



Office of the City Manager

INFORMATION CALENDAR

January 25, 2022

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Jordan Klein, Director, Planning and Development Department

Subject: LPO NOD: 1325 Arch Street/#LMIN2020-0008

INTRODUCTION

The attached Notice of Decision for a City Landmark is submitted to the Mayor and City Council pursuant to Berkeley Municipal Code (BMC) Section 3.24.160, which states that “a copy of the Notice of Decision shall be filed with the City Clerk and the City Clerk shall present said copy to the City Council at its next regular meeting.”

CURRENT SITUATION AND ITS EFFECTS

The Landmark Preservation Commission (LPC/Commission) has granted City Landmark status to the property at 1325 Arch Street. This action is subject to a 15-day appeal period, which began on January 10, 2022.

BACKGROUND

BMC/LPO Section 3.24.190 allows City Council to review any action of the Landmarks Preservation Commission in granting or denying Landmark, Structure of Merit or Historic District status. In order for Council to review the decision on its merits, Council must appeal the Notice of Decision. To do so, a Councilmember must move this Information Item to Action and then move to set the matter for hearing on its own. Such action must be taken within 15 days of the mailing of the Notice of Decision, or by September 22, 2020. Such certification to Council shall stay all proceedings in the same manner as the filing of an appeal.

If the Council chooses to appeal the action of the Commission, then a public hearing will be set. The Council must rule on the application within 30 days of closing the hearing, otherwise the decision of the Commission is automatically deemed affirmed.

Unless the Council wishes to review the determination of the Commission and make its own decision, the attached NOD is deemed received and filed.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Landmark designation provides opportunities for the adaptive re-use and rehabilitation of historic resources within the City. The rehabilitation of these resources, rather than their removal, achieves construction and demolition waste diversion, and promotes investment in existing urban centers.

POSSIBLE FUTURE ACTION

The Council may choose to appeal the decision, in which case it would conduct a public hearing at a future date.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

There are no known fiscal impacts associated with this action.

CONTACT PERSON

Jordan Klein, Director, Planning & Development Department, 510-981-7534
Steven Buckley, Land Use Planning Manager, Planning & Development Department, 510-981-7411
Fatema Crane, Landmarks Preservation Commission Secretary, Planning & Development Department, 510-981-7410

Attachments:

1: Notice of Decision – #LMIN2020-0008 at 1325 Arch Street



L A N D M A R K S
P R E S E R V A T I O N
C O M M I S S I O N
NOTICE OF DECISION

DATE OF BOARD DECISION: August 5, 2021
DATE NOTICE MAILED: January 10, 2022
APPEAL PERIOD EXPIRATION: January 25, 2022
EFFECTIVE DATE OF PERMIT (Barring Appeal or Certification): January 26, 2022¹

1325 Arch Street
The Schneider/Kroeber House

Landmark application (#LMSAP2021-0008) for consideration of City Landmark or Structure of Merit designation status for a single-family residence – APN 060-2465-027-00.

The Landmarks Preservation Commission of the City of Berkeley, after conducting a public hearing, **APPROVED** the following permit:

PERMITS REQUIRED:

- City Landmark designation status, pursuant to Berkeley Municipal Code Section 3.24.110.A

INITIATED BY: Landmarks Preservation Commission

ZONING DISTRICT: Single-Family Residential/Hillside Overlay (R-1/H)

ENVIRONMENTAL REVIEW STATUS: Categorically exempt pursuant to Section 15331 of the CEQA Guidelines for Historical Resource Rehabilitation.

The application materials for this project are available online at:

¹ Pursuant to BMC Section 23B.32.090, the City Council may “certify” any decision of the LPC for review, which has the same effect as an appeal. In most cases, the Council must certify the LPC decision during the 14-day appeal period. However, pursuant to BMC Section 1.04.070, if any portion of the appeal period falls within a Council recess, the deadline for Council certification is suspended until the first Council meeting after the recess, plus the number of days of the appeal period that occurred during the recess, minus one day. If there is no appeal or certification, the Use Permit becomes effective the day after the certification deadline has passed.

LANDMARKS PRESERVATION COMMISSION
NOTICE OF DECISION
City Landmark designation status - #LMIN2021-0008
1325 Arch Street – The Schneider/Kroeber House
January 25, 2022
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<http://www.cityofberkeley.info/zoningapplications>

FINDINGS, CONDITIONS AND APPROVED PLANS ARE ATTACHED TO THIS NOTICE

COMMISSION VOTE: 6-0-0-3

YES: ADAMS, ENCHILL, FINACOM, JOHNSON, LEUSCHNER, MONTGOMERY

NO: None

ABSTAIN: None

ABSENT: CRANDALL, SCHWARTZ, TWU

TO APPEAL THIS DECISION (see Section 3.24.300 of the Berkeley Municipal Code):

To appeal a decision of the Landmarks Preservation Commission to the City Council you must:

1. Submit a letter clearly and concisely setting forth the grounds for the appeal to the City Clerk, located at 2180 Milvia Street, 1st Floor, Berkeley; or by facsimile to (510) 981-6901. The City Clerk's telephone number is (510) 981-6900.
 - a. Pursuant to BMC Section 3.24.300.A, an appeal may be taken to the City Council by the application of the owners of the property or their authorized agents, or by the application of at least fifty residents of the City aggrieved or affected by any determination of the Commission made under the provisions of Chapter 3.24.
2. The appeal must be received prior to 5:00 p.m. on the "APPEAL PERIOD EXPIRATION" date shown above (if the close of the appeal period falls on a weekend or holiday, then the appeal period expires the following business day).
3. Submit the required fee (checks and money orders must be payable to 'City of Berkeley'):
 - a. The basic fee for persons other than the applicant is \$500. This fee may be reduced to \$100 if the appeal is signed by persons who lease or own at least 50 percent of the parcels or dwelling units within 300 feet of the project site, or at least 25 such persons (not including dependent children), whichever is less.
 - b. The fee for appeals of affordable housing projects (defined as projects which provide 50 percent or more affordable units for households earning 80% or less of Area Median Income) is \$500, which may not be reduced.
 - c. The fee for all appeals by Applicants is \$2500.

If no appeal is received, the landmark designation will be final on the first business day

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following expiration of the appeal period.

NOTICE CONCERNING YOUR LEGAL RIGHTS:

If you object to this decision, the following requirements and restrictions apply:

1. If you challenge this decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Landmarks Preservation Commission at, or prior to, the public hearing.
2. You must appeal to the City Council within fifteen (15) days after the Notice of Decision of the action of the Landmarks Preservation Commission is mailed. It is your obligation to notify the Land Use Planning Division in writing of your desire to receive a Notice of Decision when it is completed.
3. Pursuant to Code of Civil Procedure Section 1094.6(b) and Government Code Section 65009(c)(1), no lawsuit challenging a City Council decision, as defined by Code of Civil Procedure Section 1094.6(e), regarding a use permit, variance or other permit may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that ninety (90) day period will be barred.
4. Pursuant to Government Code Section 66020(d)(1), notice is hereby given to the applicant that the 90-day protest period for any fees, dedications, reservations, or other exactions included in any permit approval begins upon final action by the City, and that any challenge must be filed within this 90-day period.
5. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a “taking” of property for public use without just compensation under the California or United States Constitutions, your appeal of this decision must including the following information:
 - A. That this belief is a basis of your appeal.
 - B. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
 - C. All evidence and argument in support of your belief that the decision or condition constitutes a “taking” as set forth above.

If you do not do so, you will waive any legal right to claim that your property has been taken, both before the City Council and in court.

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PUBLIC COMMENT:

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

FURTHER INFORMATION:

Questions about the project should be directed to the project planner, Fatema Crane, at (510) 981-7410 or fcrane@cityofberkeley.info or lpc@cityofberkeley.info

ATTACHMENTS:

1. Findings and Conditions
2. Landmark application



ATTEST: _____
Fatema Crane, Secretary
Landmarks Preservation Commission

Cc: City Clerk
Property Owner: Golden Bear, LLC, 1325 Arch Street, Berkeley

FINDINGS

AUGUST 5, 2021

1325 Arch Street – The Schneider/Kroeber House

City of Berkeley Landmark Application #LMIN2020-0008

PROJECT DESCRIPTION

Landmark Designation of the property at 1325 Arch Street [APN 060-2465-027-00] – The Schneider/Kroeber House

CEQA FINDINGS

1. The project is found to be exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq.) pursuant to Section 15061.b.3 of the CEQA Guidelines (activities that can be seen with certainty to have no significant effect on the environment).

LANDMARK PRESERVATION ORDINANCE FINDINGS

2. Pursuant to Berkeley Municipal Code (BMC) Section 3.24.110.A.1.b of the Landmarks Preservation Ordinance, and based on the evidence presented in the Landmark application, the Landmarks Preservation Commission of the City of Berkeley (Commission) finds that the subject property warrants designation as a City Landmark because it is an outstanding example of the First Bay Tradition architectural style and the Chalet sub-style of master architect Bernard Maybeck. The extant building was constructed in 1907 and retains its original character defining features, which reflect this style, such as: undisguised natural materials and wood siding; vertical building forms; steeply pitched, cross-gable roof and extensive eaves; wood doors, windows and trim; exposed framing elements, rafters, brackets and beams; combination of traditional craftsmanship and historic motifs; deck and porches that integrate the building interior with the natural surroundings; The property retains historical integrity, evident in its design, materials and workmanship. For these reasons, the building meets the *architectural merit* criterion and warrants designation.
3. Pursuant to BMC Section 3.24.110.A.2, the Commission further finds that the subject property warrants City Landmark designation for its association with the *movement and evolution of culture* as represented by the efforts of the Hillside Club to encourage the creation of buildings in Berkeley, like those of the First Bay Tradition, that employ natural materials and integrate with the environment and hillside terrain. The group was active during the property's historic period and their influence can be seen in the design of the subject building.
4. Consistent with BMC Section 3.24.110.A.4 criteria for *historic value*, the subject property is found to embody and express the history of Berkeley, the region, State, and Nation, through its association with the anthropologist Alfred Kroeber and his wife Theodora (née

Kracaw) Kroeber, and daughter, Ursula K. Le Guin. The Kroebers resided and worked at 1325 Arch Street from 1927 to 1979; this work had far-reaching impacts within the field of anthropology as well as controversial outcomes for indigenous people. Prominent and trail-blazing author Ursula Le Guin grew up there, in her own words, “from birth to maturity,” and identified her experiences living in the house as seminal to her way of thinking and her approach to writing.

FEATURES TO BE PRESERVED, OR RESTORED WHERE POSSIBLE

PART 1: This designation shall apply to the subject property and the following distinguishing features shall be preserved:

General Building Composition

- Swiss Chalet, Arts and Crafts architectural style
- Three-story height at front (west), two-story at rear (east)
- Overall massing and building forms
- Use of exclusively unpainted wood exterior materials
- Extensive, wide eaves
- Location, size and style of all doors and windows
- Location, dimensions and size of all decks and porches

Roof

- Cross-gable roof of 1907 building
- Gable roof of 1933 addition
- Dark-colored shingle roof

Finishes and Details Throughout

- Unpainted wood exterior: all board cladding, exposed beams, trim, decks, porches, stairs, doors, windows and sashes
- Wood siding patterns, including grooved/beveled board and board-and-batten, with corner boards and columns, and specified horizontal or vertical orientation throughout
- All-wood windows, including trim, sills and sashes; various fixed, awning and casement styles
- Decorative metal end caps on beams and brackets

West Elevation

- Three-story massing
- Gable wall
- Exposed rafters/beams
- Brackets and metal end caps
- Vertical corner boards and columns

- Overall arrangement and location of doors, windows and decks
- Third story: vertical board siding; three vertically-oriented windows and a door with a single lite, served by a right-aligned deck with a wood railing featuring a decorative cut-out pattern.
- Second story: Horizontal wood board siding, one horizontally-oriented casement window, and a double-door with four lites per door (two squares above two rectangles) and vertically-oriented window, all served by a right-aligned wrapping deck (extending to the south elevation) featuring a wood railing with a decorative cut-out pattern.
- First story: Horizontal wood board siding.
- *1933 rear building addition (beyond front façade):* vertical board siding throughout; a door with four lites, arranged horizontally, on the lower level; and a window with four lites, arranged in quadrants on the upper level.

East (Rear) Elevation

- Two-story height
- Overall arrangement and location of doors, windows and decks
- Beams with brackets and metal end caps (supporting decks and trellis, described below)
- Vertical corner boards and columns
- Second story: vertical board siding; a large three-part window; one small, nearly-square window with a high sill; deck with wood railing featuring decorative cut-out patterns.
- First Story: entry alcove featuring vertical siding and a Dutch-style main entry door with single pane of clear glass in upper portion; horizontal board siding, double-door with four lites per door (two squares above two rectangles), and a wood trellis (beneath the second story deck above).
- *1933 rear building addition:* gable wall; vertical board siding; right-aligned porch deck with wood cut-out railing and wood stairs¹, a door with four lites (two square lites above two rectangular lites) and general arrangement and placement of windows. Note that current windows are not original to 1933.

South (Side) Elevation

- Gable wall
- Exposed rafters/beams
- Brackets and metal end caps
- Vertical corner boards and columns
- Overall arrangement and location of doors, windows and decks
- Third story: vertical siding throughout; two (small) single-pane windows; an enclosed sleeping porch featuring the original deck with wood railings with decorative cut out patterns combining classical baluster and apple motifs.
- Second story: horizontal siding with vertical siding at the entry enclosure wall and at the rear wing; two doors with four lites (two squares above two rectangles), served by a left-aligned wrapping wood deck (wrapping onto the west elevation) with wood cut-

¹ In 2021, the stairs had no railing but such a condition would be not required in order for the subject building to retain its historical significance.

out railing; one (small) single-light window with a scroll sawn wood cut decorative trim within entry wall enclosure; two-lite casement window at rear wing; entry porch low-wall (former flower box).

- First story (far west portion of building only): vertical board siding.
- *1933 rear building addition*: vertical board siding on the upper story, a window containing two casement windows on either end of a fixed, central pane, and one high-sill, two-light window on the upper story; horizontal board siding on lower story, one (small) two-light casement window (serving the kitchen), two two-lite casement windows, and one wood door with four lites (two squares above two rectangles) on the lower level.

North (Side) Elevation

- Two-story height at east increasing to three stories at west
- Gable wall
- Overall arrangement and location of doors, windows and decks
- Brackets and metal end caps
- Horizontal wood siding on lower stories, vertical on upper (third) story
- Vertical corner boards and columns
- Cement-clad chimney with terra cotta roof-tile accents
- Third story (uppermost): vertical siding; two single-lite wooden windows
- Second story: horizontal siding; one three-part awning-style wood window and one two-lite casement window
- First story (far west portion of building only): horizontal siding; one single-pane (awning?) window.
- Bay enclosure: vertical siding throughout; one wood door with glazed window, a Juliet balcony with wood railings featuring decorative cut out pattern combining classical baluster and apple motifs; two wood vents at lower story.
- *1933 rear building addition*: vertical board siding throughout; one stained glass window and one single-pane window at lower level.

Detached garage

- General location and small-scale, single-story structure

Features of the Site

- Rhyolite stone retaining walls at property line low rustic stone walls flanking steps/pathway ascending to front door

PART 2: Where possible, the following distinguishing features shall be restored:

- Clear window glazing
- Decorative metal end caps on beams and brackets
- Exterior lighting fixtures consistent with the overall architectural character and historic period of the house.

Land Use Planning
Received
July 28, 2021

July 26, 2021

To: Landmarks Preservation Commission
Fr: Steven Finacom
Re: SUPPLEMENT TO THE LANDMARK APPLICATION FOR 1325 ARCH STREET

The items below list some small corrections as well as some factual additions of newly discovered material for the Landmark Application for 1925 Arch Street. None of the corrections or additions have any significant impact on the conclusions of the Application, except for the discovery of a record that lists Mary Schneider as owning the house in 1921, which clarifies and extends her documented period of ownership.

Page 8, Question #6: The property is on the State Historic Resources Inventory. The survey form was prepared by Gray Brechin.

Page 33, last paragraph: The two houses to the north were designed by Theodore Mueller, not Theodore Osmundson. (These houses were built and owned by the Kroebers.)

Page 35/36: Additional material on the neighbor to the south, Laura Adams Armer (1874-1963), who offered to sell the Kroebers her garden studio. Armer was a pioneering photographer and author of six books. She established a photography studio in San Francisco in the 19th century. She later married Sidney Armer, a prominent and financially successful commercial illustrator in California. Shortly after the turn of the century they moved to Berkeley and she relocated her photography darkroom to their Berkeley home, where it would remain. She became known for her photography of the Navajo people in the Southwest and, with their permission, made a pioneering movie—*“The Mountain Chant”*—about Navajo ritual and ceremony. Her book Waterless Mountain won the Newberry Medal for the best children’s book of the year in 1932.

Page 48: The watercolor of the house that was kept by Ursula Le Guin through her adult life is **Copyright Ursula K Le Guin Literary Trust, used with permission.** The artist is unknown.

Pages 54/55: Add to the application the fact that Mary Schneider was still listed as the owner of 1925 Arch in 1921. Source is a 1921 Block Book at BAHA.

As a result, **add to summary page 56** another bullet point: *“The house was still owned by Mary Schneider in 1921, which would make it likely the other residents before that date rented from the Schneiders.”*

Same for summary at top of **page 57**, add note that Mary Schneider was still the owner until 1921 at least.

Page 52 - 4th paragraph from the bottom. 2622 Dwight Way was near the corner of Benvenue and Dwight, not Regent and Dwight.

Page 52 - The Braemar Hotel was in Daley's Scenic Park, north of the UC Berkeley campus and within walking distance of 1325 Arch.

Page 53 - 2nd paragraph from bottom. 2626 Benvenue where Albert Schneider lived in 1917, was owned by a Mrs. Thomson in 1915. According to Anthony Bruce (Berkeley Architectural Heritage Association) she probably rented rooms in the house to individual borders.

Page 111 - add third picture of Albert Schneider. This additional photograph of Albert Schneider has come to light. It shows Professor Schneider in 1905, within two years of when he and his wife would commission the design of 1325 Arch and have the house built.

It is from a set of photographs of the Dental Department of the University of California in 1905, contained in the UC San Francisco University Archives, School of Dentistry 130th Anniversary Collection.

