



Office of the City Manager

CONSENT CALENDAR
October 15, 2019

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Timothy Burroughs, Director, Planning and Development Department
 Subject: Mills Act Contract – 2524 Dwight Way

RECOMMENDATION

Adopt a Resolution authorizing and directing the City Manager to enter into a Mills Act contract with NCR Properties LLC/Nathan D. George for the City Landmark property at 2524 Dwight Way.

FISCAL IMPACTS OF RECOMMENDATION

The Mills Act allows owners of historic properties to voluntarily enter into individual contracts with the City in order to obtain property tax reductions 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.

Approving the Mills Act contract for the City Landmark property at 2524 Dwight Way would reduce the property tax bills for the owners by an estimated total of \$4,700 in year one, approximately 30% (\$1,410) 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 2020-2021 fiscal year.

CURRENT SITUATION AND ITS EFFECTS

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 Sections 50280-90 and Revenue and Taxation Code Section 439. The Mills Act allows owners of historic properties to voluntarily enter into

individual contracts with the City in order to obtain property tax reduction in exchange for maintaining and restoring their historic property.

On September 13, 1999, the property at 2524 Dwight Way 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 features to be preserved (see Attachment 2).

On July 2, 2019, the Landmarks Preservation Commission (LPC) reviewed the proposal by the present owner, NCR Properties LLC/Nathan D. George, to enter into a Mills Act contract for 2524 Dwight Way, including a proposed scope of work and maintenance schedule, and voted 6-1-0-1 (Yes: Abranches Da Silva, Adams, Allen, Crandall, Finacom, O'Malley; No: Schwartz; Abstain: none; Absent: Chagnon) to recommend approval of the Mills Act Contract application to City Council, and revise work item B, and remove fence, gate and planting from the Rehabilitation Work Program.

On August 6, 2019, the property owner provided staff with a copy of the revised work plan, consistent with the LPC's direction.

BACKGROUND

The Mills Act provides limited ad valorem tax relief at the discretion of host jurisdictions to encourage rehabilitation and on-going maintenance of historic resources. 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.

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 2524 Dwight Way 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 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 or other criteria for approval.

CONTACT PERSON

Timothy Burroughs, Director, Planning and Development Department, 510-981-7401
Fatema Crane, Senior Planner, 510-981-7413

Attachments:

1. Draft City Council Resolution
2. LPC Resolution, Landmark Designation, September 13, 1999
3. Revised Rehabilitation Work Program, received August 6, 2019
4. LPC July 2, 2019 Staff Report

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

AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A MILLS ACT CONTRACT AND ANY NECESSARY AMENDMENTS WITH NCR PROPERTIES LLC/NATHAN D. GEORGE, FOR THE MAINTENANCE AND RESTORATION OF A HISTORIC PROPERTY LOCATED AT 2524 DWIGHT WAY, 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 September 13, 1999, 2524 Dwight Way was designated as a City of Berkeley Landmark and became eligible to take advantage of the Mills Act; and

WHEREAS, on July 2, 2019, the Landmarks Preservation Commission reviewed the proposed projects listed in the Mills Act Contract Application for 2524 Dwight Way, and recommended that the City Council enter into a Mills Act contract with the property owner, and revise work item B, and remove fence, gate and planting from the Rehabilitation Work Program.

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 NCR Properties LLC/Nathan D. George for the maintenance and restoration of the historic property located at 2524 Dwight Way 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.

220

CITY OF BERKELEY
Ordinance #4694 N.S.
LANDMARK APPLICATION

Alexander C. Stuart House

1. **Street Address:** 2524 Dwight Way
County: Alameda **City:** Berkeley **ZIP:** 94704
2. **Assessor's Parcel Number:** 055 1842 00200
Dimensions: 55 x 146 feet
Cross Street: Regent Street
3. **Is property on any survey?**
State Inventory: Yes **National Register:** No
4. **Application for Landmark Includes:**
Building(s): Yes
Landscape or Open Space: Yes
Other: Entire Property
5. **Historic Name:** Stuart (Alexander C.) House
Commonly Known Name: None
6. **Date of Construction:** 1891
Factual: Yes, California Architect & Building News, June 1891
7. **Architect:** Pissis and Moore (Albert Pissis and Joseph Moore)
Builder: A. H. Broad
8. **Style:** Queen Anne with Colonial Revival Porch
9. **Original Owner:** Alexander C. Stuart
Original Use: Single Family Residence
10. **Present Owner:** Tony Afkhangpour
Address: 18 Botany Court, Redwood City, CA 94062
Present Occupants: Students attending U.C. Berkeley

11. Present Use: Residential: Yes Multiple: Yes
Current Zoning: R-4 Adjacent Property Zoning: R-4

12. Present Condition of Property:

Exterior: Good

Interior: Fair

Grounds: Good

13. Description:

This is a solid looking 2 ½ - story Queen Anne house with a Colonial Revival porch sporting 6 Ionic columns and 2 pilasters. The classical theme is carried out with the use of dentil cornices in various spots and a window frame on the top floor, which ends in scrolls. The first floor is covered in board siding, the second in shingles and the third within the gable end is most elaborate with decorative half-timbering. There is a 2-story bay on the west side and a 1-story section on the east, which is possibly an addition, but is in keeping with the style of the house. The most striking feature is the second story octagonal turret at the northwest corner. It is supported by two decorative brackets and contains five narrow windows, the whole being topped by an 8-sided peaked roof. The original front door has been replaced.

14. History:

The Stuart House was designed by the firm of Pissis and Moore and built by A. H. Broad for Alexander Stuart in 1891.

Alexander Stuart was born in St. Johns, Newfoundland, emigrated to California, and worked for a number of years for the firm of G. T. Marye and Son, mining stock brokers, located at 234 Montgomery in San Francisco (see illustrations). In the 1890 *Langley's San Francisco Directory* his address is listed as 1902 Broadway. In the 1891 *Hustead's Oakland, Alameda, Berkeley Directory* he is listed as residing on Dwight Way near the Narrow Gauge Track.

The Hillegass tract on which the Stuart house stands was subdivided in 1886, but was slow to develop. In 1891 Joseph Mason the founder of Mason-McDuffie was asked to take over sales. He writes in his memoirs:

The town was all a wheatfield to Derby Street (from the south) thence a market garden. The Hillegass asked if I could sell their property in lots. I told them I could not in its condition at that time, but if they would open up the streets, macadamize them etc., I would sell the lots.

Mason had been commuting to San Francisco from his Berkeley residence on Channing near Bowditch for some time. After Alexander Stuart moved to Berkeley, he also commuted – possibly using the narrow gauge railway mentioned earlier (see illustration).

Albert Pissis came to San Francisco, as a child, in 1858. He traveled to Paris at the beginning of the 1870's to study at the *Ecole des Beaux-Arts*. He studied at the

atelier of Julian Guadet, passing the entrance examination to the *Ecole* in 1872 and completing his studies in 1876. In the late 1870's he returned to San Francisco to begin his architectural practice. In 1885, Pissis entered into partnership with William Moore. Moore was born in Liverpool in 1847 and came to San Francisco in 1880.

Pissis is best known for the design of the Hibernia Bank (1892), the Emporium (1895), the Little Sisters of the Poor (1902), the Flood Building (1905) in San Francisco, and the President's House (1901) on the University of California campus in Berkeley.

In contrast to the classical style of the buildings above, Pissis and Moore also designed a number of houses and apartment buildings in the Queen Anne style. The most impressive of these must have been the house designed for Philip Nettle Lilienthal at Clay and California in 1886. According to Nelson [4]: "This was the largest commission Pissis had yet received and was almost twice as costly as the surviving and extravagant Haas-Lilienthal house built the same year and only a few blocks away." (See illustration.)

The builder of the Stuart House was A. H. Broad, a prominent Berkeley contractor and pioneer civic figure. He was born in Maine in 1851 and came to Berkeley in 1877. He served on Berkeley's first board of trustees in 1881 and later became town marshal.

Broad went into business as a building contractor in 1880. Within five years he was well known for his Eastlake cottages. He often worked as Bernard Maybeck's contractor and his later work reflects the influence of the First Bay Tradition architects.

Four buildings with which A. H. Broad was involved have been designated City of Berkeley Landmarks – the Town and Gown Club (2401 Dwight Way; alterations by Broad circa 1909), the Haste Street Building of McKinley School (2419 Haste Street; 1906), the Bentley House (2683 Le Conte Avenue; 1900) and the George Edwards House (2530 Dwight Way; 1886) one lot east of the Stuart House.

15. Context:

The Stuart House is part of a rich architectural group clustered around People's Park. This includes the Wooley House, the Anna Head School, Casa Bonita Apartments, the Rose Cottage, Maybeck's First Church of Christ, Scientist, Julia Morgan's Hobart Hall, and the George Edwards House.

The area to the north of Dwight was sold to the University of California by the Hillegass family and was known as the College Homestead Tract. The area to the south of Dwight Way, where the Stuart House stands, remained in the Hillegass family's possession until 1886 when it was subdivided as the Hillegass Tract.

The College Homestead Tract, developed in the heyday of the Victorian era, was the first fully built residential neighborhood south of the campus. This neighborhood extended to the north end of Wurster Hall. The original neighborhood is now largely gone; the few remaining residences are all the evidence left of that thriving community.

The Hillegass Tract was built up slowly. The process continuing to the turn of the century and beyond. It, too, suffered many losses as older single-family homes have given way to apartment blocks.

The Stuart House is probably the best-known representative of the generation of homes that were built on the Hillegass Tract before 1900. Along with the other historical buildings in the district it bears witness to the history of the Southside district of Berkeley.

16. Significance:

In itself, the Stuart House should be preserved as one of the surviving examples of the Queen Anne style buildings designed by Pissis and Moore. Its historical value is increased by the fact that the design was carried out by A. H. Broad

The existence of the Stuart House also makes it possible to compare the classical style of Pissis' Presidents House to the Stuart House's Queen Anne style, as well as the Eastlake-Queen Anne style of Broad's George Edwards House located nearby.

Finally, the designation of the Stuart House as City of Berkeley Landmark will be a recognition of its contribution to the historical and architectural character of the surrounding district and will make a significant contribution to preserving that character.

Historic Value: City Yes Neighborhood Yes
Architectural Value: City Yes Neighborhood Yes

17. Is the property endangered? No
Explain:

18. Photographs & Illustrations:

- Copy of photograph of the Alexander Stuart House in 1939.
- Copy of photograph of the Alexander Stuart House in 1974 (Elizabeth Crews).
- Copy of photographs of the Alexander Stuart House in 1999.
- Photocopy of Mining Stock Market Columns in the *San Francisco Evening Post*.
- Photocopy of Delinquent Sales of Mining Stock in the *San Francisco Evening Post*.
- Photocopy of *Steam Dummy on Telegraph* by Edwin Deakin, 1892.
- Copy of photograph of Albert Pissis.
- Copy of photograph of the Philip Nettle Lilienthal House.

19. Bibliography:

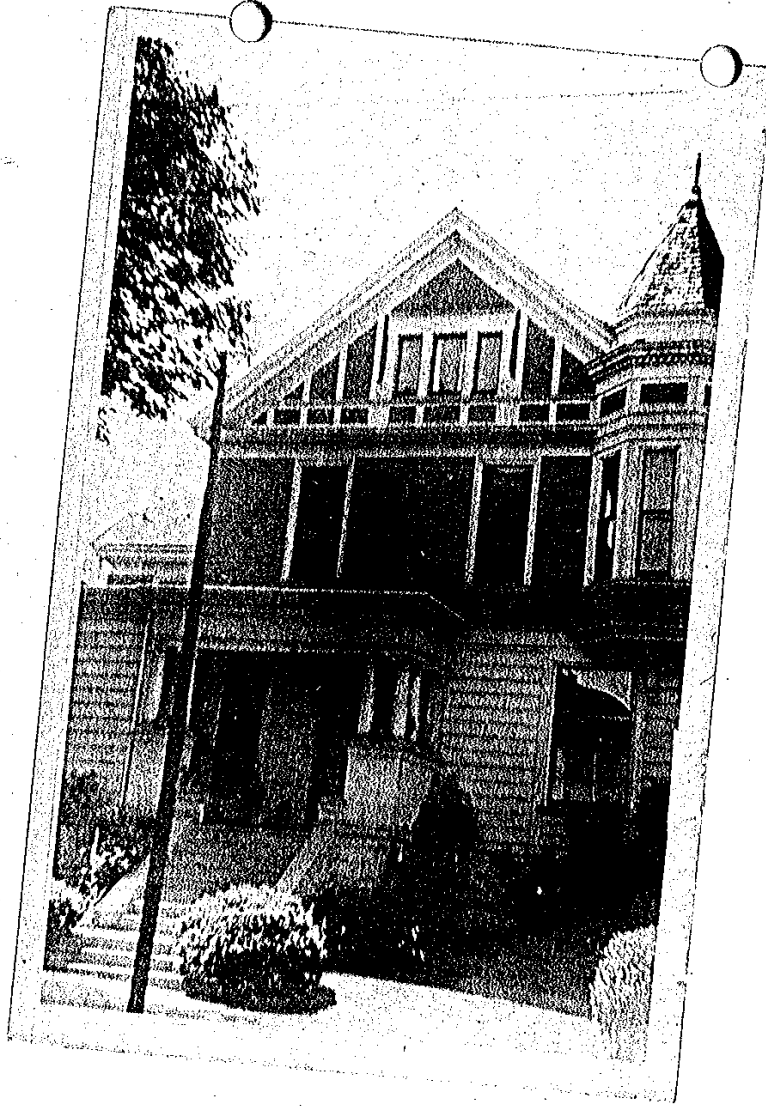
1. Cahill, B. J. S. "The Works of Albert Pissis", *American Builders Review* (January 1906) Pp. 1-37.
2. Emanuel, George *Our First 100 Years: The Story of Mason-McDuffie Through the Lives of Its Leaders*, (no date).
3. Junior League of San Francisco, *Here Today* (1968) pp. 87, 90, 280 & 330.
4. Nelson, Christopher H., *Classical California: The Architecture of Albert Pissis and Arthur Brown Jr.*, dissertation, University of California, Santa Barbara, 1986.
5. *Architect and Engineer*, "The Work of Albert Pissis" (July 1909) pp. 34-69.
6. *California Architect and Building News* (June 1891).
7. *San Francisco Call* (Oct. 24 1897) Death Notice of A. C. Stuart.

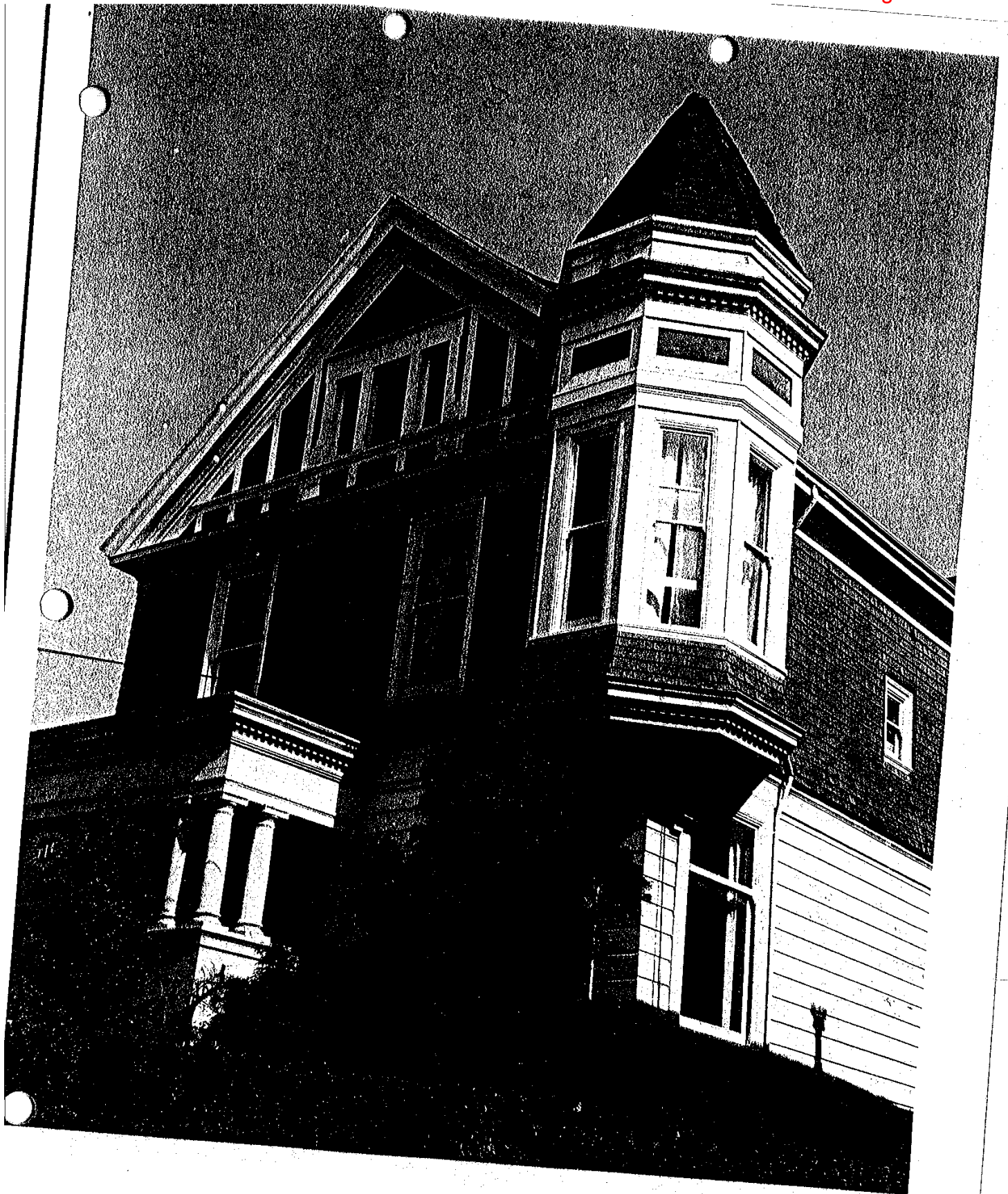
20. Recorder:

Paul Huizinga, 2530 Dwight Way, Berkeley CA 94704, tel: (510) 549-0417.

21. Recorded:

August 1999







STRONG STOCKS

South End Shares Lead the Market of Early Call

Dated Weekly Reports from Stock Exchanges and New York-Notes.

The following summary of operations in the principal mines on the Comstock lode is obtained from the official reports of Superintendents during the week ended April 20.

Con. California & Virginia.—The 1000 and 1100 levels, containing the yield of the usual quantity of ore. On the 1000 level, 100 tons of ore were taken from the main shaft. It is assumed, the loss in handling and crushing, the loss in the mill, and the loss in the furnace, is being estimated. During the week extracted 1000 tons and 1000 pounds from the above mentioned points. Shipped to the Morgan mill 100 tons and 1000 pounds of ore. The above figures are for the week ending April 20. The total value of the ore shipped to the Morgan mill, this week, is \$100,000.

Union.—On the 100 level in working, 100 tons of ore were taken from the top of the shaft. From the end of the shaft, 100 tons of ore were taken. The shaft, 100 feet, containing the ore, is being worked. The shaft, 100 feet, containing the ore, is being worked. The shaft, 100 feet, containing the ore, is being worked.

Yer. Ore. Co.—On the 100 level of Yer. Ore. Co., 100 tons of ore were taken from the shaft. The shaft, 100 feet, containing the ore, is being worked. The shaft, 100 feet, containing the ore, is being worked. The shaft, 100 feet, containing the ore, is being worked.

Albion.—On the 100 level of Albion, 100 tons of ore were taken from the shaft. The shaft, 100 feet, containing the ore, is being worked. The shaft, 100 feet, containing the ore, is being worked. The shaft, 100 feet, containing the ore, is being worked.

Albion.—On the 100 level of Albion, 100 tons of ore were taken from the shaft. The shaft, 100 feet, containing the ore, is being worked. The shaft, 100 feet, containing the ore, is being worked. The shaft, 100 feet, containing the ore, is being worked.

April 28, 1890

A DULL SPELL.

Prices Range Lower on Pine Street, With Business Quiet.

Very Encouraging Reports Received From the East Mines—The Stock Firmly Holds.

The market opened without any change this morning in the matter of prices or business. The demand for stocks of all descriptions was lighter than usual, the only movement being in Pine, which was firm and continued good reports from the mines.

The showing in this property would certainly seem to justify much higher prices for the stock. The shaft is now down over 100 feet in ore, the vein being the feet wide at the bottom. Of this three feet will average 100 per ton, the remaining three feet ranging all the way from 20 to 50 per ton. The vein has been sunk on from the surface, where the reefs have been followed for over 100 feet to a point where the formation of the ground permitted of a tunnel being run. This has accordingly been done for a distance of 100 feet, with the vein fairly and evenly running low. Little can yet be told as to the extent of the deposit, but in all probability, which will be when the shaft is down to the bottom. The shaft has not been at all regular in the depth, at times varying as little as 100 feet and again reaching down as low as 100 feet. The managers of the property are quite sanguine over the prospects and are not disposed to give up the property, but are not disposed to furnish any extraordinary reports which might mislead outside investors. All that can be said at present is that the prospects are most encouraging.

After the regular session the Comstock market was weaker, with a light demand for the leading stocks and a somewhat better demand for the smaller ones. Commonwealth was steady at the recent advance. The transactions are not so heavy as they are to be expected, if the battle is not ended by an admission of defeat on one side or the other before the end of the week.

Official prices for the day are as follows:

May 1, 1890
San Francisco Evening Post
The Mining Stock Market
In 1890

FIRMER AGAIN.

Comstock Mining Shares Score a Light Advance on Call.

Business Continues Quiet in the Market—A Valuable Gold Prop- erty—Quotation Settled.

The mining market opened firmer on early call, with a light showing of business. The heavier class of dealers seem to have withdrawn from the market for the time being, probably in the belief that unless something new turns up, much activity cannot be expected until drilling begins in the middle mines or the pumps are ready for starting up at the south end. Overseas continues fairly active, and the stock is in good demand by dealers who place their faith on the future of the mine, which is said to be looking remarkably well, even in face of the break in prices. The bears are still hammering away at Com. California & Virginia, but their theories are too far fetched to carry any weight.

In outside stocks the Transcons were fully strong, with an evident desire on the part of one of the cliques to sell Commonwealth down. Del. Mont. and North Commonwealth were actively held in at higher prices. In the Union ton Peer was a shade lower at 35 cents bid.

After the regular session the general market weakened off, with business dull. Towards noon the Transcons strengthened up, with a lower range of prices in the Comstocks.

Official quotations for the day are given below:
Locomotive has been assessed 5 cents per share.
The assessment of 50 cents per share on Ohio is delinquent in the board tomorrow.

May 2, 1890

DEFINITIVE SALES

YONIS CONSOLIDATED MINING CO.
Location of principal place of business, San Francisco, Cal.; location of works, Nevada Mining District, Placer county, California. Notice there is delinquent upon the following described stock on account of assessment No. 114 levied on the 10th day of June, 1890, the several amounts set opposite the names of the respective shareholders, as follows:

Name	No.	Ass't
Harratt & James, Trs.	18747	60.813 70
Harrington H. L. Tr. balance	18927	45.11 25
Harrington H. L. Tr. balance	18928	45.11 25
Harrington H. L. Tr. balance	18929	45.11 25
Harrington H. L. Tr. balance	18930	45.11 25
Harrington H. L. Tr. balance	18931	45.11 25
Harrington H. L. Tr. balance	18932	45.11 25
Harrington H. L. Tr. balance	18933	45.11 25
Harrington H. L. Tr. balance	18934	45.11 25
Harrington H. L. Tr. balance	18935	45.11 25
Harrington H. L. Tr. balance	18936	45.11 25
Harrington H. L. Tr. balance	18937	45.11 25
Harrington H. L. Tr. balance	18938	45.11 25
Harrington H. L. Tr. balance	18939	45.11 25
Harrington H. L. Tr. balance	18940	45.11 25
Harrington H. L. Tr. balance	18941	45.11 25
Harrington H. L. Tr. balance	18942	45.11 25
Harrington H. L. Tr. balance	18943	45.11 25
Harrington H. L. Tr. balance	18944	45.11 25
Harrington H. L. Tr. balance	18945	45.11 25
Harrington H. L. Tr. balance	18946	45.11 25
Harrington H. L. Tr. balance	18947	45.11 25
Harrington H. L. Tr. balance	18948	45.11 25
Harrington H. L. Tr. balance	18949	45.11 25
Harrington H. L. Tr. balance	18950	45.11 25
Harrington H. L. Tr. balance	18951	45.11 25
Harrington H. L. Tr. balance	18952	45.11 25
Harrington H. L. Tr. balance	18953	45.11 25
Harrington H. L. Tr. balance	18954	45.11 25
Harrington H. L. Tr. balance	18955	45.11 25
Harrington H. L. Tr. balance	18956	45.11 25
Harrington H. L. Tr. balance	18957	45.11 25
Harrington H. L. Tr. balance	18958	45.11 25
Harrington H. L. Tr. balance	18959	45.11 25
Harrington H. L. Tr. balance	18960	45.11 25
Harrington H. L. Tr. balance	18961	45.11 25
Harrington H. L. Tr. balance	18962	45.11 25
Harrington H. L. Tr. balance	18963	45.11 25
Harrington H. L. Tr. balance	18964	45.11 25
Harrington H. L. Tr. balance	18965	45.11 25
Harrington H. L. Tr. balance	18966	45.11 25
Harrington H. L. Tr. balance	18967	45.11 25
Harrington H. L. Tr. balance	18968	45.11 25
Harrington H. L. Tr. balance	18969	45.11 25
Harrington H. L. Tr. balance	18970	45.11 25
Harrington H. L. Tr. balance	18971	45.11 25
Harrington H. L. Tr. balance	18972	45.11 25
Harrington H. L. Tr. balance	18973	45.11 25
Harrington H. L. Tr. balance	18974	45.11 25
Harrington H. L. Tr. balance	18975	45.11 25
Harrington H. L. Tr. balance	18976	45.11 25
Harrington H. L. Tr. balance	18977	45.11 25
Harrington H. L. Tr. balance	18978	45.11 25
Harrington H. L. Tr. balance	18979	45.11 25
Harrington H. L. Tr. balance	18980	45.11 25
Harrington H. L. Tr. balance	18981	45.11 25
Harrington H. L. Tr. balance	18982	45.11 25
Harrington H. L. Tr. balance	18983	45.11 25
Harrington H. L. Tr. balance	18984	45.11 25
Harrington H. L. Tr. balance	18985	45.11 25
Harrington H. L. Tr. balance	18986	45.11 25
Harrington H. L. Tr. balance	18987	45.11 25
Harrington H. L. Tr. balance	18988	45.11 25
Harrington H. L. Tr. balance	18989	45.11 25
Harrington H. L. Tr. balance	18990	45.11 25
Harrington H. L. Tr. balance	18991	45.11 25
Harrington H. L. Tr. balance	18992	45.11 25
Harrington H. L. Tr. balance	18993	45.11 25
Harrington H. L. Tr. balance	18994	45.11 25
Harrington H. L. Tr. balance	18995	45.11 25
Harrington H. L. Tr. balance	18996	45.11 25
Harrington H. L. Tr. balance	18997	45.11 25
Harrington H. L. Tr. balance	18998	45.11 25
Harrington H. L. Tr. balance	18999	45.11 25
Harrington H. L. Tr. balance	19000	45.11 25

DEFINITIVE SALES

YONIS CONSOLIDATED MINING CO.
Location of principal place of business, San Francisco, California; location of works, Nevada Mining District, Placer county, California. Notice there is delinquent upon the following described stock on account of assessment No. 114 levied on the 10th day of June, 1890, the several amounts set opposite the names of the respective shareholders, as follows:

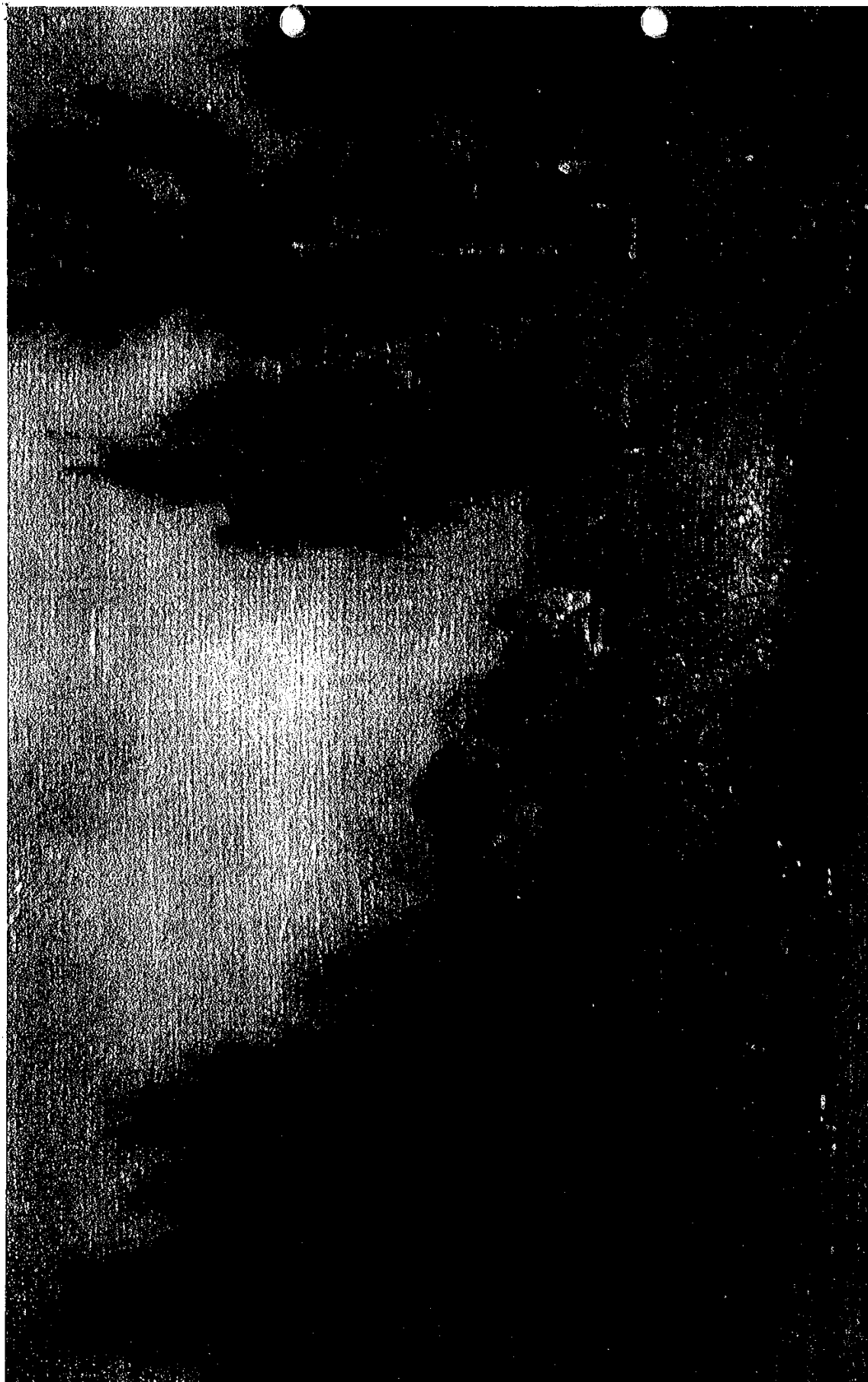
Name	No.	Ass't
T. T. Alkinson & Co., Trs.	18747	60.813 70
A. G. Smith & Co., Trs.	18748	60.813 70
E. Cahill & Co., Trs.	18749	60.813 70
E. Cahill & Co., Trs.	18750	60.813 70
E. Cahill & Co., Trs.	18751	60.813 70
E. Cahill & Co., Trs.	18752	60.813 70
E. Cahill & Co., Trs.	18753	60.813 70
E. Cahill & Co., Trs.	18754	60.813 70
E. Cahill & Co., Trs.	18755	60.813 70
E. Cahill & Co., Trs.	18756	60.813 70
E. Cahill & Co., Trs.	18757	60.813 70
E. Cahill & Co., Trs.	18758	60.813 70
E. Cahill & Co., Trs.	18759	60.813 70
E. Cahill & Co., Trs.	18760	60.813 70
E. Cahill & Co., Trs.	18761	60.813 70
E. Cahill & Co., Trs.	18762	60.813 70
E. Cahill & Co., Trs.	18763	60.813 70
E. Cahill & Co., Trs.	18764	60.813 70
E. Cahill & Co., Trs.	18765	60.813 70
E. Cahill & Co., Trs.	18766	60.813 70
E. Cahill & Co., Trs.	18767	60.813 70
E. Cahill & Co., Trs.	18768	60.813 70
E. Cahill & Co., Trs.	18769	60.813 70
E. Cahill & Co., Trs.	18770	60.813 70
E. Cahill & Co., Trs.	18771	60.813 70
E. Cahill & Co., Trs.	18772	60.813 70
E. Cahill & Co., Trs.	18773	60.813 70
E. Cahill & Co., Trs.	18774	60.813 70
E. Cahill & Co., Trs.	18775	60.813 70
E. Cahill & Co., Trs.	18776	60.813 70
E. Cahill & Co., Trs.	18777	60.813 70
E. Cahill & Co., Trs.	18778	60.813 70
E. Cahill & Co., Trs.	18779	60.813 70
E. Cahill & Co., Trs.	18780	60.813 70
E. Cahill & Co., Trs.	18781	60.813 70
E. Cahill & Co., Trs.	18782	60.813 70
E. Cahill & Co., Trs.	18783	60.813 70
E. Cahill & Co., Trs.	18784	60.813 70
E. Cahill & Co., Trs.	18785	60.813 70
E. Cahill & Co., Trs.	18786	60.813 70
E. Cahill & Co., Trs.	18787	60.813 70
E. Cahill & Co., Trs.	18788	60.813 70
E. Cahill & Co., Trs.	18789	60.813 70
E. Cahill & Co., Trs.	18790	60.813 70
E. Cahill & Co., Trs.	18791	60.813 70
E. Cahill & Co., Trs.	18792	60.813 70
E. Cahill & Co., Trs.	18793	60.813 70
E. Cahill & Co., Trs.	18794	60.813 70
E. Cahill & Co., Trs.	18795	60.813 70
E. Cahill & Co., Trs.	18796	60.813 70
E. Cahill & Co., Trs.	18797	60.813 70
E. Cahill & Co., Trs.	18798	60.813 70
E. Cahill & Co., Trs.	18799	60.813 70
E. Cahill & Co., Trs.	18800	60.813 70

San Francisco Evening Post, July 30, 1890

San Francisco Evening Post, May 8, 1890

Notices of Sales of Mining Stock with Unpaid Assessments

G. T. Marye and Son, the company for which Alexander Stuart worked, evidently did not believe in paying their assessments until the last minute.





Albert Pissis

from

The Architect and Engineer of California
July, 1909

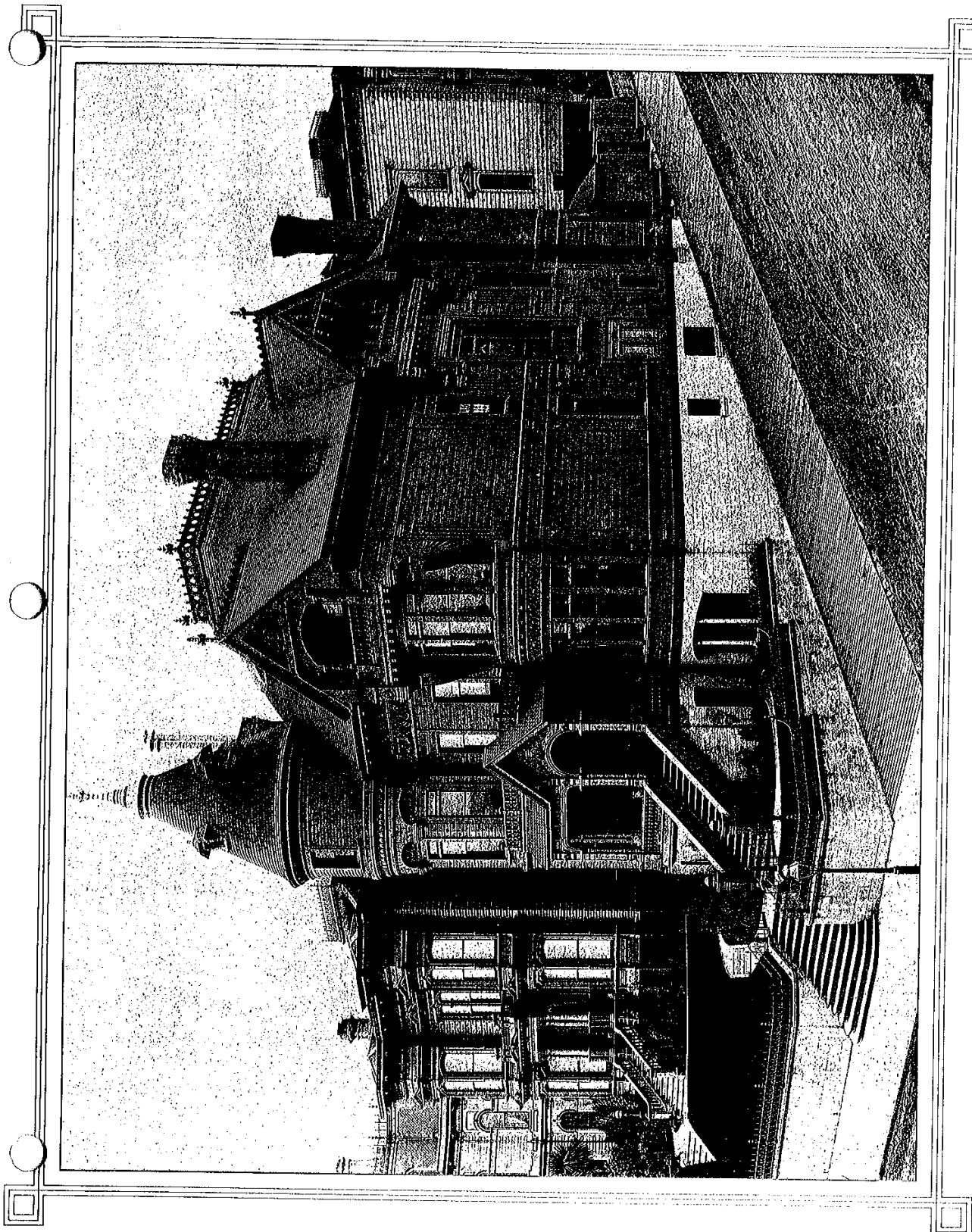


PLATE 24

Clay & Franklin Streets, San Francisco
Pissis & Moore, Architects



City Planning Department
Current Planning Division
Landmarks Preservation Commission

NOTICE OF DECISION

FOR MEETING OF: September 13, 1999

PROPERTY ADDRESS: 2524 Dwight Way
ALSO KNOWN AS: Alexander C. Stuart House
OWNER OF PROPERTY: Tony Afkhangpour
ACTION: Approval of Landmark Designation
APPLICANT: LPC

WHEREAS, 2524 Dwight Way has architectural significance as a work by notable architects, Pissis and Moore, built in 1891 by A.H. Broad.; and,

WHEREAS, 2524 Dwight Way is a rare example of the surviving Queen Anne Victorian style buildings designed by Pissis and Moore; and,

WHEREAS, 2524 Dwight Way faces People's Park, a City of Berkeley Landmark recognized in November of 1984; and,

WHEREAS, 2524 Dwight Way is a major contributing building to the historical and architectural history of the surrounding neighborhood; and,

WHEREAS, on September 13, 1999, a public hearing was duly held regarding the above property and the Landmarks Preservation Commission, being fully advised, voted to APPROVE the designation of 2524 Dwight Way as a City of Berkeley Landmark.


Now, therefore, be it resolved by the Landmarks Preservation Commission of the City of Berkeley that the decision is deemed final unless it is reversed, upon appeal, by the City Council of the City of Berkeley.

VOTE: 9-0-0

Aye: Dishnica, Edwards, Emmington, Kehlmann, Marsh, Morse, Olson, O'Malley, Wengraf
Nay:
Abstain:

8/25/99 LPC NOD
Page 2

DATE NOTICE MAILED: October 1, 1999. THE APPEAL PERIOD EXPIRES (15 DAYS) AT 5 PM: October 18, 1999. File Appeal With City Clerk By This Date.

ATTEST: 
Margaret Kavanaugh Lynch
Secretary, Landmarks Preservation Commission

cc: City Clerk
Property Owner

LEGAL LIMITATIONS:

If you object to this project or any city action or procedure relating to this project application, any lawsuit which you may later file may be limited to those issues raised by you or someone else in the Public Hearing on this project or in written communications presented at or prior to the Public Hearing. The time limit within which to commence any lawsuit or legal challenge related to this (these) application(s) is governed by Section 1094.6 of the Code of civil Procedure, unless a shorter limitations period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-administrative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge which is not filed within that 90-day period will be barred.

COMMUNICATION ACCESS:

To request a meeting agenda in large print, Braille, or on audio cassette, or to request a sign language interpreter for the meeting, call (510) 644-6480 (voice) or 644-6915 (TDD); at least FIVE working days notices will ensure availability.

Feature (letters correspond to attached Work Program)	Location	Character Defining?	Condition	Recommended Treatment	Schedule	Budgets (from contractor quotes)
A. Exterior wood sidings and wood trim	All	Yes	Fair	Repair and repaint exterior wood board and shingle sidings and wood trim work at walls, openings and rooflines	Repairs 2020; repaint 2026	\$85,000
B. Exterior Windows	All	Yes	Fair	Repair and replace in-kind	2026	\$20,000
C. Roofs, roof drainage and flashing	All	Yes	Fair-poor	Roof and roof drainage repairs; future reroof, including drainage assembly repair, selective replacement	Repairs 2020; reroof 2029	\$25,000
D-E. Front porch steps, walk and yard	Front	Yes	Fair	Replace wood porch steps and railing; replace entry walkway paving to match (E)	2020	\$13,000
Total						\$143,000
Estimated 10yr. Budget						



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
JULY 2, 2019

2524 Dwight Way

Mills Act Contract Application #LMMA2019-0003 for a single-family residence and designated City of Berkeley Landmark, The Alexander C. Stuart House.

I. Application Basics

Parties Involved:

- Applicant & Property Owner: NCR Properties LLC/Nathan D. George
1958A University Avenue
Berkeley, CA 94704
- Historic Resource Consultant: Mark Hulbert
Preservation Architecture
446 17th Street, #302
Oakland, CA 94612

Figure 1: Vicinity Map highlighting nearby historic resources

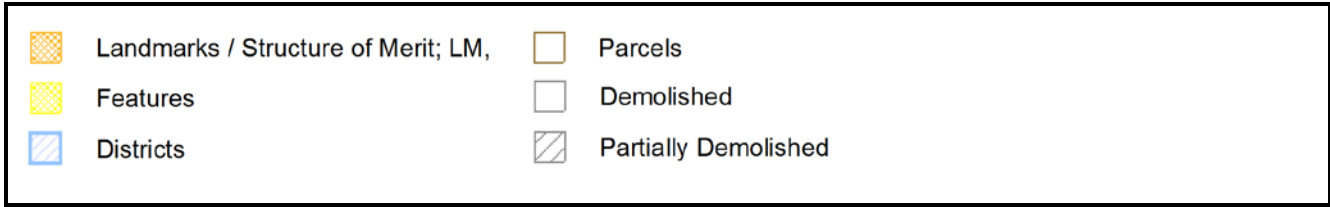
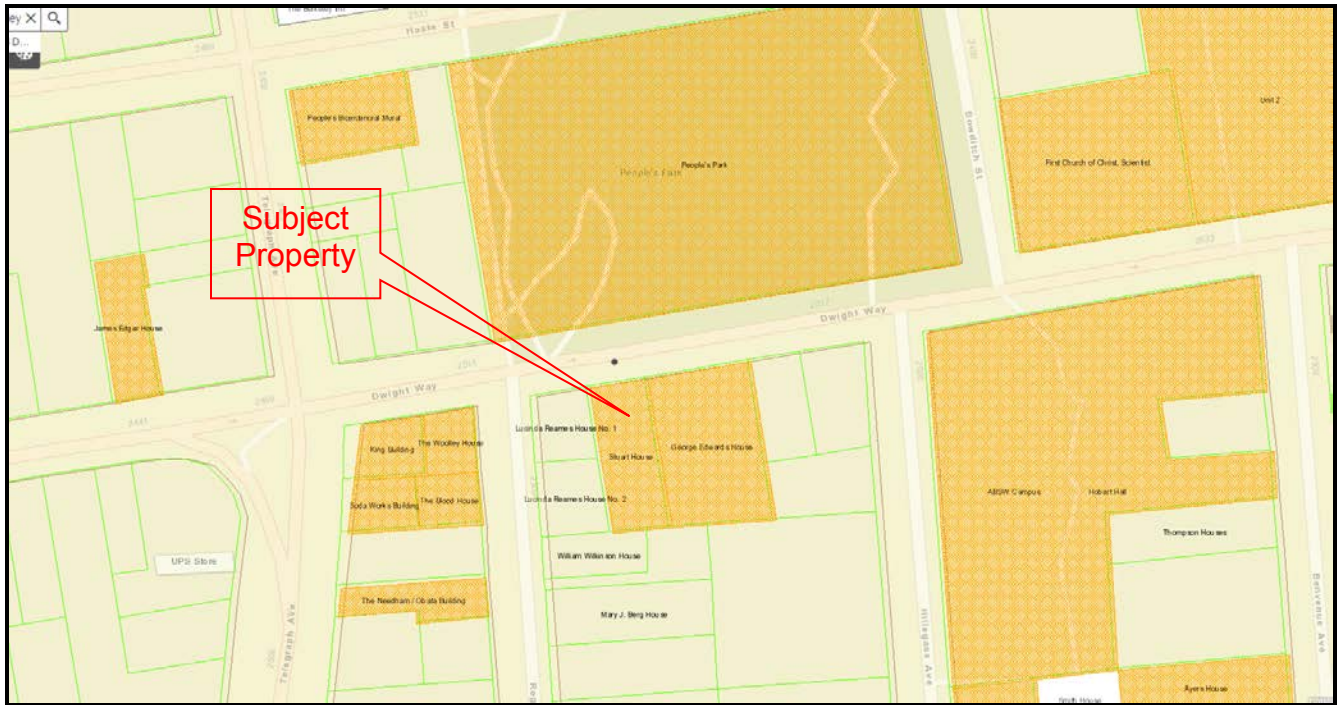


Figure 2: 2524 Dwight Way, current conditions



II. Background

On May 22, 2019, the applicant and owner submitted a Mills Act Contract Application for the property located at 2524 Dwight Way. The application form is provided as Attachment 1 of this report. The historic resource consultant's *Historic Architectural Report for Mills Act Application* is provided as Attachment 2. This document includes the consultant's list of *Character Defining Features* (on page 2), *Historic Architectural Summary and Recommendations* for maintenance and repairs (on page 3), and the City's financial analysis spreadsheet for estimating the potential Mills Act tax savings for this request. Attachment 2 of this report is the proposed ten-year work plan under a Mills Act contract, an excerpt from Attachment 2.

The subject main building at 2524 Dwight Way was constructed in 1891 by Alphonso Herman Broad (1851-1930) and designed by Albert Pissis (1852-1914) and Joseph Moore in the Queen Anne style of the Victorian era. In 1999, it was designated as a City of Berkeley Landmark owing to its architectural merit. A copy of the designation Notice of Decision is provided as Attachment 3 of this report. This property appears on the State Historic Resources Inventory with status code 3S, indicating that the property appears to be eligible for the National Register as an individual property through survey evaluation.

III. Issues and Analysis

The historic resource consultant's rehabilitation and architectural reports (Attachment 2) outline proposed building exterior and site improvements for the subject property over a projected ten-year period. Improvements to the exterior of the City Landmark building include, but are not limited to: repair and repainting exterior wood work (including siding, and shingles and decorative trim detail); repair and selective replacement of exterior wood windows, repair and subsequent replacement of roof and roof drainage assembly; replace front entry stairs and walkway paving; replace fence at front property line; and install new planting.

A new fence at the front property line has been previously approved by the Commission under Structural Alteration Permit #LMSAP2016-0007. However, any other future work on the exterior of the building that would not be considered ordinary maintenance and repairs would require review and approval by the Landmarks Preservation Commission in advance of completing the work.

With the exception of the proposed new plantings, all improvements included in the applicant's *Historic Architectural Summary and Recommendations* (page 3 of Attachment 2) would affect historic, character defining features of the building and site.

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.

IV. 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 applicant's proposed 10-year plan of improvements is summarized in Table 1, below.

Table 1: Summary of Ten-Year Work Plan for 2524 Dwight Way

Feature	Treatment (as recommended by historic resource consultant)		Estimated Year of completion
Exterior wood sidings & trims	A	Repair & maintain wood work	2020
		Re-paint wood work	2026
Exterior wood windows	B	Repair & selective replacement	2026
Roof & drainage	C	Repair & maintain roof and roof drainage assembly	2020
		Replace roof, including drainage assembly	2029
Front stairs, walkway and plantings	D & E	Replace stairs & railing; replace walkway pavement & fence & gate; new plantings	2020

The working financial analysis spreadsheet provided by the applicant at time of submittal, estimates that the cost of the owner's proposed improvements over a 10-year period would be approximately \$148,500 and the estimated total tax savings over the 10-year period would be approximately \$44,000, starting at an annual savings of approximately \$4,700 and then decreasing to approximately \$3,200 by the tenth year of the program.

V. Recommendation

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", and advises the Commission to recommend that City Council approve the Mills Act Contract request for the subject property.

Attachments:

1. Mills Act Contract Application & Historic Architectural Report for Mills Act application, prepared by Mark Hulbert, received May 22, 2019
2. Estimated [Ten-Year] Work Schedule for Mills Act, received May 22, 2019
3. 2524 Dwight Way Landmark designation Notice of Decision (1999)

Prepared by: Fatema Crane, Senior Planner; fcrane@cityofberkeley.info (510) 981- 7413

