



Office of the City Manager

CONSENT CALENDAR
May 11, 2021

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: Mills Act Contract – 1581 Le Roy Avenue

RECOMMENDATION

Adopt a Resolution to authorize the City Manager to enter into a Mills Act contract with Samuli Seppälä for the City Landmark property at 1581 Le Roy Avenue.

FISCAL IMPACTS OF RECOMMENDATION

Approving the Mills Act contract for the City Landmark property at 1581 Le Roy Avenue would reduce the property tax bills for the owners by an estimated total of approximately \$30,000 in year one, approximately 30% (\$9,000) of which would be diverted from Berkeley's tax revenue (final amounts are determined by Alameda County after contract execution). This will be an annual impact to the City's tax revenue, as the contract runs for ten years (in comparable annual amounts) and automatically renews annually thereafter unless notice of nonrenewal is given. In turn, the work plan commits the owners to spending the anticipated tax savings on restoring the landmarked property. The Mills Act also specifies procedures for cancellation of the contract for a breach of conditions.

Council approval will allow property tax reduction for this property to begin in the 2022-2023 fiscal year.

CURRENT SITUATION AND ITS EFFECTS

On June 21, 1982, the property at 1581 Le Roy Avenue was designated as a City of Berkeley Landmark, making the property owner eligible to take advantage of the Mills Act. The designation included analysis of historic distinguishing features and excerpts of the National Register nomination document (see Attachment 2).

On December 3, 2020, the Landmarks Preservation Commission (LPC) reviewed the proposal by the present owner, Samuli Seppala, to enter into a Mills Act contract for 1581 Le Roy Avenue, including a proposed scope of work and maintenance schedule, and voted 8-0-0-1 (Yes: Abranches Da Silva, Adams, Adams, Crandall, Enchill, Finacom, Johnson, Montgomery; No: none; Abstain: none; Absent: Schwartz) to recommend approval of the Mills Act Contract application to City Council.

BACKGROUND

The Mills Act allows owners of historic properties to voluntarily enter into individual contracts with the City in order to obtain limited ad valorem tax relief at the discretion of host jurisdictions in exchange for maintaining and restoring their historic property. The property tax savings are offered to create an incentive for owners to maintain their historic properties, to designate historic properties that are currently not protected, and to purchase and upgrade already dilapidated historic properties.

In Berkeley, owners of those properties designated by the LPC as either a Landmark or a Structure of Merit may apply for a Mills Act contract. The Alameda County Assessor uses a formula, consistent with the provisions of the Mills Act, to determine the amount of property tax reduction, which applies a capitalization rate to the calculated net operating income for the property under the Mills Act contract. The Mills Act application includes a ten-year work plan to restore and maintain the subject property. The total investment in the work plan is intended to equal or exceed the total amount of the property tax relief over the contract period.

On February 24, 1998, the Berkeley City Council passed Resolution No. 59,355-N.S. which authorizes the local use of the Mills Act of 1972, as amended, which is codified in California Government Code Section 50280-90 and Revenue and Taxation Code Section 439.

In 2011, State law was amended to include more specific requirements regarding inspection, fees, and cancellation. The amendments clarified that the local legislative body may require fees for providing services pursuant to the Mills Act; shall inspect the property prior to a new agreement and then every five years thereafter; and shall cancel the contract if it determines that the owner has breached the conditions of the contract. As a result of these amendments, Land Use Planning fees for the approval and monitoring of these contracts were added in July 2012, and an ongoing inspection program is in place.

RATIONALE FOR RECOMMENDATION

In order to qualify for Mills Act consideration, 1) the property must qualify as historic; 2) the contract must adequately meet the requirements for Mills Act contracts; and 3) the type of improvements outlined in the work plan must meet the City standards, which require that tax savings be used according to the rules and regulations outlined in the Act.

The property located at 1581 Le Roy Avenue is eligible for the Mills Act contract because it is designated as a City of Berkeley Landmark. The contract format has been reviewed by the City Attorney's Office for conformance to all relevant City and State regulations. Finally, the contract includes a comprehensive work plan that the property owners have agreed to complete within the first ten-year contract period (see

Attachment 3) and that provide for the property “use, maintenance and restoration as to retain its characteristics as property of historical significance.” The LPC has concluded that the proposed work plan meets the standards adopted by the City Council, and the costs of the proposed improvements are anticipated to equal or exceed the tax savings afforded the owners.

ENVIRONMENTAL SUSTAINABILITY

Approval of the contract would encourage historic resource rehabilitation, materials conservation, and construction and demolition waste diversion.

ALTERNATIVE ACTIONS CONSIDERED

The Council could deny the application if it found that it did not satisfy the requirements of the Act.

CONTACT PERSON

Jordan Klein, Director, Planning and Development Department, 510-981-7534
Fatema Crane, Senior Planner/LPC Secretary, 510-981-7413
Alison Lenci, Assistant Planner/LPC Clerk, 510-981-7544

Attachments:

1. Draft City Council Resolution
2. LPC NOD, Landmark Designation, June 21, 1982
3. Rehabilitation and Maintenance Plan, received November 2020
4. LPC December 3, 2020 Staff Report

RESOLUTION NO. ##,###-N.S.

AUTHORIZING THE CITY MANAGER TO EXECUTE A MILLS ACT CONTRACT AND ANY NECESSARY AMENDMENTS WITH SAMULI SEPPÄLÄ, FOR THE MAINTENANCE AND RESTORATION OF A HISTORIC PROPERTY LOCATED AT 1581 LE ROY AVENUE, IN RETURN FOR THE OWNER TO OBTAIN A PROPERTY TAX REDUCTION

WHEREAS, on February 24, 1998, the Berkeley City Council adopted Resolution No. 59,355-N.S. which authorized the use of Mills Act contracts; and

WHEREAS, on June 21, 1982, 1581 Le Roy Avenue was designated as a City of Berkeley Landmark and became eligible to take advantage of the Mills Act; and

WHEREAS, on December 3, 2020, the Landmarks Preservation Commission reviewed the proposed projects listed in the Mills Act Contract Application for 1581 Le Roy Avenue, and recommended that the City Council enter into a Mills Act contract with the property owner; and

WHEREAS, the City of Berkeley Mills Act program requires each contract to be approved by the City Council and signed by the City Manager; and

WHEREAS, the City Council, in light of all evidence, finds that the contract is consistent with the purposes of the Mills Act program.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Berkeley that the City Manager is authorized and directed to execute a Mills Act Contract and any necessary amendments with Samuli Seppälä for the maintenance and restoration of the historic property located at 1581 Le Roy Avenue and in return offer a property tax reduction for a period of at least ten years, with a recorded copy of such contract and amendments to be on file in the Office of the City Clerk and Alameda County Clerk-Recorder.

CITY OF BERKELEY
DEPARTMENT OF HOUSING AND DEVELOPMENT

(APPLICATION REQUESTING DESIGNATION FOR LANDMARK STATUS)

ES: Ordinance 4694-N.S. Individual Landmark \$50.00 Historical Dist. \$100.00

1. Name of Property Hillside School Survey Code No. _____
2. Building Site _____ Open Space _____
3. County Alameda 4. City Berkeley 94708
5. Street 1581 LeRoy Avenue
6. Vicinity (if rural) _____
7. Present Occupant Hillside Primary School; Lawrence Lab childcare program
8. Present Owner Berkeley Unified School District, 2134 Grove St. 94704
9. Original Owner (if known) same
10. Date of Construction 1925 11. Style Tudor revival
12. Architect/Builder Walter Ratcliff Jr. 13. Original Use school
14. Historic Value: national ___ state ___ county ___ city neighborhood
none ___
15. Architectural Value: national ___ state ___ county ___ city neighborhood
none ___
16. Notable Garden or Landscaping: yes no ___
17. Photographs: contemporary _____ historical _____
dates Feb.-March 1982 | dates April 1933, aerial/c. 1940
photographer Betty Marvin | photographer _____
repository BAHA, Friends of Hillside repository BUSD, copy neg. BAHA
S. Stern, "Hillside...in an English Mode," Berk. Gazette, Ap. 16, 1980.
"New Hillside Sc. Opens" Jesse Sears & commission, Berk. Schs. Properties Survey, Aug. 1926.
18. Bibliography: Published Sources Fraudenheim Bldg. With Nature: Arch. & Eng'g, May 1916
Berk. Gazette: 4/3 & 5/6/25 Public Records Blueprints & Field Act surveys, BUSD building dept.
(bldg. tax); Aug. 9, 26, Sep Interviews Marian Altman (principal), Barbara Smith (sec'y & alumna),
15, 17, 1926 (opening); Lorraine Haines (alum, parent, grandparent); D. Gerrity & M. Daggett oral H
10/20/34 (Field Act); Nicholas Hanson, "W.H. Ratcliff," BAHA pamphlet, 1980. PTA file at Hills:
2/20, 8/5, 11/13/63 (addr.)
19. Block Number 2245 20. Lot No. 9 21. Lot Size: Frontage approx. 275'
Depth approx. 200' (school) plus
200' (playground)
22. Current Zoning Status R1H 23. Adjacent Property Zoning Status R1H
24. Present Use: residential (single family multiple) office _____
store _____ public other _____ specify school
25. Adjacent Property Use (check all that apply): residential (single
family multiple) office _____ store _____ public _____
other _____ specify _____

Period	Areas of Significance—Check and justify below					
<input type="checkbox"/> prehistoric	<input type="checkbox"/> archeology-prehistoric	<input type="checkbox"/> community planning	<input type="checkbox"/> landscape architecture	<input type="checkbox"/> religion		
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> archeology-historic	<input type="checkbox"/> conservation	<input type="checkbox"/> law	<input type="checkbox"/> science		
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> agriculture	<input type="checkbox"/> economics	<input type="checkbox"/> literature	<input type="checkbox"/> sculpture		
<input checked="" type="checkbox"/> 1600-1699	<input checked="" type="checkbox"/> architecture	<input checked="" type="checkbox"/> education	<input type="checkbox"/> military	<input type="checkbox"/> social/humanitarian		
<input type="checkbox"/> 1700-1799	<input type="checkbox"/> art	<input type="checkbox"/> engineering	<input type="checkbox"/> music	<input type="checkbox"/> theater		
<input type="checkbox"/> 1800-1899	<input type="checkbox"/> commerce	<input type="checkbox"/> exploration/settlement	<input type="checkbox"/> philosophy	<input type="checkbox"/> transportation		
<input checked="" type="checkbox"/> 1900-	<input type="checkbox"/> communications	<input type="checkbox"/> industry	<input type="checkbox"/> politics/government	<input type="checkbox"/> other (specify)		
		<input type="checkbox"/> invention				

Specific dates 1925--

Builder/Architect Walter H. Ratcliff Jr.

Statement of Significance (in one paragraph)

Hillside School is the oldest of the Berkeley Public Schools still operating as a school in virtually its original state. Its distinguished craftsmanship & design, natural light and air, and careful relationship to its hillside site exemplify the progressive school architecture of the 1920s. It replaced the 1899 Hillside School founded by the Maybeck circle and inherited its teachers and traditions, after the original building burned in the 1923 fire that devastated north Berkeley. Hillside's neo-Tudor design by prominent Berkeley architect Walter Ratcliff is characteristic of the period revival styles used in all branches of architecture in that decade, and used extensively in the rebuilding of north Berkeley. The school is one of the major commissions of Ratcliff's later career, and the only one of his Berkeley public schools still in use. As the neighborhood school of the Maybeck coterie and their successors, and of many University families, Hillside has a tradition of vigorous public interest and loyalty, and owes its existence and survival to Berkeley's trademark civic activism.

Hillside School takes its name from the Hillside Club, the turn-of-the-century Berkeley group around the Maybecks and Keelers that promoted Arts and Crafts ideals and established the Bay Region tradition of architecture in harmony with nature. According to tradition (Freudenheim, Building With Nature, p.57), when the city proposed a school for the neighborhood, the women of the club "appointed a committee to go to the Trustees and ask to be allowed to plan a school suited to little children and the hillside." After the fire took that rustic, Maybeck-like school, rebuilding was made possible by a special election authorizing a one year, \$150,000 tax, in May 1925 (Berkeley Gazette, 4/3 & 5/1-6/1925).

In its use of light and wood and the hillside site, the rebuilt school expressed an updated version of the Hillside Club ideals, as well as the more general movement in school architecture to provide beautiful and healthful and homelike surroundings. Hillside's opening coincided with the publication of the Berkeley School Properties Survey by Jesse Sears of the Stanford education department and a commission of Berkeley citizens (Aug. 1926), and the new school was the embodiment of its most up to date recommendations: auditorium doubling as a community meeting place, large playgrounds, "kindergarten and first grade unit separated from the rest of the school and a separate play yard and sanitary equipment provided for the smaller children," special rooms for domestic science and shop and art, teachers' clubroom, "preparation and serving of lunch at noon," "research and guidance" (the glassed-in conference rooms in Rooms 15 & 17 were for observation), "new type of administrative offices" and nurse's room (Sears, p.50; Berk. Gazette, 9/17/26; Berk. Courier, 8/7/26). Grades were kindergarten through 6th, reflecting Berkeley's early adoption of the junior high school.

Architect of the new Hillside School was Walter Ratcliff Jr. (1881-1973), who as Berkeley city architect had presided over the building of a group of schools in 1914-16 that rated 26 pages in the May 1916 Architect & Engineer. He was also an early planning commissioner and advocate of zoning, a civic leader and businessman, and by the mid-20s one of Berkeley's most distinguished and prolific architects, founder of what is today the oldest architectural firm in the East Bay.

(SEE CONTINUATION SHEET)

FHR-8-300A
(11/78)UNITED STATES DEPARTMENT OF THE INTERIOR
HERITAGE CONSERVATION AND RECREATION SERVICENATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM

FOR HCRS USE ONLY

RECEIVED

DATE ENTERED

Hillside School, 1581 LeRoy
CONTINUATION SHEET Berkeley CA 94708 ITEM NUMBER 7,8,9 PAGE 1

7 — South of the kindergarten wing there is a temporary bungalow in what was the kindergarten playground. Main playground is in the loop of Buena Vista Avenue west of the school; there is a small landscaped area just in front of the school with lawn and flagpole and large evergreen trees. Other sides of the school face up-sloping hillsides: small patio north of auditorium, mountain and native plant garden east of central wing, and a pathway up to La Loma Avenue to the east.

Examination of 1933 photographs shows that cast stone shields and rosettes over the exterior doors and stone chimneys and finials were lost to Field Act work in the 1930s. However, the original slate roof remains (and was recently repaired), the original wood sash and trim remain (in need of paint), and many of the interior and exterior light fixtures are still in place and functioning. Original doors, wainscoting, and other millwork bear the signs of 50 years wear and tear but are in remarkably good condition. Exterior stucco, original brick steps, & concrete paving are in excellent condition.

8 — Besides Hillside, Ratcliff's civic & educational commissions/included Mills College (1923), Pacific School of Religion, additions to Anna Head School, & the Berkeley Day Nursery (these last 2 are on the Nat'l Register). By the early 30s the effects of the Depression and Ratcliff's increasing absorption in his Fidelity Mortgage business caused him to virtually retire from the practice of architecture, making Hillside School one of his late Berkeley works.

In 1934-8 Hillside received extensive reinforcing and rebuilding to comply with the Field Act: some external ornament was removed but in general the building's appearance was faithfully preserved. There was a large budget item for millwork, which included reconstructing the beamed and paneled auditorium ceiling around the new bracing--something that would no longer be financially feasible. Building codes, budgets, and changing fashions in education mean that there are very few schools like Hillside left. Its intact woodwork, windows, slate roof, and original light fixtures are rare anywhere, and unique in the Berkeley schools.

Like all the public schools, Hillside has been through changes in educational theory and enrollment. Originally K-6, it is now K-3; enrollment was 229 when it opened in 1926, about 450 when the addition was made in 1963, 195 in 1982. Traditions continue: the active PTA, founded in 1902 as the Mothers' Club and distinguished by many University and artistic names, claims to be "one of the oldest in Northern California"; neighborhood pageants and dance festivals in the Hillside Club tradition continued into the 1960s; and in recent years parents and staff and neighbors have responded to recurring proposals to close the school with something very much like the crusading spirit of the Hillside Club mothers demanding a school "suited to the little children and the hillside."

9 — B.J.S. Cahill & W. Ratcliff, "City of Berk.'s New Public School Bldgs", Arch. & Eng. May 1926. Leslie Freudenheim, Building With Nature: Roots of the S.F. Bay Region Tradition, 1974. Berkeley Courier, Aug. 7, 1926, "New Hillside School Opens"; Berkeley Gazette, 4/3 & 5/6/1925 (building tax), Aug. 9, 26, Sep. 15, 17, 1926 (opening & dedic.), 10/20/34 (Field Act), 2/20, Aug. 5, Nov. 13, 1963 (addition), Ap. 16, 1980 (Archit. Heritage), 2/9/81 (closing threatened). Interviews: Marian Altman (principal), Barbara Smith (school secretary & alumna), Lorraine Haines (early alumna's parent); oral hist. Dorothy Gerrity, Marian Daggott (Club & fire). Nicholas Hanson, "Walter H. Ratcliff Jr.", Berk. Arch. Heritage pamphlet, 1980.

Condition		Check one	Check one
<input checked="" type="checkbox"/> excellent	<input type="checkbox"/> deteriorated	<input type="checkbox"/> unaltered	<input checked="" type="checkbox"/> original site
<input checked="" type="checkbox"/> good	<input type="checkbox"/> ruins	<input checked="" type="checkbox"/> altered	<input type="checkbox"/> moved date _____
<input type="checkbox"/> fair	<input type="checkbox"/> unexposed		

Describe the present and original (if known) physical appearance

Hillside School is a neo-Tudor, stucco and half-timbered, slate-roofed, mostly two-story building whose rambling angular plan follows the contours of its hillside site and the winding North Berkeley streets. The west facade presents a 150'-long central classroom wing running NW-SE, with a continuous bank of wood framed classroom windows on the upper floor, offices and library on the ground floor, and two second-floor square bays with dormers and half-timbered gable ends above the doors. Large wings join the ends of this main building at angles of about 120°: at the north end the auditorium projects forward (W) of the main building, with a tall wall of windows & ornamental stickwork in its gable end, which is about 60' high at the peak. There is a gabled entry hall and 2-story polygonal bay in the angle between the auditorium and main building. Behind the south end of the central block is a high-gabled 3-story classroom wing, its south wall all windows; at the back of this wing is a 1-story, L-shaped, 3-room addition (1963). South of the central block on the downward slope of the hill is the kindergarten/primary wing, a sort of miniature repetition of the main building, with a gabled dormer over the arched entrance and a large main classroom with west-facing gable & big bay window. Entrances to kindergarten & auditorium wings are low, deep-set gothic arches with heavy wooden doors, in 1½-story gable ends. All gable ends are trimmed to varying degrees with half-timbering, stickwork, and wood finials. Slate roofs of wings & dormers form a complex pattern of peaks.

The entire building was extensively reinforced and rebuilt in 1934-5 (kindergarten), 1936 (central portion), and 1937-8 (auditorium), faithfully following the style and materials of the original building. Roof of the south classroom wing was somewhat rearranged, & some parapet levels changed. The small dormer toward the north end of the main wing was added so slates would not fall on the exit in an earthquake. As a result Hillside was the only one of the older Berkeley schools not affected by the earthquake work of the mid-1970s when the others were demolished, vacated, or completely rebuilt. The bottom story of the main building was originally a recreation basement with the same wall of tall wood-framed windows as the upper floor. In 1963-4 the basement was remodeled for offices and library, and some of the window area closed off. At the same time, 3 classrooms were added inconspicuously at the back of the east wing. (This work was done by Walter Ratcliff's son.)

Notable features of the interior are the auditorium, the woodwork and detailing in the hallways, and the use of windows and wood in the classrooms. The auditorium, about 40' x 55', has hardwood floor, beamed dark wood ceiling with skylights and (incomplete) chandeliers. The west wall has a huge wood-framed, lattice-paned window, 16' x 22' high, floor to ceiling, protected by a wood balustrade; there is a spectacular view of the Bay. The stage at the east end is presently closed off by a temporary wall so the backstage area can be used as a woodshop. French doors on the north wall open onto a small patio.

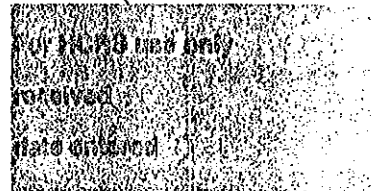
Hallways follow the same irregular angles as the exterior plan. Second floor halls have skylights, unpainted wood moldings and wood framed bulletin boards, working transoms above the doors. Details include brass stair corners and studs on the wide banisters (to discourage sliding), metal and amber-glass light fixtures, and a floral terra cotta drinking fountain given in memory of two pupils in 1928. On the main corridor, 3 classrooms face east and 4 face west, all with full walls of operable wood-framed windows. Room 18, former teachers' lunchroom, has a Batchelder tiled fireplace. Two west rooms have unusual glassed-in cloakrooms & conference rooms.

(SEE CONTINUATION SHEET)

United States Department of the Interior
Heritage Conservation and Recreation Service

National Register of Historic Places
Inventory—Nomination Form

See instructions in *How to Complete National Register Forms*
Type all entries—complete applicable sections



1. Name

MAY 07 1982

historic Hillside School

and/or common Hillside School, Hillside Primary School

2. Location

street & number 1581 LeRoy Avenue _____ not for publication

city, town Berkeley 94708 _____ vicinity of congressional district 8

state California code county Alameda code

3. Classification

Category	Ownership	Status	Present Use
<input type="checkbox"/> district	<input checked="" type="checkbox"/> public	<input checked="" type="checkbox"/> occupied	<input type="checkbox"/> agriculture
<input checked="" type="checkbox"/> building(s)	<input type="checkbox"/> private	<input type="checkbox"/> unoccupied	<input type="checkbox"/> commercial
<input type="checkbox"/> structure	<input type="checkbox"/> both	<input type="checkbox"/> work in progress	<input checked="" type="checkbox"/> educational
<input type="checkbox"/> site	Public Acquisition	Accessible	<input type="checkbox"/> entertainment
<input type="checkbox"/> object	<input type="checkbox"/> in process	<input type="checkbox"/> yes: restricted	<input type="checkbox"/> government
	<input type="checkbox"/> being considered	<input checked="" type="checkbox"/> yes: unrestricted	<input type="checkbox"/> industrial
		<input type="checkbox"/> no	<input type="checkbox"/> military
			<input type="checkbox"/> museum
			<input type="checkbox"/> park
			<input type="checkbox"/> private residence
			<input type="checkbox"/> religious
			<input type="checkbox"/> scientific
			<input type="checkbox"/> transportation
			<input type="checkbox"/> other:

4. Owner of Property

name Berkeley Unified School District

street & number 2134 Grove Street
Berkeley 94704

city, town _____ vicinity of state California

5. Location of Legal Description

courthouse, registry of deeds, etc. Alameda County Courthouse

street & number 1225 Fallon Street

city, town Oakland 94612 state California

6. Representation in Existing Surveys

title Berkeley Urban Conservation Survey has this property been determined eligible? yes no

date April 1980; City Landmark designation pending, 5/82, federal state county local

depository for survey records Berkeley Architectural Heritage Assn., Box 1137,

city, town Berkeley 94701-1137 state CA

7. Description

Condition

excellent
 good
 fair

deteriorated
 ruins
 unexposed

Check one

unaltered
 altered

Check one

original site
 moved date _____

Describe the present and original (if known) physical appearance

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(SEE CONTINUATION SHEET)

8. Significance

Period	Areas of Significance—Check and justify below			
<input type="checkbox"/> prehistoric	<input type="checkbox"/> archeology-prehistoric	<input type="checkbox"/> community planning	<input type="checkbox"/> landscape architecture	<input type="checkbox"/> religion
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> archeology-historic	<input type="checkbox"/> conservation	<input type="checkbox"/> law	<input type="checkbox"/> science
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> agriculture	<input type="checkbox"/> economics	<input type="checkbox"/> literature	<input type="checkbox"/> sculpture
<input type="checkbox"/> 1600-1699	<input checked="" type="checkbox"/> architecture	<input checked="" type="checkbox"/> education	<input type="checkbox"/> military	<input type="checkbox"/> social/
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<input checked="" type="checkbox"/> 1900-	<input type="checkbox"/> communications	<input type="checkbox"/> industry	<input type="checkbox"/> politics/government	<input type="checkbox"/> transportation
		<input type="checkbox"/> invention		<input type="checkbox"/> other (specify)

Specific dates 1925--

Builder/Architect Walter H. Ratcliff Jr.

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Hillside School is the oldest of the Berkeley Public Schools still operating as a school in virtually its original state. Its distinguished craftsmanship & design, natural light and air, and careful relationship to its hillside site exemplify the progressive school architecture of the 1920s. It replaced the 1899 Hillside School founded by the Maybeck circle and inherited its teachers and traditions, after the original building burned in the 1923 fire that devastated north Berkeley. Hillside's neo-Tudor design by prominent Berkeley architect Walter Ratcliff is characteristic of the period revival styles used in all branches of architecture in that decade, and used extensively in the rebuilding of north Berkeley. The school is one of the major commissions of Ratcliff's later career, and the only one of his Berkeley public schools still in use. As the neighborhood school of the Maybeck coterie and their successors, and of many University families, Hillside has a tradition of vigorous public interest and loyalty, and owes its existence and survival to Berkeley's trademark civic activism.

Hillside School takes its name from the Hillside Club, the turn-of-the-century Berkeley group around the Maybecks and Keelers that promoted Arts and Crafts ideals and established the Bay Region tradition of architecture in harmony with nature. According to tradition (Freudenheim, Building With Nature, p.57), when the city proposed a school for the neighborhood, the women of the club "appointed a committee to go to the Trustees and ask to be allowed to plan a school suited to little children and the hillside." After the fire took that rustic, Maybeck-like school, rebuilding was made possible by a special election authorizing a one year, \$150,000 tax, in May 1925 (Berkeley Gazette, 4/3 & 5/1-6/1925).

In its use of light and wood and the hillside site, the rebuilt school expressed an updated version of the Hillside Club ideals, as well as the more general movement in school architecture to provide beautiful and healthful and homelike surroundings. Hillside's opening coincided with the publication of the Berkeley School Properties Survey by Jesse Sears of the Stanford education department and a commission of Berkeley citizens (Aug. 1926), and the new school was the embodiment of its most up to date recommendations: auditorium doubling as a community meeting place, large playgrounds, "kindergarten and first grade unit separated from the rest of the school and a separate play yard and sanitary equipment provided for the smaller children," special rooms for domestic science and shop and art, teachers' clubroom, "preparation and serving of lunch at noon," "research and guidance" (the glassed-in conference rooms in Rooms 15 & 17 were for observation), "new type of administrative offices" and nurse's room (Sears, p.50; Berk. Gazette, 9/17/26; Berk. Courier, 8/7/26). Grades were kindergarten through 6th, reflecting Berkeley's early adoption of the junior high school.

Architect of the new Hillside School was Walter Ratcliff Jr. (1881-1973), who as Berkeley city architect had presided over the building of a group of schools in 1914-16 that rated 26 pages in the May 1916 Architect & Engineer. He was also an early planning commissioner and advocate of zoning, a civic leader and businessman, and by the mid-20s one of Berkeley's most distinguished and prolific architects, founder of what is today the oldest architectural firm in the East Bay.

(SEE CONTINUATION SHEET)

FHR-8-300A
(11/78)UNITED STATES DEPARTMENT OF THE INTERIOR
HERITAGE CONSERVATION AND RECREATION SERVICENATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM

FOR HCRS USE ONLY

RECEIVED

DATE ENTERED

Hillside School, 1581 LeRoy,
CONTINUATION SHEET Berkeley CA 94708 ITEM NUMBER 7,8,9 PAGE 1

7 -- South of the kindergarten wing there is a temporary bungalow in what was the kindergarten playground. Main playground is in the loop of Buena Vista Avenue west of the school; there is a small landscaped area just in front of the school with lawn and flagpole and large evergreen trees. Other sides of the school face up-sloping hillsides: small patio north of auditorium, mountain and native plant garden east of central wing, and a pathway up to La Loma Avenue to the east.

Examination of 1933 photographs shows that cast stone shields and rosettes over the exterior doors and stone chimneys and finials were lost to Field Act work in the 1930s. However, the original slate roof remains (and was recently repaired), the original wood sash and trim remain (in need of paint), and many of the interior and exterior light fixtures are still in place and functioning. Original doors, wainscoting, and other millwork bear the signs of 50 years wear and tear but are in remarkably good condition. Exterior stucco, original brick steps, & concrete paving are in excellent condition.

8 -- Besides Hillside, Ratcliff's civic & educational commissions/included Mills College (1923), Pacific School of Religion, additions to Anna Head School, & the Berkeley Day Nursery (these last 2 are on the Nat'l Register). By the early 30s the effects of the Depression and Ratcliff's increasing absorption in his Fidelity Mortgage business caused him to virtually retire from the practice of architecture, making Hillside School one of his late Berkeley works.

In 1934--8 Hillside received extensive reinforcing and rebuilding to comply with the Field Act: some external ornament was removed but in general the building's appearance was faithfully preserved. There was a large budget item for millwork, which included reconstructing the beamed and paneled auditorium ceiling around the new bracing--something that would no longer be financially feasible. Building codes, budgets, and changing fashions in education mean that there are very few schools like Hillside left. Its intact woodwork, windows, slate roof, and original light fixtures are rare anywhere, and unique in the Berkeley schools.

Like all the public schools, Hillside has been through changes in educational theory and enrollment. Originally K-6, it is now K-3; enrollment was 229 when it opened in 1926, about 450 when the addition was made in 1963, 195 in 1982. Traditions continue: the active PTA, founded in 1902 as the Mothers' Club and distinguished by many University and artistic names, claims to be "one of the oldest in Northern California"; neighborhood pageants and dance festivals in the Hillside Club tradition continued into the 1960s; and in recent years parents and staff and neighbors have responded to recurring proposals to close the school with something very much like the crusading spirit of the Hillside Club mothers demanding a school "suited to the little children and the hillside."

9 -- B.J.S. Cahill & W. Ratcliff, "City of Berk.'s New Public School Bldgs", Arch. & Eng. May 1925
Leslie Freudenheim, Building With Nature: Roots of the S.F. Bay Region Tradition, 1974.
Berkeley Courier, Aug. 7, 1926, "New Hillside School Opens"; Berkeley Gazette, 4/3 & 5/6/
1925 (building tax), Aug. 9, 26, Sep. 15, 17, 1926 (opening & dedic.), 10/20/34 (Field Act), 2/3/
Aug. 5, Nov. 13, 1963 (addition), Ap. 16, 1980 (Archit. Heritage), 2/9/81 (closing threatened)
Interviews: Marian Altman (principal), Barbara Smith (school secretary & alumna), Lorrain
Haynes (early alumna & parent); oral hist. Dorothy Gerrity, Marian Daggett (Club & PTA)
Nicholas Hansen, "Walter H. Ratcliff Jr.", Berk. Arch. Heritage pamphlet, 1980.
Nat'l Register nomination for Berkeley Day Nursery. PTA history file at Hillside

9. Major Bibliographical References

Berkeley Unified Schools building dept. records: Blueprints (Ratcliff 1925; Eldridge Spencer & Thos. Chace, 1934-36-37; Ratcliff-Slama-Cadwalader 1963); MS Field Act studies ("Data on Schools & School Bldgs.," Nov. 1933; E. Spencer, "Report on the School Bldgs. of Berkeley," May 1934; "Application...for loan & grant...," Dec. 1933).
 Jesse B. Sears & commission, Berkeley Schools Properties Survey, Berkeley, Aug. 1926.

(#9 CONTINUES)

10. Geographical Data

Acreage of nominated property Approx. 2 acres

Quadrangle name Richmond, Calif.

Quadrangle scale 1:24,000

UMT References

A

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4	1	9	2	6	6	0
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 Zone Easting Northing

B

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 Zone Easting Northing

C

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Verbal boundary description and justification Book 58, block 2245, parcel 9 - originally Wheeler Tract Block 5, Lots 1-10 (playground lots 1-6, school lots 7-10) & LaLoma Park Lot 12 & N portion of Lot 13. Building occupies E half of property, playground the W half in loop formed by Buena Vista & LeRoy Avenues.

List all states and counties for properties overlapping state or county boundaries

state	code	county	code

state	code	county	code

11. Form Prepared By

name/title Betty Marvin

organization Friends of Hillside/Berk. Arch. Heritage date April 30, 1982

street & number 2646 Claremont Avenue telephone (415) 849-1959/845-6591

city or town Berkeley 94705 state California

12. State Historic Preservation Officer Certification

The evaluated significance of this property within the state is:

national state local

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the Heritage Conservation and Recreation Service.

State Historic Preservation Officer signature _____

title _____ date _____

For HCRS use only

I hereby certify that this property is included in the National Register

date _____

Keeper of the National Register _____

Attest: _____

date _____

Chief of Registration _____

UNITED STATES DEPARTMENT OF THE INTERIOR
HERITAGE CONSERVATION AND RECREATION SERVICE

FOR HCRS USE ONLY

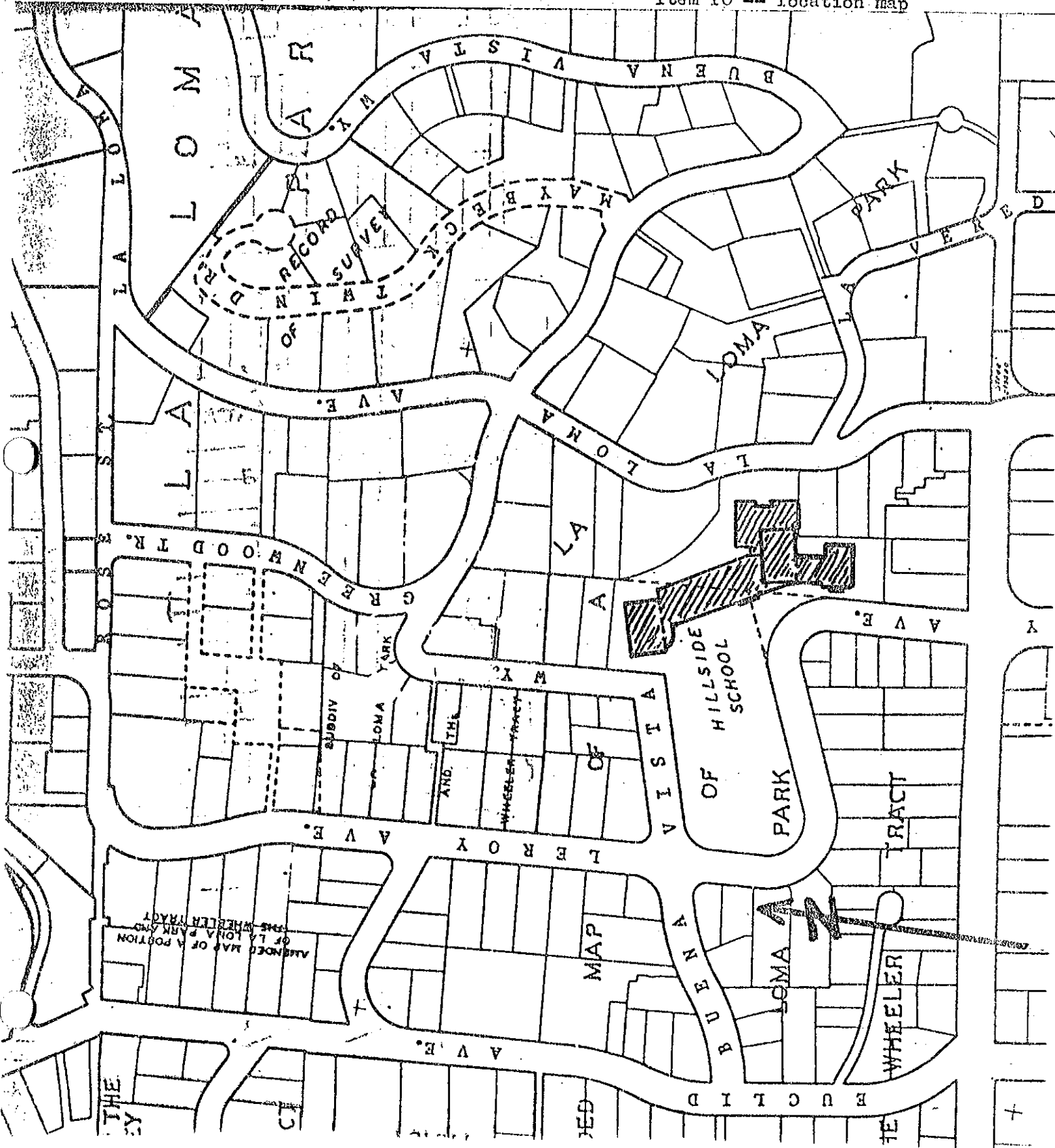
RECEIVED

DATE ENTERED.

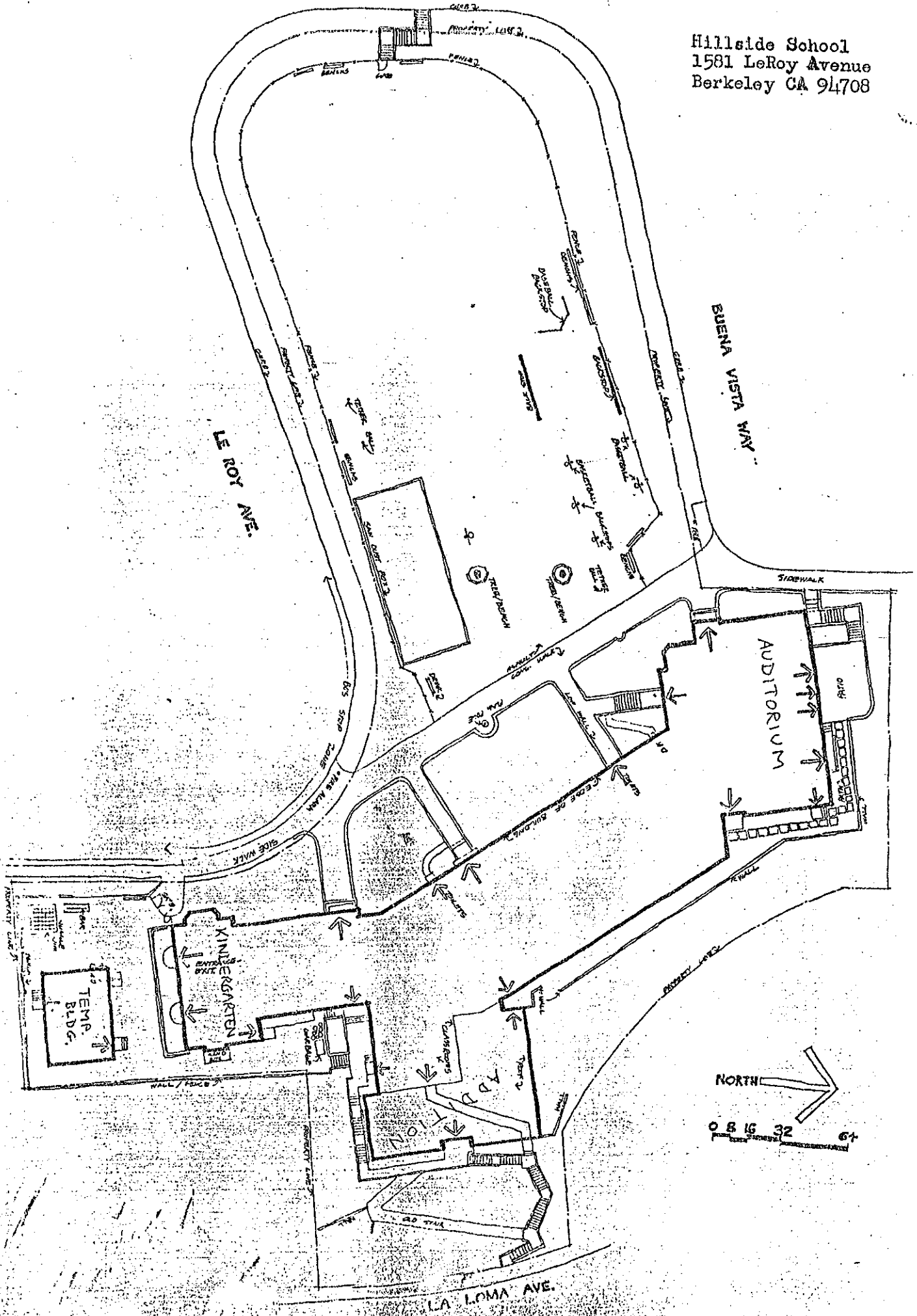
NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

Hillside School, 1581 LeRoy Av.,
Berkeley CA 94708

Item 10 --- location map



Hillside School
1581 LeRoy Avenue
Berkeley CA 94708





555'
4196
4195
4194
4193000m N.
37° 52' 30"
122° 15'

Hillside School
1581 LeRoy Avenue
Berkeley CA 94708
UTM reference:
10/565300/4192660

117'30" 563
OAKLAND (MAC ARTHUR BLVD) 3.3 MI.
ALAMEDA (CITY HALL) 9.2 MI.

ROAD CLASSIFICATION

Heavy-duty	—————	Light-duty	-----
Medium-duty	———	Unimproved dirt
	()	Interstate Route	()
	()	State Route	



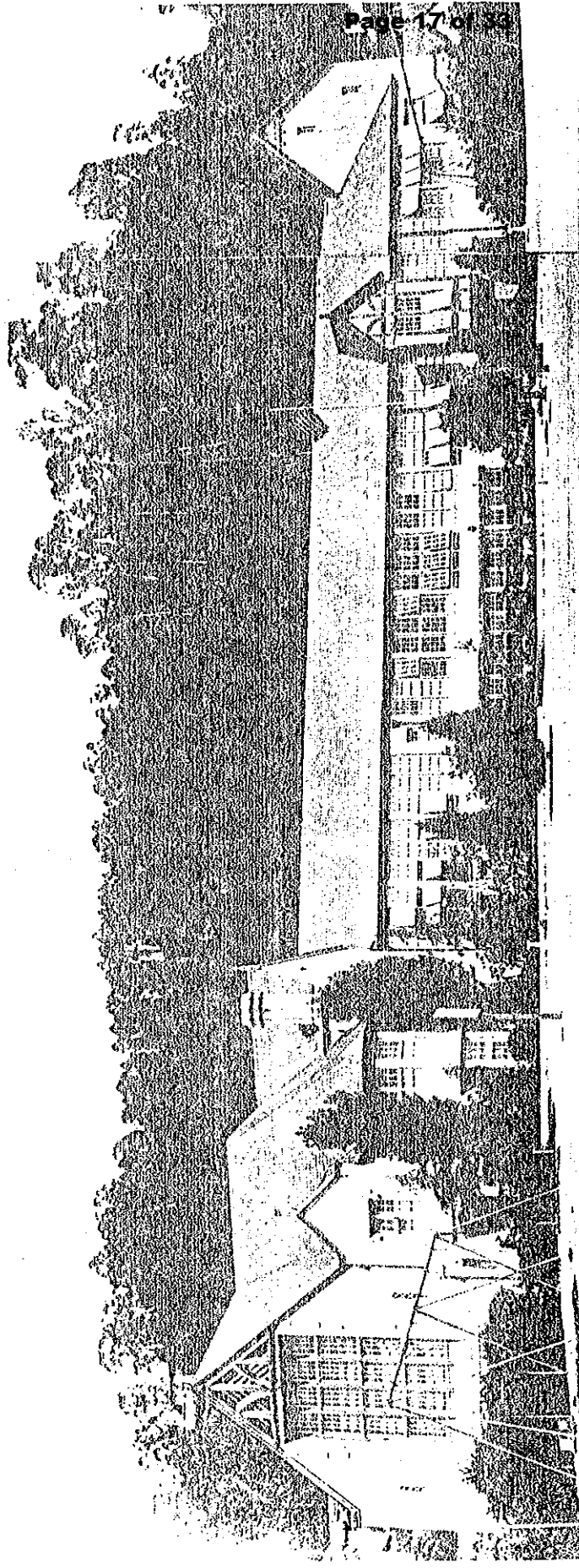
QUADRANGLE LOCATION

Purple tint indicates extension of urban areas

RICHMOND, CALIF.
N3752.5—W12215/7.5

1959
PHOTOREVISED 1980
DMA 1559 IV NE—SERIES V895

(OAKLAND EAST)
1559 I SW

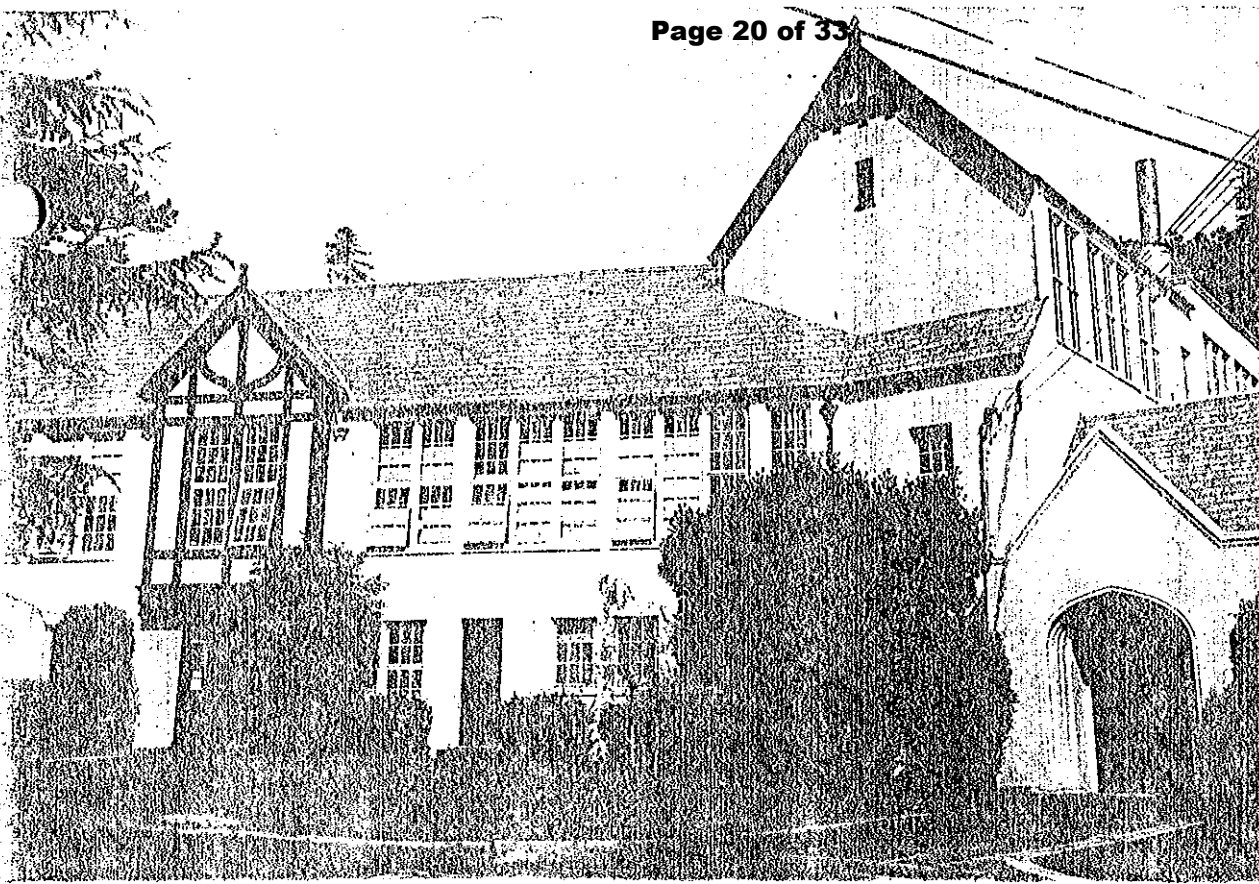


West Elerin - Hillside School
Berkeley
4-21-33 news. (12)

Hillside School, 1581 LeRoy Av.,
Berkeley CA 94708 -- April 1975,
Berk.Sch.Dist. Field Act survey---
copy neg. Berk.Arch.Heritage.
Elevation (S kindergarten min
eroped) (mml) (neg) (neg) (neg)

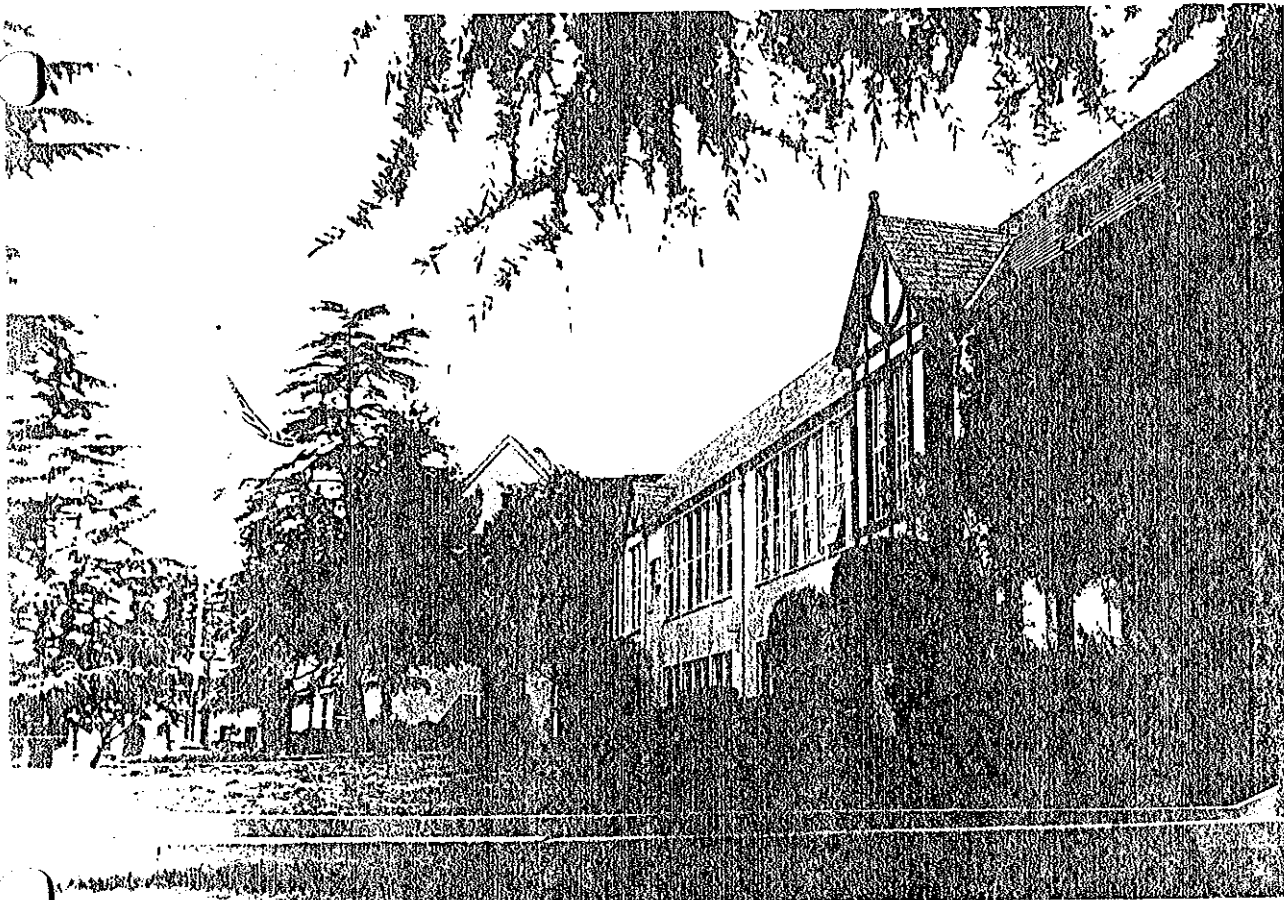
Hillside School, 1581 LeRoy Av.,
Berkeley CA 94708. Anonymous
Aerial view, c.1940s, looking east,
school & playground at center. #2
Print at Hillside Sch., copy neg.
B.Marvin, 2646 Claremont, 94705.





Hillside School, 1581 LeRoy, Berkeley CA 94708
S part of W facade; basement finished for offices
(main entc. below beamed gable), parts of 3-story
E classroom wing & 1-story S kindergarten wing.
B. Marvin, 2646 Claremont, 94705 -- March 1982

Hillside School, 1581 LeRoy Av.,
Berkeley CA 94708 - April 1982.
View N along central classroom
wing toward auditorium; gables
over office & library doors. #5
B.Marvin, 2646 Claremont, 94705.



CITY OF BERKELEY

Memorandum

June 29, 1982

TO: EDYTHE CAMPBELL, City Clerk

FROM: MIKE TOLBERT, Secretary, Landmarks Preservation Commission

SUBJECT: NOTICE OF DECISION REGARDING THE HILLSIDE SCHOOL,
LOCATED AT 1581 LEROY AVENUE

At its meeting of June 21, 1982, the Landmarks Preservation Commission voted unanimously to:

DESIGNATE THE HILLSIDE SCHOOL, LOCATED AT 1581 LEROY AVENUE, AS A BERKELEY LANDMARK BECAUSE OF ITS FINE EXAMPLE OF WALTER RATCLIFF, JR.'S SCHOOL OF ARCHITECTURE, FOR ITS PHYSICAL POSITION IN THE STREETScape AND IN THE NEIGHBORHOOD, AND ITS MEANING TO BERKELEY.

Attached is a copy of the Notice of Decision, which according to the provisions of the Landmarks Preservation Ordinance, is to be forwarded to the City Council at its next regularly scheduled meeting.



MIKE TOLBERT, Secretary
Landmarks Preservation Commission

Attachment: Notice of Decision

MILLS ACT APPLICATION
ESTIMATED 2021-2030 SCHEDULE
for
PRESERVATION, RESTORATION, REHABILITATION & MAINTENANCE
of
HILLSIDE SCHOOL
1581 Le Roy Avenue
Berkeley, CA 94708

November 11, 2020

<i>Feature</i>	<i>Location</i>	<i>Character Defining?</i>	<i>Condition</i>	<i>Recommended Treatment</i>	<i>Schedule (Estimated)</i>	<i>10-Year Budget (Estimated)</i>
SITE & LANDSCAPE REPAIRS						
Sidewalks & Curbs	Front Yard	Yes	Poor	Repair walks, curbs, and bricks	2023	\$40,000
South Terrace	South end of Building	Yes	Poor	Replace exist. concrete Terrace with replica of historic concrete and brick terrace	2021	\$55,000
Flagpole	Front Yard	Yes	Poor	Replace existing hardware and repair pole	2021	32,500
Landscape Maintenance	Front Yard	Yes	---	Annual maintenance of front yard and Redwood trees	2021-2030	\$500,000
CONCRETE & STRUCTURAL REPAIRS						
Foundation at 3-story portion of Building	Southeast area of Building	No	Poor	Replace portions of existing foundation and add matt slab and (Permit Application #B2019-00352)	2021	\$875,000
Seismic Stabilization of 3-story portion of Building	Southeast area of Building	Yes	Poor	Install special steel moment frame, beams, and shear walls	2021	\$590,000

Foundation at 2-story portion of Building	Middle portion of Building	No	Poor	Replace portions of existing foundation and add matt slab	2024	\$750,000
Seismic Stabilization of 2-story portion of Building	Middle portion of Building	Yes	Poor	Install beams and shear walls	2024	\$250,000
Foundation at 1-story portion of Building	North area of Building	No	Poor	Replace portions of existing foundation and add matt slab	2028	\$250,000
Seismic Stabilization of one-story portion of Building	North area of Building	Yes	Poor	Install beams and shear walls	2028	\$200,000
South Retaining Wall	Southern portion of Site	No	Failing	Replace existing retaining wall	2022	\$58,000
East Retaining Walls	Eastern portion of Site	No	Failing	Replace existing retaining walls	2024	\$450,000
North Retaining Walls & Terrace	North end of Building	Yes	Failing	Replace existing retaining walls and terrace slab	2023	\$250,000
Retaining Walls	Entire Site	Yes	---	Inspection, repairs and annual maintenance	2021-2030	\$180,000
Structural Floor Joists and Wall Studs at Studio 100	South end of Building	Yes	Poor	Replace dry rotted framing and stucco as required and add shear plywood per Engineering Drawings (Permit Application #B2019-00228)	2021	\$165,000
Dry Rot Repair	Entire Building	Yes	Poor	Replace dry-rotted framing at walls, floors and scuppers	2023-2030	\$150,000
Termite Maintenance	Entire Building	Yes	---	Annual maintenance, inspect & treat infested areas	2023-2030	\$52,500
Structural Repairs	Entire Building	Yes	---	Annual maintenance, inspections and repairs	2023-2030	\$175,000
THERMAL & MOISTURE PROTECTION						
Membrane Roof	Flat roof areas of building	Yes	Poor	Replace Membrane Roof	2022	\$180,000

Skylights	Entire Building	Yes	Poor	Replace and restore Skylights	2022	\$150,000
Slate Roof Tiles	Gable roof areas of building	Yes	---	Annual Maintenance	2021-2030	\$50,000
Membrane Roof and Skylights	Entire Building	Yes	---	Annual Maintenance, inspections, and repairs	2021-2030	\$150,000
Gutters and Downspouts	Entire Building	Yes	Poor	Repair and replace all leaking scuppers, missing downspouts, and gutters	2022	\$50,000
Stucco Siding	Entire Building	Yes	Fair	Patch, repair, or replace at damaged and termite/dry-rot areas	2023-2030	\$100,000
Sheet Metal and/or Copper Flashings & Trim	Entire Building	Yes	Fair	Patch and Repair at damaged areas	2023-2030	\$15,000
Roof Accessories	Entire Building	Yes	Fair	Patch and Repair damaged vents, parapets, and chimneys	2023-2030	\$15,000
Drainage	Entire Building	No	---	Annual Maintenance	2021-2030	\$70,000
DOORS & WINDOWS						
Exterior Historic Doors	South, west, and east sides of Building (18 doors)	Yes	Poor	Restore & refinish existing doors where remaining. Remove replacement doors and install historic door replicas based on original drawings.	2021-2023	\$350,000
Exterior Historic Doors	South, west, and east sides of Building (18 doors)	Yes	---	Annual maintenance - inspect, repair, and refinish as necessary	2024-2030	\$45,000
Windows	Entire Building	Yes	Poor	Repair, restore, and refinish all existing wooden windows to full operation. Preserve all original glazing. Replace windows only if damaged beyond repair.	2021	\$150,000

Windows	Entire Building	Yes	---	Annual maintenance - inspect, repair, caulk, seal and refinish as necessary	2021-2030	\$150,000
Door and Window Hardware	Entire Building	Yes	Fair	Repair existing door and window hardware where necessary.	2022	\$25,000
EXTERIOR FEATURES & FINISHES						
Exterior Paint	Entire Building	Yes	---	Annual Maintenance	2021-2030	\$400,000
Exterior Woodwork (half-timbering, gable boards, eaves, door and window casings, corbels, brackets, and spires)	Entire Building	Yes	Poor	Repair and restore all elements as necessary per original drawings.	2025	\$120,000
Cast Stone Ornamentation & Wall Caps	Exterior walls, Parapets, & Ridges	Yes	Poor & missing	Replace missing elements in kind based on remaining examples. Recreate elements based on drawings.	2022-2030	\$250,000
Exterior Historic Lighting	Exterior Historic Doorways	Yes	Poor	Replace or restore all original light fixtures for full operation w/LED lamps	2021	\$55,000
MECHANICAL SYSTEMS						
Radiators & Boiler	Entire Building/Boiler Room	Yes	Poor	Repair all radiators and steam pipes to full operation and replace Boiler	2021-2022	\$150,000
Radiators & Boiler	Entire Building/Boiler Room	Yes	---	Annual Inspection and Maintenance	2021-2030	\$100,000
Plumbing System	Entire Building	No	Poor	Upgrade and replace as required	2021-2022	\$350,000
Plumbing System	Entire Building	No	---	Annual inspection and maintenance	2021-2030	\$150,000
Fire Sprinkler System	Entire Building	No	Fair	Repair as required	2021	\$150,000
Fire Sprinkler System	Entire Building	No	---	Annual inspection and maintenance	2021-2030	\$150,000
HVAC	Southern portion of Building	No	Non-existent	Install modern HVAC	2021	\$150,000

HVAC	Southern portion of Building	No	---	Annual Maintenance	2021-2030	\$100,000
Electrical System	Entire Building	No	---	Upgrade and replace as required	2021-2022	\$350,000
Electrical System	Entire Building	No	---	Annual inspection and maintenance	2021-2030	\$140,000
TOTAL ESTIMATED REHABILITATION & MAINTENANCE COSTS						\$9,138,000

ESTIMATED YEARLY CONSTRUCTION BUDGET 2021-2030	
2021	\$2,756,500
2022	\$997,000
2023	\$605,000
2024	\$1,836,500
2025	\$514,000
2026	\$394,000
2027	\$403,000
2028	\$844,000
2029	\$394,000
2030	\$394,000
TOTAL	\$9,138,000

Berkeley Mills Act Application

FINANCIAL ANALYSIS FOR MILLS ACT CONTRACT FOR 1581 LE ROY AVENUE - NOVEMBER 11, 2020												
REVENUES		Current	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
1) Monthly Rental Income		\$25,000										
2) Annual Rental Income	3%	\$300,000	\$309,000	\$318,270	\$327,818	\$337,653	\$347,782	\$358,216	\$368,962	\$380,031	\$391,432	\$403,175

ANNUAL EXPENSES												
3) Insurance	5%	\$15,000	\$15,450	\$15,914	\$16,391	\$16,883	\$17,389	\$17,911	\$18,448	\$19,002	\$19,572	\$20,159
4) Utilities	6%	\$18,000	\$18,540	\$19,096	\$19,669	\$20,259	\$20,867	\$21,493	\$22,138	\$22,802	\$23,486	\$24,190
5) Maintenance	5%	\$15,000	\$15,450	\$15,914	\$16,391	\$16,883	\$17,389	\$17,911	\$18,448	\$19,002	\$19,572	\$20,159
6) Management	5%	\$15,000	\$15,450	\$15,914	\$16,391	\$16,883	\$17,389	\$17,911	\$18,448	\$19,002	\$19,572	\$20,159
7) Other	2%	\$6,000	\$6,180	\$6,365	\$6,556	\$6,753	\$6,956	\$7,164	\$7,379	\$7,601	\$7,829	\$8,063
8) Total Expenses		\$69,000	\$71,070	\$73,202	\$75,398	\$77,660	\$79,990	\$82,390	\$84,861	\$87,407	\$90,029	\$92,730
(Sum Line 3-7)												

NET OPERATING INCOME (Line 2 Minus 8)		\$231,000	\$237,930	\$245,068	\$252,420	\$259,993	\$267,792	\$275,826	\$284,101	\$292,624	\$301,403	\$310,445
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CAPITALIZATION RATE	
9) Interest Component	3.00%
10) Historic Property Risk Component (2% for comm. & apts, or 4% for SFD & Condos)	4%
11) Property Tax Component	1.22%
12) Amortization Component	3.33%
13) Capitalization Rate	11.55%
(Sum Line 9-12)	

TAXES												
14) Mills Act Assessment (Net Operating Income/Line 13)		\$2,000,000	\$2,060,000	\$2,121,800	\$2,185,454	\$2,251,018	\$2,318,548	\$2,388,105	\$2,459,748	\$2,533,540	\$2,609,546	\$2,687,833
15) Tax Under Mills Act (Line 14 X .0125)		\$25,000	\$25,750	\$26,523	\$27,318	\$28,138	\$28,982	\$29,851	\$30,747	\$31,669	\$32,619	\$33,598
16) Current Tax	1.25%	\$55,072	\$55,755	\$56,446	\$57,146	\$57,855	\$58,572	\$59,298	\$60,034	\$60,778	\$61,532	\$62,295
17) Tax Savings (Line 16 - Line 15)		\$30,072	\$30,005	\$29,924	\$29,828	\$29,717	\$29,590	\$29,447	\$29,287	\$29,109	\$28,913	\$28,697

THE FOLLOWING TABLE IS TO COMPLETED BY STAFF ONLY												
18) Annual Costs to City (Line 17 X 30%)		Current	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
		\$9,022	\$9,001	\$8,977	\$8,948	\$8,915	\$8,877	\$8,834	\$8,786	\$8,733	\$8,674	\$8,609

1581 LE ROY AVENUE, BERKELEY, CA
(11/11/20)



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
S T A F F R E P O R T

FOR COMMISSION ACTION
DECEMBER 3, 2020

1581 Le Roy Avenue

Mills Act Contract Application #LMMA2019-0004 for a recently converted single-family residence and designated City of Berkeley Landmark, The Hillside School.

I. Application Basics

Parties Involved:

- Applicant/Property Owner: Samuli Seppala
1581 Le Roy Avenue
Berkeley, CA 94708
- Historic Resource Consultant: Jerri Holan, Historic Architect, AIA
Jerri Holan & Associates
1323 Solano Avenue, Suite 204
Albany, CA 94706

II. Recommendation

Consider this contract request, take favorable action and forward it to City Council for final action.

Figure 1: Vicinity Map

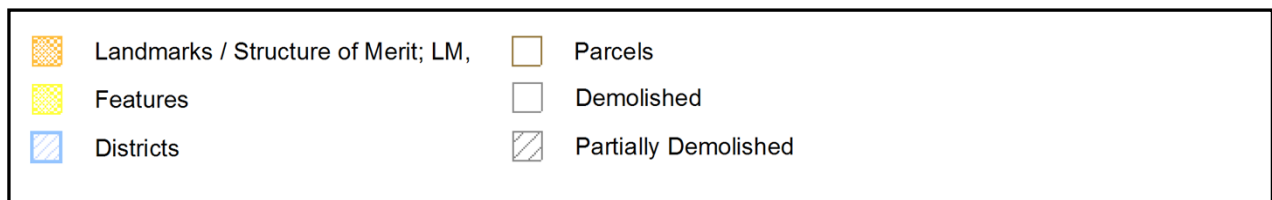
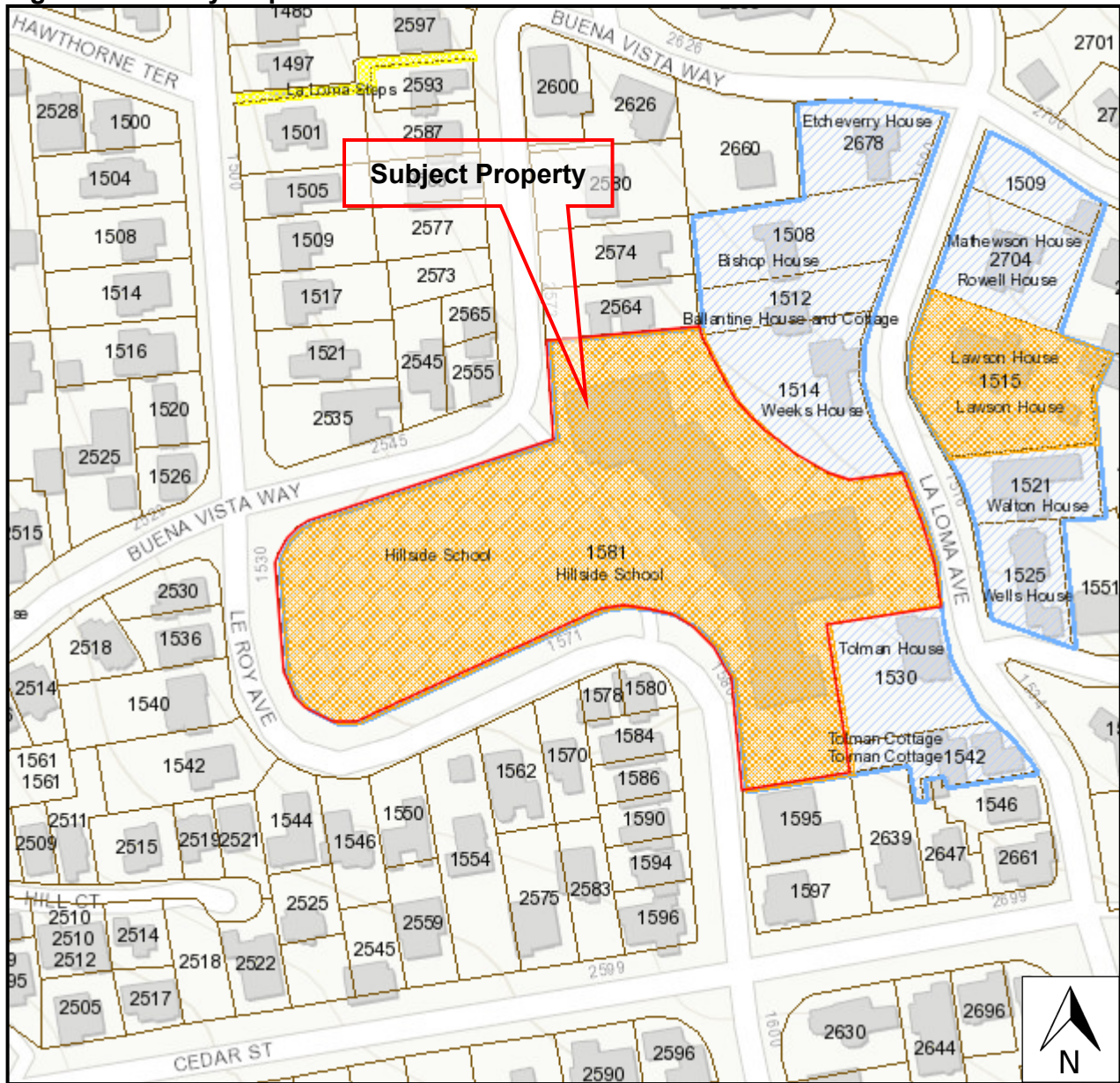


Figure 2: Subject Property, current site conditions (Google Earth, 2019)

III. Background

Site Information:

The subject building at 1581 Le Roy was designed in the Tudor Revival style by prominent Berkeley architect Walter H. Ratcliff (1881-1978) and constructed in 1925 for the Hillside School. The main building was substantially rehabilitated between 1934 and 1938 and in 1963, a modern-era, single-story addition designed by the Ratcliff firm was constructed on the eastern portion of the building. The building is approximately 50,000 sq. ft. in total area, ranges from one to three stories in height, and consists of five primary segments. The property was designated as a City of Berkeley Landmark in 1982 and is listed on the National Register of Historic Places (Designation #82000961) at the local level of significance. A copy of the landmark designation Notice of Decision (NOD) is attached to this report (Attachment 3); the NOD includes excerpts of the National Register nomination document.

The building and site operated as a school until 2017, when the last K-12 occupant relocated and sold the property after concluding that the structural and seismic rehabilitation program required for an expanded school use at this site would be cost-prohibitive. The current owner is a private individual who purchased the property in 2018.

In February 2020, Structural Alteration Permit #LMSAP2019-0004 was issued for exterior alterations to this landmark school building and in February 2020, Use Permit #ZP2019-0004 was issued to convert the vacant, elementary school property to residential use: to establish the approximately 50,000-sq. ft., main building as a single-family residence and accessory dwelling unit, incorporating several former classrooms as private (non-commercial) art studio space.

IV. Issues and Analysis

The historic resource consultant's *Historic Architectural Report* begins on page 2 of the Mills Act Contract Application; see Attachment 1. This document includes the consultant's summary of *Character Defining Features* on page 4, *the Mills Act Work Program* for maintenance and repairs on pages 5-6, and photos of existing conditions on pages 6-9. The proposed *Rehabilitation & Maintenance Schedule* outlines proposed building exterior and site improvements for the subject property over a projected 10-year period and includes the City's financial analysis spreadsheet for estimating potential Mills Act tax savings for this request; see Attachment 2.

Improvements to the exterior of the City Landmark building include, but are not limited to:

- replacing portions of the existing roof, drainage, flashing, tiles and accessories, including damaged vents, parapets and chimneys,
- seismic improvements and foundation repair to the building,
- replacing retaining walls throughout the site,
- repairing and replacing damaged exterior stucco and woodwork,
- restoring and refinishing exterior doors and windows, and
- replacing and restoring original exterior historic lighting.

Improvements to the site include:

- repairing front walkways, curbs and bricks,
- replacing the concrete terrace at the south end of the building,
- repairing the existing historic flagpole, and
- maintaining the front landscaping, including redwood trees.

The work proposed under this Mills Act Contract request is considered ordinary maintenance and repairs and, therefore, would be exempt from discretionary review and Structural Alteration Permit (SAP) approval, pursuant to BMC Section 3.24.220.A.1. However, any future work proposed on the exterior of the building that would not be considered ordinary maintenance and repairs, would require a SAP application for review and approval by the Landmarks Preservation Commission.

All improvements included in the proposed Rehabilitation & Maintenance Schedule target historic, character defining features of the building and site as well as other features such as the building foundation, roof drainage, and building mechanical systems and retaining walls throughout the site. Please see Attachment 2, for the complete Rehabilitation & Maintenance Schedule.

The work plan items appear to be justifiable in that they constitute restoration, repair, rehabilitation and continued maintenance of the subject property. Further, they would provide for the property's "use, maintenance and restoration as to retain its characteristics as property of historical significance," as provided for in the Mills Act, Government Code Sections 50280 et. Seq., as authorized by the Berkeley City Council per Resolution No. 59,355 – N.S. For these reasons, staff concludes that the proposed tasks represent improvements that are consistent with the requirements of the Mills Act.

V. Mills Act Contract Proposal

The intent of the Mills Act is to provide property tax relief so that the property owners entering into Mills Act Contracts with the City will spend the property-tax money that is saved through the Contract on preserving and/or restoring their property.

The working financial analysis spreadsheet provided by the applicant, estimates that the cost of the owner's proposed improvements over a 10-year period is approximately \$9,138,000 and the estimated total tax savings over the 10-year period is approximately \$294,517, starting at an annual savings of \$30,005 and then decreasing to approximately \$28,697 by the tenth year of the program.

VI. Recommendation

Because staff has determined that all work proposed in the Mills Act Contract work plan provides for the properties "use, maintenance and restoration as to retain its characteristics as property of historical significance", staff is recommending that the Commission:

- Recommend that City Council approve the Mills Act Contract request for the subject property.

Attachments:

1. Mills Act Contract Application, received August 2019, revised November 2020
2. Rehabilitation & Maintenance Schedule, received August 2019, revised November 2020
3. 1581 Le Roy Avenue Landmark Notice of Decision 1982

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