

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 5, 2024

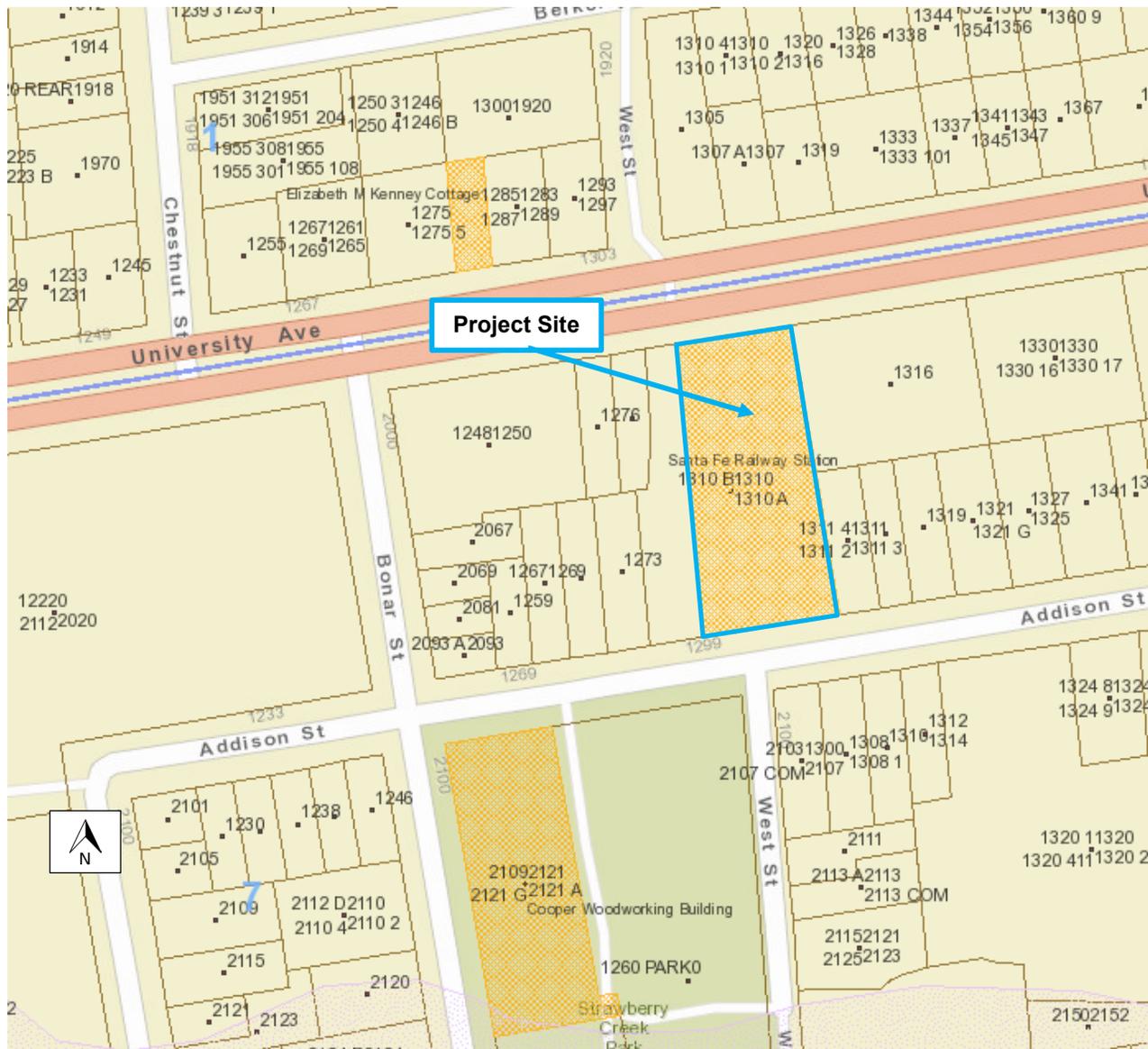
1310 UNIVERSITY AVENUE – SANTA FE RAILWAY STATION

Structural Alteration Permit #LMSA2024-0001 for the installation of one (1) new illuminated sign on the former Santa Fe Railway Station, a designated City of Berkeley Landmark.

I. Application Basics

- A. Land Use Designations:** University Commercial District (C-U)
- B. CEQA Determination:** Categorically exempt pursuant to Section 15331 of the CEQA Guidelines (Historical Resource Rehabilitation).
- C. Parties Involved**
- **Property Owner:** The Berkeley School
1310 University Avenue
Berkeley, CA 94702
 - **Applicant:** Rose-Marie Ezra
1301 University Avenue
Berkeley, CA 94702
- D. Staff Recommendation:** Hold a hearing on this matter, consider the merits of the proposal and take favorable action.

Figure 1: Vicinity Map – highlighting nearby City Landmarks & Structures of Merit



	Landmarks / Structure of Merit; LM,		Parcels
	Features		Demolished
	Districts		Partially Demolished

Figure 2: Subject Property, Existing Site Conditions, Aerial View (Google Maps, 2022)



II. Background

On May 16, 2024, the applicant submitted a Structural Alteration Permit (SAP) application to install new signage at The Berkeley School, formerly the Santa Fe Railway Station. On May 21, 2024, staff deemed the application incomplete and awaits receipt of additional information and application materials. The hearing was opened on July 8, 2024 per BMC Section 3.24.220.C and continued.

On November 26, 2024, staff mailed and posted ten-day advance notices for tonight's meeting, in accordance with BMC Section 3.24.230.

Chapter 3.24 of the Berkeley Municipal Code (BMC) mandates that the Landmarks Preservation Commission review any exterior modification requiring city permits to a Landmark Structure and then grant a Structural Alteration Permit (SAP) for such work.

This subject property is located on the south side of University Avenue. The parcel is split-zoned as General Commercial Use (C-1) and Restricted Multi-Family Residential (R-2A) and is surrounded by C-1 and R-2A to the north east, and west, and R-2A to the south. The lot is shared by the Congregation Netivot Shalom, a synagogue that is not historic to the site.

This single-story Mission Revival style building was constructed in 1904 as a railway station along the former track that is now West Street. It was designed by architect Charles Frederick Whittlesey, the chief architect for the Acheson, Topeka and Santa Fe Railway.

Significant architectural features include:

- Arched arcade
- Projecting bay to the North
- Central dome and finials
- Four corner turrets with small domes

- Rounded gable over baggage door on the southwest façade
- Exterior plaster walls

The building was renovated in 1969 when a restaurant took over the property, and again in 1979 when that restaurant expanded, enclosing the arcade with class and constructing an addition at the southern (rear) portion of the building. The current occupant, The Berkeley School, was established in 2002 and made further additions to the site with two new buildings and a low wall enclosure to the east of the historic structure. The proposed scope is limited to this low wall that is visible from University.

The building became a City of Berkeley Landmark in 2001; the Landmarks Notice of Decision is included for reference as Attachment 4 of this report.

III. Project Description

The proposed scope of work is limited to the addition of one new illuminated sign on the wall enclosing a gathering area to the east of the historic structure. No work is proposed on the historic structures itself. The scope includes:

- Removal of one unpermitted acrylic sign
- Installation of individual halo-illuminated 16 inch channel letters along the top of the low wall at the front of the Berkeley School

•

Figure 3: Proposed Signage, Photo Simulation, Attachment 2 – Project Plans, Page 3



IV. Issues and Analysis

Staff has identified relevant criteria pertinent to this project from the City of Berkeley Sign Ordinance, the Downtown Design Guidelines, the Secretary of the Interior's Standards for the Treatment of Historic Properties, and the Landmarks Preservation Ordinance (BMC Section 3.24).

A. Berkeley Municipal Code (BMC) Title 20: The Sign Ordinance

The analysis below summarizes staff's findings with respect to the City of Berkeley's Sign Ordinance, which can be found in BMC Title 20. The Sign Ordinance contains regulations applicable to signage with the objective of balancing the aesthetic character of the City's residential, commercial, and manufacturing districts with the needs of business owners and residents who work and reside within those districts.

1. **Number of Signs:** Per BMC Section 20.24.030, tenant spaces in commercial districts are allowed up to two signs for each street frontage that the subject space occupies.
2. **Sign Area:** Per BMC Section 20.24.040, The sign area of wall signs shall not exceed fifteen (15) percent of the building face of the premises or one hundred fifty (150) square feet, whichever is less.

Analysis: The proposed application meets the requirements of the Sign Ordinance with regards to maximum quantity of signs and total sign areas.

B. Downtown Design Guidelines:

The 2012 Downtown Design Guidelines for Signs and Awnings are used in Design Review applications for the review of signage for projects in all non-residential districts within the City of Berkeley, even for locations outside of the downtown. The document contains several policies applicable to the project. The analysis below summarizes staff's findings in respect to how the project meets the relevant standards:

1. Signs and Graphics, Pages 49-54

All Signs Guideline 4: The architecture of the building often identifies specific locations for signs, and these locations should be used.

All Signs Guideline 6: The size of signs and sign letters should be in scale and proportional to the space in which they are located, with letters typically between 6 and 16 inches high.

All Signs Guideline 14: On Landmark buildings, signs should be designed and located to be consistent with the character of the building and the era in which the building was constructed.

All Signs Guideline 18: Lighting should utilize spot lighting, halo lighting, or exposed neon.

Analysis: The purpose of the Design Guidelines when it comes to signage is to ensure that building signage fits within the architectural design of the subject structure, and that it fits well within the neighborhood context. While staff finds

that the proposed location of the signage is fitting within the overall design of the building, and the illumination is compliant with the guidelines, the letter height is larger than what the proposed location can accommodate visually. With the additional consideration that the neighboring synagogue has non-illuminated signage that is significantly smaller than what is proposed in this application, staff is concerned that the size of the sign is out of proportion with the building and with its neighbor.

Staff has requested that the applicant consider reducing the letter size to either 12 inches or 14 inches, rather than the 16 inches proposed. The reduction in letter height would also reduce the length and overall area of the proposed sign, bringing it more in harmony with the building and the neighboring tenant.

The applicant has provided renderings of the proposed signage at 12 inches, 14 inches, and 16 inches. Those renderings are included as Attachment 3 of this report.

C. The Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior's Standards for the Treatment of Historic Properties (1995) defines *Rehabilitation* as "the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values." Below is an analysis of how the proposed project complies with the most relevant Standards for Rehabilitation.

SOI Rehab Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

SOI Rehab Standard 10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Analysis: The design of the signage proposed by this project would have minimal effect on the character of the Landmark. The sign design is differentiated from the historic features, but is compatible in location and material to the overall design of the building. As no work is proposed to the historic structure, there is no risk that any materials would be damaged if the sign were to be removed.

As stated above, staff has concerns about the scale of the signage and the size of the letters could adversely affect the integrity of the Landmark, however the recommended reduction of the letter height would reduce the visual impact of the new sign.

Staff recommends the Commission review the proposed sign design and provide feedback for staff and the Applicant regarding sizing of the letters to better support the architectural character of this Landmarked structure.

**D. Landmarks Preservation Ordinance Review Standards and Criteria
(Section 3.24.260.C)**

In order to approve a request for an SAP, the Commission must find that the proposal would not adversely affect the features or special character of the subject structure or property. Staff believes the applicant's proposal would not result in adverse effects for this historic resource as described below, and offers the following findings in accordance with the LPO:

BMC Section 3.24.260(C)(1): *“For applications relating to landmark sites, the proposed work shall not adversely affect the exterior architectural features of the landmark and, where specified in the designation for a publicly owned landmark, its major interior architectural features...”*

Analysis: The proposed project would provide minimal exterior alterations to this historic structure. With the proposed design considerations for the size of the channel letters recommended by staff, the new signage would fit with the historic features of the façade while not creating false historicism. For these reasons, the proposed upgrades would not adversely affect the architectural features of the Landmark.

BMC Section 3.24.260(C)(1): *“...nor shall the proposed work adversely affect the special character or special historical, architectural or aesthetic interest or value of the landmark and its site, as viewed both in themselves and in their setting.”*

Analysis: The improvements to the façade would not adversely affect the special character of the building as it would be installed on a non-historic, free-standing wall adjacent to the historic structure.

Therefore, this request is found to be beneficial owing to its expected improvements and consistency with the LPO standards and criteria for permit approval

V. Discussion Items

Staff recommends that the Commission review the proposal for signage at this location and provide direction on the following items:

- Reduced Letter Height - Consider staff's recommendation to reduce the size to 12 or 14 inches, rather than the proposed 16 inch letter height.

VI. Recommendation

Staff recommends that the Commission open the hearing on this matter, consider the recommendations provided by staff, and approve this Structural Alteration Permit pursuant to BMC Section 3.24.260 and subject to the attached findings and conditions because the proposed project:

- 1) Would result in minimal and ultimately reservable changes to the historic Santa Fe Railway Station; and
- 2) Adheres to the requirements of Landmarks Preservation Ordinance for exterior alterations.

Attachments

1. Draft Findings and Conditions for Approval
2. Proposed Project Plans, received October 1, 2024
3. Design Iterations, received November 15, 2024
4. Landmark Designation, dated September 10, 2001

Prepared by: Desiree Dougherty, Assistant Design Review Planner; ddougherty@berkeleyca.gov, (510) 981-7431

Reviewed by: Fatema Crane, Principal Planner/LPC Secretary; fcrane@berkeleyca.gov, (510) 981-7413

ATTACHMENT 1

FINDINGS AND CONDITIONS

1310 UNIVERSITY AVENUE – SANTA FE RAILWAY STATION

Structural Alteration Permit #LMSA2024-0001 for the installation of one (1) new illuminated sign on the former Santa Fe Railway Station, a designated City of Berkeley Landmark.

FINDINGS REQUIRED UNDER CEQA

1. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 15331 of the CEQA Guidelines (“Historic Resource Restoration/Rehabilitation”). Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, and (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5.

FINDINGS RELATED TO THE SECRETARY OF THE INTERIOR’S STANDARDS

Regarding the Secretary of the Interior’s Standards (SOI) for Rehabilitation, the Landmarks Preservation Commission of the City of Berkeley makes the following findings:

1. The proposed project does not require a change of use. The property will retain the existing use as a school.
2. The project will retain the historic character of the property and will avoid removal of distinctive materials and the alteration of features that characterize the property.
3. The new signage will not resemble or replicate designs from the property’s historic period. These new features are contemporary and will not result in a false sense of historical development.
4. The subject property does not feature changes that have acquired significance in their own right.
5. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize this property, such as the arched arcade, projecting bay at the north, central dome and finials, four corner turrets with small domes, rounded gable over baggage door on the southwest façade, exterior plaster walls, will be substantially retained and preserved with this [limited-scope] project.

6. As conditioned herein, if deteriorated historic features will be affected by this request, then they would be repaired or replaced to match the materials, design, and finishes of the original items.
7. The applicant does not propose chemical or physical treatments. However, standard conditions of Structural Alteration Permit approval would require any chemical or physical treatments to be undertaken using the gentlest means possible.
8. The project does not have the potential to affect any archaeological resources because the applicant proposes no excavation.
9. The proposed new work is designed with complimentary, high-quality materials in simplified, contemporary style employing colors and finishes that harmonize with the historic design elements of the building. Owing to these aspects, new work will be sufficiently differentiated from the historic design.
10. If the proposed improvements were removed in the future, they would not permanently impair the integrity or essential form of the subject building.

FINDINGS REQUIRED UNDER LANDMARKS PRESERVATION ORDINANCE

1. As required by Section 3.24.260 of the Landmarks Preservation Ordinance, the Commission finds that the proposed work is appropriate for and consistent with the purposes of the Ordinance, and will preserve the characteristics and features specified in the designation for this property. Specifically:
 - A. The proposed project will not adversely affect the architectural design of the City Landmark, the Santa Fe Railway Station. The proposed signage will be located on a free-standing wall that is not original to the site and not will alter any portion of the historic structure.
 - B. The special character of the subject property may lie in the design of the original station building. The minor alterations proposed in this project would not adversely affect these qualities as the new signage would fit with the historic features of the façade while not creating false historicism.

STANDARD CONDITIONS

The following conditions, as well as all other applicable provisions of the Landmarks Preservation Ordinance, apply to this Permit:

1. Conditions Shall be Printed on Plans

The conditions of this Permit shall be printed on the *second* sheet of each plan set submitted for a building permit pursuant to this Permit, under the title 'Structural Alteration Permit Conditions'. *Additional sheets* may also be used if the *second* sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.

2. Plans and Representations Become Conditions

Except as specified herein, the site plan, floor plans, building elevations and/or any additional information or representations, whether oral or written, indicating the proposed structure or manner of operation submitted with an application or during the approval process are deemed conditions of approval.

3. Subject to All Applicable Laws and Regulations

The approved use and/or construction is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies. Prior to construction, the applicant shall identify and secure all applicable permits from the Zoning Adjustments Board or Zoning Officer, Building and Safety Division, Public Works Department and other affected City divisions and departments.

4. Exercise and Lapse of Permits

- A. A permit for the construction of a building or structure is deemed exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced.
- B. A permit may be declared lapsed and of no further force and effect if it is not exercised within one year of its issuance, except that permits for construction or alteration of structures or buildings may not be declared lapsed if the permittee has: (1) applied for a building permit; or, (2) made substantial good faith efforts to obtain a building permit and begin construction, even if a building permit has not been issued and/or construction has not begun.

5. Indemnification Agreement

The permittee agrees as a condition of approval of this application to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively, "Claims") arising out of or in any way relating to the approval of this application, any actions taken

by the City related to this entitlement, or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 210000 et seq., for this entitlement and related actions. The indemnification shall include any Claims that may be asserted by any person or entity, including the permittee, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents. The permittee's duty to defend the City shall not apply in those instances when the permittee has asserted the Claims, although the permittee shall still have a duty to indemnify, protect and hold harmless the City. (City Attorney).

6. Halt Work/Unanticipated Discovery of Tribal Cultural Resources

In the event that cultural resources of Native American origin are identified during construction, all work within 50 feet of the discovery shall be redirected. The project applicant and project construction contractor shall notify the City Planning Department within 24 hours. The City will again contact any tribes who have requested consultation under AB 52, as well as contact a qualified archaeologist, to evaluate the resources and situation and provide recommendations. If it is determined that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with State guidelines and in consultation with Native American groups. If the resource cannot be avoided, additional measures to avoid or reduce impacts to the resource and to address tribal concerns may be required.

7. Archaeological Resources *(Ongoing throughout demolition, grading, and/or construction)*

Pursuant to CEQA Guidelines Section 15064.5(f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore:

- A. In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist, historian or paleontologist to assess the significance of the find.
- B. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified professional would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Berkeley. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by the qualified professional according to current professional standards.
- C. In considering any suggested measure proposed by the qualified professional, the project applicant shall determine whether avoidance is necessary or feasible in light of factors such as the uniqueness of the find, project design, costs, and other considerations.
- D. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation measures for cultural resources is carried out.

E. If significant materials are recovered, the qualified professional shall prepare a report on the findings for submittal to the Northwest Information Center.

8. Human Remains (*Ongoing throughout demolition, grading, and/or construction*)

In the event that human skeletal remains are uncovered at the project site during ground-disturbing activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to CEQA Guidelines Section 15064.5 (e)(1) . If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to Health and Safety Code Section 7050.5(c), and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.

9. Paleontological Resources (*Ongoing throughout demolition, grading, and/or construction*)

In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards [SVP 1995,1996]). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.

ADDITIONAL CONDITIONS

The following additional conditions are attached to this Permit:

10. No changes can be made to these approved plans without prior approval.
11. **CITY PERMITS.** This Structural Alteration Permit (SAP) approval is contingent upon approval of the requisite Use Permit and Public Work Permit for the project scope.
12. **PLANS COMPLIANCE.** Construction and building permit plans shall substantially conform to the Structural Alteration Permit (SAP) project plans dated/received October 1, 2024.
13. **REPAIR AND REPLACEMENT OF CHARACTER-DEFINING FEATURES.** Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old or historic feature in design, color, texture, and, where possible,

materials. Replacement of missing features shall be substantiated by documentary and physical evidence.

14. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
15. **SIGNAGE.** Prior to Landmarks plan checker sign-off of the building permit set of drawings, the applicant shall submit complete signage details, including colors, materials, letter heights not greater than 12 inches, dimensions, placement on building, and installation details. All materials will be matte unless otherwise noted. All non-temporary signage and awnings not previously approved and not listed in this application are prohibited.
16. **LIGHTING.** Prior to Landmarks plan checker sign-off of the building permit set of drawings, the applicant shall submit lighting details showing all existing and proposed site and building lighting. Exterior lighting, including for signage, shall be downcast and not cause glare on the public right-of-way and adjacent parcels.
17. The applicant shall be responsible for identifying and securing all applicable permits from the Building and Safety Division and all other affected City divisions/departments prior to the start of work.
18. The applicant is responsible for complying with all the above conditions. Failure to comply with any condition could result in construction work being stopped, issuance of citations, as well as further review by the Landmarks staff, which may modify or impose additional conditions, or revoke approval.
19. All building permit drawings and subsequent construction shall substantially conform to the approved plans as outlined in Condition #1. Any modifications must be reviewed by the Landmarks plan checker to determine whether the modification requires approval.
20. The applicant shall hold harmless, defend, and indemnify the City of Berkeley and its officers, agents, and employees against any and all liability, damages, claims, demands, judgments or other losses (including without limitation, attorney's fees, expert witness and consultant fees and other litigation expenses), referendum or initiative relating to, resulting from or caused by, or alleged to have resulted from, or caused by, any action or approval associated with the project. The indemnity includes without limitation, any legal or administrative challenge, referendum or initiative filed or prosecuted to overturn, set aside, stay or otherwise rescind any or all approvals granted in connection with the Project, any environmental determination made for the project and granting any permit issued in accordance with the project. This indemnity includes, without limitation, payment of all direct and indirect costs associated with any action specified herein. Direct and indirect costs shall include, without limitation, any attorney's fees, expert witness and consultant fees, court costs, and other litigation fees. City shall have the right to select counsel to represent the City at Applicant's expense in the defense of any action specified in this condition of approval. City shall take reasonable steps to promptly notify the Applicant of any claim, demand, or legal actions that may create a claim for indemnification under these conditions of approval.



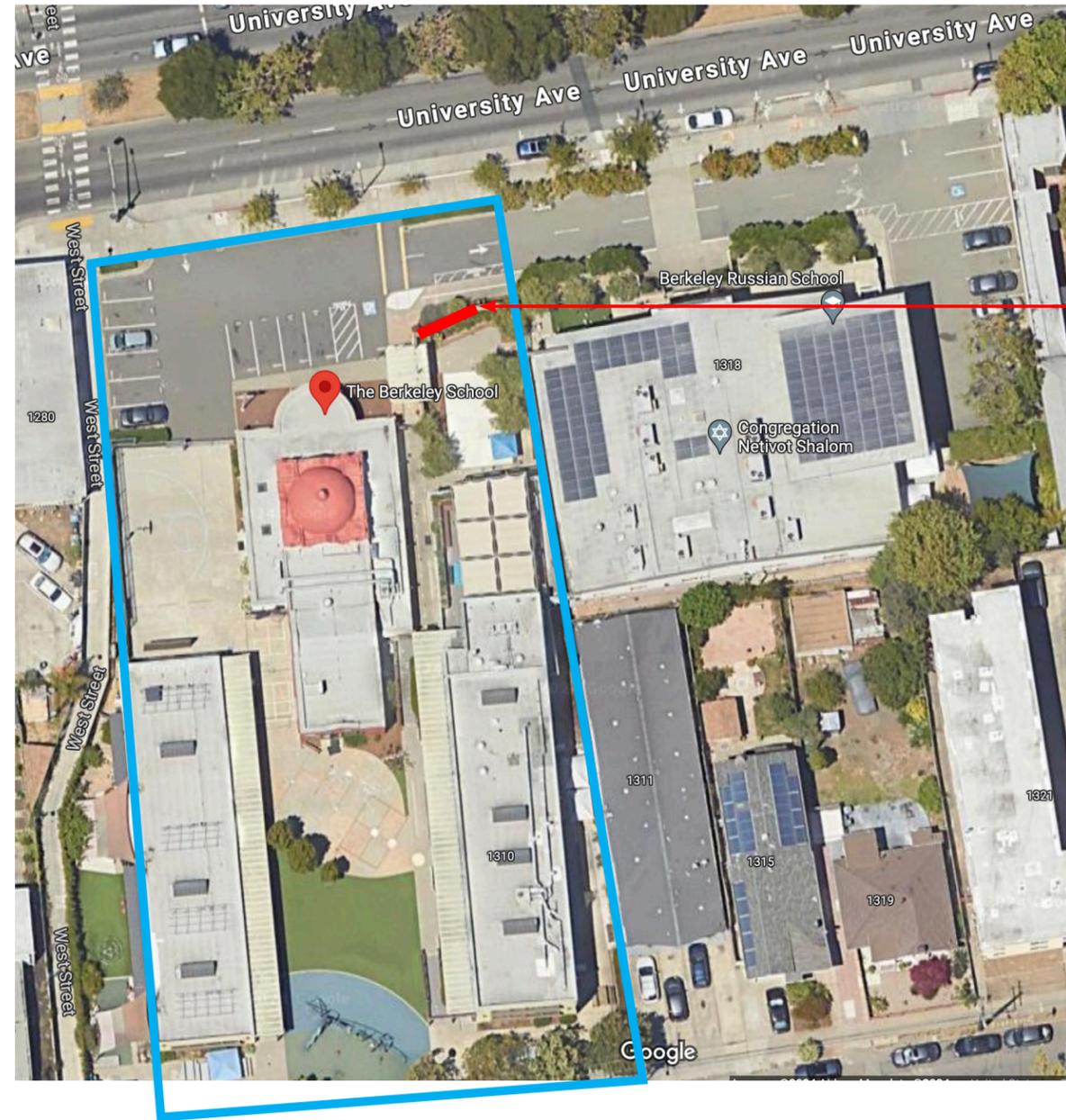
THE BERKELEY SCHOOL | VERSION 2

Campus Entry Signage

ADDRESS	1310 University Ave, Berkeley, CA 94702	Site plan	page 2
PROJECT NAME	Campus Entry Signage	Elevation	page 3
DESCRIPTION	1x dimensional illuminated sign	Sign - Specifications	page 4
LESSEE	The Berkeley School	Sign - Attachment style	page 5
PROJECT VALUE	\$20,950		
DATE	Sep 5, 2024		
BUILDING STORIES	2		
TENANT USE	Educational Facility (E-1)		

PLOT PLAN

Entry sign to be located at main building entrance, behind driveway and facing University Ave.
The building is 2 stories tall, and the tenant is using the space as a private school.



proposed sign location

Location: 1310 University Ave
Berkeley, CA 94702
Project: Campus Entry Sign, v2
Date: Sep 5, 2024

I have verified the accuracy of all graphics shown with respect to size and content. The specifications are correct and represent our order requirement exactly. I authorize release to production according to this approved submittal.

Approved by _____ Date _____



TINKERING MONKEY

675 Cedar St, Berkeley, CA 94710
510.463.4705 • hello@tinkeringmonkey.com

ELEVATION

Sign to be mounted directly on top of dividing wall at building entrance.



Weatherproof junction box, single gang with flat cover to be used. Box to be mounted near one end of the sign location on the **back** of the wall, 5' below the top edge of the wall. Tinkering Monkey to install weatherproof conduit to connect to box.



Location: 1310 University Ave
Berkeley, CA 94702
Project: Campus Entry Sign, v2
Date: Sep 5, 2024

I have verified the accuracy of all graphics shown with respect to size and content. The specifications are correct and represent our order requirement exactly. I authorize release to production according to this approved submittal.

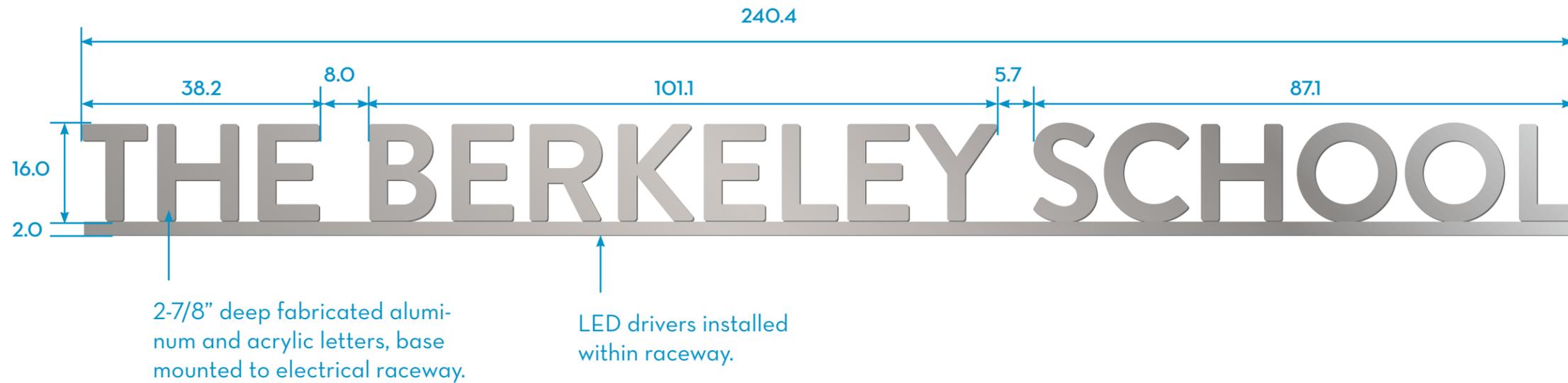
Approved by _____ Date _____



TINKERING MONKEY
675 Cedar St, Berkeley, CA 94710
510.463.4705 • hello@tinkeringmonkey.com

SIGN CONSTRUCTION

Qty: 1



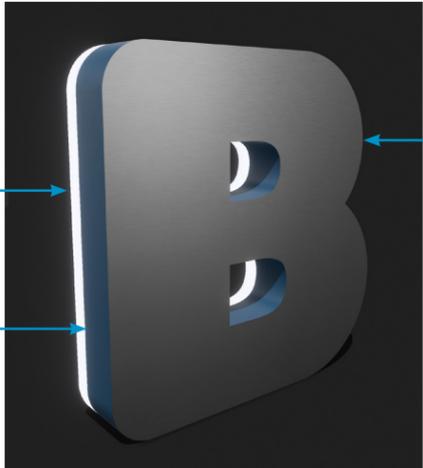
HARDWARE



Multiple holes will be drilled into wall.

Sign will be fastened using 3/8 in. x 6 in. Star Drive Washer Head RSS Structural Screws

CUT AWAY VIEW

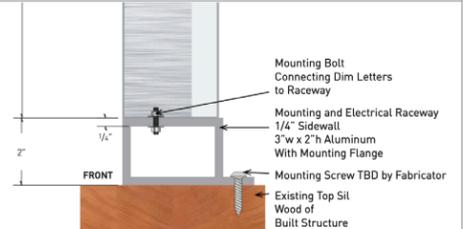


2" painted PMS 302

3/4" to be translucent white acrylic for illumination

Front and back faces: Brushed metal, horizontal grain

MOUNTING METHOD



Mounting Bolt Connecting Dim Letters to Raceway

Mounting and Electrical Raceway 1/4" Sidewall 3" w x 2" h Aluminum With Mounting Flange

Mounting Screw TBD by Fabricator

Existing Top Sil Wood of Built Structure



Internal

Option 1: 13ft wide: 160.1" x 12"



Internal

Option 2, 15.5 ft wide: 186.8" x 14"



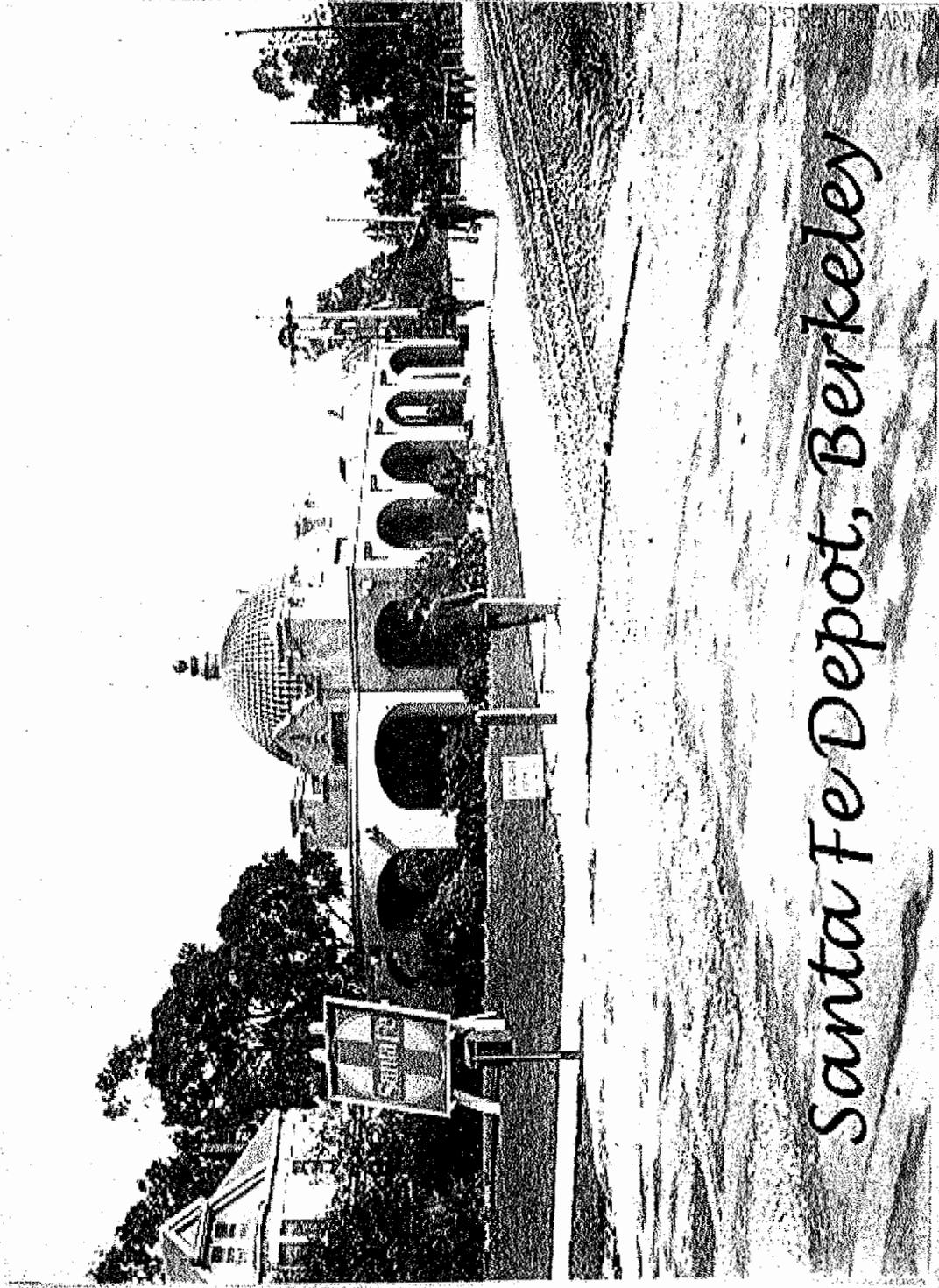
Internal

Option 3, almost 18ft wide: 213.5" x 16"



238

SEP 04 2001



Santa Fe Depot, Berkeley

S. F. Depot, Berkeley, California

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

SANTA FE RAILROAD DEPOT

1. **Street Address:** 1310 University Avenue
County: Alameda **City:** Berkeley **ZIP:** 94702
2. **Assessor's Book:** 056 **Block:** 1995 **Parcel:** 029-00
Dimensions: 273 feet (north-south) x 127 feet (parallel to University Avenue)
Adjacent Streets: Acton Street and University Avenue
3. **Is property on any survey?**
Neighborhood: Urban Conservation Survey
State Inventory: Yes **National Register:** No
4. **Application for Landmark Includes:** Entire parcel
5. **Historic Name:** Santa Fe Railroad Depot
Current Commonly Known Name: Santa Fe Railroad Depot
6. **Date of Construction:** 1904 (original depot); 1979 (addition in rear);
Factual: Yes
7. **Architect:** Charles Frederick Whittlesey, chief architect for the Atcheson, Topeka and Santa Fe Railway's expansion into the Southwest.
8. **Builder:** Atcheson, Topeka and Santa Fe Railway
9. **Style:** Mission Revival
10. **Original Owner:** Atcheson, Topeka and Santa Fe Railway
Original Use: Railroad passenger station
11. **Present Landowner:** Berkeley Montessori School
Landowner's Address: 1581 LeRoy Avenue, Berkeley, CA 94708
Present Occupants: Santa Fe Bar & Grill
12. **Present Use:** Restaurant
13. **Current Zoning:** C-1 & R2a (rear) **Adjacent Property Zoning:** C-1 & R2a
14. **Present Condition of Property:** Good
15. **Is property endangered?** No

16. Description:

Santa Fe Railroad Depot at 1310 University Avenue is a one-story, brick and concrete structure in Mission Revival style (see Figs. 1-6). Its footprint is rectangular, and it was originally surrounded on three sides (east, north, west) by an arcaded platform. The arcades were lined with benches for patrons. It faces University Avenue with a round bay (part of the northern arcade) extending out from the platform.

All of the ornamentation was meant to face the northern and western façades, as they were the sides seen by the public. The southern façade is a plain box.

The arcades (were) about 12 feet deep, with massive low rounded arches, and projecting pueblo style beams between each archway. There are five arches facing the (former) train tracks to the west. The archways have been glassed in for current use as a restaurant. There are protruding beams on the exterior walls between the arches, although the enclosed garden terrace of the restaurant masks this feature on the west façade they are still visible on the north facade.

The large central dome (which was originally covered in red tiles, see Fig. 5), with its projecting knobbed finial, is surrounded by a square battlement with pointed mission gables and four corner turrets with their own small domes. The western façade has a rounded gable to the south above the door to the original baggage area's door. The station's original signage, above the arches and beams on the western facade, simply had the name "BERKELEY," with the Santa Fe logo above it.

The waiting room was originally under the central dome. The other interior spaces included an office, restrooms, and a baggage room in the southern portion of the building.

The foundation is concrete. The walls are brick, plastered on exterior with cement. Moldings are made of cement. The interior is plastered with lime mortar on wood lath, except wainscoting, which is cement on metal lath.

The overall building's exterior color scheme is now creamy white, but was originally "soft, light terra cotta shades: woodwork deep olive green."

The tracks to the west have long since been removed, and the restaurant has since built a glass enclosed garden terrace directly abutting the western arcade, but their former location remains primarily an open space.

17. History:

During the last two decades of the 19th C., the Santa Fe Railway was making its way west. The goal: San Francisco. The competition: Southern Pacific Railway, which succeeded in reaching San Francisco first via the coastal route. In 1895, after reforming as the Atcheson, Topeka and Santa Fe Railway, the company began a decisive push to reach the San Francisco Bay Area. When Santa Fe finally came to agreement with the City of Berkeley in 1903 to build a station, after purchasing an unused railway right-of-way from Berkeley entrepreneur Borax Smith, it was the realization of that dream – a direct route between Chicago and Berkeley, via Kansas City, Bakersfield, and Stockton, with connections to most of the major population centers in the southwestern United States. Freight and passengers were ferried to San Francisco via a ferry link in Point Richmond to China Basin in San Francisco. During a time when connectivity meant a larger market for production, industry and commerce, companies depended on a rail link to improve and expand their development. This link would prove to be vital over the coming decades to move not only passengers, but the Santa Fe Railroad carried mail, produce, coal, petroleum products, livestock, manufactured goods, and vital weapons and ship building components during the first and second world wars.

The eagerly anticipated first train arrived at Berkeley's Santa Fe Railroad Depot at 10:30 am on Monday, May 16, 1904:

"Long before the train was scheduled to arrive here, hundreds of Berkeley's patriotic citizens thronged the grounds about the Santa Fe Depot ready to greet the train when it should arrive... The moment that the first train pulled into the station, the crowds of school children who lined the track began their task of decorating the cars with long floral streamers. They also presented the special guests who occupied the cars with innumerable bouquets. A large blue banner with the word Berkeley worked in gold was fastened to the side of the engine...

(Berkeley) Mayor Thomas Rickard (was) ready to extend official greeting to the guests of the first transcontinental train - "This event is a milestone in the history of our city and marks the closing of one era of exceptional prosperity but also marks the beginning of another which I firmly believe will eclipse the last. This is a memorable occasion and no one here, old or young, will ever forget the occasion of the arrival of the first Santa Fe train in Berkeley. Railroads are not built for fun, they are built for profit and they indicate more closely than any other industry the prosperity of the community over which they traverse."(7)

For almost seven decades the depot served passengers and freight. The location proved to be a disappointment, as the city hall moved further east, and the area surrounding the tracks grew more and more densely populated with residential housing, rather than industry and commerce.

Unfortunately, declining rail traffic in the latter half of the 20th C. set the stage for first the end of passenger traffic on the line to Berkeley (which closed the station as well), in 1968, followed quickly by the end of freight traffic chugging past the station to Richmond in 1979. After decades of decline in passenger travel due to the popularity of the automobile after WWII, the last crushing blow to the Santa Fe Railroad's passenger service came as a result of the new Zip Code sorting system for the U.S. Mail Service in 1967, which allowed the postal system to send mail via the cheaper freight trains instead.

In 1969, the structure was remodeled into a restaurant, and for the past two decades has housed the Santa Fe Bar & Grill, named to honor the building and its history. The arcades were enclosed for additional restaurant floor area in 1979, and a small addition was built onto the southern elevation.

Architecture:

"It has been said that California's architecture came of age with the Mission Revival style. The early architects and cultural leaders of the young state sought to find an expression that reflected their new life and place. The romance of the Franciscan missions, mostly in ruins by the late 19th century, were a true source for regional inspiration. In 1891, the California World's Fair Commission authorized the design of a state building for the great Chicago Colombia Exposition of 1893, they passed a resolution stating, "If the proposal to follow the style of architecture of the missions be adhered to, a decidedly striking effect will be unquestionably be produced." Ultimately, for both the Colombia Exposition and the California Midwinter International Exposition of 1894, some of the best architects of the day, including A. Page Brown, Willis Polk, W.J. Cuthbertson, and Samuel and J. Cather Newsom, participated in developing competitive proposals and designs that attempted to evoke the old missions without imitating them." (4)

Architect Charles Frederick Whittlesey (March 10, 1867-January 1, 1941, born Alton, Illinois, the seventh of ten children) exhibited a Mission Revival design project in the Chicago Colombia Exposition as a young architect working for Louis Sullivan in Chicago in 1893. (18)

In 1900, he was appointed the chief architect for the Santa Fe Railroad, who was planning their expansion into the Southwest, and through to San Francisco. The classic Mission Revival design of the Berkeley station, which was completed in 1904, was complimented by the addition of the Southwest pueblo-inspired protruding beams on the exterior walls between the arches.

Quite a well-known architect of his era, Charles Whittlesey, who had studied with Louis Sullivan in Chicago, was also the architect of the El Tovar Lodge on the South Rim of the Grand Canyon (1902), the Alvarado Hotel and Station (1901), the Temple Auditorium (originally the Philharmonic Auditorium) Los Angeles, and the Pacific Building, 4th and Market St. San Francisco (1908).

Aside from being the architect of the National Register listed El Tovar, Mr. Whittlesey is perhaps best known for being a pioneer in the use of reinforced concrete. His earliest work was done using the conventional mediums of the time, but of his conversion to reinforced concrete, he once wrote:

"I found time, somehow, to make a study of natural cement concrete in ancient structures and was amazed at the performance of the material over these hundreds of years. I then studied the history of Portland cement concrete, trying to discover the reasons for its occasional failures, and watched with intense interest the first attempts to combine concrete with metal reinforcement. Gradually I became convinced of the logic of combining concrete and steel to form a building material of unlimited scope. Then following endless experiments and tests to prove what few dared to believe regarding matters as fire safety and corrosion and the ratio of moduli of elasticity between concrete and steel. All this in the end amounted to the conviction that the only faults that could be found with concrete were due to improper design or faulty construction." (1)

The original drawing of the Berkeley Santa Fe Railroad Depot, dated July 27th, 1903 show that the building was constructed of brick on a concrete foundation, then plastered with concrete, and interior use of "cement on metal lath," show an early use of his concrete techniques, which would thereafter quickly become more refined as Mr Whittlesey moved to San Francisco two years later, following the great earthquake and fire, to help rebuild the city.

18. Significance:

Historic Value: National Yes State Yes County Yes City Yes Neighborhood Yes

Architectural Value: National Yes State Yes County Yes City Yes
Neighborhood Yes

The Santa Fe Railroad Station is an outstanding regional example of the Mission Revival style, designed by a well known and significant architect of the period, Charles Frederick Whittlesey, chief architect of the Atchison, Topeka and Santa Fe Railroad's early 20th C. expansion into the Southwest and California, also the architect of the El Tovar Lodge (National Register Number: 74000334), on the South Rim of the Grand Canyon, a noted reinforced concrete pioneer, and student of Louis Sullivan.

In educational terms, Berkeley's Santa Fe Railroad Depot is a textbook example of the Mission Revival style. The building is all the more significant because so many Mission Revival Santa Fe depots have been demolished, including those designed by Mr. Whittlesey on the original Santa Fe routes throughout the Southwest and California.

The Berkeley Santa Fe Railroad Depot was also built as the last phase in the linking of passenger and freight transportation between the east to the west, during a period of expansion of the railways which would make passenger and freight travel between Chicago and Berkeley not only easy, but it would only take three days from one end of the line to the other.

In the early 20th Century, a railroad passenger station was a truly vital focus for community life and identity, as well as being a very significant link in the vital transportation of freight: mail, produce, livestock, coal, petroleum products, manufactured goods, and vital weapons and ship building components during the first and second world wars.

The Berkeley Santa Fe Railroad Depot is significant for its architecture, its educational value, and for the historical part it played in building the community of Berkeley, and for being a vital last link in the network of railways line between east and west.

The significant architectural feature is the overall original building of mission style design, including are the arcades, the arches, the projecting bay to the north, the protruding beams on the exterior walls between the arches, the roof including the central dome and its finial, the four corner turrets with small domes, and the mission gables on the central section, as well as the rounded gable over the original baggage door on the southwest façade, and the exterior plaster walls.

19. Illustration Sources:

- Fig. 1 (cover) City of Berkeley Santa Fe Station @ 1910, Bancroft Library archives
- Fig. 2 1903 Preliminary Sketch for a Depot at Berkeley, CA by Charles F. Whittlesey
- Fig. 3 Railroad Route, Atchison, Topeka, and Santa Fe Railroad, 1904 Chicago to Pt. Richmond, CA
- Fig. 4 Photographs taken by Carrie Olson, August 2001
- Fig. 5 Photograph of Opening Day, May 16, 1904, and photograph prior to completion 1904 (Coast Lines Stations, Lee Gustafson, 1996, pg. 226)
- Fig. 6 Photograph of station in 1920's with steam train (Coast Lines Stations, Lee Gustafson, 1996, pg. 224)
- Fig. 7 Announcement of arrival of new train service, local newspapers, May 16, 1904
- Fig. 8 Photograph of Santa Fe train bound for Berkeley from Glischinski, Steve, *Santa Fe Railway*, pg. 91
- Fig. 9 Sanborn Map Co., Sanborn map for 1929
- Fig. 10 Pettitt, George A., *Berkeley: the Town and Gown of It*, Berkeley: Howell-North Books (1973)
- Fig. 11 State Historic Resources Inventory. Betty Marvin, author, 1979

20. Bibliography:

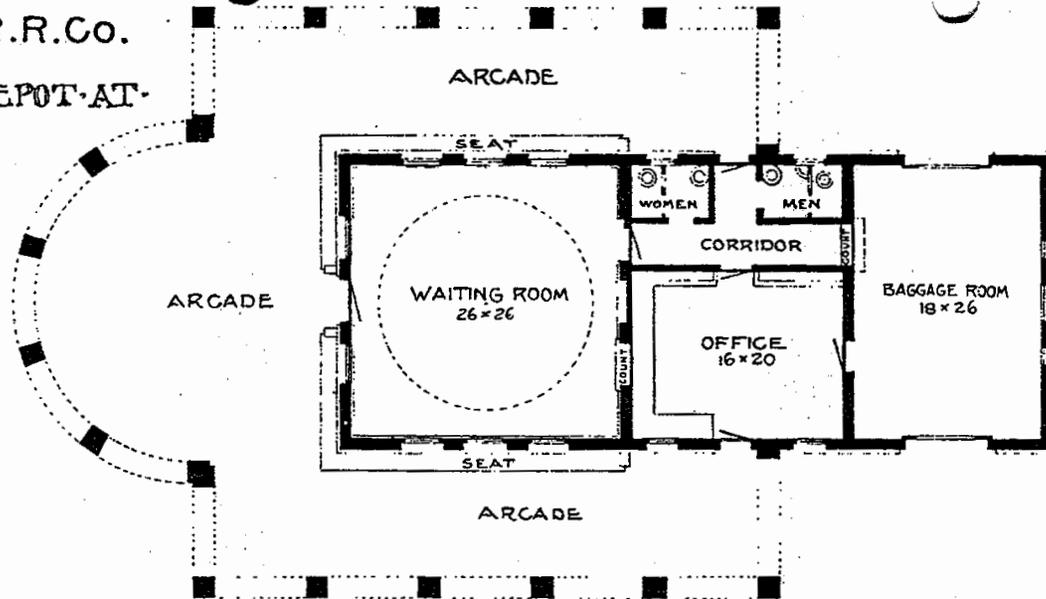
1. Architect and Engineer, Concrete, vol. 7 #4, Charles Whittlesey, Concrete Pioneer, BAHA files.
2. Architect and Engineer, Oct. 1908, pgs 65-74, BAHA files.
3. Berkeley Architectural Heritage Association (BAHA). Miscellaneous archival materials.
4. Berkeley Architectural Heritage Association, *BAHA Newsletter, Winter 2001, St. Mark's Episcopal Church*
5. Berkeley Daily Gazette, May 12, 1904
6. Berkeley Daily Gazette, May 13, 1904
7. Berkeley Daily Gazette, May 16, 1904
8. City of Berkeley Planning and Development Department. Permit records.
9. Glischinski, Steve, *Santa Fe Railway*, MBI Publishing Co., 1997
10. Gustafson, Lee, *Coast Lines Stations, Valley Divisions*, Omni Publications, 1996

11. Hegemann, Werner, Ph.D. *Report on a City Plan for the Municipalities of Oakland & Berkeley*. Prepared and published under the auspices of the municipal governments of Oakland and Berkeley, the Supervisors of Alameda County, the Chamber of Commerce and Commercial Club of Oakland, the Civic Art Commission of the City of Berkeley, and the City Club of Berkeley. 1915.
12. Marvin, Betty, *Landmark for Santa Fe*, Berkeley Independent & Gazette, January 10, 1980
13. Pettitt, George A. *Berkeley: the Town and Gown of It*, Berkeley: Howell-North Books (1973).
14. Sanborn Map Company. Sanborn maps for approximately 1911, 1929, 1950, and 1981.
15. Oakland Enquirer, May 16, 1904
16. San Francisco Chronicle, May 16, 1904
17. State Historic Resources Inventory. Betty Marvin, author, 1977.
18. Whittlesey, Matthew B., letter dated 7/25/01

21. **Recorder:** Name: Carrie Olson
Date: August 14, 2001
Address: 1408 Grant St. Berkeley, CA 94703
Phone: (510) 525-3571

22. **Repository:** Berkeley Architectural Heritage Association

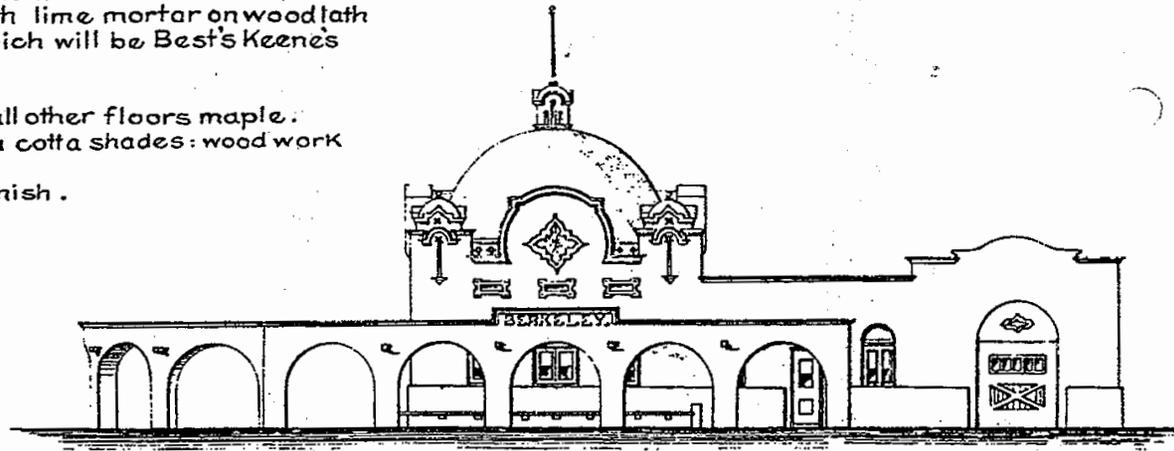
OAKLAND & EAST SIDE R.R.CO.
 DRAWING N° 80-4192
 -PRELIMINARY SKETCH FOR A DEPOT AT-
 -BERKELEY CAL-
 -FOR THE SANTA FE-
 CHAS F WHITTLESEY
 ARCHITECT



Construction

Foundation, Concrete.
 Walls, Brick plastered on exterior with cement.
 Mouldings made of cement.
 Interior, plastered with lime mortar on wood lath
 except wainscoting which will be Best's Keenes
 Cement on metal lath.
 Roof, Roof covered with tile.
 Floors, Baggage Room Cement all other floors maple.
 Painting, Exterior, soft light terra cotta shades: wood work
 deep Olive green.
 Interior, natural wood finish.

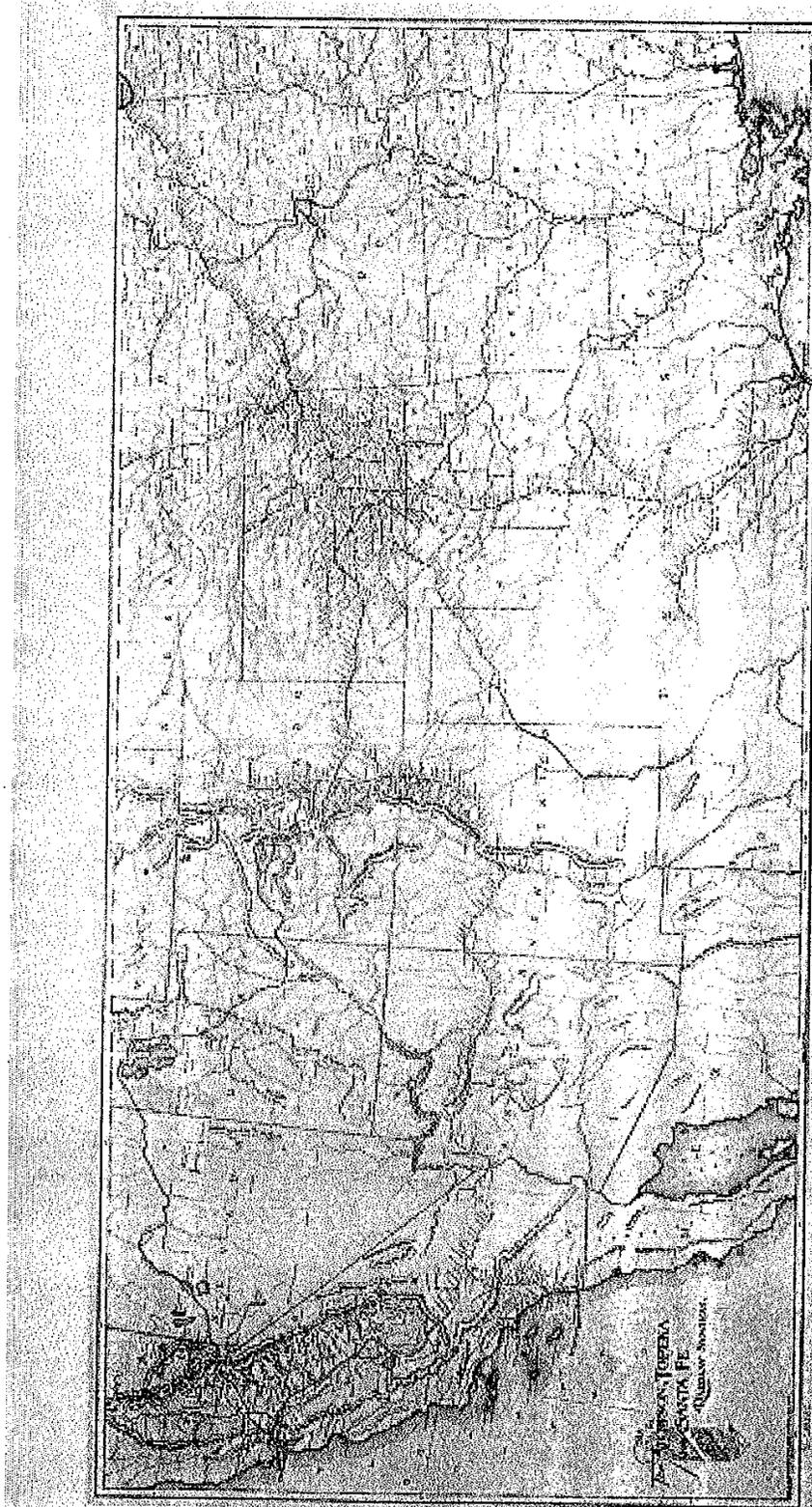
Estimated Cost, \$7000.00



-TRACK ELEVATION-

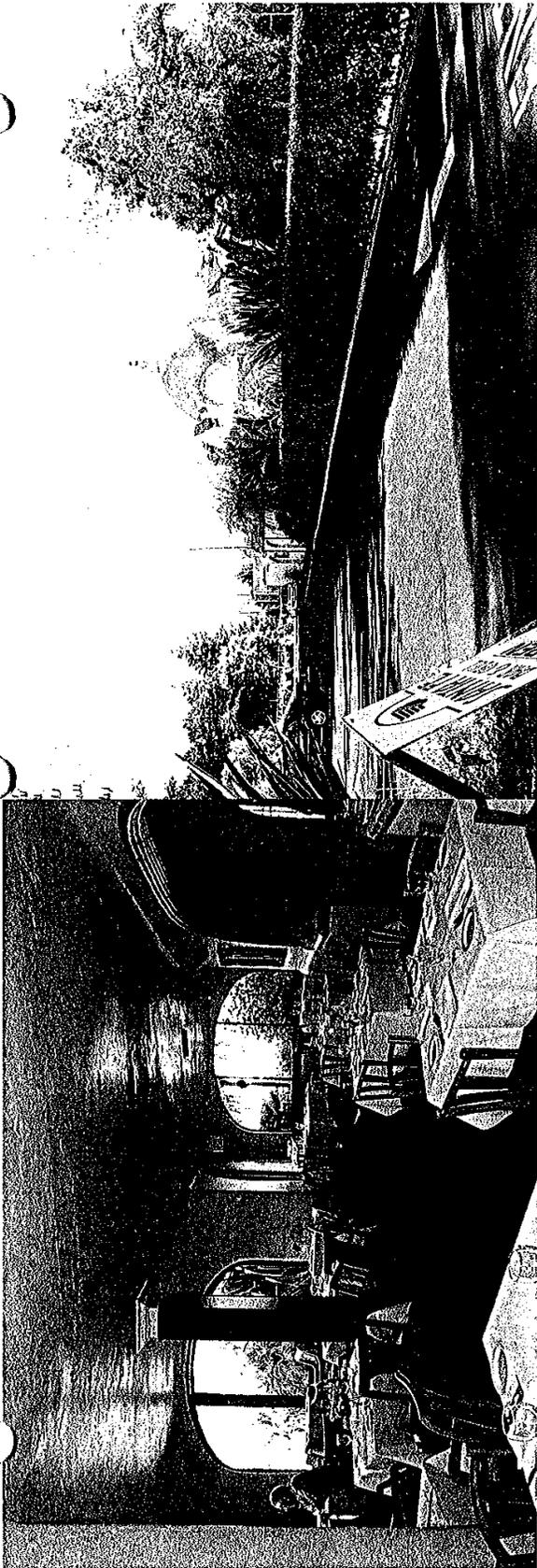
225

Fig 2



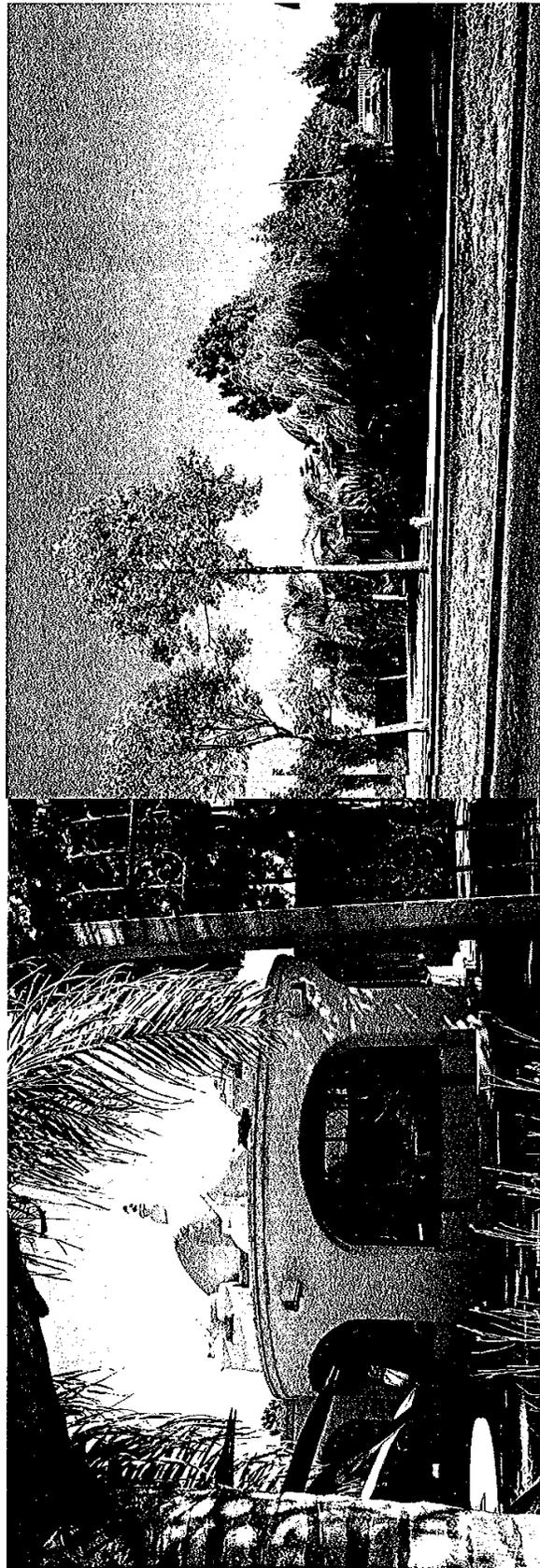
Route of the Santa Fe Railroad 1904

Fig. 3



Interior of north arcade

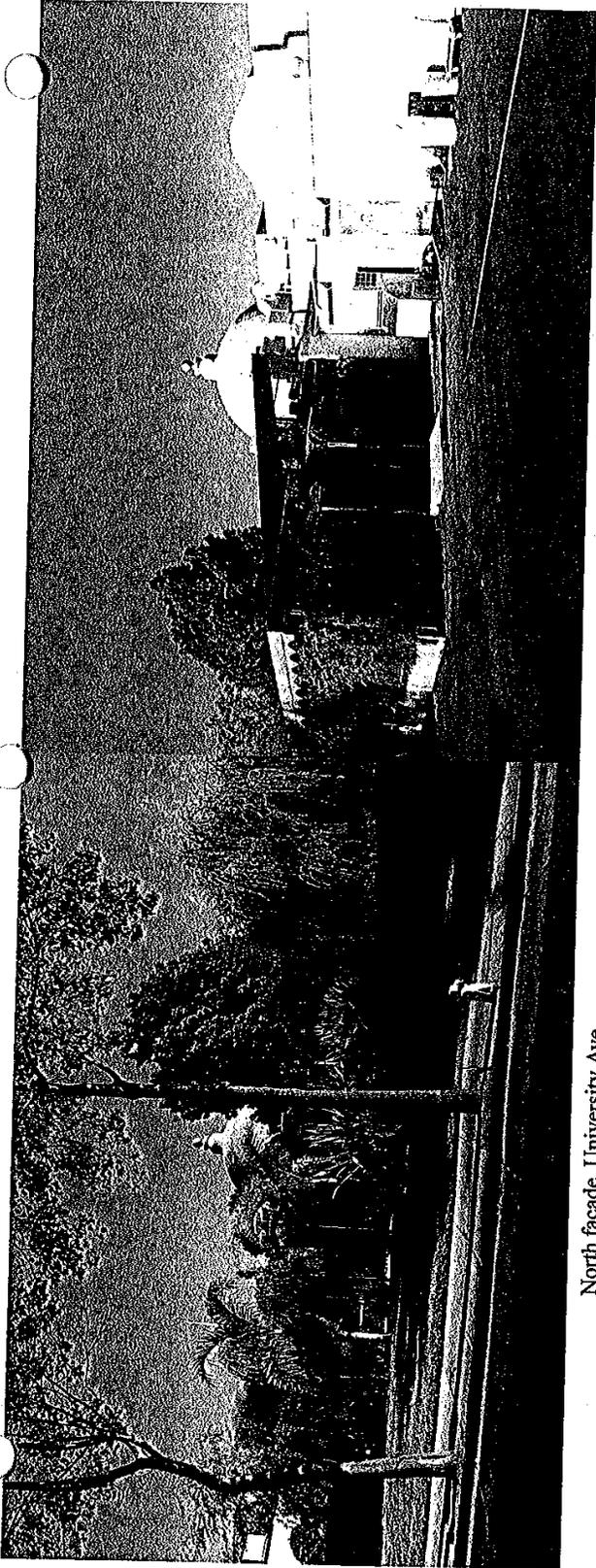
from northeast corner



Exterior of north facade

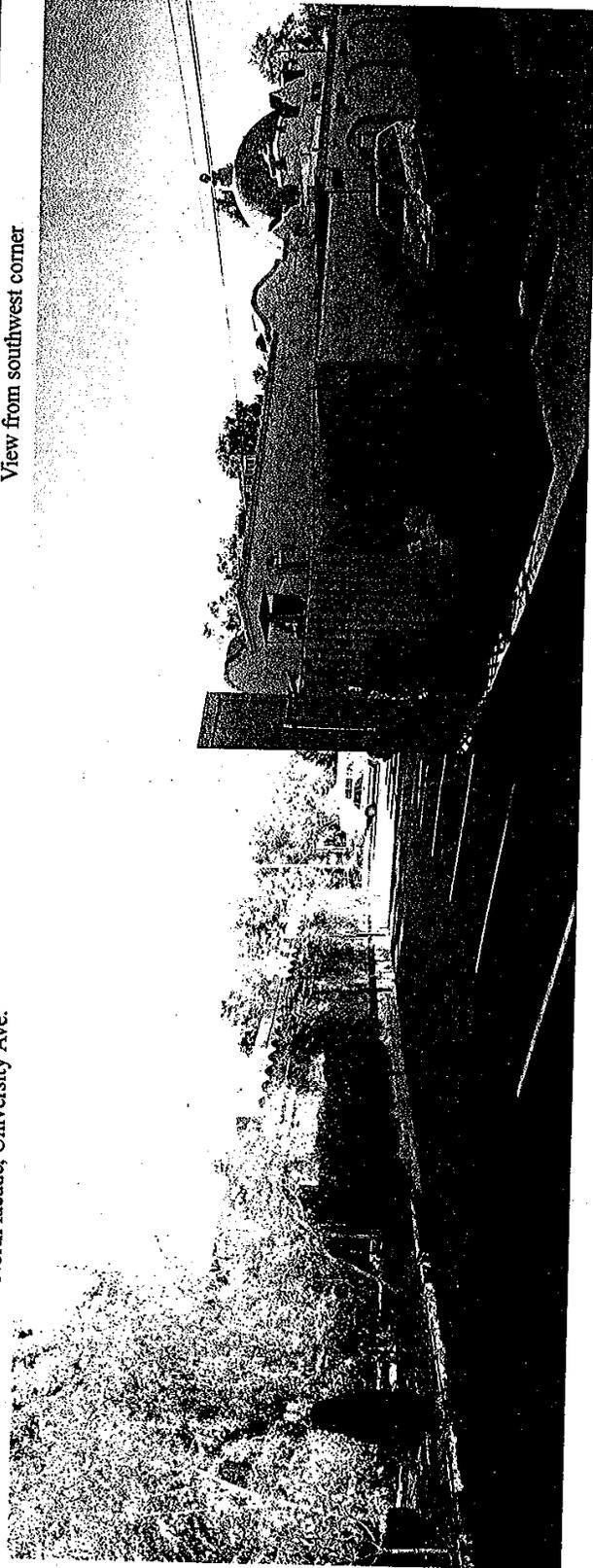
from across University

Fig. 4



North facade, University Ave.

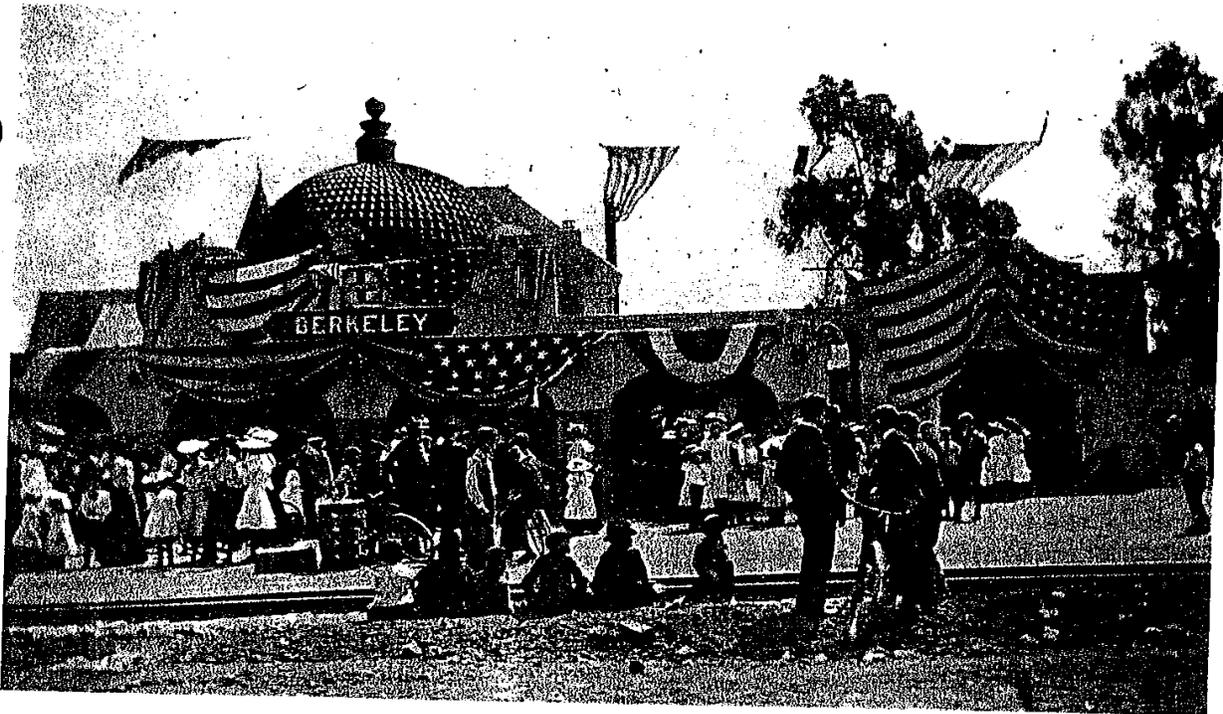
View from southwest corner



West, garden terrace of restaurant

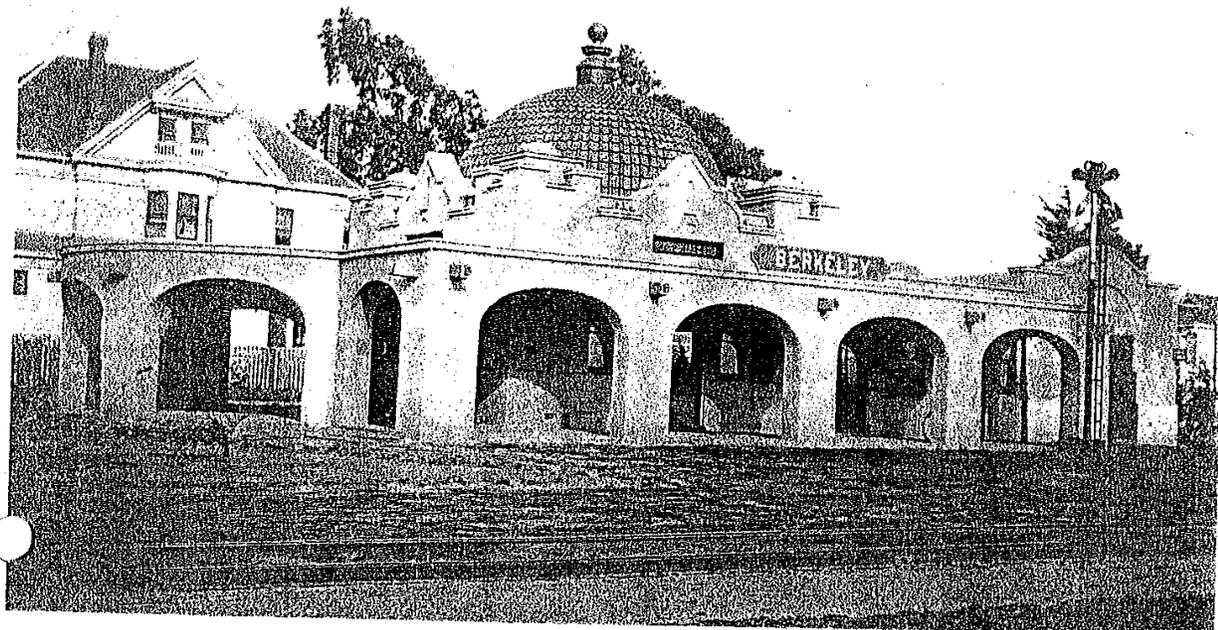
East facade

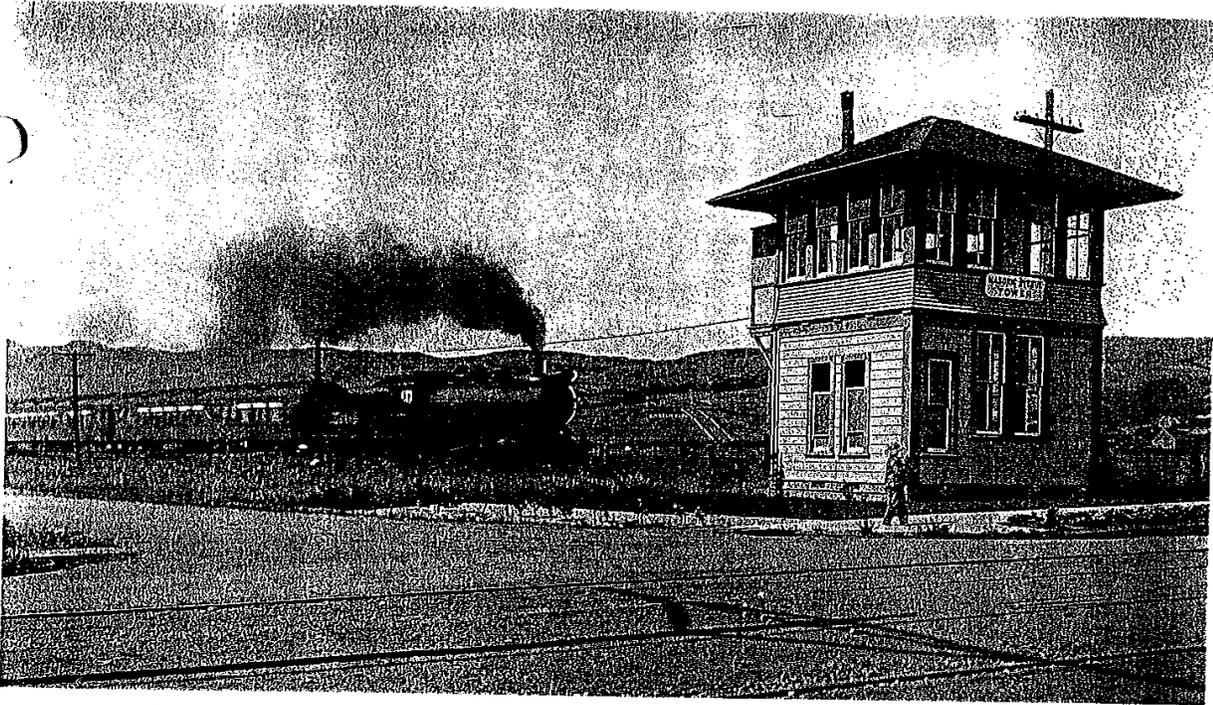
Fig. 4



Here are two 1904 views of the Santa Fe passenger depot at Berkeley. The view above was taken on May 16 recording the celebration of the line opening and the running of the first regular passenger train. The structure was designed by Charles F. Whittlesey and exhibits Spanish architecture with a taste of Moorish design; note the leaded atrium. The contract for construction was let to James Johnson of Needles, California and built at a cost of \$7,000. Up-to-date features included steam heating and electrical lighting. This unusual style of station signboard was also applied shortly after the turn of the century on the passenger depots at Fresno, Oakland and Stockton. Berkeley remains on-site to this day where it serves as a dining facility called *Santa Fe Bar and Grill*.

— (above) Louis L. Stein Collection
(below) Robert E. Pounds Collection



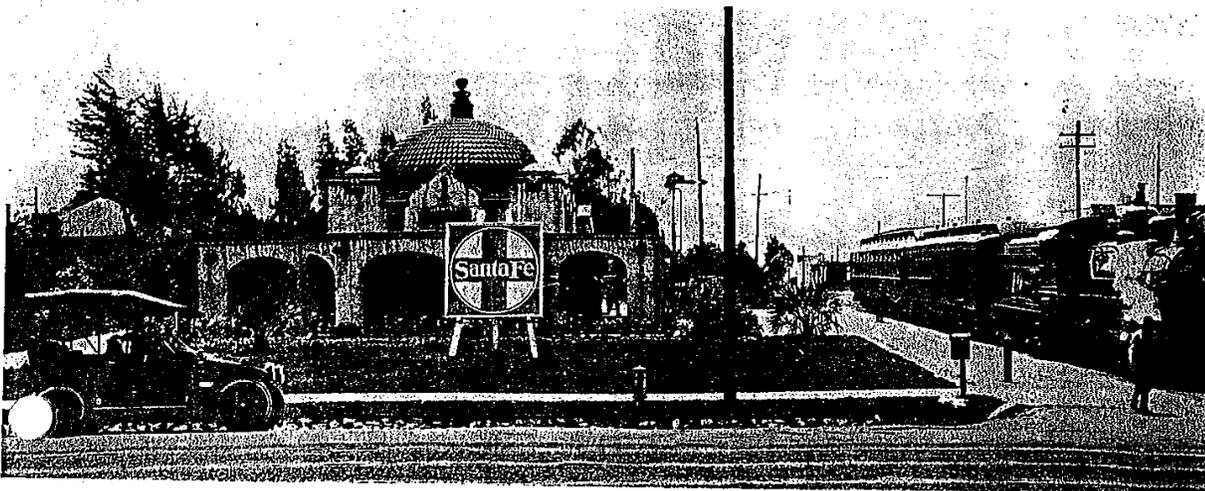
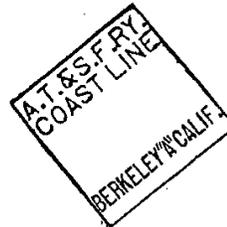


An Oakland-bound Santa Fe passenger train nears the crossing at Masonic Avenue Tower (in Albany) with Southern Pacific's double-tracked red electric 9th Street Line. This tower which opened on August 1, 1913, was built and paid for by the SP but operating and maintenance costs were shared equally with the Santa Fe. The 16-lever electric interlocking plant was located at Masonic and Main (now Solano) streets, and at the time this circa 1914 photo was taken, handled about 124 train movements per day. After the last Interurban Electric red train clanked over the crossing during the early morning hours of July 26, 1941, the tower was discontinued and presumably demolished shortly thereafter.

— Vernon J. Sappers Collection

Taken sometime during the 1920s is this interesting view at Berkeley. Use of the unique easel display of the company's logo has also been recorded at Oakland, as well as at Redlands and Wilmington on the Los Angeles Division. No.19, ex-SF&SV No.102, was built by Baldwin in 1887 and eventually scrapped at Richmond on July 28, 1924.

— Stan Kistler Collection



ANNOUNCEMENT

WE ARE PLEASED TO announce that on and after **MONDAY, May 16th,** we will operate trains in both passenger and freight service on our own tracks direct from Oakland to Chicago, connecting for all points East.



WE CONSIDER THIS event an important one in our history, and congratulate ourselves on having as a Western terminus so prominent and progressive a city as Oakland. Our only aim will be "Good Service" in every department.

"California Limited"
IS THE BEST

For Rates and Traintime ask J. J. WARNER, City Office, 1112 Broadway
Or W. G. DOZIER, Santa Fe Depot, Oakland

Fig. 7



Westward bound Santa Fe Super Chief

Fig. 8

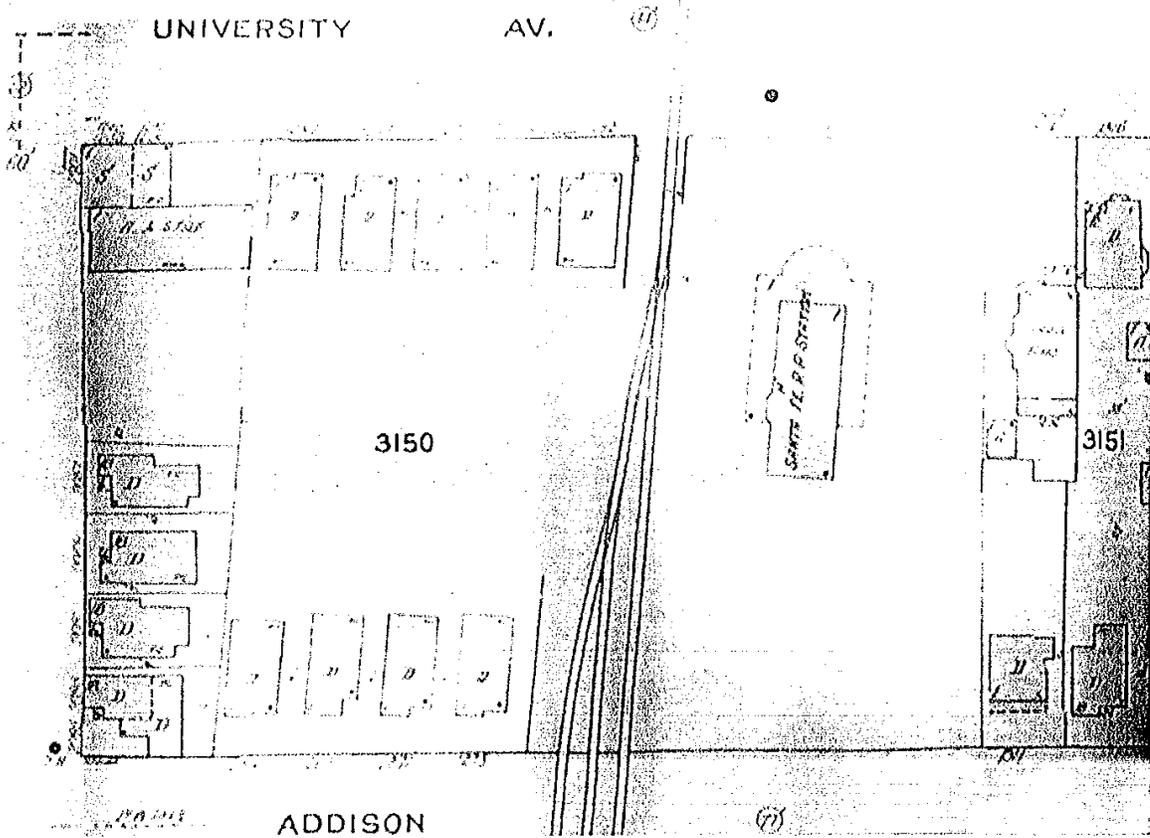


Fig. 9

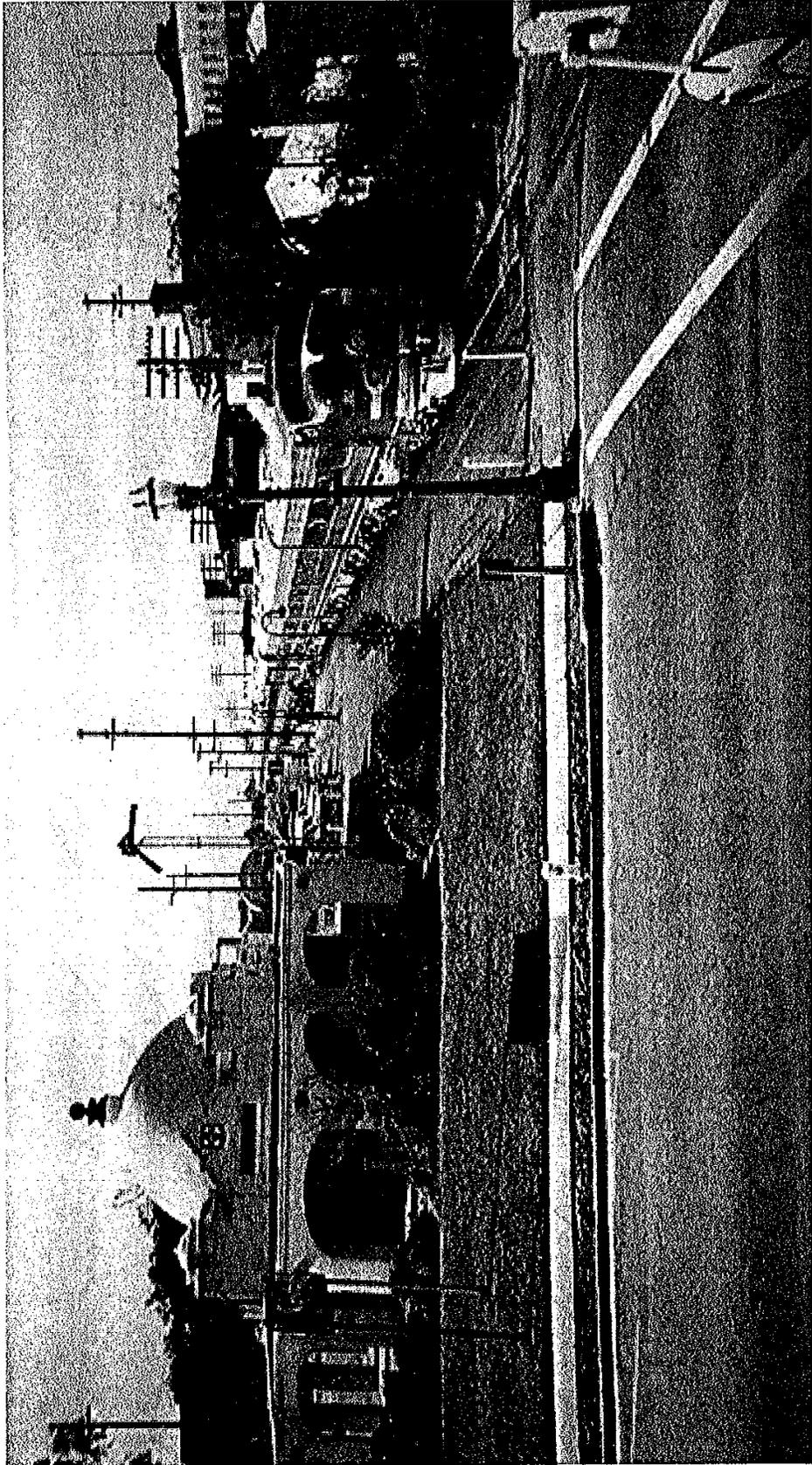


Fig. 10

State of California - The Resource Agency
DEPARTMENT OF PARKS AND RECREATION EDUCATION

HISTORIC RESOURCES INVENTORY

IDENTIFICATION

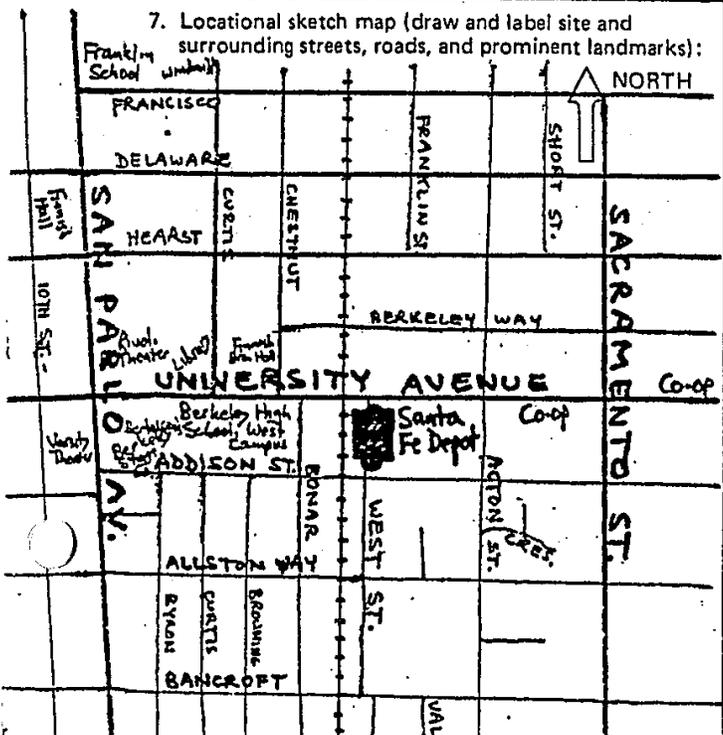
(State use only)
 Ser 1075628507 Site 380 Mo. 650 Yr. _____
 UTM _____ Q _____ NR 3 SHL _____
 Lat _____ Lon _____ Era _____ Sig _____
 Adm _____ T2 _____ T3 _____ Cat _____ HABS _____ HAER _____ Fed _____

- Common name: Depot Steaks; old Santa Fe station
- Historic name, if known: Santa Fe station
- Street or rural address: 1310 University Avenue
 City: Berkeley ZIP: 94702 County: Alameda
- Present owner, if known: Santa Fe Railway (?) Address: 235 W. MacArthur Blvd.
 City: Oakland ZIP: 94606 Ownership is: Public Private
- Present Use: restaurant Original Use: train station
 Other past uses: _____

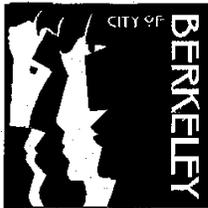
DESCRIPTION

6. Briefly describe the present physical appearance of the site or structure and describe any major alterations from its original condition: Ornate Mission style train depot made over into a restaurant. As a station, it was a rectangular building surrounded on part of 3 sides by an arched platform; the restaurant has filled in all the arches & turned the platform space into part of the interior, making a single very oddly shaped building. (There is also a canvas canopy hung out over the new entry in the east wall.) Building is cream color stucco on woodframe. It runs north-south along the tracks, north end facing University Av with a round bay extending out from the platform. North and south halves of both sides are what is meant to be seen from the street—the dome, platform, & all the roof ornamentation are concentrated at this end, while the south end down the tracks is a plain 1-story box. Arcade (was) about 12' deep, with massive low rounded arches, roof, projecting pueblo-style beams. Big stucco dome (originally red tiled, but long bare) with knobbed finial, surrounded by square battlement of pointed mission eaves & 4 corner turrets with their own smaller domes. Single low rounded mission pueblo halfway down each side where the platform ends. Restaurant remodeling (1969) is extensive; interior matches the big mock-carved door & the coach lanterns set in the former arches. Disused tracks & crossing signs still run right across Berkeley

7. Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):



- Approximate property size:
 Lot size (in feet) Frontage 127
 Depth 273 ;
 or approx. acreage _____
- Condition: (check one)
 a. Excellent b. Good c. Fair
 d. Deteriorated e. No longer in existence
- Is the feature a. Altered? b. Unaltered?
- Surroundings: (Check more than one if necessary)
 a. Open land b. Scattered buildings
 c. Densely built-up d. Residential
 e. Commercial f. Industrial
 g. Other tracks, parking
- Threats to site:
 a. None known b. Private development
 c. Zoning d. Public Works project
 e. Vandalism f. Other _____



Planning and Development Department
Current Planning Division
Landmarks Preservation Commission

NOTICE OF DECISION FOR MEETING OF: September 10, 2001

PROPERTY DESCRIPTION: 1310 University Avenue, (APN 056 199502900),

ALSO KNOWN AS: Santa Fe Railway Depot

OWNER OF PROPERTY: Berkeley Montessori School

ACTION: Landmark Designation

DESIGNATION AUTHOR: Carrie Olson

WHEREAS, on July 9, 2001, the Landmarks Preservation Commission initiated 1310 University Avenue, Santa Fe Railway Depot;

WHEREAS, on September 10, 2001, the Landmarks Preservation Commission held a public hearing on the pending designation of 1310 University Avenue, the Santa Fe Railway Depot as a City of Berkeley Landmark;

WHEREAS, the Landmarks Preservation Commission, finds that the Berkeley Santa Fe Railway Depot, including, but not limited to the features shown on the drawings contained in Appendix A of the September 2001 Tim Kelley Report (attached), is significant for its architecture, its educational value, and for the historical part it played in building the community of Berkeley, and for being a vital last link in the network of railway lines between East and West; and

NOW, THEREFORE, BE IT RESOLVED that **1310 University Avenue (APN 056 199502900)**, including the building and parcel is hereby designated a City of Berkeley Landmark.

BE IT FURTHER RESOLVED that the significant features to be preserved include, but are not limited to, those that contribute to the overall original building of mission style design, which are the arcades, the arches, the projecting bay to the north, the protruding beams on the exterior walls between the arches, the roof including the central dome and its finial, the four corner turrets with small domes, and the mission gables on the central section, as well as the rounded gable over the original baggage door on the southwest façade, and the exterior plaster walls.

VOTE: 8-0-0-1

Aye: Rohrer, Olson, Emmington, Edwards, Dacey, Korte, Eichenfield, Morse,
Nay: None
Abstain: None
Absent: Dishnica

1310 University Avenue, Santa Fe Railway Depot
Page 2 of 2

September 10, 2001

DATE NOTICE MAILED: **October 30, 2001.**
THE APPEAL PERIOD EXPIRES (15 DAYS) AT 5 PM: **November 14, 2001**
Appeal must be filed with City Clerk by this date.

TO APPEAL THIS MATTER:

Pursuant to Section 3.24.300 of the Landmarks Preservation Ordinance: "An appeal may be taken to the City Council by the City Council on its own motion, by motion of the Planning Commission, by motion of the Civic Art Commission, by the verified application of the owners of the property or their authorized agents, or by the verified application of at least fifty residents of the City aggrieved or affected by any determination of the commission made under the provisions of this chapter". Any appeal submitted by the public must be in writing, specifying the reasons for the appeal. The appeal fee is \$64.00. The City Clerk's Department is located on the first floor at 2180 Milvia Street, Berkeley, CA 94704; Phone (510) 981-6900.

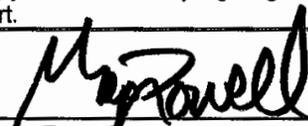
NOTICE CONCERNING YOUR LEGAL RIGHTS:

If you object to a decision by the Landmarks Preservation Commission to approve or deny a Landmark or Structure of Merit Designation, the following requirements and restrictions apply:

1. You must appeal to the City Council within 15 days after the Notice of Decision of the action of the Landmarks Preservation Commission is mailed. It is your obligation to inquire with the Current Planning Division (705-8111) to determine when a Notice of Decision is mailed.
2. No lawsuit challenging a City decision to deny or approve a Landmark or Structure of Merit Designation (Code Civ. Proc. Section 1094.6(b)) may be filed more than 90 days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that 90-day period will be barred.
3. In any lawsuit that may be filed against a City Council decision to approve or deny a Landmark or Structure of Merit Designation, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.
4. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a "taking" of property for public use without just compensation under the California or United States Constitutions, the following requirements apply:
 - a. That this belief is a basis of your appeal.
 - b. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
 - c. All evidence and argument in support of your belief that the decision or condition constitutes a "taking" as set forth above.

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

ATTEST:



Greg Powell
Secretary, Landmarks Preservation Commission

cc:

City Clerk	Larolyn Davis	Will Travis
	Head of School	50 California Street, Suite 2600
	Berkeley Montessori School	San Francisco, California 94111
	1581 Leroy Avenue	
	Berkeley, CA 94708	