

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY

*Marta P. Wall*  
CITY ATTORNEY

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

12493

2003 APR 24 PM 2:30

**ORDINANCE No.** \_\_\_\_\_

**AN ORDINANCE DESIGNATING 1011 MARTIN LUTHER KING JR. WAY (NEW ST. PAUL MISSIONARY BAPTIST CHURCH; HISTORIC NAMES ST. PAUL'S FIRST SWEDISH EVANGELICAL CHURCH, LUTHERAN MEMORIAL CHAPEL FOR THE DEAF) AS AN OAKLAND LANDMARK PURSUANT TO SECTION 17.102.030 OF THE OAKLAND PLANNING CODE**

**WHEREAS**, the Landmarks Preservation Advisory Board at its meeting of October 14, 2002, recommended designation of New St. Paul Missionary Baptist Church (historic names St. Paul's First Swedish Evangelical Lutheran Church, Lutheran Memorial Chapel for the Deaf) at 1011 Martin Luther King Jr. Way 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 December 4, 2002; and

**WHEREAS**, after the hearing, the City Planning Commission voted on December 4, 2002, to recommend landmark designation of the property; and

**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 Section 15308 of the California Code of Regulations, this designation is exempt from CEQA; and

**WHEREAS**, the City Council has determined that the proposed Landmark has historical and architectural significance as described and presented in Landmarks Preservation Advisory Board Resolution 2002-2, and is a unique asset to the City; and that for these reasons the Landmark is worthy of preservation; now therefore

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** New St. Paul Missionary Baptist Church (historic names St. Paul's First Swedish Evangelical Lutheran Church, Lutheran Memorial Chapel for the Deaf) at 1011 Martin Luther King Jr. Way 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 2002-2, 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 LM 02-463, 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 Director of City Planning 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.

**Introduction Date:**            **MAY 06 2003**

IN COUNCIL, OAKLAND, CALIFORNIA,           **MAY 20 2003**          , 20    

**PASSED BY THE FOLLOWING VOTE:**

AYES-            BRUNNER, CHANG, NADEL, REID, WAN, ~~QUAN~~, BROOKS AND  
                    PRESIDENT DE LA FUENTE    **- 7**

NOES-            \_\_\_\_\_  
**Excused**  
ABSENT-                  **QUAN**           - 1  
ABSTENTION-    \_\_\_\_\_

ATTEST:           *Ceda Floyd*            
                    CEDA FLOYD  
                    City Clerk and Clerk of the Council  
                    of the City of Oakland, California

## EXHIBIT A

### RESOLUTION 2002-2 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 **LM02-463** 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 survivor of the many Victorian-era churches of many denominations and ethnicities that once distinguished the Preservation Park residential neighborhood;
- is a prominent visual landmark along Lafayette Square, one of the city's original parks, and has been for over a century;
- is a distinctive and well-designed example of a Shingle style church, memorable for its peaked dormers, lancet windows, buttresses, cast stone base, and prominent bell tower, and has undergone only superficial alterations;
- was designed and built in 1900-01 by architect D. Franklin Oliver and builder Ben O. Johnson, both notable Oakland practitioners of the Shingle style;
- was originally occupied by the St. Paul's First Swedish Evangelical Lutheran Church, founded in 1887 in the Old Oakland area, and in 1923 led the other Swedish churches of the East Bay in hosting a visit by the Primate of the Church of Sweden;
- served from the 1940s to the 1970s as the Lutheran Memorial Chapel for the Deaf, before the rise of the modern disability rights and independent living movements;
- since the 1970s has been home to New St. Paul Missionary Baptist Church, serving the Lafayette Square neighborhood with a community ministry to the hungry and homeless; and
- has been designated since 1979 as a contributor to the Preservation Park Extension S-7 Historic District.

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

**ATTACHMENT B**

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:** St. Paul's First Swedish Evangelical Lutheran Church,  
later Lutheran Memorial Chapel for the Deaf

**COMMON NAME:** New St. Paul Missionary Baptist Church

**ADDRESS:** 1011 Martin Luther King Jr. Way

**DATE BUILT:** 1900-01

**ARCHITECT:** D. Franklin Oliver; builder Ben O. Johnson

**ORIGINAL USE:** Church

**PRESENT USE:** Church and community service

**PARCEL NUMBER:** 002 0023 007 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 Advisory Board,  
Oakland, California: October 14, 2002

**ATTEST:** s/ Betty Marvin for Joann Pavlinec, Secretary