5. HISTORIC PRESERVATION & URBAN DESIGN

STRATEGIC STATEMENT

Berkeley has one of the few intact examples of a pre-World War II downtown of its size in California. Our Downtown has an exemplary and vital heritage of historic buildings in a wide variety of architectural styles and scales. However, Downtown is an incomplete cityscape. It has within it many underused and nondescript properties, and it needs many public improvements.

- Preservation planning and utilization of historic resources have very important benefits:
  - Countless studies in America and Europe have shown that historic preservation is good for the economy and for property values.
  - Berkeley can and should capitalize on Downtown’s potential for cultural tourism by celebrating its historic character, not just through planning but also through civic improvements and ongoing programs and activities.
  - Older buildings tend to offer distinctive retail spaces with taller ceiling heights, deeper retail space, and lower parking requirements.
  - Older buildings provide much of Berkeley’s best, most affordable, and most family-friendly housing.
  - Conserving existing buildings typically is very “green.” Preservation and rehabilitation use fewer natural resources and less “embodied” energy than new construction, and keep demolition waste out of landfills.
  - Preservation helps retain a community’s distinct character and creates a tie with the past that establishes community and builds roots. The tangible presence of buildings and sites that speak of other people and other times is a form of history and enables us to chart some of the paths to the present and future.

Urban design policies, and appropriately located and designed new development, also have very important benefits:

- New construction can fill the gaps within our historic Downtown, heal the scars posed by unsightly properties, and both strengthen and help energize the cityscape.
- New construction and the renovation and adaptive reuse of existing buildings give needed scope for the exercise of design talents and creativity.
New construction and the renovation and adaptive reuse of existing buildings encourage pursuing new ideas such as energy-saving designs or innovative construction techniques.

New construction and the renovation and adaptive reuse of existing buildings can enable providing needed new housing.

Urban design policy guides and stimulates new developments that are necessary for revitalization and evolution of Downtown’s economy and cultural uses.

Urban design policy strategically employs public improvements to complement private development and achieve an enhanced urban environment for citizens and visitors.

The cityscape of the Downtown plan area is complex. It contains numerous and diverse subareas. Some of them have a strong visual identity, and these tend to involve very noticeable concentrations of historic buildings. Downtown’s most important historic subarea of all generally includes the buildings along Shattuck Avenue from about University Avenue to Durant, and will be referred to here as “Central Shattuck.” Despite some unfortunate remodelings, this “Main Street” has retained its basic visual character. (A map showing "Recognized & Potential Historic Resources" is provided at the end of this chapter.)

Another particularly important historic subarea is the Civic Center. The Landmarks Preservation Commission may in future determine some additional subareas to be historically significant, especially within the Downtown plan area’s extensive residentially zoned sections.

Other parts of Downtown contain fewer historic buildings and lack a strong visual identity. Substantial demolition and rebuilding has occurred since 1950 along many side streets, where parking lots or other open uses interrupt the urban fabric.

A balanced urban design strategy should include both preservation and infill development, and should (a) conserve with special zeal the character of subareas including in particular Central Shattuck that have a strong historic character, while recognizing that sensitive infill development, including where appropriate intensification of some designated Landmarks, can occur there, and (b) channel much of Downtown’s new development into sections that now lack a strong visual identity.

To help accomplish those aims, two distinct regulatory approaches as to preservation and design are needed: one for subareas including especially Central Shattuck that have a strong historic character, and one for Downtown development outside those subareas.
For the strongly historic subareas including notably Central Shattuck, the City’s current design guidelines should be strengthened so as to better protect and reinforce the overall character of the subarea as such. Furthermore, the Landmarks Preservation Commission should consider designating the subarea as a Historic District. This could very valuably supplement the ongoing practice of designating individual properties as Landmarks or Structures of Merit. Recent years’ additions to the Berkeley Main Library and the Francis K. Shattuck Building (at 2100 Shattuck) illustrate some ways that design can both respect and enhance the Central Shattuck subarea.

For the rest of the Downtown plan area, the existing design review and landmarking processes should be used to protect individual historic buildings and the general Downtown cityscape, while allowing for a lively variety of good architecture.

The design guidelines in general do, though, need to say more about resource-efficient design and long-lasting materials and multifamily housing. (See Policy HD-4.6.)

As implied above, the answer to “What should a new building look like?” will often vary greatly from place to place. For instance, within the Central Shattuck subarea designers should pay especially strong attention to the context (including the adjacent properties and the subarea as a whole). A design can be both highly contextual and quite creative.

The urban design strategy should also strongly influence the shaping of zoning patterns and standards. This is especially important as to building-height controls, which unless suitably crafted could seriously jeopardize preservation goals in some places while unduly restricting development in others.

Downtown Berkeley needs many improvements to the vital public realm that consists of streets and open spaces. Public improvements in general should actively support the basic strategy described above. For example, in the Central Shattuck subarea light fixtures and other street furniture should be designed to reflect and reinforce this subarea’s strong historic character. (See also “Streetscapes and Open Space” chapter.)

The University can play a major role in enhancing the cityscape through development of its extensive and strategic Downtown landholdings, to the joint benefit of town and gown. UC development should be integrated closely and sensitively into the regular urban fabric of Downtown. At the same time, it should include suitable park-like features that would help relate Downtown to the main campus and/or Ohlone Greenway.
GOALS & POLICIES

GOAL HD-1: CONSERVE DOWNTOWN’S HISTORIC RESOURCES AND UNIQUE CHARACTER AND SENSE OF PLACE.

Policy HD-1.1. Retain Landmarks and Structures of Merit resources in Downtown, and ensure that necessary seismic retrofit, accessibility, and other safety improvements are made to them.

Policy HD-1.2. Designate, where appropriate, additional properties as Landmarks or Structures of Merit. The City will assist efforts to identify and evaluate resources that may deserve such recognition.¹

Policy HD-1.3. When substantial alterations are proposed for buildings over 40 years old, the City will encourage the restoration and repair of lost or damaged historic features whenever feasible and appropriate.

Policy HD-1.4. Encourage adaptive reuse of older buildings by promoting their rehabilitation, and allow intensification, where appropriate.

Policy HD-1.5. Ensure that in any intensification of historic buildings, the historic facades are maintained/rehabilitated, the character and scale of the addition are compatible with the historic building, and the Secretary of the Interior’s Standards for rehabilitation are met. As one way to help achieve compatibility, require that upper-story additions be set back in cases where this would be appropriate. The historic building with its addition(s) should contribute to the spatial definition of streets and public open spaces, as is typical of traditional urban places. (For more on the Secretary of the Interior’s Standards, see "Background" discussion at end of this chapter.)

Policy HD-1.6. Use public communications to enhance citizen awareness of Downtown’s architectural heritage and of its unique historic circumstances, as summarized in 2007 Historic Context Statements. (See "Background" discussion which appears later in this chapter.)

¹ Note: Additional analysis will be needed to determine with certainty the merit of resources that were noted as “Contributing” (or in some cases notes as “Significant”) in the 1990 Plan but have not been designated as Landmarks or Structures of Merit. Ongoing efforts and analysis may elevate some of these to designated Landmarks or Structures of Merit. Other undesignated properties that were noted as “Contributing” or “Significant” in the 1990 Plan may be deemed to be not historic after evaluation required under CEQA and vetting through local procedures. (For a more extensive discussion, see “Background” statement later in this chapter.)
Policy HD-1.7. To reduce development pressures in residential-only areas, promote the rehabilitation of older structures, help conserve the scale of their historic fabric, and preserve the many remaining historic buildings, implement maintain the R-2A designation and downzone R-4 areas to R-3, where shown on the Land Use Map.

Strengthen zoning standards to assure visible entrances, porches and stoops, street-facing windows, and landscaped yards on residential streets.

Policy HD-1.8. To promote historic preservation and adaptive reuse, consider a full range of other policy tools and incentives, such as expedited permit processing, relaxation of some parking and other zoning standards, and facade improvement loans and/or grants.

GOAL HD-2: PROTECT AND STRENGTHEN SUBAREAS OF SPECIAL CHARACTER WHERE HISTORIC RESOURCES ARE CLUSTERED.

Policy HD-2.1. Employ regulations and other programs to protect and reinforce the character of discrete subareas where historic resources are concentrated, while also recognizing that sensitive change may occur within such subareas.

Policy HD-2.2. Ensure that within subareas where historic resources are concentrated, building alterations and new construction are designed with especially strong respect for their surroundings.

Policy HD-2.3. Use streetscape and open space improvements to reinforce the character of historic subareas. (See also "Streetscapes & Open Space" chapter.)

Policy HD-2.4. The Landmarks Preservation Commission may, as appropriate, designate one or more historic subareas (in addition to the present Civic Center) as Historic Districts, in accordance with DAPAC’s twin goals of preserving historic structures and encouraging new and complementary development. The City should support in the preparation of necessary historic district documentation for consideration by the Landmarks Preservation Commission.

Policy HD-2.5. In particular, the Landmarks Preservation Commission should consider designating a Historic District that would generally include the buildings along Shattuck Avenue from University Avenue south to Durant Avenue.

2 Revise to include related policies adopted in Land Use.
GOAL HD-3: PROVIDE CONTINUITY AND HARMONY BETWEEN THE OLD AND THE NEW IN THE BUILT ENVIRONMENT.

Policy HD-3.1. Ensure that new construction complements Downtown’s historic character.

Policy HD-3.2. New construction and building alterations should meet streets and public spaces in contextual ways that create a rewarding and pedestrian-oriented public realm.

Policy HD-3.3. New construction and building alterations should use entry patterns, fenestration/transparency, cadence/modulation, materials, cornice lines, massing, and other appropriate devices to respect and complement their context.

GOAL HD-4: ENCOURAGE APPROPRIATE NEW DEVELOPMENT IN DOWNTOWN.

Policy HD-4.1. Support, where appropriate, new development on non-noteworthy properties to contribute to Berkeley’s tradition of architectural excellence.

Policy HD-4.2. Recognizing that Downtown’s commercial cityscape is not homogeneous in building height, massing, or scale, allow for continued variety that respects the context of Berkeley’s Downtown.

Policy HD-4.3. Promote the potential for more buildings that support sustainable urban development and improve social, economic, and cultural vitality in Downtown.

Policy HD-4.4. Support design creativity in development that promotes active, interesting, and pleasing streetscapes and street-level commercial spaces.

Policy HD-4.5. All new construction and building alterations should be of the highest quality.

Policy HD-4.6. Use the existing Downtown Design Guidelines but amend them to:

a) Strengthen contextual provisions where historic resources are concentrated, while promoting a variety of architecture -- of excellent design -- in subareas with relatively few historic resources. (See also Policies HD-2.1 and HD-2.2.)

b) Add language to address the design of new multi-family housing that attracts a variety of people to live Downtown.
c) Add provisions to support and require buildings that have resource-efficient design and long-lasting materials, consistent with Environmental Sustainability chapter policies.

d) Encourage visually interesting, economically viable, and physically adequate retail spaces.

Policy HD-4.7. Ensure that proposed new developments will not have significant adverse impacts on views from and solar access to important public spaces.

GOAL HD-5: IMPROVE THE VISUAL AND ENVIRONMENTAL QUALITY OF DOWNTOWN, WITH AN EMPHASIS ON THE PEDESTRIAN ENVIRONMENT. EMPHASIZE PEDESTRIAN ENVIRONMENTS THAT ARE ACTIVE, SAFE AND VISUALLY ENGAGING.

Policy HD-5.1. Improve the pedestrian experience and the aesthetic quality of the Downtown environment. Street trees and greenery should be added throughout Downtown. (See also Policies OS-1.1 and OS-1.2.)

Policy HD-5.2. Create and enhance streetscapes, plazas and other urban spaces to enhance the pedestrian environment and increase the number of people who will use Downtown. Sidewalks and streetscapes in historic subareas should complement the scale and architectural quality of Downtown architecture. (See also Policies OS-1.1 and OS-1.2.)

Policy HD-5.3. Create a major public gathering and green space in the heart of Downtown, on Center Street from Shattuck Avenue to Oxford Street. (See also Policy OS-1.2.1.)

Policy HD-5.4. Encourage street-level entrances and designs, as well as facade remodeling, which contribute to the pedestrian environment. In commercial areas, buildings should generally maintain the urban tradition of no setbacks from the street. (See also Policy OS-3.2.)

Policy HD-5.5. Enhance the quality of the pedestrian environment by encouraging north-to-south midblock walkways and midblock landscaped open spaces across the long blocks that flank Shattuck Avenue. (See also Policies OS-3.1 and OS-3.3.)

GOAL HD-6: ENHANCE AND IMPROVE THE PHYSICAL CONNECTION BETWEEN DOWNTOWN AND THE UNIVERSITY OF CALIFORNIA.

Policy HD-6.1. As part of University development west of Oxford Street, bring park-like features of the main campus into Downtown.
Policy HD-6.2. Expand the network of green spaces and bicycle paths by extending the Ohlone Greenway to Oxford Street and the UC Campus. (See also “Streetscapes and Open Space” Policy OS-1.2.9(a).)

Policy HD-6.3. Create a more direct pedestrian connection between Walnut Street north and south of the State Health Services site.

Policy HD-6.4. Encourage midblock pedestrian connections between University Avenue and Center Street, as part of future UC development.

Policy HD-6.5. To provide a transition between the park-like campus and the urban Downtown, Oxford Street should be designed as a green boulevard, with active building fronts along the west edge of Oxford. (See also “Streetscapes and Open Space Policy OS-1.2.2.”)

Policy HD-6.6. The University should respect historically important buildings, and strive to integrate them within its development, using the Secretary of the Interior’s Standards, and consult early in the development design process with appropriate City agencies.

Policy HD-6.7. Along street frontages of University buildings within Downtown, the ground floor should be pedestrian-friendly, and provide transparency. Encourage active, publicly-accessible groundfloor uses. (See related policies in Land Use and Access chapters.)
BACKGROUND

A longtime core value of the City of Berkeley has been preservation of its cultural heritage, especially as that heritage is manifest in its historic buildings. Downtown Berkeley has the City’s largest collection of historic commercial buildings, as well as many historic residential or civic structures.

In the mid-19th century Francis Kittredge Shattuck and his brother-in-law George Blake acquired huge strips of land, flanking today’s Shattuck Avenue, that would include most of the 2007 Downtown plan area. Downtown’s early development was stimulated especially by the opening of a railroad spur line in 1876 to stations that were located at Dwight Way and at what is now known as Berkeley Square. Shattuck was made into a very wide street to accommodate the train tracks in addition to horses, carriages, and pedestrians. The City of Berkeley was incorporated in 1878, by which time most of Downtown’s street pattern had been clearly established. In the 20th century’s first decade or so, dramatic growth and rebuilding were stimulated by electric rail service, which linked Berkeley to Oakland and San Francisco; by the move of many San Franciscans to the East Bay after the 1906 earthquake and fire; and by growth of the University of California. Downtown Berkeley experienced another strong wave of development in the 1920s. There was much less development during the Great Depression, although some of Downtown’s finest historic buildings such as the Public Library and the Kress Building date from the 1930s.

The core of Downtown Berkeley escaped much of the redevelopment that affected many California cities during the 1960s and 1970s. Some demolition and new construction did occur along Shattuck during the BART construction era from about 1966 to 1972, when two early-1900s large structures at Shattuck and Center were torn down and replaced by the present high-rise Great Western building (at the southwest corner of Shattuck and Center) and suburban-style Bank of America building (at the northeast corner of Shattuck and Center). Recent development has occurred mainly on side streets east and west of Shattuck, or on Shattuck’s lower portion south of Durant. The scale, massing, and visual character of most of Shattuck itself—and many other parts of the plan area—remain much as they were in the 1930s. Downtown’s character is largely due to the fact that so many of its buildings were constructed between 1900 and 1940 and so many of them have basically retained their historic appearance. They also relate to the street in traditional urban ways in keeping with the character of their time. For instance, commercial buildings fronted directly onto the public sidewalk, rather than being set back to accommodate automobile parking.
Partially in response to the demolition of some important historic buildings in Downtown, the City adopted the Landmarks Preservation Ordinance (LPO) in 1974. This ordinance authorizes the Landmarks Preservation Commission (LPC) to designate properties as Landmarks, Structures of Merit, or Historic Districts and gives it regulatory power over the properties it designates. Between 1974 and the present, 63 properties within the expanded Downtown plan area have been designated as Landmarks. Three have been designated as Structures of Merit.

Nine properties (all of them also City-designated Landmarks) have gone through the separate process to be individually listed on the National Register of Historic Places. A number of properties are contained within the Civic Center Historic District that is listed on the National Register. The City has also designated the Civic Center Historic District, under the LPO.

In 1977–1979 the Berkeley Architectural Heritage Association (BAHA) in conjunction with the City, with grants from the State Office of Historic Preservation and the San Francisco Foundation, did a survey and documentation of about 650 structures and sites throughout Berkeley. This well-regarded survey was accepted by the State and is referred to as the State Historic Resources Inventory (SHRI).

The SHRI was a representative survey of Berkeley’s historic resources rather than a full compendium. It did include a particular focus on the Downtown business district, where development pressure had led to the demolition of older buildings. The SHRI gathered a significant amount of information on a great many of Downtown’s buildings.

In 1987, BAHA assembled all available information on historic resources in Downtown into a single report, entitled “Historic Survey of Downtown.” This document contained all the forms that had been completed by the SHRI for structures in the 1990 Downtown plan area. The report also contained a list of “Historically Significant Buildings Downtown with State Inventory or other documentation” (virtually all of these being ones on the SHRI). It provided various other useful material, including a “Downtown Property List” that gave year of construction, architect if known, and some other data for all Downtown buildings (even those omitted by the SHRI). There were also several maps, including one that showed the properties it classified as:

City Landmarks (and in some cases also “National Register”),

Included on State Inventory [but not landmarked], or

Contributing.
There were some unexplained discrepancies between this map and the report’s own list of “Historically Significant Buildings Downtown with State Inventory or other documentation.” They presumably were due simply to mistakes in drawing the map.

The “Contributing” properties were defined in BAHA’s 1987 report as:

Properties [that] could be considered contributing to the existing fabric of downtown by virtue of age, scale, height, massing, materials.

And it appears that the 1987 report envisioned a potential historic district, covering most of the 1990 plan area, to which district those buildings could “contribute.”

In its “Existing Conditions” discussion, the 1990 Downtown Plan referenced (on page 12) BAHA’s “Historic Survey of Downtown” report and the SHRI. The BAHA Historic Survey was also cited as the source of the Downtown Plan’s Figure 1.1, “Downtown Historical Structure Locations” (page 13). This map had three resource categories:

- Landmark Building - City and/or National Register,
- Significant Structure (BAHA), or
- Contributing Structure (BAHA).

These evidently corresponded to the three resource categories of the previously described map in the 1987 BAHA report. The two maps were virtually identical as to which buildings they showed in each category.

In 1993 the Landmarks Preservation Commission adopted a list entitled “Historically Significant Buildings in the Downtown.” This was described as “the . . . Commission’s list of buildings which have been either officially designated City of Berkeley Landmarks or appear to be eligible for designation, based on preliminary research . . . because of their cultural, architectural or historic contribution to the city, state or nation.”

Comparison with the 1987 BAHA report’s “Historically Significant Buildings . . .” list shows that the LPC’s 1993 list added some buildings. On the other hand, it omitted the Great Western building.

In 1994 the Planning Commission formally adopted the document entitled “Downtown Berkeley Design Guidelines.” (Design review is required for new construction and exterior alterations in all commercial zones, and in the case of commercial or mixed-use projects in the R-4 District.) This document has continued to provide valuable and comprehensive guidance on diverse aspects of both alterations and new construction. Its chapters on various topics distinguish between guidelines for “Landmark Buildings,” “Significant Buildings,” and “All Buildings.” The document contains lists of the
Landmark Buildings and Significant Buildings—and a map depicting these. (The map cautioned that “This map may change over time as new buildings are designated . . .”)

Comparison with the above-described 1987 and 1993 lists reveals that the Design Guidelines’ list omitted a number of structures, such as the Constitution Square Building at 2168 Shattuck and the Hinkel/Hulbert (“Edy’s”) Block at 2201 Shattuck. On the other hand, it added some buildings, such as those at 1941 and 2001–2003 University Avenue.

In 2006, Architectural Resources Group (ARG) was selected by the City to evaluate and advise regarding historic resources in the expanded Downtown plan area. One task done by ARG has been producing a set of “Context Statements,” a tool that is very important for assessing the merits of potential resources. The Context Statements prepared by ARG in 2006–2007 are organized by a number of distinct major historic themes, such as “Transportation,” “Commerce,” “Commercial Architecture,” “Residential Development,” and “Health and Medicine.”

ARG has also conducted a “Reconnaissance Survey” involving roughly 500 structures within the overall plan area, as well as about 100 structures located just outside its boundaries. ARG’s work has focused on attributes recognized by the State Office of Historic Preservation as important for evaluating resources. However, ARG has had insufficient budget to perform a definitive level of analysis for any structure (such as identifying alterations precisely using historic photos).

One attribute applied by ARG was historical “integrity,” which is an important factor in analyzing historic resources. (For example, to be listed in the National Register of Historic Places, a property must not only be shown to be significant under the National Register criteria of significance, but it must also have integrity.) The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property's physical features and how they relate to its significance. To have historical integrity, a property need not be pristinely unaltered. Rather, it needs to retain enough of its historic character or appearance to convey its particular significance.

ARG rated nearly all of the study area’s pre-1961 buildings as having either “High,” “Good,” “Fair,” or “Poor” integrity. Subcommittee members have cited a number of structures where they disagreed with ARG’s assessment of integrity. In any case, though, ARG has emphasized that its integrity ratings are just “preliminary.”

In the City of Berkeley, some properties that may not retain sufficient integrity to qualify for the National Register may still be eligible for local designation as a Landmark, Structure of Merit, or part of a Historic District.

It must also be realized that some buildings have potential to regain historical integrity by reversing harmful remodelings that departed from the building’s prior character. The
Joint Subcommittee asked ARG to look for such “opportunities” to recover lost character, but ARG replied that its budget was too limited to enable identifying them.

Supplementing ARG’s work is the field survey that City staff did in 2006 in the expanded plan area’s “new” sections—that is, the portions that were not covered by the 1990 plan area. (Most of these are residentially zoned but they also include substantial commercial zoning along Shattuck Avenue from Durant to Dwight, and at and adjoining the Health Services site north of Berkeley Way.) Here, staff rated quite a number of buildings as either “significant” or “contributing.” However, staff regards these ratings as tentative.

A map showing Historic Resources and Development Opportunity sites (appearing at the end of this chapter) provides a partial summary of the overall situation. It distinguishes the following classes of individual properties:

- “Designated Landmark or Structure of Merit.” This includes the properties so designated as of August 27, 2007.
- “Significant per BOTH LPC List and Design Guidelines.” The previously described 1993 LPC list of significant buildings and 1994 Design Guidelines’ comparable one are the latest such officially adopted comprehensive listings. Each of them is for the existing Downtown Plan’s plan area. Although the listings are mostly identical, some buildings are on one but not the other (the differences cut both ways). A building’s presence on BOTH lists appears to indicate broad consensus about its significance.
- “Building on the SHRI.” This consists of buildings (other than those in the above two categories) recorded by the well-regarded SHRI of 1977–1979. But it excludes SHRI buildings that have been demolished.

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3 Special thanks to John English for helping to develop this map and in greatly enhancing the accuracy of the “Reconnaissance Survey” performed for all Downtown properties (available on request). Staff’s redrafting is identical to English’s map except that it separates the 1987 BAHA report from the same category as the Council-adopted Downtown Plan and Downtown Design Guidelines, and the LPC adopted Downtown List -- the practical effect results in the use of a note (rather than color) on “Building C” of the Berkeley High School campus. In addition, staff’s analysis of development opportunity sites focuses on vacant lots, parking lots, and one-story buildings that are not historic or may not be historic pending analysis of “Contributing” structures shown in the 1990 Downtown Plan; staff’s analysis of development opportunity sites does not include multi-story buildings in disrepair, which appear in the English map.
“Other Building Called Contributing or Significant by BAHA Report, Downtown Plan, LPC List, or Design Guidelines.” Many of these are buildings—such as several structures (including McDonald’s) near the northwest corner of Shattuck and University—that the present Downtown Plan shows as “contributing.” Among the others are buildings that the LPC’s list called significant but the Design Guidelines did not, or vice versa. Within the Berkeley High School campus, Building C was identified as significant by the 1987 BAHA report.

“Building Called Contributing or Significant by Staff Survey.” Virtually all of these are located outside the 1990 plan area.

“Development Opportunity Site Apparently Containing No Historic Resource.” The mapping of these sites is tentative and illustrative. Virtually all of them involve one-story buildings, parking lots or other open uses, or vacant land. Properties with two-or-more-story buildings are shown in a few special cases, such as the Banway Building (2113 Bancroft between Shattuck and Fulton) and the Center Street Garage (both of which have serious seismic problems).

“Existing Development Assumed to Remain.” This mapping, too, is tentative and illustrative. It attempts to show properties (other than historic resources) on which the present physical structures will likely remain basically unchanged during the plan period.

In addition the map depicts the boundary of the Civic Center Historic District. It also shows which portions of the plan area are now in the R-2A zoning district, which is relatively low-density and thus helps protect the historic buildings in it, or in the R-4 district, which is high-density and thus tends to make the historic buildings in it more vulnerable.

The patterns revealed by the map are very pertinent. Among them is a strong clustering of historic resources along Shattuck from about University to Durant, as well as in the Civic Center area.

The “Development Opportunity Site[s] Apparently Containing No Historic Resource” are quite numerous. They form particularly strong patterns in the general Oxford/Fulton corridor, along Shattuck south of Bancroft or Durant, and at various places along University Avenue and Berkeley Way. It is quite plausible that new construction, or at least intensification, might also occur on some of the sites that the map shows in other categories, such as “Other Building Called Contributing or Significant by BAHA Report, Downtown Plan, LPC List, or Design Guidelines.”
Though there is still no absolutely complete or “definitive” survey of the plan area’s historic resources, this should not excuse reticence about protecting them. The perfect should not become the enemy of the good. The various past surveys and the work by ARG already give us, in combination, a wealth of information. While there are gaps and some inconsistencies, these can be addressed on a focused or case-by-case basis.

Much of this can be handled through the review process for specific development projects. A building that is on a “local register” of historic resources is presumed to be a “historical resource” for the purpose of CEQA analysis “unless the preponderance of evidence demonstrates that it is not historically or culturally significant” (CEQA Guidelines Section 15064.5(a)(2)). Thus for example if a development application were filed to demolish or alter one of the buildings that the 1990 Downtown Plan showed as “contributing,” the LPC would take a closer look at the property. Upon doing so it could, in some cases, find either that the building is not actually significant or (where only alteration is proposed) that the alteration would not significantly detract from the building’s historical value. If so, the project likely could then proceed with a Mitigated Negative Declaration or perhaps even a simple Negative Declaration.

The LPC has had long experience of involvement in such matters and, in this, has proven itself to be both conscientious and reasonable.

Meanwhile the landmarking of additional buildings, and even active consideration by the LPC of establishing one or more Historic Districts, can and should proceed. When designation proposals are made for specific properties, additional research will need to be done, to the satisfaction of the LPC. In the case of designation of a Historic District, the LPC will decide the precise boundaries, the period or periods of significance, and the identity of the particular buildings within the district that are either contributors or noncontributors.

Some persons have suggested that design review within historic subareas could be sufficiently improved by making subarea-specific amendments to the Design Guidelines. Under this approach there would be two separate design review tracks. For any and all specific properties that happen to be designated as Landmarks or Structures of Merit, the design review would be done, as now, by the LPC. For all other properties within the subarea, design review would continue to be handled by the Zoning Adjustments Board’s Design Review Committee (or in some cases by staff).

But that two-track arrangement invites potential inconsistency and conflicts. A historic subarea is likely to contain within it a number of designated Landmarks or Structures of Merit closely interspersed with various properties that have not been so designated. In such cheek-to-jowl situations it makes little sense to have a landmarked property handled
by one body but its immediate neighbor by a different body. It is vital to deeply
understand, and consistently implement a vision for, the subarea as a whole. For a
“historic” subarea the body with the proper expertise and mission is, by definition, the
LPC—and the aptest tool is, also by definition, a Historic District. The LPC is
responsible for design review for all properties within designated Historic Districts.

That is not something to be feared by architects, applicants, or owners. Design review as
such is already required for all properties in all commercial zones. Even in many cases
where the Design Review Committee now has the basic role, proposals already also get
referred for comment to the LPC. Designating a Historic District could help applicants by
simplifying the review process and avoiding separate and inconsistent “readings.”
Furthermore, being in a clearly recognized Historic District has its own potential
economic benefits. In city after city such districts have been good for business.