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| <b>1</b> | <b>Proposal:</b>  | <b>Heritage Property Nominations by owner applicants, associated with Mills Act contract applications.</b>  |
|          | <b>Case File Number /Location/ City Council District/ Zoning:</b> | 1) LM23001: <b>295 MacArthur Blvd.</b> (APN 10-785-8);<br>2) City Council District 3, Zoning RU2/S-12<br>3) LM23002: <b>867 Willow St.</b> (APN 6-21-15);<br>City Council District 3, Zoning RM-2<br>4) LM23003: <b>3400 Broadway</b> (APN 9-732-6);<br>City Council District 3 Zoning D-BV-3<br>5) LM23004: <b>3220 MacArthur Blvd.</b> (APN 28-944-18-1);<br>City Council District 4, Zoning RU-4 |
|          | <b>Applicant/Owner:</b>   | Multiple, see individual applications attached  |
|          | <b>Environmental Determination:</b>                               | Categorically Exempt per CEQA Guidelines Sections: 15301 (Existing Facilities); 15305 (Minor Alterations in Land Use Limitations); 15306 (Information Collection); 15308 (Actions by Regulatory Agencies for Protection of the Environment); 15331 (Historical Resource Restoration/Rehabilitation); Section 15183 (Projects consistent with the General Plan or Zoning).                           |
|          | <b>Action to be Taken:</b>  | Determination that properties are eligible for Heritage Property status; and designation of eligible properties as City of Oakland Heritage Properties  |
|          | <b>For Further Information:</b>                                   | Contact case planner <b>Betty Marvin</b> at <b>(510) 238-6879</b> or by email at <a href="mailto:bmarvin@oaklandca.gov">bmarvin@oaklandca.gov</a>   |

**INTRODUCTION**

Four properties are before the Landmarks Preservation Advisory Board (LPAB, Board) for review and consideration of Heritage Property eligibility and for Heritage Property designation, as set out in the Historic Preservation Element (HPE) of the Oakland General Plan. These applications have all been submitted by owners in conjunction with applications for Mills Act tax incentive contracts. All four properties are PDHPs (Potential Designated Historic Properties, the Element’s most inclusive definition of “historic”) by virtue of preliminary or intensive survey ratings of at least “secondary importance,” and therefore appear eligible to apply for Heritage designation. The complete applications and evaluations attached to this report provide detailed documentation of their significance and eligibility.

**BACKGROUND: HERITAGE PROPERTIES**

Oakland’s Mills Act program, created in 2006, requires that participating properties be “Designated Historic Properties” designated by the Landmarks Board. Heritage Property is a less exclusive and more expeditious designation than City Landmark, defined in the HPE as appropriate for “Properties which definitively warrant preservation but which are not Landmarks or Preservation Districts.” Heritage Properties may be designated by the Landmarks Board or the Planning Commission, in contrast to City Landmarks and S-7 and S-20 districts which require an ordinance by City Council.

*Eligibility:* According to the Element, a PDHP is eligible for Heritage Property nomination on the basis of its Oakland Cultural Heritage Survey (OCHS) rating if it:

1. has an existing or contingency rating of A (Highest Importance), B (Major Importance), or C (Secondary Importance) “according to the methodology of the intensive survey”; or
2. has an existing or contingency rating of A or B from the preliminary (field) survey; or
3. contributes or potentially contributes to any area potentially eligible for Preservation District designation (Area of Primary or Secondary Importance – API or ASI).

Properties with individual A or B survey ratings and contributors to survey-identified Areas of Primary Importance are automatically on Oakland’s *Local Register* of the most significant historical resources as defined in Preservation Element Policy 3.8. Local Register properties are the most significant 2% to 3% citywide, whether they have been formally landmarked or not. To qualify for Mills Act contracts, however, if they are not already formally designated by the Landmarks Board as Landmarks, Heritage Properties, or S-7 or S-20 district contributors, Oakland’s procedure requires Landmarks Board designation. All four Mills applicants this year are seeking Heritage Property designation concurrently with their Mills Act applications. The nominated properties are all PDHPs

*Effect of designation:* Like City Landmarks and S-7 and S-20 districts, Heritage Properties are Designated Historic Properties or DHPs (HPE Policy 1.3), and therefore part of the Local Register. As such they are Historical Resources for purposes including the California Environmental Quality Act (CEQA), California State Historical Building Code (CHBC), Demolition Findings under the Oakland Planning Code, and Mills Act. At a minimum, under the Historic Preservation Element, demolition, removal, or “specified major alterations” of Heritage Properties may normally be postponed for up to 120 days. Design Review will require work that maintains the property’s historic character, and the Mills Act contract obligations include adherence to the Secretary of the Interior’s Standards for Rehabilitation.

*Designation process:* Under the Preservation Element, Heritage Properties may be designated by the Landmarks Board or the City Planning Commission after owner notification and acceptance, or by the Planning Director on an emergency or temporary basis. Landmarks Board actions on Heritage Property designations are appealable by anyone to the City Planning Commission. Heritage Properties may be de-designated by the Board at the property owner’s request or at the Board’s initiative, but de-designation must be based on documentation that the property does not meet the Heritage Property eligibility criteria, unless the designation was for a limited period of time.

Since the present nominations are all owner-initiated in conjunction with owner-initiated Mills Act contract applications, the Board may designate any or all of the properties as Heritage Properties at this meeting without further hearing or owner notification, provided they meet the eligibility criteria.

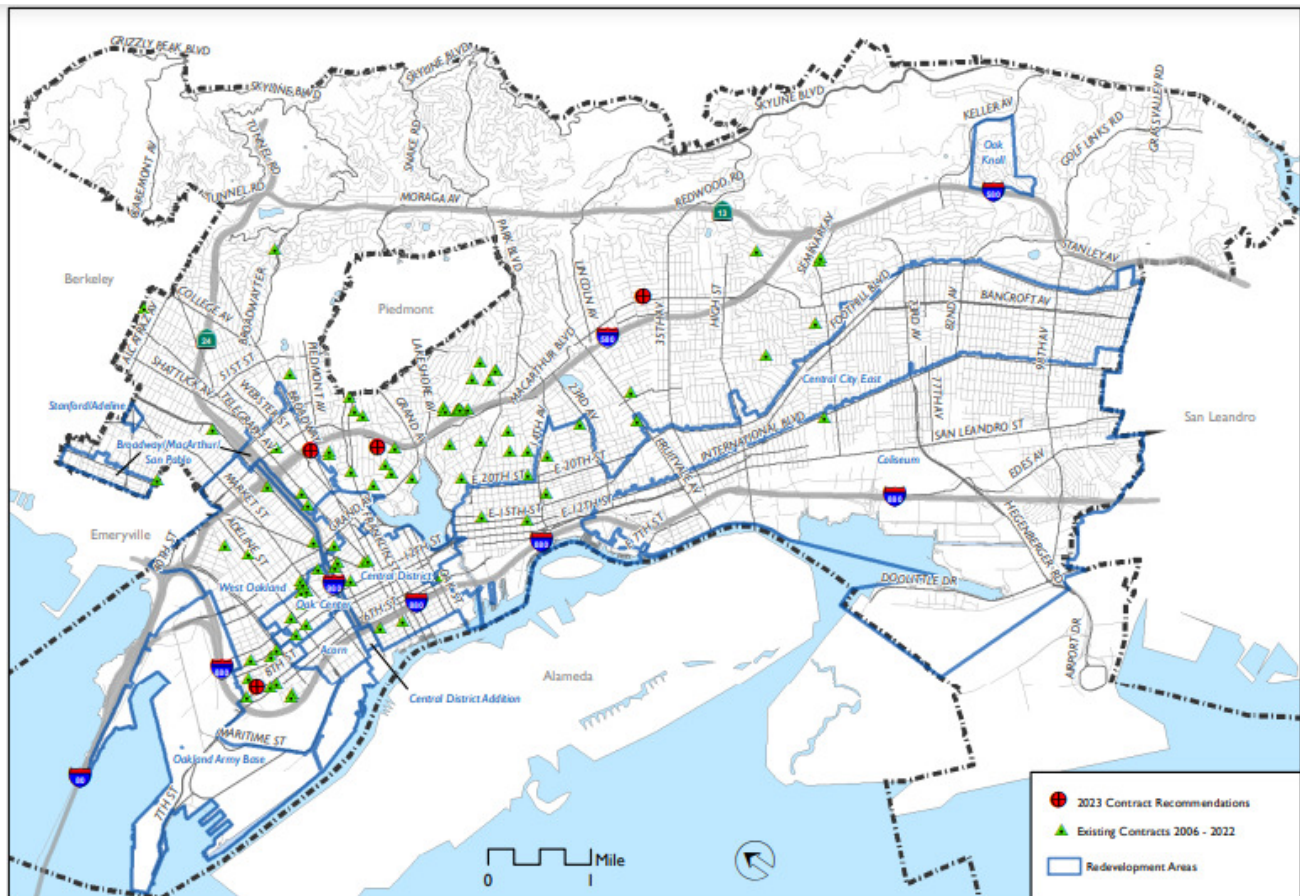
## **ELIGIBILITY OF NOMINATED PROPERTIES**

The properties proposed for designation at this meeting are described individually on the following pages. The Landmarks Board has a point system for evaluating Landmark and Heritage Property eligibility, based on but somewhat different from that of the Cultural Heritage Survey. Evaluation criteria and evaluation and tally sheets for Heritage Property eligibility, prepared by staff for Board review and adoption, are attached as Attachment 5 at the end of this report following the individual applications. Because the Mills Act program exists precisely to promote restoration and reversal of

alterations, LPAB evaluations do not generally disqualify properties for reversible losses of integrity. Nominated properties all appear eligible and all are recommended by staff for Heritage designation.

The four nominated Heritage Properties represent a wide variety of building types, styles, and neighborhoods: an 1870s cottage in West Oakland, a large Queen Anne house in the once-rural Laurel district, a picturesque 1922 bungalow court in Adams Point, and the familiar six-story 1916 Gothic Lyon Moving and Storage warehouse on Broadway Auto Row. Some of the applications build upon research and documentation begun by the Cultural Heritage Survey, while Laurel required challenging research in pre-annexation East Oakland. All applicants were encouraged to look beyond existing documentation and to learn techniques of historical research and architectural description and get to know the buildings in depth.

Applications are all well researched and presented, distinctive in style, and make valuable contributions to our (and the applicants’) knowledge of Oakland history, buildings, neighborhoods, and research sources and techniques. Much of the work was done remotely this year, and applicants showed resourcefulness and persistence in piecing together information. One-page summaries for the four Heritage nominations follow, largely based on the applicants’ own words and tone. The full applications accompany this report as Attachments 1 to 4.



## Mills Act Contracts and Contract Recommendations and Heritage Property Nominations, 2023

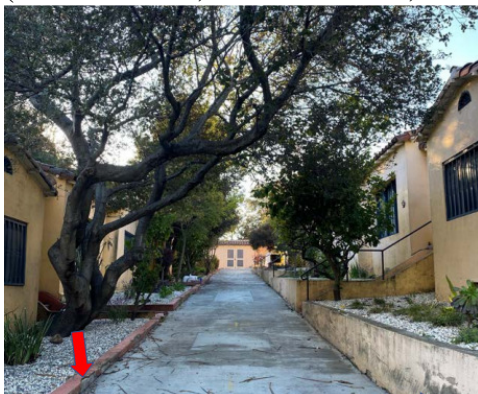
LM23001:295 MacArthur Blvd. (APN 10-785-8), McWethy & Greenleaf bungalow court , 1922  
 Applicant: Purisima MacArthur LLC (Teddy Swain & Nils Ratnathicam), owners (Att.1)



OCHS Rating: B+3 (intensive, 1986), individually major importance, not in a district  
 Landmark/Heritage Property Eligibility Rating: B (31 points)

295 MacArthur Boulevard is a ten-unit California Spanish bungalow court in the Adams Point neighborhood. Two mirror-image rows of one-story, four-room stucco and tile-roofed cottages face each other across a central driveway. The deep lot slopes up to the center of the block, giving each unit its own terraced setback with concrete retaining walls and landscaping. The concrete wall wraps around the front of the lot, where paired elephantine columns and plantings flank the driveway entrance. The cottages have varied porches, bays, and rooflines that provide complexity in form and allow them to interlock ingeniously on the site. Details include battered walls, cross gables, arched and grilled openings, tile gable vents, tile-topped chimneys, and a mix of small punched windows and large wood sash windows framed by turned spindles.

Permits for the ten separate units (#72488-97, each to cost \$4000) were issued September 25, 1922, to McWethy & Greenleaf as owner, builder, and architect. Leroy McWethy and Franklin R. Greenleaf were one of several full-service design, development, and construction firms active in Oakland in the 1920s – an important development pattern often overlooked in the mystique of the star architect. Their best-known work is probably the Howden Tile Co. showplace building at 325-43 17th St. (1925). 295 MacArthur is a rare and archetypal example of California Spanish bungalow court imagery in Oakland, distinguished by its solid materials, decorative detailing, and ingenuity in providing both density and individuality during the era of infill and apartment development in Adams Point in the 1920s. Two other builders’ bungalow courts in Adams Point (432-50 Euclid, 329-45 Perkins, 1921-22) are loosely European Provincial in style.



LM23002: **867 Willow St.** (APN 6-21-15) Geiger (Dorothea)-Nisbet (George) house, 1875-76.  
Applicant: Kane Baccigalupi, owner/resident (Attachment2)



OCHS Rating: C1+ (West Oakland intensive, 1989): secondary importance, API contributor  
Landmark/Heritage Property Eligibility Rating: B (25 points)

This raised basement cottage sits on a 25' x 110.8' lot on a block of similar-sized houses and lots. It was built in 1875-76 and is an example of a vernacular cottage type that Paul Groth and Marta Gutman in *Sights and Sounds: Essays in Celebration of West Oakland* term an “informal cottage” and/or an “almost-polite house.”. Its symmetrical low-gabled front has two windows with small Italianate brackets and molded hoods, flanking the centered doorway which has a shallow vestibule with paneled walls, a larger hood, and full brackets. Trim and siding is mostly the original redwood. Originally the main floor was a four room house with only 525 square feet. It had a hallway separating the bedrooms on one side of the house from the more public spaces. As with many Victorians, plumbing was added via a “tail” extension.

The Geiger-Nisbet house is a beautiful example of Victorian working class architecture. It was built in 1875-1876 in the railroad boom that transformed the Oakland Point District. At least two of the early residents worked for the railroad. In addition, the house was owned early in its history by two women. The first named owner, Dorothea Geiger, rented furnished rooms. Besides a long and interesting history, the house is rare in that it has few alterations and has been well maintained. It contributes to the Oakland Point District, which was formally determined eligible for the National Register in the environmental review for the Cypress Freeway replacement after the 1989 earthquake.

The architecture of the house falls into overlapping categories. The Historic Resources Inventory calls it a “rare example of a 19th century vernacular-Greek Revival cottage.” The main floor above a full, raised basement qualifies it as a “raised basement cottage,” an early and common way to enlarge these tiny houses. Groth and Gutman posit two categories of working class housing, the “almost-polite house” and the “informal workers’ cottage”. Based on the interior layout, which has also changed little over the years, the house falls into both these categories, an “almost-polite house” with specialization of rooms and a hall to direct circulation upstairs over an “informal cottage” plan in the basement. The essay states “The informal cottage was for many immigrants and urban migrants an important and valued entry into homeownership ...”. This was likely even more true for working class women. The first two identified owners of the house were Dorothea Geiger and Mrs. D. Steiner, and Oakland Point research found property and business ownership by women to be unexpectedly common in 19th century West Oakland.

LM23003:3400 Broadway (9-732-6), Lyon Moving & Storage Warehouse/The Saw Mill, 1916. Gothic Revival commercial. Applicant: 3400 Broadway LLC/oWOW Development, owner



OCHS Rating:Db2+ or Ca2+ (URM 1994-96):major importance but heavily remodeled, contrib. to Broadway Auto Row ASI. Heritage Property Eligibility Rating: Ba (43 points, 26 as altered)

This striking five-story example of Gothic Revival-Beaux Arts architecture is a prominent and familiar presence on Upper Broadway Auto Row. The Broadway facade showcases intricate Gothic cast concrete detailing, featuring arches, rosettes, and pilaster caps. The facade is divided vertically into a double-height ground floor with mezzanine, four-story shaft, and decorated parapet formerly topped by a pyramid-roofed clock tower. The ground floor on Broadway has large storefront windows on the side bays and Gothic-arched doorways in the wider center section under two niches adorned with lion statues

The lion statues reference the original owner-operator, Lyon Moving and Storage, an Oakland business dating back to the 1890s (and lasting into the 1970s; later the building was the Sherman family's Saw Mill furniture store). Like the rest of the storage industry in the wake of disasters including the 1906 San Francisco earthquake and fire, Harvey Lyon embraced new technology in fireproof construction and alarm systems and featured strength and modernity in his advertising. The 1916 building was designed by Oakland architect Clay Burrell (permit #41460, issued 8/15/1916, construction cost \$60,000). Burrell designed many East Bay commercial buildings including hotels and Auto Row showrooms, including the Gothic Cadillac showroom at 123 Bay Place (Whole Foods) and the California Hotel at 3501 San Pablo.

3400 Broadway has had two major alterations: heavy paint over the patterned brick walls and loss of the tower in the 1989 earthquake. The dual rating reflects these losses from its original design. Both could theoretically be restored, but this is not currently proposed.

LM23004: **3220 MacArthur Blvd.** (APN 28-944-18-1) Hermle (Conrad) house, c.1903(Att. 4)  
Queen Anne-Colonial house Applicants: 3220 MacArthur LLC (Jamie Bender & Peter Erwin)



OCHS Rating:C3B? (preliminary survey, 1986): secondary to major importance, not in an identified district Landmark/Heritage Property Eligibility Rating: B (28/32 points)

This large house stands on an elevated triple lot (9,900 sq. ft.) which gently slopes down to the street and southeast toward Peralta Creek. Originally it was on a parcel of sixteen lots, a quarter of the entire block, about 40,000 sq ft. The mini orchard on the west side of the grounds is a nod to the area's agricultural beginnings, and the house is a rarity in the Upper Dimond, deemed unusually large and early for the neighborhood by the City's field survey. The roof is steeply pitched with a large pediment-like gable end facing MacArthur, with a turned wood finial, a big dentil arch, fish scale shingles, and columns and capitals around a quasi-Palladian window, a mix of Queen Anne and Classical Revival. Similar details on the side bays and dormers indicate that the house was widely visible before the neighborhood filled in.

The property was part of the open Ohlone land where Antonio Maria Peralta grazed cattle. A large section was sold to Sidney L. Johnson in 1868-69 and in 1900 to developer Joseph Westall who subdivided it as "Laurel Grove Park." The tract consisted of 20 full blocks of 25-foot lots, extending from present-day School to Kansas Streets and Maple to Midvale, between the Dimond and Laurel districts whose main spines were then and are now Fruitvale and 35th Avenues. MacArthur Blvd. was originally named Idaho Street, later Hopkins after a local pioneer, and then after General Douglas MacArthur in 1942, linked with other east-west streets to form Highway 50, forerunner of the 580 freeway.

In 1903 Westall sold lots 1-12 & 53-56 of Block M (the entire northwest quarter of the block) to Conrad Hermle and his wife Therese. The Hermles were part of an intrepid cohort of German pioneers who settled in the Fruitvale-Dimond area. Conrad Hermle (c.1830-1918) was born in Prussia, immigrated in 1853, and lived in Iowa, Yolo County, and San Jose before arriving in Oakland. He was a carpenter and likely built or participated in building the house, where the Hermles lived by the time of the 1904 Oakland city directory. Soon after, the 1906 San Francisco earthquake and fire sent many San Franciscans to the East Bay, streetcars connected East Oakland to downtown, and in 1909 Oakland annexed unincorporated Brooklyn Township. After Conrad's death, parts of the Hermle property facing Florida Street and Laurel Avenue were sold off and developed with bungalows and businesses, but the present parcel, though only a quarter of the original, retains some of the early rural character. In 1949 daughter Edith, the last Hermle resident, moved down MacArthur to the Altenheim (German for Elders' Home) to live out her days with other German Americans.

## RECOMMENDATIONS

1. Receive any testimony from applicants and the public;
2. Review application forms; review staff's Heritage Property eligibility rating sheets and summaries and revise as appropriate;
3. Determine that the properties are eligible for City of Oakland Heritage Property designation;
4. Designate as City of Oakland Heritage Properties:

LM23001: **295 MacArthur Blvd.** (APN 10-785-8); City Council District 3

LM23002: **867 Willow St.** (APN 6-21-15); City Council District 3

LM23003: **3400 Broadway** (APN 9-732-6); City Council District 3

LM23004: **3220 MacArthur Blvd.** (APN 28-944-18-1); City Council District 4

Prepared by:



Betty Marvin  
Historic Preservation Planner

Approved by:



Catherine Payne  
Development Planning Manager

Attachments:

- 1: Heritage Property application, LM23001, **295 MacArthur Blvd.**
- 2: Heritage Property application, LM23002, **867 Willow St.**
- 3: Heritage Property application, LM23003, **3400 Broadway**
- 4: Heritage Property application, LM23004, **3220 MacArthur Blvd.**
- 5: Heritage Property evaluation forms and Landmarks Board evaluation criteria