

# ***Oakland Landmarks Preservation Advisory Board***

## **MILLS ACT APPLICATION**

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

### **1. GENERAL INFORMATION**

**Property Address:** 1311 E 27th St Oakland, CA 94606

**Assessor's Parcel Number(s):** 22-355-30

**Property Owner(s):** Otilia and Desmond Murray

**Applicant's Name:** Otilia Murray

**Phone: (cell)** 510-541-5397

**email:** ottiliamurray@gmail.com

**Year of Purchase:** 2021

**Assessed Value:** \$877,340 (from tax bill)

**Existing Use of Property:** Primary Residence

**Legal Description** See next page

### **2. HISTORIC PROPERTY INFORMATION**

Heritage Property application submitted to Landmark Board concurrently.

**HISTORIC/COMMON NAME:** Johanna Horton Rental House

**CONSTRUCTION DATE:** 1905-1907

#### **HISTORIC STATUS as of application date**

**Designated Historic Property** **Date of Designation** Heritage Property In Progress

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

**Local Register of Historical Resources**

Survey Rating A or B  Area of Primary Importance  National Register

**Oakland Cultural Heritage Survey:** Survey Rating: C3 Date: 1986 Prelim/Intensive: Prelim

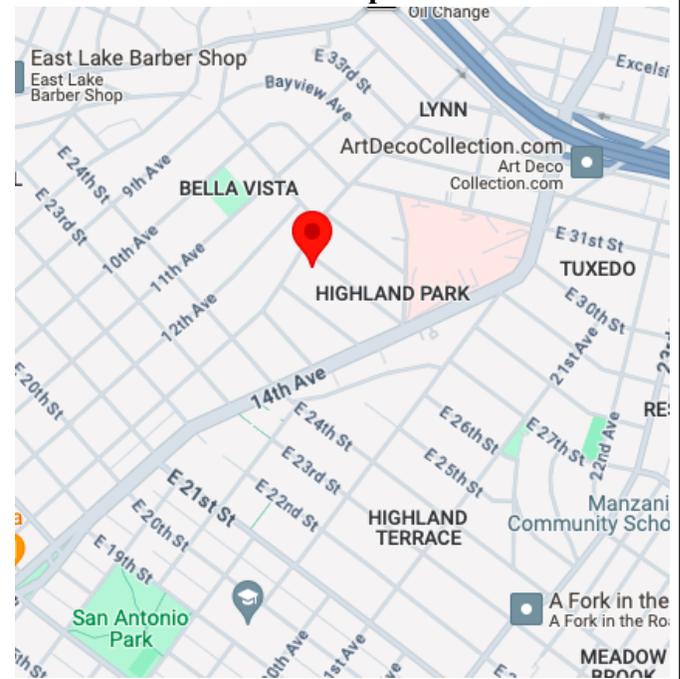
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## Mills Act Application

## Photo



## Location Map



### EXHIBIT "A"

Legal Description

**For APN/Parcel ID(s): 022-0355-030-00**

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

BEGINNING AT A POINT ON THE SOUTHWESTERN LINE OF EAST 27TH STREET, DISTANT THEREON SOUTHEASTERLY, 105.52 FEET FROM THE POINT OF INTERSECTION THEREOF, WITH THE SOUTHEASTERN LINE OF 13TH AVENUE, OF INTERSECTION THEREOF, WITH THE SOUTHEASTERN LINE OF 13TH AVENUE, AS SAID STREET AND AVENUE ARE SHOWN ON THE MAP HEREIN REFERRED TO; RUNNING THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERN LINE OF EAST 27TH STREET, 56 FEET; THENCE AT RIGHT ANGLES SOUTHWESTERLY, 45 FEET; THENCE AT RIGHT ANGLES NORTHWESTERLY, 56 FEET; THENCE AT RIGHT ANGLES NORTHEASTERLY, 45 FEET TO THE POINT OF BEGINNING.

BEING A PORTION OF LOTS 7,8 AND 9 IN BLOCK 87, AS SAID LOTS AND BLOCK ARE SHOWN ON THE MAP OF "HOGAN'S SUBDIVISION MAP OF BLOCK 87, HIGHLAND PARK", FILED JULY 5, 1894, IN BOOK 15 OF MAPS, PAGE 14, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY.

Full deed attached separately.

**Mills Act Application****3. PRESERVATION WORK PROGRAM AND TIME LINE****Property Address:** 1311 E 27th St Oakland, CA 94606

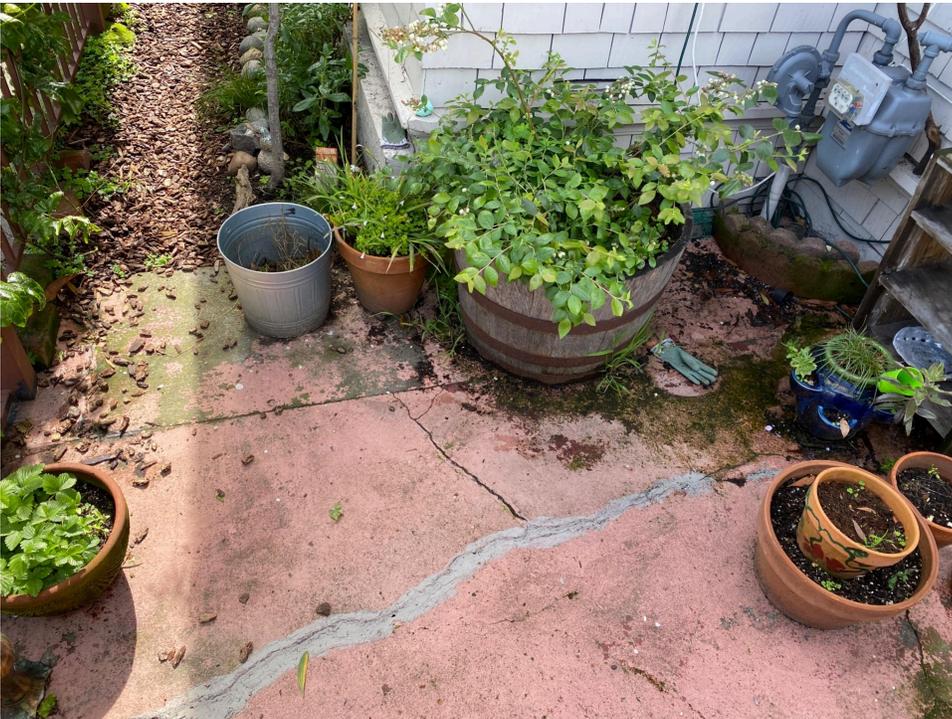
Please list the improvements to take place over the next 10 years. Listed work should be limited to stabilization or maintenance of the historic structure and restoration or repair of exterior character defining features. State anticipated costs of improvements, including but not limited to materials,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

- 1. Year:** 2025 **Cost:** \$10,000 **Improvement:** Foundation earthquake bracing/bolting to secure the house to the existing foundation and keep the property stable in the event of a major earthquake. See attached plans.
- 2. Year:** 2026 **Cost:** \$10,000 **Improvement:** Foundation Replacement - per the recommendations of a structural engineer 2 areas of the foundation need to be replaced. See attached plans as above and image 1.
- 3. Year:** 2027 **Cost:** \$10,000 **Improvement:** Foundation Replacement continued.
- 4. Year:** 2028 **Cost:** \$10,000 **Improvement:** Sump pump installation to remove water/moisture from basement and prevent new foundation damage. Repair cracks to concrete surrounding the house, per recommendation from structural engineer. See image 2 and attached plans.
- 5. Year:** 2029 **Cost:** \$10,000 **Improvement:** Exterior front security screen and door replacement - both are not original to the house and are not within the style of the house. The plan is to replace with a salvaged door, if possible or a new door in a colonial style, if not. Any trim work would also be preserved or historically replaced, if needed. See images 3-8.
- 6. Year:** 2030 **Cost:** \$10,000 **Improvement:** Front porch, column, and trim detail repair and maintenance - seal, sand and refinish the front porch wood floor, seal, sand, and paint exterior historic columns, capitals, and trim details to keep them from further deterioration. See images 9-16.
- 7. Year:** 2031 **Cost:** \$10,000 **Improvement:** Front balcony maintenance and back porch restoration - sand, seal, resand, and paint original front balcony, and repair any areas of rot or damage. Back porch is constructed with pressure treated wood, not in the style of the house and will be restored/rebuilt to be stylistically compatible with the house, taking inspiration from the original porch/balcony on the front of the house. Back porch would remain utilitarian. See images 17-19 and read an important note on the windows.
- 8. Year:** 2032 **Cost:** \$10,000 **Improvement:** Window and rear door trim restoration - sand and paint existing window trim, replace rotted pieces to original style when needed, replace rear door trim to be compatible with original front door trim. Research and possibly start to replace windows. See image 20-22.
- 9. Year:** 2033 **Cost:** \$10,000 **Improvement:** Explore possible existence of board siding under shingles and restore if possible, or replace if needed, or paint existing shingles - sand, clean, seal, and repaint exterior shingles to keep them from becoming damaged from the elements. See images 23-26.
- 10. Year:** 2034 **Cost:** \$10,000 **Improvement:** Paint and windows continued.

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

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**Image 1** shows foundation cracks that are past the point of repair and require replacement. Second area is difficult to photograph due to location and lack of light, but can be seen in the plans from the civil engineer (attached).



**Image 2** shows cracks in the concrete surrounding the house, which has allowed water to seep into the foundation and basement causing further deterioration to the foundation. The plan will be to spray to kill the roots that have been causing damage to the concrete, remove all roots, clean, sand, reseal, and paint the concrete, or replace completely if necessary.

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**Image 3** shows the security screen door that does not match the style of the house. Ideally a more historically appropriate security door can be used, or if not, a historic screen door, salvaged if possible.



**Image 4** shows the steel front door that does not match the style of the house. The plan will be to replace the existing door with a beautiful, salvaged wood door with partial glass similar to other homes of this time period. See examples below. If a door cannot be salvaged then a new, but historically appropriate door will be used instead. Due to the unusual size of the door (39" x 72") a salvaged door may not be possible.

## Mills Act Application



Image 5



Image 6



Image 7



Image 8

**Images 5-8** Four examples of historic front doors in the area. All feature an area of glass, the first one (image 6) with the oval is from the neighborhood and the oval glass is particularly beautiful, all others (images 7-9) feature rectangular or square glass and are from “Classic Box” style houses in Berkeley. All images from Google Maps.

**Mills Act Application**

Image 9



Image 10



Image 11



Image 12

**Images 9-12** show the columns and capitals, all of which will need to be carefully sanded and repainted for them to continue to be preserved. The capitals may also need some repair from a skilled craftsman or to be replaced if needed, especially the one shown in image 9, the far right side of the porch.

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**Images 13 and 14** show the wood front porch that needs to be repaired, sanded and repainted. The concrete steps would also be replaced to match the wood style. Concrete in front of the steps would be sanded, cleaned, and repainted, or replaced with a historically appropriate brick or paver.



**Images 15 and 16** show each corner wooden fluted pilaster in need of sanding, sealing, and repainting.

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**Images 17 and 18** Show the balcony railing needs to be sanded, sealed, and repainted to maintain its integrity. If enough of these are found to be rotted beyond repair, they will need to be replaced. The flooring may also need to be replaced to prevent any leaking through the floor, down to the front porch.



**Image 19** shows rear porch that was rebuilt somewhat recently (date unknown), but in a poor manner in terms of the historic style of the house. Plan will be to modify porch with recommendations from *Rehab Right* (1978) and *Restoring your Historic House* (2019). For example, the flooring would be replaced to be the same as the front porch flooring, the banister and balusters would be inspired by the front balcony (while being tall enough to be safe and to code). Rear first floor siding is vertical and will be replaced later in the work plan to be consistent with the rest of the house, either shingles or horizontal wood siding.

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**Image 20** shows mildew on 2 window trims, many of the sills are in this condition and need to be sanded, sealed, and repainted or replaced if beyond repair . All trim would also be repainted at this time.



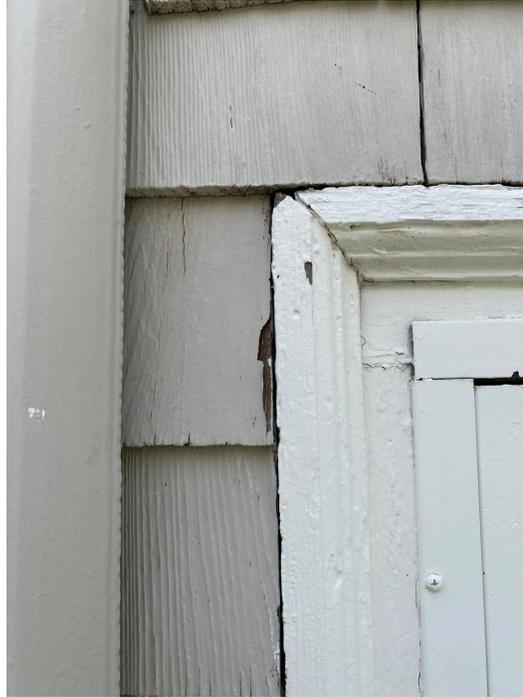
**Image 21** shows the side of the right side of the house where the two rearmost windows need their trims rebuilt to match the other historic trims. All of these window trims need to be sanded, sealed, repainted, and repaired as needed, along with the ones all around the house.

An important note on the windows of the house - they are all vinyl and were replaced in 2021 or earlier, possibly as early as 2012 (the previous owner replaced 15 during her time in the home sometime between 2012 and 2021 and we replaced the remaining 11 in 2021, before we were aware of how to accurately restore a historic home). The front and right side of the house were replaced by the previous owner and we replaced the rear and left side of the house (windows prior were single-pane aluminum or single-pane non-opening wood). Therefore, they are all new or relatively new and in excellent condition, although we note that they are not historically appropriate. Overtime as these need to be replaced every effort will be made to replace them to historically accurate wooden window sashes, but likely this will be outside of the 10 year plan due to their

current age/condition. The first to be replaced would be the windows on the front and right side of the house, which are part of the older set of windows and most visible from the street. Later would be the left side of the house (as seen in this photo) since they are all from 2021. The rear windows are part of the 2021 set and not visible from the street so they would be the last priority to be replaced.

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**Image 22** shows back door with simple trim that will also be replaced to be similar to the trim on the front door, which is simple, but much more attractive than this one. We have considered replacing this door to a salvaged one as well, but likely will not due to security concerns.

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**Images 23-26** show that shingles are still in a good condition with minimal chipping and wear, but in 9-10 years that may longer be the case and we would like to preserve the current shingles to keep them in excellent condition as long as possible. If replacement is needed we would do further research into the original exterior of the house. From the 1954 Residential Building Record (see attached) we know the house was shingled at that time, but we don't know anything before that. As discussed in the Heritage Property Application, the house is a "Classic Box" style and may have originally been covered with horizontal wooden siding as was typical of that style of house, and is often seen on other "Classic Box" homes in the area. The current areas of siding at the back porch would be replaced to be the same as the shingles currently used, or replaced to the updated to match the former siding if that becomes the plan.

## Mills Act Application

### 4. SELECTION CRITERIA

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

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

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

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

- Geographic distribution: The property's location contributes to the goal of Mills Act contracts in neighborhoods throughout the City.
- Contracts will be especially encouraged for properties in the (former) West Oakland and Central City East Redevelopment Areas because implementation of the Mills Act was a mitigation measure in the West Oakland and Central City East Redevelopment Plans.
- Building type and nature of significance: The property contributes to the goal of a variety of Mills Act building types (e.g., residential, commercial, industrial; rarity, age, style, use, scale, cultural role, etc.).

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

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

## Mills Act Application

### 5. SUBMITTAL REQUIREMENTS

- Mills Act Application Form: This application form completed and signed.
- Copy of Grant Deed, including assessor's parcel map, legal description, and form of title.
- For corporate owners (LLC, condo, etc.): document exact entity name and signatory/ies.
- Photographs
  - Photographs must be in color, labeled, and laid out for 8-1/2" x 11" pages.
  - Illustrate the overall exterior condition and character of the property.
  - Show the structure from across the street and from front, side, and rear.
  - Include detailed close-up views of each feature listed in the work program.
  - Label each photo (e.g., Work Program Item #1, #2, etc.).
- Oakland Landmark, Heritage Property or S-7/S-20 Preservation District Application
  - Required for properties that are not already designated by Landmarks Board.
- Additional pages to describe and illustrate the work program, as necessary.
- Copy of last property tax bill.
- Mills Act Calculator estimate, showing anticipated tax saving.
- Filing Fee - **\$650.63**, due at the time of application submittal.

Please read and review the information packet previously emailed to you (partially online at <https://www.oaklandca.gov/topics/mills-act>):

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

**NOTICE: Each property owner is advised to consult legal counsel and/or a financial advisor concerning the advisability of entering into a Mills Act agreement, prior to 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 and does not substitute for or replace applicant's own legal counsel or financial advisor.**

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

Owner's Signature



Otilia Murray



Desmond Murray

Date 4/25/2024

**APPLICATIONS ARE ACCEPTED ONLINE OR AT THE ZONING COUNTER**

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

<https://www.oaklandca.gov/services/online-permit-center>