

<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) LM24001: <b>5837-39 Ayala Av.</b> (APN 16-1398-11); City Council District 1, Zoning RM-1 2) LM24002: <b>1311 East 27th St.</b> (APN 22-355-30); City Council District 2, Zoning RM-2 3) LM24003: <b>384 Bellevue Av.</b> (APN 10-784-22); City Council District 3, Zoning RM1/S-12 4) LM24004: <b>323-25 24th St.</b> (APN 8-669-2); City Council District 3, Zoning D-BV-1
	<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” or “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 Potential Designated Historic Properties (“PDHPs”), the HPE’s most inclusive definition of “historic” by virtue of preliminary or intensive Survey ratings of at least “secondary importance,” and therefore all 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 LPAB. 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 LPAB 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 automatically 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).

Under Preservation Element Policy 3.8. the highest-rated properties (A, B, API – approximately 2% to 3% citywide) are automatically on Oakland’s *Local Register* of Historical Resources, whether they have been formally landmarked or not. To qualify for Mills Act contracts, however, if they are not already City Landmarks, Heritage Properties, or S-7 or S-20 district contributors, Oakland’s Mills Act ordinance requires formal Landmarks Board designation. All four Mills applicants this year are PDHPs – Potential Designated Historic Properties - seeking Heritage Property designation concurrently with their Mills Act applications. Evaluation forms “according to the methodology of the intensive survey” are attached and document their eligibility.

*Effect of Heritage Property 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 eligibility. 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 Historic Preservation Element, Heritage Properties may be designated by LPAB or the City Planning Commission after owner notification and acceptance, or by the Planning Director on an emergency or temporary basis. LPAB 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. 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.

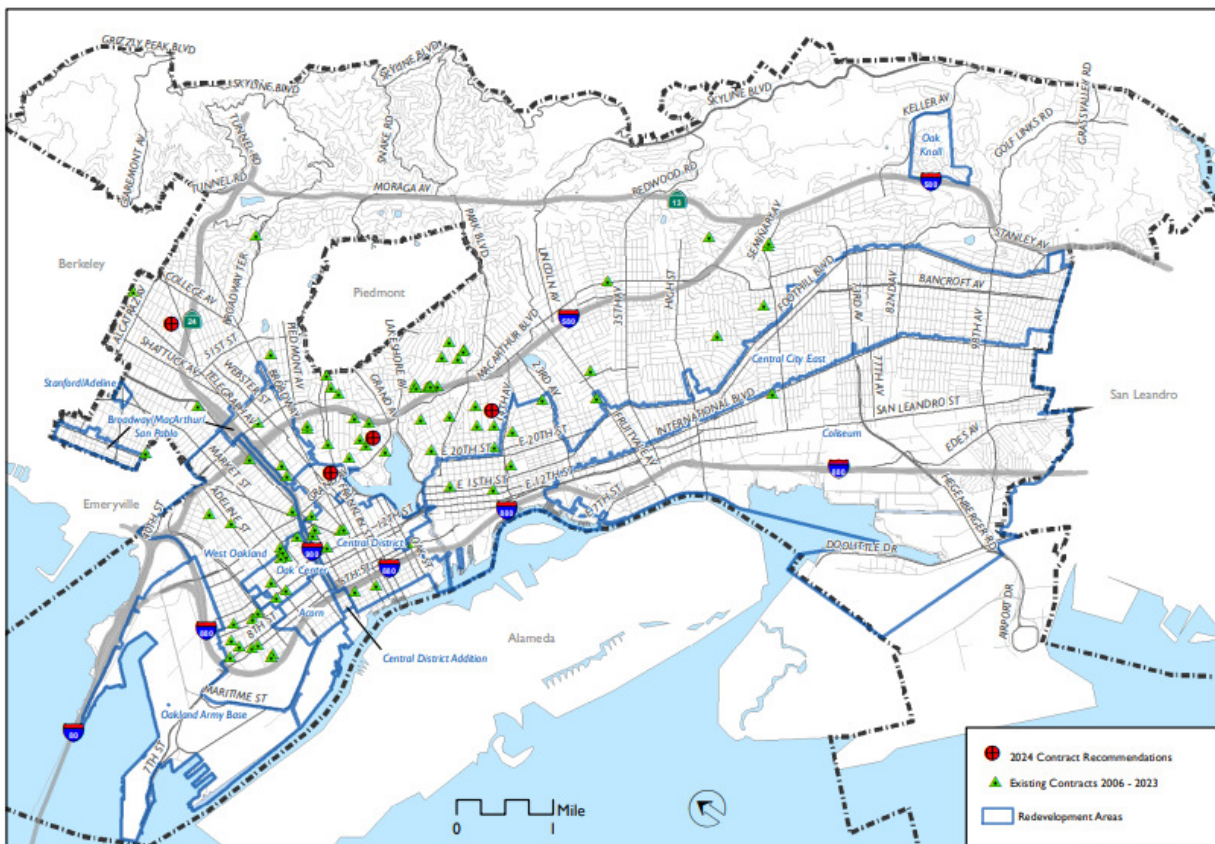
## **ELIGIBILITY OF NOMINATED PROPERTIES**

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 intensive Cultural Heritage Survey. Evaluation criteria and forms 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 for 2024 are all houses or small flats buildings. Coincidentally all four were built between 1905 and 1911 and are variations of Colonial Revival and/or Craftsman style. They are located away from the usual Mills Act strongholds of West Oakland and Lakeshore-Trestle Glen, in Temescal, Adams Point, Broadway-Valdez, and the Highland-Bella Vista area of East Oakland. Some of the applications build on research begun by the Cultural Heritage Survey; others started from scratch. All applicants were encouraged to look beyond existing documentation and to expand their 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 wider 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 from online and library sources. Each followed their own original research interests and assembled fascinating insights into Oakland’s social and building history. One-page summaries for the four Heritage nominations follow, largely based on the applicants’ own words and tone. The full applications with additional photos and history accompany this report as Attachments 1 to 4, and are well worth reading.



**Mills Act Contracts and Contract Recommendations  
and Heritage Property Nominations, 2024**

Planning & Building Department  
July 2024

LM24001: **5837-39 Ayala Av.** (APN 16-1398-11), Vaughn (M.C.)-Wilson (Caroline) house, 1911 Applicant: Joshua Benjamin and Roseanne Raizen, owners/residents (Att. 1)



OCHS Rating: C2+ (prelim, 1986), secondary importance, ASI contributor  
 Landmark/Heritage Property Eligibility Rating: B (29/24 points)

5837-39 Ayala Avenue is a classic high-style 1½-story Craftsman bungalow (permit 25287, 1 story 5 room dwelling, \$1975 construction cost) discreetly expanded into two flats in 1941. Many archetypal Craftsman features are on proud display: broad overhanging gables, ribbon-patterned shingle siding, cast cement work on base, chimney, and porch, elephantine columns, stained glass at the entry, large wood-sash windows, and a big wraparound porch. It is one of a cluster of four houses built under permits to contractor Merrill C. Vaughn in fall 1911 at the three-sided corner of Ayala and Howell. No architect is named – designs may be from pattern books or Vaughn’s own. There are at least two other semi-twin houses nearby on Oak Grove, also 1911, also by Vaughn. In the early 1920s Vaughn overextended into general contracting on large public projects, including a lowball bid on Highland Hospital, and “dropped from sight.”

The 1907 Claremont Home Tract is part of a large Claremont Avenue Residential district, which is an Area of Secondary Importance (“ASI”) identified by the Survey in the Temescal neighborhood between College and Telegraph Avenues from Alcatraz to Highway 24, characterized by unpretentious Craftsman homes and irregular street patterns resulting from creeks and Peralta grant boundaries. Before the 1906 earthquake exodus from San Francisco the area was a semi-rural destination for amusements at Idora Park, a classic “trolley park” opened in 1903 by Borax Smith’s Realty Syndicate to promote streetcar use and real estate sales. At 5837 Ayala the first resident owner was Caroline Wilson, not further identified. For over 40 years (c.1921-c.1964) the house belonged to the Walthew family who added the upper flat. Owners in the later 1960s added another three rooms at the far rear, with less attention to Crafts style. The tenant and later owner from c.1973 to 2020 was Robert Pratt, “a local character” known for “car collecting and activism related to bicycles and parking.” This fine Craftsman house illustrates the important contribution of builder-developers to Oakland’s neighborhood character and its evolution illustrates the subtle addition of density in a neighborhood context.

LM24002: **1311 East 27th St**, (APN 22-355-30), Horton (Johanna) rental house, 1905-07.  
Applicant: Otilia Murray and Desmond Murray, owners/residents (Attachment 2)



OCHS Rating: C3 (citywide prelim., 1986): secondary importance, not in a district  
Landmark/Heritage Property Eligibility Rating: B (27/23 points)

This two-story Colonial Revival house is a distinctive variant of the “Classic Box” described in *Rehab Right*, in nearer East Oakland’s hilly Highland Park neighborhood above Park Boulevard. It is almost cube-shaped, clad in shingles, and has a symmetrical façade, a columned front porch with a railed balcony on top, and a hip roof with a unique steep peak at center front. Classical detailing includes full-height fluted wood pilasters at the corners, plaster Ionic capitals (some needing repair) on the tapered round porch columns, and egg and dart, dentils, and a wide frieze under the deep enclosed eaves. The front peak has a narrow, tall, almost Gothic louvered vent. Classical columns are repeated inside in living and dining rooms. The house sits on a small, almost square lot around the corner from busy 13th Avenue. The lot was formerly the back of the property of 2636 13th Avenue, the home of the house’s enterprising woman developer. The unique features of 1311’s design may well be drawn from her shingle-style 13th Avenue house.

In the 1870s E. E. Sessions promoted the Highland Park neighborhood by means of a horsecar line up 13th and 14th Avenues. Scattered Victorian-era settlement included Gertrude Stein’s childhood home, Borax Smith’s estate, and lands of lumber dealer Hugh Hogan. In 1894, Hogan subdivided the entire block where 1311 stands, and gradually sold lots and houses, including twin high-gabled shingle houses in 1902 at the corner of 13th Avenue and East 27th Street (one survives). The corner house was bought by Horace Horton and his wife Johanna Sharai, a steamfitter and a dressmaker previously living in Hayward. After Horace was electrocuted in a freak accident at the house in 1904, Johanna won a \$10,000 settlement from the utility, took in roomers, built two substantial Colonial houses as income properties (the other across East 27th is heavily remodeled), and raised a son who became a professional artist. The applicant assembled primary sources into a vivid picture of everyday Oaklanders’ life at this corner and emphasizes the importance of modeling preservation in Oakland’s currently less noticed neighborhoods.

LM24003:384 Bellevue Avenue (APN 10-784-22), Young (Eugene)-Fearn (J.R.) house. 1908 McCall & Wythe arch. Applicant: Eliza Strauss and Lucas Bartsh, owners/residents (Att. 3)



OCHS Rating: B+1+ (Adams Point intensive, 1985): major importance, Bellevue-Euclid API, State Inventory, Pres. Study List. Heritage Property Eligibility Rating: Ba (39/33 points)

This 1½ and 2 story Craftsman house, in a district of Colonial, Beaux Arts, and Crafts houses of similar age and scale, has a complex multi-gabled roof with deep overhangs, nested steep-gabled wings facing the street, a mix of patterned shingles and beveled horizontal board siding, mouth-like cutouts on rafter tails and beam ends, and a shallow five-sided front bay with multi-paned wood-sash and leaded windows. Except for additions and porch enclosures at the rear the design is substantially intact, but there is much deferred maintenance to woodwork, roof, and drainage.

In 1905 after the death of Oakland co-founder Edson Adams his heirs subdivided the land known as Adams Point just north of Lake Merritt, even before the building boom after the 1906 earthquake. Early owners and residents of 384 Bellevue were not displaced San Franciscans but upwardly mobile Oakland business people. Eugene Young was the civically active proprietor of a West Oakland meat market and had commissioned a building by architect Charles McCall in 1902. His move from an old to a newer neighborhood was a common pattern, and in 1920 he moved on to the Piedmont border. The next owner, downtown physician J.R. Fearn, followed a similar path. Recent owners have been active in Adams Point and Lake Merritt preservation.



Architect Charles McCall was born in Oakland in 1878 and grew up in Britain where he studied architecture. His family moved back to Oakland in 1897 and he designed them a home at 3215 Telegraph that already has Bellevue’s signature intersecting gables and notched beams. His earthquake-era partnership with Willson Wythe designed large residences in styles described as “Swiss” and “English” including 382 Euclid and 268 Park View Terrace in Adams Point. Highlights of his later career include the Lawn Bowling Clubhouse at Lake Merritt, the YWCA Blue Triangle Club (Lake Merritt Lodge), and the Wholesale Produce Market. The applicant contacted other McCall owners and researchers and located at least four 1908-10 semi-twins of 384 Bellevue in Oakland, Piedmont, and Alameda, varied to accommodate each site and client.

LM24004: **323-25 24th St.** (APN 8-669-2), Newsom (Sidney B.) flats, 1907, Newsom & Newsom arch. Applicant: Lawrence Chiu, owner-resident (Attachment 4)



OCHS Rating: C2+ (North Central intensive, 1985): secondary importance, ASI contributor  
 Landmark/Heritage Property Eligibility Rating: B (37/32 points)

Designed in 1907 by Sidney Newsom of the renowned Newsom architectural lineage, this flats building reflects their distinctive blend of functionality and sometimes eccentrically skewed historical references. Amid the towering new high-rises of the Northgate-Waverly district, it is part of a cluster of three Newsom residential properties on 24th Street that still represent the area’s early 20th century heritage, survivors of a much denser Waverly district on Glen Echo Creek at the head of Lake Merritt identified by the Survey in the mid-1980s.

Sidney Newsom (1877-1942) was son of Samuel Newsom, nephew of Joseph Cather Newsom, and brother and frequent business partner of Noble Newsom. He trained in New York and in his father’s firm that built the iconic Carson Mansion in Eureka. 323-25 24th Street was developed in 1907 by Newsom & Newsom (at that point Samuel and Sidney), with Sidney credited as the building’s owner and designer. He lived there until 1911, when he moved next door to 319 24th Street, a Newsom fourplex built in 1908. In 1910 the Newsoms completed the Craftsman 38-unit apartment building to the west at 2346 Valdez Street which also housed family members.

A highly individual variation on the so-called Classic Box, Colonial Revival styling is evident in 323-25’s blocky shape, symmetrical façade, hip roof, wide eaves, and classical corbels and dentils. Arts and Crafts or personal touches include the shingled exterior, the angular, elongated brackets below the second-story overhang, and the cantilevered porch roofs without posts or brackets – shown by the published drawing to be the original form. Aside from considerable wear, visible alterations consist of crudely replaced window trim and recent vinyl sash and horizontal board siding on the low porch walls. The upper floor will become two separate units, aligning with the Broadway-Valdez area plan’s stated goal of adapting historic buildings to meet contemporary needs while preserving historic character.

## 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:

LM24001: **5837-39 Ayala Av.** (APN 16-1398-11); City Council District 1  
LM24002: **1311 East 27th St.** (APN 22-355-30); City Council District 2  
LM24003: **384 Bellevue Av.** (APN 10-784-22); City Council District 3  
LM24004: **323-25 24th St.** (APN 8-669-2); City Council District 3

Prepared by:



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Approved by:



Catherine Payne  
Development Planning Manager

Attachments:

- 1: Heritage Property application, LM24001, **5837-39 Ayala Av.**
- 2: Heritage Property application, LM43002, **1311 East 27th St.**
- 3: Heritage Property application, LM24003, **384 Bellevue Av.**
- 4: Heritage Property application, LM24004, **323-25 24th St.**
  
- 5: Heritage Property eligibility criteria and Landmarks Board evaluation forms