

**CITY OF OAKLAND
AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 APR 22 PM 1:09

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Community and Economic Development Agency
DATE: May 4, 2004

RE: **PUBLIC HEARING AND AN ORDINANCE DESIGNATING THE
SAMM/DALTON/COOPER MANSION AND COOPER BROTHERS GROCERY
(HISTORIC NAME: SAMM (JACOB)/DALTON (HENRY)/COOPER (FREDDIE)
HOUSE AND CORNER STORE) AT 1454 8TH STREET (THE HOUSE) AND 1450
8TH STREET (THE STORE) AS A LANDMARK PURSUANT TO SECTION
17.102.030 OF THE OAKLAND PLANNING CODE**

SUMMARY

The City Planning Commission recommends designating 1454 8th Street and 1450 8th Street (Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery; historic name – Samm (Jacob)/Dalton (Henry)/Cooper (Freddie) House and Corner Store) as a City of Oakland landmark.

The landmark nomination was submitted to the Landmarks Preservation Advisory Board by the owner, Freddie Cooper, along with Rodney Karr and Randolph Belle. On January 12, 2004, the Landmarks Board unanimously recommended designation, as did the Planning Commission on April 7, 2004. There is no known opposition to the landmark designation.

Staff recommends that the City Council adopt the attached ordinance designating the Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery as a City of Oakland landmark.

FISCAL IMPACT

None

BACKGROUND

The landmark nomination was submitted to the Landmarks Preservation Advisory Board by the owner, Freddie Cooper, along with Rodney Karr and Randolph Belle. On January 12, 2004, the Landmarks Board unanimously recommended designation, as did the Planning Commission on April 7, 2004. There is no known opposition to the landmark designation.

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KEY ISSUES AND IMPACTS

Historical and Architectural Significance: As reflected in the evaluation sheet and resolution adopted by the Landmarks Board, the Samm (Jacob)/Dalton (Henry)/Cooper (Freddie) House and corner Store have been found eligible for landmark designation in that it:

- is a fine example of a classic Italianate house built in 1877-78, remodeled in 1895-96 as a Queen Anne, with a 1948 corner store addition;
- reflects the evolution of the neighborhood from an upper-middle class lifestyle in the Bay Area during the mid to late 19th century to the 20th century conversion, facilitated by the mid 1890's Queen Anne remodel and expansion of the attic and basement, to apartments and a rooming house during the Depression and World War II;
- is a large, prominent visual landmark on a corner site, with a strong neighborhood presence, visible from the West Oakland BART station and passing trains, and anchors the southeast corner of the Oakland Point Historic District, a National Register eligible Area of Primary Importance, opposite the new development on the Westwood Gardens site;
- was originally constructed and occupied by Jacob Samm, the proprietor of the Bay City Roller Flouring Mill, and then remodeled and occupied by Henry P. Dalton, a prominent native Californian and politician who served on the City Council and then was elected as Alameda County Assessor;
- was originally distinguished by its Italianate front portico with curving grand front stairs, large elaborately carved double doors with glazed windows, an arched glass transom, angled bay windows on front and sides, and arched round-cornered windows, and later remodeled with Queen Anne details including gables over the bays with fish-scale shingles, pendants and other ornament;
- appears in a photo spread of "Representative Oakland Residences" published in Alameda County Illustrated, 1898 in its modernized and current Italianate-Queen Anne form;
- was expanded in 1948 to include a corner store, a plain low-gabled rustic sided building about 12 by 18 feet, a postwar entrepreneurial pattern scattered throughout the district;
- was bought and occupied in 1962 by the Cooper brothers who kept the store open, survived the era of big-box supermarkets and an exodus of residents and businesses to the suburbs;

The building has a rating of 'A' on the Landmarks system and a 'B1+' from the Oakland Cultural Heritage Survey. The reason for the difference is that when the LPAB adopted a point system the Board wanted it to incorporate criteria different from the Survey Rating system, which is closely related to the National Register's rating system. The LPAB evaluation addresses buildings with layers of history better than the Survey Rating with its ties to the

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National Register, which gives more weight to architecture and integrity than to social history. Also, the current 'A' rating took place more recently because the storefront is now greater than 50 years old and the post World War II building boom in West Oakland can be considered an evaluable pattern. Also the LPAB evaluation was designed to give more weight to patterns of history and less to architecture. This building has three layers of Oakland Point history. In addition the site has been determined eligible for the National Register as an anchor (primary) contributor to the Oakland Point Historic District. From a practical perspective, either an 'A' or 'B' rated building is eligible for City Landmark Designation.

Regulatory Effect of Designation: Regulations for the proposed landmark status provide for design review of exterior changes (only), up to 240 days delay of demolition, and a duty to keep in good repair. The landmark would be treated as a historic resource for purposes of CEQA review, would be eligible to use the State Historical Building Code, and exempt from design review fees (the only direct local monetary incentive currently offered to designated historic properties).

Significant exterior changes to landmark properties are referred to the Landmarks Preservation Advisory Board for recommendations (Section 17.136.040) before the design review application is acted upon by the Development Director or the Planning Commission. Minor exterior changes can be processed administratively by the Development Director, who may seek input from the LPAB, as needed.

For designated landmarks (Section 17.102.030) the design review criteria require "That the proposal will not adversely affect the exterior features of the designated landmark..." and "That the proposal will not adversely affect the special character, interest, or value of the landmark and its site, as viewed both in themselves and in their setting..." unless preserving the landmark is architecturally or economically infeasible.

SUSTAINABLE OPPORTUNITIES

Economic: Landmark designation encourages maintenance and careful rehabilitation of buildings, which creates skilled employment opportunities. Maintenance and rehabilitation of existing buildings also stabilize and enhance property values.

Environmental: Landmark designation encourages the maintenance and re-use of existing historic buildings and therein helps to conserve the materials and energy used to construct those buildings.

Social Equity: Landmark designation encourages continued maintenance and restoration or rehabilitation of existing buildings. Therefore, it acts as a catalyst for neighborhood revitalization and further enhances the community by creating community identity.

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DISABILITY AND SENIOR CITIZEN ACCESS

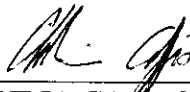
Landmark designation does not prohibit modifications to achieve compliance with the American with Disabilities Act (ADA) and can facilitate such modifications through use of the State Historical Building Code.

RECOMMENDATION(S) AND RATIONALE

Adopt the attached ordinance designating the Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery as a City of Oakland Landmark.

Landmark designation has the potential to be a catalyst for further revitalization of Oakland's distinct and diverse neighborhoods and its strong historical character. The honorific designation and requirements for maintenance and repair would continually promote economic, quality of life and sense of community goals throughout the city as the building is restored or rehabilitated.

Respectfully submitted,



CLAUDIA CAPPIO
Development Director

Prepared by:
Joann Pavlinec, Planner III
Historic Preservation/Major Projects
Community and Economic Development Agency

APPROVED AND FORWARDED TO THE
CITY COUNCIL:


OFFICE OF THE CITY MANAGER

ATTACHMENTS:

- A) Ordinance designating the Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery as a City of Oakland landmark
- B) Landmarks Board Resolution 2004-1
- C) April 7, 2004 Planning Commission Staff Report, including landmark nomination form and eligibility rating sheet

Ref: Mydocumetns/citycouncilreports/LM-VictorianLegalCenter

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2004 APR 22 PM 1:09
Mark

INTRODUCED BY COUNCILMEMBER _____

CITY ATTORNEY

ORDINANCE No. _____ C.M.S.

AN ORDINANCE DESIGNATING THE SAMM/DALTON/COOPER MANSION AND COOPER BROTHERS GROCERY (HISTORIC NAME: SAMM (JACOB)/DALTON (HENRY)/COOPER (FREDDIE) HOUSE AND CORNER STORE) AT 1454 8TH STREET (THE HOUSE) AND 1450 8TH STREET (THE STORE) AS A LANDMARK PURSUANT TO SECTION 17.102.030 OF THE OAKLAND PLANNING CODE

WHEREAS, the owner, Freddie Cooper along with Rodney Karr and Randolph Belle, submitted a Landmark nomination for 1454 8th Street and 1450 8th Street (Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery; historic name – Samm(Jacob)/Dalton (Henry)/Cooper (Freddie) House and Corner Store) on November 13, 2003; and

WHEREAS, the Landmarks Preservation Advisory Board at its meeting of January 12, 2004, recommended designation of the 1454 8th Street and 1450 8th Street (Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery; historic name – Samm(Jacob)/Dalton (Henry)/Cooper (Freddie) House and Corner Store) as a Landmark pursuant to Section 17.102.030 of the Oakland Planning Code; and

WHEREAS, notice of public hearing on this matter was given to the owner of the subject property, the property was posted, and a hearing was held by the City Planning Commission on April 7, 2004; and

WHEREAS, after the hearing, the City Planning Commission voted on April 7, 2004, to recommend landmark designation of the property; and

WHEREAS, notice of public hearing on this matter was given to the owner of the subject property, the property was posted, and a hearing was held by the City Council on May 4, 2004; and

WHEREAS, the City Council at its meeting of May 4, 2004 has determined that the proposed Landmark has historical and architectural significance as described and presented in the Landmarks Preservation Advisory Board Resolution 2004-1, and is a unique asset to the City; and that for these reasons the Landmark is worthy of preservation; now therefore; and

14.1
ORA/COUNCIL
MAY 4 2004

WHEREAS, the provisions of the California Environmental Quality Act (CEQA) and the guidelines as prescribed by the Secretary for Resources, as amended, have been satisfied, and pursuant to Sections 15061(b)(3), 15308, and 15331 of the California Code of Regulations, this designation is exempt from CEQA;

Now. Therefore, the Council of the City of Oakland does ordain as follows:

SECTION 1. The Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery (historic name – Samm(Jacob)/Dalton (Henry)/Cooper (Freddie) House and Corner Store) at 1454 8th Street and 1450 8th Street is hereby designated as a Landmark pursuant to Section 17.102.030 of the Oakland Planning Code as described and presented in Landmarks Preservation Advisory Board Resolution 2004-1, attached as Exhibit A and incorporated herein by reference.

SECTION 2. Said Landmark shall be preserved in all its particular exterior features as existing on the date hereof, and as described and depicted in the photographs, case reports, Case File LM04-001, and other material in the Department of City Planning; provided, however, it may be modified to replicate or more closely resemble its original appearance.

SECTION 3. The Development Director is hereby directed to execute and cause to be recorded in the Recorder’s Office of the County of Alameda a notice of designation of said Landmark.

SECTION 4. This ordinance complies with the California Environmental Quality Act.

IN COUNCIL, OAKLAND, CALIFORNIA, 2004

PASSED BY THE FOLLOWING VOTE:

AYES-Brunner, Wan, Nadel, Quan, De La Fuente, Brooks, Reid, Chang

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

M. P. W.

NOTICE & DIGEST

AN ORDINANCE DESIGNATING THE SAMM/DALTON/COOPER MANSION AND COOPER BROTHERS GROCERY (HISTORIC NAME: SAMM (JACOB)/DALTON (HENRY)/COOPER (FREDDIE) HOUSE AND CORNER STORE) AT 1454 8TH STREET (THE HOUSE) AND 1450 8TH STREET (THE STORE) AS A LANDMARK PURSUANT TO SECTION 17.102.030 OF THE OAKLAND PLANNING CODE

This ordinance designates the Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery at 1454 8th street (the house) and 1450 8th street (the store) as a City of Oakland Landmark

RESOLUTION 2004-1
LANDMARKS PRESERVATION ADVISORY BOARD
CITY OF OAKLAND

WHEREAS, a proposal to designate the following property as an Oakland Landmark pursuant to Section 17.144 of the Oakland Planning Code has been considered by the Landmarks Preservation Advisory Board; and

WHEREAS, the Board has reviewed and examined the material pertaining to this property in Case File **LM04-001** and the Oakland Landmark Nomination Application form, a copy of which is attached; and

WHEREAS, the Board has determined that the property meets the landmark designation criteria found at Section 17.07.030P of the Planning Code and the Board's Guidelines for Determination of Landmark Eligibility in that the property:

- is a fine example of a classic Italianate house built in 1877-78, remodeled in 1895-96 as a Queen Anne, with a 1948 corner store addition;
- reflects the evolution of the neighborhood from an upper-middle class lifestyle in the Bay Area during the mid to late 19th century to the 20th century conversion, facilitated by the mid 1890's Queen Anne remodel and expansion of the attic and basement, to apartments and a rooming house during the Depression and World War II;
- is a large, prominent visual landmark on a corner site, with a strong neighborhood presence, visible from the West Oakland BART station and passing trains, and anchors the southeast corner of the Oakland Point Historic District, a National Register eligible Area of Primary Importance, opposite the new development on the Westwood Gardens site;
- was originally constructed and occupied by Jacob Samm, the proprietor of the Bay City Roller Flouring Mill, and then remodeled and occupied by Henry P. Dalton, a prominent native Californian and politician who served on the City Council and then was elected as Alameda County Assessor;
- was originally distinguished by its Italianate front portico with curving grand front stairs, large elaborately carved double doors with glazed windows, an arched glass transom, angled bay windows on front and sides, and arched round-cornered windows, and later remodeled with Queen Anne details including gables over the bays with fish-scale shingles, pendants and other ornament;
- appears in a photo spread of "Representative Oakland Residences" published in Alameda County Illustrated, 1898 in its modernized and current Italianate-Queen Anne form;

- was expanded in 1948 to include a corner store, a plain low-gabled rustic sided building about 12 by 18 feet, a postwar entrepreneurial pattern scattered throughout the district;
- was bought and occupied in 1962 by the Cooper brothers who kept the store open, survived the era of big-box supermarkets and an exodus of residents and businesses to the suburbs;

And WHEREAS, an Evaluation Sheet for Landmark Eligibility has been prepared for the property in accordance with the Board's Guidelines for Determination of Landmark Eligibility; and

WHEREAS, the Evaluation Sheet shows that the property meets the Guidelines; and

WHEREAS, the Board has reviewed and accepted the Evaluation Sheet, a copy of which is attached; and

WHEREAS, the Board has determined that this property merits Landmark designation, protective regulations, and preservation for the enjoyment of future generations;

Now therefore be it

RESOLVED: That the Landmarks Preservation Advisory Board hereby initiates, under Section 17.144.030D of the Oakland Planning Code, action to establish as a Landmark the following:

HISTORICAL NAME:	Samm (Jacob)/Dalton (Henry)/Cooper (Freddie) House and Corner Store
COMMON NAME:	Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery
ADDRESS:	1454 8 th Street (the house), 1450 8 th Street (the store)
DATE BUILT:	1877-78
ARCHITECT:	Unknown
ORIGINAL USE:	Residential – Single Family House
PRESENT USE:	Rooming House with Store
PARCEL NUMBER:	004 0081 008 00

And be it

FURTHER RESOLVED: That this property shall be preserved generally in all its exterior features as existing on the date hereof or may be modified to restore, replicate, or more closely resemble its original or other historical appearance; and be it

FURTHER RESOLVED: That this action be forwarded to the City Planning Commission for public hearing and consideration;

Approved by the Landmarks Preservation Board,
Oakland, California: January 12, 2004

ATTEST: , Secretary

Case File Number LM04-001

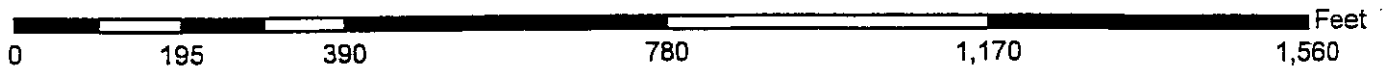
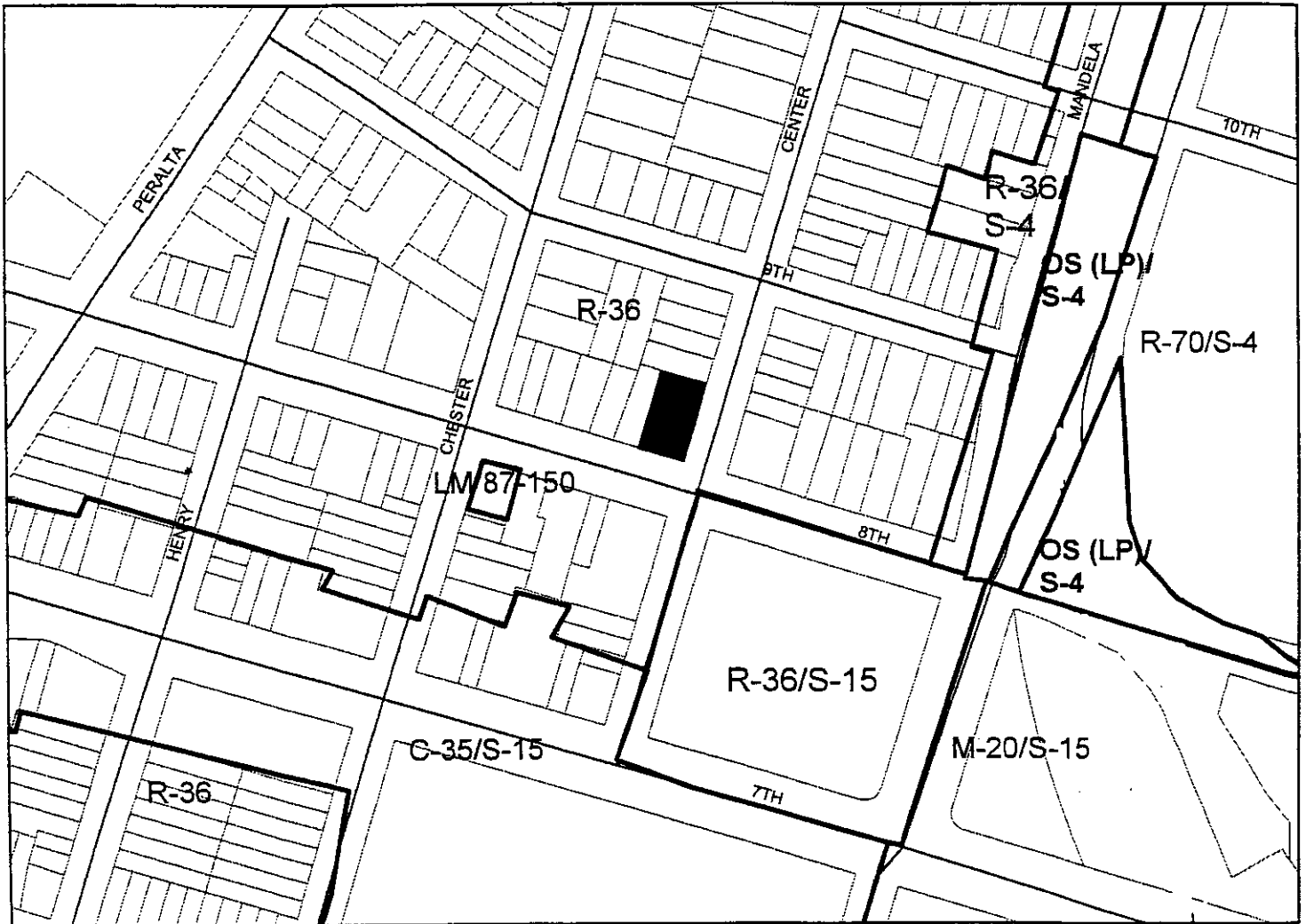
April 7, 2004

2.	Location: 1454 8 th Street & 1450 8 th Street (APN 004 0081 008 00)
	Proposal: Application to designate 1454 8 th Street (the house) and 1450 8 th Street (the store) as a City of Oakland Landmark
	Applicant: Rodney Karr, Randolph Belle, Freddie Lee Cooper
	Owner: Freddie Lee Cooper
	Case File Number: LM04-001
	Planning Permits Required: Landmark Designation
	General Plan: Mixed Housing Type
	Zoning: R-36 – Small Lot Residential Zone
	Environmental Determination: Exempt per Sections 15061(3) and 15331 of the State CEQA Guidelines.
	Historic Status: Oakland Cultural Survey Rating: B1+; Contributor to Oakland Point Historic District Determined Eligible for National Register (API).
	Service Delivery District: 1 – West Oakland
	City Council District: 3
	Status: The Landmark Preservation Advisory Board adopted a Resolution to initiate action to establish 1458 8 th Street and 1450 8 th Street as a Landmark and to forward the action to the Planning Commission for public hearing and consideration.
	Action to be Taken: Recommend Landmark Designation and forward to City Council
	Finality of Decision: <i>City Council</i>
	For further information: Contact case planner Joann Pavlinec at (510) 238-6344 or by email at jpavlinec@oaklandnet.com

SUMMARY

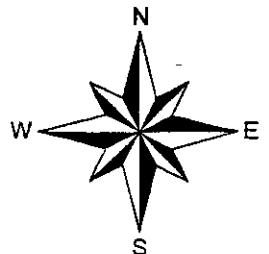
The nomination of the Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery for Landmark Designation was submitted by the owner Freddie Cooper along with Rodney Karr and Randolph Belle on November 13, 2004 and reviewed by the Landmarks Preservation Advisory Board (LPAB) at its December 8, 2003 meeting. At that meeting the LPAB reviewed and unanimously accepted the eligibility rating, and directed staff to prepare a draft resolution initiating landmark designation. The draft resolution recommending landmark designation was unanimously adopted at the LPAB meeting of January 12, 2004, to be forwarded to the Planning Commission for public hearing, after which the Commission may recommend designation to the City Council. Landmark designation is accomplished through adoption of an ordinance by the City Council.

CITY OF OAKLAND PLANNING COMMISSION



Case File: LM04-001
Applicant: Rodney Karr, Randolph Belle, Freddie Lee Cooper
Address: 1454 8th Street and 1450 8th Street
Zone: R-36

LM 87-150



BACKGROUND

Historical and Architectural Significance

As reflected in the evaluation sheet and resolution adopted by the Landmarks Board, the Samm (Jacob)/Dalton (Henry)/Cooper (Freddie) House and corner Store have been found eligible for landmark designation in that it:

- is a fine example of a classic Italianate house built in 1877-78, remodeled in 1895-96 as a Queen Anne, with a 1948 corner store addition;
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The building has a rating of 'A' on the Landmarks system and a 'B1+' from the Oakland Cultural Heritage Survey. The reason for the difference is that when the LPAB adopted a point system the Board wanted it to incorporate criteria different from the Survey Rating system, which is closely related to the National Register's rating system. The LPAB evaluation addresses buildings with layers of history better than the Survey Rating with its ties to the National Register, which gives more weight to architecture and integrity than to social history. Also, the current 'A' rating took place more recently because the storefront is now greater than 50 years old and the post World War II building boom in West Oakland can be considered an evaluable pattern. Also the LPAB evaluation was designed to give more weight to patterns of history and less to architecture. This building has three layers of Oakland Point history. In addition the site has been determined eligible for the National Register as an anchor (primary) contributor to the Oakland Point Historic District.

Landmarks Board Action

At the December 8, 2003 LPAB meeting, the application was reviewed and the LPAB unanimously accepted the eligibility rating and directed staff to prepare a draft resolution initiating landmark designation. Back

Board Member Bliss commented that the size and location of this resource are impressive. Also the hardware, trim work, siding and windows are in great shape. It is a resource with great potential.

The draft resolution recommending landmark designation was unanimously adopted at the LPAB meeting of January 12, 2004, to be forwarded to the Planning Commission for public hearing.

Effect of Landmark Designation

Regulations for the proposed landmark status provide for design review of exterior changes (only), up to 240 days delay of demolition, and a duty to keep in good repair. The landmark would be treated as a historic resource for purposes of CEQA review, would be eligible to use the State Historical building Code, and exempt from design review fees (the only direct local monetary incentive currently offered to designated historic properties).

Significant exterior changes to landmark properties are referred to the Landmarks Preservation Advisory Board for recommendations (Section 17.136.040) before the design review application is acted upon by the Development Director or the Planning Commission. Minor exterior changes can be processed administratively by the Development Director, who may seek input from the LPAB, as needed.

For designated landmarks (Section 17.102.030) the design review criteria require "That the proposal will not adversely affect the exterior features of the designated landmark..." and "That the proposal will not adversely affect the special character, interest, or value of the landmark and its site, as viewed both in themselves and in their setting..." unless preserving the landmark is architecturally or economically infeasible.

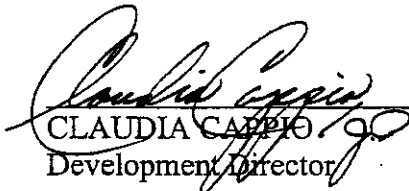
CONCLUSION

Staff and the LPAB recommend landmark designation for the Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery Store. As a historic resource it clearly meets the Board's historical and architectural eligibility criteria. Designation is sought both for its honorific value and for potential fundraising purposes for maintenance, repair and restoration of the buildings. Individual designation, in conjunction with its National Register eligibility, offers additional recognition to the buildings.

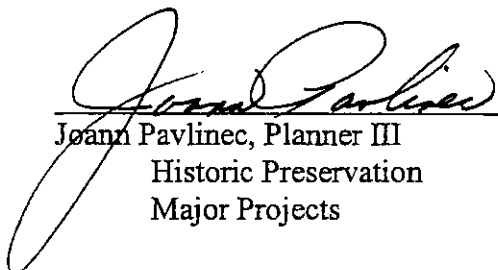
RECOMMENDATION

1. Affirm the environmental determination.
2. Recommend that City Council adopt an ordinance designating the Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery an Oakland Landmark.

Respectfully submitted:

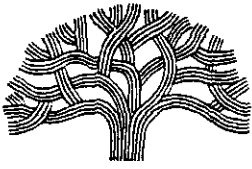

CLAUDIA CAPIO
Development Director

Prepared by:


Joann Pavlinec, Planner III
Historic Preservation
Major Projects

ATTACHMENTS

- A. Oakland Landmark and S-7 Preservation Combining Zone Application
- B. Eligibility Rating Sheet
- C. Landmarks Board Resolution 2004-1, adopted January 12, 2004
- D. Landmark regulations (Planning Code Sections 17.84.010 and 17.102.030)



Oakland Landmarks Preservation Advisory Board

OAKLAND LANDMARK AND S-7 PRESERVATION COMBINING ZONE APPLICATION FORM

This form is for use in requesting the City of Oakland pursuant to its Zoning Regulations to establish a landmark or landmark site or to rezone one or more properties to the S-7 Preservation Combining Zone. See instructions in "HOW TO COMPLETE OAKLAND LANDMARK AND S-7 PRESERVATION COMBINING ZONE APPLICATION FORM."

1. IDENTIFICATION

A. Historic Name: Samm (Jacob) – Dalton (Henry) – Cooper (Fred) house and corner store

B. and/or Common Name: Samm/Dalton/ Cooper Mansion and Cooper Brothers Grocery

2. ADDRESS/LOCATION

Street and number: 1454 8th Street (mansion) , Oakland CA Zip Code: 94607
1450 8th Street (store)

3. CLASSIFICATION

A. Category

- District
- Building(s)
- Structure
- Site
- Object

B. Status

- Occupied
- Unoccupied
- Work in progress

C. Accessible

- Yes: restricted
- Yes: unrestricted
- No

D. Present Use (P) and Historic Use (H)

- | | |
|--|--|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Museum |
| <input checked="" type="checkbox"/> Commercial | <input type="checkbox"/> Park |
| <input type="checkbox"/> Educational | <input checked="" type="checkbox"/> Private Residence |
| <input type="checkbox"/> Entertainment | <input type="checkbox"/> Religious |
| <input type="checkbox"/> Government | <input type="checkbox"/> Scientific |
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Military | <input checked="" type="checkbox"/> Other (specify): Rooming House |

E. Number of Resources within Property

- | | |
|--------------------------|-------------------------------------|
| Contributing | Non-contributing |
| <u>2</u> | <input type="checkbox"/> buildings |
| <input type="checkbox"/> | <input type="checkbox"/> sites |
| <input type="checkbox"/> | <input type="checkbox"/> structures |
| <input type="checkbox"/> | <input type="checkbox"/> objects |
| <u>2</u> | <input type="checkbox"/> Total |

4. OWNER OF PROPERTY

Name: Freddie Lee Cooper

Street and Number: 4055 East 18th Street

City: Oakland State: CA Zip Code: 94601

Assessor's Parcel Number: 004 -0081-008-00

5. EXISTING FEDERAL/STATE DESIGNATIONS

A. Federal

- National Historic Landmark
- Included in National Register of Historic Places
- Determined eligible for inclusion in National Register of Historic Places
(as contributor to Oakland Point District)

B. State

- California Historical Landmark
- California Point of Historic Interest
- State Historic Resources Inventory (as contributor to Oakland Point District - 1990)

6. REPRESENTATION IN EXISTING SURVEYS

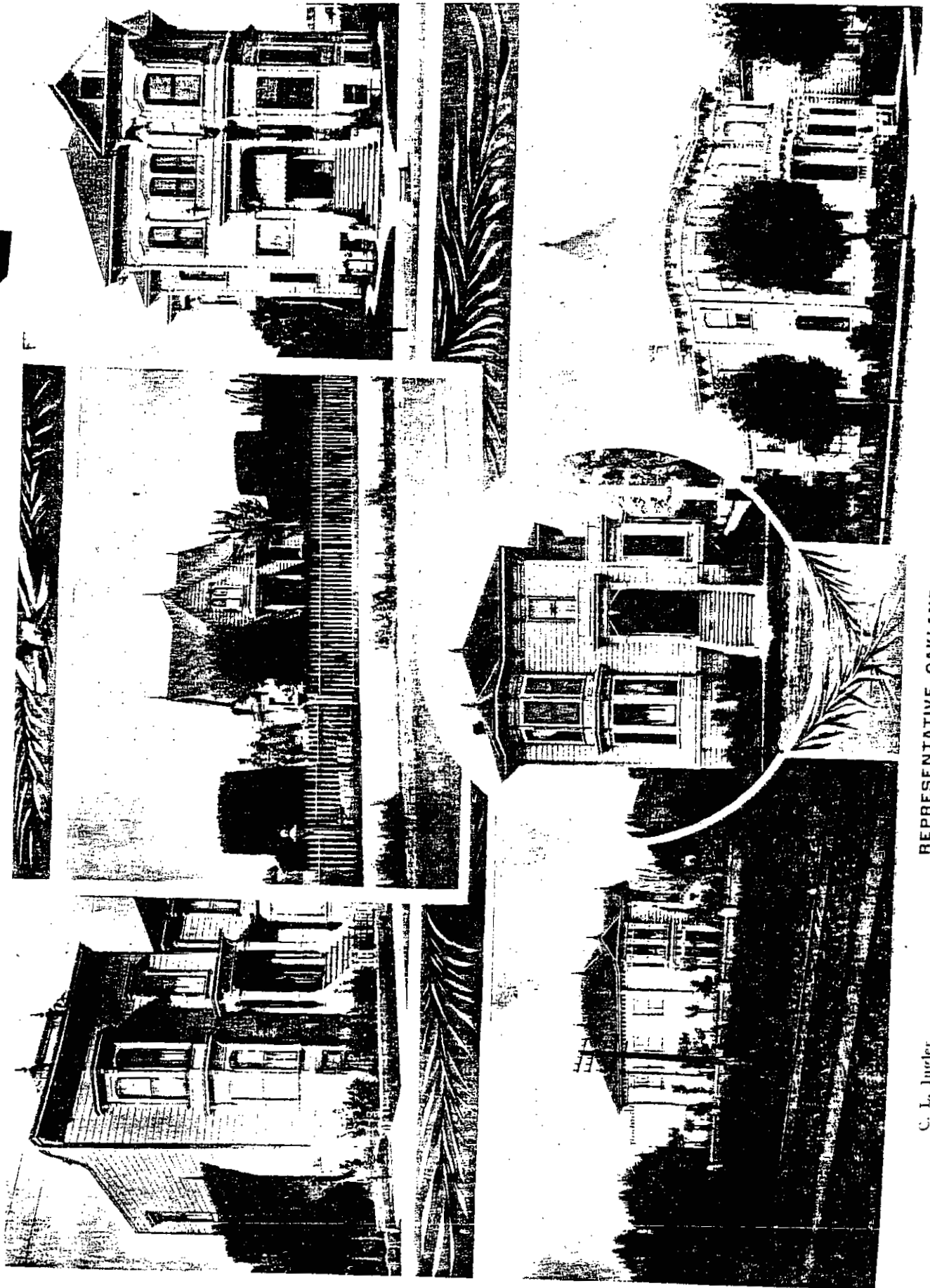
Name of Survey	Survey Rating (if applicable)	Date	Repository
Oakland Cultural Heritage Survey	Cb+ 1+	1989	Oakland City Planning Dept.

Photos:





Alameda County Illustrated, 1898 - "Representative Oakland Residences"



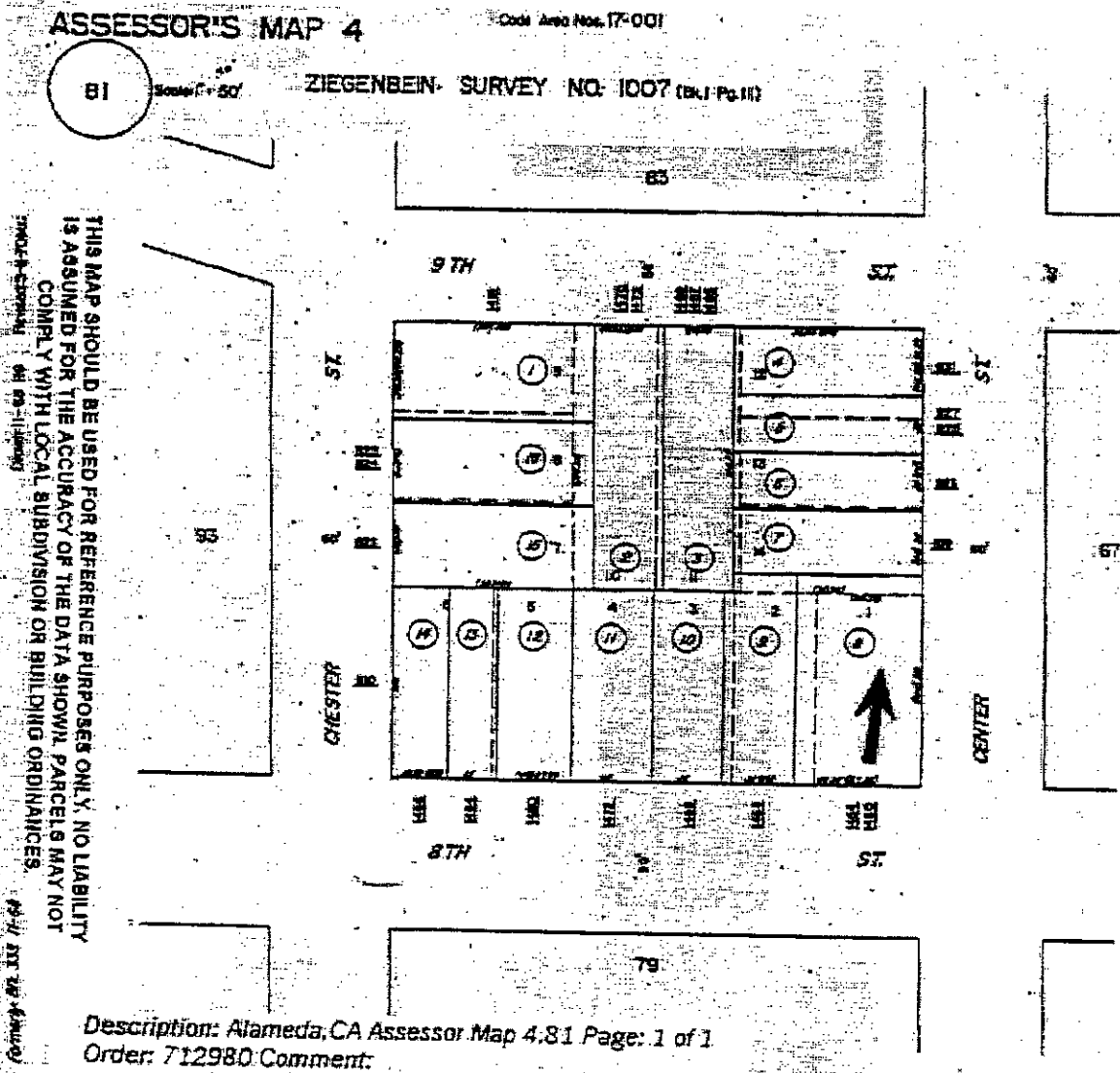
REPRESENTATIVE OAKLAND RESIDENCES.

C. L. Ingler.

PL. 1. 1. 1.

House D. D. D.

Location Map:



7. DESCRIPTION

A. Condition:

- Excellent
- Good
- Fair
- Deteriorated
- Ruins
- Unexposed

B. Alterations:
(Check one)

- Unaltered
- Altered

C. Site
(Check one)

- Original Site
- Moved (Date _____)

- D. **Style/Type:** house: Italianate town house remodeled as Queen Anne
store: mid 20th century vernacular/utilitarian

E. **Describe the present and original (if known) physical appearance:**

1450-54 8th Street is a large 19th century house, Italianate with Queen Anne additions, plus a 20th century storefront. It is located at the northwest corner of 8th and Center Streets in West Oakland. It is two stories plus attic and basement, with a nested hip roof, prominent Queen Anne gables over the two-story bays on the right front and side, and added dormers at the front and west side. A columned porch is to the left of the front bay. Exterior walls are rustic siding. Windows are tall, narrow, double hung wood, with segmental arched tops and elaborate molded hoods on the upper story, and curved surrounds on the lower story.

The original 1870s house was distinguished by its Italianate front portico, large elaborately carved double doors with glazed windows, an arched glass transom, angled bay windows on front and sides, and arched round-cornered windows. In the 1890s elaborate Queen Anne details were added to the exterior: Queen Anne gables over the bays with fish-scale shingles, pendants, and other "gingerbread." The Dalton house appears in a photo spread of "Representative Oakland Residences" published in 1898 in its modernized current Italianate-Queen Anne form.

After exploring the house inside and out, Oakland historical architect Bill Coburn concurs that the tall Queen Anne attic interior was an 1896 modification, probably for servants quarters. Additionally, the full basement with grand staircase, 8-foot-plus ceilings, and ample windows was probably also developed in 1895-96 to provide a room for entertaining and servant work areas for the mansion. These expansions facilitated its 20th century conversion to apartments and rooming house during the Depression and World War II.

The house appears today, in 2003, roughly in its turn-of-the-century form. Most of its beautiful Italianate and Queen Anne details remain. The only major non-contributing alteration is a mid 20th century fire escape which obscures the front façade, and an attic dormer and door added for egress to the fire escape. The portico balcony balustrade and the curving grand front stairs are missing but can be rebuilt following the design shown in the early photo.

The corner store was added to the property in 1948, at the right front of the house. A plain low-gabled rustic-sided building about 12 by 18 feet, it is now in somewhat dilapidated condition yet speaks eloquently to a later colorful period of Oakland Point history.

8. SIGNIFICANCE

A. Period:

- Prehistoric
- Pre-1869
- 1869-1906
- 1906-1945
- Post-1945

B. Areas of significance—check and justify below:

- | | |
|--|---|
| <input type="checkbox"/> Archeology-prehistoric | <input type="checkbox"/> Landscape architecture |
| <input type="checkbox"/> Archeology-historic | <input type="checkbox"/> Law |
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Literature |
| <input checked="" type="checkbox"/> Architecture | <input type="checkbox"/> Military |
| <input type="checkbox"/> Art | <input type="checkbox"/> Music |
| <input checked="" type="checkbox"/> Commerce | <input type="checkbox"/> Philosophy |
| <input type="checkbox"/> Communications | <input checked="" type="checkbox"/> Politics/government |
| <input type="checkbox"/> Community Planning | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Conservation | <input type="checkbox"/> Science |
| <input type="checkbox"/> Economics | <input type="checkbox"/> Sculpture |
| <input type="checkbox"/> Education | <input type="checkbox"/> Social/humanitarian |
| <input type="checkbox"/> Engineering | <input type="checkbox"/> Theater |
| <input checked="" type="checkbox"/> Exploration/settlement | <input type="checkbox"/> Transportation |
| <input checked="" type="checkbox"/> Industry | <input type="checkbox"/> Other (specify) |
| <input type="checkbox"/> Invention | |

C. Period of Significance: 1877-1948

D. Significant dates: 1877-78, 1895-96, 1948

E. Builder/Architect/Designer: unknown

F. Significant persons: Jacob Samm, Henry P. Dalton

G. Statement of Significance (include summary statement of significance as first paragraph):

The Samm-Dalton mansion and Cooper Brothers store are significant architecturally and historically, both individually and as contributors to the Oakland Point Historic District which has been determined eligible for inclusion in the National Register of Historic Places. The building is visibly prominent from the West Oakland BART station and passing trains, and anchors the southeast corner of the Oakland Point District opposite the new development on the Westwood Gardens site. Historically, the building is emblematic of upper-middle class lifestyle in the Bay Area during the mid to late 19th century and also embodies the 20th century evolution of the neighborhood.

The Samm-Dalton mansion was built in 1877-78 by Jacob Samm, the proprietor of the Bay City Roller Flouring Mills. The two-story house was built in the then-current and popular Italianate Town House style of the 1870's. The large house was appropriate for a successful Oakland businessman. Jacob Samm resided at 1454 8th Street until it was sold about 1895 to prominent California native son and politician, Henry P. Dalton. Dalton was a successful industrialist and assessor of Alameda County. Immediately upon purchasing the home from Jacob Samm, he had both the exterior and interior extensively remodeled in the then current style, Queen Anne, to provide room for entertaining and servants. These expansions facilitated the house's 20th century conversion to apartments and rooming house during the Depression and World War II.

Oakland Point

The Oakland Point District, a neighborhood of over 800 homes extending roughly from 8th to 16th Streets and from Pine Street to Mandela Parkway, is Oakland's oldest and most intact Victorian residential neighborhood. Important themes in Oakland Point's history include its settlement as an 1860s suburb, its intimate association with the railroad which promoted its growth in the 1870s, and its ethnic heritage. The Central Pacific (later Southern Pacific) Railroad arrived in Oakland in 1869, establishing the western terminus of the transcontinental railroad at the Point. The railroad yards and shops were established in the early 1870s, and by 1878 the neighborhood was largely built up. The Point was almost a "company town," in that a high percentage of its residents worked for the railroad or in related industries, at all economic levels from laborers to executives. Seventh Street along the main rail line became a renowned business and entertainment district. Oakland Point is remembered as a melting pot of many ethnic groups over the years - first Yankee and Irish and Northern European, then Italian and Slavic, Asian, and African-American. African-Americans have a long and prominent history in the neighborhood, beginning with the Pullman Porters who settled at the terminus in the earliest days of the railroad. They became a majority in the area during and after World War II, and established many thriving businesses and churches in Oakland Point.

Jacob Samm

Jacob Samm was the proprietor of the Bay City Roller Flouring Mills, usually known as Samm's Mills, situated at First and Clay Streets. Vivid descriptions of the mills appeared in the *Oakland Tribune* annual special edition of 1887 and the 1898 *Alameda County Illustrated*. Samm's Mills were described as an impressive set of buildings that were an imposing feature among the many factories of Oakland. Railroad cars constantly delivered grain, and the hum of the machinery was the "merriest" buzzing in the neighborhood. Mr. Samm erected the mills in 1875, at an expense of \$20,000. The mills had the latest equipment, very heavy iron machinery, and a very high capacity, turning out everything from the finest grades of flour to split peas, oatmeal, graham flour, coarse and fine hominy, cornmeal, bran, barley and farina. The products and the mills ranked among the highest of quality in the market. Employing over 40 men, the firm did a half million dollars of business annually, and was a great benefit and credit to the thriving city of Oakland.

Henry P. Dalton

Henry P. Dalton, the second owner, was very important in Oakland and early California history. He was the son of Henry N. Dalton, a successful '49er gold miner and industrialist who owned a foundry at the west end of Oakland Point. Henry P. Dalton was the assessor of Alameda County and a friend and political colleague of Governor Pardee. His biography appears in many of the "Who's Who" type publications of the day: the following is condensed from Guinn's *History of California ... Coast Counties*, 1904 (p. 1240).

"His work as an assessor was unique and unprecedented. He worked more closely with people than any other public official, to honestly and justly apportion the financial burdens of government, and to correct the habitual injustices of property assessment. His ideas and plan of procedure were discussed in every newspaper in California. He worked to lower assessments on residential property, and assess corporate property according to the income produced by it.

“Henry Dalton was a native Californian, born in Tuolumne County, and lived in Oakland for 30 years. He began his career working with his father for the Henry Dalton and Sons Company, manufacturers of agricultural machinery. After a few years of business experience, he took an active interest in public affairs. In 1893 he was widely known and was elected a member of the city council. In the following year, he ran as an independent candidate for county assessor and was elected by an overwhelming majority. His aggressive and unrelenting stand against every form of municipal wrong and his loyalty to the best public interests, had distinguished him as a leader, and his success continued.

“In his fraternal relations, Mr. Dalton was one of the most prominent men in Alameda County. He was made a Mason in Live Oak Lodge of Oakland, and later served as the master of the lodge. He was also a member of the Alameda Chapter, the Oakland Commandery, the Oakland Consistory, the Islam Temple, the Harbor Lodge, the Oakland Lodge, the Oakland Camp, the Oakland Aerie of the Eagles, the Oakland Parlor, the Athenian Club, the Nile Club, and the Reliance Club. He was recognized as one of the most valued native-born citizens of California.”

Early 20th Century Owners and Residents

By 1925 the house belonged to Marie Weber, not further identified. The 1936 WPA housing survey shows the house as 7 units, with 1923 as the estimated date of conversion to apartments. The resident owner was Mrs. Addie Bradley. Four of the residents worked for the WPA – three as laborers and one as a typist. One head of household was described as a housewife (a single mother with two children) and one unit was vacant. Two households were described as white and four as Negro. Numbers on the doors suggest that in the World War II era the house held as many as 18 units, reflecting the intense demand for housing for shipyard and other war workers. In the West Oakland building boom that followed the war the storefront was built in 1948 for \$750. The owner, Walter LaRue, had lived in the house as early as 1943. Later the house appears in a reverse directory as the Starwood Hotel.

Freddie Cooper

Fred Cooper followed his sister west from Tulsa, Oklahoma, in 1955, right out of high school. He was drafted into the army a few years later, serving stateside in Fort Collins, Colorado, and Fort Hood, Texas. He came right back to Oakland when he was discharged in 1960. The Cooper brothers bought the house and the store in 1962. They have since kept the store open, and survived the era of big-box supermarkets, crime, and an exodus of residents and businesses to the suburbs. The store is now one of a handful of neighborhood businesses in West Oakland that is still owned by African Americans.

9. MAJOR BIBLIOGRAPHICAL REFERENCES

- Oakland City Planning Department, Oakland Cultural Heritage Survey, “Oakland Point District” inventory form, 1989-90; research file on 1450-54 8th Street.
- Caltrans, Historic Property Survey Report & Finding of Effect for I-880 Reconstruction, 1990-1; *Crossroads, A Story of West Oakland* (documentary video), 1993;

Sights and Sounds: Essays in Celebration of West Oakland, 1997.

10. **GEOGRAPHICAL DATA**

- A. Land area of property (square feet or acres): 63 ft by 110 ft = 6.930 sq ft +/-
- B. UTM References:

USGS Quadrangle Name: Oakland West USGS Quadrangle Scale 1:24,000

A	<u>10</u>	<u>562210</u>	<u>4184415</u>	B	<u> </u>	<u> </u>	<u> </u>
	Zone	Easting	Northing		Zone	Easting	Northing
C	<u> </u>	<u> </u>	<u> </u>	D	<u> </u>	<u> </u>	<u> </u>

C. **Verbal boundary description:**

Assessor's Parcel No: 004-0081-008

The North-West corner of 8th St and Center. Beginning at a point of intersection of the western line of Center Street, with the northern line of 8th Street running thence westerly along said line of 8th Street 63 feet, 3 inches more or less, to the eastern boundary line of the land described in the Deed from John Ziegenbein to E.W. Hulford, dated July 15, 1878 and recorded in the book 162 of Deeds, page 345, Alameda County Records; Thence northerly and along said last mentioned line, 110 feet, more or less to the southern boundary line of the land described in the Deed from John Ziegenbein to W.E. Strauss, dated September 17, 1877 and recorded in Book 147 of Deeds, page 175, Alameda County Records, thence easterly and along said last mentioned line, 62 feet, 6 inches, more or less, to said line of Center Street, thence southerly and along said last mentioned line, 110 feet to the point of beginning.

Being Lot 1 and portion of Lots 2 and 14, as said lots are shown on the Map of "Survey No. 1007, for John Ziegenbein", filed February 13, 1877, in Book 1 of Maps, Page 11 in the Office of the County Recorder of Alameda County.

11. **FORM PREPARED BY**

Rodney Karr
 2950 Cherry Lane
 Walnut Creek, CA 94597
 Telephone: (415) 931-1934

Freddie Cooper
 4055 East 18th Street
 Oakland, CA 94601

Randolph Belle,
 Executive Director of S.O.A. Village Housing
 1131 24th Street. #122
 Oakland, CA 94607
 (510) 333-9175

Date: Nov. 13, 2003

DEPARTMENTAL USE ONLY

A. Accepted by: _____ Date: _____

B. Action by Landmarks Preservation Advisory Board

____ Recommended ____ Not recommended for Landmark/S-7 designation

Date: _____ Resolution number: _____

C. Action by City Planning Commission

____ Recommended ____ Not recommended for Landmark/S-7 designation

Date: _____

D. Action by City Council

____ Designated ____ Not Designated

Date: _____ Ordinance No: _____



City of Oakland - Landmarks Preservation Advisory Board
EVALUATION SHEET FOR LANDMARK ELIGIBILITY

Final Preliminary

Address: 1457-54 8th Street / NW corner of Center St.

Name: Scam (Jacob) - Dalton (Henry) house + Cooper Brothers Grocery

A. ARCHITECTURE

- 1. Exterior/Design: classic Italianate form, unusual window details, solid presence E VG
- 2. Interior: (many) features intact - stairway, hardware - but not public E VG
- 3. Construction: frame + millwork, elaborate but fairly generic E VG
- 4. Designer/Builder: unknown E VG
- 5. Style/Type: Italianate house remodeled as Queen Anne - fine example E VG

B. HISTORY

- 6. Person/Organization: Jacob Scam, industrialist; H. Dalton, industrialist; publisher; Cooper T-1c E VG
- 7. Event: Bns, wh institution E VG
- 8. Patterns: railroad-era dev't in W. Oak; W. Oak; economic + ethnic diversity; World War II housing E VG
- 9. Age: 1877-78, remodeled 1895-96, stone added 1948 E VG
- 10. Site: original site E VG

C. CONTEXT

- 11. Continuity: anchor in Oakland Point API E VG
- 12. Familiarity: visually prominent large corner house; grocery is wk institution E VG

D. INTEGRITY

- 13. Condition: much deferred maintenance E G
- 14. Exterior Alterations: front steps, dormer, fire escape - mostly intact E G

P F
P F
P G

Evaluated by: Beth Marvin Date: 11/26/03

STATUS
Rating:

City Landmark Eligibility: Eligible Not eligible

National Register Status: Listed In process

Determined eligible Appears eligible

Appears ineligible Appears ineligible

Site of Opportunity

This evaluation sheet was accepted by the landmarks Preservation Advisory Board at its meeting of December 8, 2003 (Date)

Attest:

Secretary

City of Oakland – Landmarks Preservation Advisory Board
EVALUATION TALLY SHEET FOR LANDMARK ELIGIBILITY

Preliminary Final

Address: 1450-54 84th Street

Name: _____

12	(6)	3	0	1. Exterior/Design	
6	3	2	0	2. Interior	
6	3	(2)	0	3. Construction	
4	2	1	(0)	4. Designer/Builder	
6	(3)	2	0	5. Style/Type	
A. ARCHITECTURE TOTAL (max. 26)					11
30	15	(8)	0	6. Person/Organization	
30	15	8	(0)	7. Event	
18	(9)	5	0	8. Patterns	
8	(4)	2	0	9. Age	
(4)	2	1	0	10. Site	
B. HISTORY TOTAL (max. 60)					25
(4)	2	1	0	11. Continuity	
14	7	(4)	0	12. Familiarity	
C. CONTEXT TOTAL (max. 14)					8
PRELIMINARY TOTAL (Sum of A, B and C) (max. 100)					44
-0	-3%	(-5%)	-10%	13. Condition (From A, B, and C total)	
(-0)	-25%	-50%	-75%	14. Exterior Alterations (From A, B and C total excluding 2)	
D. INTEGRITY					-2
ADJUSTED TOTAL (Preliminary total minus Integrity)					42

STATUS/RATING

Present Rating (Adjusted Total): A(35+) B(23-34) C(11-22) D(0-10)

Contingency Rating (Preliminary Total): A(35+) B(23-34) C(11-22) D(0-10)

City Landmark Eligibility: Eligible (Present Rating is A or B) Not eligible

RESOLUTION 2004-1
LANDMARKS PRESERVATION ADVISORY BOARD
CITY OF OAKLAND

WHEREAS, a proposal to designate the following property as an Oakland Landmark pursuant to Section 17.144 of the Oakland Planning Code has been considered by the Landmarks Preservation Advisory Board; and

WHEREAS, the Board has reviewed and examined the material pertaining to this property in Case File **LM04-001** and the Oakland Landmark Nomination Application form, a copy of which is attached; and

WHEREAS, the Board has determined that the property meets the landmark designation criteria found at Section 17.07.030P of the Planning Code and the Board's Guidelines for Determination of Landmark Eligibility in that the property:

- is a fine example of a classic Italianate house built in 1877-78, remodeled in 1895-96 as a Queen Anne, with a 1948 corner store addition;
- reflects the evolution of the neighborhood from an upper-middle class lifestyle in the Bay Area during the mid to late 19th century to the 20th century conversion, facilitated by the mid 1890's Queen Anne remodel and expansion of the attic and basement, to apartments and a rooming house during the Depression and World War II;
- is a large, prominent visual landmark on a corner site, with a strong neighborhood presence, visible from the West Oakland BART station and passing trains, and anchors the southeast corner of the Oakland Point Historic District, a National Register eligible Area of Primary Importance, opposite the new development on the Westwood Gardens site;
- was originally constructed and occupied by Jacob Samm, the proprietor of the Bay City Roller Flouring Mill, and then remodeled and occupied by Henry P. Dalton, a prominent native Californian and politician who served on the City Council and then was elected as Alameda County Assessor;
- was originally distinguished by its Italianate front portico with curving grand front stairs, large elaborately carved double doors with glazed windows, an arched glass transom, angled bay windows on front and sides, and arched round-cornered windows, and later remodeled with Queen Anne details including gables over the bays with fish-scale shingles, pendants and other ornament;
- appears in a photo spread of "Representative Oakland Residences" published in Alameda County Illustrated, 1898 in its modernized and current Italianate-Queen Anne form;

- was expanded in 1948 to include a corner store, a plain low-gabled rustic sided building about 12 by 18 feet, a postwar entrepreneurial pattern scattered throughout the district;
- was bought and occupied in 1962 by the Cooper brothers who kept the store open, survived the era of big-box supermarkets and an exodus of residents and businesses to the suburbs;

And WHEREAS, an Evaluation Sheet for Landmark Eligibility has been prepared for the property in accordance with the Board's Guidelines for Determination of Landmark Eligibility; and

WHEREAS, the Evaluation Sheet shows that the property meets the Guidelines; and

WHEREAS, the Board has reviewed and accepted the Evaluation Sheet, a copy of which is attached; and

WHEREAS, the Board has determined that this property merits Landmark designation, protective regulations, and preservation for the enjoyment of future generations;

Now therefore be it

RESOLVED: That the Landmarks Preservation Advisory Board hereby initiates, under Section 17.144.030D of the Oakland Planning Code, action to establish as a Landmark the following:

HISTORICAL NAME:	Samm (Jacob)/Dalton (Henry)/Cooper (Freddie) House and Corner Store
COMMON NAME:	Samm/Dalton/Cooper Mansion and Cooper Brothers Grocery
ADDRESS:	1454 8 th Street (the house), 1450 8 th Street (the store)
DATE BUILT:	1877-78
ARCHITECT:	Unknown
ORIGINAL USE:	Residential – Single Family House
PRESENT USE:	Rooming House with Store
PARCEL NUMBER:	004 0081 008 00

And be it

FURTHER RESOLVED: That this property shall be preserved generally in all its exterior features as existing on the date hereof or may be modified to restore, replicate, or more closely resemble its original or other historical appearance; and be it

FURTHER RESOLVED: That this action be forwarded to the City Planning Commission for public hearing and consideration;

Approved by the Landmarks Preservation Board,
Oakland, California: January 12, 2004

ATTEST: Jean M. Parlies, Secretary

Chapter 17.84

S-7 PRESERVATION COMBINING ZONE
REGULATIONS

Sections:

- 17.84.010 Title, purpose, and applicability.**
17.84.020 Zones with which the S-7 zone may be combined.
17.84.030 Design review for construction, alteration, demolition, or removal.
17.84.035 Special residential design review for Secondary Units.
17.84.040 Design review criteria for construction or alteration.
17.84.050 Design review criteria for demolition or removal.
17.84.060 Postponement of demolition or removal.
17.84.070 Duty to keep in good repair.

17.84.010 Title, purpose, and applicability.

The provisions of this chapter shall be known as the S-7 preservation combining zone regulations. The S-7 zone is intended to preserve and enhance the cultural, educational, aesthetic, environmental, and economic value of structures, other physical facilities, sites, and areas of special importance due to historical association, basic architectural merit, the embodiment of a style or special type of construction, or other special character, interest, or value, and is typically appropriate to selected older locations in the city. These regulations shall apply in the S-7 zone, and are supplementary to the provisions of Section 17.102.030 and to the other regulations applying in the zones with which the S-7 zone is combined.

(Prior planning code § 6400)

17.84.020 Zones with which the S-7 zone may be combined.

The S-7 zone may be combined with any other zone.

(Prior planning code § 6401)

17.84.030 Design review for construction, alteration, demolition, or removal.

In the S-7 zone no building, Sign, or other facility other than a new Secondary Unit shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, and no structure or portion thereof shall be demolished or removed, unless such proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and the applicable provisions of Sections 17.84.040, 17.84.050, and 17.84.060. However, after notice to the Director of City Planning, demolition or removal of a structure or portion thereof shall be permitted without such approval upon a determination by the Inspectional Services Department, the Housing Conservation Division, their respective appeals boards, or the City Council that immediate demolition is necessary to protect the public health or safety, or after expiration of the periods of postponement referred to in Section 17.84.060. Whenever it is proposed that demolition or removal be followed within a reasonable period of time by new construction, review of the new construction shall take place in conjunction with review of the demolition or removal.

(Ord. 12501 § 60, 2003; prior planning code § 6402)

17.84.035 Special residential design review for Secondary Units.

No Secondary Unit shall be constructed or established unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146.

(Ord. 12501 § 61, 2003)

17.84.040 Design review criteria for construction or alteration.

Design review approval for construction, establishment, alteration, or painting of a facility may be granted only upon determination that the proposal conforms to the general design review criteria set forth in the design review procedure in Chapter 17.136 and to both of the following additional design review criteria:

A. That the proposal will not substantially impair the visual, architectural, or historic value of the affected site or facility. Consideration shall be given to design, form, scale, color, materials, texture, lighting, detailing and ornamentation, landscaping, Signs, and any other relevant design element or effect, and, where applicable, the relation of the above to the original design of the affected facility.

B. That the proposed development will not substantially impair the visual, architectural, or historic value of the total setting or character of the surrounding area or of neighboring facilities. Consideration shall be given to integration with, and subordination to, the desired overall character of any such area or grouping of facilities. All design elements or effects specified in subsection A of this section shall be so considered. (Prior planning code § 6403)

17.84.050 Design review criteria for demolition or removal.

Design review approval, pursuant to Section 17.84.030, for demolition or removal of a structure or portion thereof may be granted only upon determination that the proposal conforms to the design review criteria set forth in subsections A and B of this section, or to one or both of the criteria set forth in subsection C of this section:

A. That the affected structure or portion thereof is not considered irreplaceable in terms of its visual, cultural, or educational value to the area or community;

B. That the proposed demolition or removal will not substantially impair the visual, architectural, or historic value of the total setting or character of the surrounding area or of neighboring facilities;

C. If the proposal does not conform to the criteria set forth in subsections A and B of this section:

1. That the structure or portion thereof is in such condition that it is not architecturally feasible to preserve or restore it, or

2. That, considering the economic feasibility of preserving or restoring the structure or portion thereof, and balancing the interest of the public in such preservation or restoration and the interest of the owner of the property in the utilization thereof, approval is required by considerations of equity. (Prior planning code § 6404)

17.84.060 Postponement of demolition or removal.

If an application for approval of demolition or removal of a structure or portion thereof, pursuant to Sections 17.84.030 and 17.84.050, is denied, the

issuance of a permit for demolition or removal shall be deferred for a period of one hundred twenty (120) days, said period to commence upon the initial denial by the reviewing officer or body. However, if demolition or removal of the structure or portion thereof has also been postponed pursuant to Section 17.102.060, the initial period of postponement under this section shall be reduced by the length of the period imposed pursuant to Section 17.102.060. During the period of postponement, the Director of City Planning or the City Planning Commission, with the advice and assistance of the Landmarks Preservation Advisory Board, shall explore all means by which, with the agreement of the owner or through eminent domain, the affected structure or portion thereof may be preserved or restored. The reviewing officer or body from whose decision the denial of the application became final may, after holding a public hearing, extend said period for not more than one hundred twenty (120) additional days; provided, however, that the decision to so extend said period shall be made not earlier than ninety (90) days nor later than thirty (30) days prior to the expiration of the initial one hundred twenty (120) day period. Notice of the hearing shall be given by posting notices thereof within three hundred (300) feet of the property involved. Notice of the hearing shall also be given by mail or delivery to the applicant, to all parties who have commented on the initial application, and to other interested parties as deemed appropriate. All such notices shall be given not less than ten days prior to the date set for the hearing. Such extension shall be made only upon evidence that substantial progress has been made toward securing the preservation or restoration of the structure or portion thereof. In the event that the applicant shall have failed to exhaust all appeals under Sections 17.136.080 and 17.136.090 from the denial of the application, the decision to extend said period shall be appealable under the provisions of Sections 17.136.080 and 17.136.090 to those bodies to whom appeal had not been taken from the initial denial of the application. (Ord. 12237 § 4 (part), 2000: prior planning code § 6405)

17.84.070 Duty to keep in good repair.

Except as otherwise authorized under Sections 17.84.030 and 17.84.050, the owner, lessee, or other person in actual charge of each structure in the S-7 zone shall keep in good repair all of the exterior portions thereof, as well as all interior portions the maintenance of which is necessary to prevent deterioration and decay of any exterior portion. (Prior planning code § 6406)

17.102.030 Special regulations for designated landmarks.

A. Designation. In any zone, the City Council may designate as a landmark any facility, portion thereof, or group of facilities which has special character, interest, or value of any of the types referred to in 17.07.030P. The designating ordinance for each landmark shall include a description of the characteristics of the landmark which justify its designation and a clear description of the particular features that should be preserved. Each ordinance shall also include the location and boundaries of a landmark site, which shall be the lot, or other appropriate immediate setting, containing the landmark. Designation of each landmark and landmark site shall be pursuant to the rezoning and law change procedure in Chapter 17.144.

B. Design Review for Construction, Alteration, Demolition, or Removal. Within any designated landmark site, no building, Sign, or other facility

14.1
ORA/COUNCIL
MAY 4 2004