

	<p><b>Proposal:</b>  <b>Case File Number /Location/ City Council District /Zoning:</b></p>	<p><b>Mills Act Contract Applications by owners.</b></p> <ol style="list-style-type: none"> <li>1) MA20-001: <b>676 Longridge Rd.</b> (APN 11-883-45); City Council District 2, Zoning RD-1</li> <li>2) MA20-002: <b>322 (318-334) Broadway</b> (APN 1-139-14); City Council District 3, Zoning C-45/S-4</li> <li>3) MA20-003: <b>1186 Trestle Glen Rd.</b> (APN 23-437-3-1); City Council District 2, Zoning RD-1</li> <li>4) MA20-004: <b>926 Rosemount Rd.</b> (APN 11-891-15); City Council District 2, Zoning RD-1</li> <li>5) MA20-005: <b>2804 Adeline St.</b> (APN 5-456-23); City Council District 3, Zoning RM-2</li> <li>6) MA20-006: <b>724 Campbell St.</b> (APN 6-3-24); City Council District 3, Zoning RM-2</li> <li>7) MA20-007: <b>326-28 Henry St.</b> (APN 4-103-26); City Council District 3, Zoning RM-2</li> <li>8) MA20-008: <b>5738 Picardy Dr.</b> (APN 38-3171-22); City Council District 6, Zoning RD-1</li> <li>9) MA20-009: <b>669-71 24th St./674 23rd St.</b> (APNs 8-663-17, 8-663-6); City Council District 3, Zoning RU-1, RU-5</li> <li>10) MA20-010: <b>369 MacArthur Bl.</b> (APN10-785-21-2); City Council District 3, Zoning RU-2/S-12</li> </ol>
	<p><b>Applicant/Owner:</b></p>	<p>Multiple, see individual applications attached</p>
	<p><b>Environmental Determination:</b></p>	<p>Categorically Exempt per CEQA Guidelines Sections: 15301 (Existing Facilities); 15305 (Minor Alterations in Land Use Limitations); 15306 (Information Collection); 15308 (Actions by Regulatory Agencies for Protection of the Environment); 15331 (Historical Resource Restoration/Rehabilitation); Section 15183 (Projects consistent with the General Plan or Zoning).</p>
	<p><b>Action to be Taken:</b></p>	<p>Discuss and select applications to recommend for 2020 Mills Act contracts. Forward to Planning Commission as informational item. Forward recommendations to City Council.</p>
	<p><b>For Further Information:</b></p>	<p>Contact case planner <b>Betty Marvin</b> at <b>(510) 238-6879</b> or by email at: <a href="mailto:bm Marvin@oaklandnet.com">bm Marvin@oaklandnet.com</a></p>

**BACKGROUND**

The Mills Act is a California state law passed in 1972 that allows property owners and local governments to contract for a potential property tax reduction for historic properties, using an alternate appraisal formula. The state law establishes a ten-year perpetually renewing contract term and penalties for non-fulfillment of the contract. Local governments (city or county) that elect to participate design other aspects of their own programs, such as eligibility criteria and work program requirements. Oakland requires that the property have local historic designation (Landmark, Heritage Property, S-7, or S-20) and *commits the owner to spending the amount of the tax savings on a pre-approved, recorded program of eligible improvements* that restore or maintain the historic exterior character of the building or its structural integrity. The relatively small tax benefit gives owners the means and motivation for high quality historically appropriate improvements, and can be especially beneficial for underutilized or undermaintained properties. Such projects further City goals including creation and preservation of housing, reduction of blight, and enhancement of neighborhoods. Oakland has approved 82 Mills Act contracts since the first contracts in 2008.

A two-year pilot Mills Act program was adopted by the Oakland City Council in 2006-07, partly as a recommended action from the West Oakland and Central City East redevelopment plans. In 2009 the City Council expanded the program and made it permanent. The 2009 ordinance authorized a City revenue loss of \$25,000 a year in new contracts, with additional larger quotas for Redevelopment areas (\$250,000 a year in the Central Business District and \$25,000 a year in each other Redevelopment area). Since the abolition of Redevelopment in 2012, the City share of property tax revenue is uniform across the city at 27.28% but the (former) Redevelopment areas continue to be targeted for Mills Act contracts. The ordinance also provides that tax losses may exceed any of these limits with approval of the City Council.

To be eligible for a Mills Act contract, a property must be on an official register of historical resources. (California Government Code [ARTICLE 12. Historical Property Contracts \[50280. - 50290.\]](#)) Oakland's Local Register is an umbrella category for the most significant historic resources in Oakland, whether designated by the Landmarks Board or identified by the Survey. It includes buildings with Oakland Cultural Heritage Survey ratings of 'A' or 'B', buildings in Areas of Primary Importance (APIs), and Designated Historic Properties (DHPs: Landmarks, Heritage Properties, and properties in S-7 and S-20 districts). Properties not already formally designated by the Landmarks Board must concurrently obtain Heritage Property or other designation from the Board.

The Mills Act program uses an alternate method of calculating property taxes for participating properties based on the income method of appraisal. In this method, property value is extrapolated each year from actual or estimated potential rental income, using a capitalization rate or multiplier. Under the Mills Act the capitalization rate, usually around 10%, is adjusted for "historic property risk" by 4% for owner-occupied residential properties or 2% for all others, giving potentially a 20 to 40 percent tax reduction to Mills Act ("historical restricted") properties. Assessment may be pro-rated between owner-occupied and income portions of a property, or between historic and non-historic portions ([Revenue and Taxation Code - RTC / ARTICLE 1.9. Historical Property \[439. - 439.4.\]](#); State Board of Equalization, <https://www.boe.ca.gov/proptaxes/pdf/lta05035.pdf>).

Important features of the Mills Act program, established by the state legislation and incorporated into Oakland's Mills Act contracts, include:

- The Mills Act program is a voluntary program.
- The Mills Act contract is between the City and the owner of a designated historic structure.
- The initial contract is for 10 years. At the end of each year, the term is automatically extended one year, unless the owner or the City gives notice not to renew. If notice of non-renewal is given, the contract remains in effect for the balance of the current 10-year term.
- The agreement provides for periodic inspections to determine compliance with the contract.
- The penalty for breach of contract is 12.5 percent of the current property value.
- The basic state requirement is that the owner preserve, rehabilitate, and maintain the historical and architectural character of the property. Oakland's program further requires that the tax savings be invested back into the property according to a work program that is recorded with the contract.

- The contract runs with the property, that is, its benefits and obligations automatically transfer to each new owner and the property is not reassessed to full market value upon sale.
- The amount of tax reduction depends on a number of variables. The largest tax reductions usually occur for properties purchased or reassessed in recent years and at high market values. For properties with existing low assessments, taxes cannot increase due to a Mills Act contract, but it is possible that they will not decrease.

## CONTRACT CONDITIONS, ALL PROPERTIES

*The Secretary of the Interior's Standards for Rehabilitation* are incorporated as conditions in the Mills Act agreement (Attachment 11), and apply whenever work is submitted for permits to carry out work program items. Especially in regard to windows, a significant item in most of the proposed work programs, attention is called to Standards 5 and 6:

- 5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.**
- 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.**

*The Model Mills Act Agreement* (8 pages, Attachment 11) spells out obligations and procedures:

“...Both Owner and City desire to enter into an Agreement to preserve the Property so as to retain its characteristics of cultural, historical and architectural significance and to qualify the Property for an assessment of valuation pursuant to Section 1161 of the Revenue and Taxation Code of the State of California. ....

**4) Preservation/rehabilitation and Maintenance of Property (California Government Code Section 50281(b)1)** During the term of this Agreement, the Property shall be subject to the following conditions, requirements and restrictions:

**a.** Owner(s) agree to preserve/rehabilitate and maintain cultural, historical and architectural characteristics of the Property during the term of this Agreement as set forth in the attached schedule of improvements, which has been reviewed by the Landmarks Preservation Advisory Board and approved by the City Council.... No demolition or other work may occur which would adversely impact the cultural, historical and architectural characteristics of the Property during the term of this Agreement.

**b.** All work on the Property shall meet, at a minimum, the Secretary of Interior's Standards for Rehabilitation of Historic Properties, the Office of Historic Preservation of the Department of Parks and Recreation ..., the Minimum Property Maintenance conditions ... the State Historical Building Code as determined as applicable by the City of Oakland and all required review and conditions of the Landmarks Preservation Advisory Board, the Planning Commission, the City Council, and/or the Department of Planning and Building of the City of Oakland.

## 2020 MILLS ACT APPLICATIONS

Mills Act applications are accepted from January to May of each year, to allow time for processing by the City and recording with the County by December 31. Ten completed Mills Act applications were submitted this year and are before the Landmarks Board for review. All ten are also applying for Heritage Property designation at this meeting. As in past years, most applications are for small residential buildings (houses and duplexes). Three applications – MA20-002, -009, and -010 – are for multi-unit adaptive reuse projects involving restoration and expansion of formerly derelict properties, whose potentially larger tax bills and larger revenue reductions may require special Council approval.

### Geographic Distribution and Outreach

The map on the next page illustrates geographic distribution of all current and proposed Mills Act properties. The 2020 applications include three houses and one adaptive reuse project in West Oakland, three houses in Lakeshore-Trestle Glen, and one project each in the Central Business District (commercial building adaptive reuse), Adams Point (house restoration and expansion), and East Oakland (single-family house).

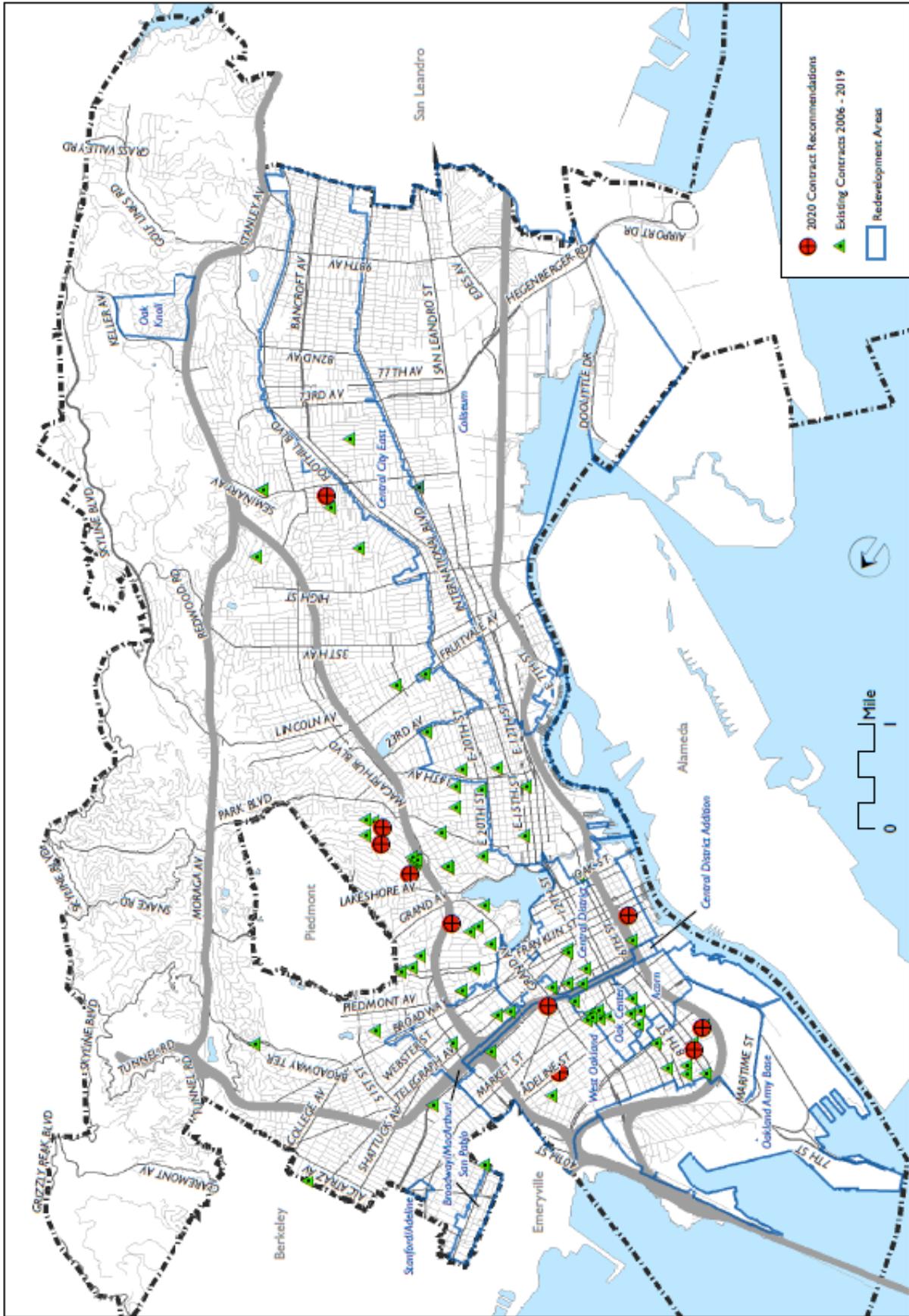
As usual, at least 100 inquiries about the program were received from all parts of Oakland during 2019-2020, and a larger group than usual followed up with complete applications. Applicants heard about the program from neighbors, real estate agents, neighborhood and preservation organizations, and the City website. In addition, staff mentions the program whenever contacted by owners, permit applicants, or real estate agents about seemingly eligible properties, and planners actively encouraged this year's three adaptive reuse applicants to consider using the Mills Act to support historically appropriate exterior restoration of these significant but challenging properties.

### Historic Preservation Staff Review

Selection criteria for Mills Act applications were developed by a Landmarks Board committee and adopted by the Board during the first year of the Mills pilot program, to screen and rank applications, as well as to direct applicants as they develop their applications. Evaluation focuses on:

- *significance* of the property;
- immediate *necessity* of the work to prevent deterioration;
- *scope* of the work in relation to the estimated tax reduction;
- *visibility* of the work proposed, to act as a catalyst for neighborhood revitalization;
- *neighborhood* diversity, to spread the program to as many neighborhoods as possible;
- *building type* diversity, to illustrate use of the Mills Act for different types of properties;
- *thoroughness* of the application above and beyond being minimally complete.

Staff is recommending selection of all ten 2020 Mills Act contract applications, as satisfying the applicable criteria for both Heritage Property designation and Mills Act participation. The Class of 2020's Mills and Heritage applications are all well researched, documented, and explained, four properties are in the targeted area of West Oakland, and at long last there is an application from Picardy Drive. Further details are provided in the individual property summaries on the following pages and in the full applications, Attachments 1 through 10.



Planning & Building Department  
June 2020



# Mills Act Contracts and Contract Recommendations

## Financial Impacts - 2020 Mills Act Applications

A simple calculator on the City website <https://www.oaklandca.gov/search?query=mills+act> allows applicants to make a *rough estimate* of tax outcomes: see table of estimates for 2020 applicants on the next page. Based on Alameda County records and information from applicants, columns 2 and 3 list the current assessed value and ad valorem property tax for each property (note that special assessments – about \$1000 to \$1500 a year for most properties - are not affected by the Mills Act and are not reflected in the table). Column 4 lists the *estimated* Mills Act ad valorem tax, using the state formula based on square footage and hypothetical or actual rent. Column 5 lists the difference between current taxes and the *estimated* tax under the Mills Act. The City receives approximately 27.28% of ad valorem property taxes. Column 6 is 27.28% of the estimated change in taxes due to the Mills Act calculation, being the estimated first-year reduction of property tax revenue to the City.

In addition to the one-size-fits-all estimates from the calculator, over the years some applicants have provided their own calculations – some higher, some lower - based on conversations with the Assessor or on personal research into likely market rents. Though there have been no major discrepancies for small residential properties, the range of estimates confirms the rough nature of these figures, especially as 2020-21 assessments have not been published at the time of this report and the 2021-22 Mills Act or “historical restricted” assessments based on market rents will not be calculated by the county until 2021. The three adaptive reuse projects, in addition, are still assessed in their quasi-derelict state, so their actual future assessments will depend on many factors: rents in the completed project, construction costs, proration between historic and new construction, and the likely higher quality of the finished project due to Mills Act funds and work program commitments.

Since the Mills Act program was created by the legislature in the 1970s, and even since Oakland’s program was adopted in 2007-09, tax outcomes of the Mills formula have been affected by changes in the California real estate market. Inflation of real estate prices and the Proposition 13 system under which properties are reassessed to market value only at change of ownership mean that new owners are likely to benefit much more than long-term owners. Because the Mills Act assessment formula is based on the income method of appraisal (using a hypothetical market rent), the current spike in rental prices means that Mills Act savings may be less than in past years. According to staff at the Assessor’s office in 2016, “higher rents will have an impact on Mills Act restricted assessments. The restricted [Mills Act] assessment will be calculated using market rent as of January 1. An increase in market rents would yield a higher restricted assessment.” Assessment is done property by property in the new tax year (2021). Applicants were advised to put a higher rent per square foot in the calculator (at least \$2.50 to \$3 in 2020, vs. \$1.25 when the calculator was designed by EPS consultants in 2006). Lower Mills Act savings for owners would, of course, also mean less revenue reduction for the City.

*Disclaimer (accompanies calculator on the City website):*

*The online calculator that produces these estimates is an interactive spreadsheet based on the Mills Act formula for tax assessments, which uses a modified version of the income approach to appraisal. It gives a rough estimate of potential tax savings. The City makes no warranties or representations about the accuracy of the calculator – it is an information tool that applicants may use at their sole risk, and does not replace legal counsel or a financial advisor. Actual tax reductions, if any, will be calculated by the County Assessor’s Office after the Assessor has received the executed Mills Act contracts at the end of the calendar year.*

**ESTIMATED TAX RESULTS, 2020 MILLS ACT APPLICATIONS**

1	2	3	4	5	6
Mills Act Application	Assessed Value 2020 (county record - land & improvements)	Current Ad Valorem Property Tax (county rec.)	Mills Act Taxes from calculator (estimate based on ~\$2-3.50/sf rent)	Change in Taxes (current less Mills estimate)	City Revenue Loss, Year 1 (27.28% of tax change)
Small residential properties, citywide:					
MA20-001, Longridge	\$1,597,843	\$21,775	\$10,511	(\$11,264)	(\$3,073)
MA20-003, Trestle Glen	\$675,367	\$9,149	\$4,435	(\$4,714)	(\$1,286)
MA20-004, Rosemount	\$843,587	\$11,547	\$5,228	(\$6,319)	(\$1,724)
MA20-005, Adeline *	\$800,000	\$11,200	\$4,946	(\$6,254)	(\$1,706)
MA20-006, Campbell	\$714,000	\$9,773	\$3,705	(\$6,068)	(\$1,655)
MA20-007, Henry *	\$469,294	\$6,570	\$2,544	(\$4,026)	(\$1,098)
MA20-008, Picardy	\$802,740	\$10,988	\$5,031	(\$5,957)	(\$1,625)
<b>TOTAL small residential</b>	\$5,902,831	\$81,002	\$36,400	(\$44,602)	(\$12,167)
<i>Approximate total small residential tax reductions:</i>				total tax reduction	City revenue
				(\$44,602)	(\$12,167)
Large adaptive reuse projects and multi-unit properties **:					
MA20-002, Broadway	\$4,836,700	\$67,714	\$44,426	(\$23,288)	(\$3,073)
MA20-009, 24th/23rd	4,740,200	\$99,298	\$69,000	(\$30,298)	(\$8,265)
MA20-010, MacArthur	1,970,000	\$27,580	\$8,666	(\$18,914)	(\$5,160)
<i>Approximate total large project reductions:</i>				total tax reduction	City revenue
				(\$72,500)	(\$19,778)
<b>TOTAL Estimated City tax revenue loss, year 1 (tax year 2021-2022)</b>					<b>(\$31,945)</b>

\* Adeline and Henry: new owners, value shown represents purchase price information from owners

\*\* Broadway: applicant’s estimate of future assessed value of historic bldg., based on rehab costs

23rd/24th: applicant’s estimate of annual savings, per work program

MacArthur: applicant’s estimate of future assessed value of historic bldg., based on rehab costs

An estimated reduction of \$12,167 for the 7 small residential properties is well below the annual City revenue loss limit of \$25,000 for new Mills Act contracts (though higher than most past years, due to both inflation and the large number of applications). Three are in the West Oakland Redevelopment Area.

The three large adaptive reuse projects (Broadway in the CBD, 24th Street in West Oakland, MacArthur in Adams Point) appear to produce a combined revenue reduction of approximately \$19,778, for an overall total of \$31,945. This exceeds the \$25,000 limit established in 2007 for properties outside Redevelopment areas by approximately \$7,000, again a very rough estimate.

## 2020 Contracts, 2007 Loss Limit

Staff believes it is reasonable to recommend all ten applications for Mills Act contracts, and to recommend approval of contracts over the \$25,000 “City revenue” limit, for these reasons:

- Inflation: property prices and taxes have risen sharply in the last decade. In 2006 the staff report for the Mills pilot program stated that the “\$25,000 tax loss amounts to 0.03% of the annual [property] tax revenues which total \$85 million.” The City’s published 2019-2024 five-year forecast projected \$222 million in annual property tax revenue, almost three times what it was when Oakland’s Mills Act program was designed. (.03% would be approximately \$67,000)
- Redevelopment area allowances: In addition to the \$25,000 “City revenue” reduction, the 2007 and 2009 ordinances provided substantial additional tax reductions in Redevelopment areas (see page 2) with their separate tax and funding formulas, covering most of Central, West, and East Oakland. Redevelopment was abolished in 2012, but the areas and their area specific plans continue to exist, leaving some ambiguity about the additional Mills tax reductions in those areas. In the future, the Mills program could be formally revised to clarify effects of the end of Redevelopment, or overall reductions could simply continue to be subject to Council approval. Five of the ten applications in 2020 are in Redevelopment areas (four in West Oakland, one in the Central District).
- Rising property values and growing awareness of the Mills program as a way to support rehabilitation and adaptive reuse mean more and larger applications. Council approval was sought and received in 2018 and 2019 to exceed the \$25,000 “City revenue” limit. Three applications in 2020 are for large reuse projects with expected larger tax bills and larger revenue reductions, which could require City Council approval. Two of those three are in Redevelopment areas.
- Until 2017, first-year revenue loss estimates for new contracts were consistently far below even the \$25,000 City revenue limit, ranging from \$1,885 in 2011 to \$10,740 in 2015. In 2018 the \$25,000 limit was exceeded for the first time, with a projected total reduction of \$31,720 divided about equally between seven small residential properties (~\$15,700 total) and two large adaptive reuse projects (~\$16,000 total, one in the Coliseum Redevelopment Area and one in the hills).
- Improvements made under Mills Act work programs raise property values and make up for initial tax losses, even at the lower Mills Act tax rate, especially when projects involve substantial rehabilitation and that might not have been undertaken without the Mills incentive. Mills contract requirements insure high quality, high value, historically appropriate projects.
- Early Mills Act projects for two large Central Business District properties (Cathedral Building, 1605-15 Broadway, 2010; Girls Inc., 512 16th Street, 2011) provided almost immediate revenue gains to the City as these long-underutilized buildings were purchased, improved, reoccupied, and reassessed. The same effect is anticipated from reuse projects submitted in 2018, 2019, and 2020, though it is too early to analyze tax results. Large projects are typically finished, in service, and back on the tax rolls sooner than more gradual ten-year homeowner projects.
- The City’s share of ad valorem property tax revenue, and therefore of any tax reduction to the owners, is 27.28%. Property owners must reinvest the *entire* tax saving in the restoration program, so the City tax reduction leverages almost four times its value in reinvestment in Oakland’s historic buildings. This reinvestment will in turn result in higher assessed property values as the Mills work programs are carried out, as well revenue from the actual materials and labor.

### **Adaptive Reuse Projects with Additions: Special Considerations**

Future tax effects of the three adaptive reuse projects in 2020 are necessarily conjectural for many reasons. There are no clearly comparable “before” and “after” tax assessments, given recent changes of ownership, the deteriorated state and therefore low current valuation of the improvements, and – for the first time in 2020 - the effect of substantial newly constructed additions. Applicants have provided their best estimates of project square footage, costs, and anticipated rents to produce rough estimates of taxes under the Mills Act. Note that newly constructed additions beyond the original building envelope are typically assessed separately from the historic buildings, not under the Mills Act formula.

The Mills Act contract (Attachment 11) declares, “Both Owner and City desire to enter into an Agreement to preserve the Property so as to retain its characteristics of cultural, historical and architectural significance ... All work on the Property shall meet, at a minimum, the Secretary of Interior’s Standards for Rehabilitation of Historic Properties....” *Rehabilitation* is defined in the Standards as “making possible an efficient compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.” The property needs to retain its integrity and identity as a historic resource to be eligible for historic designation and to participate in the Mills Act program.

All three adaptive reuse projects this year involve substantial additions, whose effects on the historic buildings’ integrity need to be considered. Secretary of the Interior’s Rehabilitation Standards 9 and 10 address additions:

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Staff believes that the proposed additions meet Rehabilitation Standard 9 since they are subordinate to the historic buildings in size, design, and visual prominence, set back from the facades and not designed to attract the eye or overpower the original building. Under Rehabilitation Standard 10, the additions do not remove essential historic fabric, so they could theoretically be removed. All three work programs propose meticulous exterior restorations that follow the other eight Standards and will improve the integrity of design, materials, and workmanship of the historic building envelopes, balancing the lesser effects of additions above or behind the buildings on integrity of design and feeling. Staff will continue to work with applicants on exterior finishes of the additions.

### **Next Steps**

Following Landmarks Board recommendation at this meeting, the selected Mills Act applications will be presented to the Planning Commission as an information item, to City Attorney and Budget for review, to City Council for a resolution authorizing the contracts, and to the City Administrator’s office for review and signatures. After contract execution by the City and the applicants, contracts must be recorded with the County by the end of the calendar year. Heritage Property applications for the properties that are not already designated are being reviewed by the Landmarks Board at this meeting. Staff has reviewed the applications and preliminarily determined that the nominated properties are all eligible for Heritage Property designation and Mills Act participation.

## MILLS ACT CONTRACT APPLICATIONS

MA20-001: **676 Longridge Road** (APN 11-883-4) (see Att. 1)

Applicants: Alison and Stephen Sanger, owners/residents; application written by Stacy Farr



OCHS Rating: C2+ (prelim., 1986), secondary importance or superior example; contributor to potential Lakeshore – Trestle Glen Area of Secondary Importance.

Landmark/Heritage Property Eligibility Rating: B (32 points)

*Work Program (see Attachment 1):*

- repair patterned face-brick veneer on lower story
- rebuild brick porch steps and walkway
- repair/replace windows to match originals
- repair/replace arched and columned portico and front door
- paint house

*Application Strengths:*

- addresses a century of deferred maintenance
- maintaining Georgian Colonial Revival details
- tenth application in Lakeshore Homes tract, seeds of possible district designation
- illustrates importance and quality of builder-designed houses in the neighborhood



MA20-002: **322 (318-334) Broadway** (APN 1-139-14), Buswell Block (Att. 2)  
Applicant: Chris Porto, 322 Broadway LLC, owner



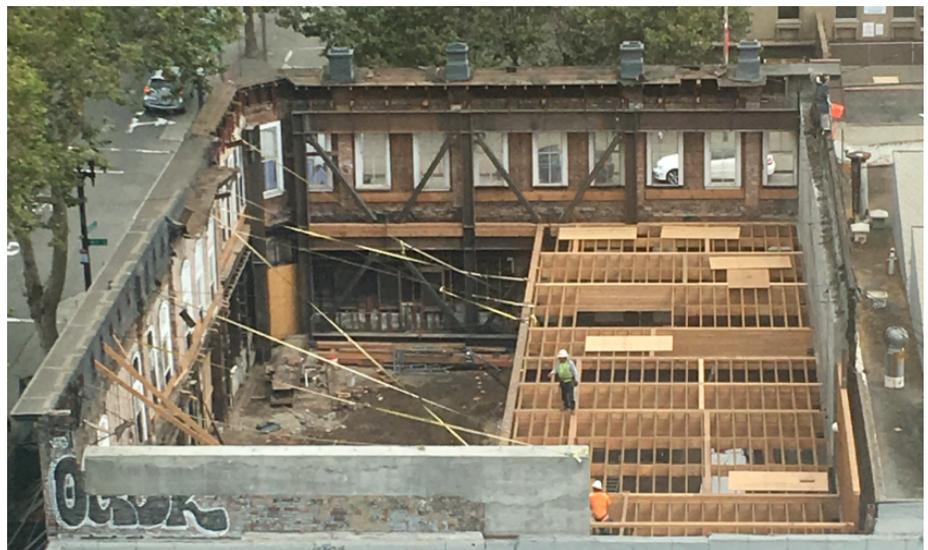
OCHS Rating: Ba2+ (Central District intensive, 1981ff): major to highest importance (dual rating reflects 20th c. alterations), contributor to Lower Broadway Area of Secondary Importance  
Landmark/Heritage Property Eligibility Rating: A (38 points, reflects current addition)

*Work Program (see Attachment 2):*

- seismic support for historic exterior walls; new interior structure
- custom wood-sash windows throughout, based on surviving parts and historic illustrations
- reconstructed storefronts and entries based on historic illustrations and physical discoveries
- re-creating stone-scored stucco finish, window caps, cornice and brackets

*Application Strengths:*

- adaptive reuse of long endangered and deteriorated, highly significant building
- detailed restoration of historic shell, balancing upper-story addition
- extensive pictorial research and building archaeology/exploratory demolition
- part of potential Lower Broadway district of Oakland's very oldest commercial buildings



MA20-003: **1186 Trestle Glen Rd.** (APN 23-437-3-1); Hoffschneider house (see Att. 3)  
Applicants: Rhonda and Scott Sibley, owners/residents



OCHS Rating: D2+ (Preliminary survey, 1986): minor importance, ASI contributor  
Landmark/Heritage Property Eligibility Rating: B (27 points)

*Work Program (see Attachment 3):*

- repoint and waterproof brick chimney and porch pillars
- repair cracked stucco and exterior woodwork, paint house and garage
- repair non-functional casement and double-hung windows
- re-roofing, including gutters, eaves, flashing

*Application Strengths:*

- owners since 2001, well informed about house's condition and needs
- detailed work program emphasizes repair over replacement
- eleventh application in Lakeshore Homes tract, eighth on Trestle Glen Road
- discussion of small houses and bungalows adds nuance to Lakeshore's upscale image



LM20-004: **926 Rosemount Rd.** (APN 11-891-15), B.S. Hanson spec house (see Att. 4)  
Applicants: Alexis and Edward Bayley, owners/residents



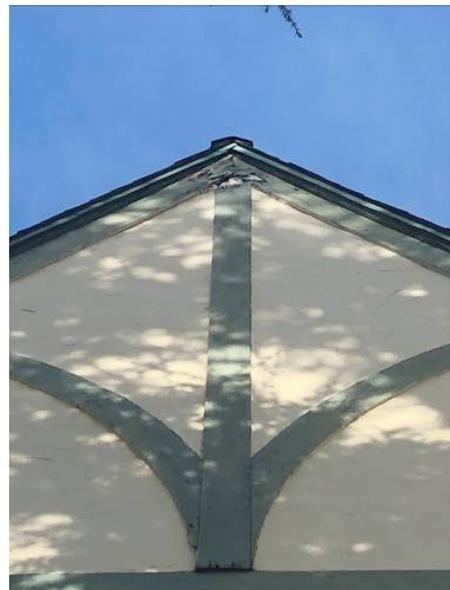
OCHS Rating: C2+ (preliminary/field, 1986): secondary importance, ASI contributor  
Landmark/Heritage Property Eligibility Rating: B (27 points)

*Work Program (see Attachment 4):*

- major foundation, seismic, and drainage work at top of steep slope
- dry rot repair around windows
- repair half-timber trim in gable end

*Application Strengths:*

- addresses widespread problem of site stability on Lakeshore’s hilly, contoured lots
- application includes detailed job description and estimate
- twelfth application in Lakeshore Homes tract, seeds of possible district designation
- discusses influence of high-style Tudor Revival on builders’ spec houses



**MA20 -005: 2804 Adeline St.** (APN 5-456-23), Hutchinson-Bodin house, 1905-06– see Att. 5)  
Applicant: Omar Morales, owner



OCHS Rating: C2+ (preliminary, 1992) secondary importance, ASI contributor  
Landmark/Heritage Property Eligibility Rating: B (29 points)

*Work Program (see Attachment 5):*

- foundation and structural reinforcement
- repair/replace windows throughout, matching original pattern
- reintegrating stairs, porches, and paved walkways at front/back of house
- prep and paint exterior trim

Application strengths

- fine, largely intact high-gabled shingle house on prominent corner site
- potential catalyst for neighborhood and block improvement
- 16th Mills Act project in West Oakland (4 this year!), area targeted in original ordinance
- adds to knowledge of social and ethnic history of Clawson neighborhood



MA20-006: **724 Campbell St.** (APN 6-3-24), Daniel Martin house, 1875 (see Attachment 6)  
Applicants: Raquel Orbegoso Pea and Rosana Orbegoso Pea, owners



OCHS Rating: Ec3 (West Oakland survey, 1992): secondary importance but heavily altered  
Heritage Property Eligibility Rating: B (26 points)

*Work Program (see Attachment 6):*

- repair dry-rotted woodwork including siding and trim
- replace windows, doors, and frames with historically accurate counterparts
- rebuild porch and steps, retaining features such as chamfered columns
- repair roof and gutters
- exterior paint

*Application Strengths:*

- fine small Italianate house, typifies Oakland Point neighborhood
- work program picks up from previous owner's partial restoration
- potential neighborhood catalyst
- 17th Mills Act project in West Oakland (4 this year!), area targeted in original Mills ordinance
- well researched, thoughtful Heritage application ties house to larger patterns of history



MA20-007: **326-28 Henry St.** (APN 4-103-26), Brown-Pereira house, 1874-76 (Attachment 7)  
Applicants: Megan Sveiven and Gustavo De Leon, owners/residents



OCHS Rating: C1+ (intensive survey, 1985): secondary importance, contrib. to primary district  
Heritage Property Eligibility Rating: B (24 points)

*Work Program (see Attachment 7):*

- replace vinyl windows with wood sash, restoring original size, shape, and configuration
- rebuild front stairs and porch
- restore wood trim based on original traces and similar houses in neighborhood
- paint exterior
- front yard landscaping

*Application Strengths:*

- typifies significant building type, minimal raised-basement workers' cottage in South Prescott
- resisting impulse to add Victoriana to a very basic house
- 18th Mills Act project in West Oakland, second in South Prescott
- potential neighborhood catalyst



MA20-008: **5738 Picardy Dr.** (APN 38-3171-22), Hartwig - Davis house (Att. 8)  
Applicants: Laura, Jenna, Paul, and Anne Redmond, owners/residents



OCHS Rating: C1+ (Neighborhood Centers survey, 1980ff): secondary importance, contributor to Area of Primary Importance  
Heritage Property Eligibility Rating: B (33 points)

*Work Program (see Attachment 8):*

- replace entire foundation
- drainage work to protect foundation in the future
- repair and refinish paneled and glazed front door
- refurbish woodwork and paint exterior

*Application Strengths:*

- detailed work plan and estimate for foundation
- first Mills contract in Normandy Garden/Picardy Drive (at last!), an API since 1980
- example for thousands of 1920s small stucco houses in East Oakland
- catalyst for neighborhood improvement and Mills participation



MA20-009: 669-71 24th St./674 23rd St. (APNs 8-663-17, -6), National Guard Armory, (Att. 9)



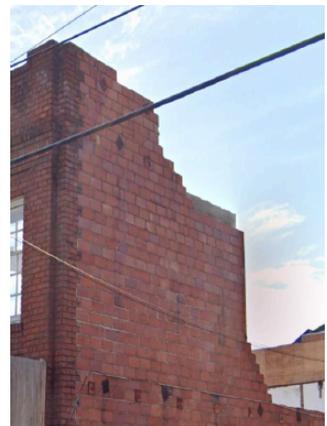
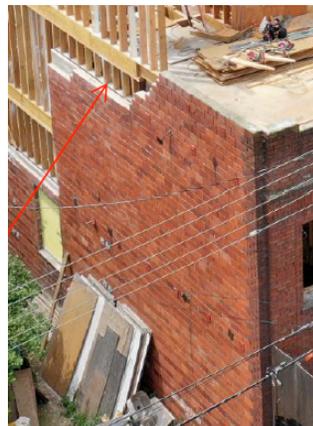
Applicant: 671 24th Street LLC: Colin Nelson, Jeremy Harris, oWOW Design  
OCHS Rating: C3 (URM and W. Oak. surveys, 1992ff): secondary importance, not in a district  
Heritage Property Eligibility Rating: B (27 points, considering upper addition)

*Work Program:*

- seismic retrofit and structural support of brick, concrete, and hollow clay tile exterior walls
- cleaning, repair, repointing, and waterproofing of brick street facades and clay tile sides
- window replacement according to original design and character

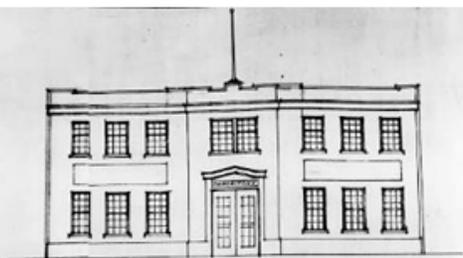
*Application Strengths:*

- adaptive reuse of fire-damaged, deteriorated, and endangered special-purpose building
- detailed protocol for masonry protection and restoration (brick and hollow clay tile)
- restoration of entire historic shell, balancing upper-story addition
- first application in neighborhood (19th in W.Oak.), catalyst for other light-industrial buildings
- work under direction of preservation architect



TWENTY-THIRD STREET ELEVATION

INTERIOR PHOTO  
NORTH ON 24TH STREET



TWENTY-FOURTH STREET ELEVATION

MA20-010: **369 MacArthur Bl.** (APN10-785-21-2), Lemos (Frank and Mary) house (Att. 10)  
Applicant: 369 MacArthur Blvd LLC, Arvand Sabetian, owners



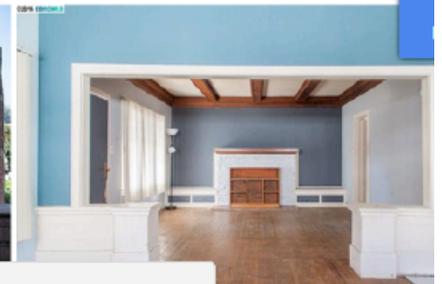
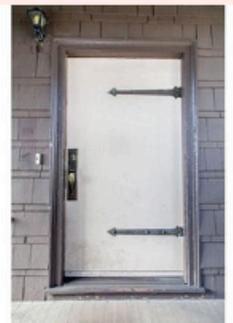
OCHS Rating: Cb2+ (Adams Point intensive, 1986): secondary to major imp., ASI contributor  
Landmark/Heritage Property Eligibility Rating: B (27 points, reflects rebuild and addition)

*Work Program:*

- structural reconstruction of partially demolished walls and roof, based on surviving portion
- repairing or replacing deteriorated or missing windows and doors
- repair and rebuild patterned shingle siding, bargeboard and eave details
- rebuild front porch, steps, and railings to original design

*Application Strengths:*

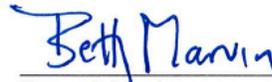
- accepted staff's encouragement to restore partially demolished historic house
- reconstruction of distinctive shingling, woodwork, and windows
- expansion by means of compatible rear addition
- fourth Mills Act project in Adams Point neighborhood



## RECOMMENDATIONS

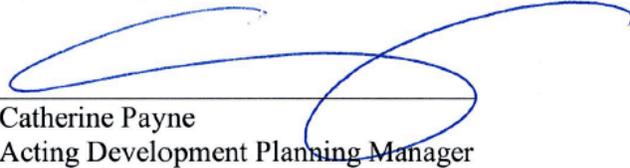
1. Receive any testimony from applicants and interested citizens;
2. Discuss and provide recommendations on Mills Act applications for 2020; and
3. Based on the above discussion:
  - a. Recommend all or selected applications to City Council for 2020 Mills Act contracts;
  - b. Forward the recommendations to the Planning Commission as an information item.

Prepared by:



Betty Marvin  
Historic Preservation Planner

Approved by:



Catherine Payne  
Acting Development Planning Manager

Attachments:

1. Application, work program, and photos: MA20-001: **676 Longridge Rd.**
2. Application, work program, and photos: MA20-002: **322 Broadway**
3. Application, work program, and photos: MA20-003: **1186 Trestle Glen Rd.**
4. Application, work program, and photos: MA20-004: **926 Rosemount Rd.**
5. Application, work program, and photos: MA20-005: **2804 Adeline St.**
6. Application, work program, and photos: MA20-006: **724 Campbell St.**
7. Application, work program, and photos: MA20-007: **326-28 Henry St.**
8. Application, work program, and photos: MA20-008: **5738 Picardy Dr.**
9. Application, work program, and photos: MA20-009: **669-71 24th St./674 23rd St.**
10. Application, work program, and photos: MA20-010: **369 Macarthur Bl.**
11. Model Mills Act Agreement, including Secretary of the Interior's Standards for Rehabilitation



**3. PRESERVATION WORK PROGRAM AND TIME LINE**

**Property Address:**  676 Longridge Road, Oakland, CA 94610

Please list the improvements to take place over the next 10 years. Listed work should be limited to stabilization or maintenance of the historic structure and restoration or repair of exterior character defining features. State anticipated costs of improvements, including but not limited to materials, labor, permits and fees. Anticipated cost must equal or exceed tax savings: see Mills Act Calculator for a rough estimate of potential property tax reduction. Attach additional text and photos as necessary to fully describe work program. *This page will become part of the contract: please keep to one page.*

**1. Year:** 2021\_\_ **Cost:**  \$30,000 **Improvement:**  Brick clad repair and replacement  
 Including brick porch and walkway

**2. Year:** 2022\_\_ **Cost:** \_\_\_\_\_ **Improvement:**  Brick clad repair and replacement  
 Including brick porch and walkway (continued)

**3. Year:** 2023\_\_ **Cost:**  \$75,000 **Improvement:**  Window Replacement

**4. Year:** 2024\_\_ **Cost:** \_\_\_\_\_ **Improvement:**  Window Replacement (continued)

**5. Year:** 2025\_\_ **Cost:**  \$25,000 **Improvement:**  Portico Replacement

**6. Year:** 2026\_\_ **Cost:** \_\_\_\_\_ **Improvement:**  Portico Replacement (continued)

**7. Year:** 2027\_\_ **Cost:**  \$7,500 **Improvement:**  Front Door Replacement

**8. Year:** 2028\_\_ **Cost:**  \$45,000 **Improvement:**  Exterior Repaint

**9. Year:** 2029\_\_ **Cost:** \_\_\_\_\_ **Improvement:**  Exterior Repaint (continued)

**10. Year:** 2030\_\_ **Cost:** \_\_\_\_\_ **Improvement:** \_\_\_\_\_

**Note:** Each work item will require separate building and zoning review and approval prior to undertaking the actual work. Design Review fees are waived for Mills Act properties.

#### 4. SELECTION CRITERIA

The City of Oakland has adopted a Mills Act Property Tax Abatement Program for qualified historic properties. The 2006-08 ordinances creating the program limit impact on City revenues to \$25,000/year, plus \$25,000/year in any single redevelopment area with a cumulative limit of \$250,000 a year for all redevelopment areas outside the Central Business District. In the Central Business District, impact on Redevelopment revenues is limited to \$100,000/building/year with a cumulative limit of \$250,000/year. Any property tax loss that exceeds the above limits requires special consideration by the City Council.

If applications exceed the above limits, selection will be evaluated on the following criteria. These criteria may also be used to evaluate applications for completeness and eligibility.

##### **Necessity, quality, and impact of proposed work program:**

- The property needs exterior or structural work (e.g., stabilization, maintenance, reversal of inappropriate modifications, etc. - not interior work or additions) and the cost of the proposed work is equal to or greater than the potential reduction of property taxes.
- The proposed work program has strong potential to act as a catalyst for neighborhood revitalization by increasing architectural integrity, preserving neighborhood character, and conserving materials and energy embodied in the existing building.
- The application exhibits timely completion, quality of documentation, well thought out and realistic work program, clear understanding of work program and contract, ability to follow through.

##### **Diversity of property types and locations:**

- Geographic distribution: The property's location contributes to the goal of Mills Act contracts in neighborhoods throughout the City.

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- Either currently a Designated Historic Property, *or* a Heritage Property, Landmark, or S-7/S-20 District application is submitted concurrently and building is eligible for designation.
- Oakland Cultural Heritage Survey rating and Landmarks Board eligibility determination.
- Timely completion, quality, depth, and active involvement in Heritage Property application.

**5. SUBMITTAL REQUIREMENTS**

- Mills Act Application Form: This application form completed and signed.
- Assessor’s Parcel Map and Legal Description: From deed or County Assessor’s office.
- For corporate owners (LLC, condo, etc.): Document exact entity name and signatory/ies.
- Photographs
  - Photographs must be in color, labeled, and printed on 8-1/2” x 11” paper.
  - Illustrate the overall exterior condition and character of the property.
  - Show the structure from across the street and from front, side and rear.
  - Include detailed close up views of each feature listed in the work program.
  - Label each photo (e.g., Work Program Item #1, #2, etc.).
- Oakland Landmark, Heritage Property or S-7/S-20 Preservation District Application
  - Required for properties that are not already designated by Landmarks Board.
- Additional pages to describe and illustrate the work program, as necessary.
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- Printout of Mills Act Calculator estimate, showing anticipated tax saving.
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Please read and review (online at [www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation)):

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- (Model) Mills Act Agreement for Preservation of Historic Property (contract you will sign);
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- Mills Act Property Tax Calculator (for rough estimate of potential change in taxes).

**NOTICE:** Each property owner is advised to consult legal counsel and/or a financial advisor concerning the advisability of entering into a Mills Act agreement, prior to completing and submitting this application. The City makes no warranties or representations about the accuracy or validity of the Mills Act Property Tax Calculator – it is merely an information tool that applicants may use at their sole risk, which does not substitute for or replace legal counsel or a financial advisor.

**I hereby apply to be considered for a Mills Act agreement, have read and agree with the above documents, and agree to execute the (Model) MILLS ACT AGREEMENT FOR PRESERVATION OF HISTORIC PROPERTY if selected for the program. The information submitted is true and correct as of the date of application.**

Owner’s Signature  Date 3/5/2020

**APPLICATIONS ARE ACCEPTED AT THE ZONING COUNTER**  
250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612  
Monday, Tuesday, Thursday & Friday: 8am-3pm; Wednesday: 9:30 – 3pm

**Work Program**  
**676 Longridge Road**

**2021-Brick Clad Replacement-Including Brick Porch and Walkway**

As you can see from the reference photograph from this Application, Page 1 and the photos in the Historic Resources Report (attached), there is a brick veneer that goes ½ way up the house almost entirely covering all faces of the structure. The photos below show the significant decay in both the condition of the bricks and the mortar holding them in place. We anticipate replacing most, if not all, the brick façade, as well as the brick porch and walkway that extends from the street up to our front door. The anticipated cost is \$30,000, but we assume a full replacement will be well beyond this estimate.



Work Program Item #1



Work Program Item #1

**2022-Windows Replacement-(Excluding new windows as part of previous renovations)**

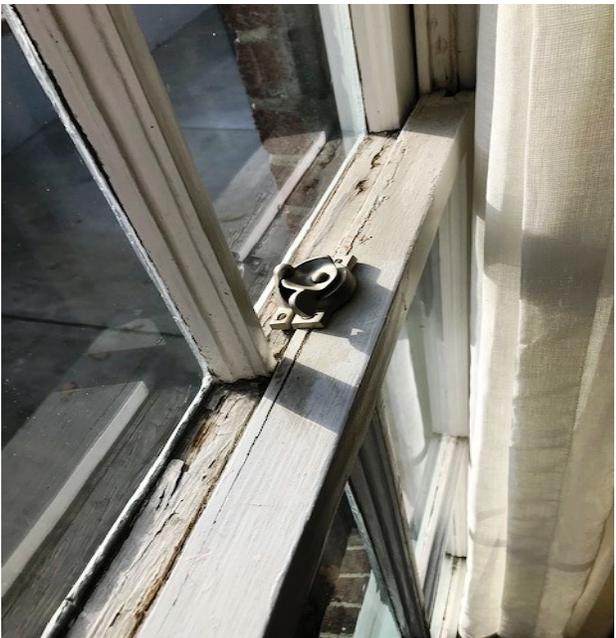
All façade arched windows and north and south windows (not including new Kitchen and basement windows) are original from 1921 construction. They are showing signs of decay and dry rot (pictures below) and are not energy efficient. The 2<sup>nd</sup> level windows, façade, north and south bedrooms, will also need to be replaced with wood windows that match what was originally installed. (They will need to be custom cut and installed windows). The attic windows, rear balcony doors and the kitchen and basement windows have already been replaced with energy efficient material and match the design of the existing and original wood windows. The cost estimate for this work is approximately \$75,000.



Work Program Item #2



Work Program Item #2



Work Program Item #2



Work Program Item #2



Work Program Item #2



Work Program Item #2

**2023-Portico Replacement**

The existing wood portico over the front door entry way is in need of replacement. Replacement design and materials will be as close to the existing design and materials as it existed when constructed in 1921. The cost estimate for this work is approximately \$25,000.



Work Program Item #3



Work Program Item #3



Work Program Item #3

### **2024-Front Door Replacement**

The front door material, hinges and paint is showing significant decay. The handle and locking mechanism is breaking down. Replacement of the door, door trim and sash, as well as hinges and hardware, is recommended. The cost estimate for this work is approximately \$7,500, and we assume may be closer to \$10,000 if significant reconstruction of the door framing is necessary due to dry rot.



Work Program Item #4

### **2025-Exterior Repaint**

The residence hasn't been painted since the Sanger family purchased the property in 2005. In addition, the rain gutters may need to be replaced as part of this project. The cost estimate for this work is approximately \$45,000, and may increase if gutters are replaced at the same time.



# Oakland Landmarks Preservation Advisory Board

## MILLS ACT APPLICATION

250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612-2031 Phone: 510-238-3941

### 1. GENERAL INFORMATION

**Property Address:** 322 Broadway, Oakland CA 94607

**Assessor's Parcel Number(s):** 1-139-14

**Property Owner(s):** 322 Broadway, LLC

**Applicant's Name:** Christopher Porto, Managing Member, 322 Broadway, LLC

**Phone: (day)** 510-250-2499

**Email:** [cporto@smartgrowth.co/](mailto:cporto@smartgrowth.co/) (not .com)

**Year of Purchase:** 2018

**Assessed Value:** \$2,636,700

**Existing Use of Property:** 12 residential apartments + Ground Floor commercial space

**Legal Description:** THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS: Lot 1, [Parcel Map No. 10352](#), filed February 1, 2017, [Book 334 of Parcel Maps, Pages 74 and 75](#), Alameda County Records.

### 2. HISTORIC PROPERTY INFORMATION

If not already designated by Landmarks Board, Heritage Property application is required concurrently.

**HISTORIC/COMMON NAME:** The Hirshberg, McKee and Hayes Building; later, Buswell Block  
**CONSTRUCTION DATE:** 1861-1869

**HISTORIC STATUS as of application date** (contact Preservation staff at 510-238-6879 to confirm):

**Designated Historic Property**

**Date of Designation** \_\_\_\_\_

City Landmark

Heritage Property *in progress*

Contributor to S-7 or S-20 District

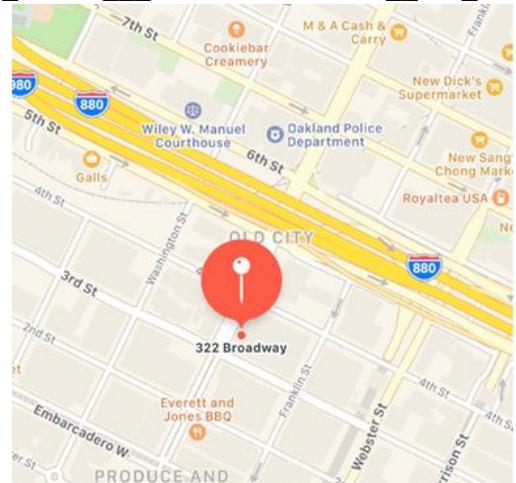
### Local Register of Historical Resources

Survey Rating A or B

Area of Primary Importance

National Register

**Oakland Cultural Heritage Survey:** Rating: B-a2+ Date: 1981ff Prelim/Intensive: Int.



**3. PRESERVATION WORK PROGRAM AND TIME LINE****Property Address: 322 Broadway, Oakland 94607**

Please list the improvements to take place over the next 10 years. Listed work should be limited to stabilization or maintenance of the historic structure and restoration or repair of exterior character defining features. State anticipated costs of improvements, including but not limited to materials, labor, permits and fees. Anticipated cost must equal or exceed tax savings: see Mills Act Calculator for a rough estimate of potential property tax reduction. Attach additional text and photos as necessary to fully describe work program. *This page will become part of the contract: please keep to one page.*

Please insert ONE PAGE (text only) work program here. Illustrated pages are great after the one-page summary.

1. 2020 – \$1M - The building is undergoing a major *seismic upgrade* to preserve the original two-story brick walls around the entire perimeter of the property. Complex rebar cages will be formed and installed to underpin the existing walls in some cases four feet down / under. Concrete will then be poured to create structural grade beams with numerous bolts to connect steel posts and cross braces that travel up to the second story on the street sides. These walls will be bolted from the exterior and tied into the steel skeleton. The existing stucco will be notched out such that the steel plates will not be visible after refinishing with stucco. On the interior of the second story brick walls, these walls will be repointed to increase structural integrity and leave them exposed as a finished historic look. The interior side brick walls on both floors are also being reinforced with rebar and shotcrete that will be sprayed in place to solidify the structure.
2. 2020 – \$50K - The *wood windows* with custom moulins (wood dividers) on the second floor are being fabricated by a local supplier and installed in the original openings. There are two styles of these windows along Broadway and Fourth Street. They are both two over two, double hung wood sashes with rope pulls and historic hardware.
3. 2020 – \$90K - The ground floor wood *entry doors, picture windows, and transom windows* will be fabricated to replicate the original design along Broadway and Fourth Street. This includes replicating the custom wood moulins in the entryway transom on Broadway and preserving historic details that still remain on site.
4. 2020 - \$20K - The wood *window bases* on the ground floor will be rebuilt to match the original design portrayed in the historic illustrations and remnants found on site.
5. 2021 - \$5K - The original *cast iron columns* with floral detail revealed during careful demolition will be refurbished on the corner and along Broadway. The bases of these columns will be recreated with wood and stucco to match the historic design.
6. 2021 - \$10K - The *cornice trim* will be replaced along the entire Fourth Street side and wrapping around Broadway.
7. 2021 – \$60K - An acrylic *stucco* will be applied to the exterior of the entire building. Custom scoring detail will also be applied to emulate stone blocks as portrayed in the historic illustrations on the Fourth Street side and corner of Broadway.
8. 2022 - \$10K - The original second story *window caps* will be fabricated using a foam-based product to match historical design with a limestone or stucco finish. There are two different designs portrayed – one more ornate on the Fourth Street side that wraps around the corner and a more simple version that continues down Broadway.
9. 2022 – \$5K - The *cornice brackets* portrayed in the historic illustrations will be fabricated and installed along both street sides. There were originally more than fifty of these brackets.
10. 2022 - \$20K – The work program will be finished with a *custom paint job* highlighting the historical elements (cornice, brackets, trim, window caps, window hoods, etc.).

**Note: Each work item will require separate building and zoning review and approval prior to undertaking the actual work. Design Review fees are waived for Mills Act properties.**



### 3. PRESERVATION WORK PROGRAM AND TIMELINE

**Property Address: 322 Broadway Street, Oakland 94607**

**1. Year:** 2020      **Cost:** \$1M      **Improvement:** The building is undergoing a major *seismic upgrade* to preserve the original two-story brick walls around the entire perimeter of the property. Complex rebar cages will be formed and installed to underpin the existing walls in some cases four feet down / under. Concrete will then be poured to create structural grade beams with numerous bolts to connect steel posts and cross braces that travel up to the second story on the street sides. These walls will be bolted from the exterior and tied into the steel skeleton. The existing stucco will be notched out such that the steel plates will not be visible after refinishing with stucco. On the interior of the second story brick walls, these walls will be repointed to increase structural integrity and leave them exposed as a finished historic look. The interior side brick walls on both floors are also being reinforced with rebar and shotcrete that will be sprayed in place to solidify the structure.



**Mills Act  
Application**

4

**2. Year:** 2020      **Cost:** \$50K      **Improvement:** The *wood windows* with custom moulins (wood dividers) on the second floor are being fabricated by a local supplier and installed in the original openings. There are two styles of these windows along Broadway and Fourth Street. They are both two over two, double hung wood sashes with rope pulls and historic hardware.



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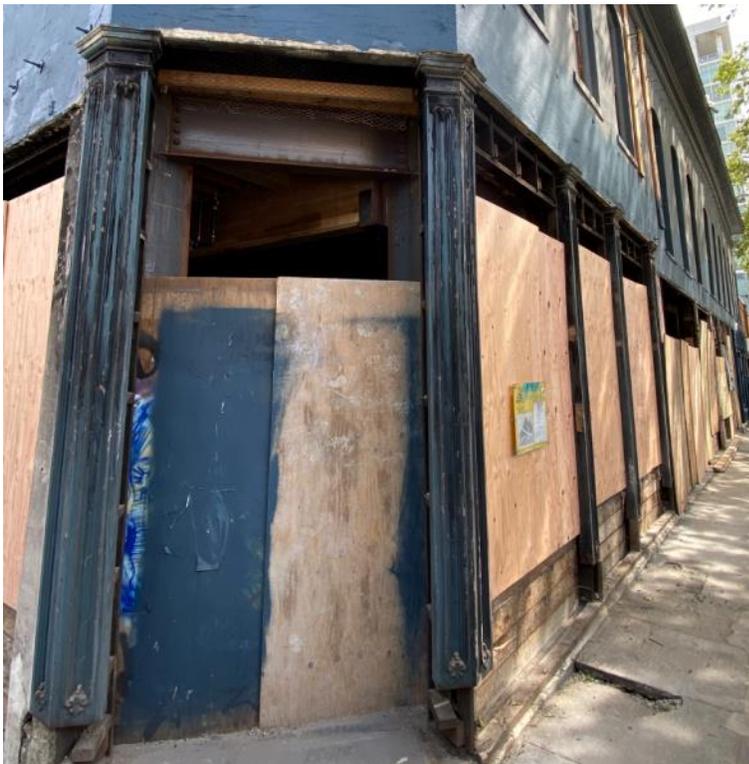


**Mills Act  
Application**

**4. Year:** 2021      **Cost:** \$20K      **Improvement:** The wood *window bases* on the ground floor will be rebuilt to match the original design portrayed in the historic illustrations and remnants found on site.



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**Mills Act  
Application**

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**Mills Act  
Application**

7

**8. Year:** 2022      **Cost:** \$10K      **Improvement:** The original second story *window caps* will be fabricated using a foam-based product to match historical design with a limestone or stucco finish. There are two different designs portrayed – one more ornate on the Fourth Street side that wraps around the corner and a more simple version that continues down Broadway.



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Owner's Signature  Date 5/20/2020

**APPLICATIONS ARE ACCEPTED AT THE ZONING COUNTER**

250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612  
Monday, Tuesday, Thursday & Friday: 8am-3pm; Wednesday: 9:30 – 3pm

# MILLS ACT APPLICATION

250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031

Phone: 510-238-3911 Fax: 510-238-4730

[www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation)

## 1. GENERAL INFORMATION

APPLICANT'S NAME:  Rhonda and Scott Sibley

PROPERTY ADDRESS:  1186 Trestle Glen Rd., Oakland, CA, 94610

PROPERTY OWNER(S):  Rhonda and Scott Sibley

PHONE: (Day)  510-282-6670  (Evening)  510-763-6530  email  sibleys@hotmail.com

ASSESSOR'S PARCEL NUMBER(S):  23 - 437 - 3 - 1

YEAR OF PURCHASE:  2001  ASSESSED VALUE:  2001 = \$510,000 / 2020 = \$675,367

EXISTING USE OF PROPERTY:  Residence

LEGAL DESCRIPTION (From Deed):  see Exhibit A, page 5

## 2. HISTORIC PROPERTY INFORMATION

HISTORIC NAME:  Hoffschneider (Bert) house; formerly 1186 Cavanaugh Rd.

COMMON NAME:  1186 Trestle Glen Rd., Oakland, CA, 94610

CONSTRUCTION DATE:  1927

HISTORIC STATUS: Please contact Historic Preservation staff at (510)238-6879 to confirm.

### Designated Historic Property

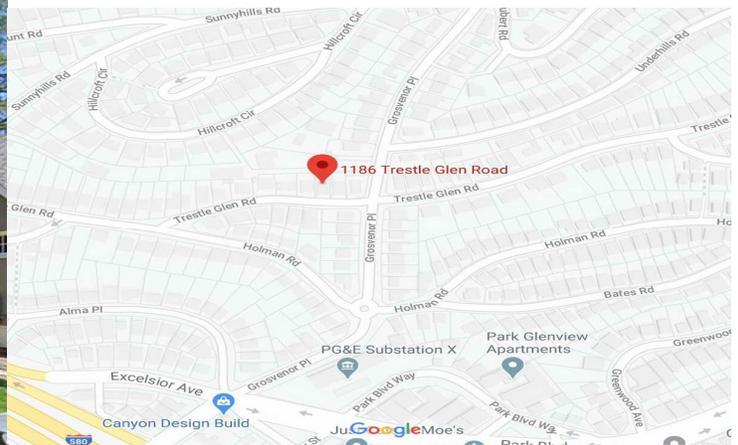
### Date Of Designation

- |  |                      |
|--|----------------------|
| <input type="checkbox"/> City of Oakland Landmark                              | _____                |
| <input type="checkbox"/> City of Oakland Heritage Property                     | <u> In Progress </u> |
| <input type="checkbox"/> Contributor to a City of Oakland S-7 or S-20 District | _____                |

### Local Register Of Historic Resources\*

- Survey rating of 'A' or 'B'    Area of Primary Importance    National Register

Oakland Cultural Heritage Survey: Rating  D2+  Date:  1986  Prelim./Intensive:  Prelim.



### **3. PRESERVATION WORK PROGRAM AND TIME LINE**

**PROPERTY ADDRESS:** 1186 Trestle Glen Rd., Oakland, CA, 94610

Please list the improvements to take place over the next 10 years, in order of priority. Listed work should be limited to stabilization and/or maintenance of the historic structure or restoration or repair of exterior character defining features. State the anticipated costs of the improvements, including but not limited to materials, labor, permits and fees. Anticipated construction must be equal to or greater than tax savings: see the Mills Act Property Tax Calculator on line at [www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation) for a rough estimate of potential property tax reduction.

(Please keep to one page; attach additional pages as necessary to fully describe work program.)

**1 - 3. Years:** 2021 - 2023 **Cost:** \$13,500 **Improvement:** Update water protective sealants on bricks on pillars, bricks at front and sides and chimney bricks. Re-point chimney bricks. Repair/replace & repaint damaged wood, doors & window frames. Replace cracked window pane. Repair & repaint damaged stucco and trim.

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**4 – 8 Years:** 2024 - 2028 **Cost:** \$20,000 **Improvement:** Remove and replace house and garage roofs, repair and/or replace gutters, roofline millwork and flashing.

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**9. Year:** 2029 **Cost:** \$4,500 **Improvement:** Repair non-functional windows, replace missing ballasts. Repair damaged frames, wood trim and update waterproof sealants on brick.

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**10. Year:** 2030 **Cost:** \$6,500 **Improvement:** Paint the house, porch, railings & garage. Patch & stain driveway.

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This work plan represents the minimum work that will be undertaken. The calculator was used to provide an estimate of Mills Act funds available for repair and maintenance of the property. The work plan is to restore and replicate damaged materials, using the original design and hardware, beginning with the on the southeast, as it has the most sun damage. All of the windows and woodwork are 91 year old originals; many are showing their age and will eventually need to be replaced, with similar attention to the original design. Repairs and will occur more rapidly if the final calculation allows additional Mills Act funds to be used for this purpose.

**Note:** Each work item will require separate building and zoning review and approval prior to undertaking the actual work. Design Review fees are waived for Mills Act properties.

## **4. SUBMITTAL REQUIREMENTS**

- Mills Act Application Form
  - This application form signed and completed. Original signatures or clear & legible copies are required.
- Assessor's Parcel Map
  - Available at the City of Oakland Engineering Services or zoning counter, Alameda County Assessor's Office, 1221 Oak Street, or Assessor's website.
- Photographs
  - Photographs must be labeled, and printed or mounted on 8-1/2" x 11" paper.
  - Photographs must sufficiently illustrate the exterior, overall condition and historic character of the property, including historic features.
  - Photographs must be in color and include the existing structure as seen from across the street and from front, side and rear property lines. Label each view.
  - Photographs must be in color and include detailed (close up) views of each of the listed areas in the proposed work program. Label each (e.g., Work Program Item #1, #2, etc.)
- Oakland Landmark, Heritage Property and S-7 Preservation Combining Zone Application
  - Required for properties that are not already designated as:
    - City of Oakland Landmark
    - City of Oakland Heritage Property
    - Contributor to a City of Oakland S-7 or S-20 Historic District
- Legal Description of the Property
  - Grant Deed
  - Legal Description
  - Assessor's Parcel Map
- Additional pages to describe the Work Program, as necessary
- Copy of Last Property Tax Bill
- Filing Fee - \$601.29, due at the time of application submittal.

## **5. SELECTION CRITERIA**

The City has adopted a Mills Act Property Tax Abatement Program for qualified historic properties, with the program impact on City revenues limited to \$25,000/year, and \$25,000/year in any single redevelopment area with a cumulative limit of \$250,000/year for all redevelopment areas with the exception of the Central Business District. In the Central Business District, there shall be a limit of the program impact on Redevelopment revenues to \$100,000/building/year with a cumulative limit of \$250,000/year. Any Mills Act applicant whose estimated Property Tax loss exceeds the above limits may request special consideration by the City Council.

If applications exceed the limited dollar amounts, applications will be evaluated on the following criteria. These criteria may also be used to evaluate applications for completeness and eligibility.

- The date the application is complete.
- The property is either currently a Designated Historic Property *or* the property is currently listed on the Local Register of Historic Resources *and* an Oakland Landmark, Heritage Property and/or S-7 Combining Zone Application has been submitted for Heritage Property Designation.
- The property needs exterior work (e.g., stabilization, maintenance, reversal of inappropriate building modifications, etc. - **not** interior work or additions) and the cost of the proposed exterior work is equal or greater than the potential reduction of property taxes.
- The proposed work program for maintenance, repair, rehabilitation and/or restoration has the strong potential to act as a catalyst for neighborhood revitalization by:
  - Increasing architectural integrity;
  - Preserving neighborhood character; and

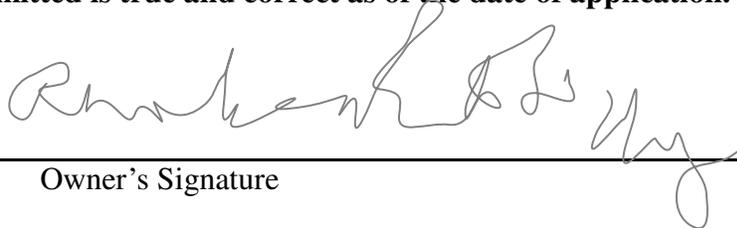
- Conserving materials and energy embodied in existing building.
- Geographic Distribution:
  - A minimum total of six Mills Act Contracts will be awarded to properties in the West Oakland Redevelopment Area because Implementation of the Mills Act is a Mitigation Measure of the West Oakland Redevelopment Plan.
  - A minimum of six Mills Act Contracts will be awarded to properties in the Central City East Area because Implementation of the Mills Act is a Mitigation Measure of the Central City East Redevelopment Plan.
  - The property's location contributes to the goal of Mills Act Contract representation in neighborhoods throughout the City.
- The property's building type contributes to the goal of a variety of Mills Act Contract building types (e.g., residential, commercial and industrial buildings).

Please read and review (available online at [www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation)):

- the Mills Act brochure;
- Mills Act (Sections 50280-90 of the California Government Code and Article 1.9, Sections 439 – 439.4 of the California Revenue and Taxation Code)
- the (MODEL) MILLS ACT AGREEMENT FOR PRESERVATION OF HISTORIC PROPERTY;
- Secretary of the Interior's Standards for Rehabilitation;
- Minimum Property Maintenance Standards; and
- Mills Act Property Tax Calculator (to calculate a rough estimate of potential change in taxes).

**NOTICE: Each property owner should consult legal counsel and/or a financial advisor concerning the advisability of entering into a Mills Act agreement, prior to completing and submitting this application. The City makes no warranties or representations about the accuracy or validity of the Mills Act Property Tax Calculator – it is merely an information tool that applicants may use (at their sole risk), which does not substitute for or replace legal counsel or a financial advisor.**

**I hereby apply to be considered for a Mills Act agreement, have read and agree with the above documents, agree to execute the (Model) MILLS ACT AGREEMENT FOR PRESERVATION OF HISTORIC PROPERTY if selected for the program, and the information submitted is true and correct as of the date of application.**




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Owner's Signature Date

**APPLICATIONS ARE ACCEPTED AT THE ZONING COUNTER**

250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612

**Monday, Tuesday, Thursday & Friday: 8am-4pm; Wednesday: 9:30 – 4pm**

Exhibit A, Legal Description

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF ALAMEDA, CITY OF OAKLAND, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

A PORTION OF LOTS 12 AND 13, BLOCK OF LAKESHORE OAKS, FILED MAY 13, 1922, MAP BOOK 3, PAGE 39, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERN LINE OF BLOCK 10, DISTANT THEREON SOUTH 86 DEGREES 39 MINUTES 40 SECONDS WEST, 34.04 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE EASTERN BOUNDARY LINE OF LOT 12, IN SAID BLOCK 10, AS SAID LOT AND BLOCK ARE SHOWN ON THE MAP HEREIN REFERRED TO; RUNNING THENCE SOUTH 3 DEGREES 20 MINUTES 20 SECONDS EAST 84.80 FEET TO A POINT ON THE NORTHERN LINE OF TRESTLE GLEN ROAD, FORMERLY CAVANAGH ROAD, AS SAID ROAD IS SHOWN ON SAID MAP; THENCE SOUTH 81 DEGREES 17 MINUTES 10 SECONDS EAST, ALONG SAID LINE OF TRESTLE GLEN ROAD, 3.80 FEET; THENCE CONTINUING ALONG SAID LINE OF SAID ROAD ON THE ARC OF A CURVE TO THE LEFT, THE RADIUS OF WHICH IS 333.53 FEET, TANGENT TO LAST SAID COURSE, A DISTANCE ALONG SAID ARC OF 37 FEET; THENCE LEAVING SAID NORTHERN LINE OF SAID ROAD, NORTH 3 DEGREES 20 MINUTES 20 SECONDS WEST, 91.29 FEET TO SAID NORTHERN LINE OF BLOCK 10, AND THENCE SOUTH 86 DEGREES 39 MINUTES 40 SECONDS WEST, ALONG SAID LAST NAMED LINE, 40 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

PORTION OF PLOT 3, LAKESHORE HIGHLANDS, FILED JUNE 18, 1917, MAP BOOK 16, PAGE 37, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERN LINE OF SAID PLOT 3, DISTANT THEREON SOUTH 86 DEGREES 39 MINUTES 40 SECONDS WEST 34.04 FEET FROM THE EASTERN LINE OF LOT 12 IN BLOCK 10, AS SAID LOT AND BLOCK ARE SHOWN ON THE MAP OF LAKESHORE OAKS, FILED MAY 13, 1922, MAP BOOK 3, PAGE 39, ALAMEDA COUNTY RECORDS; AND RUNNING THENCE NORTH 3 DEGREES 20 MINUTES 20 SECONDS WEST 15 FEET; THENCE NORTH 86 DEGREES 39 MINUTES 40 SECONDS EAST 40 FEET; THENCE SOUTH 3 DEGREES 20 MINUTES 20 SECONDS EAST 15 FEET TO THE NORTHERN LINE OF LOT 13 IN SAID BLOCK 10; AND THENCE ALONG THE NORTHERN LINE OF SAID LOTS 13 AND 12, SOUTH 86 DEGREES 39 MINUTES 40 SECONDS WEST 40 FEET TO THE POINT OF BEGINNING.

A.P.N. 023-0437-003-01

Dated: April 30, 2004

## **Preservation Photos & Descriptions for 1186 Trestle Glen Road, Oakland**

The proposed work has a single goal: to improve and restore the visible appearance of the home. As the house and garage approach 100 years of age, the elements that are critical to the historical beauty of the buildings will be carefully restored.

### **2021 – 2023 Projects:**

- Repair/replace & repaint damaged wood, doors & window frames.
- Replace cracked window panes.
- Update water protective sealants on bricks on pillars, bricks at front and sides and chimney bricks.
- Re-point chimney bricks.
- Repair & repaint damaged stucco and trim.

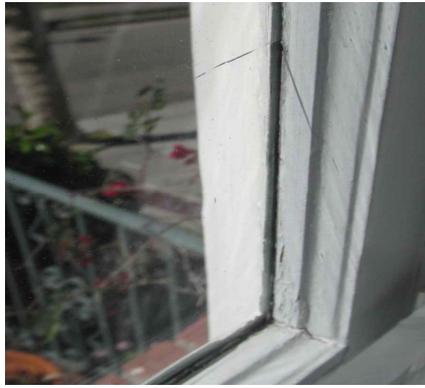


Samples of the many window frames whose wood is dried out, stained in places, with damaged paint.

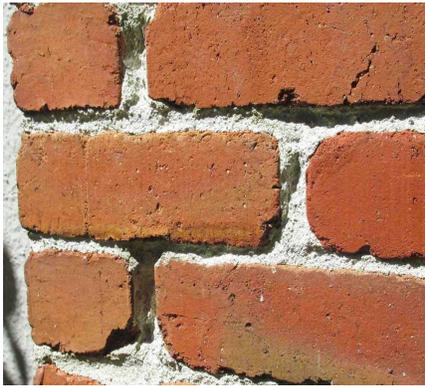


Some wood is dry-rotten but most damage is the result of aging putty, sun exposure and water seepage.





Damage where wood sits on the foundation and two cracked window panes.



Bricks on pillars, porch and chimney need to be sealed and, in some cases, re-pointed.

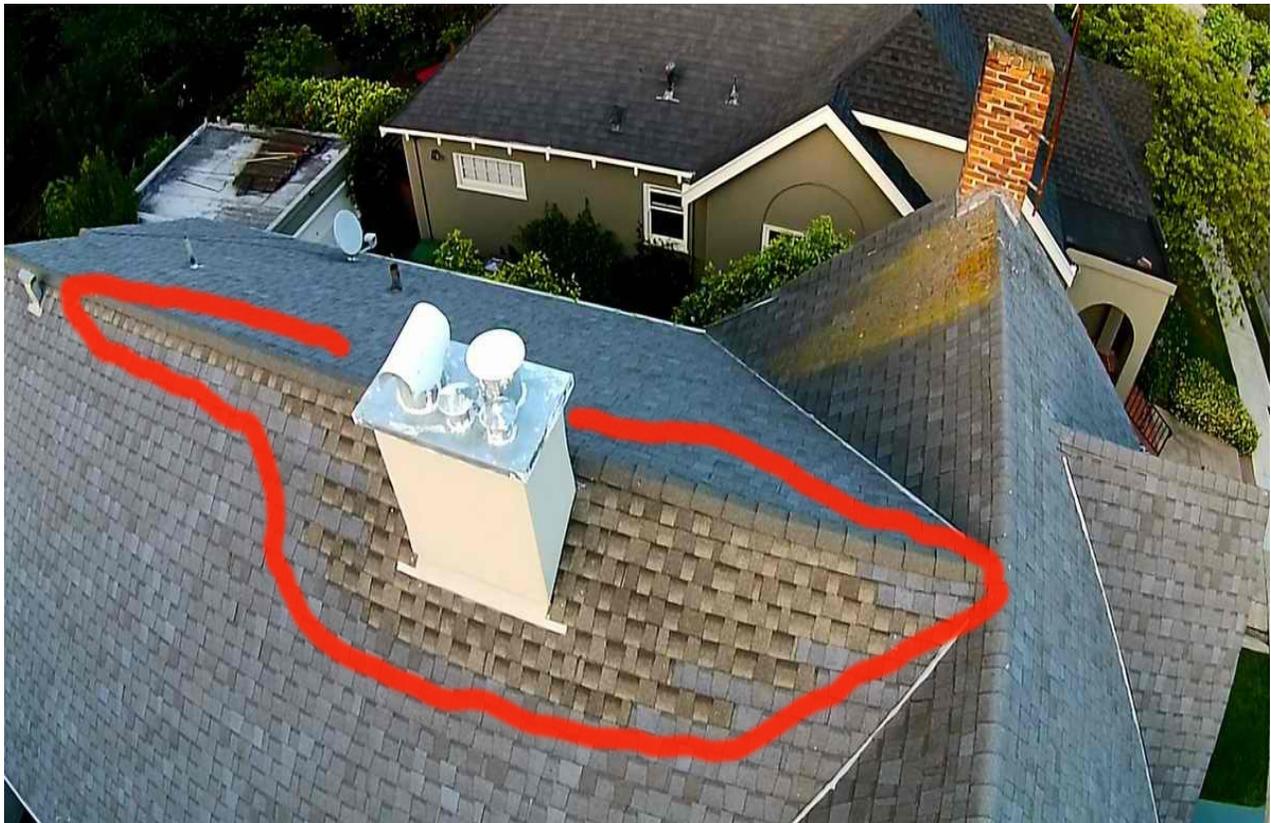


Cracks in the stucco walls are often hidden by the mature landscaping.



## **2024 – 2028 Projects:**

- Remove and replace house and garage roofs.
- Waterproof roof around chimney to prevent damage behind walls.
- Repair and/or replace gutters, roof-line mill work and flashing.



A permit was drawn in 1998 but canceled in 1999. This photo shows that only minor repairs were made.



Sealing the area around the chimney, replacing the gutters and flashing and repairing the roof-line mill work will prevent water damage to the house.

**2029 Projects:**

- Repair non-functional windows.
- Repair damaged window frames and trim.
- Replace missing ballasts.
- Update waterproof sealants on brick.



Unfortunately, many windows have been painted shut, while others need of ballast repairs.



Past window and trim repair have often relied upon wood putty, or even automotive bondo!



Periodic reapplication of brick weather sealer will prevent water seepage and dry rot.

**2030 Projects:**

- Repair cracks in stucco.
- Paint the house, porch, railings & garage.
- Patch & stain driveway.

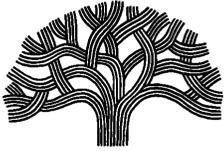


Cracks in stucco reappear on a regular basis and need to be addressed to prevent damage.



The house and its decorative ironwork haven't been painted in over 20 years and, despite regular touch-ups and maintenance, need a complete paint job. The driveway and garage are showing their age too.





# Oakland Landmarks Preservation Advisory Board

## MILLS ACT APPLICATION

250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612-2031 Phone: 510-238-3941

### 1. GENERAL INFORMATION

Property Address: 926 Rosemount Road Oakland, CA 94610

Assessor's Parcel Number(s): 11-891-15

Property Owner(s): Edward and Alexis Bayley

Applicant's Name: Alexis Bayley

Phone: (day) 415.794.6132 (evening) same email alexisbayley@gmail.com

Year of Purchase: 2014 Assessed Value: \$860,000

Existing Use of Property: Single Family Home

Legal Description (from deed – if long, please attach)

Lot 37, of Block 11, "Lakeshore Highlands", Filed June 18, 1917, Map Book 16, Page 37 Alameda County Records

### 2. HISTORIC PROPERTY INFORMATION

If not already designated by Landmarks Board, Heritage Property application is required concurrently.

HISTORIC/Common Name: \_\_\_\_\_

CONSTRUCTION DATE: 1927

HISTORIC STATUS as of application date (contact Preservation staff at 510-238-6879 to confirm):

Designated Historic Property Date of Designation \_\_\_\_\_

City Landmark     Heritage Property     Contributor to S-7 or S-20 District

Local Register of Historical Resources

Survey Rating A or B     Area of Primary Importance     National Register

Oakland Cultural Heritage Survey: Survey Rating: C2+ Date: 1986 Prelim/Intensive: Prelim

Photo



Location Map



**3. PRESERVATION WORK PROGRAM AND TIME LINE****Property Address: 926 Rosemount Road Oakland, CA 94610**

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Please list the improvements to take place over the next 10 years. Listed work should be limited to stabilization or maintenance of the historic structure and restoration or repair of exterior character defining features. State anticipated costs of improvements, including but not limited to materials, labor, permits and fees. Anticipated cost must equal or exceed tax savings: see Mills Act Calculator for a rough estimate of potential property tax reduction. Attach additional text and photos as necessary to fully describe work program. *This page will become part of the contract: please keep to one page.*

- 1. Year:** 2021 **Cost:** \$22,230 **Improvement:** Dry rot remediation around windows

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- 2. Year:** 2022 **Cost:** \$7,000 **Improvement:** Repair half timbered decorative wood at roof pitch

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- 3. Year:** 2023 **Cost:** \$10,850 **Improvement:** Phase 1: Foundation Repair and Earthquake Retrofitting

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- 4. Year:** 2024 **Cost:** \$10,850 **Improvement:** Phase 2: Foundation Repair and Earthquake Retrofitting

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- 5. Year:** 2025 **Cost:** \$10,850 **Improvement:** Phase 3: Foundation Repair and Earthquake Retrofitting

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- 6. Year:** 2026 **Cost:** \$10,850 **Improvement:** Phase 4: Foundation Repair and Earthquake Retrofitting

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- 7. Year:** 2027 **Cost:** \$10,850 **Improvement:** Phase 5: Foundation Repair and Earthquake Retrofitting

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- 8. Year:** 2028 **Cost:** \$10,850 **Improvement:** Phase 6: Foundation Repair and Earthquake Retrofitting

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- 9. Year:** 2029 **Cost:** \$10,850 **Improvement:** Phase 7: Foundation Repair and Earthquake Retrofitting

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- 10. Year:** 2030 **Cost:** \$10,850 **Improvement:** Install new gravel sub-drain

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**Note:** Each work item will require separate building and zoning review and approval prior to undertaking the actual work. Design Review fees are waived for Mills Act properties.

#### 4. SELECTION CRITERIA

The City of Oakland has adopted a Mills Act Property Tax Abatement Program for qualified historic properties. The 2006-08 ordinances creating the program limit impact on City revenues to \$25,000/year, plus \$25,000/year in any single redevelopment area with a cumulative limit of \$250,000 a year for all redevelopment areas outside the Central Business District. In the Central Business District, impact on Redevelopment revenues is limited to \$100,000/building/year with a cumulative limit of \$250,000/year. Any property tax loss that exceeds the above limits requires special consideration by the City Council.

If applications exceed the above limits, selection will be evaluated on the following criteria. These criteria may also be used to evaluate applications for completeness and eligibility.

##### **Necessity, quality, and impact of proposed work program:**

- The property needs exterior or structural work (e.g., stabilization, maintenance, reversal of inappropriate modifications, etc. - not interior work or additions) and the cost of the proposed work is equal to or greater than the potential reduction of property taxes.
- The proposed work program has strong potential to act as a catalyst for neighborhood revitalization by increasing architectural integrity, preserving neighborhood character, and conserving materials and energy embodied in the existing building.
- The application exhibits timely completion, quality of documentation, well thought out and realistic work program, clear understanding of work program and contract, ability to follow through.

##### **Diversity of property types and locations:**

- Geographic distribution: The property's location contributes to the goal of Mills Act contracts in neighborhoods throughout the City.

Contracts will be especially encouraged for properties in the (former) West Oakland and Central City East Redevelopment Areas because implementation of the Mills Act was a mitigation measure in the West Oakland and Central City East Redevelopment Plans.

- Building type and nature of significance: The property contributes to the goal of a variety of Mills Act building types (e.g., residential, commercial, industrial; rarity, age, style, use, etc.).

##### **Historic and architectural significance of building:**

- Either currently a Designated Historic Property, *or* a Heritage Property, Landmark, or S-7/S-20 District application is submitted concurrently and building is eligible for designation.
- Oakland Cultural Heritage Survey rating and Landmarks Board eligibility determination.
- Timely completion, quality, depth, and active involvement in Heritage Property application.



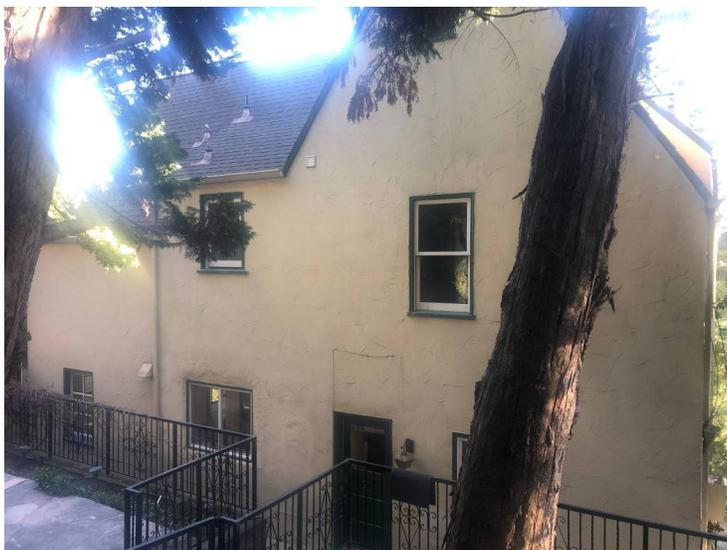
Work Program Details  
926 Rosemount Road

**House Photographs** (February 2020)

Front of House



Right Side of House



Back of House



Left Side of House

**Work Program Details**

**Work Item 1**

The previous owner invested over \$30,000 to replace the windows of the entire home with windows aligned with the aesthetic of a 1920s tudor. Unfortunately, the wood around all of the home's windows was not sealed and needs to be repaired, repainted and sealed. In addition, only a white primer was painted on the exterior window panel frames. This wood around the window panels is beginning to chip away. All window panels need to be painted. Doing so will allow us to keep the windows that maintain the historic look of the home and neighborhood. Cost to repair will be \$22,230.

Photos of examples of dry rot around window frames taken in February 2020. This is consistent around all of the home's windows.



**Work Item 2**

The half timbered decorative wood at the pitch of the roof is in a state of disrepair. It is a focal point of the front of the home. Repairing the half timbered wood will enhance the look of the home as a fine example of an English tudor house built in the 1920s and will enhance the neighborhood and streetscape helping to keep the uniformity of the historic houses built in the area. Cost to repair will be \$7,000.



**Work Items 3-10****Foundation Repair, Earthquake Retrofitting and New Sub Drain**

926 Rosemount is a partial 3 story wood framed house located on a steeply up-sloping lot in the Trestle Glen area of Oakland. The house dates back to 1927, and is accessed by a long series of concrete steps which winds up the front slope. There is a finished basement room at the left front quarter of the house. The rest of the structure is situated over sloping crawlspaces. There is a concrete walkway around the back of the house. The narrow rear yard beyond has been terraced with a series of retaining walls.

An evaluation of the state of the house foundations and the seismic readiness of the structure, resulted in recommendations for improvements.

The house bears on shallow, unreinforced trapezoidal footings. As is typical for the foundations of this era (particularly in this Trestle Glen area), the concrete is deteriorated to varying degrees, particularly along the rear perimeter. The right rear crawlspace has less than 18 inches of clearance. The exterior walkway is above the level of the floor joists. Although there is a flash wall which is intended to protect the below-grade framing from rot and termites, it appears that the ends of the floor joists are somewhat rotted.

The rear perimeter foundation includes no anchor bolts, and is not accessible for retrofitting. Thus the back of the house remains highly vulnerable from a seismic standpoint. A few plywood shear panels have been installed beneath the front entry area, with added bolting. It is unlikely that the main basement area was ever retrofitted, as the wall finishes appear to be more than 40 years old.

There is moisture migration under the left rear perimeter of the house. There is a gravel drain in place behind the rear wall of the basement, around the chimney that needs to be replaced. In the meantime, the basement flooded in 2011. As a temporary fix, a drain pipe in the area was modified, but a new gravel sub drain needs to be installed to remedy the moisture migration.

This house is relatively tall and narrow, which makes it more seismically vulnerable. Of particular concern is the lack of bolting across the back of the house, which is inaccessible for retrofitting. The moisture intrusion and joist deterioration area also of concern. The formed foundation should be replaced. The rotted ends of the joists should be cut off and attached to the face of the new foundation with a bolted ledger. The crawlspace should be excavated to provide 18 inches of joist clearance, and to reduce the slope where the left rear perimeter foundation currently bears. A gravel drain should be excavated around the rear perimeter of the house, tied into existing piping where possible. The right and left rear perimeter foundations should also be replaced.

The new rear foundation will include anchor bolts to secure the back of the house. As an additional, minimal seismic improvement, shear panels should be installed between the windows of the basement. In addition, a new foundation should be installed beside the stairs at the center of the house, to accommodate a 12-foot long transverse shear panel.

In addition to Duval construction, whose \$87,400 estimate we have provided, we also received estimates from Ward and All Seasons Construction. Those estimates greatly exceed the estimate by Duval.

**Antonio Martinez Construction**  
**2801 Garrow, Antioch \*510.712.5334**

Ed and Alexis Bayley  
 926 Rosemount Road

\*Preparation as described\*

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Right side of house (\$3,250)

- Upstairs window by new bathroom - sand down, prime and paint, fix cracks and splits (24 hours, 1 man)
- Upstairs window – (8 hours, 1 man)
- Basement door – sand down and prime (8 hours, 1 man)
- Attic vent (10 hours, 1 men)

Back of the house (\$4,160):

- Laundry room window (1 day, 1 man)
- Back door (8 hours, 1 man)
- Kitchen window – cut stucco and replace trims (32 hours 1 man)
- Upstairs window by bathroom (8 hours, 1 man)
- Upstairs window new bathroom – sand down window, caulk in cracks and splits (8 hours, 1 man)

Front of house (\$9,100)

- Master bedroom window (24 hours, 1 man)
- Hallway window – (14 hours, 1 man)
- Upstairs window bedroom – sand down and prime (16 hours, 1 man)
- Living room big window – sand down and prime (24 hours, 1 man)
- Downstairs hallway – sand down and prime (8 hours, 1 man)
- Dining room window – sand down, prime and paint, fix seal install new trims (24 hours, 1 man)
- Basement window – sand down and prime (16 hours, 1 man)
- Front door – sand down, caulking fix cracks and splits and prime (14 hours, 1 man)

Left side of house (\$5,700)

- Office window - sand down, prime (8 hours, 1 man)
- Closet window – (8 hours, 1 man)
- Master bedroom window (24 hours, 1 man)
- Downstairs bathroom window – remove trims (16 hours, 1 man)
- Living room – window fix trims window seal fix holes (16 hours, 1 man)

Half Timbered Wood Repair (\$7,000)

- Fix decoration boards
  - Install scaffolding to complete the job

Estimate: \$29,230

**D U V A L**  
CONSTRUCTION, Inc.

Concrete &  
Structural  
Specialists

Alexis Bayley  
926 Rosemount Road  
Oakland, CA

7-19-19

**ESTIMATE**

This estimate includes all labor and material to do the following work as per "preliminary not for construction" plans dated 4-4-19 and 6-28-19 site visit

Foundation and seismic upgrade will need to be engineered, scope and cost may vary. Work is as follows:

**DEMOLITION/EXCAVATION AND HAULING:**

Complete the demolition, excavation and hauling as required to complete work. Haul away all excess excavated earth and related construction and demolition debris.

**1. FOUNDATION REPAIR/REPLACEMENT:**

- a. Remove and replace the rear perimeter foundation with 9' returns on both sides per plans. Install gravel sub-drain piping system connected to the existing drainage system.
- b. Remove and replace the rear walkway where removal is required to access work.
- c. Includes \$11,200 to Remove and replace the remaining right-side perimeter foundation with a return across the front of the house to the base of the front stairs.
- d. Includes \$7,200 to construct a new 12' long foundation in the crawlspace sistered adjacent to the interior stair retaining wall (stair retaining wall to remain).

- 2. Raise the level of the new foundation by cutting away framing that is too close to the existing grade. Install new bolted sill plates. Repair exterior stucco as required. Prep, priming and finish painting work to be done by others.

ESTIMATED COST: \$79,800

**SEISMIC UPGRADE:**

- 3. Provide and install all anchor bolts, hold downs, blocking, and shear walls. Add additional framing, and other related work as required for seismic upgrade. All shear plywood will be 1/2" 5 ply struct-1.

- a. Remove and replace interior walls and finishes where required to install shear walls (painting by others).

ESTIMATED COST: \$7,600

**TOTAL ESTIMATED COST: \$87,400**

8642 TERRACE DRIVE

EL CERRITO, CA 94550

510-527-7428

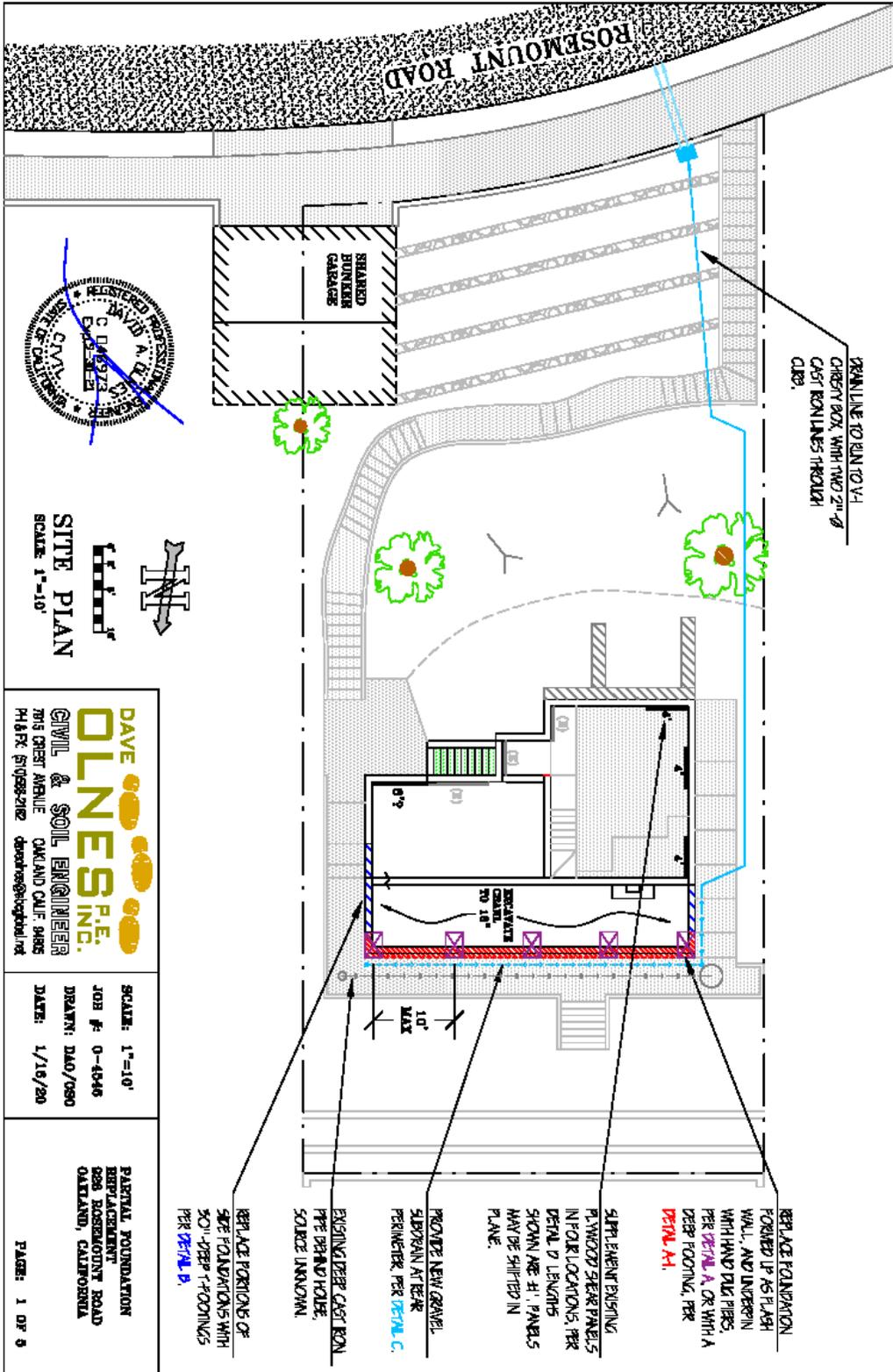
duvalconstruction@gmail.com

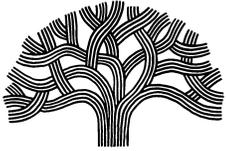
Thank you for your interest in Duval Construction. Special inspections, permit costs, design fees, and administrative fees to facilitate the Brace and Bolt Program are not included. All specifics are to be included in the contract. This estimate is valid for 90 days. If you have any questions, please call.  
Respectfully Submitted,

Jim Duval



Foundation and Seismic Retrofitting Plans





# Oakland Landmarks Preservation Advisory Board

## MILLS ACT APPLICATION

250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612-2031 Phone: 510-238-3941

### 1. GENERAL INFORMATION

**Property Address:** 2804 Adeline Street Oakland, CA 94608

**Assessor's Parcel Number(s):** 5-456-23

**Property Owner(s):** Omar Morales

**Applicant's Name:** Omar Morales

**Phone: (day)** 424.345.4310 (evening) \_\_\_\_\_ **email:** [o.morales06@yahoo.com](mailto:o.morales06@yahoo.com)

**Year of Purchase:** 2020 \_\_\_\_\_ **Assessed Value:** \$789,000 \_\_\_\_\_

**Existing Use of Property:** owner-occupied

**Legal Description** (from deed – if long, please attach)

Beginning at the point of intersection of the Eastern line of Adeline Street, with the Northern line of 28<sup>th</sup> Street; running thence Northerly along the Eastern line of Adeline Street 35 feet; thence Easterly parallel with said line of 28<sup>th</sup> Street 100 feet; thence Southerly parallel with said line of Adeline Street 35 feet to the Northern line of 28<sup>th</sup> Street; thence Westerly along the Northern line of 28<sup>th</sup> Street 100 feet to the point of beginning.  
Being portions of Lots 16, 17, and 18, Block 660, "Resubdivision of Block 659 and 660, City of Oakland", filed May 13, 1891, Map Book 8, Page 72, Alameda County Records.

### 2. HISTORIC PROPERTY INFORMATION

If not already designated by Landmarks Board, Heritage Property application is required concurrently.

**HISTORIC/Common Name:** Hutchinson (Maud) house **CONSTRUCTION DATE:** 1905-06.

**HISTORIC STATUS** as of application date (contact Preservation staff at 510-238-6879 to confirm):

**Designated Historic Property**

**Date of Designation** \_\_\_\_\_

City Landmark

Heritage Property: in progress

Contributor to S-7 or S-20 District

**Local Register of Historical Resources**

Survey Rating A or B

Area of Primary Importance

National Register

**Oakland Cultural Heritage Survey:** Survey Rating: C2+ Date: 1992 Prelim/Intensive: Int.

Photo	Location Map

**3. PRESERVATION WORK PROGRAM AND TIMELINE****Property Address: 2804 Adeline Street, Oakland 94608**

Please list the improvements to take place over the next 10 years. Listed work should be limited to stabilization or maintenance of the historic structure and restoration or repair of exterior character defining features. State anticipated costs of improvements, including but not limited to materials, labor, permits and fees. Anticipated cost must equal or exceed tax savings: see Mills Act Calculator for a rough estimate of potential property tax reduction. Attach additional text and photos as necessary to fully describe workprogram. *This page will become part of the contract: please keep to one page.*

- 1. Year:2020      Cost: \$23,100      Improvement: Foundation and structural engineering - straps attach second floor to first floor, A 35 up to the attic and retrofit foundation; 9 new piers under the joist and support; drywall and insulation**
- 2. Year:2021      Cost: Continued      Improvement: Foundation and structural engineering - straps attach second floor to first floor, A 35 up to the attic and retrofit foundation; 9 new piers under the joist and support; drywall and insulation(continued)**
- 3. Year:2022      Cost: \$9,400      Improvement: Replacing windows (1<sup>st</sup> floor) – double pane, to match originals**
- 4. Year:2023      Cost: Continued Improvement: Replacing windows (1<sup>st</sup> floor) – double pane, to match originals (continued)**
- 5. Year:2024      Cost: \$9,400      Improvement: Replacing windows (2<sup>nd</sup>floor) – double pane, to match originals**
- 6. Year:2025 Cost: Continued Improvement: Replacing windows (2<sup>nd</sup>floor) – double pane, to match originals (continued)**
- 7. Year:2026      Cost: \$7,000      Improvement: Painting trim of house and windows (2 colors)**
- 8. Year:2027      Cost: Continued Improvement: Painting trim of house and windows (2 colors) (continued)**
- 9. Year:2028      Cost: \$12,000 Improvement: Updating stairs, porch and paved walkways – front/back of house**
- 10. Year:2029      Cost: Continued Improvement: Updating stairs, porch and paved walkways – front/back of house (continued)**

**Total cost of repairs (project based on quote): \$60,900**

**Note: Each work item will require separate building and zoning review and approval prior to undertaking the actual work. Design Review fees are waived for Mills Act properties.**

#### 4. SELECTION CRITERIA

The City of Oakland has adopted a Mills Act Property Tax Abatement Program for qualified historic properties. The 2006-08 ordinances creating the program limit impact on City revenues to \$25,000/year, plus \$25,000/year in any single redevelopment area with a cumulative limit of \$250,000 a year for all redevelopment areas outside the Central Business District. In the Central Business District, impact on Redevelopment revenues is limited to \$100,000/building/year with a cumulative limit of \$250,000/year. Any property tax loss that exceeds the above limits requires special consideration by the City Council.

If applications exceed the above limits, selection will be evaluated on the following criteria. These criteria may also be used to evaluate applications for completeness and eligibility.

##### **Necessity, quality, and impact of proposed work program:**

- The property needs exterior or structural work (e.g., stabilization, maintenance, reversal of inappropriate modifications, etc. - not interior work or additions) and the cost of the proposed work is equal to or greater than the potential reduction of property taxes.
- The proposed work program has strong potential to act as a catalyst for neighborhood revitalization by increasing architectural integrity, preserving neighborhood character, and conserving materials and energy embodied in the existing building.
- The application exhibits timely completion, quality of documentation, well thought out and realistic work program, clear understanding of work program and contract, ability to follow through.

##### **Diversity of property types and locations:**

- Geographic distribution: The property's location contributes to the goal of Mills Act contracts in neighborhoods throughout the City.

Contracts will be especially encouraged for properties in the (former) West Oakland and Central City East Redevelopment Areas because implementation of the Mills Act was a mitigation measure in the West Oakland and Central City East Redevelopment Plans.

- Building type and nature of significance: The property contributes to the goal of a variety of Mills Act building types (e.g., residential, commercial, industrial; rarity, age, style, use, etc.).

##### **Historic and architectural significance of building:**

- Either currently a Designated Historic Property, *or* a Heritage Property, Landmark, or S-7/S-20 District application is submitted concurrently and building is eligible for designation.
- Oakland Cultural Heritage Survey rating and Landmarks Board eligibility determination.
- Timely completion, quality, depth, and active involvement in Heritage Property application.

**5. SUBMITTAL REQUIREMENTS**

- Mills Act Application Form: This application form completed and signed.
- Assessor’s Parcel Map and Legal Description: From deed or County Assessor’s office.
- For corporate owners (LLC, condo, etc.): Document exact entity name and signatory/ies.
- Photographs
  - Photographs must be in color, labeled, and printed on 8-1/2” x 11” paper.
  - Illustrate the overall exterior condition and character of the property.
  - Show the structure from across the street and from front, side and rear.
  - Include detailed close up views of each feature listed in the work program.
  - Label each photo (e.g., Work Program Item #1, #2, etc.).
- Oakland Landmark, Heritage Property or S-7/S-20 Preservation District Application
  - Required for properties that are not already designated by Landmarks Board.
- Additional pages to describe and illustrate the work program, as necessary.
- Copy of last property tax bill.
- Printout of Mills Act Calculator estimate, showing anticipated tax saving.
- Filing Fee - \$601.29, due at the time of application submittal.

Please read and review (online at [www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation)):

- Mills Act (Sections 50280-90 of the California Government Code and Article 1.9, Sections 439 – 439.4 of the California Revenue and Taxation Code)
- (Model) Mills Act Agreement for Preservation of Historic Property (contract you will sign);
- Secretary of the Interior’s Standards for Rehabilitation (included in Mills contract);
- Minimum Property Maintenance Standards (included in Mills contract); and
- Mills Act Property Tax Calculator (for rough estimate of potential change in taxes).

**NOTICE: Each property owner is advised to consult legal counsel and/or a financial advisor concerning the advisability of entering into a Mills Act agreement, prior to completing and submitting this application. The City makes no warranties or representations about the accuracy or validity of the Mills Act Property Tax Calculator – it is merely an information tool that applicants may use at their sole risk, which does not substitute for or replace legal counsel or a financial advisor.**

**I hereby apply to be considered for a Mills Act agreement, have read and agree with the above documents, and agree to execute the (Model) MILLS ACT AGREEMENT FOR PRESERVATION OF HISTORIC PROPERTY if selected for the program. The information submitted is true and correct as of the date of application.**

Owner’s Signature:  \_\_\_\_\_ Date May 29, 2020

**APPLICATIONS ARE ACCEPTED AT THE ZONING COUNTER**

250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612  
Monday, Tuesday, Thursday & Friday: 8am-3pm; Wednesday: 9:30 – 3pm

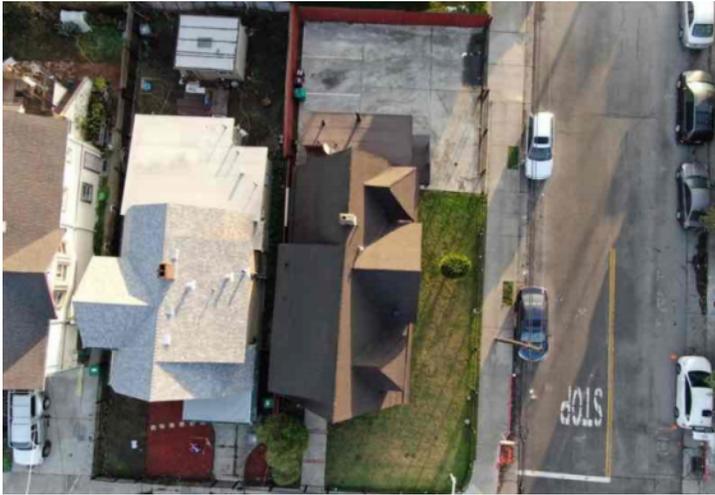
Adeline facade from corner of 28th Street



Rear of house, looking west on 28th Street



Aerial view showing complex roof structure





Improvements in 2022 – 2026:

Window Replacements

- 23 windows are being proposed for replacement
- 20 are original; 3 were added with addition of rear wing
- Replacement windows are Milgard Fiberglass Ultra Series

Itemized character-defining features:

- double hung
- upper pane smaller than lower pane
- slender wood sash with lugs
- plain flat sill
- narrow molded trim

Window close-ups:





Improvements in 2028 – 2030: Updating stairs, porch and paved walkways – front/back of house



# MILLS ACT APPLICATION

250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031

Phone: 510-238-3911 Fax: 510-238-4730

- **GENERAL INFORMATION**

**APPLICANT'S NAME:** Raquel O. Pea and Rosana O. Pea  
**PROPERTY ADDRESS:** 724 Campbell Street, Oakland, CA, 94607  
**PROPERTY OWNER(S):** \_\_Raquel O. Pea and Rosana O. Pea  
**PHONE: (Day)** 510-915-0466 **(Evening)** 510-915-0466 **email:** iamraquie@gmail.com  
**ASSESSOR'S PARCEL NUMBER(S):** 6-3-24  
**YEAR OF PURCHASE:** 2018 **ASSESSED VALUE:** \$714,000  
**EXISTING USE OF PROPERTY:** Residential, Primary Residence

**LEGAL DESCRIPTION:**

BEGINNING AT A POINT ON THE EASTERN LINE OF CAMPBELL STREET, DISTANT THEREON NORTHERLY 154 FEET 9 INCHES FROM THE INTERSECTION THEREOF WITH THE NORTHERN LINE OF 7TH STREET, FORMERLY RAILROAD AVENUE; RUNNING THENCE NORTHERLY ALONG SAID LINE OF CAMPBELL STREET 38 FEET; 4-½ INCHES; THENCE EASTERLY ON A LINE DRAWN AT RIGHT ANGLES TO PERALTA STREET 142 FEET 11 INCHES; THENCE AT RIGHT ANGLES SOUTHERLY 38 FEET 9 INCHES; THENCE AT RIGHT ANGLES WESTERLY 133 FEET 8 INCHES MORE OR LESS, TO THE POINT OF BEGINNING.

BEING A PORTION OF BLOCK 527, AS SAID BLOCK IS SHOWN ON THE MAP OF OAKLAND AND VICINITY, W.F. BOARDMAN, FILED APRIL 23, 1883 IN BOOK 17 OF MAPS, AT PAGE 14, ALAMEDA COUNTY RECORDS.

- **HISTORIC PROPERTY INFORMATION**

**HISTORIC/Common Name (if any):** Martin House

**CONSTRUCTION DATE:** 1875 **LEGAL DESCRIPTION (From Deed, Please attach)**

**HISTORIC STATUS:** Please contact Historic Preservation staff at (510)238-6879 to confirm.

**DESIGNATED HISTORIC PROPERTY**

City of Oakland Landmark  
 City of Oakland Heritage Property  
 Contributor to a City of Oakland S-7 or S-20 District

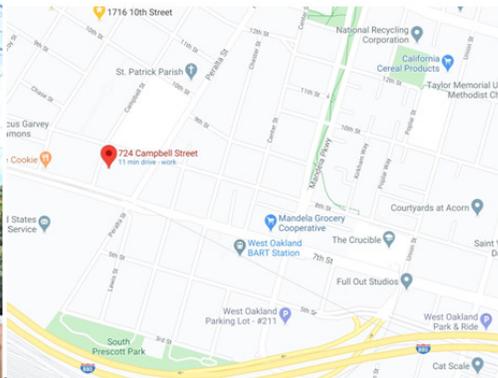
**DATE OF DESIGNATION**

\_\_\_\_\_ in progress \_\_\_\_\_

**LOCAL REGISTER OF HISTORIC RESOURCES\***

Listed on the National Register of Historic Places  
 Oakland Cultural Heritage Survey rating of 'A' or 'B'  
 Potential Designated Historic Property Located in an Area of Primary Importance

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



### **3. PRESERVATION WORK PROGRAM AND TIME LINE**

**PROPERTY ADDRESS:** 724 Campbell Street, Oakland, CA, 94607

Please list the improvements to take place over the next 10 years, in order of priority. Listed work should be limited to stabilization and/or maintenance of the historic structure or restoration or repair of exterior character defining features. State the anticipated costs of the improvements, including but not limited to materials, labor, permits and fees. Anticipated construction must be equal to or greater than tax savings: see the Mills Act Property Tax Calculator on line at [www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation) for a rough estimate of potential property tax reduction. (Please keep to one page; attach additional pages as necessary to fully describe work program.)

- 1. Year:** 2021 **Cost:**    \$11,500    **Improvement:** Install new roof and gutters. (+\$11,500)
  
- 2. Year:** 2022 **Cost:**    \$11,500    **Improvement:** Install new roof and gutters. (+\$8,500)  
Repair dry rotted exterior, siding, trim, fascia, soffits, brackets, and hardwood siding. (+\$3,000)
  
- 3. Year:** 2023 **Cost:**    \$11,500    **Improvement:** Repair dry rotted exterior, siding, trim, fascia, soffits, brackets, and hardwood siding. (+\$11,500)
  
- 4. Year:** 2024 **Cost:**    \$11,500    **Improvement:** Repair dry rotted exterior. (+\$500)  
Demolish and rebuild front staircase and porch. (+\$11,000)
  
- 5. Year:** 2025 **Cost:**    \$11,500    **Improvement:** Demolish and rebuild front staircase and porch. (+\$4,000) Remove and replace deteriorated windows, doors, and frames with historically accurate counterparts. (+\$7,500)
  
- 6. Year:** 2026 **Cost:**    \$11,500    **Improvement:** Remove and replace deteriorated windows, doors, and frames with historically accurate counterparts. (+\$11,500)
  
- 7. Year:** 2027 **Cost:**    \$11,500    **Improvement:** Remove and replace deteriorated windows, doors, and frames with historically accurate counterparts. (+\$11,500)
  
- 8. Year:** 2028 **Cost:**    \$11,500    **Improvement:** Remove and replace deteriorated windows, doors, and frames with historically accurate counterparts. (+\$9,500) Prime and paint exterior four colors minimum (+\$2,000)
  
- 9. Year:** 2029 **Cost:**    \$11,500    **Improvement:** Prime and paint exterior four colors minimum (+\$11,500)
  
- 10. Year:** 2030 **Cost:**    \$11,500    **Improvement:** Prime and paint exterior four colors minimum (+\$11,500)

**Note:** Each work item will require separate building and zoning review and approval prior to undertaking the actual work. Design Review fees are waived for Mills Act properties.

**Exterior, Historic Character, and Work Program Photographs**



Front view from across the street



Right side view



Rear view



Left side (alley) view



Front portico porch



Front, 3-sided bay. Deep overhanging eaves are framed by large cornices and decorative corbels / brackets which run the entire perimeter of the home.

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**Work items #1 and #2 - Install new roof, gutters, downspouts and proper attic ventilation.**



The gutters are cracked and their fastening screws are rusted, which has caused the gutters to detach from the home in many areas. The shingle roof is leaking in various places and also needs to be totally replaced to prevent further damage, and proper ridge and eave ventilation must be added.

**Work program items #2, #3, and #4 - Repair exterior dry rotted siding, trim, fascia, soffits, brackets rafter tails and hardwood siding. (Images below)**



Due to the water entering the eaves, the fascia, soffits and rafter tails are dry rotted on all four sides of the house. A number of the decorative brackets are also dry rotted and need to be repaired or replaced.



Many parts of the trim and some pieces of the hardwood siding also need to be replaced due to dry rot. Flat trim should be replaced with the historical molding.

**Work program items #4 and #5 - Demolish and rebuild front staircase and porch. (below)**



Rotted tongue and groove floor boards located on the front porch.



Patched dry rotted square chamfered columns located on the portico porch. They should be replaced with historically accurate turned balustrades.



Dry rotted hand rail on the front staircase. Most of the structure is rotted, and so the entire front staircase needs to be rebuilt.



Dry rotted treads on the front staircase.

**Work program items #5, #6, and #7 - Remove and replace deteriorated windows, doors and frames with historically accurate counterparts. (Images below)**



The window on the west or front side of the house is the only window that still features its original and ornate molding, including decorative frieze and large protruding cap. The side window (right), like most of the windows in the house today, features 6" flat molding without decorative elements. This flat molding most likely replaced the original sometime prior to 2010. Originally, the windows on the sides and rear may have had small pendants below the sills and a subtle cap similar to the molding on the window located on the front of the home, however simplified and scaled down.



Fogged window and dry rotted window sash.

**Work program items #8, #9, and #10 - Prime and paint exterior. (Images below)**



The paint is blistering and peeling, especially on the east (rear) and south (right) sides of the home.



The finish nails are pushing out of the siding in many places and need to be reset (left). The caulking which was added to the bottom edges of all the siding boards needs to be scraped out as it is chipped and blistering, and should not have been placed there in the first place (right). The entire exterior of the house then needs to be re-primed and painted.

## **4. SUBMITTAL REQUIREMENTS**

- Mills Act Application Form
  - This application form, signed and completed. Original signatures or clear & legible copies are required.
- Assessor's Parcel Map
  - Available at the City of Oakland Engineering Services or zoning counter, Alameda County Assessor's Office, 1221 Oak Street, or Assessor's website.
- Photographs
  - Photographs must be labeled, and printed or mounted on 8-1/2" x 11" paper.
  - Photographs must sufficiently illustrate the exterior, overall condition and historic character of the property, including historic features.
  - Photographs must be in color and include the existing structure as seen from across the street and from front, side and rear property lines. Label each view.
  - Photographs must be in color and include detailed (close up) views of each of the listed areas in the proposed work program. Label each (e.g., Work Program Item #1, #2, etc.)
- Oakland Landmark, Heritage Property and S-7 Preservation Combining Zone Application
  - Required for properties that are not already designated as:
    - City of Oakland Landmark
    - City of Oakland Heritage Property
    - Contributor to a City of Oakland S-7 or S-20 Historic District
- Legal Description of the Property
  - Grant Deed
  - Legal Description
  - Assessor's Parcel Map
- Additional pages to describe the Work Program, as necessary
- Copy of Last Property Tax Bill
- Filing Fee - \$601.29, due at the time of application submittal.

## **5. SELECTION CRITERIA**

The City has adopted a Mills Act Property Tax Abatement Program for qualified historic properties, with the program impact on City revenues limited to \$25,000/year, and \$25,000/year in any single redevelopment area with a cumulative limit of \$250,000/year for all redevelopment areas with the exception of the Central Business District. In the Central Business District, there shall be a limit of the program impact on Redevelopment revenues to \$100,000/building/year with a cumulative limit of \$250,000/year. Any Mills Act applicant whose estimated Property Tax loss exceeds the above limits may request special consideration by the City Council.

If applications exceed the limited dollar amounts, applications will be evaluated on the following criteria. These criteria may also be used to evaluate applications for completeness and eligibility.

- The date the application is complete.
- The property is either currently a Designated Historic Property *or* the property is currently listed on the Local Register of Historic Resources *and* an Oakland Landmark, Heritage Property and/or S-7 Combining Zone Application has been submitted for Heritage Property Designation.
- The property needs exterior work (e.g., stabilization, maintenance, reversal of inappropriate building modifications, etc. - **not** interior work or additions) and the cost of the proposed exterior work is equal or greater than the potential reduction of property taxes.
- The proposed work program for maintenance, repair, rehabilitation and/or restoration has the strong potential to act as a catalyst for neighborhood revitalization by:

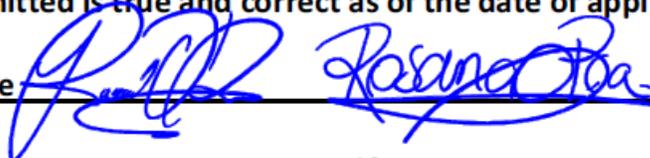
- Increasing architectural integrity;
- Preserving neighborhood character; and
- Conserving materials and energy embodied in existing building.
- Geographic Distribution:
  - A minimum total of six Mills Act Contracts will be awarded to properties in the West Oakland Redevelopment Area because Implementation of the Mills Act is a Mitigation Measure of the West Oakland Redevelopment Plan.
  - A minimum of six Mills Act Contracts will be awarded to properties in the Central City East Area because Implementation of the Mills Act is a Mitigation Measure of the Central City East Redevelopment Plan.
  - The property's location contributes to the goal of Mills Act Contract representation in neighborhoods throughout the City.
- The property's building type contributes to the goal of a variety of Mills Act Contract building types (e.g., residential, commercial and industrial buildings).

**Please read and review (available online at [www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation)):**

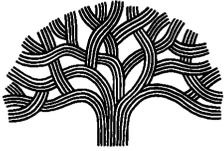
- the Mills Act brochure;
- Mills Act (Sections 50280-90 of the California Government Code and Article 1.9, Sections 439 – 439.4 of the California Revenue and Taxation Code)
- the (MODEL) MILLS ACT AGREEMENT FOR PRESERVATION OF HISTORIC PROPERTY;
- Secretary of the Interior's Standards for Rehabilitation;
- Minimum Property Maintenance Standards; and
- Mills Act Property Tax Calculator (to calculate a rough estimate of potential change in taxes).

**NOTICE: Each property owner should consult legal counsel and/or a financial advisor concerning the advisability of entering into a Mills Act agreement, prior to completing and submitting this application. The City makes no warranties or representations about the accuracy or validity of the Mills Act Property Tax Calculator – it is merely an information tool that applicants may use (at their sole risk), which does not substitute for or replace legal counsel or a financial advisor.**

**I hereby apply to be considered for a Mills Act agreement, have read and agree with the above documents, agree to execute the (Model) MILLS ACT AGREEMENT FOR PRESERVATION OF HISTORIC PROPERTY if selected for the program, and the information submitted is true and correct as of the date of application.**

**Owner's Signature**  **Date: 05/01/2020**

**APPLICATIONS ARE ACCEPTED AT THE ZONING COUNTER**  
 250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612  
 Monday, Tuesday, Thursday & Friday: 8am-4pm; Wednesday: 9:30 – 4pm



# Oakland Landmarks Preservation Advisory Board MILLS ACT APPLICATION

250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612-2031 Phone: 510-238-3941

## 1. GENERAL INFORMATION

**Property Address:** 326-328 Henry St **Assessor's Parcel Number(s):** 4-103-260

**Property Owner(s):** Megan Sveiven & Gustavo De Leon (Field Engineering)

**Applicant's Name:** Megan Sveiven & Gustavo De Leon

**Phone: (day)** 415-846-6991 **(evening)** \_\_\_\_\_ **email** megwave@gmail.com

**Year of Purchase:** January 2019 **Assessed Value:** \$469,294 (Based on Supplemental Property Tax Assessment, Tracer 74273000) **Existing Use of Property:** Residential

**Legal Description** (from deed – if long, please attach)

the following described property in the City of **Oakland**, County of **Alameda**, State of **California**:

COMMENCING AT A POINT ON THE EASTERLY LINE OF HENRY STREET, DISTANT THEREON 263 FEET, SOUTHERLY FROM THE SOUTHERLY LINE OF WEST FIFTH STREET, RUNNING THENCE SOUTHERLY ALONG SAID LINE OF HENRY STREET, 25 FEET, THENCE AT RIGHT ANGLES EASTERLY 125 FEET, THENCE AT RIGHT ANGLES NORTHERLY 25 FEET, AND THENCE AT RIGHT ANGLES WESTERLY 125 FEET TO THE POINT OF COMMENCEMENT.

BEING LOT 15, BLOCK "F", AS SAME ARE LAID DOWN AND DELINEATED UPON A CERTAIN MAP ENTITLED "MAP OF THE BAY VIEW HOMESTEAD, OAKLAND, APRIL 1869 AND ADJOINING PROPERTY NORTH", FILED APRIL 15, 1869, IN BOOK 4, PAGE 5, OF MAPS, ALAMEDA COUNTY RECORDS.

## 2. HISTORIC PROPERTY INFORMATION

If not already designated by Landmarks Board, Heritage Property application is required concurrently.

**HISTORIC/COMMON NAME:** Brown (Henry) – Pereira (Serafino) House

**CONSTRUCTION DATE:** 1874-76

**HISTORIC STATUS as of application date** (contact Preservation staff at 510-238-6879 to confirm):

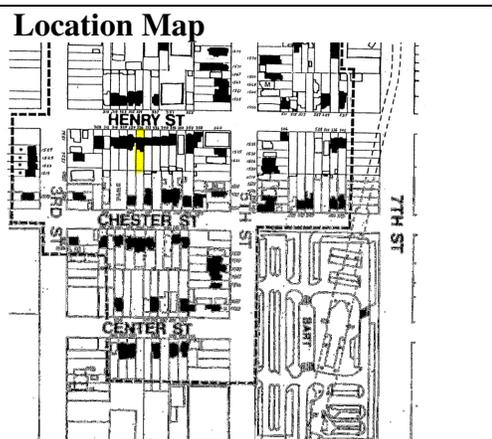
**Designated Historic Property** **Date of Designation** \_\_\_\_\_

City Landmark  Heritage Property  Contributor to S-7 or S-20 District

**Local Register of Historical Resources**

Survey Rating A or B  Area of Primary Importance  National Register

**Oakland Cultural Heritage Survey:** Survey Rating: D1+ Date: 1987ff Prelim/Intensive: Int.



**3. PRESERVATION WORK PROGRAM AND TIME LINE****Property Address:** 326-328 Henry St

Please list the improvements to take place over the next 10 years. Listed work should be limited to stabilization or maintenance of the historic structure and restoration or repair of exterior character defining features. State anticipated costs of improvements, including but not limited to materials, labor, permits and fees. Anticipated cost must equal or exceed tax savings: see Mills Act Calculator for a rough estimate of potential property tax reduction. Attach additional text and photos as necessary to fully describe work program. *This page will become part of the contract: please keep to one page.*

- 1. Year:** 2021 **Cost:** \$4,500 **Improvement:** Restore front staircase and porch; requires replacement of wood members due to water damage and rot. Replace railings, treads, and restore second story porch overhang; detailing to match historic character.
- 2. Year:** 2022 **Cost:** \$4,500 **Improvement:** Item 01, continued
- 3. Year:** 2023 **Cost:** \$4,500 **Improvement:** Item 01, continued
- 4. Year:** 2024 **Cost:** \$4,100 **Improvement:** Replace remaining vinyl windows with period-appropriate wood sash windows, tall double-hung or similar at remaining (3) sides of house. Restore windows to original shape, material, configuration wherever possible.
- 5. Year:** 2025 **Cost:** \$4,100 **Improvement:** Item 04, continued
- 6. Year:** 2026 **Cost:** \$4,100 **Improvement:** Item 04, continued
- 7. Year:** 2027 **Cost:** \$4,100 **Improvement:** Item 04, continued
- 8. Year:** 2028 **Cost:** \$4,200 **Improvement:** Paint Exterior Siding, and restore minimal Italianate trim/hoods at windows and doors, similar to neighboring properties of same style and age
- 9. Year:** 2029 **Cost:** \$4,200 **Improvement:** Item 08, continued
- 10. Year:** 2030 **Cost:** \$4,300 **Improvement:** Front lot upgrades to include removal of existing iron gates, removal of existing concrete slab and adding permeable pavers/natural buffer at lot along Henry St (referencing previously documented photographs).

**Note: Each work item will require separate building and zoning review and approval prior to undertaking the actual work. Design Review fees are waived for Mills Act properties.**

#### 4. SELECTION CRITERIA

The City of Oakland has adopted a Mills Act Property Tax Abatement Program for qualified historic properties. The 2006-08 ordinances creating the program limit impact on City revenues to \$25,000/year, plus \$25,000/year in any single redevelopment area with a cumulative limit of \$250,000 a year for all redevelopment areas outside the Central Business District. In the Central Business District, impact on Redevelopment revenues is limited to \$100,000/building/year with a cumulative limit of \$250,000/year. Any property tax loss that exceeds the above limits requires special consideration by the City Council.

If applications exceed the above limits, selection will be evaluated on the following criteria. These criteria may also be used to evaluate applications for completeness and eligibility.

**Necessity, quality, and impact of proposed work program:**

- The property needs exterior or structural work (e.g., stabilization, maintenance, reversal of inappropriate modifications, etc. - not interior work or additions) and the cost of the proposed work is equal to or greater than the potential reduction of property taxes.
- The proposed work program has strong potential to act as a catalyst for neighborhood revitalization by increasing architectural integrity, preserving neighborhood character, and conserving materials and energy embodied in the existing building.
- The application exhibits timely completion, quality of documentation, well thought out and realistic work program, clear understanding of work program and contract, ability to follow through.

**Diversity of property types and locations:**

- Geographic distribution: The property's location contributes to the goal of Mills Act contracts in neighborhoods throughout the City.

Contracts will be especially encouraged for properties in the (former) West Oakland and Central City East Redevelopment Areas because implementation of the Mills Act was a mitigation measure in the West Oakland and Central City East Redevelopment Plans.

- Building type and nature of significance: The property contributes to the goal of a variety of Mills Act building types (e.g., residential, commercial, industrial; rarity, age, style, use, etc.).

**Historic and architectural significance of building:**

- Either currently a Designated Historic Property, *or* a Heritage Property, Landmark, or S-7/S-20 District application is submitted concurrently and building is eligible for designation.
- Oakland Cultural Heritage Survey rating and Landmarks Board eligibility determination.
- Timely completion, quality, depth, and active involvement in Heritage Property application.

5. SUBMITTAL REQUIREMENTS

- Mills Act Application Form: This application form completed and signed.
- Assessor’s Parcel Map and Legal Description: From deed or County Assessor’s office.
- For corporate owners (LLC, condo, etc.): Document exact entity name and signatory/ies.
- Photographs
  - Photographs must be in color, labeled, and printed on 8-1/2” x 11” paper.
  - Illustrate the overall exterior condition and character of the property.
  - Show the structure from across the street and from front, side and rear.
  - Include detailed close up views of each feature listed in the work program.
  - Label each photo (e.g., Work Program Item #1, #2, etc.).
- Oakland Landmark, Heritage Property or S-7/S-20 Preservation District Application
  - Required for properties that are not already designated by Landmarks Board.
- Additional pages to describe and illustrate the work program, as necessary.
- Copy of last property tax bill.
- Printout of Mills Act Calculator estimate, showing anticipated tax saving.
- Filing Fee - \$601.29, due at the time of application submittal.

Please read and review (online at [www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation)):

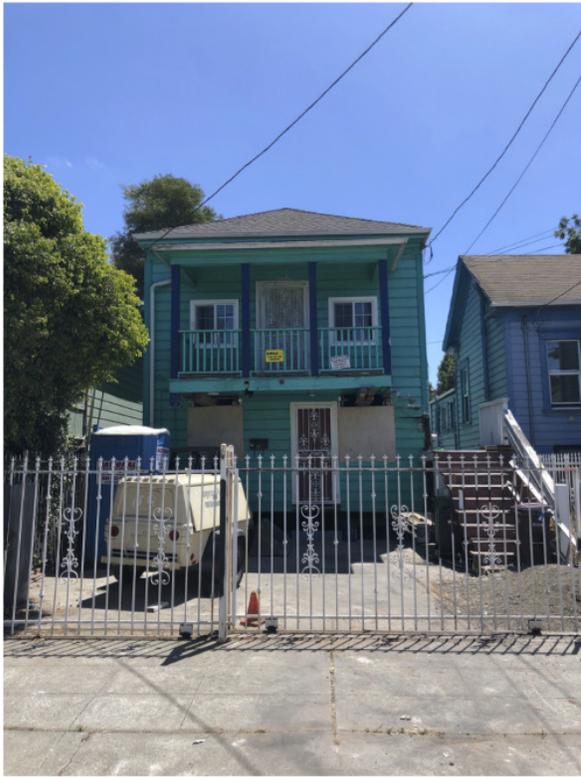
- Mills Act (Sections 50280-90 of the California Government Code and Article 1.9, Sections 439 – 439.4 of the California Revenue and Taxation Code)
- (Model) Mills Act Agreement for Preservation of Historic Property (contract you will sign);
- Secretary of the Interior’s Standards for Rehabilitation (included in Mills contract);
- Minimum Property Maintenance Standards (included in Mills contract); and
- Mills Act Property Tax Calculator (for rough estimate of potential change in taxes).

**NOTICE: Each property owner is advised to consult legal counsel and/or a financial advisor concerning the advisability of entering into a Mills Act agreement, prior to completing and submitting this application. The City makes no warranties or representations about the accuracy or validity of the Mills Act Property Tax Calculator – it is merely an information tool that applicants may use at their sole risk, which does not substitute for or replace legal counsel or a financial advisor.**

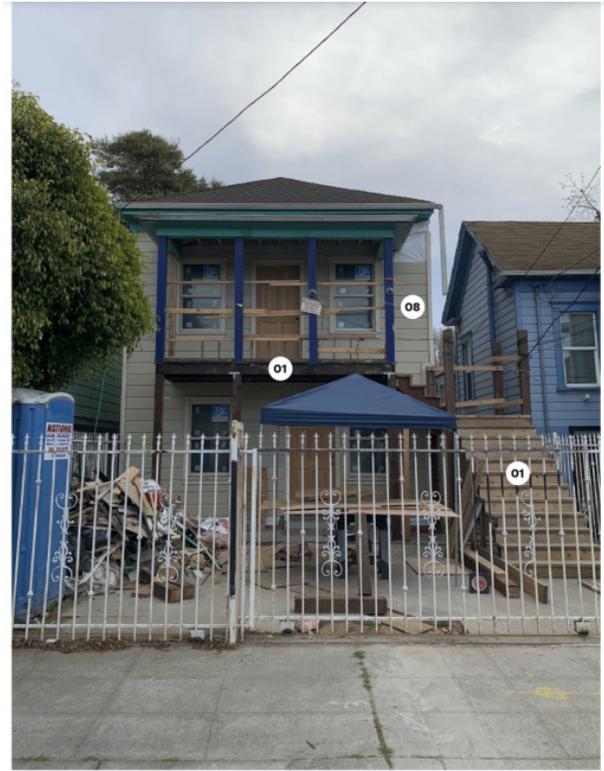
**I hereby apply to be considered for a Mills Act agreement, have read and agree with the above documents, and agree to execute the (Model) MILLS ACT AGREEMENT FOR PRESERVATION OF HISTORIC PROPERTY if selected for the program. The information submitted is true and correct as of the date of application.**

Owner’s Signature		Date <u>05/28/20</u>
-------------------	--	----------------------

**APPLICATIONS ARE ACCEPTED AT THE ZONING COUNTER**  
 250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612  
 Monday, Tuesday, Thursday & Friday: 8am-3pm; Wednesday: 9:30 – 3pm



Front of house, January 2019



May 2020 Numbers refer to work program items



Back of house, January 2019



May 2020



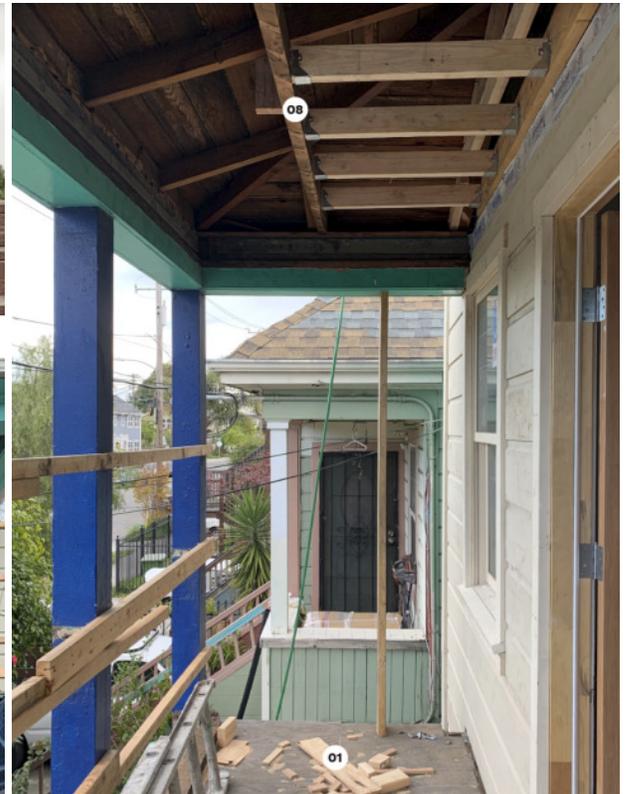
Side of house, January 2019



May 2020



Stair and porch



1987 photo, Oakland Cultural Heritage Survey, South Prescott Historic Resources Inventory



Key to work items:

- 1.** Restore front staircase and porch; requires replacement of wood members due to water damage and rot. Replace railings, treads, and restore second story porch overhang; detailing to match historic character.
- 4.** Replace remaining vinyl windows with period-appropriate wood sash windows, tall double-hung or similar at remaining (3) sides of house. Restore windows to original shape, material, configuration wherever possible.
- 8.** Paint Exterior Siding, and restore minimal Italianate trim/hoods at windows and doors, similar to neighboring properties of same style and age
- 10.** Front lot upgrades to include removal of existing iron gates, removal of existing concrete slab and adding permeable pavers/natural buffer at lot along Henry St (referencing previously documented photographs).

# MILLS ACT APPLICATION

250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031

Phone: 510-238-3911 Fax: 510-238-4730

[www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation)

## 1. GENERAL INFORMATION

APPLICANT'S NAME: Anne, Paul, Laura and Jenna Redmond

PROPERTY ADDRESS: 5738 Picardy Drive Oakland, CA, 94605

PROPERTY OWNER(S): Anne and Paul Redmond

PHONE: (Day) 9498129163 (Evening) Same email paulredmond@me.com

ASSESSOR'S PARCEL NUMBER(S): 38-3171-22

YEAR OF PURCHASE: 2017 ASSESSED VALUE: \$802,740

EXISTING USE OF PROPERTY: 1100, single family home

## 2. HISTORIC PROPERTY INFORMATION

HISTORIC/Common Name (If any): in Normandy Gardens subdivision

CONSTRUCTION DATE: 1926 LEGAL DESCRIPTION (From Deed, Please attach)

Lot 20, Map of Normandy Garden, in the City of Oakland, County of Alameda, State of California, filed February 18, 1926, Map Book 5, Page 45, Alameda County Records.

HISTORIC STATUS: Please contact Historic Preservation staff at (510)238-6879 to confirm.

### DESIGNATED HISTORIC PROPERTY

- City of Oakland Landmark
- City of Oakland Heritage Property
- Contributor to a City of Oakland S-7 or S-20 District

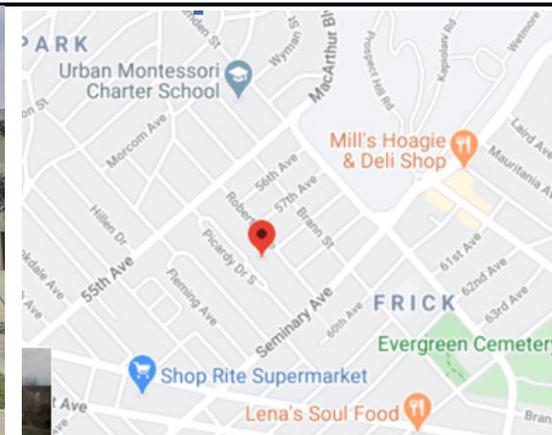
### DATE OF DESIGNATION

- Preservation Study List, 1980
- In Progress

### LOCAL REGISTER OF HISTORIC RESOURCES\*

- Listed on the National Register of Historic Places
- Oakland Cultural Heritage Survey rating of 'A' or 'B'
- Potential Designated Historic Property located in an Area of Primary Importance

\* Local Register properties not already designated by the Oakland Landmarks Board must concurrently submit an Oakland Landmark, Heritage Property or S-7 Preservation Combining Zone Application



### 3. PRESERVATION WORK PROGRAM AND TIME LINE

**PROPERTY ADDRESS: 5738 Picardy Drive, Oakland, CA, 94605**

Please list the improvements to take place over the next 10 years, in order of priority. Listed work should be limited to stabilization and/or maintenance of the historic structure or restoration or repair of exterior character defining features. State the anticipated costs of the improvements, including but not limited to materials, labor, permits and fees. Anticipated construction must be equal to or greater than tax savings: see the Mills Act Property Tax Calculator on line at [www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation) for a rough estimate of potential property tax reduction. (Please keep to one page; attach additional pages as necessary to fully describe work program.)

**1. Year: 2021 Cost: \$85,000+ Improvement: Required replacing of the entire foundation, which is crumbling and requires a full replacement to prevent collapse. Please see attached quote. This process may involve raising the house and would take several months, but needs to be completed all at once. Replacing the foundation would allow the structure to continue standing.**

**2. Year: 2022 Cost: \_\_\_\_\_ Improvement: foundation, continued**

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**3. Year: 2023 Cost: \_\_\_\_\_ Improvement: foundation, continued**

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**4. Year: 2024 Cost: \_\_\_\_\_ Improvement: foundation, continued**

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**5. Year: 2025 Cost: \$350 Improvement: Paint/sand exterior front door. As pictured, front door needs repainting to retain appearance.**

**6. Year: 2026 Cost: \$20,000+ Improvement: Address drainage issues to prevent foundation crumbling again, install French drain, see attached quote. This would also prevent some of the wood rot that we initially addressed upon move-in. 6**

**7 Year: 2027 Cost: \_\_\_\_\_ Improvement: drainage, continued**

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**8. Year: 2028 Cost: \_\_\_\_\_ Improvement: drainage, continued**

---

**9. Year: 2029 Cost: \$6000 Improvement: Paint exterior of house and protect wood paneling**

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**10. Year: 2030 Cost: \_\_\_\_\_ Improvement: painting, continued**

---

**Note: Each work item will require separate building and zoning review and approval prior to undertaking the actual work. Design Review fees are waived for Mills Act properties.**

## **4. SUBMITTAL REQUIREMENTS**

- Mills Act Application Form
  - This application form signed and completed. Original signatures or clear & legible copies are required.
- Assessor's Parcel Map
  - Available at the City of Oakland Engineering Services or zoning counter, Alameda County Assessor's Office, 1221 Oak Street, or Assessor's website.
- Photographs
  - Photographs must be labeled, and printed or mounted on 8-1/2" x 11" paper.
  - Photographs must sufficiently illustrate the exterior, overall condition and historic character of the property, including historic features.
  - Photographs must be in color and include the existing structure as seen from across the street and from front, side and rear property lines. Label each view.
  - Photographs must be in color and include detailed (close up) views of each of the listed areas in the proposed work program. Label each (e.g., Work Program Item #1, #2, etc.)
- Oakland Landmark, Heritage Property and S-7 Preservation Combining Zone Application
  - Required for properties that are not already designated as:
    - City of Oakland Landmark
    - City of Oakland Heritage Property
    - Contributor to a City of Oakland S-7 or S-20 Historic District
- Legal Description of the Property
  - Grant Deed
  - Legal Description
  - Assessor's Parcel Map
- Additional pages to describe the Work Program, as necessary
- Copy of Last Property Tax Bill
- Filing Fee - \$601.29, due at the time of application submittal.

## **5. SELECTION CRITERIA**

The City has adopted a Mills Act Property Tax Abatement Program for qualified historic properties, with the program impact on City revenues limited to \$25,000/year, and \$25,000/year in any single redevelopment area with a cumulative limit of \$250,000/year for all redevelopment areas with the exception of the Central Business District. In the Central Business District, there shall be a limit of the program impact on Redevelopment revenues to \$100,000/building/year with a cumulative limit of \$250,000/year. Any Mills Act applicant whose estimated Property Tax loss exceeds the above limits may request special consideration by the City Council.

If applications exceed the limited dollar amounts, applications will be evaluated on the following criteria. These criteria may also be used to evaluate applications for completeness and eligibility.

- The date the application is complete.
- The property is either currently a Designated Historic Property *or* the property is currently listed on the Local Register of Historic Resources *and* an Oakland Landmark, Heritage Property and/or S-7 Combining Zone Application has been submitted for Heritage Property Designation.
- The property needs exterior work (e.g., stabilization, maintenance, reversal of inappropriate building modifications, etc. - **not** interior work or additions) and the cost of the proposed exterior work is equal or greater than the potential reduction of property taxes.
- The proposed work program for maintenance, repair, rehabilitation and/or restoration has the strong potential to act as a catalyst for neighborhood revitalization by:
  - Increasing architectural integrity;
  - Preserving neighborhood character; and

- Conserving materials and energy embodied in existing building.
- Geographic Distribution:
  - A minimum total of six Mills Act Contracts will be awarded to properties in the West Oakland Redevelopment Area because Implementation of the Mills Act is a Mitigation Measure of the West Oakland Redevelopment Plan.
  - A minimum of six Mills Act Contracts will be awarded to properties in the Central City East Area because Implementation of the Mills Act is a Mitigation Measure of the Central City East Redevelopment Plan.
  - The property’s location contributes to the goal of Mills Act Contract representation in neighborhoods throughout the City.
- The property’s building type contributes to the goal of a variety of Mills Act Contract building types (e.g., residential, commercial and industrial buildings).

Please read and review (available online at [www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation)):

- the Mills Act brochure;
- Mills Act (Sections 50280-90 of the California Government Code and Article 1.9, Sections 439 – 439.4 of the California Revenue and Taxation Code)
- the (MODEL) MILLS ACT AGREEMENT FOR PRESERVATION OF HISTORIC PROPERTY;
- Secretary of the Interior’s Standards for Rehabilitation;
- Minimum Property Maintenance Standards; and
- Mills Act Property Tax Calculator (to calculate a rough estimate of potential change in taxes).

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**I hereby apply to be considered for a Mills Act agreement, have read and agree with the above documents, agree to execute the (Model) MILLS ACT AGREEMENT FOR PRESERVATION OF HISTORIC PROPERTY if selected for the program, and the information submitted is true and correct as of the date of application.**



3/28/2020

Owner’s Signature

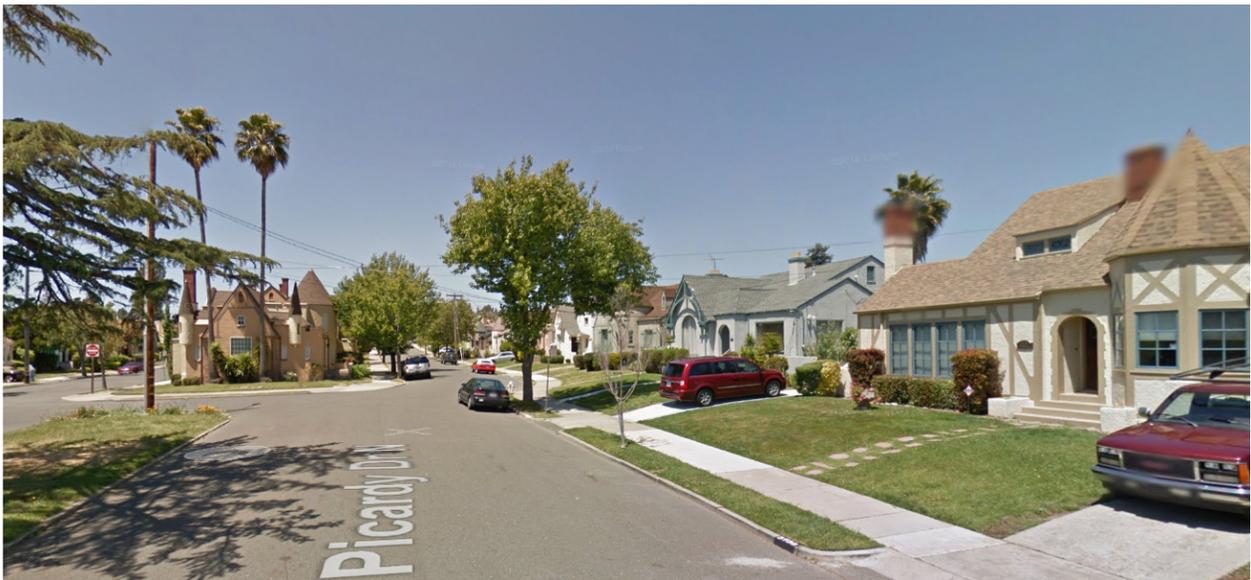
Date

**APPLICATIONS ARE ACCEPTED AT THE ZONING COUNTER**

250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612



Font and right side of 5738 Picardy Drive, visible turret and wood paneling





Built in bookshelf in living room.



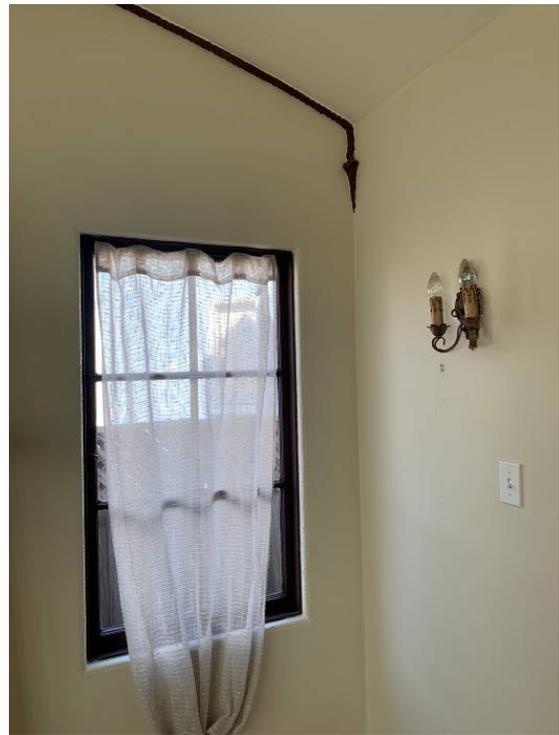
Front door interior



Front door and mailbox from outside with stained glass.



Interior built in cabinet



Living room details



Back of house



Typical off-street window



Left side of house



Trees in backyard



Front wood paneling, windows and planter



**F. D. R. W. Inc**  
 Foundation  
 Drainage  
 Retaining  
 Walls  
Inspection and Evaluation Services  
 A/B LIC. No. 936400  
 PO Box 26  
 Brentwood, CA 94513  
 925-634-2899 office  
 925-634-7831 fax

June 26, 2017

Mr. Paul Redmond  
 c/o Ms. Andrea Saunders  
 Realty World No Pressure Realty

Via Email: [Andrea@Andreamadonna.com](mailto:Andrea@Andreamadonna.com)

Re: 5738 Picardy Drive, Oakland, CA 94605

Dear Mr. Redmond:

As requested the property was reviewed with an emphasis on the condition of the foundation and site drainage. The following is a summary of our visual observations and conclusions made while on-site.

Please note that visual observations are made without the benefit of destructive testing or completion of surveys. Unless otherwise noted in this document, we have not completed a detailed investigation of construction drawings, reports, records or other documents. While we are experienced in this field, our opinions are based on our best professional judgment from our limited review of the specific components noted above at the time of the review.

We have made reasonable efforts to ensure that this document is accurate; however, we cannot assume any liability for damage, which might result from it or for any conditions the document might fail to disclose. This document is not to be relied upon by third parties or as a definitive statement of the condition of the entire property and it should be understood that there is no guarantee or warranty associated with this review document.

The subject structure sits on a somewhat sloped lot with a limited overall grade from the rear fence line to the front street. The property itself is perched roughly three to four feet higher in elevation than the street with generally flatter rear yard spaces and a light slope from the rear fence line into the rear yard. The front yard slopes gradually to the front street. The detached garage structure at the right rear was briefly investigated while on-site.

**REVIEW**  
 5738 Picardy Drive  
 Oakland, CA 94605  
 June 26, 2017  
 PAGE 3

cycling of the soil can cause a structure to move significantly as the soils expand and contract.

The perimeter roof lines of the main structure have gutters installed which are routed to downspouts along the perimeters of the structure. Downspouts are uncollected around the structure and would discharge directly adjacent to the foundation, and in most locations water would be directed into the nearby planter boxes. Water discharged by these downspouts will likely saturate surrounding perimeter soils and may inadvertently travel into the crawlspace during periods of seasonal rain. At the right rear corner of the structure there is a surface drain encased in the concrete driveway section which the right rear downspout is directed to. It is unclear where this surface drain discharges to. At the left front of the structure adjacent to the driveway there appears to be a drain discharge or bubble up, which is holding water. There was no other visible drainage around the exterior property areas.

As mentioned prior the lower rear slab rooms appear to be conversions of an original basement or utility space. The slab floor sits roughly six to eight inches lower than exterior perimeter grade effectively placing these lower rear rooms below the property elevation. Within the rear portion of the slab, located in the small storage closet, there is a sump pump system in place. This sump pump is approximately three feet in depth and was noted to be relatively dry at this time with no significant standing water observed in the basin. The pump was unable to be tested as the cover with the tile floor coverings was not removed; although, it would appear to be an operational system. The pump is plugged into a nearby electrical outlet and the discharge is routed through the rear wall and may connect to the discharge located near the front driveway. This was not verified while on-site.

The interior floors of the structure were reviewed and a cursory floor level survey was completed with the use of a high precision digital allimeter to obtain a general estimation of level variations at the perimeter and interior. It should be noted that floor level elevation differentials are generally considered acceptable in a new structure within a range of one inch of elevation change across twenty linear feet of floor area.

Measurements were taken independently within the lower rear slab and the front main living spaces. The main spaces have various crowns and undulations throughout the floors with an overall slope from the front perimeter to the rear of approximately one and one-half inches. This amount of variation spans distances between approximately fifteen to twenty-five linear feet and appears to be slightly

**REVIEW**  
 5738 Picardy Drive  
 Oakland, CA 94605  
 June 26, 2017  
 PAGE 2

Verbal information provided on-site indicated that the structure was constructed in the mid 1920's. It is unclear if the existing footprint of the structure has been modified or expanded upon; however, it is fairly apparent that the rear slab living spaces are a conversion of a possibly older basement or utility room. The overall extent of modification of the structure could not be definitively confirmed as there were no permits, construction blueprints or any other documentation that was provided for review to definitively confirm these speculations. It should also be noted that the structure appears to have been recently renovated and appears to include newer exterior stucco, or at least newer exterior paint. It also appears that the interior has been somewhat updated and that the original walls have been repainted.

At the exterior of the structure the perimeter face of the concrete foundation is not readily visible at any one location. The stucco siding extends to grade and obstructs view at all areas with the exception of what appears to be a foundation modification along the left rear wall of the structure. It would appear that there is an extra concrete beam placed along the exterior face of the foundation which could be a concrete bond beam or sister beam improvement. Bond beams are generally placed along the faces of a concrete foundation that have experienced significant deterioration in an effort to increase concrete coverage and prolong serviceability. This information was not definitively confirmed; although, on a visual basis this appears to be the case.

At the left front and right corners of the structure there are cosmetic privacy walls that extend from the corners of the structure. These cosmetic walls do not appear to be foundation extension wall, rather cosmetic additions to the structure. The left front wall is slightly separated from the wall of the structure creating a minor crack along the inside corner where it meets the wall.

The right rear detached garage was entered and some of the interior slab floor is visible. Some areas are obstructed from view by stored items. The slab surfaces exhibit cracking and separations, many of which appear to have been patched or overlaid in the past with what appears to be a grout material. Many of these patches are overlays are cracking and separating. The garage slab has apparently settled and shifted; although, it appears to be in a generally serviceable condition despite the cracking and separations. The garage structure was also noted to have no roof gutters and water would free fall from the roof areas and most likely collect around the perimeter of the slab.

Poor control of site water commonly results in differential movement of a structure as expansive soils experience moisture swings. The shrink and swell

**REVIEW**  
 5738 Picardy Drive  
 Oakland, CA 94605  
 June 26, 2017  
 PAGE 4

excessive by tolerances. The rear slab areas have an approximate two to two and one-half inches of general sloping from the left side to the right side. The interior lathe in plaster wall coverings exhibit various cracks have been patched at typical locations above doors and windows.

The interior crawlspace was accessible from a small closet located along the front wall toward the left side of the lower conversion rooms. This closet access point appears to be a small wood frame extension which is sitting above bricks placed directly in soil grade. Some of the wood members directly below the closet space are in direct contact with soil grade and exhibit significant water staining and possible deterioration. Upon entrance into the crawlspace it was determined that there is moisture presence throughout the soil areas, mainly prominent throughout the low space around the furnace. It would appear that water intrusions and accumulations have occurred below this structure most likely on a seasonal basis following seasonal rains. No specific standing water was observed at this time.

The interior face of the concrete foundation is visible throughout this crawlspace and appeared to be of original construction as noted by the significant surface deterioration and exposure of internal rocky embedment. Along the left side wall of the structure, just inside the access point, there is a fairly significant crumbled patch of the concrete which has created a small to medium size hole along the face. At various additional locations along the remaining foundation walls there was evidence of additional significant deterioration and crumbling of rocky internal embedment. The overall integrity of the concrete appears to be somewhat serviceable, yet this concrete is nearing the end of its serviceability. This concrete foundation is un-reinforced with no internal steel, which is expected due to the age. There are no seismic anchor bolts installed.

The isolated internal support posts of this structure consist of concrete pier blocks and wood support posts. The supports directly inside the crawlspace entrance appear to be sitting above semi-buried cinder blocks. Some of the edges of the cinder blocks and the pier blocks are undermined along the entrance point, mainly where the low area surrounds the interior furnace. Posts throughout the right side portions of the crawlspace appear to be generally secure in their locations; although, it is unknown if the pier blocks are set above concrete piers or additional cinder blocks.

The left side perimeter wood framing up to the left front living room space appears to have been modified at one time and possibly adjusted. It appears that the sill plate was lifted and small wood blocking was placed in between to

REVIEW  
5738 Picardy Drive  
Oakland, CA 94605  
June 26, 2017  
PAGE 5

support this elevation. This appears to be an unfinished leveling technique known as a separation and re-level of perimeter framing. Typically the void created by lifting the sill plate is filled with concrete and seismically anchored. Below the left front living room it appears that the cross member supports for the floor joisting was never secured and the toe nails were noted to be sticking out at the wood cross members and they are free hanging from the floors. It should also be noted that perimeter wood framing locations and most of the support posts exhibit significant water staining to the wood members. It is highly likely that there is dry rot deterioration that is occurring; although, is beyond the scope and realm of this inspection.

It is concluded that overall, the foundation of this structure appears to be nearing the end of serviceability. The concrete is not necessarily failed at this time; although, it will inevitably require a complete replacement in the near future. No definitive time frame can be placed on the remaining lifetime of the concrete and the following recommendations are provided as general maintenance and property upgrades in an effort to prolong remaining serviceability of the foundation.

It would be advised that a highly beneficial improvement is completed to this property with the placement a subsurface drain system, commonly referred to as a French drains. This type of drain system should be placed to surround the left, the right, and the rear perimeters of the structure to a depth that is deeper than the perimeter crawlspaces and the lower rear slab conversion rooms which effectively sit below soil grade. This drain system would be best to begin at the front corners of the structure extending to the rear and discharging into a sump pump system placed at the exterior rear of the structure. Installation of a subsurface drain system should begin at a depth of approximately three feet and the maintain gravity flow through the system to the discharge point. This type of improvement would require concrete or paver stone modification, removal and / or replacement as needed. Landscape removal and replacement would also be required as needed. Installation of a drain system as described would be expected to be in the cost range of approximately \$ 22,000.00 to \$ 26,000.00.

In the future, this foundation will require replacement and it would be best done so as an in place replacement below this structure to support a re-leveled and adjusted perimeter frame. This would include removing sections of the concrete and re-supporting the internal wood framing to provide for a complete re-level and reset above a new steel reinforced concrete foundation that is engineered and designed to support the structure. This improvement would require obtaining the appropriate permits through governing agencies and also the completion of

REVIEW  
5738 Picardy Drive  
Oakland, CA 94605  
June 26, 2017  
PAGE 6

engineering and design. Replacement of the foundation below this structure will also require significant wood related repairs and modification which would effectively vary the overall cost of such a replacement. It could be expected that if the foundation was removed and replaced it would be expected to be in the cost range of approximately \$ 80,000.00 to \$ 110,000.00 and as noted could vary greatly depending upon the overall need for improvement or replacement of wood framing.

FDRW is an (A) General Engineering and (B) General Building contractor licensed by the California State Contractor's Licensing Board specializing in foundation, drainage and retaining wall inspections and evaluations with over thirty years of experience with the design, installation and remediation of foundations, drainage, retaining walls and soil related issues.

FDRW does not offer bids or proposals for repair or improvements; however, information will be submitted to a contractor specializing in these services for submittal of proposals upon your request.

If you have any further questions, please feel free to contact us.

Respectfully Submitted,

*Robert J. Brockman*

Robert J. Brockman  
Principle Inspector

RJB/amr





# Oakland Landmarks Preservation Advisory Board

## MILLS ACT APPLICATION

250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612-2031 Phone: 510-238-3941

### 1. GENERAL INFORMATION

**Property Address:** 671/669 24th st and 674 23rd st Oakland CA  
**Assessor's Parcel Number(s):** 8-663-17 and 8-663-6  
**Property Owner(s):** 671 24th Street LLC , 674 23rd Street LLC  
**Applicant's Name:** Colin Nelson  
**Phone: (day)** 530 966 5777 **(evening)** email colin.nelson@owow.com **Year of Purchase:** \_\_\_\_\_  
**Assessed Value:** \_\_\_\_\_  
**Existing Use of Property:** under construction to be Live/ Work  
**Legal Description** (from deed – if long, please attach)

Lot 9 and the Eastern 10 feet of lot 8, Block "Q" map of the Kelsey tract", filed October 14, 1874 Map book 5, page 28, Alameda county records.

### 2. HISTORIC PROPERTY INFORMATION

If not already designated by Landmarks Board, Heritage Property application is required concurrently.

**HISTORIC/COMMON NAME:** The Armory/ Armory Lofts

**CONSTRUCTION DATE:** 1922

**HISTORIC STATUS as of application date** (contact Preservation staff at 510-238-6879 to confirm):

**Designated Historic Property** **Date of Designation** \_\_\_\_\_

City Landmark     Heritage Property     Contributor to S-7 or S-20 District

**Local Register of Historical Resources**

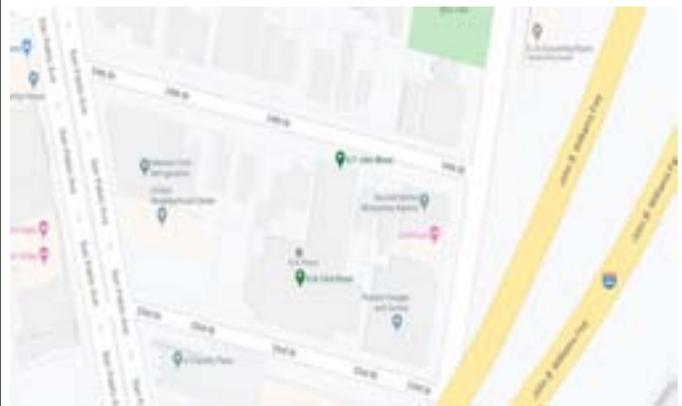
Survey Rating A or B     Area of Primary Importance     National Register

**Oakland Cultural Heritage Survey:** Survey Rating: \_\_\_\_\_ Date: \_\_\_\_\_ Prelim/Intensive: \_\_\_\_\_

**Photo**



**Location Map**



201630910213



Secretary of State  
Articles of Organization  
Limited Liability Company (LLC)

LLC-1

**FILED** *SK*  
Secretary of State *GS*  
State of California  
**NOV 04 2016**

**IMPORTANT — Read Instructions before completing this form.**

Filing Fee - \$70.00

Copy Fees - First plain copy free; Additional copies: First page \$1.00 & .50 for each attachment page; Certification Fee - \$5.00

**Important!** LLCs may have to pay an annual minimum \$800 tax to the California Franchise Tax Board. For more information, go to <https://www.ftb.ca.gov>.

*LLC* This Space For Office Use Only

**1. Limited Liability Company Name (See Instructions – Must contain an LLC ending such as LLC or L.L.C. "LLC" will be added, if not included.)**

671 24th Street LLC

**2. Business Addresses**

a. Initial Street Address of Designated Office in California - Do not list a P.O. Box	City (no abbreviations)	State	Zip Code
Pier 54, Suite 205	San Francisco	CA	94158
b. Initial Mailing Address of LLC, if different than Item 2a	City (no abbreviations)	State	Zip Code

**3. Agent for Service of Process**

Item 3a and 3b: If naming an individual, the agent must reside in California and Item 3a and 3b must be completed with the agent's name and complete California street address.  
Item 3c: If naming a California Registered Corporate Agent, a current agent registration certificate must be on file with the California Secretary of State and Item 3c must be completed (leave Item 3a-3b blank).

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
Danny		Haber	
b. Street Address (if agent is not a corporation) - Do not list a P.O. Box	City (no abbreviations)	State	Zip Code
Pier 54, Suite 205	San Francisco	CA	94158
c. California Registered Corporate Agent's Name (if agent is a corporation) – Do not complete Item 3a or 3b			

**4. Management (Select only one box)**

The LLC will be managed by:

- One Manager       More than One Manager       All LLC Member(s)

**5. Purpose Statement (Do not alter Purpose Statement)**

The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the California Revised Uniform Limited Liability Company Act.

6. The information contained herein, including in any attachments, is true and correct.

Organizer sign here

Alexander J. Pugh

Print your name here



**Secretary of State  
Business Programs Division**

Business Entities, 1500 11th Street, 3rd Floor, Sacramento, CA 95814

---

## **Welcome to California**

Congratulations on the registration of your limited liability company with the California Secretary of State. Please see below for important information.

### **Required Statement of Information**

California law requires limited liability companies to keep their public record updated by filing a Statement of Information with the California Secretary of State.

Limited liability companies must file a complete Statement of Information (Form LLC-12) within the first 90 days of filing the Articles of Organization or Application to Register, and then every 2 years after that before the end of the month of the registration date.

Statements of Information for limited liability companies must be submitted on paper to the California Secretary of State, and can be mailed or delivered in person (drop off) to the Sacramento office. Additional information regarding Statements of Information, including forms, instructions and current fees is available at [www.sos.ca.gov/business-programs/business-entities/statements](http://www.sos.ca.gov/business-programs/business-entities/statements).

Current processing times for Statements of Information may be found at [www.sos.ca.gov/business-programs/business-entities/processing-times](http://www.sos.ca.gov/business-programs/business-entities/processing-times).

### **Other Business Information and Resources**

All business entities are subject to state and federal tax laws. You may wish to contact the following agencies to assist you with these issues:

- Internal Revenue Service – [www.irs.gov](http://www.irs.gov) or call (800) 829-1040 for forms and issues concerning Federal tax, employer identification numbers, subchapter S elections
- Franchise Tax Board – [www.ftb.ca.gov](http://www.ftb.ca.gov) or call (800) 852-5711 for forms and issues concerning franchise tax and state income tax requirements
- State Board of Equalization – [www.boe.ca.gov](http://www.boe.ca.gov) or call (800) 400-7115 for forms and issues concerning sales taxes or use taxes
- Employment Development Department – [www.edd.ca.gov](http://www.edd.ca.gov) or call (800) 300-5616 for forms and issues concerning employment and payroll taxes

Please refer to [www.sos.ca.gov/business-programs/business-entities/resources](http://www.sos.ca.gov/business-programs/business-entities/resources) for a list of other agencies you may need to contact to ensure proper compliance with the laws of the State of California. Please be aware that the California Secretary of State does not license limited liability companies. For licensing requirements, please contact the California city and/or county where the principal place of business is located and/or the state agency, or board with jurisdiction over the activities of the limited liability company

669 24<sup>th</sup> Street – Legal Description.

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS: LOT 9 AND THE EASTERN 10 FEET OF LOT 8, BLOCK "Q", "MAP OF THE KELSEY TRACT", FILED OCTOBER 14, 1874, [MAP BOOK 5, PAGE 28](#), ALAMEDA COUNTY RECORDS.

APN: **008-0663-017-00**

671 23<sup>rd</sup> Street – Legal Description.

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:  
PARCEL ONE: LOTS 16 AND 17, BLOCK Q, MAP OF THE KELSEY TRACT, OAKLAND, ALAMEDA COUNTY, CALIFORNIA, FILED OCTOBER 14, 1874, MAP BOOK 5, PAGE 28, ALAMEDA COUNTY RECORDS. PARCEL TWO: THE SOUTHEASTERN 25 FEET, FRONT AND REAR MEASUREMENT OF LOT 18, BLOCK Q, MAP OF W. F. KELSEY'S TRACT, OAKLAND, ALAMEDA COUNTY, CALIFORNIA, FILED APRIL 3, 1869, MAP BOOK 5, PAGE 28, ALAMEDA COUNTY RECORDS.

APN: **008-0663-006**

**3. PRESERVATION WORK PROGRAM AND TIME LINE**

**Property Address:** 669/671 24th st Oakland

Please list the improvements to take place over the next 10 years. Listed work should be limited to stabilization or maintenance of the historic structure and restoration or repair of exterior character defining features. State anticipated costs of improvements, including but not limited to materials, labor, permits and fees. Anticipated cost must equal or exceed tax savings: see Mills Act Calculator for a rough estimate of potential property tax reduction. Attach additional text and photos as necessary to fully describe work program. *This page will become part of the contract: please keep to one page.*

**1. Year:** 2020 **Cost:** \$7,500 **Improvement:** \_\_\_\_\_

Hire Mills Act Architect, Mark Hulbert of Preservation Architecture, to design a site-specific work plan, contractor specifications, and construction quality assurance.

**2. Year:** 2021 **Cost:** \$55,000 **Improvement:** \_\_\_\_\_

Source 16 steel property line warehouse-style windows, at the West concrete addition, that match the historic system and language of the original damaged warehouse-style windows. Replace with 45 minute-rated windows and provide individually sprinklered window openings as is required by the City of Oakland to protect life-safety of tenants.

**3. Year:** 2022 **Cost:** \$25,000 **Improvement:** \_\_\_\_\_

Replace 13 new windows on the 24th Street façade to be replaced to match the original system type and language using Milgard (or similar) historic replacement windows with multi-lite divided mullions. New window flashing and waterproofing to be provided for a complete watertight installation.

**4. Year:** 2023 **Cost:** \$25,000 **Improvement:** \_\_\_\_\_

Repair portions of the East and West original terra-cotta property line walls on the 24th Street side of the property per guidance from Mills Act Architect. Some areas at the top of the wall need complete re-building and will require original terra-cotta molds from Pacific Boast Building Products provided by historic specifications consultant, in order to recreate in-kind hollow units of burned clay or shale, as well as Portland Cement Mortar and Grout. All other areas will repair and clean the surfaces with ProSoCo/Sure Klean or equivalent methods.

**5. Year:** 2024 **Cost:** \$25,000 **Improvement:** \_\_\_\_\_

Add new metal coping at top of wall structure, of East and West exterior walls, as well as liquid waterproofing over exterior and interior faces (open as a courtyard so both sides of the wall are fully open to the exterior elements) of terra-cotta walls in order to seal and waterproof all nooks and cranny's from the elements. (picture at top of parapet of 24th and 23rd prior to new construction.

**6. Year:** 2025 **Cost:** \$75,000 **Improvement:** \_\_\_\_\_

Provide Structural Steel bracing that run the full length of the East and West terra cotta walls and attach directly, at the inside face of the wall, in order to stabilize and seismically retrofit in a liquefaction zone.

**7. Year:** 2026 **Cost:** \$25,000 **Improvement:** \_\_\_\_\_

Repair damaged masonry work with masonry units to match original with cement Lime mortar to match existing. Provide chemical cleaning of masonry North and South Facades, with ProSoCO Sure Klean (or equivalent), then tuck pointing to take place after cleaning and repairing.

**8. Year:** 2027 **Cost:** \$25,000 **Improvement:** \_\_\_\_\_

New coping and flashing over North and South Facades. Add flashing and waterproofing to integrate into the roof membrane at top of wall. Provide liquid waterproofing membrane over brick to seal and fill cracks and crannys at both the exterior and interior of the existing brick walls.

**9. Year:** 2028 **Cost:** \$25,000 **Improvement:** \_\_\_\_\_

Provide non-sacrificial anti-graffiti coating system, such as Evonik Industries Protectosil, compatible with surfaces indicated to receive graffiti resistant coating and that does not change appearance of substrate when coating is dry.

**10. Year:** 2029 **Cost:** \$5,000 **Improvement:** \_\_\_\_\_

Hire Mills Act Architect, Mark Hulbert of Preservation Architecture, to design a long-term O&M plan in order to maintain and continue improvements for the lifetime of the project.

**Note: Each work item will require separate building and zoning review and approval prior to undertaking the actual work. Design Review fees are waived for Mills Act properties.**

work Plan #2

2. Source 16 steel property line warehouse-style windows, at the West concrete addition, that match the historic intent of the original damaged warehouse-style windows. Replace with 45 minute-rated windows and provide individually sprinklered window openings as is required by the City of Oakland to protect life-safety of tenants.



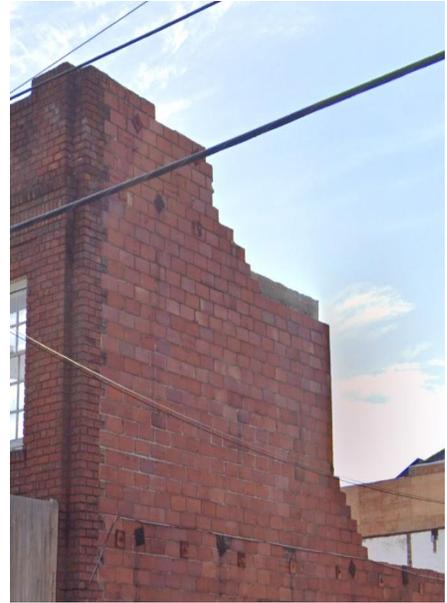
work Plan #3

3. Replace 13 new windows on the 24th Street façade to be replaced to match the original intent using Milgard (or similar) historic replacement windows with multi-lite divided mullions. New window flashing and waterproofing to be provided for a complete watertight installation.



work Plan #4

4. Repair portions of the East and West original terra-cotta property line walls on the 24th Street side of the property per guidance from Mills Act Architect. Some areas at the top of the wall need complete re-building and will require original terra-cotta molds from Pacific Boast Building Products provided by historic specifications consultant, in order to recreate in-kind hollow units of burned clay or shale, as well as Portland Cement Mortar and Grout. All other areas will repair and clean the surfaces with ProsoCo/Sure Klean or equivalent methods. .



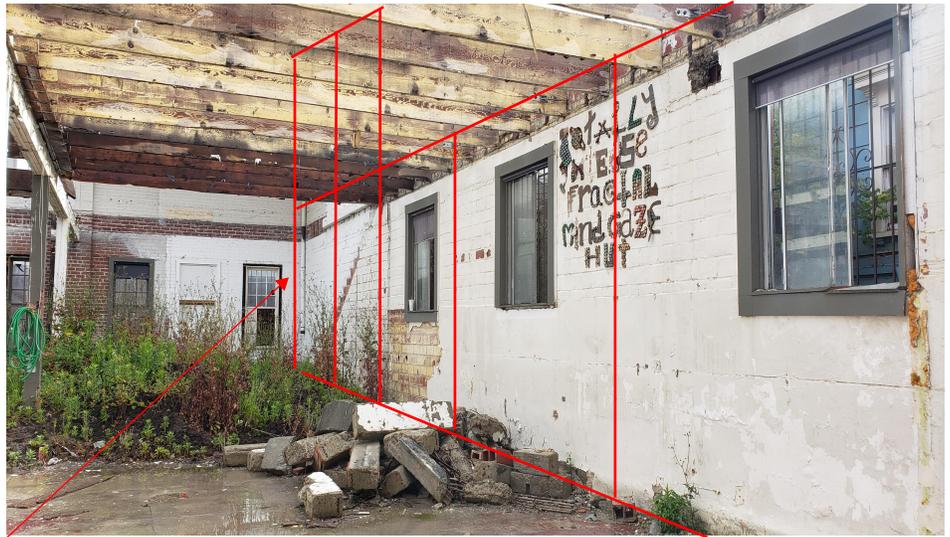
work Plan #5

5. Add new metal coping at top of wall structure as well as liquid waterproofing over exterior and interior faces (open as a courtyard so both sides of the wall are fully open to the exterior elements) of terra-cotta walls in order to seal and waterproof all nooks and cranny's from the elements. (picture at top of parapet of 24th and 23rd prior to new construction.



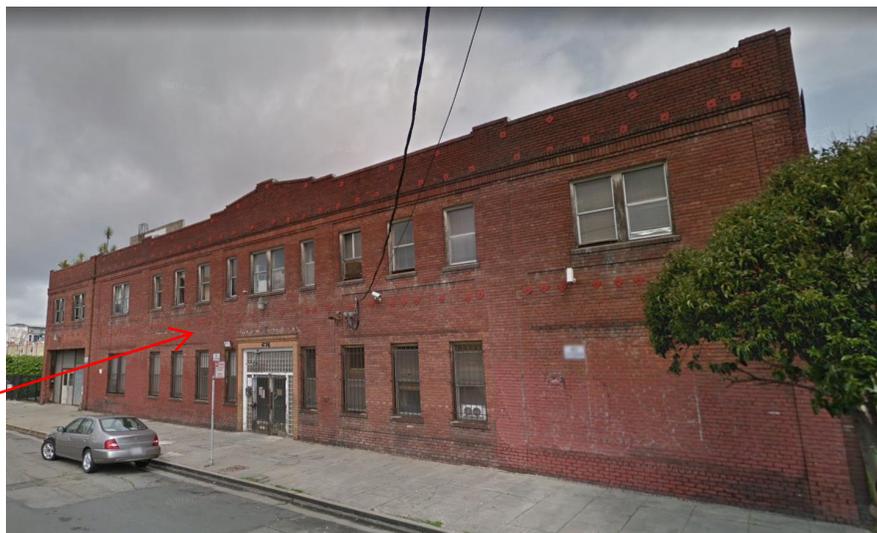
work Plan #6

6. Provide Structural Steel bracing that run the full length of the East and West terra cotta walls and attach directly, at the inside face of the wall, in order to stabilize and seismically retrofit in a liquefaction zone.



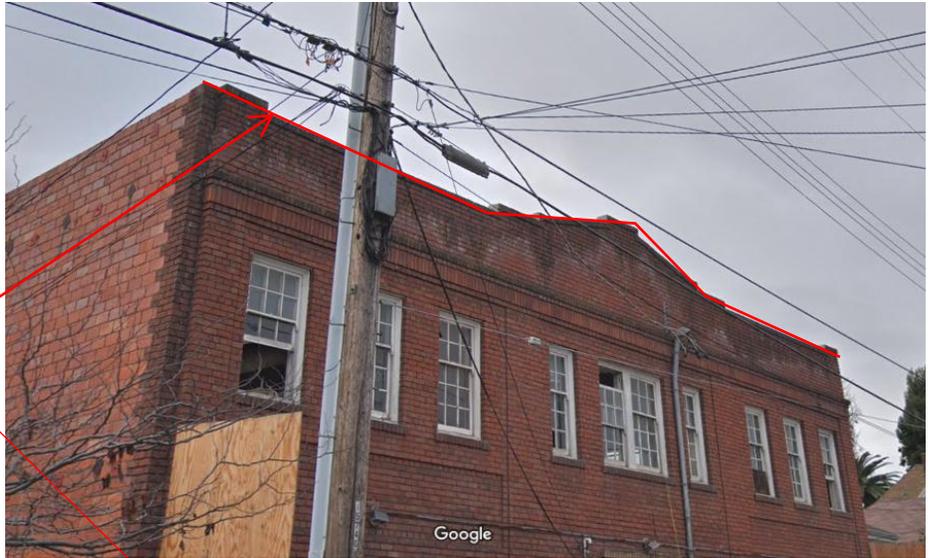
work Plan #7

7. Repair damaged masonry work with masonry units to match original with cement Lime mortar to match existing. Provide chemical cleaning of masonry North and South Facades, with ProSoCO Sure Klean (or equivalent), then tuck pointing to take place after cleaning and repairing.



work Plan #8

8. New coping and flashing over North and South Facades. Add flashing and waterproofing to integrate into the roof membrane at top of wall. Provide liquid waterproofing membrane over brick to seal and fill cracks and crannies at both the exterior and interior of the existing brick walls.



work Plan #9

9. Provide non-sacrificial anti-graffiti coating system, such as Evonik Industries Protectosil, compatible with surfaces indicated to receive graffiti resistant coating and that does not change appearance of substrate when coating is dry.



#### 4. SELECTION CRITERIA

The City of Oakland has adopted a Mills Act Property Tax Abatement Program for qualified historic properties. The 2006-08 ordinances creating the program limit impact on City revenues to \$25,000/year, plus \$25,000/year in any single redevelopment area with a cumulative limit of \$250,000 a year for all redevelopment areas outside the Central Business District. In the Central Business District, impact on Redevelopment revenues is limited to \$100,000/building/year with a cumulative limit of \$250,000/year. Any property tax loss that exceeds the above limits requires special consideration by the City Council.

If applications exceed the above limits, selection will be evaluated on the following criteria. These criteria may also be used to evaluate applications for completeness and eligibility.

##### **Necessity, quality, and impact of proposed work program:**

- The property needs exterior or structural work (e.g., stabilization, maintenance, reversal of inappropriate modifications, etc. - not interior work or additions) and the cost of the proposed work is equal to or greater than the potential reduction of property taxes.
- The proposed work program has strong potential to act as a catalyst for neighborhood revitalization by increasing architectural integrity, preserving neighborhood character, and conserving materials and energy embodied in the existing building.
- The application exhibits timely completion, quality of documentation, well thought out and realistic work program, clear understanding of work program and contract, ability to follow through.

##### **Diversity of property types and locations:**

- Geographic distribution: The property's location contributes to the goal of Mills Act contracts in neighborhoods throughout the City.

Contracts will be especially encouraged for properties in the (former) West Oakland and Central City East Redevelopment Areas because implementation of the Mills Act was a mitigation measure in the West Oakland and Central City East Redevelopment Plans.

- Building type and nature of significance: The property contributes to the goal of a variety of Mills Act building types (e.g., residential, commercial, industrial; rarity, age, style, use, etc.).

##### **Historic and architectural significance of building:**

- Either currently a Designated Historic Property, *or* a Heritage Property, Landmark, or S-7/S-20 District application is submitted concurrently and building is eligible for designation.
- Oakland Cultural Heritage Survey rating and Landmarks Board eligibility determination.
- Timely completion, quality, depth, and active involvement in Heritage Property application.

**5. SUBMITTAL REQUIREMENTS**

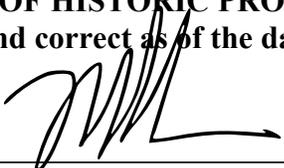
- Mills Act Application Form: This application form completed and signed.
- Assessor’s Parcel Map and Legal Description: From deed or County Assessor’s office.
- For corporate owners (LLC, condo, etc.): Document exact entity name and signatory/ies.
- Photographs
  - Photographs must be in color, labeled, and printed on 8-1/2” x 11” paper.
  - Illustrate the overall exterior condition and character of the property.
  - Show the structure from across the street and from front, side and rear.
  - Include detailed close up views of each feature listed in the work program.
  - Label each photo (e.g., Work Program Item #1, #2, etc.).
- Oakland Landmark, Heritage Property or S-7/S-20 Preservation District Application
  - Required for properties that are not already designated by Landmarks Board.
- Additional pages to describe and illustrate the work program, as necessary.
- Copy of last property tax bill.
- Printout of Mills Act Calculator estimate, showing anticipated tax saving.
- Filing Fee - \$601.29, due at the time of application submittal.

Please read and review (online at [www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation)):

- Mills Act (Sections 50280-90 of the California Government Code and Article 1.9, Sections 439 – 439.4 of the California Revenue and Taxation Code)
- (Model) Mills Act Agreement for Preservation of Historic Property (contract you will sign);
- Secretary of the Interior’s Standards for Rehabilitation (included in Mills contract);
- Minimum Property Maintenance Standards (included in Mills contract); and
- Mills Act Property Tax Calculator (for rough estimate of potential change in taxes).

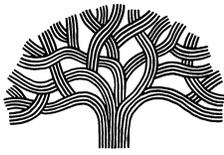
**NOTICE: Each property owner is advised to consult legal counsel and/or a financial advisor concerning the advisability of entering into a Mills Act agreement, prior to completing and submitting this application. The City makes no warranties or representations about the accuracy or validity of the Mills Act Property Tax Calculator – it is merely an information tool that applicants may use at their sole risk, which does not substitute for or replace legal counsel or a financial advisor.**

**I hereby apply to be considered for a Mills Act agreement, have read and agree with the above documents, and agree to execute the (Model) MILLS ACT AGREEMENT FOR PRESERVATION OF HISTORIC PROPERTY if selected for the program. The information submitted is true and correct as of the date of application.**

Owner’s Signature  Date 6/1/20

**APPLICATIONS ARE ACCEPTED AT THE ZONING COUNTER**

250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612  
Monday, Tuesday, Thursday & Friday: 8am-3pm; Wednesday: 9:30 – 3pm



# Oakland Landmarks Preservation Advisory Board

## MILLS ACT APPLICATION

250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612-2031 Phone: 510-238-3941

### 1. GENERAL INFORMATION

**Property Address:** 369 MacArthur Blvd **Assessor's Parcel Number(s):** 10-785-21-2  
**Property Owner(s):** 369 MacArthur Blvd, LLC, c/o Arvand Sabetian  
**Applicant's Name:** 369 MacArthur Blvd, LLC, 550G Tiburon Blvd #343, Tiburon CA 94920  
**Phone: (day)** 415-419-9533 **(evening)** \_\_\_\_\_ **email** i@arvand.com \_\_\_\_\_  
**Year of Purchase:** 2019 **Assessed Value:** \$570,000 \_\_\_\_\_  
**Existing Use of Property:** vacant (previously residential used as triplex) \_\_\_\_\_  
**Legal Description** (from deed – if long, please attach) - **Attached**

### 2. HISTORIC PROPERTY INFORMATION

If not already designated by Landmarks Board, Heritage Property application is required concurrently.

**HISTORIC/COMMON NAME:** Lemos House \_\_\_\_\_

**CONSTRUCTION DATE:** 1910 \_\_\_\_\_

**HISTORIC STATUS as of application date** (contact Preservation staff at 510-238-6879 to confirm):

**Designated Historic Property** **Date of Designation** (currently submitted for consideration)

City Landmark  Heritage Property  Contributor to S-7 or S-20 District

**Local Register of Historical Resources**

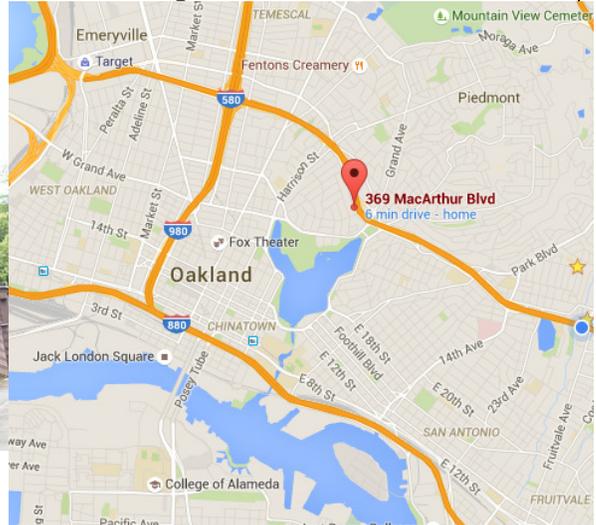
Survey Rating A or B  Area of Primary Importance  National Register

**Heritage Property Evaluation:** B (26.5 points) Date: 2016\_\_ Prelim/Intensive:Cb2 , intensive (1986)

**Photo(2016)**



**LocationMap**



### 3. PRESERVATION WORK PROGRAM AND TIME LINE

**Property Address:** 369 MacArthur Blvd.

Please list the improvements to take place over the next 10 years. Listed work should be limited to stabilization or maintenance of the historic structure and restoration or repair of exterior character defining features. State anticipated costs of improvements, including but not limited to materials, labor, permits and fees. Anticipated cost must equal or exceed tax savings: see Mills Act Calculator for a rough estimate of potential property tax reduction. Attach additional text and photos as necessary to fully describe work program. *This page will become part of the contract: please keep to one page.*

Restoration and repair of existing structure to restore the exterior of the building to its original character, including the restoration of all the primary historical-defining features. Proposed project includes renovation to the existing 3,090 sf (net) historic residential building to create two (2) (3) bedroom units within. Proposed 1,344 sf (net) new 2-story addition for two (3) bedroom units, behind existing residence, to be carefully designed, constructed, and reviewed. New parking and site work. Existing trees to remain. New addition shall be compatible with existing structure in exterior materiality and scale, with consistent accent elements (i.e. railings, windows, etc.)

- 1. Year:** 2021 **Cost:** \$200,000 **Improvement:** begin primary structure (grading, restoring walls and roof framing, including decorative / flared gable eaves and beamwork, etc.)
- 2. Year:** 2022 **Cost:** \$200,000 **Improvement:** finish primary structure (restoring walls and roof framing, including decorative / flared gable eaves and beamwork, etc. Continued)
- 3. Year:** 2023 **Cost:** \$200,000 **Improvement:** finish primary structure (restoring walls and roof framing, including decorative / flared gable eaves and beamwork, etc. Continued)
- 4. Year:** 2024 **Cost:** \$200,000 **Improvement:** finish primary structure (restoring walls and roof framing, including decorative / flared gable eaves and beamwork, etc. Continued)
- 5. Year:** 2025 **Cost:** \$175,000 **Improvement:** facade / fenestration (windows+doors; shingle siding; ornamental sash, etc.)
- 6. Year:** 2026 **Cost:** \$175,000 **Improvement:** facade / fenestration (windows+doors; shingle siding; ornamental sash, etc. continued)
- 7. Year:** 2027 **Cost:** \$75,000 **Improvement:** full-width front porch with decorative railings, bannister, etc.
- 8. Year:** 2028 **Cost:** \$75,000 **Improvement:** full-width front porch with decorative railings, bannister, etc. (continued)
- 9. Year:** 2029 **Cost:** \$50,000 **Improvement:** Interior Finishes (continued)
- 10. Year:** 2030 **Cost:** \$50,000 **Improvement:** Interior finishes (continued)

**Note:** Each work item will require separate building and zoning review and approval prior to undertaking the actual work. Design Review fees are waived for Mills Act properties.

#### 4. SELECTION CRITERIA

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- The application exhibits timely completion, quality of documentation, well thought out and realistic work program, clear understanding of work program and contract, ability to follow through.

**Diversity of property types and locations:**

- Geographic distribution: The property's location contributes to the goal of Mills Act contracts in neighborhoods throughout the City.

Contracts will be especially encouraged for properties in the (former) West Oakland and Central City East Redevelopment Areas because implementation of the Mills Act was a mitigation measure in the West Oakland and Central City East Redevelopment Plans.

- Building type and nature of significance: The property contributes to the goal of a variety of Mills Act building types (e.g., residential, commercial, industrial; rarity, age, style, use, etc.).

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- Timely completion, quality, depth, and active involvement in Heritage Property application.

5. SUBMITTAL REQUIREMENTS

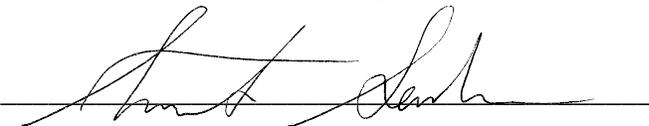
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- Assessor’s Parcel Map and Legal Description: From deed or County Assessor’s office.
- For corporate owners (LLC, condo, etc.): Document exact entity name and signatory/ies.
- Photographs
  - Photographs must be in color, labeled, and printed on 8-1/2” x 11” paper.
  - Illustrate the overall exterior condition and character of the property.
  - Show the structure from across the street and from front, side and rear.
  - Include detailed close up views of each feature listed in the work program.
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- Oakland Landmark, Heritage Property or S-7/S-20 Preservation District Application
  - Required for properties that are not already designated by Landmarks Board.
- Additional pages to describe and illustrate the work program, as necessary.
- Copy of last property tax bill.
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- Filing Fee - \$601.29, due at the time of application submittal.

Please read and review (online at [www.oaklandnet.com/historicpreservation](http://www.oaklandnet.com/historicpreservation)):

- Mills Act (Sections 50280-90 of the California Government Code and Article 1.9, Sections 439 – 439.4 of the California Revenue and Taxation Code)
- (Model) Mills Act Agreement for Preservation of Historic Property (contract you will sign);
- Secretary of the Interior’s Standards for Rehabilitation (included in Mills contract);
- Minimum Property Maintenance Standards (included in Mills contract); and
- Mills Act Property Tax Calculator (for rough estimate of potential change in taxes).

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**I hereby apply to be considered for a Mills Act agreement, have read and agree with the above documents, and agree to execute the (Model) MILLS ACT AGREEMENT FOR PRESERVATION OF HISTORIC PROPERTY if selected for the program. The information submitted is true and correct as of the date of application.**

Owner’s Signature  Date 6/8/2020

**APPLICATIONS ARE ACCEPTED AT THE ZONING COUNTER**

250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612  
Monday, Tuesday, Thursday & Friday: 8am-3pm; Wednesday: 9:30 – 3pm

**Attachment A, Legal Description** (from deed – if long, please attach)

A portion of Lot 19, Block K, Revised Map of Oakland Heights, filed June 11, 1890, in Map Book 9, Page 54, Alameda County Records, described as follows:

Beginning at a point on the Southwestern boundary line of Lot 19, in Block "K", distant thereon 40 feet Southeasterly from the most Western corner of said Lot, as said Lot and Block are shown on the Map herein referred to; and running thence Southeasterly along said Southwestern boundary line 40 feet; thence at right angles Northeasterly 161 feet, more or less, to the Southwestern line of MacArthur Boulevard, formerly Perry Street, as said Perry Street is shown on said Map; thence Northwesterly along said line of MacArthur Boulevard 40 feet, more or less, to the point of intersection thereof with a line drawn Northeasterly from the point of beginning, and at right angles to the aforesaid Southwestern boundary line of Lot 19 in Block "K"; thence Southwesterly along said line so drawn 155 feet, more or less, to the point of beginning. Excepting therefrom that portion described in the Deed to the State of California, recorded May 26, 1961 in Reel 333 of OR, Image 262, (AS/64148).

**Attachment B**, photos from 2016, providing information to be used in restoration

Left side from front



Right side from property line



Stained glass on right side



Interiors 2016 real estate ad



Attachment C, photos from 2019, showing current condition of building



Front from street



Right side from property line



Left side from property line



Left side from property line



Left side from property line

**WHEN RECORDED, MAIL TO:**

City of Oakland  
Bureau of Planning, Historic Preservation  
250 Frank H. Ogawa Plaza, Suite 3315  
Oakland, CA 94612

**MILLS ACT AGREEMENT FOR  
PRESERVATION OF HISTORIC PROPERTY**

This Agreement is entered into this \_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the City of Oakland, a municipal corporation (hereinafter referred to as the “City”), and \_\_\_\_\_ (hereinafter referred to as the “Owner(s)”), owner(s) of the structure located at \_\_\_\_\_ in the City of Oakland (Exhibit A: Legal Description of Property).

**RECITALS**

Owner possesses and owns real property located within the City and described in Exhibit A (“Property”) attached and made a part hereof.

The Property is a Qualified Historic Property within the meaning of California Government Code Section 50280.1, in that it is a privately owned property which is not exempt from property taxation and is on the City of Oakland’s Local Register of Historic Resources.

Both City and Owner desire to carry out the purposes of Sections 50280 *et seq.* of the California Government Code and Section 439 of the California Revenue and Taxation Code.

Both Owner and City desire to enter into an Agreement to preserve the Property so as to retain its characteristics of cultural, historical and architectural significance and to qualify the Property for an assessment of valuation pursuant to Section 439.2(a) of the Revenue and Taxation Code of the State of California.

**NOW, THEREFORE**, both Owner and City, in consideration of the mutual promise, covenants and conditions contained herein and the substantial public benefit to be derived therefrom, do hereby agree as follows:

- 1) **Effective Date and Term of Agreement (California Government Code Section 50281.a)** The term of this Agreement shall be effective commencing on **December 31, 20\_\_** and shall remain in effect for a term of ten (10) years thereafter. Each year, upon the anniversary of the effective date of this Agreement (hereinafter “renewal date”), one (1) year shall automatically be added to the term of the Agreement, unless timely notice of nonrenewal, as provided in paragraph 2, is given. If either City or Owner(s) serves written notice to the other of nonrenewal in any year, the Agreement shall remain in effect for the balance of the term then remaining, either from its original execution or from the last renewal of the Agreement, whichever may apply.
- 2) **Notice of Nonrenewal (California Government Code Section 50282, California Revenue and Taxation Code Section 439.3)** If City or Owner(s) desires in any year not to renew the Agreement, that party shall serve written notice of nonrenewal in advance of the annual renewal date of the Agreement as follows:
- a. Owners must serve written notice of nonrenewal at least ninety (90) days prior to the renewal date; or
  - b. City must serve written notice within sixty (60) days prior to the renewal date. Owners may make a written protest of the notice. City may, at any time prior to the annual renewal date of the Agreement, withdraw its notice of nonrenewal to Owner(s).
  - c. If the City or Owner(s) serves notice of intent in any year to not renew the Agreement, the existing Agreement shall remain in effect for the balance of the period remaining since the original execution or the last renewal of the Agreement, as the case may be.
  - d. Any notice required to be given by the terms of this Agreement shall be provided by U.S. mail or hand delivery at the address of the respective parties as specified below or at any other address as may be later specified in writing by the parties hereto.

**To City:** City of Oakland  
Bureau of Planning, Historic Preservation  
250 Frank H. Ogawa Plaza, Suite 3315  
Oakland, CA 94612-2032

**To Owner:**

Oakland CA 946--

- 3) **Valuation of Historical Property (California Revenue and Taxation Code, Section 439.2)** During the term of this Agreement, Owner(s) are entitled to seek assessment of valuation of the Historical Property pursuant to the provisions of Section 439 et. seq. of the California Revenue and Taxation Code.

- 4) **Preservation/Rehabilitation and Maintenance of Property (California Government Code Section 50281(b)(1))** During the term of this Agreement, the Property shall be subject to the following conditions, requirements and restrictions:
- a. Owner(s) agree to preserve/rehabilitate and maintain cultural, historical and architectural characteristics of the Property during the term of this Agreement as set forth in the attached schedule of improvements, which has been reviewed by the Landmarks Preservation Advisory Board and approved by the City Council (Exhibit B attached and made a part hereof). No demolition or other work may occur which would adversely impact the cultural, historical and architectural characteristics of the Property during the term of this Agreement.
  - b. All work on the Property shall meet, at a minimum, the Secretary of Interior's Standards for Rehabilitation of Historic Properties (Exhibit C attached and made a part hereof), the Minimum Property Maintenance Standards (Exhibit D attached and made a part hereof), the State Historical Building Code as determined applicable by the City of Oakland, and all required review and conditions of the Landmarks Preservation Advisory Board, the Planning Commission, the City Council, and/or the Department of Planning and Building of the City of Oakland.
  - c. If the schedule set out in Exhibit B is not complied with, then City will use the following process to determine whether the Owner(s) are making good faith progress on the schedule of work. Upon City's request, the Owner(s) shall timely submit documentation of expenditures made to accomplish the next highest priority improvement project for the property within the last 24 months. The Owner(s) shall be determined to be in substantial compliance when the expenditures are equal to or greater than the property tax savings provided by the Property being in the Mills Act Program. This schedule set out in Exhibit B shall be revised to reflect the schedule change. The Department of Planning and Building's Director, or his/her designee, shall have the ability to administratively adjust the schedule timeline, in concurrence with the Property Owners(s), only by written recorded instrument executed by the parties hereto.
  - d. Owner(s) shall, within five (5) days of notice from the City, furnish City with any information City shall require to enable City to determine (i) the Property's present state, (ii) its continuing eligibility as a Qualified Historic Property, and (iii) whether the Owner is in compliance with this Agreement.
- 5) **Destruction through "Acts of God" or "Acts of Nature"** To the extent authorized by state law, Owner(s) shall not be held responsible for replacement/repair of the Property if it is Damaged or Destroyed through "Acts of

God/Nature”, such as slide, flood, tornado, lightning or earthquake. Damaged or Destroyed means that the property is no longer restorable to a condition eligible for historic designation due to substantial loss of integrity, as determined by a historic architect meeting the minimum qualifications contained within the Secretary of the Interior’s Standards for the Treatment of Historic Properties.

- 6) **Inspections (California Government Code Section 50281(b)(2))** Every five years from the original execution of this Agreement, Owner(s) agrees to permit examinations/inspections, by appointment, of the interior and exterior of the Property by one or more of the following: City staff, Members of the Landmarks Preservation Advisory Board, representatives of the County Assessor’s Office, representatives of the State Board of Equalization and representatives of the Department of Parks and Recreation, as may be necessary to determine the Owner’s compliance with this Agreement. Such examination/inspection shall be upon not less than five (5) days written or oral notice.
- 7) **Payment of Fees (California Government Code Section 50281.1)** The Owner shall pay the City a fee established pursuant to the City’s Master Fee Schedule, for costs related to the preparation and review of the Agreement and related documents at the time of application.
- 8) **Binding on Successors and Assigns (California Government Code Section 50281(b)(3))** Owner agrees that this Agreement shall be binding upon and inure to the benefit of all parties herein, their heirs, successors in interest, legal representatives, assigns and all persons acquiring any part or portion of the Property, whether by operation of law or otherwise, and that any such person(s) shall have the same rights and obligations under this Agreement.
- 9) **Cancellation (California Government Code Section 50284)** City, following a duly noticed public hearing before the City Council, as set forth in California Government Code Section 50285, may cancel this Agreement if it determines that Owner(s): (a) have breached any of the conditions of the Agreement; (b) have allowed the property to deteriorate to the point that it no longer meets the standards for being on the City’s Local Register of Historic Resources; or (c) if the Owner(s) have failed to restore or rehabilitate the Property in the manner specified in paragraph 4 of this Agreement.

In the event of cancellation, Owner(s) shall be subject to payment of those cancellation fees set forth in California Government Code Section 50286, described herein. Upon cancellation, Owner(s) shall pay a cancellation fee of twelve and one-half percent (12 ½%) of the current fair market value of the Property at the time of cancellation, as determined by the County Assessor as though the Property were free of any restrictions pursuant to this Agreement.

- 10) **No Compensation** Owner shall not receive any payment from City in consideration of the obligations imposed under this Agreement, it being

recognized and agreed that the consideration for the execution of this Agreement is the substantial public benefit to be derived therefrom and the advantage that will accrue to Owner as a result of the effect upon the Property's assessed value on account of the restrictions required for the preservation of the Property.

**11) Enforcement of Agreement (California Government Code Section 50284)** As an alternative to cancellation of the Agreement for breach of any condition as provided in paragraph 9, City may, in its sole discretion, specifically enforce, or enjoin the breach of the terms of this Agreement. In the event of a default, under the provisions of this Agreement by the Owners, City shall give written notice to Owners by registered or certified mail. If such a violation is not corrected to the reasonable satisfaction of City within thirty (30) days thereafter, or if not corrected within such a reasonable time as may be required to cure the breach or default if said breach or default cannot be cured within thirty (30) days provided that acts to cure the breach or default may be commenced within (30) days and must thereafter be diligently pursued to completion by Owners, then City may, without further notice, declare a default under the terms of this Agreement and may bring any action necessary to specifically enforce the obligations of Owners arising out of the terms of this Agreement, apply to any violation by Owners or apply for such other relief as may be appropriate.

**12) Indemnification** Owner shall indemnify, defend (with counsel reasonably acceptable to City) and hold harmless the City of Oakland, and all of its Councilmembers, boards, commissions, departments, agencies, attorneys, agents, officers, and employees (individually and collectively, the "City") from and against any and all actions, causes of actions, liabilities, losses, costs, claims, judgments, settlements, damages, liens, fines, penalties and expenses (collectively called "Claims") incurred in connection with or arising in whole or in part from this Agreement, including without limitation:

- a. any accident, injury to or death of a person, loss of or damage to property occurring in or about the Property;
- b. the use or occupancy of the Property by Owner, its Agents or Invitees;
- c. the condition of the Property; or
- d. any construction or other work undertaken by Owner on the Property.

This indemnification shall include, without limitation, reasonable fees for attorneys, consultants and experts and related costs and City's cost of investigating any Claims. Owner shall defend the City from any and all Claims even if such Claim is groundless, fraudulent or false. Owner's obligations under this Paragraph shall survive termination of this Agreement.

**13) Governing Law** This Agreement shall be construed and enforced in accordance with the laws of the State of California.

**14) Amendments** This Agreement may be amended in whole or in part only by a written recorded instrument executed by the parties hereto in the same manner as

this Agreement.

- 15) **No Waiver** No failure by the City to insist on the strict performance of any obligation of Owner under this Agreement or to exercise any right, power or remedy arising out of a breach hereof, shall constitute a waiver of such breach or of City's right to demand strict compliance with any terms of this Agreement. No acts or admissions by City, or any agent(s) of City, shall waive any or all of City's right under this agreement.
- 16) **Severability** If any provision of this Agreement is determined to be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each other provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
- 17) **Recording with Alameda County (California Government Code Section 50282(e))** No later than 20 days after execution of this Agreement, the Owner shall record with the county recorder a copy of the Agreement and provide proof of such to the City.
- 18) **Notice to State Office of Historic Preservation** The Owner shall provide written notice of the Agreement to the State Office of Historic Preservation within six (6) months of the date of this Agreement, and provide City with a copy of such notice.
- 19) **Eminent domain (California Government Code Section 50288)** In the event that the Property is acquired in whole or in part by eminent domain or other acquisition by any entity authorized to exercise the power of eminent domain, and the acquisition is determined by the legislative body to frustrate the purpose of the Agreement, such Agreement shall be canceled and no fee shall be imposed under Paragraph 9. This Agreement shall be deemed null and void for all purposes of determining the value of the Property so acquired.
- 20) **General Provisions** None of the terms, provisions, or conditions of this Agreement shall be deemed to create a partnership, joint venture, or joint enterprise between any of the parties hereto, or any of their heirs, successors or assigns.
- 21) **Attorney's Fees** In the event legal proceedings are brought by any party or parties hereto, to enforce or restrain a violation of any of the covenants, reservations or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding may recover its reasonable attorney's fees in addition to court costs and other relief ordered by the court.

22) **Complete Agreement** This Agreement represents the complete understandings and agreement of the parties and no prior oral or written understandings are in force and effect.

23) **Headings** The headings in this Agreement are for reference and convenience of the parties and do not represent substantive provisions of this Agreement.

IN WITNESS WHEREOF, City and Owners have executed the Agreement on the day and year first written above.

Property Owner(s):

\_\_\_\_\_ date

\_\_\_\_\_ date

City of Oakland:

\_\_\_\_\_  
**Sabrina B. Landreth** date  
City Administrator

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
**Jordan Flanders** date  
City Attorney

EXHIBITS

- EXHIBIT A: Legal Description of Property
- EXHIBIT B: Schedule of Improvements
- EXHIBIT C: The Secretary of the Interior's Standards for Rehabilitation
- EXHIBIT D: Minimum Property Maintenance Standards

**EXHIBIT C: SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES - Standards for Rehabilitation**

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**EXHIBIT D: MINIMUM PROPERTY MAINTENANCE STANDARDS**

The following conditions are prohibited:

Dilapidated, deteriorating, or unrepaired structures, such as fences, roofs, doors, walls, windows, broken windows, peeling exterior paint, broken structures;

Graffiti;

Incomplete exterior construction where no building inspections have been requested for six or more months, or for work which does not require a building permit, where there has been no significant progress for 90 days.