

3.	Proposal:	Mills Act Contract Applications by owners.
	Case File Number /Location/ City Council District /Zoning:	1) MA18-001: 4690 Tompkins Avenue (APN 037-2544-017-01); City Council District 4, Zoning RM-3 2) MA18-002: 528 28th Street (APN 009-0697-008); City Council District 3, Zoning RU-1 3) MA18-003: 260 Park View Terrace (APN 010-0771-032); City Council District 3, Zoning RU-2 4) MA18-004: 1255 Trestle Glen Road (APN 024-0565-056); City Council District 2, Zoning RD-1 5) MA18-005: 581 Vernon Street (APN 010-0817-003); City Council District 2, Zoning RM-1 6) MA18-006: 5701 International Blvd. (APN 41-3848-4-1); City Council District 5, Zoning IG/S-19, City Landmark 7) MA18-007: 677 Longridge Road (APN 011-0885-020-02); City Council District 2, Zoning RD-1 8) MA18-008: 1419 12th Street (APN 004-0063-004); City Council District 3, Zoning RM-2 9) MA18-009: 2440 10th Avenue (APN 022-0334-016); City Council District 2, Zoning RM-1
	Applicant/Owner:	Multiple, see individual applications attached
	Environmental Determination:	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).
	Action to be Taken:	Discuss and select applications to recommend for 2017 Mills Act contracts. Forward to Planning Commission as informational item. Forward recommendations to City Council.
	For Further Information:	Contact case planner Betty Marvin at (510) 238-6879 or by email: bmarvin@oaklandnet.com .

BACKGROUND

The Mills Act is a California state law passed in 1972 that allows a potential property tax reduction for historic properties, using an alternate appraisal formula. The state law also 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 commit 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. Beyond just historic preservation, such projects further City goals including creation and preservation of housing, reduction of blight, and enhancement of neighborhoods. Oakland has approved 61 Mills Act Contracts since the program started in 2008 (map, Attachment 11).

A two-year pilot Mills Act program was adopted by the Oakland City Council in 2006-07. In 2009 the City Council expanded the program and made it permanent. The 2009 ordinance limited impact on City revenue to \$25,000 a year in new contracts, with separate quotas for redevelopment areas (\$250,000 a year in the Central Business District and \$25,000 a year in any other single redevelopment area). Since the abolition of redevelopment in 2012, the City share of property tax revenue (or property tax reduction) is uniform across the city at 27.28%. The ordinance provides that tax losses may exceed these limits with approval of the City Council.

The Mills Act establishes an alternate method of calculating property taxes for participating properties based on the income method of appraisal. In this method, property value is extrapolated from 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 “restricted” properties.

Any property entering into a Mills Act contract with the City must be on the Local Register of Historical Resources. The 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, 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.

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 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 property tax savings be invested back into the property according to a work program that is recorded as part of the contract.
- The contract runs with the property, that is, its obligations automatically transfer to each new owner and the property is not reassessed to full market value upon sale.
- The agreement provides for periodic inspections to determine compliance with the contract.
- The tax reduction will vary depending on a number of factors. The largest tax reductions occur for properties purchased or reassessed in recent years and at high market values.

INTRODUCTION

2018 Mills Act Applications

Mills Act applications are accepted from January through May of each year, to allow time for processing by the City and recording with the County by December 31. Nine completed Mills Act applications – the largest number since 2008 - were submitted this year and are before the Landmarks Board for review. Eight of those are applying for Heritage Property designation at this meeting and one is an existing City Landmark. As in past years, most applications are for small residential buildings (houses or flats). Two large projects in East Oakland are also applying, a 40-unit apartment project in the former Beulah Rest Home at 4690 Tompkins Avenue and a work/live development of the landmarks Mutual Stores-Safeway complex at 5701 International Boulevard.

Historic Preservation Staff Review

Selection criteria for Mills Act applications were developed by a Landmarks Board subcommittee and adopted by the Board during the first year of the Mills Act pilot program, to screen and rank applications, especially where there were more applicants than could be accommodated. Evaluation focuses on:

- *significance* of the property;
- immediate *necessity* of the work to prevent further 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 nine 2018 Mills Act contract applications, as satisfying the applicable criteria. Details are provided in summaries on the following pages and in the full applications, Attachments 1 through 9.

FINANCIAL IMPACTS - 2018 Mills Act Applications

A Mills Act calculator on the City website allows applicants to make a *rough estimate* of tax outcomes (table below). Based on Alameda County records and information from applicants, column 2 lists the current yearly property taxes on the property. Column 3 lists the *estimated* Mills Act property taxes, using the state formula based on square footage and hypothetical or actual rent. (When the calculator was designed by EPS consultants for the City a decade ago, the hypothetical average rent was \$1.25/sf!) Column 4 lists the difference between the current property taxes and the *estimated* Mills Act property taxes. The City receives approximately 27.28% of property taxes. Column 5 lists the estimated loss of property taxes to the City, 27.28% of the change in property taxes due to the Mills Act calculation. Note that the Mills Act formula applies to the ad valorem property tax, not to any special assessments or other charges.

In addition to the one-size-fits-all estimates from the calculator, some applicants have provided their own calculations – some higher, some lower - based on conversations with the Assessor or other research. The range of estimates confirms the rough nature of these figures, especially as 2018-19 assessments have not been published at the time of this report and the 2019-20 Mills Act restricted assessments based on market rents will not be calculated by the county until 2019.

Disclaimer: The online calculator which produced 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.

1 Mills Act Application Number	2 Assessed Value (county record)	3 Current Property Taxes (county rec.)	4 Mills Act Taxes from calculator (estimate based on ~\$2-3/sf rent)	5 Change in Taxes (current less Mills estimate)	6 City Revenue Loss, Year 1 (27.28% of tax change)
Small residential properties, citywide:					
MA18-002	\$925,000	\$12,475	\$6,811	(\$5,664)	
MA18-003	\$1,173,000	\$15,819	\$6,736	(\$9,083)	
MA18-004	\$1,526,000	\$20,580	\$6,341	(\$14,238)	
MA18-005	\$1,005,767	\$13,658	\$10,583	(\$2,981)	
MA18-007	\$1,255,206	\$16,928	\$7,392	(\$9,536)	
MA18-008	\$700,000	\$9,440	\$5,008	(\$4,432)	
MA18-009	\$1,400,000	\$18,280	\$6,590	(\$11,690)	
Approximate residential tax reductions:				total tax reduction (\$57,619)	City revenue reduction (\$15,718)
Large adaptive reuse projects in East Oakland:					
MA18-001	\$16,000,000	\$208,912	\$166,087	(\$42,825)	
MA18-006	8,495,229	\$125,742	\$109,907	(\$15,835)	
Approximate large project reductions:				total tax reduction (\$58,660)	City revenue reduction (\$16,002)

TOTAL estimated City tax revenue loss, year 1 (tax year 2019-20) (\$31,720)

An estimated loss of \$15,718 for the 7 residential properties is below the City tax revenue loss limit for new Mills Act contracts of \$25,000 (though significantly higher than past years). The two large adaptive reuse projects appear to produce an additional estimated revenue reduction of approximately \$16,002 for a total roughly estimated revenue loss of \$31,720. If accurate, this exceeds the \$25,000 limit established in 2007 by \$6,720, again a very rough estimate.

Tax impacts of the Mills Act formula are affected by changes in the California real estate market since the program was created by the legislature in the 1970s. Recent rapid 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. In addition, 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, "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." It is not possible to give exact values because assessment is done property by property, but applicants were advised to put a higher rent per square foot (at least \$2 to \$3 in 2018) into the calculator on the City website. Lower Mills Act savings for owners would, of course, also mean less revenue loss for the City.

Staff believes it is reasonable to recommend all 9 applications for Mills Act contracts, and to recommend that Council approve 2018 contracts in excess of the 2007 limit, for these reasons:

- Inflation: property prices and taxes have risen sharply in the last few years. In 2006 the staff report for the 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 2016-17 adopted budget projects \$177,407,009 in property tax revenue, more than double what it was when Oakland's Mills Act program was designed. (.03% would be approximately \$53,000)
- Until abolition of redevelopment in 2012, there were substantial additional tax losses allowed in redevelopment areas (see p. 2), which covered most of Central, West, and East Oakland. In the future, the Mills program could be revised to adjust for the end of redevelopment.
- Past years' (2008-2016) first-year revenue loss estimates for new contracts have consistently been far below the \$25,000 limit, ranging from from \$1,885 in 2011 to \$10,740 in 2015.
- Improvements made under the work programs are expected to raise property values and make up for the initial losses, even at the lower Mills Act tax rate.
- Mills Act projects for two large Central Business District properties (Cathedral Building, 1605-15 Broadway/1606-14 Telegraph, 2010; Girls Inc., 512 16th Street, 2011) provided almost immediate revenue gains to the City as these long-underutilized buildings were purchased, improved, and reassessed.

Next Steps

Following Landmarks Board recommendation at this meeting, the selected Mills Act applications and Board recommendations 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.

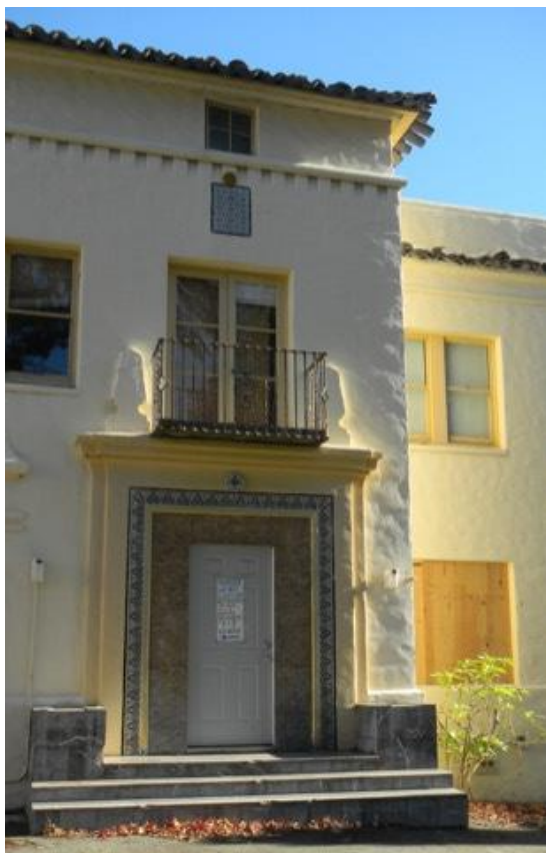
MILLS ACT CONTRACT APPLICATIONS

MA18-001: **4690 Tompkins Ave.,** Beulah Rest Home (APN 37-2544-17-1);(see Attachment 1)
Applicant: 4960 Tompkins Development LLC



OCHS Rating: B+3 (preliminary/field, 1986) = major importance (B), appears eligible for National Register (+), not in district (3). Historically-related ASI later identified.

Heritage Property Eligibility Rating: B (32 points)



Work Program (see Attachment 1):

- exterior walls, stucco – clean, repair, waterproof, repaint
- exterior doors at entries and garages, replacements similar to original
- windows, replacements similar to original
- clay tile roofs, trim courses - replace in-kind with new underlayments, flashings, etc.
- roof decks – repair, waterproof
- ornamental metal railings – replace to match original

Application Strengths:

- substantial, historic, underutilized building with great housing potential
- thorough analysis of building, informed by original plans
- thoroughly researched product information for proposed replacements
- large apartment project in East Oakland – diversity of location and building type

Mission tile and flat roofs, doors and windows, textured stucco all need repair:



2. MA18-002: **528 28th Street** (APN 9-697-8), Bercovich S.C.) house (see Attachment 2)
Applicant: Alexander A. Teran, owner/resident



OCHS Rating: C2+ (preliminary/field, 1986): secondary importance, ASI contributor
Heritage Property Eligibility Rating: B (28 points)

Work Program (see Attachment 2):

- exterior drainage improvement to stabilize foundation
- replace side and front aluminum windows with wooden double hung windows
- replace front tongue and groove lap siding with shingles; repair/replace affected trim

Application Strengths:

- correcting deferred maintenance and inappropriate alterations
- opportunity as neighborhood catalyst in fragile Northgate location
- applicant has restored wood sash windows and thoroughly investigated building clues



View of 528 28th St from southwest corner
(Dec 2016 – Google Street View)



View of 528 28th St from southwest corner
(Apr 2018)



Drainage, west side of house from front



Shingles and trim to be restored



Aluminum windows



Security doors to be replaced



3. MA18-003: **260 Park View Ter.** (APN 10-771-32), Cutler (Sarah, Mary) house (Att. 3)
Applicant: Josephine Lefebvre for owner Grant Chappell



OCHS Rating: C2+ (preliminary/field, 1986): secondary importance, ASI contributor
Heritage Property Eligibility Rating: B (25 points)

Work Program (see Attachment 3):

- fix drainage issues in back of property.
- remove and replace exterior rotting wood and trim, stairs, and landing
- fix/replace foundation walls in areas of deterioration or settlement
- replace aluminum with wood sash windows and casement windows.
- restore and paint concrete steps and add more compatible railing

Application Strengths:

- correcting deferred maintenance and inappropriate alterations
- addressing drainage and foundation issues due to picturesque hillside site
- potential as catalyst for improvement on architecturally distinguished block





- 4. MA18-004: 1255 Trestle Glen Rd.** (APN 24-565-56), Smith (Charles W.) house, 1922
Applicant: Catherine Squire & Glenn Appell, owners/residents See Attachment 4



OCHS Rating: C2+ (preliminary/field, 1986): secondary importance, ASI contributor
Heritage Property Eligibility Rating: B (25 points)

Work Program (see Attachment 4):

- seismic retrofit by bolting to foundation
- roof replacement and repair
- custom build new true divided light casement windows
- repair/rebuild street-facing period garage
- repair wood rot and damage throughout

Application Strengths:

- maintenance and repair of vulnerable wooden and stucco house components
- potential catalyst for neighborhood and block improvement
- sixth Mills Act project on Trestle Glen, nucleus of possible district designation





Chimney in danger of collapse



Wood rot on doors and windows



Garage separating from foundation



Recessed entry; tile roof

5. MA18-005: 581 Vernon Street (APN 10-817-3), Lissner (Bertheld) house, 1908
Applicant: James and Laura Lee Kulesher, owners/residents See Attachment 5



OCHS Rating: C3 (preliminary/field, 1986): secondary importance
Heritage Property Eligibility Rating: B (25 points)

Work Program (see Attachment 5):

- repair moisture-related damage to wood structural and exterior elements
- replace inappropriate door and window
- exterior painting

Application strengths

- maintenance and repair of vulnerable wooden house components
- potential catalyst for neighborhood and block improvement
- applicant has restored windows and thoroughly investigated building clues
- geographic diversity – first Mills Act project in Rose Garden neighborhood





MA18-006: **5701 International Blvd.** (APN 41-3848-4-1);
 City Council District 5, Zoning IG/S-19, City Landmark



OCHS Rating: A1+: primary importance, API contributor
 Designated City Landmark, LM92-121

Work Program:

- Repair and reglazing of historic steel sash windows
- Restoration of primary entry door and grillwork
- Seismic bracing of tower – foundation and interior shear wall
- Restoration of brick masonry and terra cotta decorative elements
- Rehabilitation of historic main entry lobby, including plasterwork, paint, and lighting
- Restoration of flagpole and tower lighting

Application Strengths:

- Reuse and repair of underutilized, highly visible City Landmark
- Major economic and preservation catalyst project on East Oakland’s main street
- Diversity of location and building type – second industrial building in Mills program
- Detailed specifications for products and techniques



Rear (southwest) facade of the primary wing, looking north



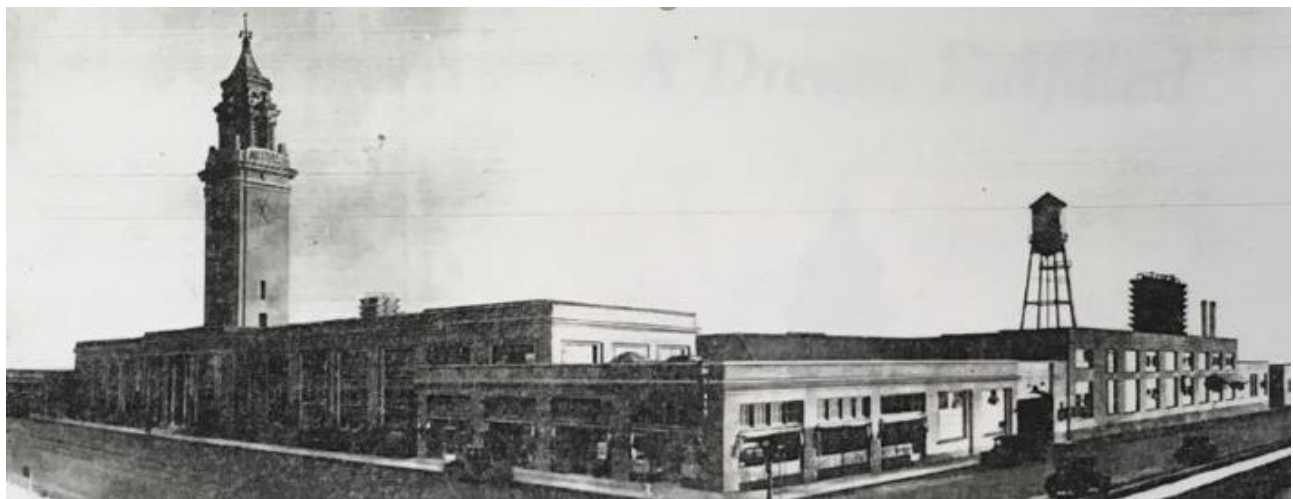
Multi-color brick, terra cotta, "Mutual" sign



Int'l Blvd entry: restore doors, terra cotta



Restoration and reglazing of historic steel windows



"The New Plant" - Drawing of the recently completed Mutual Stores building c.1928

LM18-007: **677 Longridge Road** (APN 11-885-20-2), Houck (Harry L.) spec house, 1925
Applicant: Jennifer and Alexander Castro, owners/residents See Attachment 6



OCHS Rating: C2+ (preliminary/field, 1986): secondary importance, ASI contributor
Heritage Property Eligibility Rating: B (26 points)

Work Program (see Attachment 5):

- earthquake and foundation retrofitting on extremely steep lot
- replace altered French door, picture window, and garage door
- exterior paint and stucco repair

Application Strengths:

- addresses structural stability in creek and hill area
- well thought out proposal describes additional work outside Mills contract
- potential neighborhood catalyst
- seventh in Lakeshore Homes tract, seeds of possible district designation





MA18-008: **1419 12th Street** (APN 4-63-4), Crase-Ackerman-Bacina house, 1892-93
Applicant: Michael Bernasek & Sarah Krikorian, resident & owner See Attachment 8



OCHS Rating: C1+: Determined eligible for National Register, contributor to Oakland Point API
Heritage Property Eligibility Rating: B (25 points)

Work Program:

- Remove asbestos siding, repair/replace original horizontal redwood siding as needed, paint
- Repair/replace damaged or altered windows, all to be wooden double-hung rope-and-pulley
- Replace damaged/missing architectural details
- Repair/rebuild rotting front and rear staircase and porch to match historic design
- Replace historically inaccurate front door to match historic design
- Restore art glass window in entryway;
- Drainage and downspout repairs

Application Strengths:

- 15th Mills Act project in West Oakland; fourth project in Oakland Point API
- Detailed and well thought out work program



Asbestos siding beneath the sunburst, probably covering shingles; damage to wood siding



MA18-009: **2440 10th Avenue** (APN 22-334-16), Kelly (William P.) house, 1885-86
Applicant: Tae Ha, resident/owner See Attachment 9



OCHS Rating: C2+ (preliminary/field, 1986): secondary importance, ASI contributor
Heritage Property Eligibility Rating: B (24 points)

Work Program:

- Foundation repair and seismic reinforcement
- Removal of inappropriate exterior wood trim
- Repair exterior shingles, trim, and siding
- Exterior paint, three colors

Application Strengths:

- Structural and exterior preservation
- Reversal of false-historical alterations
- Geographic diversity – East Oakland targeted in original Mills ordinance



Undated photo attrib. to Assessor's office



Foundation work



Faux-Victorian appliques mixed with original surfaces, windows, brackets



CONTRACT CONDITIONS, ALL PROPERTIES

The Secretary of the Interior's Standards for Rehabilitation are incorporated as conditions in the Mills Act agreement (Attachment 10), and will 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 (9 pages, Attachment 10) 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 of 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 Community and Economic Development Agency of the City of Oakland

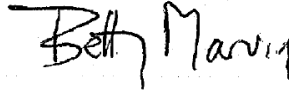
GEOGRAPHIC DISTRIBUTION

Attachment 11 is a map that illustrates geographic distribution of all current and proposed Mills Acts properties. One application this year is from West Oakland, a target area from the start of Oakland's Mills Act program; three are from East Oakland (Tompkins, International Blvd., and 10th Avenue); the others are from the Lakeshore/North Central area. As usual, inquiries about the program were received from all parts of Oakland during the year, and a larger number than usual followed up with complete applications.

RECOMMENDATIONS

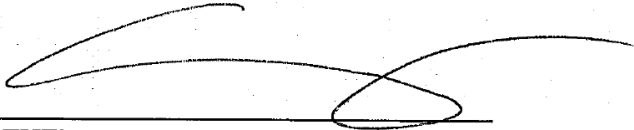
1. Receive any testimony from applicants and interested citizens;
2. Discuss and provide recommendations on Mills Act applications for 2017; and
3. Based on the above discussion:
 - a. Recommend all or selected applications to City Council for 2017 Mills Act contracts;
 - b. Forward the recommendations to the Planning Commission as an information item.

Prepared by:



BETTY MARVIN
Historic Preservation Planner

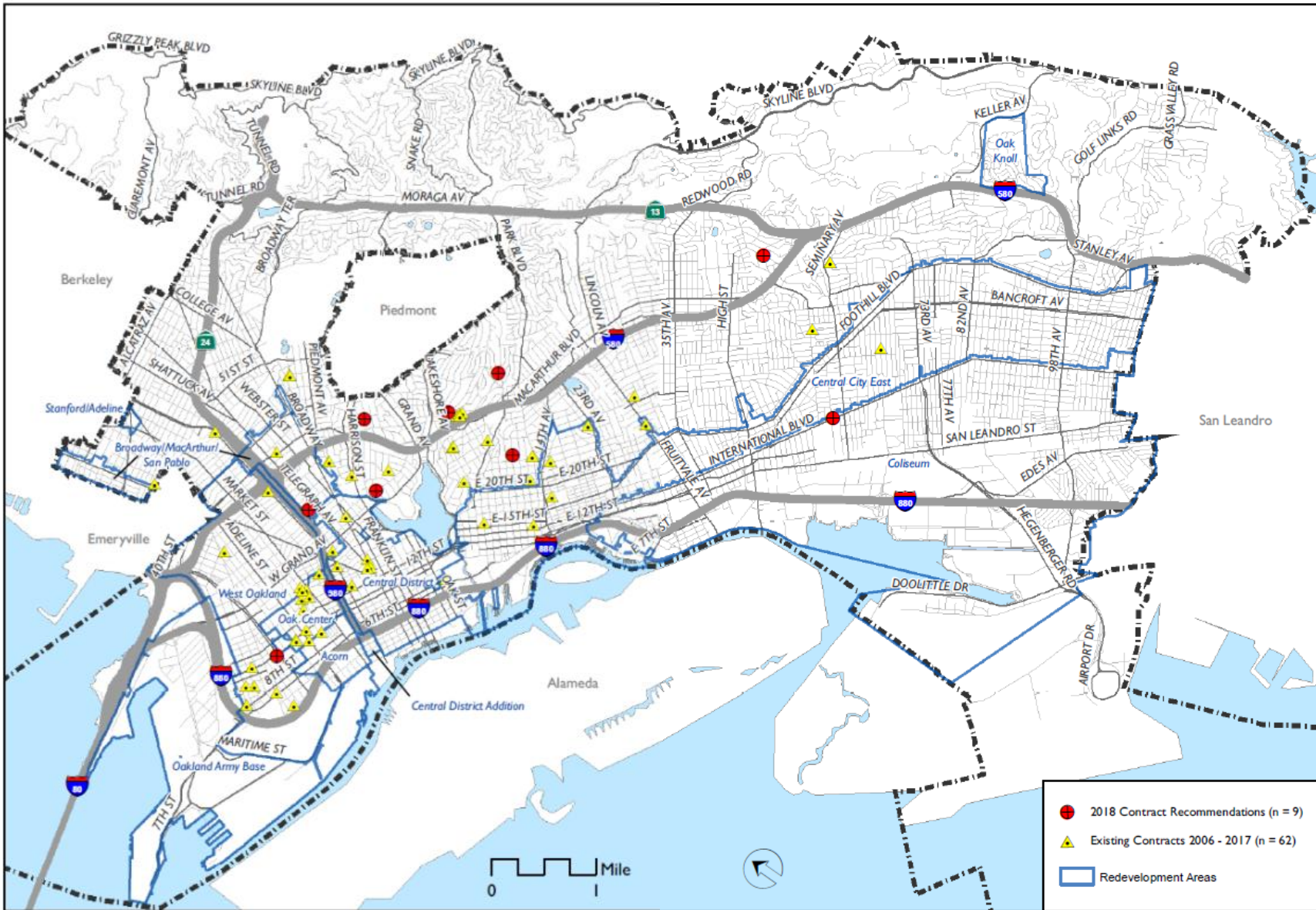
Approved by:



CATHERINE PAYNE
Acting Development Planning Manager

Attachments:

1. Application, work program, and photos: MA18-001: **4690 Tompkins Avenue**
2. Application, work program, and photos: MA18-002: **528 28th Street**
3. Application, work program, and photos: MA18-003: **260 Park View Terrace**
4. Application, work program, and photos: MA18-004: **1255 Trestle Glen Road**
5. Application, work program, and photos: MA18-005: **581 Vernon Street**
6. Application, work program, and photos: MA18-006: **5701 International Boulevard**
7. Application, work program, and photos: MA18-007: **677 Longridge Road**
8. Application, work program, and photos: MA18-008: **1419 12th Street**
9. Application, work program, and photos: MA18-009: **2440 10th Avenue**
10. Model Mills Act Agreement, including Secretary of the Interior's Standards for Rehabilitation
11. Location map, current and pending Mills Act properties, 2008-2018



Planning & Building Department
June 2018



Mills Act Contracts and Contract Recommendations

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

1. GENERAL INFORMATION

APPLICANT'S NAME: 4690 Tompkins Development, LLC; c/o Jennifer Daly

PROPERTY ADDRESS: 4690 Tompkins Avenue, Oakland CA

PROPERTY OWNER(S): 4690 Tompkins Development, LLC

PHONE: (Day) 415-425-1935 (Evening) _____

ASSESSOR'S PARCEL #(S): 037-2544-017-01

YEAR OF PURCHASE: 2017

ASSESSED VALUE: \$4,004,325

EXISTING USE OF PROPERTY: Vacant

2. HISTORIC PROPERTY INFORMATION

HISTORIC/Common Name (if any): Beulah Rest Home

CONSTRUCTION DATE: 1928-1958

LEGAL DESCRIPTION (From Deed, Please Attach) _____

HISTORIC STATUS: Please contact Historic Preservation staff at (510)238-6344 or (510)238-6879 to confirm.

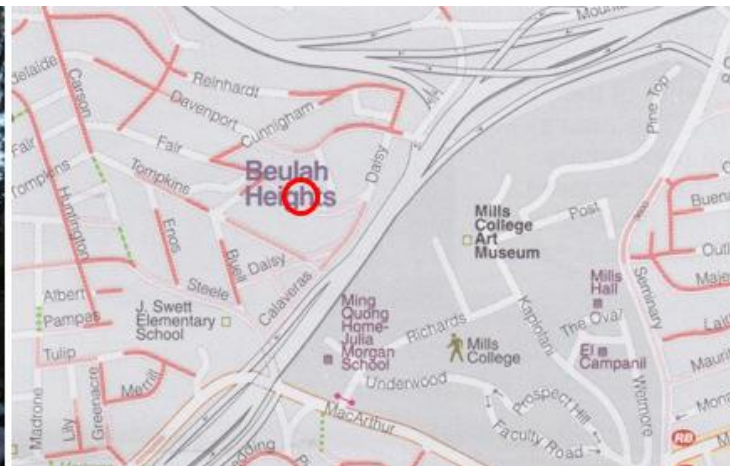
DESIGNATED HISTORIC RESOURCE:

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

DATE OF DESIGNATION

LOCAL REGISTER OF HISTORIC RESOURCES**

- Listed on the National Register of Historic Places
- Building with an 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

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 and/or repair of exterior character defining features of the historic property. 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 for a rough estimate of potential property tax reduction. (Please attach additional pages to complete the below information.)

1. Year: 2019 Cost: \$268,000 Improvement: (E) ext. walls, stucco - clean, repair, waterproof, repaint(see figs.1-19, attached)

2. Year: 2020 Cost: \$55,000 Improvement: (E) ext. doors at entries, garages - replace(see figs.5, 16, 20, attached)

3. Year: 2021 Cost: \$270,000 Improvement: (E) windows, replace(see figs.4-12, 19-23, attached)

4. Year: 2022 Cost: \$87,000 Improvement: Clay tile roofs, trim courses - replace in-kind with new underlayments, flashings, etc.(see figs.4-9, 12-15, attached)

5. Year: 2023 Cost: \$15,000 Improvement: (E) roof decks – repair, waterproof(see figs.23, attached)

6. Year: 2024 Cost: \$22,000 Improvement: (E) ornamental metals – replace(see figs.5-7, 16, attached)

7. Year: 2025 Cost: _____ Improvement: _____

8. Year: 2026 Cost: _____ Improvement: _____

9. Year: 2027 Cost: _____ Improvement: _____

10. Year: 2028 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. 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 counters, or County Assessor's Office, 1221 Oak Street.
- 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 the front, side and rear property lines. Label each (e.g., front, side, rear, across the street).
 - Photographs must be in color and include detailed (i.e. close up) views of each of the listed areas in the proposed work program. Label each (e.g., Work Program Item #1, Work Program Item #2, etc.)
- Oakland Landmark, Heritage Property and S-7 Preservation Combining Zone Application Form
 - Required for properties that are not already designated as:
 - City of Oakland Landmark
 - City of Oakland Heritage Property
 - Contributes 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
 - Fees are 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 Program property applicant, who's 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.

- The date the application is complete.
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- The property needs exterior work (e.g., stabilization, maintenance, reversal of inappropriate building modifications, etc.. The work program does **not** include interior work or additions) and whether 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 on line at www.oaklandnet.com/historicpreservation):

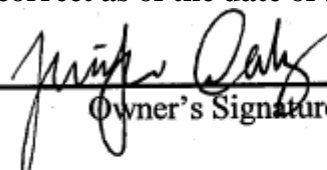
- the Mills Act brochure;
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Also available online:

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NOTICE: Each property owner should also 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/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

2/20/18
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

May 26, 2018

4690 Tompkins Ave., Oakland
Mills Act Work Program Introduction

For the large part of the past two decades, 4690 Tompkins has stood vacant and abandoned. With large holes drilled through the ceiling in the great room, which also serves as the floor of the upstairs terrace, water was pouring into the building throughout the rainy season for all of that time. It was a building that caused problems for neighbors due to squatters. Windows were constantly being broken and doors smashed in. The solidness of the structure of the building is a testament to the original builders. However, many of the areas and elements more sensitive to dry rot and water intrusion did not survive this long stage of neglect.

The team determined that 95% of the window casings were compromised due to dry rot. In most places one could stick the end of a pen, without effort, directly through the wood. Many of the windows had already been replaced with cheap vinyl replacements. The roof tiles are similarly decomposed throughout the roofing structure as these are approaching 100 years of life. All of these elements that are critical to the historical beauty of the building are being carefully replaced with like elements.

The subject building is in the process of being adapted to multi-residential use. The combined original buildings housed some 78 guest rooms plus common areas. The adapted building will house 40 residential units plus common areas.

The proposed project has been permitted. Overall plans and elevation sheets are submitted for reference.

Relative to the building exterior, the project proposes the following remedial treatments at the building exteriors:

- Repair and repainting of existing stucco;
- Replacement of existing doors and windows with new similar to the existing;
- Replacement of existing clay tile roofing with new similar to existing;
- Replacement of metal balcony railings with new similar to existing.
- Replacement of roof decking;

In sum, the proposed windows are composite windows with a beautiful espresso finish. The exterior stucco will be cleaned, repaired, waterproofed and then painted a light off white, returning it to its original color and character. The roof tiles will be removed and the roofing structure water proofed and then a visually like replacement roof tiles will be used. To prevent further water intrusion and damage to the building we will be waterproofing all decks. Additionally, the ornamental metals most commonly in the form of Juliette balconies are all in a state of total disrepair and are not safe. We will be replacing these with like items and are confident they will add a great deal to the beauty of the building. Throughout each of these projects the intention will be to restore the building to bring out its true character once again.

Product information for the replacement assemblies is also provided.

4690 Tompkins Ave., Oakland
Mills Act/Heritage Property Application



4690 Tompkins Ave., aerial view (2017, google) & photo key plan (north is up)
Complete numbered photos are found in 4690 Tompkins Heritage Property nomination form.



Fig. 6, 1928 building

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

1. GENERAL INFORMATION

APPLICANT'S NAME: Alexander Teran

PROPERTY ADDRESS: 528 28TH Street

PROPERTY OWNER(S): Alexander Teran and Christopher Peterson

PHONE: (Day) (609) 240-1743 (Evening) (609) 240-1743

ASSESSOR'S PARCEL NUMBER(S): 009-0697-008

YEAR OF PURCHASE: 2017 ASSESSED VALUE: \$925,000

EXISTING USE OF PROPERTY: Primary Residence

2. HISTORIC PROPERTY INFORMATION

HISTORIC/Common Name (If any): S.C. Bercovich House

CONSTRUCTION DATE: 1910 LEGAL DESCRIPTION (From Deed, Please attach)

HISTORIC STATUS: Please contact Historic Preservation staff at (510)238-6344 or (510)238-6879 to confirm.

DESIGNATED HISTORIC RESOURCE:

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"/> Contributes to a City of Oakland S-7 or S-20
Historic District | _____ |

LOCAL REGISTER OF HISTORIC RESOURCES**

- | | |
|---|-------|
| <input type="checkbox"/> Listed on the National Register of Historic Places | _____ |
| <input type="checkbox"/> Building with an Oakland Cultural Heritage Survey
rating of 'A' or 'B' | _____ |
| <input type="checkbox"/> Potential Designated Historic Property located
in an Area of Primary Importance | _____ |

*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 Program property applicant, who's estimated Property Tax loss exceeds the above limits, may request special consideration by the City Council.

** Local Register Properties must concurrently submit an Oakland Landmark, Heritage Property or S-7 Preservation Combining Zone Application Form

3. PRESERVATION WORK PROGRAM AND TIME LINE

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 and/or repair of exterior character defining features of the historic property. 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 for a rough estimate of potential property tax reduction. (Please attach additional pages to complete the below information.)

Note: Based on conversations with the Alameda County Assessor's Office, our best estimate for our property tax savings is \$5,000-\$6,000/year over the course of the 10 year program. That figure was used when preparing the work program.

1. **Year:** 2019 **Cost:** \$5,000 **Improvement:** Exterior drainage improvement to stabilize foundation*

2. **Year:** 2020 **Cost:** \$5,000 **Improvement:** Exterior drainage improvement to stabilize foundation*

3. **Year:** 2021 **Cost:** \$7,000 **Improvement:** Replace seven front aluminum windows with wooden double hung windows*

4. **Year:** 2022 **Cost:** \$6,000 **Improvement:** Replace tongue & groove, lap siding with shingles. Repair/replace affected trim*

5. **Year:** 2023 **Cost:** \$6,000 **Improvement:** Replace tongue & groove, lap siding with shingles. Repair/replace affected trim *

6. **Year:** 2024 **Cost:** \$6,000 **Improvement:** Replace tongue & groove, lap siding with shingles. Repair/replace affected trim *

7. **Year:** 2025 **Cost:** \$6,000 **Improvement:** Replace tongue & groove, lap siding with shingles. Repair/replace affected trim *

8. **Year:** 2026 **Cost:** \$6,000 **Improvement:** Replace tongue & groove, lap siding with shingles. Repair/replace affected trim *

9. **Year:** 2027 **Cost:** \$7,000 **Improvement:** Replace seven side aluminum windows with wooden double hung windows *

10. **Year:** 2028 **Cost:** \$6,000 **Improvement:** Replace front doors*

*For improvement details and pictures, please see Appendix.

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 counters, or County Assessor's Office, 1221 Oak Street.
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- 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 on line at www.oaklandnet.com/historicpreservation):

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- the (MODEL) MILLS ACT AGREEMENT FOR PRESERVATION OF HISTORIC PROPERTY;
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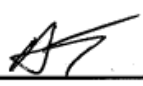
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Owner's Signature



5/17/18
Date

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250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612
Monday, Tuesday, Thursday & Friday: 8am-4pm; Wednesday: 9:30 – 4pm

Photographs of House

This section contains photographs of the house. Additional photographs detailing each of the historic elements that will be addressed in the work program are included in the appendix.



View of 528 28th St from across street



View of 528 28th St from southeast corner



View of 528 28th St from southwest corner
(Dec 2016 – Google Street View)



View of 528 28th St from southwest corner
(Apr 2018)

The side by side images above are meant to demonstrate the effort that has already been put into restoring this duplex since the current owners purchased the property in Jan 2017.



Panoramic view of west side of 528 28th St



View from northwest corner



View from rear (behind neighbor's fence)



View of house from northeast corner

Appendix A – Additional Description of the Work Program

Year 1-2 - Drain Installation (\$10,000)

Install French drain with sump pump along west side of property to move water away from the foundation. Currently, water from the roof as well as much of the runoff from the neighboring hotel ends up along the west side of the house. Due to a lack of grade between the side of the house and the street, water routinely pools several inches deep. Coupled with the marginal grade of the foundation along this part of the house, this results in standing water against the mud-sill and lower courses of shingle siding, accelerating rot and deterioration. Since the soil does not drain well, and we cannot use gravity to move the water to the street, a pumped system is the only option. We received an estimate for \$10,000 for this work.



View of west side of house from front



View of west side of house from back

Year 3 - Front Window Replacement (\$7,000)

Replace seven aluminum windows in front of house with 1/1 double hung wooden sash window such as Marvin Tilt-Pac to match original windows. The windows are located on the front façade (5) and highly visible front side windows (2). Expected cost is \$1000/window, including installation.



Lower (528) front bay windows



Upper (526) front windows

Years 4-8 - Shingle South (Street-Facing) Side, Front 1/3 Sides, and Porches (\$30,000)

Remove the tongue & groove and lap siding where it exists and replace with shingle siding to restore the original appearance of the house. Ideally cedar shingles will be used, however it may be more practical due to modern fire code and other restrictions to use a synthetic shingle-effect product like Hardishingle. Either will necessitate the modification of trim on all windows & doors, much of which is in a severely deteriorated state. Replace or repair exterior window trim on all affected windows (10) and doors (2), and repair or replace window sills as required. Also, many of the original trim pieces that sit below the sills are missing and need to be custom milled to recreate the shape of the originals.



View from street, showing most of the non-shingled siding to be replaced



Images of windows with trim, including close-up. Some trims has been recently painted by owners to prevent further deterioration, but all should be replaced due to severe weathering.

Year 9 - Side Window Replacement (\$7,000)

Replace seven aluminum windows on West side with 1/1 double hung wooden sash window to match original windows - window to be approved by city. These windows are highly visible from the street; Six of them are located in a two-story bay window, and one is in the 528 kitchen. Replace or repair exterior window trim on all affected windows, and repair or replace window sills as required. Expected cost is \$1000/window, including installation.



Lower (528) side bay windows – recent partial replacement of shingles and painting of sills performed by owners



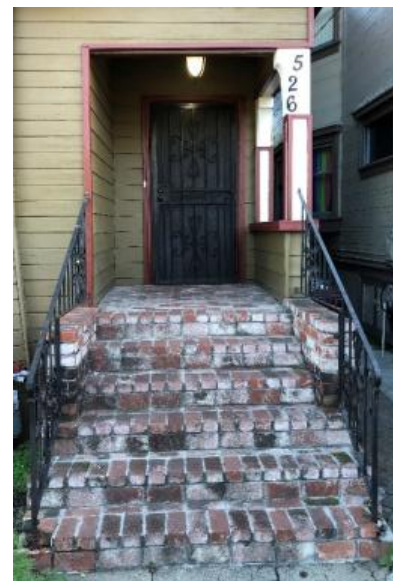
Lower (528) side window

Year 10 - Front Door Replacement (\$6,000)

Remove metal security doors and replace the existing front doors with a solid wood craftsman-style door appropriate to the era. Replace trim as needed. Expected cost is \$3,000/door, including installation.



Lower (528) entry



Upper (526) entry

1. GENERAL INFORMATION

APPLICANT'S NAME: Grant Chappell
PROPERTY ADDRESS: 260 Park View Terrace, Oakland CA 94610
PROPERTY OWNER(S): Grant Chappell
PHONE: (Day) 510-336-4721
EMAIL: grant@nainorcal.com
ASSESSOR'S PARCEL NUMBER(S): 10 – 771 - 32
YEAR OF PURCHASE: 2016
ASSESSED VALUE: \$ 1,173,000
EXISTING USE OF PROPERTY: Residential

2. HISTORIC PROPERTY INFORMATION

HISTORIC/COMMON NAME (If any): Cutler House

CONSTRUCTION DATE: 1906 **LEGAL DESCRIPTION (From Deed, Please attach)**

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

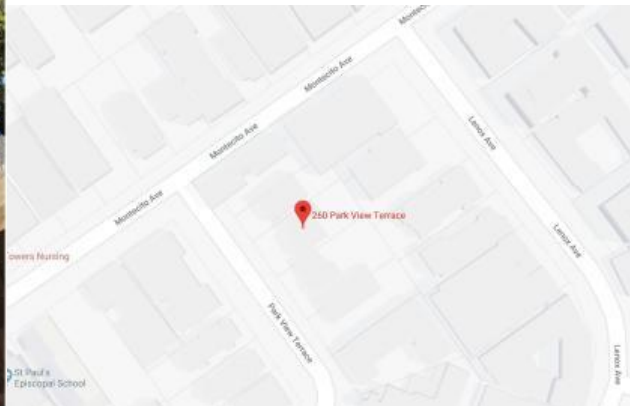
LOCAL REGISTER OF HISTORIC RESOURCES*

- 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



Property picture



Location Map

3. PRESERVATION WORK PROGRAM AND TIME LINE

PROPERTY ADDRESS: 260 Park View Terrace, Oakland

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 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:** 2019 **Cost:** \$8,000 **Improvement:** Fix the drainage issues in the back of the property.
- 2. Year:** 2020 **Cost:** \$10,000 **Improvement:** Removal and replacement of exterior rotting wood and trim. Repair or replace main wood landing on front of building. Repair or replace the wood stairs to access the property.
- 3. Year:** 2021 **Cost:** \$8000 **Improvement:** Fix/replace foundation walls in areas of deterioration or settlement. (excavate and replace with a new footing)
- 4. Year:** 2022 **Cost:** \$7000 **Improvement:** Fix/replace foundation walls in areas of deterioration or settlement. (excavate and replace with a new footing)
- 5. Year:** 2023 **Cost:** \$7000 **Improvement:** Fix/replace foundation walls in areas of deterioration or settlement. (excavate and replace with a new footing)
- 6. Year:** 2024 **Cost:** \$7000 **Improvement:** Fix/replace foundation walls in areas of deterioration or settlement. (excavate and replace with a new footing)
- 7. Year:** 2025 **Cost:** \$7000 **Improvement:** Replace aluminum windows with wood sash windows and casement windows.
- 8. Year:** 2026 **Cost:** \$7000 **Improvement:** Replace aluminum with wood sash windows and casement windows.
- 9. Year:** 2027 **Cost:** \$7000 **Improvement:** Replace aluminum with wood sash windows and casement windows.
- 10. Year:** 2028 **Cost:** \$7000 **Improvement:** Restore/paint concrete steps and add new railing at front.

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
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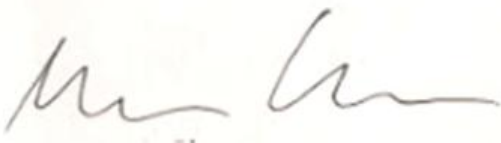
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Owner's Signature

5/23/18

Date

APPLICATIONS ARE ACCEPTED AT THE ZONING COUNTER

250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA94612, MTThF 8am-4pm; W: 9:30-4

Work Program details

The Work Program proposed for the next 10 years have two main goals. The first one is to stabilize the structure of the building (works proposed on drainage and foundation item 1 and 3 on figure 1). The second object is to improve the appearance of the building and restore the original features of the property. Most of the works proposed will be done on the primary façade and will be visible from Park View Terrace (replace windows item 7, restore stairs item 10, restore exterior rotting wood, restore trim and main wood entrance item 2). The Work program is described on the pages below. (A pre-construction inspection report is attached)



Figure 1: Primary façade from Park View Terrace

Work item #1: Fix the drainage issues in the back of the property *Years 2019 of the work plan.*

Water is pooling in areas in the backyard (east side of the property) and needs to be diverted away from the house to prevent foundation deterioration. In order to fix the issue, we need to trench sleeved drain tiles 18"-24" deep and backfill with gravel up to 4" from ground level then finish off with soil for grass to grow back. The trenching should divert all rain water around the house and terminate at a pop up emitter at the front of property. There is about 200' of linear drain tile that needs to be installed.

Work item # 2: Removal and replacement of exterior rotting wood and trim. Repair or replace main wood landing on front of building and repair the wood stairs to access the property. *Years 2020 of the work plan.*

The works on item 2 are located on the deck at the top of concrete stairs, at the entry of the building. The deck is topped with columns that are rotting at the base. These columns, along with the wooden steps will be repaired and refinished to prevent further rot.

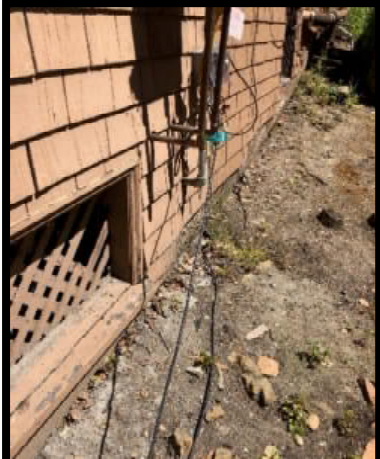


The wood stairs and landing have deteriorated over time in multiple spots. Wood trim and cedar shake siding is deteriorating on the exterior of the home due to water penetration. All rotting material needs to be replaced with new material, caulked in/water proofed, and painted to match exterior.



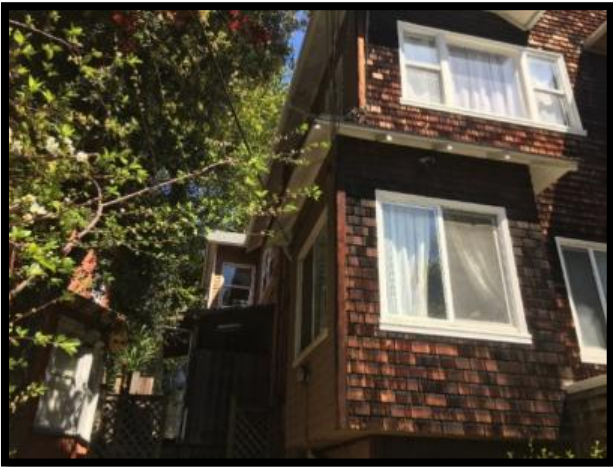
Work item # 3, 4, 5, 6: Fix/replace foundation walls in areas of deterioration or settlement. *Years 2021-2024 of the work plan.*

On the southeastern side of the building the foundation is bowing and slowly buckling. This area is about 10 feet long and is being caused by downward and lateral forces associated with the old brick chimney and downslope side of the property. This section needs to be excavated and replaced with a new footing, and epoxied into the existing footings which are in good condition.



Work item # 7, 8, 9: Replace with period appropriate windows. *Years 2025-2027 of the work plan.*

Over time, the windows have been replaced with slightly more modern windows that do not match the historic qualities of the rest of the home. The windows need to be replaced with wooden windows that are more common for the period. Aluminum and vinyl windows will be replaced with wood sash windows and casement windows. (See attached appendix 1: examples of the appropriate windows)



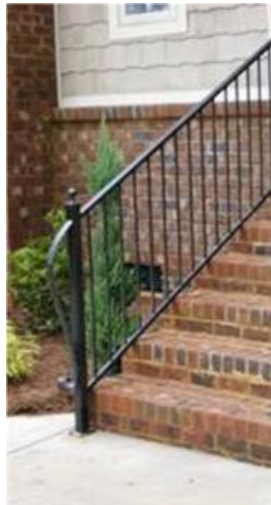
Work item # 10: Restore/paint concrete steps and add new railing at front. *Years 2028 of the work plan.*

The concrete steps ascending into the building are original, but the handrail to the northwestern side of the steps was replaced with a cheap railing in the past. The wrong type of paint was used on the concrete steps. Much of the paint is gone. The remaining paint needs to be removed and all concrete steps need to be painted with the right product. This expenditure will allow the owner to repaint the steps and install period appropriate iron black handrails. (see example of period appropriate handrails below on the right).



A **Double-Hung** sash window is the traditional style of window in the United States, with two parts (sashes) that overlap slightly and slide up and down inside the frame. The two parts are not necessarily the same size. Currently most new **Double-Hung** sash windows use spring balances to support the sashes, but traditionally, counterweights held in boxes on either side of the window were used. These were and are attached to the sashes using pulleys of either braided cord or, later, purpose-made chain. In addition to designing and crafting extraordinary **Double-Hung** windows, Wooden Window is an expert in tuning, restoring and replacing sash mechanisms.

For generations, the double-hung sash window has been the most popular choice among owners of California homes, for good reasons: this classic window type is easy on the eyes and the most durable operating system available. Made to order, windows by Wooden Window are crafted to match the existing windows in a building, even those in older homes that may have settled.



A **Casement** window (or **casement**) is a window that is attached to its frame by one or more hinges. **Casement** windows are the kind of the side windows found at the top of an entrance or landing staircase. One (or more) of the sashes are called **sappers**. They are closed by a crank handle with a counterweight on which cord they are hinged on the outside. **Casement** windows are often held open with a **casement stop**.



Appendix 1: Examples of Period appropriate windows: wood sash windows and wood casements windows. *Information from wooden windows website¹, located in Oakland.*

¹ <https://woodenwindow.com>

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

1. GENERAL INFORMATION

APPLICANT'S NAME: Catherine Squire and Glenn Appell

PROPERTY ADDRESS: 1255 Trestle Glen Rd Oakland, Ca 94610

PROPERTY OWNER(S): Catherine Squire and Glenn Appell

PHONE: (Day) 510-965-8306 (Evening) 510-965-8306 **email:** squirecatherine@gmail.com

ASSESSOR'S PARCEL NUMBER(S): APN: 024-0565-056

YEAR OF PURCHASE: 2017

ASSESSED VALUE: \$1,526,000

EXISTING USE OF PROPERTY: Primary Residence

2. HISTORIC PROPERTY INFORMATION

HISTORIC/COMMON NAME (If any): 1255 Cavanagh Street Oakland

CONSTRUCTION DATE: 1922

LEGAL DESCRIPTION From deed, attached.

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 | _____ |
| <input type="checkbox"/> Contributor to a City of Oakland S-7 or S-20 District | _____ |

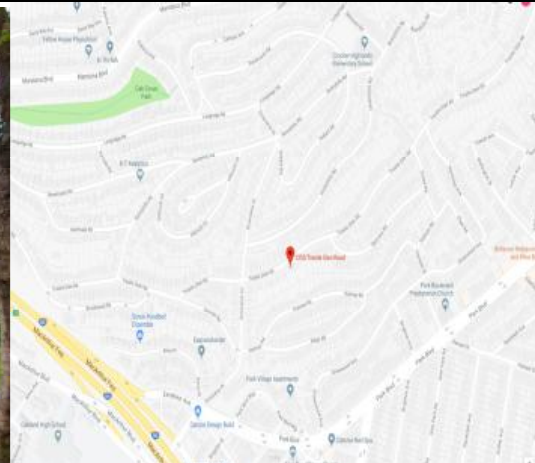
LOCAL REGISTER OF HISTORIC RESOURCES*

- | | |
|--|-------|
| <input type="checkbox"/> Listed on the National Register of Historic Places | _____ |
| <input type="checkbox"/> Oakland Cultural Heritage Survey rating of 'A' or 'B' | |
| <input type="checkbox"/> 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



Front view of 1255 Trestle Glen



Location Map

3. PRESERVATION WORK PROGRAM AND TIME LINE

PROPERTY ADDRESS: 1255 Trestle Glen

- 1. Year:** 2019 **Cost:** \$12,000 -20,000 **Improvement:** Retrofit home by bolting to foundation (scope of work required not fully estimated at this time)
- 2. Year:** 2020 **Cost** \$10,000 -\$15,000 **Improvement:** Custom build and install matching replacement, true divided light, casement windows on second floor (5 windows)
- 3. Year:** 2021 **Cost:** \$10,000-15,000 **Improvement:** Custom build and install matching replacement, true divided light, double pane, casement windows and doors on second floor (2 doors and 3 windows)
- 4. Year:** 2022 **Cost:** \$15,000 **Improvement:** Custom Chimney replacement to match existing structure for earthquake safety and air quality
- 5. Year:** 2023 **Cost:** \$15,000 **Improvement:** Finish chimney and fireplace replacement and upgrade with gas insert for fireplace (air quality concerns)
- 6. Year:** 2024 **Cost:** \$15,000 **Improvement:** repair wood rot not visible that was discovered during the original pre-inspection of the home prior to purchase in 2017
- 7. Year:** 2025 **Cost:** \$15,000 **Improvement:** Finish wood rot and stucco repair (#9)
- 8. Year:** 2026 **Cost:** \$15,000 **Improvement:** Repair Freestanding garage visible from street (garage structure is slowly being destroyed by CA Redwood encroaching on rear wall)
- 9. Year:** 2027 **Cost:** \$15,000 **Improvement:** Repair Freestanding garage visible from street (garage structure is slowly being destroyed by CA Redwood encroaching on rear wall)
- 10. Year:** 2028 **Cost:** \$15,000 **Improvement:** New Roof

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
- Assessor's Parcel Map
- 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.

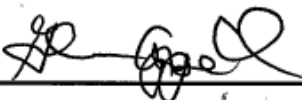
- Geographic Distribution:
 - A minimum total of six Mills Act Contracts will be awarded to properties in the West Oakland Redevelopment Area because Implementation of the Mills Act is a Mitigation Measure of the West Oakland Redevelopment Plan.
 - A minimum of six Mills Act Contracts will be awarded 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):

- 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.

Catherine Squire 

Owner's Signature

5-29-18

Date

APPLICATIONS ARE ACCEPTED AT THE ZONING COUNTER

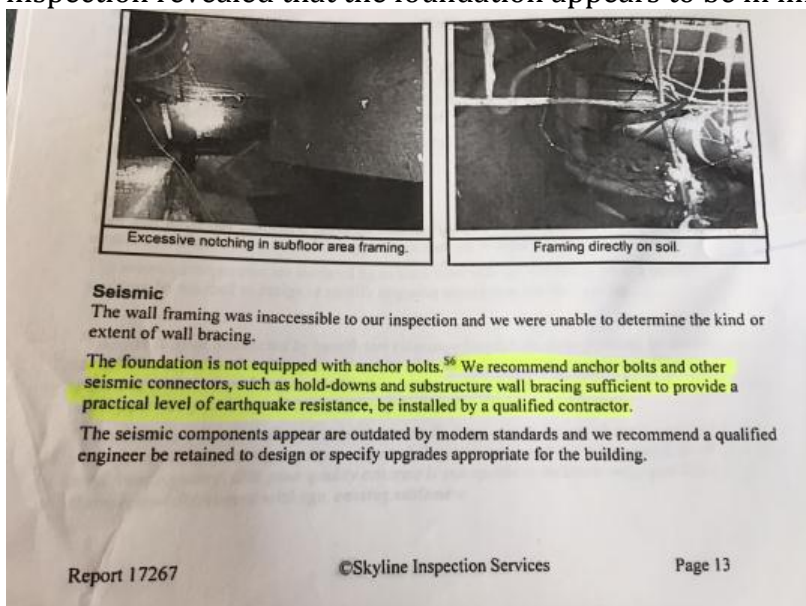
250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612

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

Notes on Mills act work plan
Preservation Work Program and Timeline
1255 Trestle Glen Oakland CA 94610

Year 1 Retrofit home by bolting to foundation (\$12,000 -\$20,000)

Earthquake foundation bolt and brace since the house is NOT bolted to the foundation. Scope of work required and cost is not fully estimated at this time because the crawl space is very small so the full extent of the job will not be known until the work commences. We are getting estimates. Remove and re-install ductwork recently installed for a new furnace. There may be additional issues with the condition of the foundation that are also unknown although a preliminary inspection revealed that the foundation appears to be in mixed shape



Year 2 and 3 Custom build and install matching replacement, true divided light, casement windows on second floor (5 windows year 2, 2 door and 3 windows Year 3) (\$20,000 - \$30,000)

Full rebuild and installation of wood windows to match originals. Most of the windows on the second floor show signs of serious wood rot in both the windows and the frames. Two of the windows are also doors to the roof making the job slightly more complicated. Contractor estimates between \$2000-\$3000 per window/ door for full rebuild and installation as all windows will be custom made as they are odd sizes and need to match the original windows. The new windows will be double pane for energy efficiency.



Rot on Window / Door



Exterior of above door



Wood Rot details on door



Casement window



Casement window details of gap and rot

Year 4 and 5 Custom Chimney Replacement to match existing structure while upgrading earthquake safety and air quality. (\$30,000)

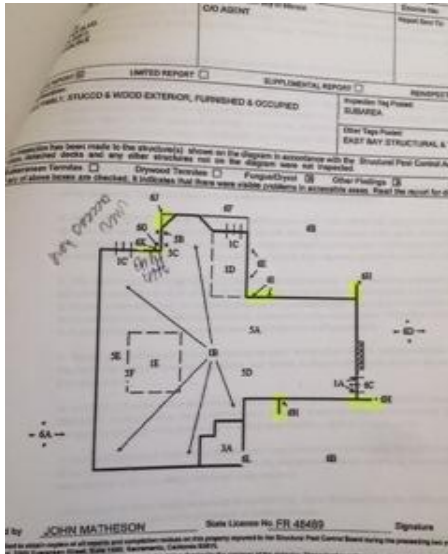


Historic chimney in danger of collapse

The picturesque chimney is one of the Spanish Revival design features of the house and is in great danger of collapsing in an earthquake. Our contractor recommends removing the current chimney and replacing it with an identical chimney that would be for appearances only made of wood and re-stuccoed to recreate the historic chimney. Upgrade with gas insert for fireplace to meet air quality regulation

Year 6 and 7 Repair wood rot and repair stucco (\$30,000)

Remove considerable areas of stucco, replace and repair of rotten wood and re-stucco much of the house. This is recommended in the 2017 Pre-Inspection Report when we purchased the house. The report revealed wood rot under the stucco and estimated the repair would cost between \$20,000 - \$40,000. It was deemed to be not critical at that time but it needed attention in the future.



Inspection report marking the fungus and wood rot under stucco in yellow

Year 8-9 Repair Freestanding garage visible from street. Garage structure is being destroyed by CA Redwood encroaching on rear wall. (\$30,000)

A California Redwood tree that is pushing against the rear wall of the garage, moving the garage off the foundation and buckling the cement floor, is slowly destroying the freestanding garage. The magnificent tree is approx. 100 years old and to save the tree and repair the garage will require rebuilding the entire rear portion of the garage, installation of a new roof, and redoing the cement floor. The garage door is also showing signs of wood rot and needs replacement, as does the window on the side of the garage.



Redwood tree against rear garage wall



Close up of Tree pushing against garage



Rear interior garage wall studs
Separating from foundation



Garage floor warped by Redwood
roots The slope is 4" per yard



Garage Door Rot and Fungus

Year 10 New Roof (\$15,000)

The house has a flat roof that needs more care than a sloped roof and the current roof is deemed to be near the end of its life. Our inspectors estimate is that the roof will need to be done within 10 years so this will be an excellent use of Mills Act designated funding

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

1. GENERAL INFORMATION

APPLICANT'S NAME: James Kulesher

PROPERTY ADDRESS: 581 Vernon St, Oakland, CA 94610

PROPERTY OWNER(S): Laura Lee and James Kulesher

PHONE: (Day) 919-619-4380 (Evening) 919-619-4380 email james.kulesher@gmail.com

ASSESSOR'S PARCEL NUMBER(S): 010-817-003

YEAR OF PURCHASE: 2014 ASSESSED VALUE: \$1,012,767

EXISTING USE OF PROPERTY: Owner residence

2. HISTORIC PROPERTY INFORMATION

HISTORIC/COMMON NAME (If any): Lissner (Bertheld) House

CONSTRUCTION DATE: 1908 LEGAL DESCRIPTION (From Deed, Please attach)

Lot 6, and the Northern 20 feet of Lot 5, Block "D", Map of the Stanford Tract, filed March 2, 1891, Alameda County Records

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 | _____ |
| <input type="checkbox"/> Contributor to a City of Oakland S-7 or S-20 District | _____ |

LOCAL REGISTER OF HISTORIC RESOURCES*

- | | |
|--|-------|
| <input type="checkbox"/> Listed on the National Register of Historic Places | _____ |
| <input type="checkbox"/> Oakland Cultural Heritage Survey rating of 'A' or 'B' | |
| <input type="checkbox"/> 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: 581 Vernon Street

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 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: 2019 **Cost:** \$6,750 **Improvement:** Work program #1 – Repair wood structural and exterior elements (year 1 of 4)

2. Year: 2020 **Cost:** \$6,750 **Improvement:** Work program #1 – Repair wood structural and exterior elements (year 2 of 4)

3. Year: 2021 **Cost:** \$6,750 **Improvement:** Work program #1 – Repair wood structural and exterior elements (year 3 of 4)

4. Year: 2022 **Cost:** \$6,750 **Improvement:** Work program #1 – Repair wood structural and exterior elements (year 4 of 4)

5. Year: 2023 **Cost:** \$6,500 **Improvement:** Work program #2 – Reversal of inappropriate window

6. Year: 2024 **Cost:** \$2,500 **Improvement:** Work program #3 – Reversal of inappropriate doors

7. Year: 2025 **Cost:** \$8,750 **Improvement:** Work program #4 – Exterior painting (year 1 of 4)

8. Year: 2026 **Cost:** \$8,750 **Improvement:** Work program #4 – Exterior painting (year 2 of 4)

9. Year: 2027 **Cost:** \$8,750 **Improvement:** Work program #4 – Exterior painting (year 3 of 4)

10. Year: 2028 **Cost:** \$8,750 **Improvement:** Work program #4 – Exterior painting (year 4 of 4)

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:

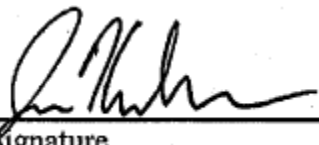
- A minimum total of six Mills Act Contracts will be awarded to properties in the West Oakland Redevelopment Area because Implementation of the Mills Act is a Mitigation Measure of the West Oakland Redevelopment Plan.
 - A minimum of six Mills Act Contracts will be awarded to properties in the Central 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):

- 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.


May 29, 2018

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

View from street:



View from left side:



View from right side:



View from rear:



Historic feature: Craftsman porch with large, square, double-columns with box ornamentation and large contrasting curved edge capitals; railing with turned wooden spindles



Historic feature: Tall craftsman style hip & valley roof with low pitch, decorative hip-roofed dormers and flared eaves



Historic feature: Original double hung windows (on larger windows upper sash 1/2 height of lower sash) and window bays



Work program detail

Work program #1 – Repair wood structure

Cost: \$27,000 allocated over 2019-2022 (4-years at \$6,750 /year)

Description: A pest report has revealed several structural issues with many of the wood members of the house. Most issues surround fungus and dry rot damage as well as faulty grade conditions (earth-wood) contact. Repairs are needed to ensure the structural integrity of the home and faulty grade conditions need repairing to prevent future problems.

-Fungus and dry rot damage was found at 5 different locations including damage to the porch railings, buttresses, and supports, as well as around select casement windows. Repairs to the porch railings need to be made after the house has been granted historical designation as the railing height does not comply with current building code.



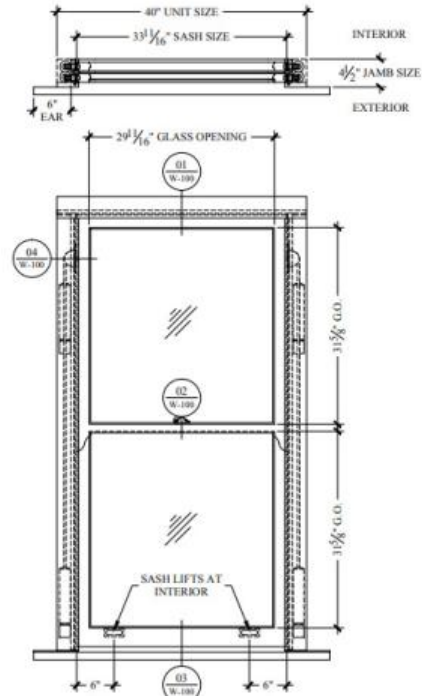
-Earth-wood contact and faulty grades were found at 4 different locations including the front, and both sides of the house. Repairs require replacing the wood and fixing the faulty grades by installing foundation caps.



Work program #2 – Reversal of inappropriate window

Cost: \$6,500 allocated to 2023

Description: The house has been fortunate enough to retain most of its original wooden windows* with the exception of 1 window which was replaced with a vinyl window. The window is located on the front porch and hence can be seen from the street and when entering the home. The window will be replaced with a redwood window unit from Wooden Window in Oakland. This includes the sashes (detailed to look like the other windows), jambs, sash weights, window casing, trim, and install.



*Original windows are being repaired/maintained (paint, weights) outside of Mills Act work program.

Work program #3 – Reversal of inappropriate doors

Cost: \$2,500 allocated to 2024

Description: The living room has French doors that lead out to the front porch near the main entrance. At an unknown date, the original French doors were replaced with modern doors which do not fit the character of the house and are often confused as being the main entrance to the house. Fortunately, what are believed to be the original, 6-glass pane wooden French doors were found in the basement. The original doors also appear to be in repairable condition with some wood repair, new hardware, and installation. At the same time, a pet door that was cut into the side of the house next to the front door will be reverted back to a painted shingle exterior.



Pet door:



Work program #4 – Exterior painting

Cost: \$35,000 allocated to 2025-2028 (4-years at \$8,750 /year)

Description: After work programs 1, 2 & 3 have been completed the house will receive a full paint job. The house was last painted in 2007 and the current paint job is already showing age and offering reduced protection from the elements. The new paint job will include proper surface preparation, repair to wooden trim, and improved window function. Paint colors will be selected to highlight the craftsman features of the house, including adding a 2nd accent color, and highlighting the ornamentation on the porch columns. The detail on the columns are currently less noticeable due to the nearly monochromatic paint scheme combined with the shadows cast by the flared eaves. Arana Craftsman Painters provide the bid, but will likely have to rebid by the time work commences.



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

1. GENERAL INFORMATION

APPLICANT'S NAME: Shiloe Bear, Creek Development

PROPERTY ADDRESS: 5701 International Boulevard, Oakland, CA

PROPERTY OWNER(S): Coliseum Enterprise, LLC

PHONE: (Day) 415-914-5474 (Evening) 415-914-5474 **email** shiloe@creekdev.com

ASSESSOR'S PARCEL NUMBER(S): 41-3848-4-1

YEAR OF PURCHASE: 2006 **ASSESSED VALUE:** \$8,495,229.00

EXISTING USE OF PROPERTY: Miscellaneous Improved Commercial - 3300

2. HISTORIC PROPERTY INFORMATION

HISTORIC/Common Name (if any): Mutual Stores (Historic Name); Modern Safeway Stores Office & Warehouse Building (Common Name); Safeway Tower (Common Name)

CONSTRUCTION DATE: 1927-28

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

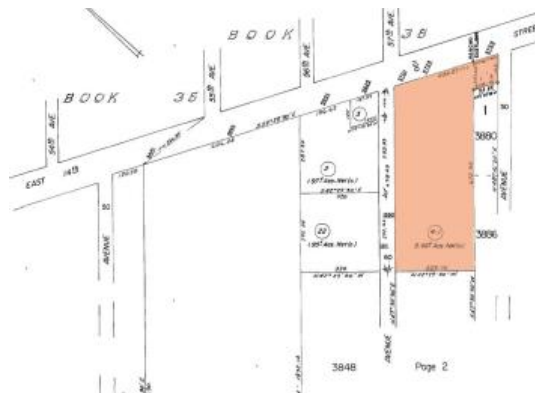
DATE OF DESIGNATION

2/23/1993

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: 5701 International Boulevard

- 1. Year:** 2019 **Cost:** \$250,000 **Improvement:** Window restoration and reglazing of historic steel windows on the first two floors of the primary (northeast) façade. Perform visual inspection and repair historic steel windows on first two floors of the primary (northeast) facade as needed. Replace all broken panes of glass and all deteriorated glazing putty. Repaint window sashes and frames. Removal of non-original window elements, and replacement with compatible inserts.
- 2. Year:** 2020 **Cost:** \$60,000 **Improvement:** Replace non-original primary entry door and window assembly on primary (northeast) facade with a compatible assembly. Care will be taken to minimize removal or damage of surrounding historic materials. New entry door will not be conjectural or create a false sense of history.
- 3. Year:** 2021 **Cost:** \$225,000 **Improvement:** Seismic bracing of tower – foundation work. Care will be taken to minimize removal or damage of surrounding historic materials.
- 4. Year:** 2022 **Cost:** \$275,000 **Improvement:** Seismic bracing of tower – interior shear wall improvements. Care will be taken to minimize removal or damage of surrounding historic materials.
- 5. Year:** 2023 **Cost:** \$30,000 **Improvement:** Restoration of lower level brick masonry and decorative elements. Clean brickwork to remove biological growth, efflorescence, and other soiling using gentlest means possible. If paint and/or graffiti is to be removed this should be undertaken using the gentlest means possible to prevent damage to the underlying brickwork; harsh chemical or physical treatments such as sandblasting shall not be used. Inspect brickwork to identify locations of significant brick damage; repair or replace as needed to match original. Replacement brick must match existing brick in dimensions and appearance. Remove and replace deteriorated mortar to match original.

Clean all terra cotta (decorative elements and columns around entryway) using the gentlest means possible. Repair as needed and fill cracks and undertake patch repairs of damaged units to ensure proper water dispersal. In some cases, use of architectural GFRC (glass fiber reinforced concrete) may be appropriate.
- 6. Year:** 2024 **Cost:** \$50,000 **Improvement:** Rehabilitation of historic lobby. Inspect and restore interior plasterwork. Remove non-historic materials such as plywood and abandoned equipment and conduits. Repaint with compatible color scheme. Replace interior lighting with historic compatible fixture. Replace vinyl flooring with new, compatible flooring. Consider removing non-original metal security gate at base of the main stairway.
- 7. Year:** 2025 **Cost:** \$5,000 **Improvement:** Replacement of iron grill at main entry with a more compatible design. Removal or damage of original terra cotta and brick materials will be avoided during the removal and installation of the new grill.
- 8. Year:** 2026 **Cost:** \$5,000 **Improvement:** Flagpole restoration including preparation for priming and repainting, new hardware, and counter-flashing at connection to roof. Where possible, materials will be repaired rather than replaced.
- 9. Year:** 2027 **Cost:** \$8,000 **Improvement:** Counter-flashing work at the roof, including the tower connection to the roof and the skylight curb connections to the roof.
- 10. Year:** 2028 **Cost:** \$15,000 **Improvement:** Restore tower lighting. Broken light fixtures (which are not character defining-features) will be removed, along with abandoned electrical equipment and conduits. A new interior lighting scheme will be installed for accessibility and safety. A new exterior lighting scheme will be installed to up-light the top of the tower – enhancing the visibility of the tower and its decorative features at night.

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.

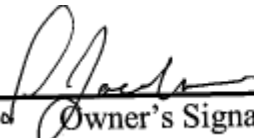
- Geographic Distribution:
 - A minimum total of six Mills Act Contracts will be awarded to properties in the West Oakland Redevelopment Area because Implementation of the Mills Act is a Mitigation Measure of the West Oakland Redevelopment Plan.
 - A minimum of six Mills Act Contracts will be awarded 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):

- 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.


5/29/10

 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

WORK PLAN ITEM #1



Window restoration and reglazing of historic steel windows on the first two floors of the primary (northeast) facade. Perform visual inspection and repair historic steel windows on first two floors of the primary (northeast) facade as needed. Replace all broken panes of glass and all deteriorated glazing putty. Repaint window sashes and frames.



Removal of non-original window elements, and replacement with compatible inserts.

WORK PLAN ITEM #2



Replace primary entry door and window assembly on primary (north- east) facade with a compatible assembly. View from interior.



Replace primary entry door and window assembly on primary (north- east) facade with a compatible assembly. View from exterior.

WORK PLAN ITEM #3



Seismic bracing of tower: foundation work. View of tower base at roof.



Seismic bracing of tower: foundation work. View of concrete and steel structure at interior of the tower.

WORK PLAN ITEM #4



Seismic bracing of tower: interior walls shear improvements.



Seismic bracing of tower: interior walls shear improvements.

WORK PLAN ITEM #5

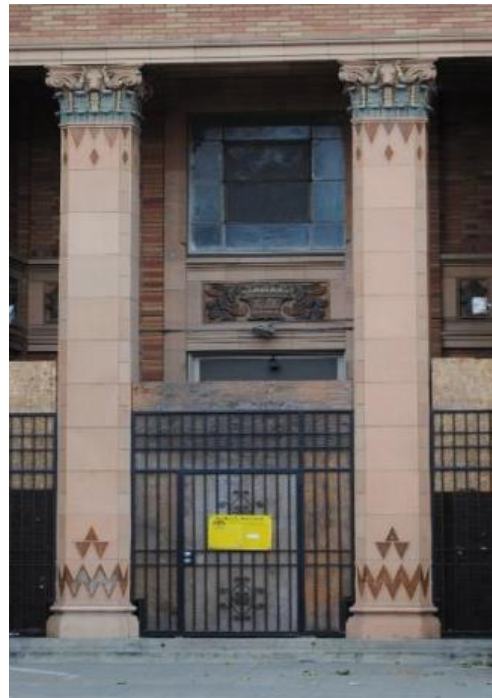


Restoration of lower level brick masonry and decorative elements. Clean brickwork to remove biological growth, efflorescence, and other soiling using gentlest means possible. If paint and/or graffiti is to be removed this should be undertaken using the gentlest means possible to prevent damage to the underlying brickwork. Inspect brickwork to identify locations of significant brick damage; repair or replace as needed to match original. Replacement brick must match existing brick in dimensions and appearance.

WORK PLAN ITEM #5 (CONTINUED)

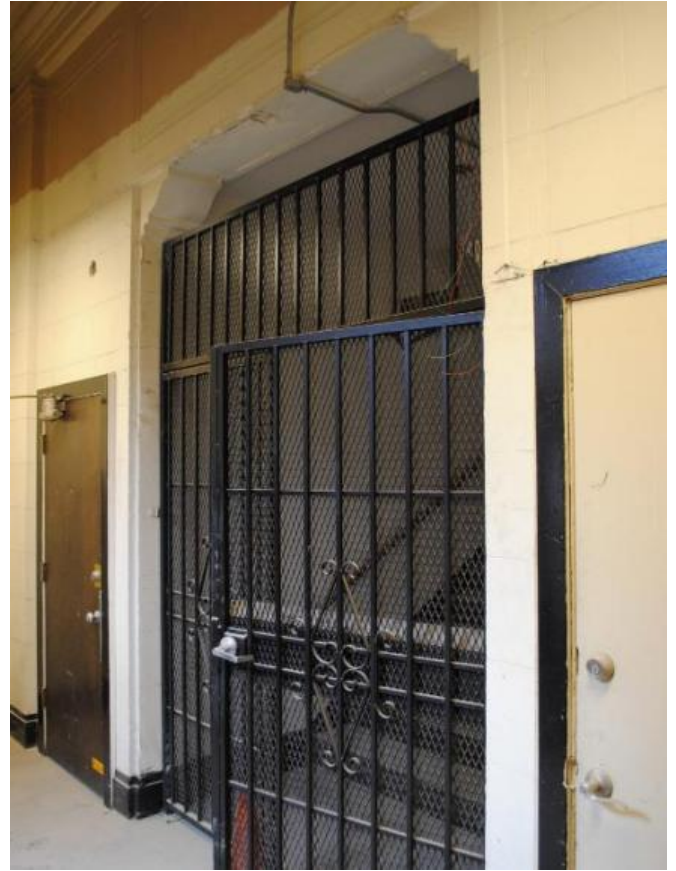


Restoration of lower level brick masonry and decorative elements. Remove and replace any deteriorated mortar to match original.



Clean all terracotta using the gentlest means possible. Repair as needed and fill cracks and undertake patch repairs of damaged units to ensure proper water dispersal. In some cases, use of architectural GFRC (glass fiber reinforced concrete) may be appropriate.

WORK PLAN ITEM #6



Rehabilitation of historic lobby. Inspect and restore interior plasterwork. Remove non-historic materials such as plywood and abandoned equipment and conduits. Repaint with compatible color scheme. Replace interior lighting with historic compatible fixture. Replace vinyl flooring with new, com- patible flooring. Consider removing non-original metal security gate at base of the main stairway.

WORK PLAN ITEM #7



Replacement of iron grill at main entry with more compatible design.



Replacement of iron grill at main entry with more compatible design. Removal or damage of original terra cotta and brick materials will be avoided during the removal and installation of the new grill.

WORK PLAN ITEM #8



Restoration of flagpole, including preparation for priming and repainting, and new hardware.



Restoration of flagpole, including counter-flashing at roof.

WORK PLAN ITEM #9

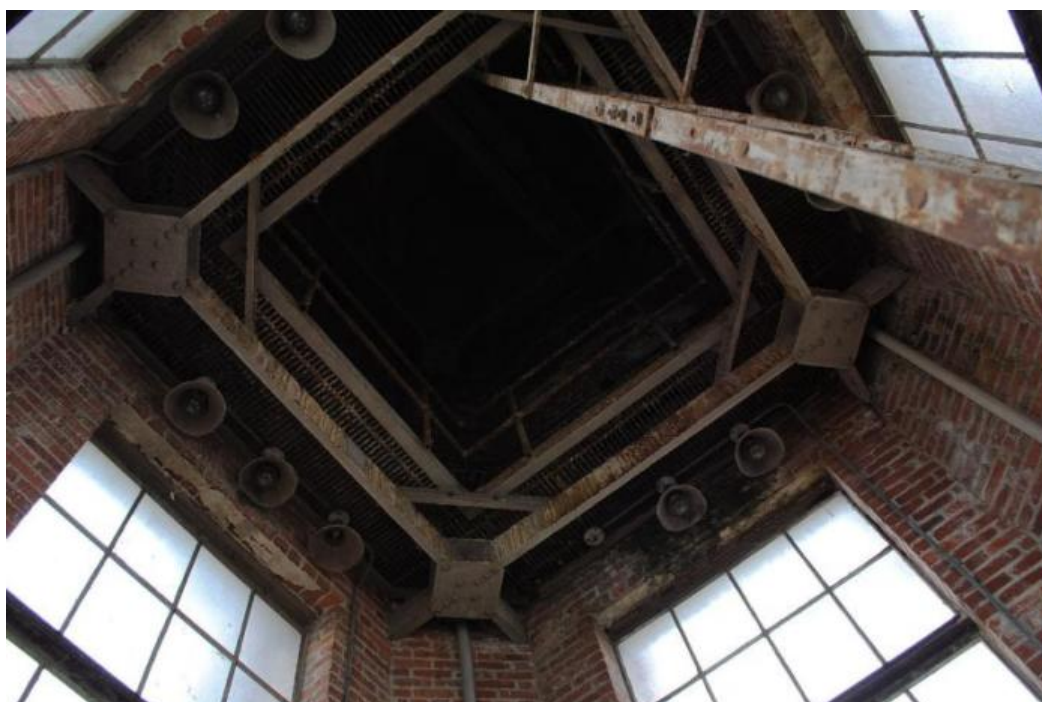


Counter-flashing work at tower connection to roof.



Counter-flashing work at skylight curb connections to roof.

WORK PLAN ITEM #10



Restore tower lighting. Remove broken fixtures. New lighting scheme for interior accessibility and safety.

WORK PLAN ITEM #10 (CONTINUED)



Restore tower lighting. Remove broken fixtures. Install new, more efficient, lighting scheme at for up-lighting of the top of the tower - enhancing the visibility of the tower and its decorative features at night

STATEMENT REGARDING FUTURE LOT SPLIT APPLICATION

The current owner of the property at 5701 International Boulevard (APN 41-3848-4-1) has submitted a tentative tract map for a potential lot split of the parcel which is 777.35 feet long and 434.87 feet wide at its longest points. The owner has not yet submitted a finalized tract map or lot split application. Currently, all structures within the 5701 International Boulevard (APN 41-3848-4-1) parcel are included in the Oakland Landmark 114 Case Report. However, the primary wing of the building fronting International Boulevard, which includes the prominent tower, is the most architecturally significant portion of the property and crucial to conveying the overall significance of the property. The primary wing occupies an area of the parcel, approximately 434.87 wide along International Boulevard and 105 feet deep. With the potential future lot split in mind, the owner has committed to Mills Act Work Program items which are limited to the primary wing of the building fronting International Boulevard.

STATEMENT REGARDING HIGH PROPERTY TAX VALUE EXEMPTION

The City of Oakland has adopted a Mills Act Property Tax Abatement Program for qualified historic properties, with the program impact on City revenues limited to \$25,000 per year, and \$25,000 per year in any single redevelopment area with a cumulative limit of \$250,000 per year for all redevelopment areas with the exception of the Central Business District. As noted in the Mills Act Application, a property applicant who's estimated property tax loss exceeds the above limits may request special consideration by the City Council.

5701-5759 International Boulevard (previously known as 5701-5759 E. 14th Street) was built in 1927-1928 by the prominent local architects Reed & Corlett for Mutual Stores, founded by Danish emigrant Emil Hagstrom who pioneered the "supermarket" concept of grocery stores. As noted in the Oakland Landmark #114 - Modern Safeway Stores Office and Warehouse Building Case Report:

Architecturally, the building is highly unusual as an industrial-type structure in the attention lavished on its public facades. In this way the building represents a significant civic gesture that demonstrates a sense of responsibility to the city, and is a dramatic reflection of the early 20th century trend to beautify utilitarian structures, which was an aspect of the "City Beautiful" movement. Considered for its architecture alone, the building is a good example of its style and type and is outstanding for the quality of its tower which is distinguished for its rich variety of materials and ornamentation and for its role as a distinctive and highly conspicuous visual landmark. The fact that it is surrounded by low rise buildings and flat terrain allows the tower to be visible through a large area of East Oakland.

The subject property is located along International Boulevard, which is part of the ongoing Bus Rapid Transit (BRT) project that will create separated, central bus lanes through East Oakland. The rehabilitation, maintenance, and restoration work identified in the Mills Act Work Program for 5701 International Boulevard will increase the architectural integrity of this Oakland Landmark since it will be highly visible on the BRT corridor. Furthermore, the rehabilitation of 5701 International Boulevard through the outlined Mills Act Work Program has a major potential to act as a catalyst for neighborhood revitalization.

Much of the office building and warehouse have been vacant or underutilized for decades, contributing to the stagnated tax revenue and deferred maintenance of the site. Despite the location along a major planned traffic corridor, the area immediately surrounding the Safeway Stores Building at 5701 International Boulevard has yet to command market rate rents. The tax abatements provided by a Mills Act Contract will make this rehabilitation and adaptive reuse project financially feasible for the property owner, and allows for the financial possibility of additional rehabilitation work of the highest quality. The rehabilitation of 5701 International Boulevard will provide rental housing units which will create increased tax revenue, while providing a much-needed amenity to the surrounding East Oakland community.

The proposed Mills Act contract work for 5701 International Boulevard focuses on the primary facade along International Boulevard with restoration and reglazing of the historic steel windows; restoration of the primary entryway which is currently a non-original aluminum-sash storefront system; the removal and/or replacement of the iron grill at the main entry with a more compatible design; and restoration of the lower level brick masonry and decorative elements. Seismic bracing of the tower will ensure the long-term life of this character-defining feature which serves as a visual landmark in the neighborhood. Limited interior work is focused on the primary entry lobby, which is a semi-public space and will be experienced regularly by tenants and visitors of the building.

5701 International Boulevard, especially the uniquely ornate tower, has long-served as a visual landmark in the largely low-lying surrounding industrial area of East Oakland. In addition to its status as an architectural and visual landmark, the building provides a touchstone for the important history of the neighborhood which developed around enterprising individuals such as Emil Hagstrom. Hagstrom developed a new model of grocery shopping when he realized that customers could save money by buying dairy products "cash-and-carry" from the store, as opposed to the traditional and more laborious home delivery system. Hagstrom changed the name of his business from Danish Creamery Company to Mutual Stores to celebrate the "mutual benefit" of his new model to both his customers and his own business. So too, the identified Mills Act Work Program will have a mutual benefit to multiple parties as it provides a financial viable means of restoring the architectural legacy of an Oakland Landmark, will facilitate the long-term use and tax-revenue generation of the building, and will contribute to the historic community character of the International Boulevard corridor.

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

1. GENERAL INFORMATION

APPLICANT'S NAME: Jennifer Castro

PROPERTY ADDRESS: 677 Longridge Road Oakland CA 94610

PROPERTY OWNER(S): Alexander & Jennifer Castro

PHONE: (Cell) (206) 409-6051 (Evening) N/A email Jennifer.castro@gmail.com

ASSESSOR'S PARCEL NUMBER(S): 11-885-20-2

YEAR OF PURCHASE: 2013 ASSESSED VALUE: \$1,262,206

EXISTING USE OF PROPERTY: Primary Residence

2. HISTORIC PROPERTY INFORMATION

HISTORIC/COMMON NAME (If any): _____

CONSTRUCTION DATE: 1925 LEGAL DESCRIPTION (From Deed, Please attach)

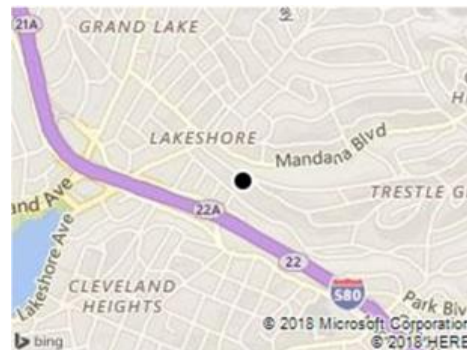
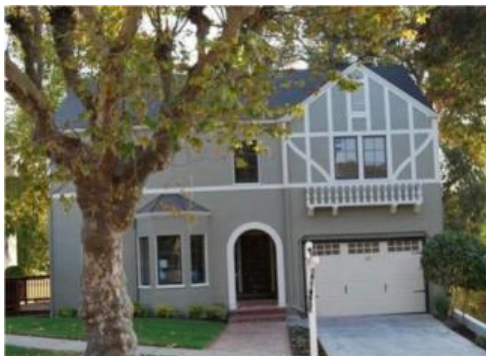
HISTORIC STATUS: Please contact Historic Preservation staff at (510)238-6879 to confirm.

DESIGNATED HISTORIC PROPERTY	DATE OF DESIGNATION
<input type="checkbox"/> City of Oakland Landmark	_____
<input type="checkbox"/> City of Oakland Heritage Property	_____
<input type="checkbox"/> Contributor to a City of Oakland S-7 or S-20 District	_____

LOCAL REGISTER OF HISTORIC RESOURCES*

<input type="checkbox"/> Listed on the National Register of Historic Places	_____
<input type="checkbox"/> Oakland Cultural Heritage Survey rating of 'A' or 'B'	
<input type="checkbox"/> 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: 677 Longridge Road 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 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:** 2019 **Cost:** \$14,400 **Improvement:** Phase I: Foundation Repair and Earthquake Retrofitting

2. **Year:** 2020 **Cost:** \$14,400 **Improvement:** Phase II: Foundation Repair and Earthquake Retrofitting

3. **Year:** 2021 **Cost:** \$14,400 **Improvement:** Phase III: Foundation Repair and Earthquake Retrofitting

4. **Year:** 2022 **Cost:** \$14,400 **Improvement:** Phase IV: Foundation Repair and Earthquake Retrofitting

5. **Year:** 2023 **Cost:** \$14,400 **Improvement:** Phase V: Foundation Repair and Earthquake Retrofitting

6. **Year:** 2024 **Cost:** \$12,000 **Improvement:** Rebuild brick entrance stairs and dry rot remediation of area

7. **Year:** 2025 **Cost:** \$10,000 **Improvement:** Install drainage around foundation

8. **Year:** 2026 **Cost:** \$16,000 **Improvement:** Replace french door leading to deck and replace Living room Picture window and sill restoration

9. **Year:** 2027 **Cost:** \$14,500 **Improvement:** dry rot remediation around windows and door

10. **Year:** 2028 **Cost:** \$10,000 **Improvement:** Replace Garage Door

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.
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- Oakland Landmark, Heritage Property and S-7 Preservation Combining Zone Application
 - Required for properties that are not already designated as:
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 - Contributor to a City of Oakland S-7 or S-20 Historic District
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- 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

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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;

WORK PROGRAM DETAILS
677 LONGRIDGE ROAD

HOUSE PHOTOGRAPHS



Front of the house from Across the street (June 2013)



Right Side of the House (Dec. 2017)

677 LONGRIDGE ROAD



Left Side of the House (Dec. 2017)



Backside of the house (Mar. 2018)

WORK PROGRAM DETAILS**Work Items 1-5**

Our first improvement and highest priority is to repair the foundation. We also plan to add additional earthquake retrofitting. The foundation sits on expansive clay soil that has settled, which has resulted in cracks in the foundation. Portions of the rear of the foundation have been updated with 8 reinforced concrete piers by the previous owner. However, the front portion of the foundation also needs to be underpinned by 9 reinforced concrete piers to prevent further movement and damage.

The front portion of the foundation is in poor condition and must be replaced. This portion of the foundation has a significant crack and the concrete is in poor condition, which combined with pressure applied to this portion of the foundation by expansive soil, is causing this portion of the foundation to push backwards towards the rear of the home. The pressure from this portion of the foundation has caused part of the floor diaphragm to tilt to the rear of the house. Movement from this portion of the foundation is evident by the following:

- Exterior cracks in front of the garage, the cracks in the porch, and to the left of the porch. Photo 3, Photo 6

- The crippled studs in the crawl space behind this portion of the foundation are visibly tilted backwards (racked framing). Some splintering of wood and bending of structural braces is visible. Photo 2



Photo 1: Large crack and crumbling at front foundation near the angled bay window



Photo 2: Tilting cripple studs and brace (racked framing)



Photo 3: Crack in front of the garage that extends across the entire front of the garage

A portion of the interior foundation wall is in poor condition, with cracking and spalling visible, and must be replaced. Photo 5. Some steel straps have been installed over some cracks; however, they're not adequate for larger cracks or when the concrete itself is in

poor condition. Photo 4. Steel straps are not a substitute for underpinning, nor do they provide adequate protection in the event of a significant seismic event.



Photo 4: Crack covered by steel strap and spalling



Photo 5: Cracking and spalling

The previous owner has coated and capped portions of the foundation with either grout or concrete, which makes it difficult to visibly inspect the condition of some portions of the foundation. Capping is usually recommended to correct a faulty or marginal grade condition where the top of the original foundation is less than six inches above the outside ground. While this repair eliminates the faulty or marginal grade level condition, it does little or nothing to strengthen the foundation

We've spoken to numerous structural engineers, geotechnical soil engineers, and contractors. In addition to ESR (Engineered Soil Repair), whose \$84,000 estimate we have provided, we also have estimates from Alameda Structural and Duval construction for complete foundation replacements provided to the previous owner. Those estimates greatly exceed the partial replacement and undermining estimate by ESR.

Work Item 6

We plan to rebuild the entrance stairs and remediate the dry rot in the area. The home inspection report by Gen-Tech indicated that there is significant rot underneath the brick entrance stairs. The report notes: fungus damage and decay was observed at the wood

framing beneath the concrete on wood framed front porch at this location. The cause of this damage is due to moisture intrusion occurring in this area. Photo 7. Additionally, the stairs have a large crack due to foundation damage. This work is included in the ESR estimate and we estimate this portion of the work to cost approximately \$12,000.



Photo 6: Brick Entrance Stairs Crack



Photo 7 : Fungus damage to framing underneath the entrance stairs

Work Item 7

We plan to install a modern drainage system around the foundation to protect it from structural damage caused by water. The existing drainage system contains portions that appear to be original clay drainage pipes, which are inadequate. Photo 9.

Efflorescence is present in some of the foundation walls, especially at locations where clay drainage pipes are located. This whitish, fuzzy material, that is a salt deposit left when internal foundation moisture evaporates, it's presence confirms that moisture has penetrated the subarea. The moisture has also resulted in visible concrete spalling, which affect the structural integrity of the foundation system. Photo 10.

The new drainage system is anticipated to be fabric lined and gravel filled SDR 35 two pipe trench drainage uphill of foundation perimeter. Gutter downspouts will be connected to drainage system. Collected water will be diverted to new gravel pit dispersal pit (or drainage well) in the back yard.

We estimate that this work will cost approximately \$10,000 and it is included in a bid from Alameda Structural, which has a proposed cost of over \$180,000.



Photo 8: Clay drainage appears to be original



Photo 9: Clay drainage appears to be original



Photo 10: Efflorescence at foundation wall

Work Item 8

The next improvement that we plan to undertake is to replace the picture window in the living room and the French door that leads out to the deck.

For this work item we plan to replace the picture window in the living room and restore the sill. The damage to the sill is significant and it needs to be addressed to save the sill. Photo 12. The two side windows also have rot damage to the frames and need to be replaced. Photos 13 & 14. The window (which is 3 windows together) will be a custom built wood window to look exactly like the current original window. Photo 11. This is a prominent feature of the home. The quote from Wooden Window for this work is \$6,000.



Photo 11: Living Room Picture Window for reference



Photo 12: Sill damage on center picture window



Photo 13: Left window of picture window, frame completely rotted



Photo 14: Right window of picture window, frame completely rotted

The French door leading out to the deck needs to be replaced due to dry rot and water intrusion issues. Photos 16, 17, 18, 19. Our home inspection indicated that there is dry rot in the area of the door frame. Additionally, the door is not original, the size of the lites and the overall dimension is not in keeping with the style of the home and the door is of poor quality. The new door will be a wood door that matches the style that was likely originally in the house and will be made of high quality materials. We have a quote from Wooden Window for \$7,400 to provide the door and install it in the jam. Additional contractor time will be required to create an opening that fits the new size door, we estimate this work to cost \$1,500.



Photo 15: French Door



Photo 16: French Door Interior water intrusion

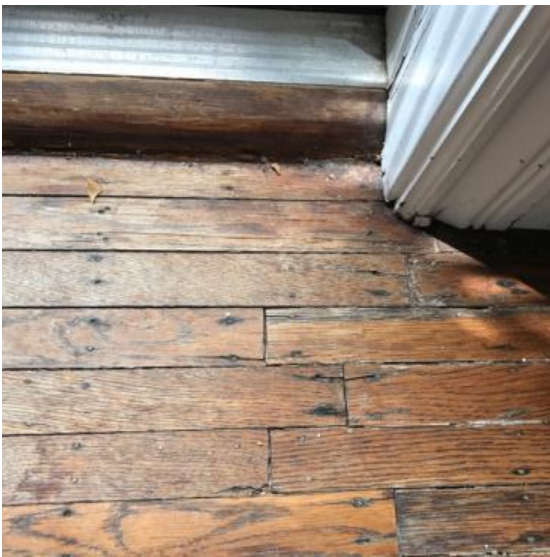


Photo 17: Interior wood damage from water intrusion issues associated with French door



Photo 18: Frame rot on French door



Photo 19: Frame rot on French door due to water intrusion issues



Photo 20: Photo from the deck to show placement of the windows for reference

There are several other windows included in the estimate from Wooden Window. Outside of the Mills Act we desire to replace the two casement windows on the side of the living room for noise abatement and uniformity. We also would like to replace the master bedroom window on the right side and rear of the house for noise abatement.

Work Item 9

We will work with a licensed contractor to remediate the dry rot present around the windows and door. Our home inspection indicated that there is dry rot around both the window and French door. A home inspection performed by Charles Mayer indicated the French doors have gaps around them allowing moisture entry. The trim that is applied to the surface (wood to stucco) that is not flashed or sealed and is allowing moisture to enter between the trim and siding. Inspection through the exterior stucco revealed fungus damage extending upward. The inspector estimated the cost of repair to be \$14,500.

Work Item 10

In this phase, we will replace the garage door. We desire to replace the low-quality metal door because it detracts from the overall esthetic of the house and is not in keeping with the time period. We plan to install a custom wood stained door with assistance from an architect to help with a design that is more appropriate to a Tudor/English house. We have an estimate from R&S Overhead Garage Door, Inc. for \$10,000 for the garage door and installation.



Photo 21: Work Item 10 Garage Door, 2018

Work items 1-6 will enhance the structural integrity of the home thereby preserving the house's longevity and safety. Work items 6, 8-10 will enhance the look of the home and will help maintain the home as a fine example of an English 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.

Other work outside of the Mills Act that we would like to undertake around this time is to paint the exterior, re-roof the angled bay window with more appropriate material, repair cracked brick pathway leading to the brick front-porch, seismic strengthening of rear deck, replace exterior lights with architecturally appropriate light fixtures, add wood gate to front-side porch that enhances the English/Tudor look, and install copper gutters, downspouts and catch basins to enhance the English/Tudor look.

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

1. GENERAL INFORMATION

APPLICANT'S NAME: Michael Bernasek (spouse of owner)

PROPERTY ADDRESS: 1419-12th Street

PROPERTY OWNER(S): Sarah Krikorian

PHONE: (Day) 203-218-5863 (Evening) 203-218-5863 email michael.bernasek@gmail.com

ASSESSOR'S PARCEL NUMBER(S): 4-63-4

YEAR OF PURCHASE: 2017 ASSESSED VALUE: \$700,000

EXISTING USE OF PROPERTY: Residential (Owner-occupied)

2. HISTORIC PROPERTY INFORMATION

HISTORIC/Common Name (if any): Crase (M.)-Ackerman (F.)- Bacina (S.) House

CONSTRUCTION DATE: 1892-1893 LEGAL DESCRIPTION (From Deed, See Attached)

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 | _____ |
| <input type="checkbox"/> Contributor to a City of Oakland S-7 or S-20 District | _____ |

LOCAL REGISTER OF HISTORIC RESOURCES*

- | | |
|---|-------|
| <input type="checkbox"/> Listed on the National Register of Historic Places | _____ |
| <input type="checkbox"/> Oakland Cultural Heritage Survey rating of 'A' or 'B' | _____ |
| <input checked="" type="checkbox"/> 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: 1419-12th Street

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 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: 2019 **Cost:** \$15,000 **Improvement:** Window Repairs - Phase 1: Repair and/or replace badly damaged wooden windows. Focus of Phase 1 (as compared to Phase 2) is urgent window repairs that affect livability of house. All replacements will be wooden double-hung rope and pulley windows to match historic design.

2. Year: 2020 **Cost:** (See above) **Improvement:** Window Repairs - Phase 1
(Continued from above)

3. Year: 2021 **Cost:** \$30,000 **Improvement:** Exterior restoration – Remove asbestos siding to expose original horizontal redwood siding underneath; Replace siding as needed due to extensive dry rot; Replace damaged/missing architectural details on exterior of house; Repaint exterior of house

4. Year: 2022 **Cost:** (See above) **Improvement:** Exterior restoration (Continued from above)

5. Year: 2023 **Cost:** (See above) **Improvement:** Exterior restoration (Continued from above)

6. Year: 2024 **Cost:** \$34,000 **Improvement:** Drainage repairs – Eliminate water intrusion in downstairs unit by installing dual French Drain and downspout drainage system

7. Year: 2025 **Cost:** (See above) **Improvement:** Drainage repairs (Continued from above)

8. Year: 2026 **Cost:** \$20,000 **Improvement:** Entryway repairs – Repair/replace front staircase and porch, which are rotting, to match historic design; Replace historically inaccurate front door to match historic design; Replace rear staircase and porch, which are rotting

9. Year: 2027 **Cost:** (See above) **Improvement:** Entryway repairs (Continued from above)

10. Year: 2028 **Cost:** \$5,000 **Improvement:** Window Repairs – Phase 2: Restore art glass window in entryway; Replace vinyl/aluminum windows in need of repair with wooden windows to match historic design. Focus of Phase 2 (vs. Phase 1) is on less urgent window repairs to restore aesthetic and architectural integrity.

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):

- 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.


5/31/2018

 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



PHOTO A – House as seen from across 12th Street



PHOTO B – House as seen from left (east) property border. Photo was taken from Mandela Parkway looking west over adjacent vacant lot 1125 Mandela Parkway.



PHOTO C - WORK ITEMS 1-5: Wood window sash with severe dry rot; Asbestos shingles covering original horizontal redwood siding; Visible paint peeling



PHOTO D – WORK ITEMS 3-5 – Horizontal siding with severe dry rot, fungus damage and peeling paint



PHOTO E – WORK ITEMS 3-5 – Horizontal siding with severe dry rot and wood beetle damage



PHOTO F – WORK ITEMS 6-7 – Water intrusion in Lower unit



PHOTO G – Work Items 8-9 - Front staircase in need of repair/replacement



PHOTO H – Work Items 8-9 - Front fence in need of replacement; tied together with rope because latch does not work



PHOTO I – Work Item 10 - Stained glass window in entryway with significant damage. Currently covered with plexiglass on both sides as temporary preservation mechanism.

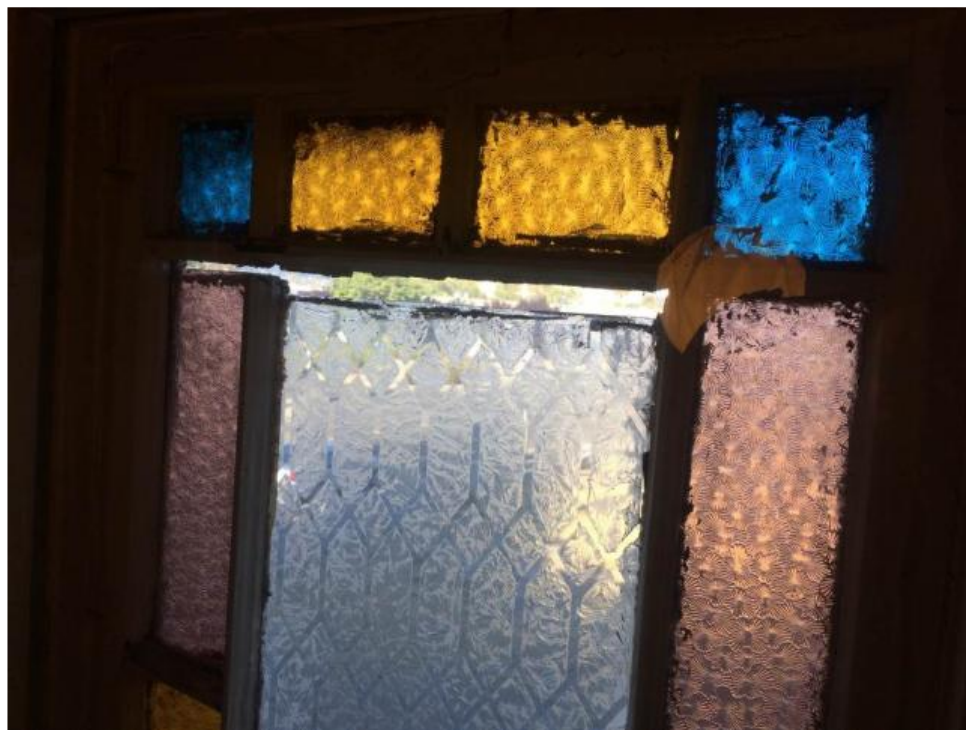


PHOTO J – Work Item 10 - Stained glass window in entryway. Panes have separated from sash.

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

1. GENERAL INFORMATION

APPLICANT'S NAME: Tae Ha
PROPERTY ADDRESS: 2440 10th Avenue, Oakland Ca 94606
PROPERTY OWNER(S): Tae Ha
PHONE: (Day) 510 919 5181 (Evening) email_wildgoose863@gmail.com
ASSESSOR'S PARCEL NUMBER(S): 22-334-16
YEAR OF PURCHASE: 2017 ASSESSED VALUE: _____
EXISTING USE OF PROPERTY: private residence

2. HISTORIC PROPERTY INFORMATION

HISTORIC/COMMON NAME (If any): Kelly (William P.) house

CONSTRUCTION DATE: 1885-86 LEGAL DESCRIPTION (From Deed, Please attach)

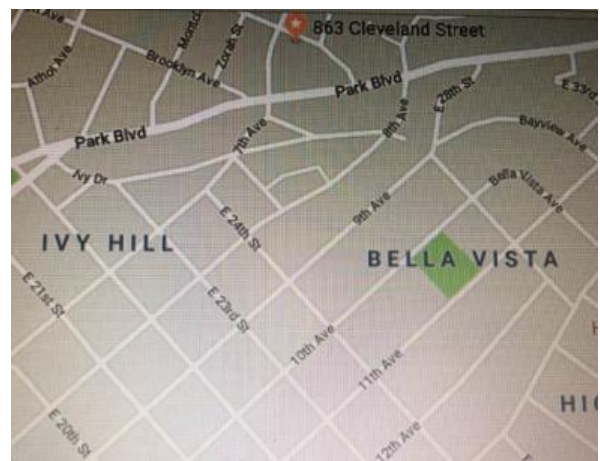
HISTORIC STATUS: Please contact Historic Preservation staff at (510)238-6879 to confirm.

DESIGNATED HISTORIC PROPERTY	DATE OF DESIGNATION
<input type="checkbox"/> City of Oakland Landmark	_____
<input checked="" 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*

- Listed on the National Register of Historic Places _____
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3. PRESERVATION WORK PROGRAM AND TIME LINE

PROPERTY ADDRESS: 2440 10th Avenue

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- 1. Year: 2019 Cost: 15,000.00 Improvement: Installation of underground drain system to prevent further water invasion in the basement**

- 2. Year: 2020 Cost: 15,000.00 Improvement: Repair foundation and earth quake retrofit**

- 3. Year: 2020 Cost: 15,000.00 Improvement: Repair foundation and earth quake retrofit**

- 4. Year: 2021 Cost: 15,000.00 Improvement: Foundation Repair and Seismic Reinforcement**

- 5. Year: 2022 Cost: 12,000.00 Improvement: Foundation Repair and Seismic Reinforcement**

- 6. Year: 2024 Cost: 15,000.00 Improvement: Repair shingles. Repair exterior**

- 7. Year: 2025 Cost: 15,000.00 Improvement: Removal of inappropriate exterior works**

- 8. Year: 2026 Cost: 15,000.00 Improvement: Removal of inappropriate exterior wood works and other modification.**

- 9. Year: 2027 Cost: 15,000 Improvement: 3 color Exterior Paint**

- 10. Year: 2028 Cost: 15,000.00 Improvement: 3 color Exterior painting.**

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.

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 - Preserving neighborhood character; and
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- 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;
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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.



Owner’s Signature

5/31/2018

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

Work program is largely in two parts. The part I (year 1-5) is to repair and improve the edition of the foundation and water intrusion; part II (year 6-10)is to removing of inappropriate additions and preparing the wood works that have been deteriorated over the years. Please note that not every year has the photograph demonstration the work as one previous photo represent the scope of work and will encompass 5 years of work

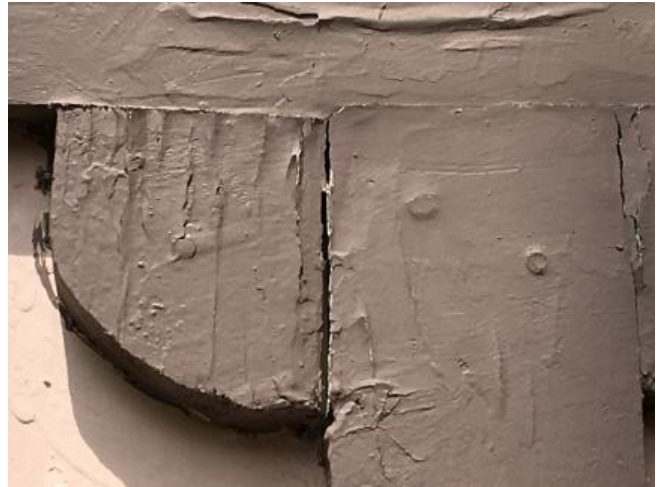
1. Year: 2019 Cost: 15,000.00 Improvement: Installation of underground drain system to prevent further water invasion in the basement



2 - 5. Years: 2020-2023 Cost: 15,000.00 per year Improvement: Repair foundation and earth quake retrofit



6. Year: 2024 Cost: 15,000 Improvement: Repair shingles. Repair exterior surface. Repair and replace the deteriorated woodwork . Reproduce wood cutouts in redwood.



7. Year: 2025 Cost: 15,000.00 Improvement: Removal of inappropriate exterior works. Throughout the house, there were several Greek reliefs as shown below.



8. Year: 2026 Cost: 15,000.00 Improvement: Removal of inappropriate exterior wood works and other modification.



The below is the sample of wood works that was performed through out all exterior surface. The pine board were cut out and painted without sanding the edges. The work is to identify and remove them, replace in more true Queen Anne style



9. Year: 2027 Cost: 15,000 Improvement: 3 color Exterior Paint

10. Year: 2028 Cost: 15,000.00 Improvement: 3 color Exterior painting.



above, Google maps, April 2011; below, undated photo, via county assessor's office



WHEN RECORDED, RETURN TO:

City of Oakland
Community & Economic Development Agency
Attn: Planning & Zoning, Historic Preservation/Secretary of Landmarks Board
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA. 94612

**(MODEL) MILLS ACT AGREEMENT FOR
PRESERVATION OF HISTORIC PROPERTY**

This Agreement is entered into this _____ day of _____, 200_, 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 Oakland City Council Resolution No. ____ C.M.S., 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 Section 50280 of the California Government Code and Section 439 of the California Revenue and Taxation Code.

Both Owner and City desire to enter into a Agreement to preserve the Property so as to retain its characteristics of cultural, historical and architectural significance and to qualify the Property of an assessment of valuation pursuant to Section 1161 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 _____ 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
Community and Economic Development Agency
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612-2032
ATTN: Secretary, Landmarks Preservation Advisory Board

To Owner:

- 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 ,the Office of Historic Preservation of the Department of Parks and Recreation_(Exhibit C attached and made a part hereof), the Minimum Property Maintenance conditions (Exhibit D attached and made a part hereof) 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 Community and Economic Development Agency 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 Community and Economic Development Agency'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 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 an Historic Architect.
- 6) **Inspections (California Government Code Section 50281(b)2)**. Owner(s) agrees to permit such periodic examinations/inspections, by appointment, of the interior and exterior of the Property by the 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 Sections 50280 et seq., 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 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 growing 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 boards, commissions, departments, agencies, 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 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 hereto and any of their heirs, successors or assigns, nor shall such terms, provisions or conditions cause them to be considered joint ventures or members of any joint enterprise.
- 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.

On _____, before me, _____
a Notary Public for the State of California, personally appeared _____
_____, personally known to me (or proved to me on the basis of
satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to in the within
instrument, and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the
day and year first written above.

Notary Public
State of California

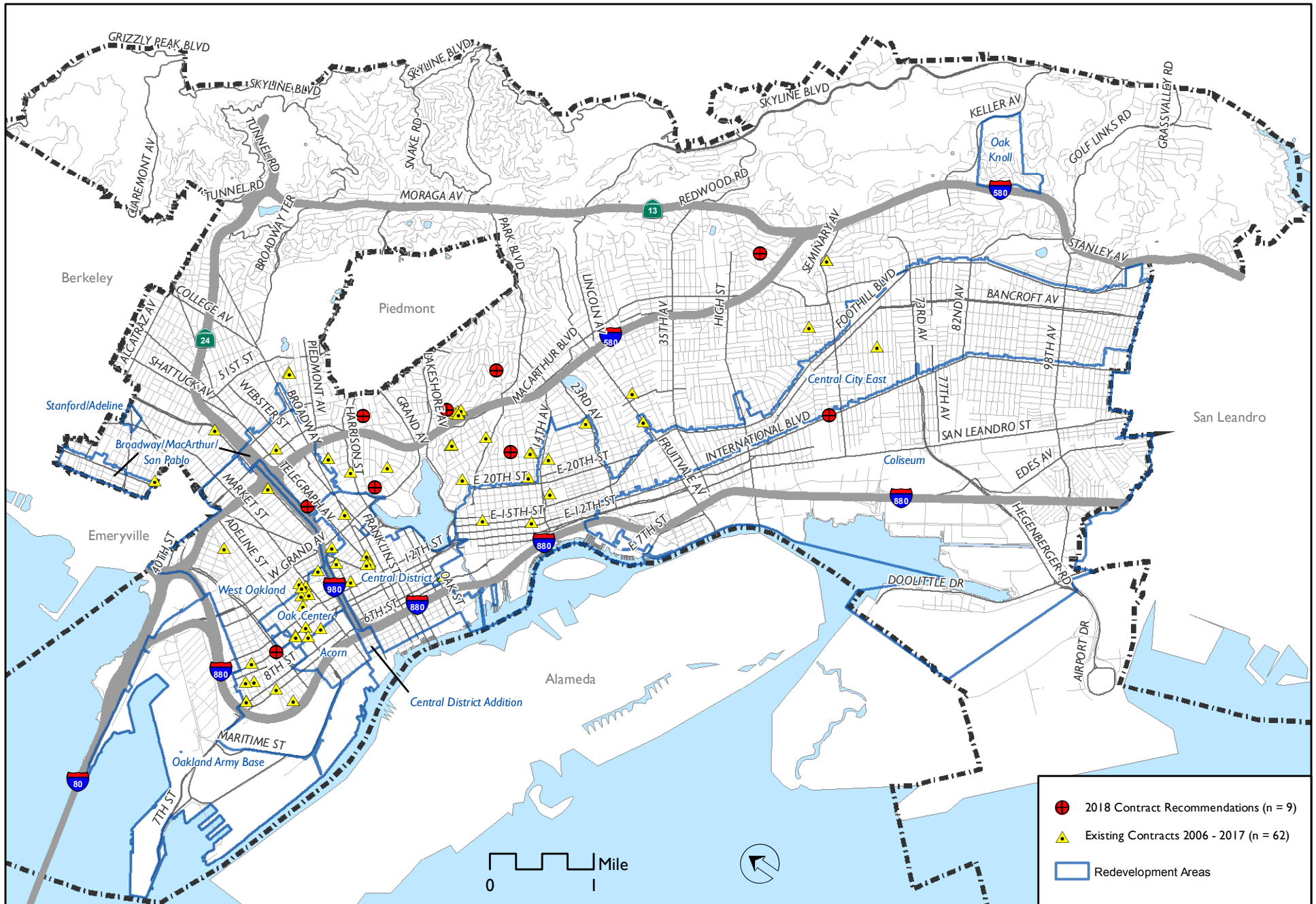
EXHIBITS

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



- 2018 Contract Recommendations (n = 9)
- ▲ Existing Contracts 2006 - 2017 (n = 62)
- Redevelopment Areas

Planning & Building Department
June 2018



Mills Act Contracts and Contract Recommendations