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# NEWS

## PRESERVATION ALERT: City Council Acts Against CEQA

OHA'S Preservation Action Committee notes that the scare tactic of lumping all 20,000 Potentially Designated Historic Properties (PDHP) together as requiring a \$100,000 EIR for demolition disregards the stated intent, throughout the (Preservation) Element, "to provide a predictable and appropriate level of protection, based upon each property's level of importance ...[and to] reasonably balance preservation with other concerns." The confusion between identification (the field surveys and research) and designation disregards the explicit statement that "surveys only provide the information necessary to make preservation determinations; they do not make the determinations themselves." This confusion could have the potential to threaten the "objective, consistent, well-documented" character of Oakland's highly respected Cultural Heritage Survey. --August 1997 OHA Bulletin

How prescient we were--unfortunately! On July 27, following deliberation in closed session, the City Council made a bold attack on preservation efforts in Oakland. These steps are the heaviest blows to preservation efforts since the "revisions" to the Historic Preservation Element two years back. The actions appear to flow from the ongoing efforts to make demolitions easier and EIRs fewer, and to keep the Cultural Survey domesticated after the ongoing Rubino Building and Montgomery Ward struggles. The justification of "pending litigation" was used to obscure --in their own words--"the application of the California Environmental Quality Act (CEQA) to the City's Historic Preservation Element of the General Plan." The Council's action was taken on a crowded agenda meeting night, their last before summer break. Unfortunately, the Public Ethics Commission has also gone on break.

The thrust of the Council action concerns the ongoing hot-button issue of how to treat older buildings that the Oakland Cultural Heritage Survey rating deems ineligible for the National Register. The City Council revised Preservation Element 3.8 to accord the more prestigious properties and districts--buildings rated A or B, Areas of Primary Importance (API Districts), contributors to API districts, and landmarks--the CEQA-mandated protection of EIRs for actions involving demolition or significant alterations. We should note this step was taken only after a landmark Appeals Court ruling in the Montgomery Ward case. The City wasted, in Councilmember De La Fuente's admission, \$250,000 in legal efforts to justify demolishing that B+, National Register-eligible building with only a "negative declaration" finding, claiming the demolition of the structure would have no significant effect on the environment. The court didn't buy it and preservation case law was made with state-wide implications.

The OHA lawsuit over the C-rated Rubino Building, however, exposed the weaknesses in the City's arbitrary cut-off line, since the Rubino building and some 20,000 others are classified by the City as "PDHPs"--Potentially Designated Historic Properties." Many of these C and D buildings (or "5's" under a parallel numerical rating system) have been inventoried by the Survey over the years, with the information sent on to the State Office of Historic Preservation (SHPO). In return, the State has partially funded the Survey's inventorying and classifying activities over the years. City staff, realtors and their clients, developers, and history and architecture aficionados over the years have made use of the Survey.



Yet, in a decision announced by City Attorney Ralph Wheeler (and with no explanation either of the Council's reasoning, or for the secret discussion prior to the vote), on a 5-1 vote--with Nancy Nadel voting no, Jan Brunner abstaining, and Henry Chang absent-- the Council directed City staff to:

- a) Document local findings of "Non-Historic Resource" in all Environmental Determination for Discretionary Actions;
- b) Discontinue the use of State-recognized survey forms (DPR 523) to update intensive historical resource surveys;
- c) Propose a Memorandum of Understanding (MOU) with the State clarifying the Category "5" Rating on Staterecognized survey forms (DPR Form 523);
- d) Consult with the League of California Cities to propose amendments to CEQA to limit applications to Historic Resources in certain circumstances;
- e) Terminate the current contract with the State Office of Historic Preservation that requires new State surveys be submitted.

The last three items are the big ones. These actions were reported only in *The Tribune* and *Montclarion*, and we at OHA are still struggling

mightily to learn all the implications of these actions. Inadvertently, the Council, acting without public input, may have surrendered, not gained, local control.

According to a State Historic Preservation Office official specializing in CEQA, the City, with its most recent actions, may be forfeiting Certified Local Government status. Along with the responsibility for submitting inventories of historic properties, compliance with CEQA, and establishment of a local preservation commission, the City receives some perks. These include local review of building rehabilitation plans qualifying for the Historic Tax Credit Program, and more jurisdiction over National Register nominations. Currently, the Landmarks Board, City Council, and Mayor are asked to weigh in on these nominations. Oakland could lose this right.

According to SHPO, the City may be ceding the determination of what is, and is not, an "historic resource" to the State. Unthinkingly, the City may be inviting more, not less, "outside interference" when interests clash over

whether buildings are historic and deserving of CEQA or landmark protections.

The ongoing research aspect of the Survey has now been brought to a precipitous halt by the City Council action. This year's survey focusing on commercial Areas of Secondary Importance (ASI) districts will not be submitted to the State. The problem: 200 of the 500 buildings identified in the survey are 5s. According to Acting

Planning Director Leslie Gould at a meeting with concerned Landmarks Board and OHA members August 3, the City Council fears sending this information along to the State will make these buildings eligible for CEQA protections. Next year the Survey will again not conduct field research and inventorying, but will attempt to make the existing information more available to the public and staff.

The revisions to the Element last year were mitigated by a commitment to fully fund the Survey for two years. Who can predict what will happen when this period is up? And for people like myself who were hoping the Survey would get around to a more exhaustive review of their own neighborhoods beyond the existing simplistic Windshield Survey, we'd better not hold our collective breaths

Survey, we'd better not hold our collective breaths.

The City Council may also be taking heart from recent legal challenges to the State Resources Survey. The Survey asks that cities update their lists every five years. This has been disingenuously interpreted by some municipalities, and upheld in at least one case, to mean that buildings on the Survey forms may "sunset out" after five years. This would seem patently ridiculous on the face of it--after all, buildings generally aren't even eligible for the National Register until they reach 50 years of age.

Unfortunately, this head-in-the-sand attitude typified many of the comments during the dust-up over the Element. At-Large City Councilmember Henry Chang asked at one point how someone who owns an historic building that has been rated by the Survey can get the rating removed. Gould solemnly repeated this perhaps apocryphal fear of property owners during a meeting with OHA board members, citing some hypothetical senior who doesn't realize he is living in an historic home, and evidently would be horrified if he found this out. Gould has also

Please lobby your councilmember and the mayor! Remind them that quality economic development and preservation are linked! Remind them of the Sunshine Ordinance and Brown Act laws promoting open government! Ask them to ungag the survey!

- Mayor Jerry Brown ....... 238-3141/fax 238-4731
- Jan Brunner, Dist. 1 ...... 238-7001/ fax 238-6910
- Henry Chang Jr, At Large 238-7008/fax 238-6910 chang@oaklandnet.com
- Ignacio DeLaFuente, D 5 238-7005/ fax 238-6910 idelafuente@oakland.net.com
- Nate Miley, Dist. 6 ........ 238-7006/ fax 238-6129 nmiley@oakLAndnet.com
- Nancy Nadel, Dist. 3 ..... 238-7003/ fax 238-6129 nadel#nj@oak2.ci.oakland.ca.us
- Larry Reid, Dist. 7 .......... 238-7007/ fax 238-6910 reid#le@oak2.ci.oakland.ca.us
- John Russo, Dist. 2 ........ 238-7002/ fax 238-6910 ccbrown@oak2.ci.oakland.ca.us.
- Dick Spees...... 238-7004/ fax 238-6129 spees#rl@oak2.ci.oakland.ca.us



reiterated the presumed developers' fear of having to conduct EIRs, saying the expense (\$50,000 or so at a minimum) and the time involved can be "deal killers." What is overlooked by such remarks, however, is that extensive EIRS involving historic properties are generally only required if substantial demolition or alterations are involved; a "mitigated neg dec" might actually suffice for a preservation-friendly project.

Completely overlooked by the City Council, and staff following their lead, is any economic benefit associated with preservation; the attraction of Oakland's wealth of older buildings to developers, homebuyers, and tenants; and the possibility of cultural tourism for the "other" City across the Bay. Unfortunately, the Mayor and City Council appear to be following the lead of City Council President Ignacio De La Fuente. He wrote the OHA Board on January 12, 1996: "That you would deceitfully engage in costly shenanigans and waste the public's treasury in pursuit of

your esoteric agenda (to save Wards) is something I will remember the next time you come before the Council." We are now living with the consequences of that threat.

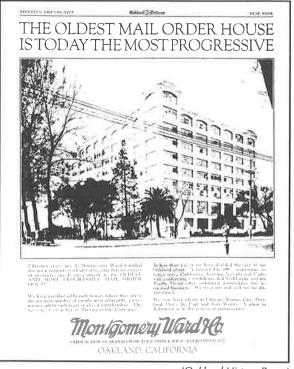
OHA has retained noted environmental/preservation attorney Susan Brandt-Hawley to ask the City to reconsider their secret decision to amend CEQA and gag the Survey. Brandt-Hawley successfully represented NOVA in the effort to save Old Merritt College, represents the League to Protect Oakland's Architectural and Historic Resources in the Montgomery Ward case, and has recently won two major preservation battles. She successfully persuaded the San Francisco Community College District to incorporate the landmark Columbo Building in their new North Beach campus, and won a major victory in San Diego--forcing the city to complete an EIR before going forward on plans for a new stadium in the downtown historic warehouse district. We need your help! Please contribute to OHA's legal fund! – Robert Brokl

# MONTGOMERY WARD UPDATE: Hope amid the Usual Sturm and Drang

This is a fluid time, as the cliche goes, in the long-running Montgomery Ward saga. The Exclusive Negotiating Agreement with the Oakland Unified School District (OUSD) and the City expired in late July and a comment period for the \$600,000 draft EIR expired in August. The OUSD expects the final EIR to be certified, along with the project, by the end of October. The OUSD plan, which involves demolition of the National Register building, will then be voted upon by the Oakland City Council.

Efforts to head off that outcome, however, may be gaining traction. The City Planning Commission was presented with the OUSD proposal on July 21, and three of the commissioners--achitects Art Clark and Glen Jarvis and Frazier Scurri-Scott--expressed opposition to the plan. A fourth, Les Hausrath, also seemed unhappy with the plan. Rather than take an immediate vote, the commissioners decided to rehear the matter after the final EIR is released.

San Francisco-based Emerald Fund, led by developer Oz Erickson, continues efforts to acquire the site to develop the buildings for live-work lofts. They have further modified their plans to include a new school and OUSD administrative offices. The new plan is being shown to community members. Flyers created by the League for the Protection of Oakland's Architectural and Historic Resources emphasizing the jobs and economic development potential of the Emerald Fund project also have been distributed in the neighborhood around the building.



(Oakland History Room

At the same time, the justification for demolition is also being undercut by the creation of three new charter schools in the area. One is located at the former site of the Melrose Lumber Co -- ironically one of the alternate sites considered and rejected in the EIR as too small. OHA also secured, after numerous requests over several months, a meeting with the Mayor Brown, at which he seemed to be hearing for the first time that the state does not in fact mandate sites of the size that OUSD has said are required, and that the new school(s) do not even have to be, from the state perspective, within the Fremont High School attendance area. The OUSD has said the 8-acre Wards site is necessary for a school of 600 students, but Art Clark cited a school being built in Santa Ana for 1500 students on 2.2 acres. Calls to Brown (238-3141), City Manager Bobb (238-3301) and Councilmember De La Fuente (238-7005) during this critical period might help. - R. Brokl



# IN THE NAME OF PROGRESS: What's Left Behind

This has been a traumatic year for preservation in Oakland, as is obvious from the fact that the second entrant on the OHA Third Annual Most Endangered List, the J.P.M. Davis House, has been bulldozed in the time since the list was released at a press conference that was held on June 22 at the house. There have been bright spots: the Keystone Hotel project for the long-vacant, quake-damaged Key Route building at 1100 Broadway; money in the City budget for overdue maintenance on the Fox Theatre; work beginning on the Rotunda; and the Julia Morgan-designed YWCA rescued from the brink of disaster. These achievements, though, have been overwhelmed by ominous developments.

OHA launched its first-ever lawsuit over the proposed demolition of a "Potential Designated Historic Property" (PDHP) with its opposition to the proposed demolition of the Rubino Building on Lakeshore Avenue. Rather than reuse this building as they might have been inclined in other locations, the GAP (as tenant), the owner, and the builder decided on an all-new building. The City Council, Mayor, and City staff were only too willing to oblige. Neighboring merchants signed on too, though their willingness to support demolition probably had more to do with owner neglect of the property over several decades and a fervent hope that the GAP would contribute to the vitality of the commercial strip.

During Council debate over this issue, we learned-to our surprise!-

#### THE THIRD ANNUAL OHA MOST ENDANGERED LIST

- 1. 20,000 "C" and "D" buildings. Both the City's position on the GAP/owner/developer-sponsored demolition plan for the Rubino Building and their threats to further weaken the Preservation Element jeopardize these buildings that form the contextual character that give places like our neighborhood shopping streets their charm. Only about 2,500 buildings in Oakland (out of 100,000+) are rated "A" - highest importance, "B" - major importance, or are located in an area of "highest importance" such as the Downtown District. The 20,000 buildings rated "C" and "D" are not "average" or "barely passing," as Council members disingenuously suggest, but instead constitute most of the 50-year or older buildings in Oakland. The majority are single-family homes, many in desirable neighborhoods like Glenview, Trestle Glen, and Rockridge. With restoration or simply the passage of time, many of these buildings could become "A"s or "B"s. The unwieldy City bureaucratese term "Potential Designated Historic Property" (PDHP) says it all. With privately-owned properties unable to receive National Register designation over owner objection, the uphill battle for even the minimal protection of City landmark designation with a reluctant owner, and the lack of any requirement for an EIR (or even limited environmental review such as an initial study), even in the face of demolition, many of these C and Ds are landfill candidates.
- 2. J.P.M. Davis House, 419-21 Clay St. at 5th. An example of a D-rated PDHP dwelling slipping through the cracks, this two-story house was located at the eastern edge of the historic Bret Harte Boardwalk. According to the Oakland Cultural Heritage Survey, the house was built approximately 140 years ago, dating from the earliest days of the Boardwalk residential district. Originally located at the corner of 5th and Clay, the house was built on land belonging to Oakland pioneer J.P.M. Davis, mayor of Oakland in 1860-61. An Italianate bay window was probably added in the early 1870s, when identical houses on Fifth Street were built. The Davis house was moved to its current location in 1897, when Queen Anne fishscale shingles and spindlework were added. The house thus encapsulated the area's history in at least three layers of alterations. The property though was purchased by the Police Officer's Association as the site for their new office, and a demolition permit for this venerable house from the earliest days of Oakland was issued as a routine "ministerial" decision at the building permit counter. Only an alert City employee intervened and suggested the applicant contact OHA and others to see if it could be salvaged. But four months is realistically necessary to arrange for a house moving, and the dwelling has been bulldozed since this list was first released in June.
- **3.** The historic **Laurel**, **Foothill**, and **MacArthur commercial shopping districts** will suffer if the Leona Quarry project, with its big-box design, succeeds. From past experience, it seems likely that the proposed Home Depot and Super Lucky's will out-compete the neighborhood-serving "Main Street" stores, creating more blight and hardship. The loss of the current Lucky's in the Laurel District, anticipated if the proposed larger Lucky's is built at Leona, is typical of the fallout that the neighborhood can expect from this style of "economic development."

**4.** Mayor Brown's goal of "elegant density" and 10,000 new residents downtown, while admirable, threatens to obliterate the quaint, the vestigial, the authentic, and

old, in order for sites to be speedily cleared for new big-box housing. The rush to approve projects may not leave time for even design review. On the edge of the Sears parking lot, the commercial buildings on San Pablo, between 19th and 20th Streets, seem especially vulnerable. This area has been the focus of many redevelopment schemes, most recently the Urban City plan for retail and entertainment. Now it is being eyed as a prime location for new housing, but no mention has been made of incorporating these picturesque buildings into the larger plan for the site. Rankin and Sons Plumbing Store (1972 San Pablo) and the adjoining 1966 San Pablo, both with distinctive gable and wood siding in "settlement vernacular" style, date from the 1870's, as does the adjacent Garibaldi Club at 1960 San Pablo.



409 San Pablo Avenue - Rankin & Mohr, Telephone Red 13, Plumbing, Tinning and Gas Fitting (San Pablo West Side, between 18th & 19th). (Oakland History Room)

Though not as immediately threatened by large-scale housing plans, across the street sits the important late 1870's Italianate / Gothic Revival / Commercial style Friedman's Appliance Building (1917-21 San Pablo). The adjoining 1900-15 San Pablo building is similar, and houses a liquor and video store. East Bay Asian Local Development Corp., developer of the historic Swan's Market, owns the vacant Friedman's Bldg., but lacks sufficient funding to proceed with development.



(Robert Brokl)

**5.** Laurel Liquors, 4311 MacArthur Blvd. Neighborhood objections succeeded in shutting down the building's tenant, Laurel Liquors. Now this attractive D-rated brick store building, built in 1935-36 and designed by architect Earl MacDonald, once a Safeway and a retail bakery, may not have another incarnation. Its strategic location at the corner of MacArthur and High Streets may have attracted developers who propose clearing the site.

6. The Rubino Building, aka Lakeshore Public Market, 3277-87 Lakeshore Ave. Unwillingness by the Gap to do a high-class project like their renovated store in the Historic Flood Building on Market St. in San Francisco dooms this fine Mediterranean-style commercial building from the 1920's, one of the most distinctive on Lakeshore. Even the presence of office suites above, which add to the street's vitality and would seem to make this building a desirable candidate for rehabilitation, has failed to overcome owner intransigence and neighborhood antipathy for a problem property. The Rubino Building is C-rated, like many of the other buildings on Lakeshore that give the street its lively, appealing character. Only one building on Lakeshore rates above a C.

from Council President De La Fuente that during last year's debate over revisions to the Historic Preservation Element, in return for limited CEOA protections for Oakland's 800 A- and B-rated buildings we signed off on all 20,000 C- and D-rated buildings. Though that this was the first element of the new General Plan to be adopted and it has yet to be really implemented, the Council is now talking about further weakening the Element, to make SURE that Cs, Ds, and all other PDHP's are exempt from even the most minimal protection from demolition or harmful alteration.

Paradoxically, the healthiest economic climate in years, coupled with the election of a Mayor with a national reputation and connections, has not furthered preservation efforts in Oakland. While Brown supports adding \$3 million to the budget for seismic work and roof work for the Fox, he has yet to defy De La Fuente's obsession with demolishing the Montgomery Ward Building. In endorsing the Rubino demolition, Brown wrote: "I personally examined the building and thought about it in the context of the neighborhood...As an aesthetic and cultural matter, this building cannot hold a candle to the proposed new use." The Mayor's readiness to toss reusable structures into landfill to accommodate hit-andrun development is disturbing in view of his espousal of "sustainable development." And yet, while frenzied developer interest threatens to overwhelm the waterfront with outof-scale lofts and high rises, and the low rise buildings on Lower Broadway and in the Produce District may disappear under the wrecking ball, the City and Port have increased allowable densities so much that upgrading, retrofitting, and tenanting low rise buildings won't "pencil out," not in comparison to the profits to be made from pursuing high rise

development. These older buildings were produced by the creative energy of previous generations and with intelligent, caring labor and vigorous action on the part of our generation, these resources can be saved for future generations.

Meanwhile, while development threatens to overwhelm some areas, in poorer areas the highly-touted Blight Ordinance, like a rusty bludgeon demolishes properties rather than encouraging them to be rehabilitated or acquired by new owners. One high profile example was the demolition of the Pussycat Theater in Temescal. Even though intact murals were uncovered in the course of demolition, the bulldozers never paused, not even for documentation. With less publicity but perhaps even more devastating effect, numerous single family homes have been knocked down in West and East Oakland, further exacerbating the housing crisis. 150 properties have reportedly been demolished so far this year.

The good news is that we have removed the Key Route building from our list, and have high hopes for the Fox now that roof work will arrest the worrisome damage caused by leaks. Director Jackquee Warren suggested we remove the YWCA at 15th and Webster from the list. A bankruptcy triggered by seismic upgrading put this building on last year's list and motivated us to hold our press conference there. Now the YWCA is almost out of the woods and will be able to remain as a Y. We are thrilled about these positive developments. OHA welcomes comments on this year's list and suggestions for next year. Mail to: OHA, Most Endangered, PO Box 12425, Oakland, CA 94604. And join OHA! - Robert Brokl

#### Returnees:

7. The Estuary. The City Council has now adopted the Estuary Plan, approving the largest-yet residential development--8 stories!--in the Waterfront Warehouse District. Though the City's own preservation consultant advised that the project's scale and height jeopardized National Register eligibility for the district, the Council approved the City Lofts project, with the sop of commissioning a 90-day study of height limits and setbacks for the area. Meanwhile, the phoenix-like Jack London Neighborhood Association is rushing to nominate the area as a National Register district so that future projects, and perhaps even this one, would be required to conform to the scale of existing buildings.

The other area most at risk is the cluster of **low-rise historic buildings at Lower Broadway**. As Oakland's first downtown, this area includes the five oldest brick buildings in the city. The one-story St. Germain Building (now Sunrise Sandwiches) at the corner of Broadway and 3rd is the oldest, completed in 1859. Others date from the early 1860s, including Clancy's (311 Broadway) and the vacant and deteriorating Square Apple (318-34 Broadway). The Estuary Plan's encouragement of density "intensification" in this area does not bode well for rehabilitation and restoration of these irreplaceable survivors. At the site of the shuttered Roscoe's Chicken & Waffles, between 2nd and 3rd on Broadway, an eight-story apartment project is contemplated, with the City assisting the developer by threatening an eminent domain taking if necessary. Meanwhile, the handsomely restored brick and terra cotta Lawrence Building (SE corner of Broadway and 2nd), now home to Everett and Jones Barbeque, is a sterling example of one way the district might go. The 1925 building was designed by local architect Clay Burrell, who also designed the Cox Cadillac Building.

Without landmark designation, the **Produce District** will also be at risk once existing merchants relocate to larger quarters. The major property owner is already pursuing site clearance and the construction of much higher structures, a mistake aping the Les Halles market demolition in Paris in 1969.

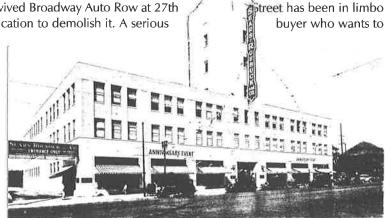
A campaign for City landmark designation of the **Ninth Ave. Terminal** is being led by architect Leal Charonat. The success of the nomination rests partly upon the sticky question of port vs. city jurisdiction. While the Estuary Plan originally called for creating a park at this location, the Planning Commission now suggests "trying" to find a re-use scenario for the Terminal, another building eligible for the National Register.

**8.** Montgomery Ward Building, 2825 International Blvd. Politics alone keeps this building from being properly developed, and thus placed in our "saved" column. A renowned SF developer has offered to pay the City \$3.5 million for both building and site to create live/work units on the upper levels, and the Montgomery Ward Co. remains interested in a retail operation at this location. Despite the extraordinary opportunity to create much-needed housing and retail, Councilmember De La Fuente remains adamantly in favor of demolishing the building to make way for a low-rise, warehouse-type school, even while Mayor Brown is promoting a charter school nearby at East 15th and Miller. Neither an outstanding suit by the League for the Protection of Oakland's Architectural & Historic Resources, now joined by Montgomery Ward's suit against the City; the successful placement of the building on the National Register of Historic Places this past June; or even the conversion of similar industrial/warehouse buildings to housing all over town has derailed the politically-motivated demolition schemes for this building. A grossly inadequate Draft EIR, prepared by the Oakland Unified School District, was released on June 17.



**9. JJ's Diner/Biff's Coffee House,** located on the recently revived Broadway Auto Row at 27th since Chevron put it up for sale after withdrawing its application to demolish it. A serious restore the restaurant is negotiating with Chevron. Its restoration would give Oakland a new living landmark.

- **10. Sears Roebuck Co., 2633 Telegraph Ave.** Another possible winner--a determined group of developers has floated a plan to use the upper levels and some ground floor space for self-storage, with whatever retail they can capture on ground level. They willingly agreed to revise their earlier plans to plaster another facade over the 60s facade, and will uncover the original Art Deco exterior (shown at right as it appeared in 1930). Unfortunately, still tepid retail interest for Uptown has slowed their plans.
- **11. Studio One, 365 45th St.** The current City budget may have money set aside for the seismic retrofit and code upgrades necessary for this 100-year-old arts facility and



(Oakland History Room)

former orphanage. A determined lobby of neighborhood supporters has placed the building on the Preservation Study List, thereby affording it some protection. This group has also volunteered to raise funds. The facility seems to have weathered efforts to either relocate the program downtown or be demolished to make way for a new arts center at the same location.

- 12. The Oakland Consolidated Street Railway Barn, 4629 Martin Luther King Jr. Way. City staff, not perturbed neighbors, placed this venerable link to early transportation history on the Blight Hit List. An Unreinforced Masonry Building (URM), the out-of-town owner considered demolition as an option rather than retrofitting. According to the (maybe) former owner, the building is in escrow, new owner a mystery. Respectful developers of live/work missed out this time--a shame since the cavernous interior with brick walls would seem a natural candidate for such uses.
- **13. Calou House, 3251 MLK Jr. Way (at Brockhurst).** Unfortunately, an effort to acquire the house for a preservation-friendly non-profit developer for owner-occupied condominium units failed during a court-supervised sale. Instead, the new owner appears unlikely to attempt a restoration, and will most likely subdivide the house and detached garage into the maximum number of rental units. To date, the new owner has managed only to reroof the garage. The building remains vacant and derelict in appearance, inadequately secured, and vulnerable to arson.
- **14. Children's Hospital Oakland's "Baby Hospital." 747 52nd St.** Placed on the 1998 list after hospital administrators floated plans to expand within their existing campus. Demolition plans of the A-rated building from 1927 would trigger an EIR.
- **15. Southern Pacific 16th St. Station**, owned by the Southern Pacific Transportation Co. One possible major positive new development has been the new views of this building from the replacement Cypress freeway. Otherwise, the deterioration--murals in the interior being ruined by roof leaks, broken windows-etc.--continues unabated.
- **16.** Unity Savings Bank/Unity Building, 1300 Broadway. Oakland's first steel-frame high rise building, completed in 1905, with Walter J. Mathews as architect. Earthquake damaged, vacant except for ground floor retail, increasingly derelict in appearance, still for sale.
- 17. Central/Southern Pacific Depot/Mi Rancho, 464 Seventh St. Still vacant and for sale.
- **18. Fruitvale Hotel, 3221 San Leandro Blvd.** Code compliance has boarded up windows, but the two owners of the hotel and a neighboring business remain locked in a bitter battle over division of assets. While the building is nominally secured, deterioration continues and the 1894 wood frame structure remains vulnerable to arson.
- **19. Cox Cadillac, Harrison Street at Bay Place.** After months of hearings and meetings, Rite-Aid finally bent its cookie cutter scheme to accommodate this building which is linked to early transportation history as a railway car barn and later as a premier showroom/auto facility. But the Shepherd Trust which holds the property pulled the plug on their negotiations with Rite-Aid and the EIR process ground to a halt. Now Walgreen's is rumored to be eyeing the site. Meanwhile, the building's deterioration continues under the neglectful stewardship of the Trust.
- **20. Three West Oakland houses,** from the period of 1868-1889. Still stranded after being pulled from the path of the Cypress replacement freeway, moored at the former Phoenix Iron Works site at 8th and Pine. Deteriorating and vulnerable to arson (the fourth burned some time ago), no plan to move and rehabilitate them has yet succeeded, but the one by East Bay Asian Local Development Corp. has perhaps the best chance.



# SMART GROWTH: Economic Development for the Next Century

Following is the text of a talk on the topic of historic preservation and smart growth by Don Rypkema, a real estate economist who works in Washington D.C. with the Main Street program. Rypkema has also written a book on the subject, "The Economics of Historic Preservation."

I suspect for many of you "historic preservation" is the local group of retired librarians writing letters to the editor and struggling to raise funds to save the mansions of the local rich, dead white guy. Well thank god for those activists, those letters to the editor, those fund raising events, and even for those rich, dead, white guys, because the properties that have been saved are an important component of understanding ourselves as people and constitute an irreplaceable collection of the art of architecture and landscape architecture that has been created in our country's relatively short history.

But that part of historic preservation--saving old mansions--represents an insignificant percentage of preservation activities today. In fact, in the last two decades, historic preservation has moved from an activity whose goal was an end in itself--save old buildings in order to save old buildings--to a broad-based, multifaceted group of activities that uses our built heritage not as an end in itself but as a means to broader and, frankly more important, ends. Here in New York State that has meant historic preservation as a means for downtown revitalization, neighborhood stabilization, attraction of tourism, job creation, film industry production, small town revitalization, affordable housing, luxury housing, education, transportation, and others. Saturday at the annual meeting of the Preservation League of New York State we are releasing the results of a sturdy conducted over the past year identifying the multitude of ways that historic preservation contributes to the economy of the state of New York.

But I'm not here today either to talk about mansions or about economic development. I'm here to suggest that historic preservation, in and of itself, is one of the most important tools in the entire Smart Growth movement. I'll title my remarks, Twenty Reasons in Twelve Minutes why Historic preservation IS Smart Growth. And here, in no particular order, are those reasons.

☐ Reason One: Public infrastructure. Almost without exception historic buildings are where public infrastructure already exists. No new water lines, sewer lines, streets, curbs, gutters required. That's Smart Growth.

☐ Reason Two: Municipalities need financial resources if they are going to grow smart. Vacant, unused, and underused historic buildings brought back to life are also brought back as tax generating assets for a community. That's Smart Growth.

☐ Reason Three: New activities--residential, retail, office, manufacturing--in historic buildings inherently reinforce the viability of public transportation. That's Smart Growth.

☐ Reason Four: If we are to expect citizens to use their cars less, and use their feet more, then the physical environment within which they live, work, shop and play needs to have a pedestrian rather than a vehicular orientation. That's Smart Growth.

☐ Reason Five: Another element in the drive to encourage human movement by means other than the automobile is the interconnection of uses. Based on the foolishness of post-World War II planning and development patterns, uses have been sharply separated. Historic neighborhoods were built from the beginning with a mix of uses in close proximity. Cities with the foresight to readjust their zoning ordinances to encourage integration of uses are seeing that interconnectivity reemerging in historic areas. That's Smart Growth.

Reason Six: As a strong proponent of economic development I am certainly glad the phrase is Smart Growth as opposed to no growth. Smart Growth suggests that growth has positive benefits and I would agree that is true. At the same time we cannot say we are having smart growth--regardless of how well it is physically planned--if at the same time we are abandoning existing assets. The encouragement of reinvestment in historic areas in and of itself revitalizes and revalues the nearby existing investment of both the public and private sector. That's Smart Growth. Reason Seven: We see periodic headlines about some real or imagined "Back to the City" movement. Certainly people moving back to the core of a town or city of any size has a positive impact on a whole range of environmental goals. Well, across America, and in many places here in New York State, people are indeed moving "back to the city." But almost nowhere is it back to the city in general. In nearly every instance it is back to the historic neighborhoods and historic buildings within the city. We do need to pay attention to market patterns, and if it is back to historic neighborhoods to which people are moving, we need to keep those neighborhoods viable for that to happen. That's Smart Growth.

Physical growth but economic growth. And economic growth means new jobs. But who is creating the net new jobs in America? Not General Motors, or IBM, or Kodak. 85% of all net new jobs in America are created by small businesses. And for most small businesses there are few costs that are controllable, but there is one--occupancy. Barring massive public subsidies, you cannot build new and rent cheap. Older and historic buildings often provide the affordable rent that allows small businesses to get started. That's Smart Growth.

☐ Reason Nine: Business districts are sustainably successful where there is a diversity of businesses. And that diverse business mix requires a diverse range of rental rates. Only in downtowns and older commercial neighborhoods is there such diversity. Try finding any rental rate diversity in the regional shopping center or the so- called office park. There ain't none. Older business districts with their diverse rents



Well thank god for those

activists, those letters to the

editor, those fund raising

events, and even for those rich,

dead, white guys, because the

properties that have been

saved are an important

component of understanding

ourselves as people and

constitute an irreplaceable

collection of the art of

architecture and landscape

architecture that has been

created in our country's

relatively short history.

are Smart Growth.

☐ Reason Ten: Smart Growth ought to be about jobs. Let me distinguish new construction from rehabilitation in terms of

creating jobs. As a general rule new construction is 50 percent labor and 50 percent materials. Rehabilitation, on the other hand, is 60 to 70 percent labor. While we buy an HVAC system from Ohio, sheetrock from Texas and timber from Oregon, we buy the services of the carpenter and plumber, painter and electrician from across the street. They subsequently spend that paycheck for a hair cut, membership in the local Y and a new car, resulting in a significantly greater local economic impact dollar for dollar than new construction. The rehabilitation of older structures is Smart Growth.

☐ Reason Eleven: Solid waste landfill is increasingly expensive in both dollars and environmental quality. Sixty to sixty-five percent of most landfill sites is made up of

construction debris. And much of that waste comes from the razing of existing structures. Preserving instead of demolishing our inventory of historic buildings reduces that construction waste. Preserving instead of demolishing our inventory of historic buildings is Smart Growth.

☐ Reason Twelve: Its critics have pointed out that the socalled New Urbanism is neither new nor urban. But I don't think anyone here would dispute that in most instances, at least, New Urbanist development is fully compatible with the goals of Smart Growth. I would argue that New Urbanism reflects good urban design principles. But those principles have already been at work for a century or more in our historic neighborhoods. The sensitive renewal of those neighborhoods is Smart Growth.

So are you starting to get the picture? Let me be briefer with the rest of the list.

- ☐ Reason Thirteen: Smart Growth advocates a density of use. Historic residential and commercial neighborhoods are built to be dense.
- ☐ Reason Fourteen: Historic buildings themselves are not liabilities as often seen by public and private sector demolition advocates, but are assets not yet returned to productive use.
- Reason Fifteen: The rehabilitation of older and historic neighborhoods is putting jobs were the workers already are. Reason Sixteen: Around the country historic preservation is the one form of economic development that is simultaneously community development.
- ☐ Reason Seventeen: Reinvigorating historic neighborhoods reinforces existing schools and allows them to recapture their important educational, social and cultural role on a neighborhood level.

☐ Reason Eighteen: No new land is consumed when rehabilitating a historic building.

☐ Reason Nineteen: The diversity of housing sites, qualities,

styles and characteristics of historic neighborhoods stands in sharp contrast to the monolithic character of current subdivisions. The diversity of housing opinions means a diversity of human beings who can live in historic neighborhoods.

□ Reason Twenty: Historic preservation constitutes a demand side approach to Smart Growth. I'm not at all opposed to acquiring greenbelts around cities or development rights on agricultural properties. Those are certainly important and valuable tools in a comprehensive Smart Growth strategy. But they only reduce the supply of land to be developed --they do not address the demand for the use of that land. The conversion of a historic warehouse into 40 residential units reduces the demand for ten acres of farm land. The economical revitalization

of Main Street reduces the demand for another strip center. The restoration of empty 1920's skyscraper reduces the demand for another glass and chrome building at the office park. Again, I don't mean to be remotely critical of supply side strategies, but without demand side responses their successes will be limited at best.

Finally, I think most of you would acknowledge that Maryland is among the states leading the way in creating comprehensive Smart Growth policies. Many of you are probably familiar with this publication, *Smart Growth and Neighborhood Conservation: A Legacy for Our Children,* which enumerates forty-seven specific policy initiatives to encourage Smart Growth. I went through the entire list, and here's what I found: of the forty-seven initiatives, historic preservation was a key component of thirty-two of them. But even more importantly, if communities had a strong historic preservation strategy, the goals of 44 of the 47 are automatically met.

Historic preservation IS Smart Growth. For years activists in the historic preservation movement have said, "We need to get closer to the environmentalists. They've been successful in raising public consciousness about the issues, and getting legislation put into place to advance those aims." I have no quarrel with that strategy. But I would suggest to you environmentalists, that your strong support for historic preservation in your communities would, in and of itself, significantly advance your environmental goals. Further, I would suggest that a Smart Growth approach that does not include historic preservation high on the agenda is not only missing a valuable strategy, but, like the historic buildings themselves, an irreplaceable one. – *Don Rypkema* 



## The Last Alarm?

The old Fire Alarm Building, located at 1310 Oak Street in Oakland's historic Lake Merritt District, may have sounded its last alarm. The City of Oakland is currently inviting interested parties to submit proposals "to develop market-rate housing on one of four available sites" as part of a plan to bring 10,000 new residents downtown. Unfortunately, one of the sites being considered for development is 1310 Oak Street. While development downtown would provide a much-needed economic boost for the city coffers, it may spell the end for a building that faithfully served the Oakland Fire Department for over seven decades.

Prior to 1911, the Fire Alarm and Police Telegraph service was located on the second floor of Phoenix Engine Company No. 1, located at 15th and Washington Street. After this fire engine house and makeshift fire alarm center was almost destroyed in the 1906 Earthquake, Mayor Mott declared "common prudence suggests this [new building] be housed in a separate building not more than one story in height, built substantially, as well as fire and earthquake proof." According to a front-page story in the *Oakland Tribune* of August 7, 1910, "the new electricity building has been designed by Architect Walter J. Mathews so as to harmonize with its surroundings and fit into the scheme of park development. Its exterior will be ornate and handsome in appearance, and the interior will be arranged to suit the utilitarian uses to which it is to be devoted."

In addition to the Fire Alarm Building, the architect Mathews had designed other well-known Oakland buildings, including the Hotel Oakland, the Unitarian Church, the Crellin Hotel, and Saint John's Church, as well as some of California's most beautiful buildings of the late nineteenth and early twentieth centuries. Among these buildings are the Immigration Station at Angel Island, the Redondo Beach Hotel, the Orpheum Theater, and the Athenian Club. It was said of Mathews' creations that if you were to line them up end to end, the

buildings would extend over four miles!

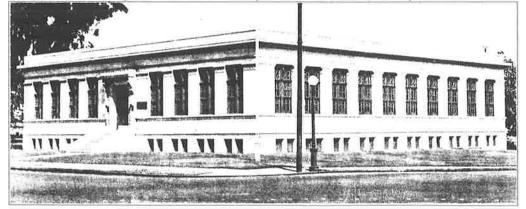
His Fire Alarm Building is a Beaux Arts derivative civic building, remodeled as Moderne. In 1912, George Babcock, Superintendent of the Electrical Department for the City of Oakland described the new building as "an isolated fireproof steel and stone building of classical design, erected for this purpose on one of the city parks. The building is a single story with a deep basement. The outer walls are of Utah sandstone, cream white soft and easy to work, but of a quality that hardens on exposure. The roofs and floors are concrete, with mosaic finish on the latter, and a fireproof wainscot of beautiful veined Vermont marble." The Fire Alarm Building is on a corner lot bordered by the Alameda County Courthouse, the Oakland Main Library, the Camron-Stanford House, and beautiful Lake Merritt.

Much of what Mr. Babcock described back in 1912 remains intact today. The Utah sandstone walls are still there, hidden beneath a layer of stucco applied when the building was modernized in 1953. Inside, the original mosaic floor is covered by linoleum. The Vermont marble wainscot is also intact, as well as much of the old fire alarm circuit board system. This building is truly a diamond in the rough.

In 1995, the Oakland Cultural Heritage Survey rated the Fire Alarm Building a B-, a1+ (B-, major importance, landmark quality; potential A, highest importance), if restored. An application to the Oakland Landmarks Preservation Advisory Board for landmark status for this building is currently submitted. Attempts are also being made to have the building placed on the National Register. The dream is to see this building restored and put to higher and better use as the Oakland Fire Department Museum. As such, it would be run by the Oakland Fire Department Historical Society, a non-profit organization dedicated to preserving the history of fire fighting in Oakland. Additionally, outside the museum, it would be appropriate to create a fallen firefighter memorial dedicated to the thirteen Oakland firefighters who have been killed in the line of duty throughout the Oakland Fire Department's 130-year history. The prominent location

would remind passers-by of the supreme sacrifice made on their behalf by these brave firefighters. As Oakland strives to become a world-class city, let us not sacrifice this important building. The Fire Alarm Building should continue to serve the citizens of Oakland as a magnificent fire museum, and stand as a testament to our civic forefathers who had the wisdom to build such a beautiful building along the shores of Lake Merritt so many years ago. -- Geoffrey Hunter







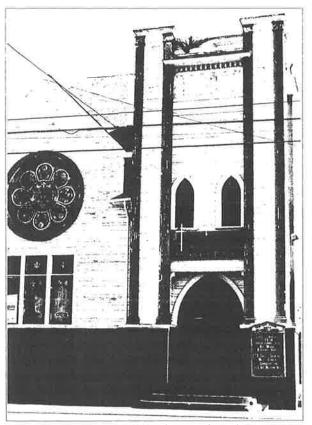
# STUNNING NEW QUARTERS FOR CHORI: OLD MERRITT

A recent peek at the results of work that has been going for the last year in the new offices and labs of the Children's Hospital Research Institute at Old Merritt was very reassuring: The quality of workmanship and attention to detail is remarkable. The architectural firm of Dowler Gruman Architectural Resources Group are to be commended for their work on the restoration of the library and Little Theater, which have been accorded special care and sensitivity during this \$20 million dollar phase of the project. Located at the heart and center of the figure-8-shaped building, the library was especially badly damaged during long years of City-sanctioned neglect. The oak floors rotted, the stacks resembled watery caves, and the ceiling beams were stained from water leaking through the flat roof. Happily, the floor has been replaced with oak planking and carpet, new wood shelves have been installed, period-style pendant lights hang from the restained ceiling beams, and the immense plaster frieze surrounding the main entrance to the library (off the former main entrance), has been painted a striking sea-mist green. Hensel-Phelps Const. Co., working with VBN Architects, had already partially restored the library.

The Little Theater on the second floor, used as a lecture room during the Merritt College period, is another pleasant surprise. Painted in historic colors of soft melon orange and olive green, the room seems at the same time both period and strikingly contemporary looking. Vandals did not destroy the double-hung floor-to-ceiling slate blackboard, and it is still the focal point of the room. Stepped seating in the room will begin with two rows of the original chairs. Narrowing of the rows to accommodate another code-required entrance from the rear has fortuitously created a small reception area for the Theater.

Elsewhere in labs and offices, existing blackboards were retained and new divider walls have breaks just short of the existing walls. Windows have not been effaced, and now afford views of the newly landscaped grounds and courtyard. Even the hall window sash (which had been a jarring white) has been stained to match the frames. The courtyards are also nearly finished, designed by the landscape architecture firm of Patillo and Garrett. A white pergola was installed in the south courtyard, and a sundial that originally resided in the center of the courtyard is being returned to its rightful place by its current owner, the Oakland Museum of California. Handsome pink pavers interspersed with smaller blue glazed tiles were installed in the large north and south courtyards, and cement paving, instead of the gravel originally called for, was added to the north courtyard. Seniors and community members have been promised access to this courtyard. Pruning and shaping awaits the historic mature sycamores, ginkgo, and other trees that were saved.

CHORI's campus at Old Merritt is a fine example of the marriage of preservation and cutting edge research and technology. You CAN have new development that respects and incorporates the best of the past--a lesson hopefully not lost on our City fathers and mothers. -- Robert Brokl



Shattuck Avenue Methodist Church, 6300 Shattuck. (Jeanette Sayre)

#### Church Faces a Shaky Future

A routine check-up has suggested potential seismic problems with the 90-year-old Shattuck Avenue Methodist Church, and the congregation has stopped meeting in the sanctuary. The sprawling structure is characterized as a Craftsman-Colonial by the Oakland Cultural Heritage Survey, with a preliminary rating of C3B+. But the survey apparently did not have access to the magnificent interior of the sanctuary with its of stained redwood lavish abundance board-and-batten wainscotting and window and door trim. This craftsman interior detailing relates the church to many of the residences in the neighborhood, such as the Poirier House at the corner of Poirier and Shattuck.

Engineering studies have been undertaken to explore retrofitting options and costs. Replacement, renovation and retrofitting, or abandonment of the site are all on the table. Professionals such as engineers and architects who are interested in assisting in the effort to save this church are invited to call Pastor Myrna Bernadel-Huey at 510/653-4028.



#### PATRON MEMBERSHIP (\$250) Steve & Terry Beck

#### SPONSOR MEMBERSHIP (\$100)

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#### DONORS

Gaye Lenahan

Judith Stonefield

THANK YOU and much appreciation to those who contributed to the OHA legal fund. The City and the owner of the Rubino Building, Brook Heath, were required by the terms of the settlement of our lawsuit to pay the legal fees, but not expenses incurred by OHA for consultants. Such expenses and possible future legal challenges underline the need for this legal fund, as we fight to ensure that the Oakland renaissance includes a renewed appreciation for our extraordinary architectural heritage. We welcome contributions to the fund at any time.

#### OAKLAND HERITAGE ALLIANCE

# **UPDATE**

■ THE RUBINO TEARDOWN: Why OHA Decided to Settle

Why did OHA agree to settle when we could have gone forward and, very likely, won our lawsuit? Why did we give up and allow the demolition of a historical building that could easily have been re-used when our mandate is to save such buildings? To understand our decision it is necessary to look at the obstacles we faced and our objectives.

1) Our first obstacle was the City's lack of opposition to demolition of this resource. Current process makes possible the stealth demolition of historic properties, and the City further obscured the proposed demolition by calling it a "reconstruction." The Plaza Building is a reconstruction; the Rubino Building is clearly a total demolition. Not only was there not the "stop sign" of requiring an Environmental Impact Review evaluation of the project, there was not even the "caution sign" of an Initial Study requiring one to consider the wisdom of demolition. Simply full speed ahead. Indeed, it was not the planned demolition that triggered review by the Planning Commission, but simply a request for variances for parking and rear yard setback.

2) A second factor was the owner's use of a developer without the necessary professional preservation expertise. Lacking the experience

and knowledge to successfully rehab a historic building, the most expeditious and profitable solution for this developer was to hire a demolition contractor, order a prefab building from Texas, and imitate the existing glazed brick facade with faux stucco.

3) A further problem was an owner who, as shown through long neglect of his property, had little understanding of its value, even though he stood to lose a great deal of money through misuse of this resource. First, replacing the building will cost more than re-using it. A

"In the hands of an appropriately qualified team of developers, project managers, architects, engineers, and contractors, preserving an existing building and upgrading it can prove more cost-effective and expedient than full or partial replacement. Putting the wrong team to work on an historic building re-use project can yield inaccuracies of unnecessary or overstated scope and overruns -- just as putting an historic buildings team to work on a new construction project could lead to undesirable results."

- Paul Waszink, Construction Consultant

construction consultant retained by OHA, Paul Waszink, estimated that retrofitting the existing building would cost less than \$250,000. Even adding another \$50,000 to relocate the stairs to the second floor, it would still be about half the \$600,000 replacement cost reported on the permit application. Second, there is the long-term loss of income from loss of the office space on the second floor. At current rates of \$1/sq. ft., that means an annual loss of \$48,000 for the 4000 sq. ft.



space and a loss of \$480,000 over the 10 year life of the lease with the GAP! And consider what that would mean over another 70 years for this 70-year-old building! Most commercial property owners want to maximize income-producing floor area.

4) Finally, we faced a retail chain that would not talk to us. While GAP did not drive the original demolition decision, as prospective tenant they signed on without giving any substantial reason for not re-using the building. Though concern was mentioned about inadequate ceiling heights, the existing ground floor is a foot higher than The GAP's present store on Lakeshore and that does not feel claustrophobic. Awkward layout was also cited, but the column spacing in the Rubino Building is similar to that in The GAP's successful San Francisco location in the Flood Building on Market St. If the central location of the stair to the second floor was a problem as claimed, it could easily have been moved to one side or the other.

In summary, there was no reason this building could not have been re-used. When preservation is the most economical alternative, one would think that it would be an easy win. But with an owner who seemed happy to pay more for less, a developer whose expertise was not preservation, and a neighborhood determined to rid themselves of a property which through neglect had become a blight on their commercial district, we found ourselves up against a brick wall.

Our CEQA case was strong enough that had we simply moved forward and pursued it through the courts, we probably could have saved the building. But it might well have been a hollow victory. Had the GAP pulled out and the owner, in keeping with past performance, left the building once again vacant, it would have been the last thing the neighborhood would have wanted. Our object was not to have a vacant historic building, but a living one that would add to the Lakeshore retail district. This district that values its many historic buildings deserved that respect. We had hoped we could convince the owner to show such respect. We had also hoped that we could convince the GAP, which has gone to great effort to restore historic buildings in other cities, to show the same respect to Oakland.

Hopefully this unnecessary loss of a re-usable historic resource due to misinformation and lack of early input from the preservation community will be an object lesson for future projects. To see this 70-year-old steel frame building (good for at least another 70 years) destroyed and hauled off as landfill is a shock. Seeing its replacement--a Butler-type prefab with a stage-set like facade in which even the stucco is not real--will simply add insult to injury. – *Joyce Roy* 

#### ■ HOW LAKESHORE AVENUE COULD HAVE HAD A NEW GAP STORE LAST CHRISTMAS (OR AT LEAST, LAST EASTER)

Placing a new GAP store in the Rubino Building should have been a simple project involving upgrading and re-using existing retail space. Instead it became a costly, convoluted, time-consuming project. If the following had instead been the scenario, the GAP could by now be selling clothes in the Rubino Building.

Approached by the GAP in May 1998, the owner would have consulted with the City and been assigned a planner knowledgeable about the requirements for projects involving historical properties, including CEQA. (Some cities even have historic planners who handle all such projects.) The owner would have been informed that if he chose to upgrade and re-use the building, the permitting process would be streamlined. With no change in use, the entitlements of the existing building would be secure, no variances would be needed,

#### NEW MEMBERS (IUNE - OCTOBER)

Sharon Ashe Susan Austin Paula Baessler Sally Beck Philo Bemis Robert Benjamin Chistopher Benning John Brennan Dennis Brown Deborah Bullock Martha Chase **Bridget Childs** Arthur & Bette Collins Rodger Shepherd Frank Comeau Brenda Cooper Bill Countryman Fred Countryman David Crady Margaret Elizares Katherine Evans Nancy Francis Laura Gardinier Mary Graw Suzanne Guerlas Don Hardy Larry & Carolyn Hartsough Ruthelle Holmes Sherrie Horner / HKH Design Inc. Stephanie Horwitz Genesis Humphrey Judith Koumrian Ian Kroe Gary Larson Marie Lothrop Erika Mailman Ruth & Ivan Majdrakoff

George Mallman

Clement Mok Garret Murphy Adele Novelli Elizabeth Norris Sally O'Dell Robert Olken Paul Overton Francesca Passalacqua Roberta Phillips Elizabeth Pulver Patricia Sahadi Christine Shields Shonduel Sheri Siino Pamela Lee Simning Neal Skibinski Debbie Smith Vicky Snyder Susan Stoecker Sharon Taylor Alan Templeton Aaron Thom Barrie Thorne Kay & Kent Tichenor Julie Tippett Sofia Tselentis Judy A. Violich Velardi Jon Viero Christine Weidler Marylin Weidler Dave Weinstein Johanna & Antonia Welty Valerie White Elwyn & Margaret Williams Christopher Paul

To promote our goal of 2,000 OHA members in Year 2000, we are offering our first-ever MEMBERSHIP SALE! Until December 31, 1999, memberships will be \$9.99 apiece, or 2 for only \$19.99!

York

and hence, no review by the Planning Commission. On the other hand, if he wanted to significantly change the historic facade or demolish the building, the project would be subjected, in addition to the required variances, to an initial study at the very least, and quite possibly an EIR.

Clearly re-use of the building would appear the most expeditious alternative. For further evaluation, the planner would offer to the owner the names of construction professionals familiar with upgrading existing buildings. After learning from these consultants that it would cost about half as much, in both soft and hard costs, to re-use rather than rebuild, and take less than half as long (and time is money) the choice would be obvious. By opting for the preservation alternative, he would by the end of August have realized 6 to 9 months of income at X amount from the GAP, plus \$4000 from the second floor offices, rather than paying legal fees for a long and contentious lawsuit (as both he and the City have been required to do as part of the OHA settlement) over a non-income producing building.

And finally, the spiffed-up Old World building would have won accolades for both the owner and GAP from the neighborhood and Oakland at large. A short story with a happy ending. -- Joyce Roy

■ PRESIDENT'S MESSAGE: OHA & THE COMMUNITY With the dispute over the fate of the Laurel Liquors building, we see once again, as with the Rubino case, that it is critical for OHA and other groups to become involved early in the process, before frustrated neighborhoods give up on the potential for restoring a building to its role as a constructive and positive, and dare one say beautiful, part of the community. In a recent letter to the Oakland Tribune, Maureen Dorsey, Vice Chair of the Laurel Merchants Association observed "It would be lovely if every building ever built was kept in good shape and if those that have fallen victim to weather and the physical law of entropy could be restored to their original condition. After long years of working near an abandoned, boarded-up storefront (which is bordered by another abandoned store and a vacant blighted PG&E lot, I personally would challenge any of those who come forward now to claim that the Laurel Liquors building should be preserved to put their money where their mouth is and buy it, fix it and comply with the retail uses for the area."

Part of OHA's mission is to let neighborhoods know that we are a resource, not an opponent. They can and should call upon our expertise and experience at the beginning, when there's a problem historic property, when there's a rumor of development, when a developer first comes to make a proposal. Unfortunately, we always seem to find out about it later, after everyone is committed to tearing down the building. At that point, when we suggest that there might be sound alternatives to tearing down the building, we end up as the bad guys standing in the way of economic development. It shouldn't be this way. We believe in economic development, but we believe it's

counterproductive to bulldoze the historic fabric of this city in order to get it. Have you noticed that upscale often involves chichi restoration, while downscale seems all too often to involve last year's redevelopment scheme.

While we didn't set out to be the bad guys, sometimes it comes to that. Saving historic buildings is part of our mission, and that doesn't just mean the popular buildings. Most people don't seem to be able to see beyond a building being vacant or having peeling paint or boarded up windows. And in neighborhoods, most people don't seem to be able to see beyond bad tenants or uses. Just because a building is vacant or suffers from deferred maintenance, doesn't mean that condition is permanent. That a building had bad tenants is not the fault of the building--it's just a building. In the future it could be restored and have good tenants and be a positive contributor to the neighborhood. I guess because I buy and restore fixer-upper houses for a living it is easier for me to look beyond broken windows, trash, and weeds to see what a building was and could be again. I don't think neglect and abuse should be a death sentence for a building. I sometimes think that we don't value our historic buildings in Oakland because we have so many-- everyone figures we can let this one or that one go because there will still be plenty left. For a look at a neighborhood commercial district where they let the historic buildings go one at a time until almost none were left, go up to Fruitvale and MacArthur. – Jane Powell

#### ■ OHA MEMBERSHIP DRIVE OPENS

OHA's Board has adopted a goal of doubling our membership to 2,000 by the end of the year 2000. An increase will not only underwrite our existing programs and member benefits like the newsletter in your hands, but further some ambitious undertakings we have planned, such as the revolving loan fund. And of course, as an organization grows, it can also expect to increase its leverage at City Hall, which is a critical need at this juncture. To promote the goal of 2,000 members in the year 2000, we are offering our first-ever MEMBERSHIP SALE! Until December 31, 1999, memberships will be \$9.99 apiece, or 2 for \$19.99! Give a gift to a friend. Help us grow! Call the OHA office if you'd like to help with this membership drive. -- Robert Brokl

#### ■ AN APPRECIATION: HELEN GILLILAND

Helen Gilliland, principal docent for the historic Cohen-Bray House, passed away on June 8, 1999. Helen was a native of the Bay Area, born in Alameda in 1925. After graduating cum laude from San Francisco State, she went on to teach in both the Alameda and Berkeley schools. Then in 1952, Helen married Kenneth Gilliland, grandson of Emma Bray Cohen. The couple had been introduced by Emelita Cohen, youngest daughter of Emma and part of a family that had been in the Fruitvale area since before the turn of the century, important to the neighborhood as major property owners and as founders of the Bray Stove company, one of the area's early primary industries.



In 1987, Helen and Kenneth moved back to the Bray family residence at 1440 29th Avenue to care for Emelita. With Emelita's death the next year, Helen and her husband became primary caretakers of the historic Cohen-Bray House. Until her passing, Helen served as principal docent, leading tours of the house and grounds for public and private visitors.

Helen was an accomplished pianist who delighted family, friends and guests with her musical compositions. Helen Lore, administrative director of OHA, remembers: "Her graciousness as a hostess of the house was unparalleled. She was so lovely, with a good sense of humor. She was welcoming and gracious to all who knew her; a strong woman with a lot of dignity. And she played a beautiful piano." She will be missed by all who knew her. If you would like to remember Helen Gilliland with a contribution, donations can be sent to: Victorian Preservation Center of Oakland, 5337 College Avenue, Suite 145, Oakland, CA, 94618. -- Pamela Magnuson-Peddle

■ We are pleased to welcome aboard Jo Ann Coleman, who has joined OHA as our new Administrative Director. She will be in the office from 11-4 on Monday thru Thursday. We would like to extend our warmest appreciation and thanks to Helen Lore who so graciously agreed to serve during the transition. We could not have done it without her guiding hand.

# The vacant Fruitvale Hotel doesn't look like a boarded-up eyesore — the windows have been simply but cleverly covered with black paper to resemble intact windows. (Jeanette Sayre)

## City Landmarks Board Actions

The Oakland Landmarks Preservation Advisory Board meets on the second Monday of each month, 4 pm, in City Hall Hearing Room 1. Meetings are open to the public. Landmark designation is recommended by the Board to the Planning Commission and City Council. Landmarks are subject to a 240-day delay in issuance of demolition permits. Exterior alterations require approval by City Planning staff, at the recommendation of the Board. Six districts and 131 landmarks have been designated since the Board was created in 1973. Members of the Board are George Lythcott (chair), Annalee Allen, Janet Benson, Andrew Carpentier, Carolyn Douthat, Una Gilmartin, and Norman Hooks. Secretary is Helaine Kaplan Prentice.

#### **JUNE**

Pam Kershaw, representing the city's Community Economic and Development Agency (CEDA) reported that the Estuary Plan was adopted by the City Council, and city staff has been directed to prepare immediate interim controls on height limits in the next 90 days. More controls will be established within the next six months, and rezoning will occur during the next 24 months as part of citywide rezoning. Kershaw noted that things are moving quickly, and she invited the

Board to participate in the next stages.

In Open Forum, Wilda White, president of the Jack London Neighborhood Association, reported that their group has produced a video about the Waterfront Warehouse District to inform the people of Oakland about its history. Board Members will view the video at their July meeting. Betty Marvin distributed copies of the June 1, 1999, Certified Local Government Grant Application to request \$15,000 to update 20 years of historic survey materials. The grant would also cover technology improvements such as consolidation of survey records into a single database that can be exported electronically; it would be more accessible than the present Permit Tracking System that largely serves City Permit counter staff. Pamela Magnusson-Peddle, representing OHA, addressed the status of the Fruitvale Hotel (3221 San Leandro Street), reporting that the building, with windows now boarded up, is safer now than it has been. She observed that the community believes in the importance of the building and supports the Board's ongoing effort to protect and preserve it.

Board voted to approve a resolution designating the Rotunda Building

(historically known as Kahn's Department Store), 1501-39 Broadway/501-11 16th Street/500 San Pablo Avenue, as a City landmark. Allen noted that Bob Kahn, a descendant of the Kahn family, had recently died. Phil Tagami, developer of the Rotunda Building project, reported that Bob Kahn was the grandchild of the founders. Tagami is in contact with Josh

Kahn, a great grandchild, and a documentary on the building, including the family members and people who worked a t Kahn's, is in the planning stage.

In discussion, Boardmembers responded to a request from the State Historical Resources Commission for review and comments on revisions to the ve Statewide (Oakland History Room) Historic



Comprehensi A view of Lafayette Square from an early Oakland postcard c. 1920's.

**Preservation Plan.** Board responses included Carpentier's observation that, under the section on sustainability, the plan should emphasize that preservation is "green," and that "green architecture saves resources and is environmentally friendly"; Hooks observed there is a significant need for preservation education in California, noting the constant influx of new residents, most of whom are unfamiliar with the significance of what they find here; Douthat thought the plan should stress the need for preservation incentives, especially that of funding, and she called attention to the Heritage Preservation Fund, which is not currently funded, and the State Historic Building Code, another incentive with insufficient funding; Gilmartin added that the plan should further address disaster preparedness and encourage the public to upgrade buildings.

Secretary Prentice announced that Lythcott (chair) will Council's position on the San on City Francisco-Oakland Bay Bridge after the July 13 Council meeting. At the next regular Landmarks Board meeting, members will see and comment on the National Register nomination of the Bay Bridge. Allen attended the Council ceremony honoring the newest City landmarks, noting it was very successful.

Hooks reported that architects for the Allegro project responded positively to his committee's comments. Hooks and Allen attended the dedication of Lafayette Square; many dignitaries were present, including Congresswoman Barbara Lee and an Under-Secretary of the Interior.

The California Preservation Foundation's Annual Statewide Conference in Palm Springs on May 20-23, 1999, was reviewed by Douthat. Noting the theme was Modernism, she called attention to the gas station, designed by a modernist, pictured on the front of the conference brochure. The station represents a great preservation battle, and it will soon become an art gallery. Douthat noted that interest in modern architecture is drawing people to preservation who were not previously interested. Next year's meeting will be held in

Monterey, where the theme will be cultural sites and treatment of historic

resources in parks.

The landmark dedication ceremony of the Chapel of the Chimes (4499 Piedmont Avenue) on May 21, 1999, was reported by Gilmartin, who noted that the Board was also well represented by the presence of Allen and Carpentier. Architectural historian Michael Corbett, who prepared the original landmark nomination, spoke at the dedication, as did Mayor Brown and Council Member De La Fuente. Betty Marvin appeared in the guise of Julia Morgan, the architect of the new Oakland landmark.

Allen described preservation events scheduled at Peralta Hacienda Historical Park (2465 34th) and at **Dunsmiur House** (2960 Peralta Oaks

Court, both on May 23, 1999, expressing a frustration over the time conflict.

Carpentier suggested that a time frame be set for a solution to the Fruitvale Hotel (3221 San Leandro Street) situation. Gilmartin proffered that it is a complicated situation because the Navy required hazard abatement at the time the Port of Oakland received the property. Prentice added that, because the property was federally owned, compliance to HUD standards may have been required..

Prentice announced that **Cox Cadillac** (216-30 Bay Place) is tentatively scheduled for the July 7 Planning Commission meeting. Allen reported that the Friends of Studio One (365 45th Street) are seeking seed money for a capital campaign, and that they are concerned about the viability of a proposed assessment district. Prentice added that the Friends have asked her to inquire if Boardmembers can identify some good examples of sale-leaseback projects using federal tax credits. Douthat proposed that the ad hoc Board committee studying code compliance referrals be reconvened.

Open Forum was reopened by Lythcott. Donald F. Dupont introduced himself as the new owner of the Cathedral **Building** (1601 Broadway), thanked Betty Marvin for her help with research on the property and invited the Board to an opening reception. His stated goal is to bring the building back to life: he plans to spend \$500,000 to rehabilitate it, keeping architectural features such as the marble and brass elevators. Carpentier reminded him to use the State Historic Building Code to its best advantage, perhaps preserving additional features like the doorway transoms. Prentice offered to speak with him about opportunities for federal tax



credits.

The meeting was adjourned in memory of Sarah Holmes Boutelle, Julia Morgan's biographer, who assisted with identification of Morgan's work in Oakland.

#### JULY

Interim Planning Director Leslie Gould reported on conditions that might trigger demolition of a structure, and when an Environmental Impact Report is required if a structure is slated for demolition. She announced that Andy Altman will not be returning as Planning Director; he is now Planning Director for Washington, D.C. Gould will continue as Interim Director.

In the absence of Wilda White, president of the Jack London Neighborhood Association, Mary Ann Drybach, owner of the American Bag Company Building, presented a video on the Waterfront Warehouse District.

In Open Forum, Vicki Weiss, representing the **Pardee House Museum** (672 11th Street), reported that a letter to Mayor Brown pinpointed their concern over the vacant area adjoining that of the Pardee House, where a structure on temporary supports has been moved. The area has been targeted for new housing; however, there is serious question whether the new housing would relate to the Historic District.

Robert Brokl presented a list of the City's most endangered buildings; the **Montgomery Ward Building** (2825 International Blvd.) building now has a developer and the building is now on the National Register over the City's objections.

Board voted to approve an application for signage enhancements, submitted by Allan Michaan, owner of the **Grand Lake Theatre** (3200 Grand Avenue), a City landmark. Plans include replacement of the historic cascade plus a poster board on a blank wall facing the freeway. For the second year, the facility has won an award as the best movie theater in the East Bay.

In response to a request from the State Office of Historic Preservation for comment on the National Register nomination of the **San Francisco-Oakland Bay Bridge**, Prentice reported that a staff report has recommended that Council reserve judgement until a final Environmental Impact Study is released. The nomination includes the Terminal Building in San Francisco and the toll gate structures on the East Side. In discussion, Boardmembers agreed that the time listed as "most significant"--the year the bridge was first opened to traffic--should be changed to reflect a span of time during which the bridge has functioned.

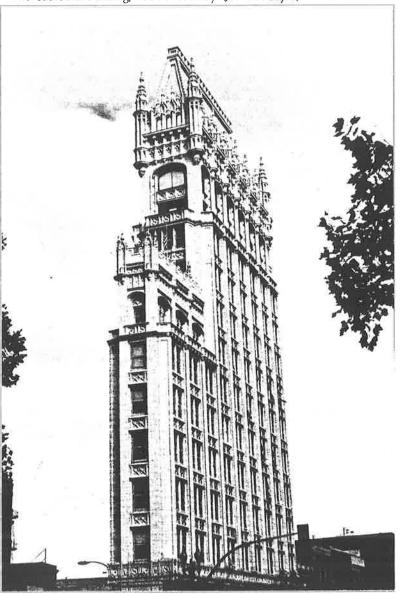
Hooks commented on the terra cotta repair at the **Financial Center Building** (405 14th Street), noting that the terra cotta cannot be replaced; however, samples of a suitable replacement material were shown which appeared to be very acceptable. He reported on visiting **Lafayette Square Park**, now in its second redesign phase: a pathway is no longer

there, and treescapes are missing.

Douthat and Gilmartin reported on a successful meeting with Council Member John Russo, July 1, 1999, regarding blighted housing and preservation. Russo is locating owners who can make necessary repairs to the properties. Allen reported on the Urban Ecology conference--"a fine event"; she was present at the well-attended rededication of the **Edoff Memorial Bandstand** (a City landmark in Lakeside Park); and she observed that the temporary quarters for the **African American Museum and Library** are without budget, and space is needed. Prentice reported that the scaffolding is off the **Plaza Building**.

Lythcott was elected to continue as Chair during the 99-00 year; Douthat was elected Vice Chair.

The Cathedral Building, 1601 Broadway. (Jeanette Sayre)





### **OHA Calendar**

The OHA Calendar lists events, activities, and meetings related to history and preservation that may be of interest to our members. To submit items contact OHA at (510) 763-9218, or send information to oaklandheritage@california.com, to the attention of the newsletter editor.

#### **CURRENT EXHIBITS**

"Berkeley, Then and Now," Nov. 14-March 25, exhibit contrasting early Berkeley with life today, Berkeley Historical Society, 1931 Center Street, Berkeley, Th/F/Sat 1-4, free. For more info call (510) 848-0181.

#### **UPCOMING EVENTS**

November 7, 3:30pm, Berkeley History on Film, rare archival films of Berkeley interspersed with introductions by Steven Finacom, board member of the Berkeley Historical Society and Planning Analyst at UCB, working with the University History Project. "A Trip to Berkeley" (1906). "Madame Tetrazzini at the Greek Theater" (1911). "Fire Escape Being Tested at the School for the Blind and Deaf" (1912). "Construction of the Campanile" (1914). "Troops in Review, UCB" (1917). "Bentley School Dances" (1922); "The Berkeley Fire" (1923). "Officer 444" (chapter, 1924-26 serial); "The Big Game" (1928-29). "Veteran Volunteer Fireman's Assoc. of Berkeley, Durant Firehouse" (1936); "Berkeley, A City of Culture and Progress" (1937); "Interurban Electric Railway" (1941); "Last Berkeley Horsecar, Parade of Streetcars" (1948); "Hinks Shoplifting Training Film" (50s), (Total program: 2 hours), Pacific Film Archive, 2621 Durant, Berkeley, 510/642-1412.

November 13, History Cruise on Presidential Yacht Potomac, 2-hour narrated bay cruise aboard FDR's "Floating White House," advance tickets strongly advised, departures at 10 am and 1:30 pm, \$30 adults; \$27 seniors; \$15 students; free for kids under 6, Potomac Association, 540 Water St., reservations and info, call (510) 839-7533.

November18, 7:30 pm, The Art of Will Bradley, lecturer David Elliott is a noted expert on and collector of turn-of-thecentury graphic designer and artist Will Bradley, lecture sponsored by the Arts and Crafts Guild of Northern California, College Avenue Presbyterian Church (Julia Morgan, 1918), 5951 College Avenue, between Rockridge BART and Claremont Avenue, (510) 595-1490.

December 3, 8pm, Casablanca, a great movie, a great theater, Paramount Theatre; 2025 Broadway, 510/465-6400. December 3-5, 17-19, 11am-5pm, Christmas at Dunsmuir, event features Dunsmuir Mansion dressed in holiday decor with popular teas, carriage rides, caroling, and gift & craft vendors, \$10 adult; \$9 senior, \$6 junior, free under Dunsmuir House & Gardens, 2960 Peralta Court. For more information, call (510) 615-5555.

December 4, 8am-4pm, Antique and Collectibles Market, free, Jack London Square, for info, call (510) 814-6000.

December 12, noon-5pm, 6th Annual Dickens Holiday Fair, walk-around Dickens characters and live entertainment, free, Jack London Village, for information, call (510) 814-6000.

#### **TOURS & EXHIBITS**

Oakland Tours, rotating series of free public walking tours, Wed/Sat, 10am, May thru Oct; Tours Hotline, (510) 238-3234. Also school & special tours. City Hall/Civic Center, walking tours. 1st

City Hall/Civic Center, walking tours, 1st Tues, 10am, City Hall main entrance.

African American Museum & Library at Oakland, currently located Oakland Main Library, for info call (510) 597-5053.

Oakland Historical Landmark Tour, bus tour sponsored by City of Oakland, East Bay Water & Land Tour, and Port of Oakland, Saturdays, departs from front of Oakland Museum at 10th and Fallon, 1pm – 3 pm, (510) 835-1306.

Black Panther Legacy Tour, historical tours conducted Dr. Huey P. Newton Foundation of 18 sites significant in the history of the Black Panther Party, Saturdays, noon to 2:30 pm, \$20 adults, \$15 children 14 yrs. and under, West

Oakland Library, 1801 Adeline Avenue, call (510) 986-0660.

**Cohen-Bray House**, an 1884 Stick Eastlake with original interiors, 1440 29th Avenue, 4th Sunday, 2pm and by appt., \$5; Victorian Preservation Center of Oakland, (510) 532-0704.

**Camron-Stanford House**, an 1876 Italianate house museum on Lake Merritt, Wed 11-4, Sun 1-5, \$4/\$2 (free first Sun), 1418 Lakeside Drive, (510) 836-1976.

Dunsmuir House & Gardens, Colonial Revival mansion, April-Sept., 1st & 3rd Sun, 1 & 2pm, Wed, 11 & noon; \$5/\$4; grounds open Tues-Fri, 10-4, free, 2960 Peralta Oaks Court, Oakland, 615-5555.

Mountain View Cemetery, free docent tours, 2nd Sat, 10am, 5000 Piedmont Avenue, Oakland, (510) 658-2588.

Paramount Theatre, Art Deco movie palace, tour includes areas not usually open to the public and theater's history, 1st and 3rd Sat., 10 am, 2025 Broadway, \$1, 893-2300.

Pardee Home Museum, an 1868 Italianate villa, Fri/Sat, noon, reservations recommended; schools and private groups (6 or more) by reservation. \$4 / \$3, 672 11th Street, Oakland, (510) 444-2187.

#### MEETINGS OF INTEREST

**OHA Board of Directors**, usually first Monday of the month, 7pm.; for agenda and location, (510) 763-9218.

**OHA Preservation Action Committee**, monthly; for agenda, time and location, call (510) 763-9218.

**Fox Committee**, 1st and 3rd Thurs, 5:30-7pm, Camron-Stanford House, 1418 Lakeside Drive, Oakland. For more information, call (510) 763-9218.

Neighborhoods, Schools, and Program Committees: call (510) 763-9218.

**Landmarks Preservation Advisory Board,** 2nd Mon, 4-8pm (Open Forum, 4pm), City Hall, Hearing Rm 1. Call (510) 238-3941 for agenda.

**City Planning Commission**, alternate Wednesdays, time varies, City Hall. Call (510) 238-3941 for agenda.

**City Council,** every Tues, 7:30pm, City Hall, Council Chambers. Call 238-3941.



# OAKLAND HERITAGE ALLIANCE PO. Box 12425 Stock Oakland CA 94604 (510) 763-9218

Oakland Heritage Alliance, a California nonprofit corporation since 1980, was formed to bring together community groups and individuals sharing an interest in the history of Oakland, and in the preservation and conservation of the city's archaeological, architectural, cultural, environmental, and historical resources. Membership dues and contributions are tax deductible.

#### **OFFICERS 1998-99**

President, Jane Powell Vice-President, Pamela Magnuson-Peddle Secretary, Mary MacDonald Treasurer, Pat Dedekian

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Volunteer Opportunity!
Web design skills? OHA is in need
of help putting together a web page.
Drafting skills? You can help the
Cultural Survey by turning photos
into architectural renderings
of historic builidngs.

## **OHA News**

CONTRIBUTORS: Robert Brokl, Geoffrey Hunter, Pamela Magnuson-Peddle, Kathy Olson, Jane Powell, Don Rypkema, William Sturm, Kathy Walsh

EDITOR/PRODUCTION: Jeanette Sayre

OHA News welcomes contributions -- research projects large or small, historic photos, and reports on preservation issues or events. Submissions on disk should be in Wordperfect or Word for PC. Submissions by e-mail may be sent to oaklandheritage@california.com.

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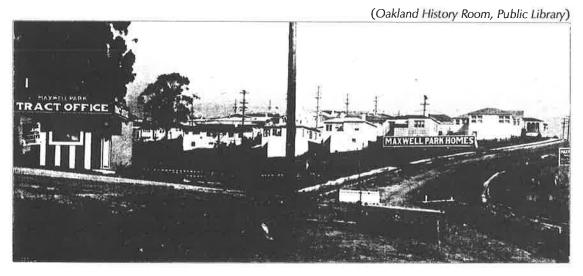


## OAKLAND HISTORY NOTES: The Development of Maxwell Park

In the 1920's, Oakland launched upon a frenzy of house-building unprecedented in the City's history. Fed by industrial expansion and available land in East Oakland, the housing boom would forever alter the area's landscape. In a twinkling, dairies, farms and ranches became residential neighborhoods and retail centers. Maxwell Park, named after its developer, local businessman John P. Maxwell, was one of many communities created in this era. Bounded by 55th Avenue, Trask Steet, Monticello Avenue, and Camden Street, the Park was opened for development on May 7, 1921. Burritt and Shealey, house-builders to the well-annointed in Piedmont, were the main developers. Houses were offered in Italian Renaissance, Spanish, French, English, and Colonial styles, and were priced at an affordable \$5,750 for a five-room house, or \$5,950 for a six-room abode.

Maxwell Park was a well-planned development. Unlike earlier residential constructions, in which homeowners suffered many months of muddy streets, no sidewalks, and pestiferous sewer systems, the Park promised, and delivered, a community complete with utility services. A journalist noted, "Landscape engineers laid out the streets so that they swing gracefully over the entire property, conforming to the scenic contour of the land." Nearby street-car transportation and a salubrious climate were cardinal selling points. "Maxwell Park provides a proper setting for cozy, homey homes. It is in East Oakland's justly famed 'warm belt,' situated on rolling wooded land with a view to the north of the green-clad foothills

and a panorama to the south over the San Francisco Bay region." The Maxwell Park Improvement Club. founded in 1922, busied itself in planting trees and planning a community center. By 1923, a mere two years young, Maxwell Park was a full-fledged neighborhood, joining the growing company of communities which began life during Oakland's great house-building era. --William W. Sturm



Oakland Heritage Alliance P.O. Box 12425 Oakland, California 94604

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