



September 12, 2022

*By electronic transmission*

Members of the Landmarks Preservation Advisory Board  
Karen August, Secretary  
Rebecca Lind, Planner  
Emerald Fund Team

**Subject: PLN20141, 5200 Broadway, California College of the Arts Campus**

**UPDATED comments, based on staff report and attachments**

Dear Board Members, City Staff, and Project Team,

We are submitting these updated comments with revised citations to the staff report attachments. These replace and clarify our earlier comments. We have used PDF page references where no page numbers appear on the documents.

Oakland Heritage Alliance board members received a presentation by the project team. We have also reviewed the proposed draft Design Guidelines, the staff report provided for this meeting, and reviewed the much-revised Design Guidelines as shown in the appendices.

We believe the staff questions and recommendations are good ones. While in general, we found that in the presentation we saw, the design had improved over previous versions, the massiveness of Building 2 and the way that Building 1 meets the surrounding neighborhoods still need work and further revisions.

We remain dismayed by the proposed demolition of 10 out of 12 buildings, all ten representative of a major and long campus Period of Significance as discussed in the Historic Resources Evaluation, which define the Area of Primary Importance. "The period of significance for the API is from 1922 to 1992." (Page 31 of admin draft, *unmentioned* in staff report and Appendix A, Attachment 1, other than the provisional, somewhat wistful on page 13 and 14 under "Campus as an API" which merely "commemorates", and briefly describes protecting structures in the unlikely event they aren't demolished.) We raised these preservation issues years ago with the development group, but unfortunately have yet to see serious consideration of preserving any building from the college campus period. We appreciate the plan to retain the pre-existing Treadwell house and carriage house. But commemoration by signage of vanished structures on a largely re-purposed site is not enough.

It would be an affront to the citizens of Oakland to demolish 83% of the API's buildings, 100% of the buildings constructed during the CCAC period, including 100% of those determined eligible for the California Register, for the primary purpose of building predominantly market-rate units – particularly since there is a vacant acre lot next door. It is wonderful to preserve historic landscaped open spaces and the Broadway wall, but it is not sufficient. Signage is not adequate to mitigate losing the API's integrity.

1. In addressing the *Design Guidelines (Admin Draft, Design Guidelines*: below page references are to AD-DG and now we've added new references to the staff report and its attachment), first we note the

incessant use of passive voice and wishful “encouraging” rather than requirements or firm guidelines. It was a relief to come upon a few “shall” passages; these are too few. Guidelines should be more than vague suggestions, “if feasible”. Our experience is that feasibility is often in the eye of whoever is managing the budget. We see no way that many of these guidelines will be enforceable, and the activities-based ones come with no promise, funding, or method of execution, no suggestion of what kind of entity would plan and oversee them.

Here are just three examples:

Page 67(AD-DG): “3.2.2 MACKY LAWN PROGRAMMING. Macky Lawn’s primary program shall remain as passive recreation. Temporary arts and education related programming and community events are encouraged. (H2 in AD-DG, but in attachments to Staff Report, relegated to Project Description, 4th bullet right hand column, page 75 of PDF)” (*How would such events occur? Who would fund them? Who would program the space?*).

Page 71(AD-DG): “COMMEMORATION OF CAMPUS ERA BUILDINGS. It is encouraged to commemorate eligible historic Campus Era buildings that are removed from the Property. This can be accomplished by strategies including, but not limited to, demarcating Campus Era building footprints into new landscape features through landscape materials or lighting, or incorporating signage within the new landscape or architecture. Additionally, the Property should include a publicly-accessible indoor or outdoor space to display and exhibit the Property’s history. (AD-DGH2, H3)” (*This very weak ‘encouragement’ should be replaced by a requirement for retention of built CCA structures or partial structures for use . . . ‘to display and exhibit the property’s history;’ and to avoid the embarrassing phenomenon of naming things and placing signs where irreplaceable features once stood. Perhaps Brooklyn Basin, which retained 11% of a national-register-eligible warehouse, and where the landscape architect incorporated large remnant structural trusses in the designs, would provide an interesting approach.*) *Staff Report comment, page 10c Attachment 1, Appendix A, page 14, item 8: “Honor the art and education that took place during the California College of the Arts Period and removed buildings of the campus through commemoration and the reinterpretation of physical characteristics.” (What is the meaning of ‘reinterpretation’ of physical characteristics post-demolition?) Signage is now referenced at 3.5.10, page 19 of Staff Report attachment 1, Appendix A.*

*Page 101 )(AD-DG): “3.8.21 NEW ART. New artwork, in addition to existing pieces retained as noted in Section 3.5, is encouraged to be integrated into vegetation along pathways in the publicly accessible open space to imbue a sense of discovery within the landscape. (H2)” (Again, the encouragement, but who is doing this, and how can we ensure that the art is not developer-selected middle-of-the-road decorative street furniture, but significant artwork by local artists? Is there any involvement with the Oakland Arts Commission?) (Attachment 1, Appendix A, page 19, Arts and Education)*

2. In an Environmental Review context, we wonder what, or how much money, would constitute mitigation for such a major demolition of an Area of Primary Importance? (no mention in documents)

3. We note in the Admin Draft *Design Guidelines* some terms that sound good but may not carry much meaning. What is “celebrate”, DG Goal 1, H3? Is there something explicit that could be required? (PDF page 11, 18,). As to C1, C2, C3 (page 19) to achieve these goals will require design modifications and continued work. On page 23, we question whether the current draft design succeeds in contributing to “special sense of place” or “diversity of architectural expression.” With further design work, perhaps it may get there. We note that “celebration” has disappeared from the staff report and its attachments.

4. We are disturbed by the repeated caveat (AD-DG pp 24 and 26):  
“Where conflict exists, the 5212 Broadway Design Guidelines—a project-specific document—supersedes the Commercial Corridor Design Guidelines—a citywide document.”

While the Commercial Corridor Design Guidelines are citywide, they were also thoroughly studied before adoption. How a conflict is resolved may depend on what the conflict is: for example, we would support continued attention to the surrounding context, and don't feel that this project-specific guidelines document should supersede those requirements.

5. The AD-DG asserts that it is aligned with applicable policies and actions in the Historic Preservation Element, but we disagree. How is this compatible with Policy 3.1? Is the design acceptable under Policy 3.5? Under Action 2.4.1? And, will the API survive? (The Campus-era API is not directly addressed in the current Attachment, though raised by staff on page 5, 7 of staff report.

The number of proposed demolitions makes this alignment claim very questionable. Demolition of every structure associated with the campus period of significance would certainly conflict with the Historic Preservation Element.

6. We feel that the examples shown in the Design Guidelines skirt around some of the larger-scale, more institutional and prominent historic architectural features of the adjoining neighborhoods, including College Avenue Presbyterian Church, Oakland Technical High School, perhaps even the former University High (now CHORI and a Senior Center on Martin Luther King Junior Way); also the Claremont Country Club, and Studio One. These larger structures may have something to teach about the large buildings proposed. We support the UBA suggestions for reference. (PDF pages 3 and 9 of AD-DG) The staff report asks questions about context, pages 9-14.

7. On page 48 (AD-DG), while we appreciate the setback requirements for new buildings built alongside historic campus era buildings, it doesn't seem to help when all are proposed for demolition.

“AD-DG .1.7 NEW BUILDINGS SETBACK FROM ELIGIBLE HISTORIC CAMPUS ERA BUILDINGS. New buildings shall be setback a minimum of 40 feet from the primary facade, see Figure 2.2, and a minimum of 10 feet from all other facades of eligible historic buildings of the Campus Era, if any are rehabilitated. For minimum setback requirements . . . ” ) Staff Report page 14 and Attachment 1, Appendix A, page 10)

8. The staff report directly states that the Campus District API would be destroyed (Staff Report, Page 3–4) yet this prominent fact is not yet fully addressed. Since the project would require a general plan amendment and rezoning, the City of Oakland is in a position to require far more significant mitigation than signage, “celebration,” “honor,” and “commemoration” which seem inadequate to the scope of the proposed demolitions. To date we have not seen a thorough discussion. Perhaps it will occur with the environmental review.

9. Page 49 (AD-DG): Why is the important rear walkway and emergency access called a “paseo”? This term, appropriated from Spanish and Latin American culture, may serve to warm up our reactions to a walkway or passage, but what are the characteristics that make it a “paseo” rather than a garden-variety walkway and major emergency access road? (Staff Report Attachment 1, Appendix A, page 16, 3.5.1)

10. We applaud the planned retention of the Broadway wall, and the guidelines that limit its reconfiguration. However, in the landscape scheme, we wonder about the tree selections, the decisions about what to retain, and whether the design should better adhere to the appearance of the highly valued

extant landscape. In particular, are the fern pines something that has always been at the site? Are ginkgos typical of the historic site? Which trees reflect the historic planted environment? Should all the eucalyptus be removed? Some of the existing trees are locally very unusual and possibly the only local examples, such as the Cedar of Lebanon *Cedrus libani*. If any unusual or historic trees need to be removed, they should be replaced like for like. )(See Attachment, Tree removal list, PDF page 134)

11. The very long building B seems monolithic, and we'd urge that the project adaptively re-use an existing building to break it up. These highly competent architects should be able to create a more human-scaled ensemble. While we understand the desire to maximize the number of units, the development would in the long run benefit from a lighter hand and greater sensitivity to the adjoining parcel behind it. (Staff report item 2, page 13, Scale and Massing)

12. What kind of public art program is intended? We note that some developments in recent times have not only allowed rather disappointing artworks; they have not supported local artists' work. Given that this project represents the loss of an important center for Oakland artists, we would hope for a truly robust plan. This could be incorporated into the Design Guidelines with greater firmness than vague encouragement. Can some studio facilities for use at low cost be provided in the project, for Oakland artists? (Page 10, Staff Report and Attachment 1, Appendix A, page 14, )

13. In discussing Macky Hall (AD-DG pages 114–115), we would like to point out that it and the Carriage House are eligible to use the California Historical Building Code; which may make preservation of original materials (including windows) permissible and may allow closer adherence to the Secretary of Interior Standards with regard to other features. An experienced historic preservation architect should be part of the team and could advise on economically sensible use of the CHBC. In discussing the Carriage House, we would note that the Guidelines require that the project consult with the State Historic Preservation Office. The Guidelines do not allow changes that do not comport with SHPO review of project adherence to the Secretary of Interior Standards. (Staff Report pages 13-14, Attachment 2, Appendix A, PDF page 7–8, Windows: 2.3.2)

14. We appreciate the inclusion in the AD-DG of the passage “encouraging” adaptive reuse, but find it weak. Can't we do better than that? In the staff report and appendices, adaptive reuse has disappeared from the text.

4.3.2 ELIGIBLE HISTORIC CAMPUS ERA BUILDING USE. Adaptive reuse of eligible historic Campus Era buildings shall be encouraged. Continuity of educational or institutional use is preferred, if possible, however commercial, retail, hotel, or residential use is also permitted. (H1) (Page 123).

In Attachment C, brief mention of reuse of materials fails to suggest whether a significant a portion of buildings or materials might be retained. (PDF page 72). We are unable to tell what is contemplated.

Again, AD-DG section 4.3.3 (page 124) ends its discussion of using portions of historic CCAC buildings “if feasible”. “Feasibility” should be reviewed in conjunction with the extent of the projected loss of historic elements, not only as a matter of project pro forma.

15. As to the details of new building design, Oakland Heritage Alliance supports the detailed comments submitted by neighbors in the UBA memos. We recommend use of punched windows, and greater incorporation of contextual design.

16. Our remaining question is whether clarification can be provided about how many and what types of affordable units are to be included. If we are to lose an API and so major a part of the campus as is proposed, or retain only a tiny number of contributors to the API, how will the community benefit? Oakland constructed 174% of the market rate units required in the last RHNA goals, and only 26% of the affordable units. A consistent demand from the Oakland community has been for affordable housing. We urge that at the very least, this project significantly help meet that need. If an institution that has abandoned Oakland must accept a somewhat lower sales price for the land, so be it.

We look forward to the evolution of the design guidelines, urging greater clarity, requirements rather than encouragements, and indications of how the recommendations can come to pass. We appreciate the staff analysis, and look forward to reading a revised set of guidelines that more comprehensively addresses them, and provides a stronger set of recommendations.

Thank you for your consideration.

Sincerely,



Mary Harper  
President

cc:

William Gilchrist, Ed Manasse, Catherine Payne, Betty Marvin  
Councilmember Dan Kalb  
City of Oakland Planning Commission