on the site at the west end is within the draft EIR document that discusses it's a potential Historic Resource. We had two analyses, one by ESA and another by Jacobs. The ESA analysis states it to be a Historic Resource under CEQA because of its early presence at the site. The Port had concerns with this and did another study because they felt not all the information was there about this crane. This crane was modified and relocated to the Howard Terminal site in 1994. Their argument was, if there was going to be anything historic about it, it would be with the relationship to the development of the 7th Street Terminal, and since the crane is no longer present in its Historic setting at the 7th Street Terminal it should not be considered as a Historic Resource pursuant to CEQA. Vollmann stated that if the Board feels comfortable with the information provided and would like to make a motion for a recommendation to staff, as to whether we should continue to treat it as a Historic Resource, as we've done within the DEIR, or should it *not* be considered a Historic Resource pursuant to the follow-up Jacobs study that was provided.

Komorous – I think we do have enough information to weigh-in on this. In the first report it concluded that this crane qualified as a Historic Resource because it was the last remaining crane associated with the 1962-1977 era and this crane is from 1970. There were four cranes of this type but the other three have already been demolished. This is the last crane of its type and that was the main reason why they felt this crane is eligible. The second report done by the Port said that it wasn't a Historic Resource because it was constructed less than 50 years ago. That's no longer true, it's over 50 years old. That's one of the reasons this crane should continue to be considered as a Historic Resource. Staff did it properly and it's great that it is still being considered a Historic Resource. Another reason they are saying it is not historic is because it was moved. The point under SHPO rules states, it isn't that something can't be moved, it has to stay relevant. If this crane had been moved in-land, then the location wouldn't matter but, it appears to me from reading this, that they (the Port) move these cranes around, and it is still located on the waterfront. The big picture is that it is a Historic Resource and should be considered as one, and if it has to be demolished, it should take the appropriate mitigations. The mitigation measures related to the crane are also incomplete because the only mitigation says that the applicant is only responsible for the cost of demolition. So, if they want to tear it down or if someone wants to keep it, that's their cost and that's not a mitigation measure. To summarize, the crane X422, is a Historic Resource and should continue to be considered as such, as it has been and as it already is, in the DEIR. **Andrews** – agrees and thanked Komorous for her input and to staff. **Sugrue** – also echoed and agrees with the comments made by both Komorous and Andrews. He stated, as part of this crane, it also tells a regional, global and a rich maritime history. **Fu** – also agrees with the comments made by the Board members and wishes there was more of a discussion in terms of an alternative and continue to designate the crane, because it has always been a Historic Resource.

Andrews – made a motion – to consider the crane as a Historic Resource and support the City's findings.

Komorous – seconded. **Vollmann** - did a verbal vote. **7 ayes – motion passes.**

ANNOUNCEMENTS - None

UPCOMING – No

APPROVAL OF MINUTES – **Johnson** – made a motion to approve the minutes for; January 11,2021
Joiner – seconded. **Vollmann** – did a verbal vote. **7 ayes – minutes approved.**

ADJOURNMENT – 6:17pm

NEXT REGULAR MEETING: April 12, 2021

Minutes prepared by: LaTisha Russell